

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO.17 OF 2011

Nicholas H. Almeida

... Petitioner

Versus

State of Maharashtra & Ors.

... Respondents

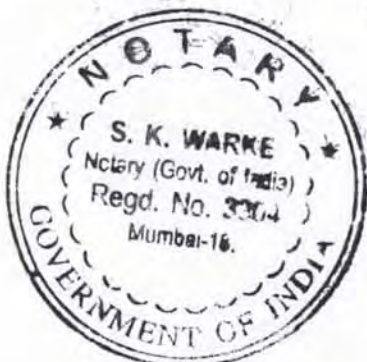
**AFFIDAVIT ON BEHALF OF RESPONDENT NO.3 IN COMPLIANCE OF
ORDER DTD.13/12/2012 PASSEED BY THIS HON'BLE COURT**

I, Yeshwant B. Sontakke, aged 47 Years, occupation-service, the Joint Director (Water Pollution Control) of the Maharashtra Pollution Control Board, having my Office at Kalpataru Point, 3rd Floor, Sion-Matunga Scheme Road No.8, Opp.Cine Max Cinema, Sion (East), Mumbai -400 022, looking after Water Pollution Prevention and Control of Pollution, more particularly the Common Effluent Treatment Plants in the State of Maharashtra, do hereby on state solemn affirmation as under.

I have carefully gone through the order passed by this Hon'ble Court dtd.13/12/2012 and in compliance of the said order I am filing this Affidavit stating performance of Badlapur CETP & Chincholi CETP.

(a) **Badlapur CETP** :- The Respondent-Board has taken on record the improvement measures taken by the Badlapur CETP in pursuance of various orders passed by this Hon'ble Court, followed by the mandatory directions issued by the Respondent-Board and the compliance thereof by the CETP Badlapur as under : -

i) **Status of Badlapur CETP, in respect of various measures taken in pursuance of various orders passed**



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by this Hon'ble Court, mandatory directions issued by the Respondent-Board.

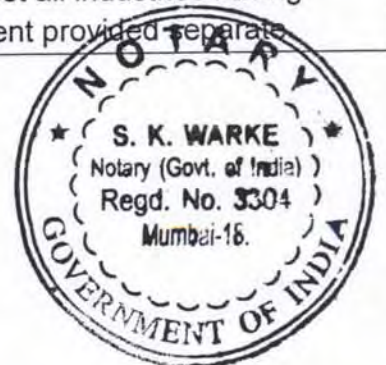
I say and submit that the Respondent-Board issued various directions from time to time to Badlapur CETP, in pursuance of various orders passed by this Hon'ble Court and imposed necessary conditions to secure the compliance thereof in a time bound manner. The present status of the compliance of various conditions imposed by the Respondent-Board has been reported by the Regional Officer of the Respondent-Board at Kalyan by his letter dtd.21/12/2012, which is reproduced as under :

Compliance of directions dtd.4/4/2012 issued by the Respondent-Board in respect of Badlapur Common Effluent Treatment Plant

Sr. No.	Directions	Particulars/Details
a)	It shall not accept the effluent of high COD streams from the industries beyond consented limits or otherwise permitted for time being. It shall strictly observe lock & key provision to ensure that, the CETP is not getting overloads resulting into non-performance or sub-standard performance. It shall also not collect the penal charges from industries discharging high COD beyond tolerance limit of CETP discharge. It shall install online flow meter, pH meter & TOC analyzer at inlet and outlet with data logger and real time display.	The effluent of COD stream from the industries are within limit of CETP inlet parameter. Provided online pH meter at inlet & outlet. <u>The TOC analyzer & online flow meter is not provided.</u>
b)	It shall submit a concrete proposal for making improvement / up-gradation in your CETP with enhancement of capacity if any, so as to achieve the outlet parameters of CETP along-with bar chart within 15 days from the	The CETP has submitted proposal for improvement in CETP.



	date of receipt of these directions.	
c)	It shall discontinue receiving pre-treated effluents from the concerned individual industrial unit after giving prior notice to stop all manufacturing activities, when, the CETP finds that the effluents being sent by an individual industrial unit into the CETP inlet will not be in a position to treat it for the purpose of meeting with the CETP outlet norms because of an individual industrial unit into the CETP inlet are carrying such high pollution load.	CETP has reported the list of defaulting industries accordingly this office issued appropriate direction to the industries including forfeiture of bank guarantees of Rs.25,000/- each.
d)	It shall ensure that any industrial unit in the MIDC, which is Member of CETP having its own effluent treatment plant shall not carry on any manufacturing activity whenever it's effluent treatment plant is not functioning for any reason whatsoever, whether for maintenance, repairs or otherwise.	CETP has communicated to individual industry regarding the same. But CETP has not informed to MPCB regarding to ensure that any industrial unit in the MIDC, which is Member of CETP having its own effluent treatment plant shall not carry on any manufacturing activity whenever it's effluent treatment plant is not functioning for any reason whatsoever, whether for maintenance, repairs or otherwise..
e)	It shall call upon their Members to stop manufacturing activities, whenever CETP is not functioning for any reason whatsoever.	CETP has informed regarding Members to stop manufacturing activities, whenever CETP is not functioning.
f)	It shall ensure that you and the concerned MIDC as well as the concerned large scale and medium scale units shall make necessary arrangements for providing sumps for storing effluents being received from the individual industry for the purpose of treatment in the CETP	Large & Medium scale units provided storage tanks with lock & key arrangement,
g)	It shall ensure that every industrial unit having its own ETP shall have	Almost all industries having effluent provided separate



	a separate electric meter for its effluent treatment plant.	electric meters to their ETP.
h)	It shall furnish an irrevocable bank guarantee of Rs.02 Lakhs ensuring the compliance of the above directions/consent conditions, which shall be valid for a period of one year, to be submitted within 15 days time to the respective Regional Officer, MPCB.	The CETP has submitted bank guarantee of Rs.02 lakhs which is valid up-to May, 2013 which is forfeited.

Compliances of various orders issued by the Hon'ble High Court of Judicature at Mumbai in the PIL No. 17/2011 from time to time

Sr. No.	Conditions Imposed	Compliance
1	Effluent received from member industries meet with the inlet norms of CETP	Effluent received from member industries meet with the inlet norms of CETP.
2	CETP shall discontinue receiving high COD effluent from member units	Presently all units achieve CETP inlet norms
3	MIDC & CETP shall provide storing effluent sump	Proposal is under consideration through MIDC
4	If CETP not functioning properly, CETP shall request to stop manufacturing activity of member industries	Presently CETP functioning properly.
5	Separate electric meter shall provide to ETP's by individual industries.	Separate electric meter provided by mostly all industries.
6	Out of top ten polluting industries Proposed direction issued to the 6 defaulting industries identified by committee and interim direction issued to the 11 defaulter industries informed by Badlapur CETP	Out of 6 defaulter industries found by committee, 3 units again found defaulters. Hence, Bank guarantees are forfeited of these three units
7	MPCB shall submit functioning report of CETP by daily monitoring	The report is submitted to High Court & CETP mostly achieve consented norms



I say and submit that in compliance of various orders passed by this Hon'ble Court, Badlapur CETP has installed online pH meter at inlet & outlet. However, TOC Analyser & Online Flow Meter is still not installed. I further say and submit that the large & medium scale highly polluting industries have also provided online pH meter & separate electric meter for effluent treatment plant.

- (ii) I say and submit that the Respondent-Board through its Sub-Regional Office is regularly monitoring the performance of the Badlapur CETP with reference to the important designed inlet & outlet standards. A statement showing the designed inlet & outlet standards for the last one year is reproduced hereunder, which is self-explanatory, which shows the progressive improvement in the performance of the CETP and the mostly achievement of the desired parameters by the Badlapur CETP.

Statement showing the results on monitoring of the performance of CETP in comparison with the important designed parameter of inlet and outlet standards for last one year.

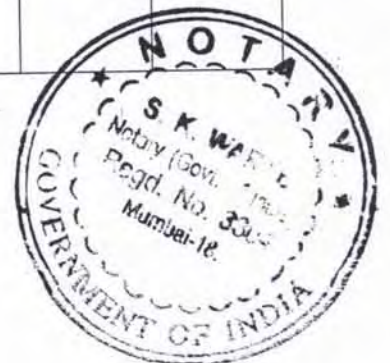
<u>Inlet:-</u>				
Parameter	pH	B.O.D.	C.O.D.	SS
Standards	5.5 – 9.0	Inlet Not to exceed 800 mg/l	Inlet Not to exceed 2200 mg/l	
Jan.12	8.2	1250	2320	112
Feb.12	7	240	952	



Mar.12	6.8	430	1208	260
Apr.12	5.12	733.5	2096	193.8
May.12	6.16	616.6	1850.6	137.3
June.12	7.32	671.1	1380.9	199
July.12	7.3	735	1076	149
Aug.12	6.76	538.3	1834.6	183.3
Sept.12	7.45	395	864	125
Oct.12	7.5	670	1688	7.5
Nov.12	7.5	485	1492	123
Dec.12	8.6	531.6	1610.6	60.6
AVG	7.14	608	1531	161

Outlet

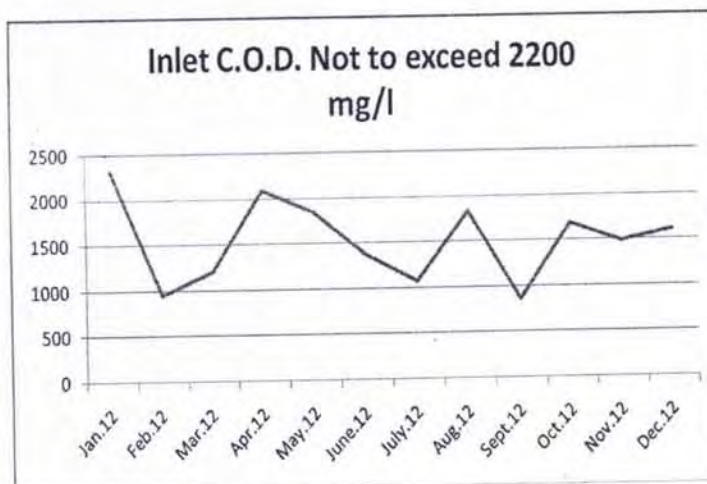
Parameter	pH	B.O.D.	C.O.D.	SS
Standards	5.5 – 9.0	Not to exceed 100 mg/l	Not to exceed 250 mg/l	Not to exceed 100 mg/l
Jan.12	7.6	1250	3808	110
Feb.12	7.8	190	596	178
Mar.12	7.3	115	448	172
Apr.12	6.56	621.5	1647.2	168.6
May.12	7.53	433.3	944	160.6
June.12	7.35	572.6	1242.8	177.3
July.12	7.35	275	848	137
Aug.12	7.4	143.3	400	90
Sept.12	7.45	140	406	121
Oct.12	7.5	212.5	604	134



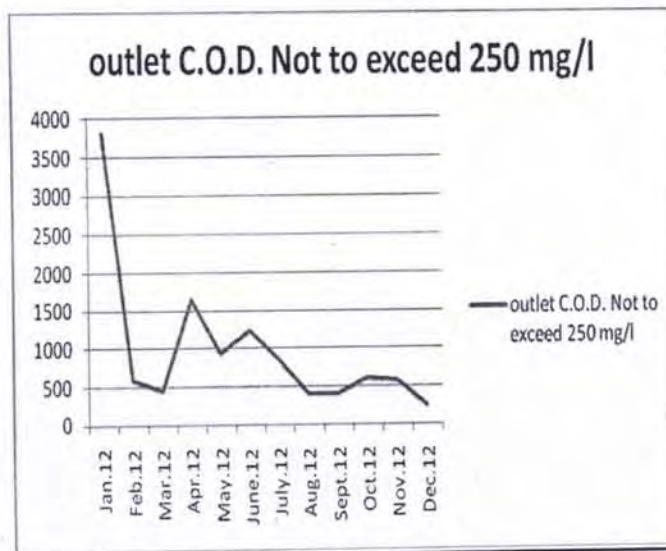
Nov.12	7.2	185	576	65
Dec.12	7.5	73.3	245.3	25.3
AVG	7.378	351	980.4	128.2

The Respondent-Board is monitoring the performance of CETP Badlapur since beginning. A statement showing the results of JVS for the period Jan 2012 to Dec 2012 along with the graph of inlet & outlet COD of CETP Badlapur is reproduced hereunder :-

Parameter	Inlet C.O.D.
Standards	Not to exceed 2200 mg/l
Jan.12	2320
Feb.12	952
Mar.12	1208
Apr.12	2096
May.12	1850.6
June.12	1380.9
July.12	1076
Aug.12	1834.6
Sept.12	864
Oct.12	1688
Nov.12	1492
Dec.12	1610.6



Parameter	Outlet C.O.D.
Standards	Not to exceed 250 mg/l
Jan.12	3808
Feb.12	596
Mar.12	448
Apr.12	1647.2
May.12	944
June.12	1242.8
July.12	848
Aug.12	400
Sept.12	406
Oct.12	604
Nov.12	576
Dec.12	245.3



After going through the results on monitoring for last 01 years, it can be seen that the inlet COD was within limit but outlet COD was on higher side upto June 2012 at the maximum range of 2320 mg./ltr. for inlet and in the maximum range of 3808 mg/ltr. for outlet, with continuous follow up and because of various orders passed by this Hon'ble Court being implemented strictly, after June 2012 the inlet COD has been brought to the range of 1000 mg/ltr. to 1800 mg/ltr., which is within the designed capacity of the CEPT & outlet COD has been brought to range of 600mg/l to 245 mg/ltr. of the outlet standards for which, the standards prescribed in the consent/EPA Standards is 250 mg./ltr. There has been considerable improvement in the performance of the CETP Badlapur on account of continuous monitoring done by the



Respondent-Board, to secure the compliance of various directions issued by the Respondent-Board from time to time.

I say and submit that prior to issuance of necessary directions in 2012, though, the CETP was having primary, secondary and tertiary treatment facilities, sometimes the operation & maintenance of CETP was not proper, therefore, the CETP was not meeting the standards prescribed under Environment (Protection) Act, 1986. After taking stringent actions against highly polluting units as well as on CETP Badlapur by imposing stringent conditions and securing the compliance thereof, the performance has improved, as can be seen from the results on analysis for the last 06 month. However, there has been further scope for improvement in operation & maintenance of tertiary treatment facility, for which, the Respondent-Board has already forfeited the bank guarantee of Rs.5 lakhs and directed the CETP Badlapur to furnish afresh bank guarantee of Rs.10 lakhs for improvement and proper operation & maintenance CETP units and Rs.2.5 lakhs for establishing website for brining to the public domain the important information in respect of the CETP operations.

- (iii) **Actions initiated after 13/12/2012** :- I say and submit that the Respondent-Board is continuously monitoring the performance of highly polluting industries responsible for the functioning of the CETP. Previously the Regional Officer of the Board at Kalyan had issued Interim Directions to three industries namely M/s. Ashutosh Dyeing Mills Pvt. Ltd. , Plot No. F-12/25, MIDC Badlapur, 2)M/s. SBL Colour Chem



Ltd., Plot No. C-4, MIDC Badlapur, Dist. Thane 3) M/s. Prempooja Textiles, Plot No. B-10, MIDC Badlapur, Dist. Thane, for discharge of untreated effluent into the CETP vide letters dtd.12/10/2012 respectively. I say and submit that after issuance of the appropriate direction to these three industries, the Regional Officer of the Respondent-Board Office at Kalyan has again found the above three industries as defaulters for functioning of the CETP and thereby forfeited Bank guarantee of Rs.25,000/- of each industry submitted for ensuring the compliance of Interim directions issued by Board vide letters dtd.2/07/2012 & 10/12/2012 respectively. Copies of the Interim Directions issued to above three units vide letter dtd.12/10/2012 alongwith encashment of the Bank Guarantees vide letters dtd. 2/07/2012 & 10/12/2012 respectively are enclosed herewith and marked as an **Exhibit - 'I'** Collectively

(iv) **Future Actions / In progress for improvement of CETP**

BADLAPUR:-

I say and submit that the following actions are proposed against the CETP Badlapur. in view of the problems in respect of operation and maintenance of CETP units :-

1. The Respondent Board has already directed CETP Badlapur to establish, operate and maintain website by providing it within 30 days time duly supported by the bank guarantee of Rs. 2.5 Lakhs.
2. To operate and maintain tertiary treatment units properly by replacing sand and carbon filter within 15 days time and periodical cleaning shall be carried out, so as to improve functional efficiency of the CETP.



3. The Respondent Board has already directed to the Badlapur-CETP to install TOC Analyser and online flowmeter at inlet & outlet with data logger and real time display vide directions dt.4/4/2012.
4. To conduct treatability study for all units of CETP through a suitable Agency for improvement of scientific operation and maintenance of CETP, the Respondent-Board has appointed NEERI to evaluate performance of the CETP by order dtd 26.12.2012, a copy of the same is enclosed herewith and marked as an **Exhibit-'II'**

I say and submit that the Regional Officer of the Respondent Board at Kalyan has issued directions to the CETP Badlapur, in terms of the above points of compliance, to ensure the compliance in a time bound manner vide letter dtd.02/1/2013. A copy of the said specific directions is enclosed herewith and marked as an **Exhibit-'III'**

(v) **MIDC issues in respect of Badlapur CETP**

During the joint meeting of CEO, MIDC with the Member Secretary, MPCB and other officials of MIDC and MPCB, the various issues in respect of all the CETPs including Chincholi CETP, were discussed on 8/10/2012 on the following issues pertaining to the CETP & MIDC jointly and the following decisions were taken.

Sr.No.	Issues discussed	Decision taken.
a.	During rainy season and something due to excess discharge of industrial effluent to CETP there is overflow from the collection tank of CETP and excess effluent thereby meeting to nearby nalla, which further leads to river Ulhas, so as to avoid same additional sump of 1 MLD is required.	It is confirmed that collection sumps are in the purview of CETP Association and provision for additional sump is done in DPR of expansion / upgradation work. The treated effluent collection sump of 2000 m3 is in MIDC possession and ADP proposal of addl. Sump of 2000 m3 is in process of approval.
b.	BCETPA has submitted proposal for upgradation-cum-expansion project to MIDC on 13/06/2011. As per MIDC Minutes, the DPR has also been	Upgradation/ Expansion DPR is under compliance at local offices, which will be expedited for onward submission to NEERI after

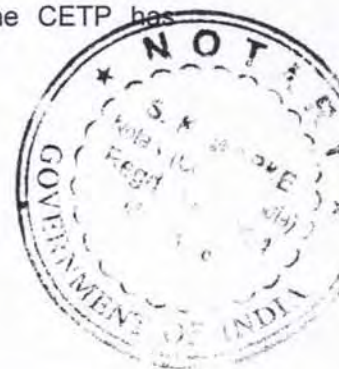


	submitted to MPCB and NEERI on 14/10/2011 for necessary evaluation. The proposal is stated to be held up at MIDC, which is not forwarded to NEERI recommending technical appraisal.	receipt of compliance.
C	Due to non-disbursement of subsidy by MIDC, MPCB and MoEF, Gol, Badlapur CETP by its letter dtd.10/09/2012 has stated that a lot of financial problems are being faced by them.	The final settlement of subsidy is recently approved by MIDC.

vi) **Assessment of CETPs at Badlapur through NEERI :-** The Respondent-Board has accepted the recommendations made by NEERI in their Preliminary Report submitted in compliance of this Hon'ble Court's order dtd.30/3/2012, to consider periodic assessment of the performance of the CETPs in the State of Maharashtra, to assess the adequacy of thereof and for undertaking further improvement/ upgradation/expansion of their capacities and so as to suggest some remedial measures including the performance of the CETPs to be evaluated or audited in terms of efficient functioning. Initially, the Respondent-Board has assigned the NEERI the job of assessment of the adequacy of the performance of the CETPs at Badlapur and Tarapur.

(b) **GREEN FIELD CETP, MIDC, CHINCHOLI, DIST SOLAPUR :-**

The Regional Officer, MPC Board, Pune has taken review of the compliance in respect of various directions issued by the Board, the orders issued by this Hon'ble Court from time to time and the compliance in respect of various conditions imposed in the consent to operate granted to M/s Green Field CETP, vide letter No. BO/RO(P&P)/RO-Pune/CETP/EIC -PN - 2444-08/O/CC- 435, dtd. 18/11/2008 which was valid upto 31/08/2010. The CETP has



applied for renewal of consent, which is under process. The status of Chincholi CETP is as under :-

- i) **Status of Chincholi CETP, Solapur in respect of various measures taken in pursuance of various orders passed by this Hon'ble Court, mandatory directions issued by the Respondent-Board.**

I say and submit that the Respondent-Board issued various directions from time to time to CETP at Chincholi, Solapur in pursuance of various orders passed by this Hon'ble Court and imposed necessary conditions to secure the compliance thereof in a time bound manner. The present status of the compliance of various conditions imposed by the Respondent-Board has been reported by the Regional Officer of the Respondent-Board at Pune by his letter dtd. 02/01/2013, which is reproduced as under:

Compliance of directions issued by the Board No. MPCB/I/c/JD(WPC)/2701, dtd. 4/04/2012.

Sr. No.	Conditions Imposed	Compliance
1	The Members of CETP shall carry the required primary treatment in case having the effluent generation less than 25m ³ /day to meet the inlet parameters of CETP and other large scale and medium scale industries should treat their effluent to the inlet standards prescribed for the CETP	There are 22 units, which are members of CETP at Chincholi. Out of 22 units, 8 large scale, 4 medium scale units and 12 are SSI units. A statement showing the details in respect of the units sending effluent to CETP and the units not sending effluent to CETP, but utilizing on their own land as shown in the statement is enclosed. The large scale and medium scale units not having adequate and suitable treatment and disposal facilities had been directed to provide full-fledge ETP, so as to achieve the standards laid down under the provisions of the Environment (Protection) Act, 1986 and the consent standards were prescribed to them for discharge into CETP, so that after achieving those standards, they should dispose off treated effluent to CETP.



		<p>Out of 22 members, 11 units are not sending their pre-treated effluent to CETP because they are having sufficient land within their premises for further disposal off their treated effluent. Remaining 11 industries though joined CETP through tankers, the large scale and medium scale industries do not have full-fledged treatment facility to meet the consent standards and therefore, were earlier directed to close down their manufacturing activities, but allowed to restart their manufacturing activities on their assurance to restrict their production activity upto 60% subject to the condition that they should upgrade their ETP to the full-fledged treatment upto 31/07/2012, 10/08/2012, 31/10/2012 and 30/11/2012 respectively to M/s Venkys India Ltd., M/s Somani Evergreen Knits Pvt. Ltd., M/s Vamsi Labs Pvt. Ltd. and M/s Smruti Organics Ltd. respectively.</p> <p>Since above large and medium scale units not upgraded their ETP to achieve standards, as per criteria laid down by the Board, their Bank Guarantees have been forfeited and they have been given last opportunity to upgrade their ETP to achieve the consented standards by 31/03/2013 or to stop their discharge to CETP without achieving standards prescribed in the consent orders.</p>
2	The member shall monitor specified quality parameters and flow rate of the effluent on daily basis and submit the monitoring data to the CETP operator on regular basis.	Members are not monitoring specified quality parameters and flow rate of effluent. Therefore, the final directions are issued to CETP to not to accept effluent of industries not meeting the consented standards vide dated 29.12.2012. CETP to submit BG of Rs. 1/- Lakhs for compliance of the same and communicate the names of such industries to the Board.
3	CETP shall be managed professionally.	Since the professional personnel have been appointed, the direction has been complied with.
4	SPCB will be entitled in	The Board has brought to the notice of



	case of repeated violation to bring in new professional management.	CETP Authorities that in case, non compliance continues, the Board will have no option than to consider recommendation of new professional management to substitute existing management, to MIDC Authorities vide directions dated 29.12.2012.
5	The CETP operator shall be responsible for compliance of inlet quality and flow from the contributing industries and shall provide status of non complying units to the SPCB for taking further necessary action.	Since the CETP being operated on the hydraulic load of medium and large scale units, which are themselves defaulters, they are not communicating the names of defaulters. The Board has therefore, initiated further stringent action against the large scale and medium scale units which are not complying with the consented standards.
6	The CETP operator shall carry the required treatment to meet final effluent quality standards for CETP and shall be responsible for operation and maintenance.	R.O. Pune has issued final directions against CETP dtd. 29/12/2012 for compliance of various conditions imposed therein in a time bound manner duly supported by various Bank Guarantees to ensure the compliance thereof in a time frame given to that particular condition.
7	The CETP operator shall monitor specified quality outlet parameters and flow rate on daily basis and to submit the monitoring data to the SPCB on regular basis. It shall monitor online at outlet of CETP and IT based linkage shall be provided by the operator to SPCB, so as to display it on the website of SPCB.	Though specified quality out let parameters are monitored by the CETP, on line monitoring is not started and IT based linkage is not yet provided by the operator. Therefore, the R.O. Pune by directions dtd. 29/12/2012 directed the CETP authorities to provide online monitoring facilities. Similarly in order to have more transparency, the Board has further directed to establish appropriate web site, giving all the details of common facility in the public domain for which Bank Guarantee of Rs. 2.5 lakhs have been directed to be submitted by the CETP.
8	CETP is causing serious pollution at the point of discharge. Existing treatment and disposal arrangements are inadequate to treat the effluent collected from the member industries to the prescribed standards and therefore, up gradation /improvement in operation and maintenance is required to be done in a time bound manner, so as to achieve the standards	R.O. Pune has issued final directions on 29/12/2012 directing CETP authorities to submit concrete proposal for up gradation of CETP along with the time bound programme duly supported by Bank Guarantee of Rs. 1 lakh for carrying out treatability study up to 31/01/2013 and Bank Guarantee of Rs. 5 lakh to upgrade the existing CETP to achieve consented standards up to 30/04/2013.



	prescribed in the consent / EPA standards.	
9	CETP is not operated and maintained properly also not monitoring the operations of CETPs as well as the effluent being sent by the members of the CETP, having poor vigilance improper recordings of the violations being carried out by the CETP members & non operating of such type of violations to the MPCB. You are also not even giving proper primary treatment to the effluent collected from the member (Neutralization coagulation of chemicals at primary treatment level.	R.O. Pune has already issued directions dtd. 29/12/2012, directing the CETP not to accept sub standard effluent from the defaulting units, duly supported by Bank Guarantee for Rs. One lakh.
10	CETP shall not accept the effluent of high COD streams from the industries beyond consented limits or otherwise permitted for time being. You shall strictly observe lock and key provision to ensure that the CETP is not getting overloads resulting into non performance or sub standard performance. CETP shall also not beyond tolerance limit of CETP discharge. CETP shall install online flow meter, pH meter and TOC analyzer at inlet and outlet with data logger and real time display.	
11	CETP shall furnish an irrevocable bank guarantee of Rs. 5 lakhs ensuring the compliance of the above directions / consent conditions, which shall be valid for a period of one year to be submitted within 15 day time to the respective Regional Officer, MPCB, Pune.	Bank Guarantee of Rs. 5 lakhs is being forfeited. Regional Officer of the Respondent Board at Pune has been directed accordingly.

Compliances of various orders issued by the Hon'ble High Court of Judicature at Mumbai in the PIL No. 17/2011 from time to time



Sr. No.	Conditions Imposed	Compliance
1	MPCB shall take appropriate actions against highly polluting units in accordance with law , inform & serve copy of directions to CETP association about action taken	Actions were already initiated on 27.06.2012 against highly polluting units & copies of the same were served to CETP association.
2	MPCB shall carryout surprise visits & collect samples of effluents being discharged by the CETP member units.	Surprise visits were given to the polluting industries on 13.09.2012 & 14.09.2012 and samples were collected.
3	MPCB shall consider constituting a committee for Chincholi MIDC, consisting of members & other persons for monitoring the functioning of CETP.	Committee is constituted for monitoring of CETP vide order dated 09.08.2012.
4	To furnish copies of consents, closer notices & other actions taken by board against highly polluting industries in MIDC area.	Complied
5	To ensure that industries comply with the inlet norms of CETP & consent granted by the board. To inform CETP about action taken by the board against defaulting units.	Complied
6	To take appropriate measure to control consumption of water by the industries from unauthorized sources i.e. tankers, bore wells etc.	Complied. MIDC is informed not to supply water more than the consented limit to member industries vide letter dated 01/12/2012.
7	To furnish list of industries having high pollution potential & details of industries in orange category to CETP authorities along with analysis reports.	Complied. Letter along with list of industries and analysis reports communicated to CETP authorities
8	To display performance of CETP on website on weekly basis.	Complied. The same is displayed on MPCB website on weekly basis
9	MPCB shall file reports of performance of the CETP in the concerned MIDC areas one week prior to the date of hearing.	Complied. The same is enclosed in the form of affidavit.



(i) I say and submit that the Respondent-Board through its Sub-Regional Office is regularly monitoring the performance of the

CETP at Chincholi with reference to the important designed inlet & outlet standards. A statement showing the designed inlet & outlet standards for the last one year is reproduced hereunder, which is self-explanatory, which shows the improvement in the performance of the CETP and mostly the achievement of the desired parameters by the Chincholi CETP.

Statement showing the results on monitoring of the performance of CETP in comparison with the important designed inlet & outlet standards for last one year

Inlet:-

Parameter	pH	B.O.D. mg/l	C.O.D. mg/l	SS mg/l
31/1/12	8.55	920	2608	1040
7/2/12	8.41	1850	5120	870
5/3/12	7.62	1125	2960	475
28/3/12	8.18	8550	28480	2420
13/4/12	7.31	1725	5600	515
09/05/12	7.53	730	1920	340
24/5/12	7.53	730	1920	340
25/07/12	7.82	4150	12400	380
14/08/12	8.60	1190	2560	160
31/08/12	7.63	525	1304	310
13/09/12	8.36	840	1808	380
27/09/12	8.47	310	808	640
15/10/12	8.6	880	1840	228
23/10/12	7.55	540	1440	860
08/11/12	8.4	740	1792	346
20/11/12	8.95	610	1600	...
27/11/12	8.45	410	1120	386
04/12/12	8.73	540	1832	...
10/12/12	8.8	665	1528	280



17/12/12	7.87	325	880	186
24/12/12	8.49	305	960	360

Outlet:

Parameter standards	pH 5.5 – 9.0	B.O.D. Not to exceed 30 mg/l	C.O.D. Not to exceed 250 mg/l	SS Not to exceed 100 mg/l
31/1/12	8.56	340	1024	305
7/2/12	8.58	524	1664	390
5/3/12	7.98	770	2048	286
28/3/12	7.12	840	1896	340
13/4/12	7.74	775	2400	435
09/05/12	8.15	365	896	64
24/5/12	7.67	115	264	92
25/07/12	8.35	578	1200	110
14/08/12	8.5	735	1800	64
31/08/12	7.75	141	308	56
13/09/12	8.6	362	856	46
27/09/12	8.75	240	600	112
15/10/12	8.55	352	832	60
23/10/12	7.72	390	832	46
08/11/12	8.19	210	465	74
20/11/12	8.38	282	640	..
27/11/12	8.1	145	368	164
04/12/12	7.96	260	720	...
10/12/12	8.89	145	340	56
17/12/12	8.37	152	420	114
24/12/12	8.67	165	428	122

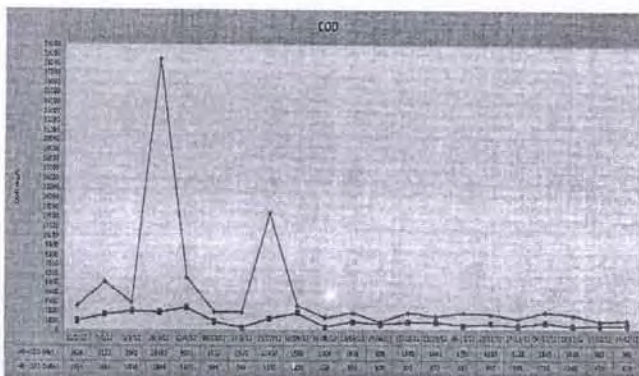
I say and submit that the Respondent Board is monitoring the performance of Chincholi CETP since beginning. A statement showing the results of JVS for



the period January 2012 to December 2012 alongwith the graph of inlet & outlet COD of Chincholi CETP is reproduced hereunder:

Parameter	Inlet COD	Outlet COD
31/1/12	2608	1024
7/2/12	5120	1664
5/3/12	2960	2048
28/3/12	28480	1896
13/4/12	5600	2400
09/05/12	1920	896
24/5/12	1920	264
25/07/12	12400	1200
14/08/12	2560	1800
31/08/12	1304	308
13/09/12	1808	856
27/09/12	808	600
15/10/12	1840	832
23/10/12	1440	832
08/11/12	1792	465
20/11/12	1600	640
27/11/12	1120	368
04/12/12	1832	720
10/12/12	1528	340
17/12/12	880	420
24/12/12	960	428





After going through the results on monitoring for last one year, it can be seen that the inlet & outlet COD was much, much on higher side initially in January, 2012 the COD inlet values were 2,608 mg./ltr. and in the month of December, 2012 it was 960 mg/lit. whereas the outlet COD value in the month of January, 2012 was 1024 mg/lit as against 250 standard laid down for outlet under the provisions of the Environment (Protection) Rules, 1986 for which the directions are given to upgrade CETP to achieve EPA standards. The outlet COD in the month of December, 2012 was found to be 428 mg/lit. as against 250 mg/lit. The respondent Board continuously perusing with the CETP and individual large and medium scale industries to upgrade their facilities to achieve the prescribed standards in the consent order. Therefore, there has been considerable improvement in the operation and maintenance of CETP, which is reflected in the improvement of the COD level and also outlet of individual industries i.e. inlet of CETP is improved, though further improvement is necessary.



- (iii) Actions initiated after 13/12/2012 :- The Respondent-Board has found 3 defaulting industries for functioning of

the CETP at MIDC Chincholi, Solapur namely M/s.Avon Organics Ltd., M/s.Smruthi Organics and M/s.Vamsi Labs Ltd.. Therefore, the Respondent-Board has issued directions for necessary compliance vide letters dtd.04/1/2012 to the said defaulting industries, wherein the Board has also forfeited the bank guarantees submitted by the said indsutries.. Copies of the said directions are enclosed herewith and marked as an **Exhibit-IV** collectively. Similarly, the CETP Chincholi has been directed to comply with the certain important conditions by the directions dtd.29/12/2012. A copy of the said directions is enclosed herewith and marked as an **Exhibit-V**.

(iv) **Future Actions / In progress for improvement of Greenfield, CETP, Chincholi Solapur :-**

I say and submit that the following actions are proposed against the Greenfield CETP at Chincholi Solapur, in view of the problems in respect of operation and maintenance of CETP units :-

- (a) The Respondent Board has already directed Greenfield CETP to establish, operate and maintain website by providing it within 30 days time duly supported by the bank guarantee of Rs. 2.5 Lakhs.
- (a) To Operate & Maintain the CETP units properly through professional management, the Board will have no option than to recommend MIDC to replace the existing management by professional institute like NEERI/ICT/any other reputed institute.
- (b) To ensure that the effluent of SSI units generating effluent > 25 CMD and all the LSI/MSI units



-

BG of Rs. 5/- Lakhs valid for 1 year within 15 days for compliance of the same.

- (h) To provide online monitoring facility for various important parameters like pH, COD etc. up to 28.02.2013 & shall submit a BG of Rs. 1/- Lakhs valid for 1 year within 15 days for the said compliance.

The necessary directions are issued to Chincholi CETP Authority in respect of the compliance of the above conditions by the Regional Officer of the Respondent-Board at Pune vide letter dtd.29/12/2012, which is enclosed as an **Exhibit - V.**

(iv) **MIDC issues in respect of CETP at Chincholi**

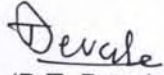
During the joint meeting of CEO, MIDC with the Member Secretary, MPCB and other officials of MIDC and MPCB, the various issues in respect of all the CETPs including Chincholi CETP were discussed on 8/10/2012 and the following issues are pertaining to the CETP & MIDC jointly:

- (a) The chemical industries are sending effluent having more concentration and therefore, separate collection & primary treatment of effluent generated from the chemical industries is required to be provided.
- (b) The capacity of collection tank needs to be increased, in order to prevent extra shock load on UASBR.
- (c) CETP needs to provide tertiary treatment facility.

It was decided that regarding the chemical zone, 9 major industries in this zone are in production, which are at scattered location. Hence, it was suggested that the

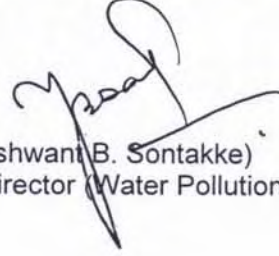


collection system may not be economically viable considering topography and scattered location of those industries. However, it was decided to call feasibility report from the Executive Engineer, Sangli in this regard.



(D.T. Devale)

Sr. Law Officer for Respondent Board



(Yeshwant B. Sontakke)

Joint Director (Water Pollution Control)



VERIFICATION

I, Yeshwant B. Sontakke, aged about 47 Years, occupation-service, the Joint Director(Water Pollution Control) of the Maharashtra Pollution Control Board, having my Office at Kalpataru Point, 3rd Floor, Sion-Matunga Scheme Road No.8, Opp.Cine Max Cinema, Sion (East), Mumbai -400 022, do hereby solemnly declare that whatever stated in the aforesaid reply from paragraph (a) and (b) are true and correct to the best of my knowledge and belief. I say that the contents of the above reply from paragraph (a) and (b) are drafted as per the official record. The same are read over to me and I have understood the same.

Hence, verified and signed at Mumbai on this 5th day of January, 2013.

Deponent,

Solemnly affirmed at Mumbai }

On this 5th day of January, 2013 }

(Yeshwant B. Sontakke)
Joint Director (Water Pollution Control)



BEFORE ME

S. K. Warke
5/1/2013
S. K. WARKE
ADVOCATE & NOTARY
34, Himalaya, Opp. Pudar Hospital
Next to Suddand Restaurant,
Ward, Mumbai - 400 018.



Exhibit - I

**MAHARASHTRA REGIONAL OFFICE CONTROL BOARD
REGIONAL OFFICE KALYAN**

Tel. No. (0251) 2310167/2310212
Fax No. (0251) 2310192
Visit us on: <http://mpcb.gov.in>
E.mail: rokalyan@mpcb.gov.in



Siddhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West) - 421 301.
Thane.

Sent by: RPAD

NO: MPCB/ROK/TB/ID/UK/121012FT0114/268

Date: 12.10.12

To,
M/s Ashutosh Dyeing Mills Pvt Ltd,
Plot No.F-25, MIDC,
Badlapur, Dist-Thane.

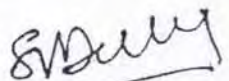
Sub: Interim Directions & under section 33(A) of the Water
(Prevention & Control of Pollution) Act 1974 & under sections
31(A) of Air (Prevention & control of Pollution) Act, 1981.

- Ref : 1) Consent granted by Board
2) Writ Petition No. 17/2011 filed by Nicholas Almeida V/s State of
Maharashtra and Others.
3) High Court Order Dt 5.7.2012
4) Board Circular No:BO/P&L Div/B-4602 dt 24.7.2012
5) Visit of Committee on 8.8.2012 & 21.8.2012
6) Report submitted by SRO K-II on 12.9.2012
7) Proposed Direction issued vide letter no.
MPCB/ROK/TB/PD/218/120912FT0283 dtd. 12.9.2012
8) Personnel hearing extended to you on dt.11/10/2012

This refers to Proposed Direction issued by this office vide letter above at sr
and personal hearing extended to you by this office on 11/10/2012. During the court
personal hearing, non compliances with respect to Consent Conditions were brought to
notice. It was assured by you immediate steps will be taken to comply with the con-
ditions. Considering your assurance / submissions made during the course of hear-
ing following Directions are issued for immediate compliances.

1. Industry shall operate & maintain effluent treatment plant efficiently & regularly r-
the clock to meet the standard prescribed by Board in consent order
2. Industry shall submit irrevocable Bank guarantee of Rs 25,000/- in favor of Reg-
Officer, MPC Board, Kalyan valid up to one year within period of 15 days from
date of personal hearing.

In case of your failure to comply with above directions, Board will proceed ag-
you as per the provision of Air (Prevention & control of Pollution) Act, 1981 & under se-
33(A) of the Water (Prevention & Control of Pollution) Act 1974. Which may please be n-


(S.R. Deshmukh)
Regional Officer, Kalyan.

Copy to:

1. Sub-Regional Officer, Kalyan II, MPCB, Kalyan.-For information & necessary follo
2. M/s Badlapur CETP Association, Plot No -OS-4 MIDC Badlapur, Dist -Thane
3. Master file.



MAHARASHTRA CONTROL BOARD
REGIONAL OFFICE, KALYAN

Tel. No. (0251) 2310167/2310212
Fax No. (0251) 2310192
Visit us on: <http://mpcb.gov.in>
E.mail: rokalyan@mpcb.gov.in

Biddhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West) - 421 301.
Thane.

Sent by: RPAD

NO: MPCB/ROK/TB/ID/UK/1248/2FT012 Date: 12-10-2012

To,
M/s SBL Colour chem Pvt Ltd
Plot No.C-4, MIDC,
Badlapur, Dist-Thane.

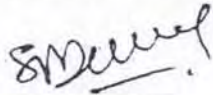
Sub: Interim Directions & under section 33(A) of the Water
(Prevention & Control of Pollution) Act 1974 & under sections
31(A) of Air (Prevention & control of Pollution) Act, 1981.

- Ref : 1) Consent granted by Board
2) Writ Petition No. 17/2011 filed by Nicholas Almeida V/s State of
Maharashtra and Others.
3) High Court Order Dt 5.7.2012
4) Board Circular No:BO/P&L/DN/B-4602 dt 24.7.2012
5) Visit of Committee on 8.8.2012 & 22.8.2012
6) Report submitted by SRO K-4 on 12.9.2012
7) Proposed Direction issued vide letter no.
MPCB/ROK/TB/PD/220/12042FT0291, dtd. 12.9.2012
8) Personnel hearing extended to you on dt.11/10/2012

This refers to Proposed Direction issued by this office vide letter above at sr.no:6
and personal hearing extended to you by this office on 11/10/2012. During the course of
personal hearing, non compliances with respect to Consent Conditions were brought to your
notice. It was assured by you immediate steps will be taken to comply with the consent
conditions. Considering your assurance / submissions made during the course of hearing,
following Directions are issued for immediate compliances.

1. Industry shall operate & maintain effluent treatment plant efficiently & regularly round
the clock to meet the standard prescribed by Board in consent order
2. Industry shall submit irrevocable Bank guarantee of Rs 25,000/- in favor of Regional
Officer, MPC Board, Kalyan valid up to one year within period of 15 days from the
date of personal hearing.

In case of your failure to comply with above directions, Board will proceed against
you as per the provision of Air (Prevention & control of Pollution) Act, 1981 & under section
33(A) of the Water (Prevention & Control of Pollution) Act 1974. Which may please be noted.


(S.R. Deshmukh)
Regional Officer, Kalyan.

Copy to:

1. Sub-Regional Officer, Kalyan II, MPCB, Kalyan.-For information & necessary follow-up
2. M/s Badlapur CETP Association, Plot No -OS-4 MIDC Badlapur, Dist -Thane
3. Master file.



**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KALYAN**

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Visit us on: <http://mpcb.gov.in>
E.mail: rokalyan@mpcb.gov.in



Siddhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West) - 421 301.
Thane.

Sent by: RPAD

NO: MPCB/ROK/TB/IDI/UK/2/012FTD/18/269 Date: 12/10/2012

To,
M/s .Prempooja Textile.
Plot No. B-10, MIDC,
Badlapur, Dist-Thane.

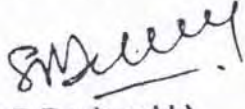
Sub: Interim Directions & under section 33(A) of the Water
(Prevention & Control of Pollution) Act 1974 & under sections
31(A) of Air (Prevention & control of Pollution) Act, 1981.

- Ref : 1) Consent granted by Board
2) Writ Petition No. 17/2011 filed by Nicholas Almeida V/s State of
Maharashtra and Others.
3) High Court Order Dt 5.7.2012
4) Board Circular No:BO/P&L Div/B-4602 dt 24.7.2012
5) Visit of Committee on 7.8.2012 & 21.8.2012
6) Report submitted by SRO K-II on 12.9.2012
7) Proposed Direction issued vide letter no.
MPCB/ ROK/TB/PD/222/120912FTO310, dtd. 12.9.2012
8) Personnel hearing extended to you on dt. 11/10/2012

This refers to Proposed Direction issued by this office vide letter above at sr.no:6
and personal hearing extended to you by this office on 11/10/2012. During the course of
personal hearing, non compliances with respect to Consent Conditions were brought to your
notice. It was assured by you immediate steps will be taken to comply with the consent
conditions. Considering your assurance / submissions made during the course of hearing,
following Directions are issued for immediate compliances.

1. Industry shall operate & maintain effluent treatment plant efficiently & regularly round
the clock to meet the standard prescribed by Board in consent order
2. Industry shall submit irrevocable Bank guarantee of Rs 50,000/- in favor of Regional
Officer, MPC Board, Kalyan valid up to one year within period of 15 days from the
date of personal hearing.

In case of your failure to comply with above directions, Board will proceed against
you as per the provision of Air (Prevention & control of Pollution) Act, 1981 & under section
33(A) of the Water (Prevention & Control of Pollution) Act 1974. Which may please be noted.


(S.R. Deshmukh)
Regional Officer, Kalyan.

Copy to:

1. Sub-Regional Officer, Kalyan II, MPCB, Kalyan.-For information & necessary follow-up
2. M/s Badlapur CETP Association, Plot No -OS-4 MIDC Badlapur, Dist -Thane
3. Master file.



07c

~~Admission 22/11/12~~

B.G. 343

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE-KALYAN

Tel. No. (0251) 2310167/2310212
Fax No. (0251) 2310192
Visit us on: <http://mpcb.mah.nic.in>
E.mail: rokalyan@mpcb.gov.in



Sidhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West),
Dist. Thane - 421 301.
Date: 10.12.12

Ref. MPCB/ROK/B.G./B- 121210FT0106

To,
The Asst. Manager,
Greater Bombay Co.Op. Bank Ltd.,
GBCB House, 89, Bhuleshwar,
Mumbai. 400 002

- Sub :- Lodging our claims to Encash Bank Guarantee No.28/2012-13, dt. 22.11.2012 for an amount of Rs. 25,000/- of M/s. Aasutosh Dying Mills (P) Ltd., Plot No. F-12 & 25, MIDC Badlapur. Dist. Thane.
- Ref :- 1. Board Circular No. MPCB/BO/P&L Div. B-4602, dt. 24.7.2012.
2. Interim direction issued by MPC Board vide letter no. MPCB/ROK/TB/ID/UK/121012ft0114/268 dt 12.10.2012.
3. Visit of Board officers to the unit on 6/12/2012

The above said unit has issued interim direction on 12.10.2012 under the writ petition No. 17/2011 filed by Nicholas Almeda Vs State of Maharashtra & others. Board has imposed some conditions in interim directions.

As per the one of the condition of interim direction industry has furnished the Bank Guarantee through your bank for Rs.25,000/- (in words rupees twenty five thousand only) valid up to 21/11/2013. The unit was required to comply with the directions issued by the Board.

After issuance of interim direction on 12.10.2012, Board office has observed non compliance from the unit on 6/12/2012, and hence as per the direction of circular referred at sr. No. 1. It is decided to invoke the said Bank Guarantee. Therefore, we hereby lodge our claim under the aforesaid bank guarantee. The original Bank Guarantee duly discharged by you is enclosed herewith for encashment.

Pantane



You are therefore requested to remit Rs. 25,000/- by the way of Demand draft or Bankers Cheque in favour of Regional Officer, Maharashtra Pollution Control Board, Kalyan.

This is issued with the competent Authorities of the Board


(S.R. Deshmukh)
Regional Officer, Kalyan

DA: As above

Copy submitted to :

1) Regional Officer, (ROHQ) MPC Board, Mumbai./ Sr. Law Officer, MPC Board, Mumbai.

Copy to:-

1) Sub-Regional Officer, MPC Board, Kalyan-II

- He is instructed to serve the copy to industry and keep follow up for submission of new B.G.

2) M/s. Aashutosh Dying Mills (P) Ltd., Plot No. F-12 & 25, MIDC Badlapur, Dist. Thane.- They are requested to furnish the fresh B.G. of Rs. 50,000/- within 7 days from receipt of this letter as per Board circular referred at Sr. No. 1.



R P A P

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE-KALYAN

Tel. No. (0251) 2310167/2310212
Fax No. (0251) 2310192
Visit us on: <http://mpcb.mah.nic.in>
E.mail: rokalyan@mpcb.gov.in



Ref. MPCB/ROK/ID- /B-121210FT0119

Sidhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West),
Dist. Thane - 421 301.
Date: 10.12.12



To,
✓ The Asst. General Manager,
Bank of India, Mumbai North Zone,
2nd floor, Opp. Natraj Market,
S.V. Road, Malad (W), Mumbai. 400 064.

Sub : Lodging our claims to Encash Bank Guarantee No.
00311FIBG120072 dated 20.11.2012 for an amount of Rs. 25,000/-
of M/s. SBL Colortech (P) Ltd., Plot No. C-4, MIDC Badlapur.
Dist. Thane.

- Ref :-
1. Board Circular No. MPCB/BO/P&L Div. B-4602, dt. 24.7.2012.
 2. Interim direction issued by MPC Board vide letter no. MPCB/ROK/TB/ID/21012ft0212/265 dt 12.10.2012.
 3. Report submitted by Sub Regional Officer, Kalyan-II on 30.11.2012.

The above said unit has issued interim direction on 12.10.2012 under the writ petition No. 17/2011 filed by Nicholas Almeda Vs State of Maharashtra & others. Board has imposed some conditions in interim directions.

As per the one of the condition of interim direction industry has furnished the Bank Guarantee through your bank for Rs.25,000/- (in words rupees twenty five thousand only) valid up to 20/11/2013. The unit was required to comply with the directions issued by the Board.

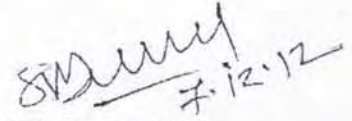
After issuance of interim direction on 12.10.2012, Board office has observed non compliance from the unit, and hence as per the direction of circular referred at sr. No. 1. It is



decided to invoke the said Bank Guarantee. Therefore, we hereby lodge our claim under the aforesaid bank guarantee. The original Bank Guarantee duly discharged by you is enclosed herewith for encashment.

You are therefore requested to remit Rs. 25,000/- by the way of Demand draft or Bankers Cheque in favour of Regional Officer, Maharashtra Pollution Control Board, Kalyan.

This is issued with the competent Authorities of the Board


(S.R. Deshmukh)
Regional Officer, Kalyan

DA: As above

Copy submitted to : _

1) Regional Officer, (ROHQ) MPC Board, Mumbai.

Copy to:-

1) Sub-Regional Officer, MPC Board, Kalyan-II

- He is instructed to serve the copy to industry and keep follow up for submission of new B.G.

2) M/s. SBL Colortech (P) Ltd., Plot No. C-4, MIDC Badlapur. Dist. Thane. – They are requested to furnish the fresh B.G. of Rs. 50,000/- within 7 days from receipt of this letter as per Board circular referred at Sr. No. 1.

3) Master Copy.



Exhibit -II

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024568/24044531

Website: <http://mpcb.gov.in>

E-mail: enquiry@mpcb.gov.in



Kalpatearu Point, 2nd, 3rd & 4th Floor
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai- 400 022.

No.BO/P&L Divn./B- 7568

Date: 26/12/2012

To
Shri Rakeshkumar,
Scientist - G & Head Mumbai Zonal Lab.,
NEERI,
89-B, Dr. Anny Besant Road,
Near Worli Fly Over, Worli,
Mumbai-400 018.

Sub : Work Order for Assessment of the adequacy of the TEPS-CETP
at Tarapur and Badlapur CETP through NEERI.

Ref : Your acceptance to the proposals dtd.10/12/2012 & 14/12/2012
respectively

Sir,

We refer to the proposals of the Maharashtra Pollution Control Board sent to the NEERI with regard to the assessment of the adequacy of the CETPs at Badlapur & Tarapur by letters dtd. 14.12.2012 & respectively. We also refer to your acceptance on behalf of NEERI to both the proposals.

In view of the time bound requirement in respect of assessment of adequacy of above CETPs, so as to finalize further improvement program to secure the statutory compliances, the Board hereby appoints NEERI to carry out a detailed assessment of adequacy of both the CETPs subject to the schedule of fees being submitted by the NEERI for post facto approval of the Board. The following work is assigned to NEERI in respect of both the CETPs :-

- Adequacy of treatment and disposal units with reference to the existing generation of effluent from the member industries, its characteristics as well as the designed capacity of CETP in respect of inlet & outlet parameters.
- Need for improvement, upgradation and enhancement of the capacity of CETP with reference to the present and proposed generation of effluent from the member industries, taking into consideration the present results on monitoring during last one year or as may be necessary to be assessed by NEERI.
- Point of disposal of treated effluent with mode of disposal and any improvement / modification required therein with reference to the extension of pipeline, repairs & replacement of pipelines with further fixation of it through the Competent Authority like NIO.

C:\Documents and Settings\devale\My Documents\doc\AFFIDAVITES\Nicolas Almeda\Work Order.doc



: 2 :

- d) Measures to be undertaken to plug the bypasses, cleaning of sump, disposal of sludge and any other remedial / restoration measures to be undertaken.
- e) Mechanism for online monitoring and any other modern measures to be undertaken to strengthen the monitoring.
- f) Any other improvement measures including monitoring protocol to be followed by the CETP and MPCB.
- g) Non-complied highly polluting industries with reference to their treatment & disposal arrangements and monitoring data made available on the basis of visit & inspection, which are highly polluting industries responsible for the proper functioning of the CETP.
- h) Non-joining of the streams of effluent/sumps and the proposed corrective measures to be undertaken.
- i) Whether the disposal is found to be having adequate capacity, the industries having achieving standards can be allowed to join through separate pipeline at the disposal point of CETP.

Copies of CPCB's and MPCB's directions be perused and accordingly report on comprehensive assessment be prepared by 15th January, 2013, so that on the next date of High Court matter (24/01/2013), when, the hearing of Tarapur CETP is fixed up, the Comprehensive Assessment Report can be perused and brought to the notice of the Hon'ble High Court, if possible. A schedule of fees may kindly be sent as early as possible.

Thanking you,

Yours faithfully,

(Rajeev Kumar Mital)
Member Secretary

Encl: As above.

Copy submitted to: Hon'ble Chairman, MPCB, Mumbai – for favour of information pl.

Copy to:

- 1) Sr.Law Officer(P&L Divn.)/Chief Accounts Officer/Joint Director(WPC)/Regional Officer(HQ), MPCB, Mumbai – for information and necessary follow up action.
- 2) Regional Officer, MPCB, Kalyan/Thane / Sub-Regional Officer, MPCB, Tarapur-I/Kalyan, MPCB – for information and necessary action. They are directed to co-operate with NEERI and made available necessary record, infrastructure etc. for preparation of above Assessment Report.



Exhibit - III

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

Tel. No. 2310167/2310212
Fax No. 2310192
Visit us on: <http://mpcb.gov.in>



Sidhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West),
Dist. Thane

E.mail: rokalyan@mpcb.gov.in

Ref. ROK/TB/BDL / 130102 FT0360/01

Date: 02/01/2013

To,
Badlapur CETP Association
Plot No. OS-4, MIDC Badlapur,
Dist-Thane.

**Sub : Directions U/s 33A of the Water (Prevention & Control of
Pollution) Act, 1974.**

- Ref : 1) Writ Petition No. 17/2011 filed by Nicholas Almeida v/s State of Maharashtra and Ors.
2) Direction issued by board vide letter no. MPCB/I/c. JD(WPC)-2198, dt 04/04/2012.
3) Final direction issued by this office
RO /TB/Dom/181/120727FT0065 Dt 26.7.2012.
4) Order passed by Hon'ble High Court dt 5/07/2012, 20/11/2012 & 13/12/2012.
5) Direction issued by board vide letter no. MPCB/JD(WPC)/B-7382, dtd-15/12/2012.

WHEREAS, you have been granted Conditional Consent to operate your CETP subject to certain terms & conditions mentioned therein. **AND WHEREAS**, it is obligatory on your part to maintain & operate the CETP to the capacity of effluent generated from the cluster of industries, which are Members of CETP in the said area.

AND WHEREAS, being one of the Common Waste Management Authority (CETP) it becomes necessary on your part to have a proper website, giving details of the establishment of your society, various permissions obtained from the Statutory Authorities.

AND WHEREAS, board has issued direction to you vide letter dtd.15/12/2012 wherein you were directed to establish appropriate website, giving all the details, so as to bring information in respect of common facility to the notice of all concerned within 30 days time and to communicate the website details to the MPCB, so as to establish link of your website on the website of the MPCB.

AND WHEREAS, you were directed to submit irrevocable bank guarantee are as follow: of Rs. 2.5 Lacs, ensuring the compliance of these directions within 7 days period of time.



AND WHEREAS, the board has also issued directions vide letter dtd.26/07/2012 wherein your Bank Guarantee of Rs. 5,00,000/- (in words Five lacs only) was forfeited for non-functioning of your CETP, and also you were directed to submit a fresh Bank Guarantee of Rs. 10,00,000/- (in words Rupees Ten Lacs only) for compliance of above said direction.

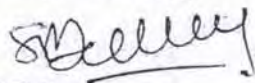
AND WHEREAS, as per the condition no 12 of the consent to operate granted by the Board vide letter no BO/JDWPC/ECI-KN-5806-12/CO/MPCB/12/01009, dt 5/12/2012, you have been directed to furnish (i) Bank Guarantee of Rs. 5 Lacs for up gradation and expansion of CETP & (ii) Bank Guarantee of RS.2.5 Lacs for establishment, Development and maintaining CETP website for displaying information about CETP performance from time to time in public domain within 15 days.**AND WHEREAS**, it has been observed that you have failed to submit above said bank guarantees within stipulated period of time.

AND WHEREAS, the board officials frequently visited your CETP to check the compliance of consent conditions and direction issued by board from time to time and it has been observed that the media of tertiary effluent treatment plant (sand and carbon filter) not being changed / replaced since long period (one year), and also tertiary effluent treatment plant found not in operation, which reflects that operation and maintenance of CETP is very poor

NOW THEREFORE, you are hereby directed to comply with the following directions in stipulated time period-

- 1) You shall submit Bank Guarantee of Rs.10,00,000/- (in words Ten Lacs only) for compliance of direction issued on, 26/07/2012. and Bank Guarantee of Rs. 5,00,000/- (in words Five Lacs only) for up gradation and expansion of CETP & Bank Guarantee of Rs. 2,50,000/- (in words Two ^{hundred} Fifty thousand only) for establishment, Development and maintaining CETP website for displaying information about CETP performance from time to time in public domain, immediately.
- 2) You shall operate and maintain tertiary treatment units properly by replacing sand and carbon filter within 15 days time and periodical cleaning shall be carried out, so as to improve functional efficiency of the CETP.

In case, you fail to comply with the aforesaid directions, the Board will have no option than to initiate further stringent legal action against you, which please note.



(S.R.Deshmukh)
Regional Officer, Kalyan

Copy submitted to:

1. Sr. Law Officer, (P&L) Division/Regional Officer (HQ), I/c. HSM Div. M.P.C. Board, Mumbai, for information.

Copy to:

- 1) Sub- Regional Officer, Kalyan-II, MPC Board, Kalyan.
He is directed to serve the directions to the above industry and keep the follow up and inform compliance thereof.
- 2) H.Court CETP file



Exhibit IV

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

Website: <http://mpcb.gov.in>

E-mail: enquiry@mpcb.gov.in



Kalpateru Point, 2nd, 3rd & 4th Floor

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai- 400 022.

Date: 04/01/2013

No. mpcb/Legal/B-111

To

M/s. Avon Organics Ltd.,

E-2 & E-3, MIDC Chincholi,

Tal: Mohol, Solapur-413 255.

Sub : Conditional directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

- Ref : 1) Consent to Operate granted by the Board vide Consent dtd.29/09/2007, valid for a period upto 31/12/2012.
- 2) Your application for renewal of consent dtd.13/12/2012
- 3) Conditional directions issued by the Board vide letter dtd.9/07/2012.
- 4) Non-compliance of the said directions reported by the Regional Officer of the Board at Pune dtd.7/12/2012 & 2/1/2013

We refer to the consent to operate granted to you by the Board vide Consent dtd.29/09/2007, which was valid for a period upto 31/12/2012, wherein, the Board has already prescribed BOD and COD standards not to exceed 100 mg/ltr. and 250 mg/ltr. respectively for disposal of treated effluent into CETP, which was not at all brought to the notice of the Board by you during the course of hearing and thereby, you have been given conditional directions to restart being treated as less than 25 M³ effluent generation per day to achieve inlet parameters of CETP.

We also refer to the conditional directions to restart manufacturing activities issued by the Board vide letter dtd.9/7/2012, after extending personal hearing in respect of directions of closure issued by the Regional Officer of the Board at Pune dtd.27/06/2012, subject to the proper operation & maintenance of existing ETP round the clock, so as to achieve the inlet designed norms of the CETP till upgradation of ETP is completed, for which, you were given time upto 30/11/2012. You were specifically directed to utilize/treat/consume accumulated high COD within one month with the help of existing MEE, by segregating high COD stream from the existing stream of the effluent. You were also directed to furnish an irrevocable bank guarantee of Rs.5 Lakhs, which shall be valid for a period of one year.

We also refer to the non-compliance of the said directions reported by the Regional Officer of the Board at Pune dtd.7/12/2012 & 2/1/2013, specifically pointing out that your unit is not SSI unit and you have been granted consent under Large Scale category for generation of 90 M³ effluent per day and therefore, the Board has to prescribe EPA standards in the consent. Therefore, for BOD & COD above standards are prescribed. You



: 2 :

were therefore, required to provide fullfledged primary, secondary & tertiary treatment including MEE to achieve the EPA Standards under the provisions of the Environment (Protection) Rules, 1986. As reported by the Regional Officer of the Board at Pune, you are not achieving the EPA standards, more particularly, pH, BOD & COD respectively, because your ETP is not adequate and suitable to achieve those standards, thereby, you are responsible for disturbing / affecting the functioning of CETP. You are not achieving the consented norms of BOD & COD.

We refer to your application for renewal of consent dtd.13/12/2012. Since, you have misrepresented the Board about the category of the industry and generation of effluent, thereby, conditional directions to restart manufacturing activities were given subject to the condition about upgradation of ETP, so as to achieve EPA Standards by 30/11/2012 and you have not completed the upgradation to achieve those standards, the following conditional directions are issued against you.

- a) You shall operate and maintain existing ETP properly, by segregating COD stream, thereby, achieving the standards laid down under the provisions of the Environment (Protection) Rules, 1986 and you shall treat / consume COD stream in MEE, so as not to cause any pollution in the surrounding area and without affecting the functioning of the CETP, so as to achieve the standards laid down under the provisions of the Environment (Protection) Act, 1986 & Rules made thereunder.
- b) You shall upgrade your ETP, so as to achieve the EPA standards by 31/03/2013 positively, so as to achieve the EPA standards. This is the last opportunity given to you and henceforth, while granting renewal of consent, you will have to achieve the EPA standards, which will be prescribed as per provisions contained in the Environment (Protection) Act, 1986 and Rules made thereunder.
- c) Your existing bank guarantee of Rs.5 Lakhs is hereby forfeited and you shall furnish afresh bank guarantee of Rs.10 Lakhs, ensuring the compliance of the above conditions and consent conditions, which shall be valid for a period of one year, to be submitted within 15 days time in favour of the Regional Officer, MPCB, Pune.

In case, you fail to comply with the above directions, the Board will have no option than to initiate appropriate legal action against, including forfeiture of bank guarantee, which may please be noted.

(Rajeev Kumar Mital)
Member Secretary

Copy to:

- 1) Sr.Law Officer(P&L Divn.)/l/c Joint Director (PAMS), MPCB, Mumbai – for information and necessary follow up.
- 2) Regional Officer, MPCB, Pune/Sub-Regional Officer, MPCB, Solapur - for information and necessary follow up action. Regional Officer, MPCB, Pune is directed to forfeit the existing bank guarantee of Rs.5 Lakhs of the above unit, by sending duly discharged bank guarantee with him to the banker and obtain afresh bank guarantee of Rs.10 Lakhs from the said unit.



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

Website: <http://mpcb.gov.in>

E-mail: enquiry@mpcb.gov.in



Kaipataru Point, 2nd, 3rd & 4th Floor

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai- 400 022.

Date: 04/01/2013

No. *mpcb/legal/B-110*

To

M/s. Vamsi Labs Ltd.,

A-14/15, MIDC Chincholi,

Tal: Mohol, Solapur-413 255.

Sub : Conditional directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

- Ref : 1) Consent to Operate granted by the Board vide Consent dtd.17/05/2006, valid for a period upto 31/12/2011.
- 2) Your application for renewal of consent dtd.02/12/2011
- 3) Conditional directions issued by the Board vide letter dtd.13/08/2012.
- 4) Non-compliance of the said directions reported by the Regional Officer of the Board at Pune dtd.7/12/2012 & 2/1/2013

We refer to the consent to operate granted to you by the Board vide Consent dtd.17/05/2006, which was valid for a period upto 31/12/2011, wherein, the Board has already prescribed BOD and COD standards not to exceed 100 mg/ltr. and 250 mg/ltr. respectively for disposal of treated effluent into CETP, which was not at all brought to the notice of the Board by you during the course of hearing and thereby, you have been given conditional directions to restart being treated as less than 25 M³ effluent generation per day to achieve inlet parameters of CETP.

We also refer to the conditional directions to restart manufacturing activities issued by the Board vide letter dtd.13/08/2012, after extending personal hearing in respect of directions of closure issued by the Regional Officer of the Board at Pune dtd.27/06/2012, subject to the upgrade the ETP by submitting concrete plan for biocatalyst oxidation treatment facility and make operational by 31/10/2012 and proper operation & maintenance of existing ETP round'O Clock, so as to achieve the inlet designed norms of the CETP till upgradation of ETP is completed. You were specifically directed to upgrade the primary treatment plant by installing additional force evaporation of 6 KL capacity and 4 nos. of pre heaters as agreed by you in your reply by 15/08/2012. You were also directed to furnish an irrevocable bank guarantee of Rs.5 Lakhs, which shall be valid for a period of one year.

We also refer to the non-compliance of the said directions reported by the Regional Officer of the Board at Pune dtd.7/12/2012 & 2/1/2013, specifically pointing out that your unit is not SSI unit and you have been granted consent under Large Scale category for generation of 26 M³ effluent per day and therefore, the Board has to prescribe EPA standards in the



: 2 :

consent. Therefore, for BOD & COD above standards are prescribed. You were therefore, required to provide fullfledged primary, secondary & tertiary treatment including MEE to achieve the EPA Standards under the provisions of the Environment (Protection) Rules, 1986. As reported by the Regional Officer of the Board at Pune, you are not achieving the EPA standards, more particularly, pH, BOD & COD respectively, because your ETP is not adequate and suitable to achieve those standards, thereby, you are responsible for disturbing / affecting the functioning of CETP. You are not achieving the consented norms of BOD & COD.

We refer to your application for renewal of consent dtd.02/12/2011. Since, you have misrepresented the Board about the category of the industry and generation of effluent, thereby, conditional directions to restart manufacturing activities were given subject to the condition about upgradation of ETP, so as to achieve EPA Standards by 30/11/2012 and you have not completed the upgradation to achieve those standards, the following conditional directions are issued against you.

- a. You shall operate and maintain existing ETP properly, by segregating COD stream, thereby, achieving the standards laid down under the provisions of the Environment (Protection) Rules, 1986 and you shall treat / consume COD stream in MEE, so as not to cause any pollution in the surrounding area and without affecting the functioning of the CETP, so as to achieve the standards laid down under the provisions of the Environment (Protection) Act, 1986 & Rules made thereunder.
- b. You shall upgrade your ETP, so as to achieve the EPA standards by 31/03/2013 positively, so as to achieve the EPA standards. This is the last opportunity given to you and henceforth, while granting renewal of consent, you will have to achieve the EPA standards, which will be prescribed as per provisions contained in the Environment (Protection) Act, 1986 and Rules made thereunder.
- c. Your existing bank guarantee of Rs.5 Lakhs is hereby forfeited and you shall furnish afresh bank guarantee of Rs.10 Lakhs, ensuring the compliance of the above conditions and consent conditions, which shall be valid for a period of one year, to be submitted within 15 days time in favour of the Regional Officer, MPCB, Pune.

In case, you fail to comply with the above directions, the Board will have no option than to initiate appropriate legal action against, including forfeiture of bank guarantee, which may please be noted.

(Rajeev Kumar Mital)
Member Secretary

Copy to:

- 1) Sr.Law Officer(P&L Divn.)/I/c Joint Director (PAMS), MPCB, Mumbai - for information and necessary follow up.
- 2) Regional Officer, MPCB, Pune/Sub-Regional Officer, MPCB, Solapur - for information and necessary follow up action. Regional Officer, MPCB, Pune is directed to forfeit the existing bank guarantee of Rs.5 Lakhs of the above unit, by sending duly discharged bank guarantee with him to the banker and obtain afresh bank guarantee of Rs.10 Lakhs from the said unit.



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
Fax: 24023516/24024068/24044531

Website: <http://mpcb.gov.in>

E-mail: enquiry@mpcb.gov.in



Kalpataru Point, 2nd, 3rd & 4th Floor
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai- 400 022.

Date: 04/01/2013

No. *mpcb/legal/B-109*

To
M/s. Smuruthi Organics.,
A-27, MIDC Chincholi,
Tal: Mohol, Solapur-413 255.

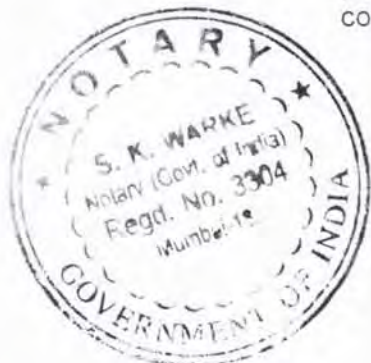
Sub : Conditional directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981.

- Ref : 1) Consent to Operate granted by the Board vide Consent dtd.08/04/2011, valid for a period upto 31/03/2013.
2) Conditional directions issued by the Board vide letter dtd.20/06/2012.
3) Non-compliance of the said directions reported by the Regional Officer of the Board at Pune dtd.7/12/2012 & 2/1/2013

We refer to the consent to operate granted to you by the Board vide Consent dtd.08/04/2011, which was valid for a period upto 31/03/2013, wherein, the Board has already prescribed BOD and COD standards not to exceed 100 mg/ltr. and 250 mg/ltr. respectively for disposal of treated effluent into CETP, which was not at all brought to the notice of the Board by you during the course of hearing and thereby, you have been given conditional directions to restart being treated as less than 25 M³ effluent generation per day to achieve inlet parameters of CETP.

We also refer to the conditional directions to restart manufacturing activities issued by the Board vide letter dtd.20/06/2012, after extending personal hearing in respect of directions of closure issued by the Regional Officer of the Board at Pune dtd.13/06/2012, subject to the proper operation & maintenance of existing ETP round'O Clock, so as to achieve the inlet designed norms of the CETP till upgradation of ETP is completed, for which, you were given time upto 30/11/2012. You were specifically directed to utilize/treat/consume accumulated high COD within one month with the help of existing MEE, by segregating high COD stream from the existing stream of the effluent. You were also directed to furnish an irrevocable bank guarantee of Rs.5 Lakhs, which shall be valid for a period of one year.

We also refer to the non-compliance of the said directions reported by the Regional Officer of the Board at Pune dtd.7/12/2012 & 2/1/2013, specifically pointing out that your unit is not SSI unit and you have been granted consent under Large Scale category for generation of 90 M³ effluent per day and therefore, the Board has to prescribe EPA standards in the consent. Therefore, for BOD & COD above standards are prescribed. You



: 2 :

were therefore, required to provide fullfledged primary, secondary & tertiary treatment including MEE to achieve the EPA Standards under the provisions of the Environment (Protection) Rules, 1986. As reported by the Regional Officer of the Board at Pune, you are not achieving the EPA standards, more particularly, pH, BOD & COD respectively, because your ETP is not adequate and suitable to achieve those standards, thereby, you are responsible for disturbing / affecting the functioning of CETP. You are not achieving the consented norms of BOD & COD.

Since, you have misrepresented the Board about the category of the industry and generation of effluent, thereby, conditional directions to restart manufacturing activities were given subject to the condition about upgradation of ETP, so as to achieve EPA Standards by 30/11/2012 and you have not completed the upgradation to achieve those standards, the following conditional directions are issued against you.

- a) You shall operate and maintain existing ETP properly, by segregating COD stream, thereby, achieving the standards laid down under the provisions of the Environment (Protection) Rules, 1986 and you shall treat / consume COD stream in MEE, so as not to cause any pollution in the surrounding area and without affecting the functioning of the CETP, so as to achieve the standards laid down under the provisions of the Environment (Protection) Act, 1986 & Rules made thereunder.
- b) You shall upgrade your ETP, so as to achieve the EPA standards by 31/03/2013 positively, so as to achieve the EPA standards. This is the last opportunity given to you and henceforth, while granting renewal of consent, you will have to achieve the EPA standards, which will be prescribed as per provisions contained in the Environment (Protection) Act, 1986 and Rules made thereunder.
- c) Your existing bank guarantee of Rs.5 Lakhs is hereby forfeited and you shall furnish afresh bank guarantee of Rs.10 Lakhs, ensuring the compliance of the above conditions and consent conditions, which shall be valid for a period of one year, to be submitted within 15 days time in favour of the Regional Officer, MPCB, Pune.

In case, you fail to comply with the above directions, the Board will have no option than to initiate appropriate legal action against, including forfeiture of bank guarantee, which may please be noted.

(Rajeev Kumar Mital)
Member Secretary

Copy to:

- 1) Sr.Law Officer(P&L Divn.)/I/c Joint Director (PAMS), MPCB, Mumbai - for information and necessary follow up.
- 2) Regional Officer, MPCB, Pune/Sub-Regional Officer, MPCB, Solapur - for information and necessary follow up action. Regional Officer, MPCB, Pune is directed to forfeit the existing bank guarantee of Rs.5 Lakhs of the above unit, by sending duly discharged bank guarantee with him to the banker and obtain afresh bank guarantee of Rs.10 Lakhs from the said unit.

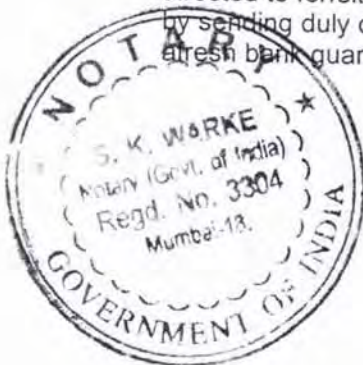


Exhibit - V

MAHARASHTRA POLLUTION CONTROL BOARD

REGIONAL OFFICE PUNE

Phone :- (020) 25811627 / 25811694
Fax :- (020) 25811701 / 25811029
Website :- <http://mpcb.gov.in>
E-mail :- ropune@mpcb.gov.in



3rd Floor, "Jog Center", Wakdewadi,
Pune - Mumbai Road,
Pune - 411 003.

MPCB / ROP/3646/12

Date : 29/12/2012

To,
Greenfield CETP Plant Pvt. Ltd,
P-17, MIDC Chincholi,
Dist Solapur

Sub: - Directions under Section 33A of the Water (Prevention Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981

Ref:- 1) Consent granted under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Authorization under the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules, 2008.
2) Meeting held at MPCB, HQ, Sion, Mumbai dated 21.12.2012

WHEREAS, the Board has granted a conditional Consent to Operate your CETP 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 under Rule 5 of the Hazardous Wastes (Management, Handling & Trans-Boundary Movement) Rules, 2008 subject to certain terms and conditions mentioned therein. AND WHEREAS, it is obligatory on your part to maintain and operate the CETP to the capacity of effluent generated from the cluster of industries, which are Members of CETP in the said area.

AND WHEREAS, the Maharashtra Pollution Control Board has taken review of your CETP in its meeting held on 21.12.2012 referred 2 above, and it has been observed by the Board and also by the Hon'ble High Court, judicature at Mumbai that your CETP is in the category of 'Highly Exceeding the Prescribed Standards' where it has been observed that the final outlet parameters as per the monitoring done by the officials of the Board are exceeding the consented standards/EPA standards.

Thereby, you are causing serious pollution at the point of discharge i.e. at HRTS. It has been observed that your existing treatment & disposal arrangements are inadequate to treat the effluent collected from the Member industries to the prescribed consented standards/EPA standards and therefore, up gradation/improvement in the CETP and Operation and Maintenance of CETP is required to be done in a time bound manner, so as to achieve the standards prescribed in the consent/EPA standards.

Thus, you are not serious about the pollution control and contravening the environmental standards laid down under the provisions of the Environment (Protection) Act, 1986 and Rules made there under, thereby damaging the surrounding environment knowingly and willfully.

AND WHEREAS, from the record of this office and the reports submitted by Sub Regional Officer, MPC Board, Solapur, I am satisfied that you have violated the provisions of various environmental enactments and damaging the surrounding environment knowingly and willfully.

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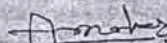


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NOW, THEREFORE, in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981, I, Anil Dnyandeo Mohekar, Regional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

1. In case you fail to Operate & Maintain the CETP units properly through professional management, the Board will have no option than to recommend MIDC to replace the existing management by professional institute like NEERI/ICT/any other reputed institute.
2. You shall ensure that the effluent of SSI units generating effluent > 25 CMD and all the LSI/MSI units achieving their individual consented outlet parameters prescribed by the Board shall only be accepted by the CETP with immediate effect. You shall also communicate the names of such units not achieving the consented outlet parameters to the Board. You shall submit a BG of Rs. 1/- Lakhs valid for 1 year within 15 days for compliance of the same.
3. You shall provide collection tank of adequate capacity for unloading effluent received by tankers to ensure proper homogenization of the same up to 31.01.2013. You shall submit a BG of Rs. 1/- Lakhs valid for 1 year within 15 days for the said compliance.
4. You shall carry out necessary repairs in UASBR up to 31.01.2013. You shall submit a BG of Rs. 1/- Lakhs valid for 1 year within 15 days for the said compliance.
5. You shall provide tertiary treatment facility to your CETP up to 31.01.2013 to achieve the consented parameters. You shall submit a BG of Rs. 1/- Lakhs valid for 1 year within 15 days for the said compliance.
6. You shall carry out treatability study for up gradation of the CETP to achieve the consented standards up to 31.01.2013. You shall submit BG of Rs. 1/- Lakhs valid for 1 year within 15 days for the same.
7. You shall upgrade the existing CETP so as to achieve the consented parameters prescribed by the Board within 4 months i.e. up to 30.04.2013 as you have designed CETP for 400 mg/lit outlet parameters as against 100 mg/lit COD standards prescribed in the consent. You shall submit BG of Rs. 5/- Lakhs valid for 1 year within 15 days for compliance of the same.
8. You shall provide online monitoring facility for various important parameters like pH, COD etc up to 28.02.2013. You shall submit a BG of Rs. 1/- Lakhs valid for 1 year within 15 days for the said compliance.

In case, you fail to comply with the above directions, the Board will have no option than to initiate appropriate legal action against you, which may please be noted.



(A.D. Mohekar)
Regional Officer-Pune

Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.
 2. Regional Officer (HQ), MPCB, Mumbai.
 3. The Sr. Law Officer (P & L Div), MPCB, Mumbai.
- Copy for information & necessary follow-up action to :



IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION
NO.17 OF 2011

Nicholas H. Almeida ... Petitioner

Versus

State of Maharashtra
& Ors. ... Respondents

AFFIDAVIT ON BEHALF OF
RESPONDENT NO.3 IN COMPLIANCE
OF ORDER DTD.13/12/2012 PASSEED
BY THIS HON'BLE COURT

Dated thisday of January,2013

Advocate for Respondent-Board
