

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

Original Application No. 14 of 2025 WZ.

Kailas Narke

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..... Applicant.

VERSUS

M/s Maharashtra Enviro Power Limited

& Ors.

..... Respondents.

Written Argument on behalf of the Applicant

I, Mukta Ranade, Advocate would like to file Written Argument on behalf of the Applicant in view of certain problems in Network as under –

1. I have already filed an Application in respect of serious air, water, soil and other environmental pollution being caused by Common Hazardous Waste Treatment Storage and Disposal Facility of the R.No.1 which handles 1/3rd of hazardous waste generated from more than 18 districts in Maharashtra at Ranjangaon.
2. This Hon'ble Tribunal directed me to file concise affidavit to be filed giving specific details of violation of consent conditions and environmental norms duly supported by documentary evidence. I have filed Additional Affidavit dated 03.02.2025 on 4.02.2025 which is at pages 260 to 315.
3. The following are the specific non-compliances which I have tried to bring on record with reference to specific conditions violated of the Consent and E.C.
 - 3.1. I have specifically referred the mandatory requirement of operating the Common Facility for Hazardous Waste in the Consent to Establish dated 27.10.2005 in respect of ambient odour, prevention of flow of runoff on the active portion of landfill as well as storage area, leachate treatment and disposal, as well as intensive monitoring to be done of downwind and upwind at 3 stations, surface waters, upstream and downstream in nearby local nallah and wells, borewells, and soil sampling etc. to ensure that no pollution is caused by the common facility. (Schedule A - Pages 43 to 55)

It is surprising that the R.No.1 big common hazardous waste facility not complied with the above mandatory requirement, which can be seen from following evidences.

- a) Report from sample collected on 09.05.2024 at Annexure – I-1 which shows exceeding results of BOD- 156.2 (against 8mg/l for water (Environment), COD- 564 (against 250 mg/l), Oil & Grease 22 (against 10mg/l).
 - b) Annexure – I-2 showing TDS – 8992 (against 2100) SS- 129 (against 100), BOD – 160 (against 8mg/l), COD- 416.
 - c) Annexure I-3 showing TDS 10772.0, SS- 124, BOD -85, COD- 232.
 - d) Annexure I-4 showing TDS – 36880, SS- 157.0, BOD – 536, Chloride – 17894, COD- 1600.
- 3.2. Documentary Evidence about violation on the basis of visit and inspection report showing non-compliance of consent conditions as under-
- a) Visit dated 25.11.2019 ETP capacity is inadequate and organic odours spread in surrounding areas in violation of Schedule – A conditions for odour. (Page No.124 & 125).
 - b) Visit and inspection dated 20.12.2021 Darkish Yellow water having Whitish foamy coloured layer and smell found accumulated in small small pond and samples collected during visit of SLF 4 and 5 with Reddish Yellow colour, no action taken even though as per Schedule I to 100 % recycled and reused of treated effluent condition prescribed as per Consent to Operate dated 24.07.2022 [at Annexure – 8- page – 87- Condition 3 (d)] and page 67 of Annexure B for 100% to be sent to incinerator.
 - c) Visit report dated 17.01.2022 – huge quantity of reddish yellow coloured formed between SLF 4 & 5 with seepages and leakages outside factory premises during investigation of complaint on 11.1.2022. - violation of Consent to Establish dated 27.10.2005 – condition No.31 d & e to transport treated effluent to CETP till incinerator is commissioned. After incinerator commission as per condition No.4 (1) – page 87) 100% to be recycled and reuse. No sampling was done.
 - d) Visit report dated 21.8.2023 – which further observed that reddish colour water was accumulated outside the boundary wall to industry. Pazar Lake colour was light green. 15000 CMD Katcha pond for storage of surface water was having green coloured. Though samples were collected, no report was made available and no substantive action was initiated. It was violation of 100% incineration of effluent condition of Consent (Pages 88 & 89).
 - e) Visit report dated 25.09.2023 – 15000 CMD Katcha pond having runoff water, having slight brownish coloured (Pages 92 to 94).

- f) Visit report dated 19.09.2024 – 8000 CMD water stored in the Katcha pond percolated with hazardous waste storage spillages in shed No.3. Incinerable waste stored openly which was not allowed.
4. Inadequate actions with round and round show cause notices, ineffective directions given in para 4 in the tabular form with page Nos. Even today as per Annexure – II MIDC called the meeting of affected persons on 31.01.2025 at Dy. CEO of MIDC Office with Dy. Collector. The video is sent on email which shows how nearby lands have been polluted, which may kindly be seen online.
 5. Thus, almost all nearby Grampanchayat and Agricultural lands have been polluted. Hence it is necessary to appoint an independent agency in consultation with CPCB to visit, inspect and survey damage caused to the environment and nearby people, animal life and living stock. If this application is not admitted total area will become unsuitable for not only agriculture purposes but also for drinking water purposes and also will give rise to water and air borne diseases which cannot be compensated and irreparable damage is being caused.

Dated 06.02.2025

3mmukta
Advocate for the Applicant