

## BEFORE THE NATIONAL GREEN TRIBUNAL

## WESTERN ZONE BENCH, PUNE

(By Video Conferencing)

Original Application No. 52/2020(WZ)

Jitendra Prakash Khasnis --- Applicant(s)  
 Versus  
 The (Sub) Deputy Regional Officer & Ors --- Respondent(s)

**Submission of Joint Committee Report in compliance of order passed by Hon'ble NGT.**

The applicant filed this application against illegal treatment of wastewater by Respondent no. 5 industry i.e. Cummins India Limited, Dahanukar Colony, Kothrud, Pune – 411 038, which causes bad effects on the health of the applicant. Hon'ble NGT vide order dated 09.11.2020 constituted joint committee of MPCB and PMC and directed the Joint Committee to submit the factual and action taken report.

The Joint Committee Humbly state that the Applicant did not serve the Application copy to MPCB ; the M. P. C. Board received the application copy in the month of November / October 2021 and hence, the Joint Committee was unable to inspect the site with respect to the allegations made by the Applicant in the Application before.

The Joint Committee in compliance of the Orders passed by Hon'ble NGT carried out the visit on 13/12/2021 at the site in question. The Joint Committee is comprised of following members –

- Mr. Nitin Shinde – Regional Officer, MPCB Pune.
- Mr. Pratap Jagtap – Sub Regional Officer, MPCB – Pune I.
- Mr. Shridhar Yewalekar – Executive Engineer, PMC.

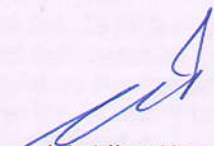
The Joint Committee is submitting the factual report as below –

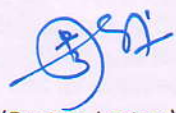
- 1) The Joint Committee visited the Respondent No. 05 Industry on 13/12/2021 and observed the Effluent Treatment Plant and the Sewage Treatment Plant provided by the Respondent Industry; location of ETP and STP; nearby nala and noted the observations related to smell / bad odour.
- 2) The M. P. C. Board has granted Consent to Operate to the Respondent Industry on 08/07/2020. The said Consent is valid up to 30/04/2022. A copy of the Consent dated 08/07/2020 is attached and annexed herewith as an **Annexure – 1**. The industry has been

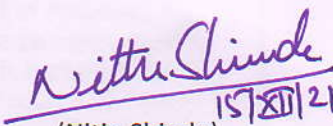
established in 1962 and same is engaged in engineering activity for manufacturing of internal combustion engine, spares and accessories.

- 3) The joint committee during visit observed that ETP & STP both were in operation scientifically. The ETP and STP are located adjacent to the compound wall towards Kanchanjanga and other residential societies.
- 4) The joint committee members did not notice any smell or bad odour from the ETP and STP of the Respondent Industry.
- 5) As per the information given by the industry representative and as per the verified records of MPCB it is observed that the respondent industry has carried out upgradation of ETP to Secondary and Tertiary Stage along with Reverse Osmosis system, mechanical vapour reprocess in the month of October, 2020 to comply the consent condition to utilise treated Effluent from ETP in the process to achieve ZLD.
- 6) Capacity of ETP is 39 CMD, which comprises as Bar screen, Oil & grease trap, equalization tank, pre separator, Dissolved air floating unit, active sludge processor – I & II, clarifier -I & II, High retention solid contact clarifier, ozonation, Dual media filter, Ceramic membrane filter, RO system, RO reject is treated in MVR – Mechanical Vapour Recompressor and followed by sludge dryer. Presently Industry is using treated effluent totally into the manufacturing process. The layout of the ETP is attached and annexed herewith as an **Annexure – 2**.
- 7) The respondent Industry has provided Sewage Treatment Plant of 550 CMD capacity which comprises as Bar screen, Oil & Grease/ Grit chamber, Equalization tank, Aeration tank (2 nos.), Clarifier, Pressure sand filter and Activated carbon filter, Ozonator, Ultra filtration system, Sludge drying bed. Treated effluent is totally used for cooling and flushing in domestic purpose. The layout of the STP is attached and annexed herewith as an **Annexure – 3**. Industry is not using chlorination system since 2018, as industry has installed ozonator as a disinfection system. Also, industry is not using chlorine as a raw material in any of manufacturing process and ETP, STP also.
- 8) The natural open nalla enters the Respondent industry premises from residential area and flows through the respondent industry. This nalla flows approximately 10 Meters away from the ETP and STP locations of the Respondent Industry. The width of the nalla is approximately 2.5 to 3.0 meter.
- 9) The Joint Committee did not observe any discharge of wastewater from ETP or STP into the said nalla.
- 10) The Joint Committee Members observed that there is less flow of water in the nalla ; no sewage water was observed into the nalla ; no foul odour was from the nalla water. The photographs of the nalla taken during the said visit are attached and annexed herewith as an **Annexure – 4**.

- 11) Maharashtra Pollution Control Board has taken cognizance of the repetitive complaints made by the Applicant related to this issue. The Board officials had carried out the visit in past on 04/12/2020 and observed that due to considerable flow of untreated domestic effluent through nalla there was odour / bad smell nuisance in nearby area. Accordingly, MPCB has issued letter to PMC on 23/12/2020 to investigate the complaints made by the applicant and take necessary actions.
- 12) PMC Drainage Department has communicated to MPCB vide letter dated 23/03/2021 that the PMC Drainage Line got choke up and due to that some quantity of domestic sewage water was flowing through the said nalla. Then thereafter PMC had attended the problem and stopped the sewage discharge in to the nalla.
- 13) The communication between the MPCB and PMC done via letters are attached and annexed herewith as an **Annexure – 5**.
- 14) MPC Board has issued proposed direction under section 33A of Water (Prevention & Control of Pollution) Act, 1974, 31 of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous and other Wastes (M & TM) Rules, 2016 vide letter dated 13.09.2021, for the exceedance of joint vigilance sample reports dated 05 & 06.07.2021. The copy of direction is annexed herewith as an **Annexure – 6**.

  
 (Shridhar Yewalekar)  
 Executive Engineer  
 PMC  
 (Drainage Dept.)

  
 (Pratap Jagtap)  
 Sub Regional Officer  
 MPCB – Pune I

  
 (Nitin Shinde)  
 I/c Regional Officer  
 MPCB Pune

Place- Pune

Date:- 15.12.2021

**MAHARASHTRA POLLUTION CONTROL BOARD**

Tel: 24010706/24010437  
Fax: 24023516  
Website: <http://mpcb.gov.in>  
Email: [cac-cell@mpcb.gov.in](mailto:cac-cell@mpcb.gov.in)



Kalpataru Point, 2nd and  
4th floor, Opp. Cine Planet  
Cinema, Near Sion Circle,  
Sion (E), Mumbai-400022

RED/L.S.I (R2 )

No:- Format1.0/CAC/UAN No.0000086956/CO -2007000599

Date: 08/07/2020

To,  
Cummins India Limited  
S.No 3 to 7,37,38,41,42 & 43,Dahanukar Colony,  
Kothrud, Tal. Haveli, Dist - Pune

**Sub: 1st consent to operate for modernization with amalgamation and amendment in existing consent under RED category**

- Ref:**
1. Earlier consent granted by Board vide No. BO/CAC-Cell/UAN No. 0000021924-17/CAC/1806000794 dtd. 21.06.2018
  2. Earlier consent to establish for modernization granted by Board vide No. BO/CAC-Cell/UAN No. 0000050441-18/11th CAC/1905000032 dtd. 02.05.2019
  3. Minutes of CAC meeting held on 15.05.2020

Your application No.MPCB-CONSENT-0000086956 Dated 15.01.2020

For: grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. The consent to operate is granted for a period up to 30/04/2022
2. The capital investment of the project is Rs.187 Crs. (As per C.A Certificate submitted by industry Existing CI is Rs. 1529.28 Crs + Expansion in C.I. is Rs. 187 Crs, i.e. total CI is Rs. 1716.28 Cr)
3. Consent is valid for the manufacture of:

Sr No	Product	Maximum Quantity	UOM
Products			
1	Spares & Accessories	48000	MT/A
2	Internal Combustion Engines	19200	Nos./Y
3	Modernization and Up-gradation of 4 High Horse Power Engine Test cells in MVIC test cell area	0	--NA--



4. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	37.2	As per Schedule-I	Maximum recycol / Reuse and remaining on land for gardening
2.	Domestic effluent	450	As per Schedule-I	Maximum recycol / Reuse and remaining on land for gardening

5. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	1	New KV Test Cell East Side (Test Cells Number 4,5 & 6)	1	As per Schedule -II
2	2	New KV Test Cell West Side (Test Cells Number 1,2 & #)	1	As per Schedule -II
3	3	NHNT Test Cells (Even Numbers- 2,4,6,8,10,12,14,16 &18)-2 Stacks/Test Cell	18	As per Schedule -II
4	4	NHNT Test Cells (Odd Numbers- 1,3,5,7,9,11,13,15,17, &19)	11	As per Schedule -II
5	5	MVIC Test Cells (Earlier Named as SPD)	1	As per Schedule -II
6	6	Heat Treatment	1	As per Schedule -II
7	7	Lubricating Plant	1	As per Schedule -II
8	8	Fire Pump Room	1	As per Schedule -II
9	9	Shot Blasting	1	As per Schedule -II
10	10	KV paint Booth	2	As per Schedule -II
11	11	KV KIT Paint Booth	1	As per Schedule -II
12	12	NH-NT Paint Booth Thermax	2	As per Schedule -II
13	13	NH-NT paint Booth Josts	2	As per Schedule -II
14	14	NH-NT Kit Paint Booth	1	As per Schedule -II
15	15	DG Set 1- Power House East (750 KVA -1Nos, 1500 KVA-2 no, 1250 KVA-1 No.)	1	As per Schedule -II
16	16	DG Set 2- Power House West (1250 KVA -1 Nos, 1500 KVA-2 no, 500 KVA-1 No)	1	As per Schedule -II
17	17	DG Set 3- Unit 4 Power House (1250 KVA -1 Nos, 1500 KVA -3 Nos.1000 KVA-1 No.)	1	As per Schedule -II

6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Brass Waste	3	Ton/Y	NA	Sale to authorised party
2	Ferrous Waste	3330	Ton/Y	NA	Sale to authorised party
3	Wooden Scrap	700	Ton/Y	NA	Sale to authorised party
4	Rubber Waste	50	Ton/Y	NA	Sale to authorised party
5	Food Waste	150	Ton/Y	NA	Sale to authorised party
6	Copper Waste	0.365	Ton/Y	NA	Sale to authorised party
7	Garbage	316.43	Ton/Y	NA	Sale to authorised party
8	Glass wool/rockwool/fiber waste	5	Ton/Y	NA	Sale to authorised party
9	Glass waste	5	Ton/Y	NA	Sale to authorised party
10	Paper & cardboard waste	500	Ton/Y	NA	Sale to authorised party

7. Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	840	MT/A	Recycle	Send to Authorized recycle
2	5.2 Wastes or residues containing oil	840	MT/A	Incineration	CHWTSDF
3	12.1 Acidic and alkaline residues	1	MT/A	Landfill	CHWTSDF
4	35.3 Chemical sludge from waste water treatment	200	MT/A	Landfill	CHWTSDF
5	21.1, Process Waste, Residue (Paint Sludge)	30	MT/A	Recycle / Incineration	Pre-processor/Co-processor/Recycler/CHWTSDF
6	33.1 Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	15000	Nos./Y	Decontamination	Send to Authorized recycle



Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
7	15.2 Discarded asbestos	50	MT/A	Landfill	CHWTSDF
8	Aluminium Waste	27	MT/A	Recycle	Send to Authorized recycle

8. Conditions under Batteries (Management & Handling) Rules, 2001:

Sr No	Type of Waste	Quantity	UoM	Disposal Path
1	Batteries Waste	10.00	MT/A	Send to Authorized Recycler

Specific Conditions for used Batteries:

- The applicant shall ensure that used batteries are not disposed of in any manner other than by depositing with the authorized dealer/ manufacturer/ registered recycler/ importer/ re-conditioner or at the designated collection center.
- The applicant shall file half-yearly return in Form VIII to the M.P.C. Board.
- Bulk consumers to their user units may auction used batteries to registered recyclers only.

9. Conditions under Plastic Waste Management Rules, 2016 (Notification dtd. 18/03/2016):

Sr No	Type of Waste	Quantity	UoM	Disposal Path
1	Plastic Waste	250.00	Ton/Y	Send to Authorized recycler

10. Conditions under E-Waste Management:

Sr No	Type of Waste	Quantity	UoM	Disposal Path
1	E- Waste	10.00	MT/A	Send to Authorized Recycler

- The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
- This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
- This consent is issued with the overriding effect on earlier Consent to Operate No. Format BO/CAC-Cell/UAN No. 0000021924-17/CAC/1806000794 dtd. 21.06.2018

For and on behalf of the  
Maharashtra Pollution Control Board.

(E. Ravendiran IAS),  
Member Secretary

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	1122000.00	5458822	31/01/2020	NEFT

Balance amount of Rs. 374000 will be considered at the time of next renewal of consent.

Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune I  
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai
3. CC/CAC desk- for record & website up-dation purposes.





**SCHEDULE-I**

**Terms & conditions for compliance of Water Pollution Control:**

1. A) As per your application, you have provided Effluent Treatment Plant (ETP) of designed capacity of 39.00 CMD consisting of Primary, Secondary & Tertiary.
- B) The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent:

Sr.No	Parameters	Limiting concentration not to exceed in mg/l, except for pH
Compulsory parameters		
(1)	pH	5.5 to 8.5
(2)	Oil & Grease	10 mg/l
(3)	BOD (3 days 27°C )	30 mg/l
(4)	Total Suspended solids	100
(5)	Total Dissolved solids	2100 mg/l
Additional Parameters		
(6)	COD	250 mg/l
(7)	Chloride	600 mg/l
(8)	Sulphate	1000 mg/l

C) The treated industrial effluent shall be recycled to the maximum extent and remaining treated effluent shall be utilized on land for gardening/plantation in the premises only after confirming to above standards. There shall not be any discharge outside the factory premises. Industry shall not discharge any effluent directly/indirectly into local nalla.

2. A) As per your application, you have provided Sewage Treatment Plant of designed capacity 550 CMD for the treatment of 450 CMD of sewage.
- B) The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

1	Suspended solids	Not to exceed	50 mg/l
2	BOD (3 days 27°C )	Not to exceed	30 mg/l
3	COD	Not to exceed	100 mg/l

C) The treated domestic effluent shall be recycled to the maximum extent & remaining shall be used on land for gardening/plantation in the premises only after confirming the above standards. There shall not have any discharge outside the factory premises directly/indirectly.

3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.

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4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	325.01
2.	Domestic purpose	603.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	43.00
5.	Gardening	0

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.





**SCHEDULE-II**

**Terms & conditions for compliance of Air Pollution Control:**

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO <sub>2</sub> (kg/day)
1	New KV Test Cell East Side (Test Cells Number 4,5 & 6)	Acoustic Enclosure	35	HSD	1250 Ltr/Hr	1.00	600.00
2	New KV Test Cell West Side (Test Cells Number 1,2 & #)	Acoustic Enclosure	35	HSD	1250 Ltr/Hr	1.00	600.00
3	NHNT Test Cells (Even Numbers- 2,4,6,8,10,12,14,16 &18)-2 Stacks/Test Cell	Acoustic Enclosure	14.7 (each)	HSD	3888 Ltr/Hr	1.00	1866.24
4	NHNT Test Cells (Odd Numbers- 1,3,5,7,9,11,13,15,17, &19)	Acoustic Enclosure	14.7 (each)	HSD	1140 Ltr/Hr	1.00	547.20
5	MVIC Test Cells (Earlier Named as SPD)	Acoustic Enclosure	34	HSD	1365 Ltr/Hr	1.00	655.20
6	Heat Treatment	Stack	22	--	--	--	--
7	Lubricating Plant	Stack	10.66	--	--	--	--
8	Fire Pump Room	Stack	5	HSD	80 Ltr/Hr	1.00	38.40
9	Shot Blasting	Dust collector & Bag Filter	8	--	--	--	--
10	KV paint Booth	Water Curtain	10.8	--	--	--	--
11	KV KIT paint Booth	Water Curtain	10.8	--	--	--	--
12	NH-NT Paint Booth Thermax	Water Curtain	13.4	--	--	--	--
13	NH-NT paint Booth Josts	Water Curtain	13.4	--	--	--	--
14	NH-NT Kit Paint Booth	Water Curtain	15	--	--	--	--
15	DG Set 1- Power House East (750 KVA -1Nos, 1500 KVA-2 no, 1250 KVA-1 No.)	Acoustic Enclosure	35.5	HSD	1050 Ltr/Hr	1.00	504.00

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO <sub>2</sub> (kg/day)
16	DG Set 2- Power House West (1250 KVA -1 Nos, 1500 KVA-2 no, 500 KVA-1 No)	Acoustic Enclosure	32	HSD	1350 Ltr/Hr	1.00	648.00
17	DG Set 3- Unit 4 Power House (1250 KVA -1 Nos, 1500 KVA -3 Nos, 1000 KVA-1 No)	Acoustic Enclosure	32	HSD	1350 Ltr/Hr	1.00	648.00

- The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
- The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards
Particulate Matter	Not to exceed 150 mg/Nm <sup>3</sup>

- The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
- The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).



**SCHEDULE-III**  
**Details of Bank Guarantees:**

Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to R	Rs. 10.0 Lakh	15 days	Towards operation and maintenance of pollution control system	Continue	30.08.2022
2	C to R	Rs. 10.0 Lakh	15 days	Towards recycle / reuse treated trade and domestic effluent as per consent condition	Continue	30.08.2022

**BG Forfeiture History**

Srno.	Consent (C2E/C2O/C2R)	Amount of BG Imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

**BG Return details**

Srno.	Consent (C2E/C2O/C2R)	BG Imposed	Purpose of BG	Amount of BG Returned
NA				

Maharashtra Pollution Control Board  
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**SCHEDULE-IV**  
**General Conditions:**

1. The waste generator shall.-
  - a) take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016 or as amended from time to time.
  - b) not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;
2. All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Solid Waste Management Rules, 2016 amendment from time to time and handover segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.
3. All waste generators shall pay such user fee or charge as may be specified in the byelaws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;
4. Every person responsible for organizing an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Solid Waste Management Rules, 2016 amendment from time to time.
5. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelised through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler or recycler
6. Bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board
7. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under;
8. Bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.
9. The Energy source for lighting purpose shall preferably be LED based
10. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant



11. Conditions for D.G. Set
  - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
  - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
  - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
  - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
  - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
  - f) D.G. Set shall be operated only in case of power failure.
  - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
  - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
12. The applicant shall maintain good housekeeping.
13. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
14. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
15. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
16. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
17. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
18. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
19. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
20. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
21. The PP shall provide personal protection equipment as per norms of Factory Act
22. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.

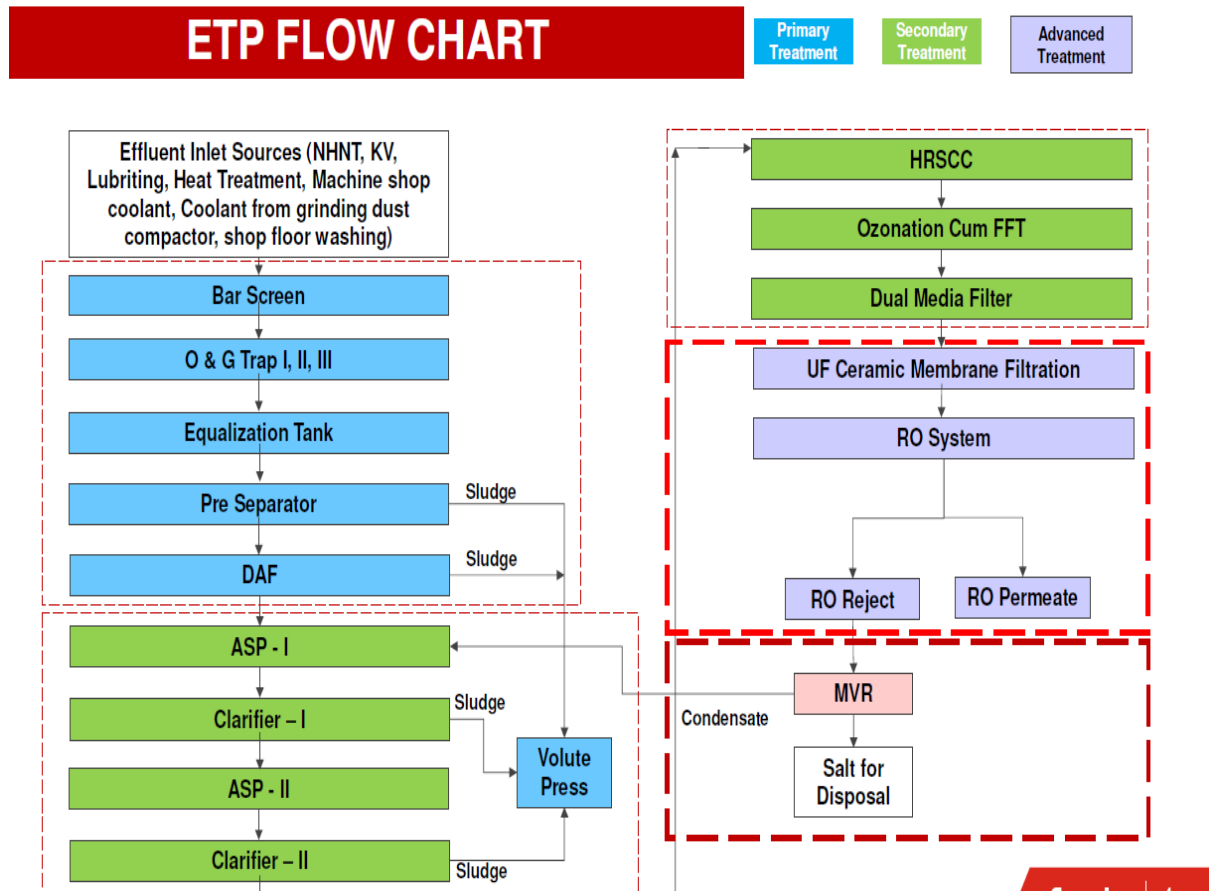
23. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
24. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
25. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
26. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
27. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
28. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
29. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
30. The industry should not cause any nuisance in surrounding area.
31. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
32. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
33. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
34. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
35. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.



36. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
37. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
38. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
39. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
40. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
41. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.

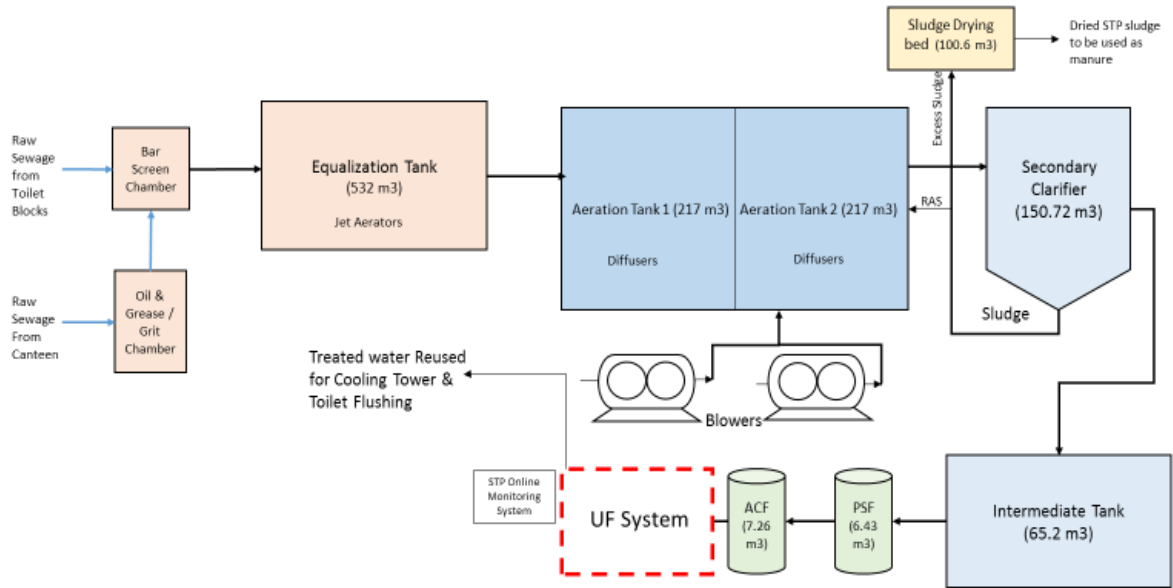


Annexure – II



Annexure- III

STP Flow Diagram



Note: The Red highlighted is the upgraded part of STP

**Annexure – IV**  
**Photographs of Nalla**



पर्यावरण कक्ष, उद्यान कार्यालय

पुणे महानगरपालिका

जा.क्र.:पर्या-१३४

दिनांक:-२४-३-२०२१

प्रति,

मा. उप- प्रादेशिक अधिकारी,  
महाराष्ट्र प्रदूषण नियंत्रण मंडळ,  
जोग सेंटर, वाकडेवाडी,  
पुणे

[२१०३३१-ए/३-००१८]

यांसकडे ..

विषय : कोथरूड कमिन्स, कोथरूड येथील कंपनीच्या वायू प्रदूषणाबाबत.

कोथरूड स्थित कमिन्स कंपनी परिसरातून नाला/ ओढा मधून जल आणि वायू प्रदूषण होत असल्याबाबतची तक्रार तेथील रहिवासी श्री जितेंद्र खासनीस यांनी केली होती. सदर ठिकाणी नाल्यातील मलवाहीनी चोकअप झाल्याने तेथे दुर्गंधी होत असल्याचे संशय आल्याने सदर मलवाहीनी दुरुस्तीचे काम पुणे मनपा मार्फत करण्यात आले आहे, व सद्यस्थितीत नाल्यात मैलापाणी येणे बंद झाले आहे.

तरीही दुर्गंधी बाबतची तक्रार रहिवासी यांचेकडून होत असल्याने कमिन्स कंपनीच्या आवारातून दुर्गंधी बाबतची तपासणी होणे कामी महाराष्ट्र प्रदूषण नियंत्रण मंडळामार्फत पुढील कार्यवाही होणेस विनंती आहे.

मा.स. कळावे,



पर्यावरण अधिकारी  
पुणे महानगरपालिका

५२० P I  
pl visit & put up

२९/३/२१

अधिक्षक अभियंता कार्यालय  
मलनि:सारण देखभाल दुरुस्ती विभाग  
पुणे महानगरपालिका  
जावक क्र : २८४४  
दिनांक:- २३/०३/२०२१

मा. उप प्रादेशिक अधिकारी  
महाराष्ट्र प्रदुषण नियंत्रण मंडळ  
दुसरा मजली, जेश सेंटर  
मुंबई पुणे रोड, वाकडवाडी  
पुणे

210331-ATS-0018

यांजकडेस.....

विषय: पुणे पेठ कोथरूड येथील कमिन्स कंपनीच्या वायू व जल प्रदुषणाबाबत.

संदर्भ: आपले इकीक डा.क्र. ३६०३ दि. १३/०१/२०२१ चे पत्र

विषयांकित ठिकाणी कमिन्स कंपनी परिसरातून नाला/ओढा असून सदर कंपनी मार्फत जल आणि वायू प्रदुषण होत असलेबाबतची तक्रार श्री.जितेंद्र प्रकाश खासनीस यांचेमार्फत आपणाकडे केली आहे. सदर तक्रारीच्या अनुषंगाने आपणामार्फत जागा पाहणी केली असता नाल्यामध्ये मैलापाणी येत असलेबाबत आपणामार्फत आमचे विभागास कळविण्यात आलेले आहे. सदर ठिकाणी नाल्याचे कडेस असणारी पुणे मनपाची मलवाहिनी चोकअप होऊन काही प्रमाणात मैलापाणी नाल्यात येत होते. मात्र सदर मैलापाणी सध्य परिस्थितीत बंद करणेत आलेले आहे.

तक्रारदार श्री.जितेंद्र प्रकाश खासनीस यांची तक्रार कमिन्स कंपनीचे इ.टी.पी आणि एस.टी.पी मधून होणाऱ्या प्रदुषणाबाबत आहे.

तरी आपले विभागामार्फत जल आणि वायू प्रदुषणाबाबतची पुढील योग्य ती कार्यवाही होणेस विनंती आहे.

मा.स.कळावे.

प्रत: मा.पर्यावरण अधिकारी  
पुणे महानगरपालिका

सोबत :- संदर्भित पत्र

अधिक्षक अभियंता  
मलनि:सारण देखभाल दुरुस्ती  
पुणे महानगरपालिका

10/3

10/3/21

SPO-PI

**MAHARASHTRA POLLUTION CONTROL BOARD  
SUB REGIONAL OFFICE, PUNE-I**



Ph No. 25811029

2<sup>nd</sup> Floor, Jog Centre,  
Mumbai- Pune Road,  
Wakdewadi, Pune.

No. MPCB/SROP-I/ 201223-FIS-0151

Date: 23/12/2020

To,

1) The Municipal Commissioner,  
Pune Municipal Corporation,  
Pune- 411005

2) Superintending Engineer ( Elect),  
Drainage Department,  
Pune Municipal Corporation,  
Pune- 411005

Sub:- Complaint of bad smell generated by STP & ETP of M/s. Cummins India Ltd., S. No. 3 to 7, 31(1), 32,33,37,38,41,42 & 43 Dahanukar Colony, Kothrud, Pune-411038.

Ref- 1) Complaint received from Shri. Jitendra Khasnis dated 20.08.2020 and 06.11.2020.

2) Complaint received from Shri. Jitendra Khasnis & Shri. Subhash Dhaware dated 21.10.2020 and 04.11.2020.

3) Visit carried out by the Undersign dated 04.12.2020.

Sir,

With reference to above subject and reference, this office is in receipt of repeated complaints from Shri. Jitendra Khasnis & Shri. Subhash Dhaware, Amit Park, Tejas Nagar, Kothrud, Pune regarding nuisance of odour/ bad smell generated from STP & ETP of M/s. Cummins India Ltd., S. No. 3 to 7, 31(1), 32,33,37,38,41,42 & 43 Dahanukar Colony, Kothrud, Pune-411038

This office has carried out visit on 04.12.2020, during visit it was observed that, there is natural nalla/ odha flowing from the premises of industry and located adjacent to ETP & STP of said industry. Open nalla has width approx. 2.5 mt -3.0 mt and having considerable flow of untreated domestic effluent. Due to untreated domestic effluent flowing through nalla, there was odour/ bad smell nuisance observed, causing nuisance to nearby residence.

In view of above, you are hereby requested to investigate said complaints and accordingly take action and communicates to complainant alongwith this office. The copy of said complaints are enclosed herewith.

Yours faithfully,

(Pratap Jagtap)

Sub-Regional Officer, Pune - I

DA- As above

Copy submitted for information to-  
The Regional Office, M.P.C. Board, Pune

o/c

24/12/2020

महाराष्ट्र प्रदूषण नियंत्रण बोर्ड

पुणे प्रांतीय कार्यालय

पुणे - ४११ ००५

**MAHARASHTRA POLLUTION CONTROL BOARD  
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694  
Fax No. 020-25811701  
e-mail : [ropune@mpcb.gov.in](mailto:ropune@mpcb.gov.in)  
visit us : [www.mpcb.gov.in](http://www.mpcb.gov.in)



"Your Service is our Duty"

Jog Centre, 3<sup>rd</sup> Floor,  
Wakdewadi,  
Old-Pune Mumbai Road,  
Pune- 411003

MPCB/ROP/ MPCB/PD/ 2109130001

Date: 13/09/2021

To,  
M/s. Cummins India Ltd.,  
S. No. 3 to 7, 37, 38, 41, 42 & 43,  
Kothrud, Pune-411 038.

**Sub:** Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous and Other Wastes (M & TM) Rules, 2016.

**Ref:** 1) Consent granted by the Board vide letter dtd. 08/7/2020 valid till 30/4/2022  
2) Order Passed by Hon'ble NGT O.A. No. 52/2020 (WZ) Dtd. 09/11/2020  
3) Complaints received from Shri. Pramod Ghate Dtd. 04/07/2021  
4) Visit of Board official dtd.05/07/2021  
5) Sub Regional Officer, Pune –I Submitted legal action proposal vide no. MPCB-LEGAL\_ACTIONS-250821003, Dtd. 29/08/2021

**WHEREAS**, your industry is located in the "Pollution Prevention Area" under the Water (Prevention & Control of Pollution) Act 1974, under the Air (Prevention & Control of Pollution) Act 1981 and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 followed by further amendments made therein from time to time.

**AND WHEREAS**, the Board had granted the consent to operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (MH & TM) Rules, 2016 and amendments thereof.

**AND WHEREAS**, it is obligatory on your part to provide pollution control systems as it warranted and to operate and maintain the same continuously and effectively so as to achieve the standards prescribed in the consent.

**AND WHEREAS**, complaints received from Shri. Pramod Ghate Dtd. 04/07/2021 regarding Air and Noise Pollution.

**AND WHEREAS**, Board official has visited to your industry to investigate the complaint and to check the compliance of consent conditions and accordingly Sub Regional Officer Pune – I submitted legal action proposal on 29/08/2021 with following non-compliances and observations were made as below,

1. There was smoke emission observed from the NHNT Test Cell (Even numbers- 2,4,6,8,10,12,14,16 & 18) and NHNT Test cells (Odd numbers- 1,3,5,7,9,11,13,15,17 & 19).

2...

...2...

2. You have not provided adequate height of the stack along with adequate air pollution control systems.
3. You have failed to achieve air emissions standards as stack monitoring analysis report for the stack of test cell no. 1, 2 & 3 (S-1) are found exceeding than the consented standards.
4. You have failed to achieve trade effluent discharging standards as ETP outlet analysis results are found exceeding than the consented standards for the parameter BOD – 130 mg/lit & COD- 304 mg/ lit.
5. You have failed to achieve domestic effluent discharging standards as STP outlet analysis results are found exceeding than the consented standards for the parameter BOD – 48 mg/lit & COD- 136 mg/ lit.


**AND WHEREAS**, from the record of this office and observations made during the visit, I came to the conclusion that, you are not complying the conditions mentioned in consent granted by the Board and also you have not complied with the provision of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 thereby causing grave injury to the environment.

**NOW THEREFORE**, in exercise of the powers conferred upon me under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and Section 31 A of Air (Prevention & Control of Pollution) Act, 1981, I, Nitin Shinde, Regional Officer of the Board, at Pune hereby issue directions as under-

1. Why your unit shall not be directed to close down the manufacturing activity forthwith?
2. Why the competent authorities shall not be directed to disconnect Water / electricity supply of your unit?

You are directed to submit your reply with corrective action plan towards the compliance of above non-compliances along with all necessary documents and **photographs within 07 days from** issuance of this letter, failing which further necessary legal action as deemed fit in your case as per the provisions of various environmental enactments will be initiated against you, which may please be noted.

For and on behalf of  
Maharashtra Pollution Control Board

  
(Nitin Shinde)  
I/c. Regional Officer, Pune

Copy Submitted for information to

1. Joint Director(WPC), M.P.C. Board, Mumbai.

Copy to-

The Sub-Regional Officer, M.P.C.Board, Pune-I :-

- You are directed to keep the follow up and report the compliance from time to time.