

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION NO.17/2011

Nicolas H. Almeida

...Petitioner

v/s

State of Maharashtra through
Its Chief Secretary and Ors.

...Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO.3.

I, Vasant Bhagwantrao Waghjale, aged about 57 Years, occupation-service, the Assistant Secretary (Technical) 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 on state solemn affirmation as under :

I am working as the Assistant Secretary (Technical) in the Maharashtra Pollution Control Board i, e. the Respondent No 3 I am filing this Affidavit on behalf of the Respondent No.3 only with a limited purpose of opposing an admission of the petition and bringing on record the true and correct position in respect of the applicability of the River Regulation Zone Policy (RRZ) dtd.13/07/2009, which has been substituted in the place of earlier RRZ Policy dtd.15/07/2000. The copies of true translation of both the RRZ Policies in English are enclosed and marked as an

... I crave leave to file an Additional



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1. I say & submit that, I am the Assistant Secretary of the Maharashtra Pollution Control Board (MPCB) at Head Quarter and looking after the Board Committee Meetings of Technical Branch (Consent Appraisal Committee/Consent Committee), Co-Ordination and Complaint Redressal, Co-ordination work of Amravati & Aurangabad Regions, Consent management of all new industries (Consent to Establish and first operation which requires Environment Clearance) including implementation of River Regulation Zone Policy at Head Quarter level. I am authorized to file the present affidavit on behalf of Respondent No.3. I have gone through the petition and am conversant with the facts of the case and based on my office record and personal knowledge..
2. I say & submit that the Maharashtra Pollution Control Board is a body corporate constituted under section 4 of the Water (Prevention & Control of Pollution) Act, 1974 and shall be deemed to be the State Board for the prevention & control of pollution under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 respectively. Besides these Legislations, the Board is implementing the Environment (Protection) Act, 1986 and the Rules made there under. One of the important functions of Respondent No.3 is to prevent, abatement and control of water & air pollution and to prevent degradation of environment.
3. I say and submit that the Respondent No.3 had passed specific Resolution after due deliberations for prescribing the Distance Criteria of the various categories of polluting industries from the

Categories in the State of Maharashtra and sent it for the approval of the Respondent No.1 as per Clause(n) of Sub-Section 1 of Section 17 of the Water (Prevention & Control of Pollution) Act, 1974. I say and submit that as per Section 17(1)(n), the State Pollution Control Board empowered to advise the State Government with respect to the location of any industry, the carrying on of which is likely to pollute a stream or well.

I say and submit that the Respondent No.3 after taking into consideration the deteriorating quality of river water in the State of Maharashtra, in order to protect the designated uses of the rivers in the State of Maharashtra has classified the Rivers and Riverine System into above 4 classes as under .

(i) As per the Criteria / Policy , "Origin of the River upto first designated dam is classified as A-I Class" as below :

(a) For A-I Class of the river, **"NO DEVELOPMENT ZONE"**

is specified from High Flood Level (HFL) on either side upto 3 km. of the river

(b) Beyond 3 kms. upto 5 km. from HFL on either side of the river, exclusively the industries falling under 'Green' Category with requisite pollution control devices permitted.

(c) Beyond 5 kms. from HFL upto 8 km. on either side of the river exclusively, for the establishment of industries

falling under 'Green' and 'Orange' Categories with





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(d) Beyond 8 kms. on either sides of the river, the industries falling under any category with requisite pollution control devices permitted.

(ii) **For A-II class of river water** – the following conditions are imposed

(a) For A-II Class of River water, 1 km. on either side of the river from HFL, there is total ban for development.

(b) Beyond 1 km. of 'No Development Zone' upto 2 km., 'Green' & 'Orange' Category of industries with necessary pollution control devices permitted.

(c) Beyond 2 km. From High Flood Level (HFL) on either side of any industry with requisite pollution control devices are allowed / permitted.

(iii) **For A-III and A-IV class of river water :**

(a) From HFL of river both the sides ; half km. (500 meters) upto 1 km. on either side of the river, the industries falling under 'Green & 'Orange' categories with requisite pollution control devices are allowed / permitted.

(b) Beyond 1 km. on either sides of the river after HFL, the industries falling under any Category with requisite pollution control devices are allowed / permitted.





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existing industries falling under 'No Development Zone', established prior to RRZ Policy are permitted to operate their manufacturing activities and will be allowed for expansion, diversification, modernization, substitution subject to reduction in pollution load at source.

I say and submit that taking into consideration the practical difficulties in implementation of the above Distance Criteria in the MIDC area, where, advance environmental infrastructure is available including not only for collection and common treatment, but also for disposal of the treated effluent after achieving the standards laid down under the provisions of the Environment (Protection) Act, 1986 and Rules made thereunder, the Revised RRZ Policy dtd.13/07/2009 has been issued by the State Government after obtaining of suggestions and objections from all the concerned. The following important revision has been incorporated by replacing earlier RRZ Policy dt.15/7/2000

- (1) For "A-1" Class of River distance from the High Flood Level (HFL) of the river upto 3.0 Kms on either side of the river a 'NO DEVELOPMENT ZONE' is specified. Beyond 3.0 kms (from high flood level) upto 5.0 kms on either side of the river, only industries falling under **Green and Orange Categories with requisite pollution control devices** are allowed/permitted. After 8.0 kms distance from HFL, permission can be granted


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the mountain area no permission will be granted to any industry. If a new dam is constructed in A-I Class of river, no change will be made in A-I class of categorization of the river. The existing industries in operation in the A-I class of area will have to obtain zero discharge within 3 years from the issuance of this revised RRZ Policy.

(2) For A-II Class of River, a distance of 500 meters on either side of HFL will not be permitted for any development. Beyond 500 meters from the bank of river upto 1000 meters, industries falling under the Green Category are allowed/ permitted. Beyond 1000 meters i.e. from 1000 meters upto 2000 meters, industries falling under the category of Green and Orange, and thereafter beyond 2000 meters from the bank of river, the industries falling under any category will be permitted.

(3) In the Maharashtra Industrial Development Corporation area a distance of 500 meters from HFL will be 'No Development Zone', thereafter upto 250 meters i.e. from 500 meters to 750 meters of the bank of river, the industries falling under Green and Orange category, and thereafter from the 750 meters all categories of the industries are permissible. However, for that purpose the MIDC should have proper arrangement for collection of waste water, common





(4) The distance criteria ordinarily applicable to A-II Class of river water has been relaxed in the MIDC areas on account of adequate regulation of industries operations and processes in the MIDC area, similarly, the availability of environmental infrastructure facilities in the MIDC areas. For the following purposes:

- a. From the high flood line upto 100 meters, there will be a prohibition on commercial use of the said area.
- b. From 100 meters upto 500 meters from the high flood line, the requisite non-polluting activities listed in the Annexure III will be permissible for the ordinary use of public at large, as per Government Resolution dated 30th June, 2004

(5) In "A-III" and "A-IV" Class of Water "from high flood level line of river upto ½ km on either side of the river a "NO DEVELOPMENT ZONE" is specified. Beyond 1½ km (from HFL) upto one km on either side of the river, the industries falling under the category of **Green and Orange with requisite pollution control devices** are allowed/permitted, and thereafter beyond 1000 meters from the bank of river, the industries falling under any category will be permitted after installation of necessary pollution control devices.



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Industries will be allowed to continue. However their expansions, diversification/ modernization proposal will be permissible only on reduction of pollution load.

- (7) Non-polluting industries/ pollution free activities business will be allowed to operate in No Development Zone as listed in the Annexure IV, subject to the condition that they should obtain prior permission from Maharashtra Pollution Control Board.
- (8) In the 'No Development Zone', Maharashtra Pollution Control Board can give permission to Hotels, Resorts and other Tourism Industries on the conditions that no waste water or solid waste allowed to be discharged into the River. Those Tourism Industries should install requisite waste water treatment facilities and then should dispose off treated water beyond 100 meters from the High Flood Line. The Hotels, Resorts which proposes to provide Soak Pit / Septic Tank will have to install it beyond 100 meters from the High Flood Line.
- (9) The orders issued by the Industries Department, Government of Maharashtra vide Government Resolution No. ILP - 1087/2477/Industry -2, dtd. 4.12.1987 for Bhatsa River catchments areas hereby repealed and this Government Resolution will be applicable for the said Bhatsa River Catchments Area.



respect of the public notice issued, calling objections. While granting exemption in favour of MIDC, Clause-4 of Revised RRZ Policy made it clear that in MIDC areas, necessary infrastructure is provided to industries, operations and processes in respect of environment protection and therefore, upto 100 mtrs. from the HFL, no development zone will be continued. However, from 100 mtrs. to 500 mtrs. as per earlier G.R. dtd.30/6/2004, non-polluting activities mentioned in Schedule-3 will be permitted in A-2 Class of Water.

In No Development Zone, the permission will be granted to the Hotels, Resorts, subject to the condition that waste water and solid waste will not be disposed off into the river and sewage treatment plants will be permissible but the disposal of treated effluent will be beyond 100 mtrs.

4. Regarding the contentions made in the petition about the Respondent No.3, I say and submit that the role of the Respondent No.3 is limited to advise the State Government with respect to the location of any industry, the carrying on of which is likely to pollute a stream or well and to implement the Locational Policy approved by the Respondent No.1. I say and submit that the Respondent No.3 is implementing the above Locational Policy as approved by the Respondent No.1. I say and submit that the RRZ Policy itself categorized the industries in 'Green', 'Orange' and 'Red' Categories, taking into consideration the pollution

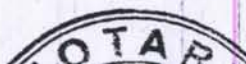


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the Maharashtra Pollution Control Board. However, the Irrigation Department, Govt. of Maharashtra will certify the Aerial Parallel Straight Line Distance in respect of the location of the industry from the High Flood Line of the river. If the boundary of Industry's plot comes in the No Development Zone from the Average High Flood Line, then as per proposed Lay Out/Out Line Design, the distance of Average High Flood Line of River, the Operational Area of the industry shall be taken into consideration. Green belt shall be developed in the No Development Area by tree plantation. Therefore, the Irrigation Department is the Appropriate Authority to make available such type of information.

~~I say and submit that after receipt of the application under~~
Right to Information Act, 2005, the Public Information Officer of the Respondent No.3 has provided the information related to the Respondent No.3 to the Petitioner. Further the Respondent No.3 vide letter dtd.27/10/2010 informed to the Respondent No.2 to give necessary information to the petitioner and also informed to the Petitioner to take follow up with Respondent No.2, as the points raised by the petitioner are related to the Respondent No.2.

I say and submit that the Ministry of Environment & Forests, Govt. of India has prescribed the inlet and outlet standards for the collection of pre-treated effluent from the Members of Common Effluent Treatment Plant and disposal thereof after achieving the outlet standards under Schedule-I at

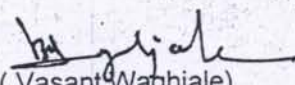




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I therefore say and submit that in view of the facts & circumstances that an Advanced Environment Infrastructure in respect of collection of pre-treated effluent, further treatment of such effluent to bring it to the outlet standards laid down under the provisions of the Environment (Protection) Rules, 1986 at Sr.No.55 as stated above and further scientific disposal thereof in compliance of the provisions of various Environmental Laws, the Respondent No.1 has rightly passed the Government Resolution dtd.13/07/2009 by prescribing different conditions in favour of the Respondent No.2 for setting up industries in closed proximity to water bodies in the State of Maharashtra, by ensuring that the discharge of treated effluent in the Common Effluent Treatment Plant will not cause any river pollution. I say and submit that while granting Consent to Establish and Consent to Operate, the Respondent No.3 imposes necessary stringent conditions to ensure that the requisite pollution control devices are provided, so as to achieve the standards laid down under the provisions of the Environment (Protection) Rules, 1986. However, for Non-MIDC areas, such type of facilities are not available for proper collection of pre-treated effluent and further treatment & disposal system, which is available in the MIDC area.

(Nitin Deshpande)
Advocate for the Respondent No.3


(Vasant Waghjale)
Asstt. Secretary (Technical)
For Respondent No.3

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VERIFICATION

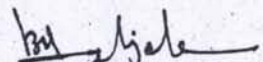
I, Vasant Bhagwantrao Waghjale, the Asstt.Secretary(Technical) of the Maharashtra Pollution Control Board at Head Quarter, having my office at Kalpataru Point, 3rd Floor, Sion-Matunga Scheme Road No.8, Opp.Cine Max Cinema, Sion (East), Mumbai -400 022, do hereby solemnly declare that whatever stated in the aforesaid reply from paragraph 1 to 4 are true and correct to the best of my knowledge and belief. I say that the contents of the above reply from paragraph 1 to 4 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 12 th day of August, 2011.

Deponent,

Solemnly affirmed at Mumbai)

On this 12 day of August, 2011)


(Vasant B. Waghjale)
Asstt.Secretary (Technical)

Before me,



Serial No. 2839 of the year ..
Date The 12 AUG 2011

BEFORE ME

M/

Exhibit R-I

(True Translation of G.R. dtd. 15/07/2000)

CRITERIA FOR SITING OF
INDUSTRIES WITH REFERNECE
TO RIVER ZONES FROM
ENVIRONMENT POINT OF VIEW

GOVERNMENT OF MAHARASHTRA
ENVIRONMENT DEPARTMENT, MANTRALAYA
GOVERNMENT RESOLUTION NO. -2000/326/PK22/TK3
NEW ADMINISTRATIVE BLDG., 15TH FLOOR,
MADAM CAMA ROAD, MUMBAI - 400 032
DATED 15TH JULY, 2000

INTRODUCTION :-

Industries located on bank of the river do not provide adequate treatment facilities or do not treat effluent, due to which pollution of river occurs. There is no clear cut policy for siting of the industries from pollution potential. Hence Government of Maharashtra has framed the policy of distance criteria about the upcoming/siting of the industries which will be located at river beds/basins.

GOVERNMENT NOTIFICATION :-

Twenty river basins of the State of Maharashtra are classified as "A-I," "A-II," "A-III," and "A-IV" class of water as per the quality of river water. The standards/norms are prescribed for twenty river basins as per the quality of the river water are enclosed as an ANNEXURE 1 & 2. As per the criteria/policy, "origin of the river upto first designated Dam is classified as A-I Class," "From first designated Dam upto A-II Class of water quality standards," "The A-III Class is designated/meant for fish and wild life propogation," and "A-IV Class of water is designated/meant to Agriculture, Industrial Cooling and Process having the water quality standards as per Annexure-III"

- 1) For "A-I" Class of River Water- From High Flood Level (HFL) of the river upto 3.0 k.m.s on either side of the river, "NO DEVELOPMENT ZONE" is specified. Beyond 3.0 kms (from high flood level) upto 5.0 k.m. on either side of the river, exclusively the industries falling under Green and Orange Categories with requisite pollution control devices are allowed/permited. Beyond 8.0 k.m. from river (i.e. HFL) on either side of river, the industry/ies falling under any categorised with requisite pollution control devices is/are allowed/permited.
- 2) For "A-II Class of River Water," one k.m. on either side of river from High Flood Level (HFL), THERE IS TOTAL BAN FOR DEVELOPMENT. Beyond one k.m. from High Flood Level upto two k.m. on either side of the river, exclusively the industries falling under the category of Green and Orange with requisite pollution control devices are allowed/permited. Beyond two k.m. from river High Flood Level (HFL) on either side of the river, the industry/ies falling under any category with requisite pollution control devices is/are allowed/permited.
- 3) In "A-III" & "A-IV Class of Water," from High Flood Level Point of river upto 1/2 k.m. on either side of the river, NO DEVELOPMENT ZONE is specified. Beyond 1/2 k.m.(from HFL) upto one k.m. on either side of the river, the industries falling under the category of Green and Orange with requisite pollution control devices are allowed/permited. Beyond one k.m. on either side of the river, the industry/ies falling under any category with requisite pollution control devices is/are allowed/permited.
- 4) In case if the Ridge Line is nearer to prescribed zone boundry, the above policy is applicable only upto the Ridge Line for above four classes of water.
- 5) If the existing industries are falling under 'No Development Zone' as per above Notification and if there are any industries which are falling under Red Category which are existing under No Development Zone and also existing



permitted to operate their manufacturing activities and will be allowed for expansion, diversification, modernisation, substitution subject to reduction in pollution load at the source.

- 6) The non-polluting industries/pollution free activities/business will be allowed to operate in No Development Zone subject to the condition that they should take prior permission from Maharashtra Pollution Control Board. For this, the guidelines are enclosed in Annexure-III.
- 7) The policy of siting of the industries is also applicable to the industrial zones developed/to be developed by Maharashtra Industrial Development Corporation. But if in the existing MIDCs, where land is already acquired and developed, but the allocations of the industrial plot/s is/are still pending, there will be total ban for running any industrial activities for "A-II" Class of river water, from High Flood Level (HFL) of the river upto the distance of 500 Mtr. on either side of the river.
- 8) As the Government Notification from Industries Deptt. No.ILP/1087/2477/Industry-2, dated 4-12-1987 for "Bhatsa River Basin" will remain continued, the above classification of river policy will not be applicable to "Bhatsa River Basin."
- 9) The industries are categorised in colour coding as per the pollution potential as enclosed in Annexure-IV. Hence highly polluting industries are categorised as "Red Category," medium polluting industries are categorised as "Orange Category," and "less polluting industries are categorised as "Green Category." In case there is any doubt about categorisation, the same should be referred to the Expert Committee as constituted by the Environment Department.
- 10) Executive Engineer, Irrigation Department, Govt. of Maharashtra is hereby empowered to certify the distance from High Flood Level (HFL) for siting the industries.



..4..

The above policy of siting of the industries and river classification are issued as per powers conferred by Section 5 of the Environment (Protection) Act, 1986 and u/s 4(5) of the Environment (Protection) Rules, 1986.

The above Orders comes into force since the publication of this Notification.

This is as per the Order and in the name of Governor of Maharashtra.

Sd/-

(DR.PRAMAOD DEO)

Principal Secretary (Environment)

(*FOR ANY CLARIFICATION, THE G.R. ISSUED IN MARATHI SHOULD BE REFERRED).

Exhibit - R-II

GOVERNMENT OF MAHARASHTRA
ENVIRONMENT DEPARTMENT, MANTRALAYA
GOVERNMENT RESOLUTION NO. MMB-2009/325/P.K.61/T.K.1
NEW ADMINISTRATIVE BLDG., 15TH FLOOR,
MADAM CAMA ROAD, MUMBAI - 400-032
DATED 13TH JULY, 2009.



- REF: 1. Environment Department, Mantralaya, Mumbai, GR. No.MMB2000 326/PK22/TK3 dated 15th July, 2000.
2. Industry, Energy and Labour Department, Mantralaya, Mumbai, GR No. IDC-1822(8306)/Industry-14, dated 30/06/2004.

INTRODUCTION:

Government of Maharashtra declared the Industrial Location Policy for location of industries in the river basins vide Government Resolution dated 15/07/2000. In the said Industrial Location Policy, an amendment is being made in respect of some existing industries located in the Maharashtra Industrial Development Corporation estates. The proposal for amendment of the said industrial location policy was under consideration of the Govt. of Maharashtra on account of increased industrialization/urbanization, the development of environment friendly production processes as well as establishment of advanced pollution control infrastructure. Proposed amendment was put up for objections and suggestions. This has been taken into consideration while formulating the policy.

GOVERNMENT RESOLUTION:

Twenty river basins of the state of Maharashtra are classified as "A-I", "A-II", "A-III", and "A-IV" class of water as per the prescribed quality of river water and the designated use of the said river water. The List of river basins and details regarding classification of riverine system into A-1, A-2, A-3, etc categories are prescribed for twenty river basins as an ANNEXURE 1. Similarly, the expected water quality standards as per classification of best designated uses in A-I, A-II, A-III and A-IV class has been prescribed in the Annexure-II. For the designated use of water for the prescribed quality and for the siting of the industries, the following regulation has been prescribed.

1. For "A-1" Class of River distance from the High-Flood-Level (HFL) of the river upto 3.0 Kms on either side of the river a 'NO DEVELOPMENT ZONE'



is specified. Beyond 3.0 kms (from high flood level) upto 5.0 kms on either side of the river, only industries falling under **Green and Orange Categories with requisite pollution control devices** are allowed/permited. After 8.0 kms distance from HFL, permission can be granted to any industry after installation of necessary pollution control devices. However, in the **catchments area of both sides of the dam**, upto a distance of 8 kms. in the mountain area no permission will be granted to any industry. If a new dam is constructed in A-I Class of river, no change will be made in A-I class of categorization of the river. The existing industries in operation in the A-I class of area will have to obtain zero discharge within 3 years from the issuance of this revised RRZ Policy.

2. For A-II Class of River, a distance of 500 meters on either side of HFL will not be permitted for any development. Beyond 500 meters from the bank of river upto 1000 meters, industries falling under the Green Category are allowed/ permitted. Beyond 1000 meters ie from 1000 meters upto 2000 meters, industries falling under the category of Green and Orange, and thereafter beyond 2000 meters from the bank of river, the industries falling under any category will be permitted.
3. In the Maharashtra Industrial Development Corporation area a distance of 500 meters from HFL will be 'No Development Zone', thereafter upto 250 meters i.e. from 500 meters to 750 meters of the bank of river, the industries falling under Green and Orange category, and thereafter from the 750 meters all categories of the industries are permissible. However, for that purpose the MIDC should have proper arrangement for collection of waste water, common effluent treatment plant and disposal arrangements.
4. The distance criteria ordinarily applicable to A-II Class of river water has been relaxed in the MIDC areas on account of adequate regulation of industries operations and processes in the MIDC area, similarly, the availability of environmental infrastructure facilities in the MIDC areas. For the following purposes:
 - a. From the high flood line upto 100 meters, there will be a prohibition on commercial use of the said area.
 - b. From 100 meters upto 500 meters from the high flood line, the requisite non-polluting activities listed in the Annexure III will be permissible for the

ordinary use of public at large , as per Government Resolution dated 30th June, 2004.

5. In "A-III" and "A-IV" Class of Water "from high flood level line of river upto ½ km on either side of the river a "NO DEVELOPMENT ZONE" is specified. Beyond 1½ km (from HFL) upto one km on either side of the river, the industries falling under the category of **Green and Orange with requisite pollution control devices** are allowed/permitted, and thereafter beyond 1000 meters from the bank of river, the industries falling under any category will be permitted after installation of necessary pollution control devices.
6. If there are industries existing in "NO DEVELOPMENT ZONE" or if there are Red category industries in the areas specified for Orange and Green categories, such industries will be allowed to continue. However their expansions, diversification/ modernization proposal will be permissible only on reduction of pollution load.
7. Non-polluting industries/ pollution free activities business will be allowed to operate in No Development Zone as listed in the Annexure IV, subject to the condition that they should obtain prior permission from Maharashtra Pollution Control Board.
8. In the 'No Development Zone', Maharashtra Pollution Control Board can give permission to Hotels, Resorts and other Tourism Industries on the conditions that no waste water or solid waste allowed to be discharged into the River. Those Tourism Industries should install requisite waste water treatment facilities and then should dispose off treated water beyond 100 meters from the High Flood Line. The Hotels, Resorts which proposes to provide Soak Pit / Septic Tank will have to install it beyond 100 meters from the High Flood Line.
9. The orders issued by the Industries Department, Government of Maharashtra vide Government Resolution No. ILP - 1087/2477/Industry -2, dtd. 4.12.1987 for Bhatsa River catchments areas hereby repealed and this Government Resolution will be applicable for the said Bhatsa River Catchments Area.





10. The Industries are categorized in colour coding as per pollution potential and the same has been available on the website of the Maharashtra Pollution Control Board viz. <http://mpcb.gov.in> From the Environmental point of view Cleaner Production Processes are being developed continuously. Similarly, Advanced Pollution Control Technologies are being made available. Maharashtra Pollution Control Board should take into consideration all these aspects and review the categorization of Industries after every two years and the information about the amended categorization should be made available on the Website of the Maharashtra Pollution Control Board and the Environment Department, Government of Maharashtra viz. <http://mpcb.gov.in> & <http://envis.maharashtra.nic.in>

11. The Executive Engineer, Irrigation Department, Government of Maharashtra will certify the arial parallel straight line distance in respect of the location of the industry from the High Flood Line of the River as per the Circular of Irrigation Department, Govt. of Maharashtra, Mantralaya, Mumbai, bearing No. F.D.W. – 1089/243/89/Irrigation Management (Works) dtd. 21.9.1989. If the boundary of Industry Plot comes within the No Development Zone as per distance from the Average High Flood Line, the distance of Average High Flood Line of River, to the operational area of the Industry shall be taken into consideration. A green belt shall be developed in the No Development Area by tree plantation.

12. The following decisions are taken in order to maintain the quality of river to the designated use of the river:

- a. The Local Bodies discharging sewage without adequate treatment and disposal facilities in the nearby classified rivers will have to provide adequate and suitable treatment and disposal facilities within 3 years time from the issuance of the revised RRZ Policy dated 13/07/2009. The Urban Development Department, Govt. of Maharashtra to undertake time bound programme for the same and follow-up in implementation of the said programme.



- b. **The Sewage Treatment Plants on the premises of Local Bodies** will be permitted 100 meters away from the High Flood Line and for that purpose the location of the STP should be finalized on the basis of natural slope of the said area. The standards for such a treatment facility will be decided by the committee authorized on that behalf.
- c. The disposal of solid waste generated from the municipal area as per the Municipal Solid Waste (Management & Handling) Rules, 2000 with requisite solid waste management facility will be permitted outside 500 meters from the High Flood Line.
- d. The precaution should be taken to ensure that the said sewage treatment plant and solid waste management should be installed away from High Flood Line so that the said facilities will not go under water due to High Floods.
- e. The Local Bodies should undertake special programme for the protection of the quality of the rivers and dams in their area. Similarly, the polluting activities such as washing of the vehicles, solid waste disposal etc. in the catchments area of the river and dams shall be prohibited.
13. It has been decided that in order to implement the above government decisions and to give the requisite clarification about the policy decision/ specific proposal the government will appoint a committee at Govt. level. The Secretaries of the Environment Deptt., Industry Deptt., Urban Development Deptt. and Water Resources Deptt. and Member Secretary, Maharashtra Pollution Control Board will be the members in the said committee. The Director, Environment Deptt., will be the Member Secretary of the said committee.
14. This order is issued under Section 5 of the Environment (Protection) Act, 1986 read with Rule 4 (5) of the Environment (Protection) Rules, 1986 as per the powers given to the State Govt. to implement the Location Policy in respect of the distance criteria for the industries from the environmental point of view.

15. The earlier Government Resolution on the above subject dated 15/07/2000 is hereby repelled by this Government decision. This Government decision will come into force from the date of issue of this Government Resolution. This is issued in the name of Governor of Maharashtra.

Sd/-
(G. N. Warade)
Director

(* FOR ANY CLARIFICATION, THE G.R. ISSUED IN MARATHI SHOULD BE REFERRED).

Copy to:

Secretary to Hon'ble Governor,
Principal Secretary to Hon'ble Chief Minister,
Principal Secretary to Hon'ble Dy. Chief Minister,
Chief Secretary, Govt. of Maharashtra,
All Addl. Chief Secretary/Principal Secretaries/Secretaries of all Govt. Departments,
All Officers of Environment Department,
P.S. to Hon'ble Minister for Environment,
P.S. to Hon'ble State Minister for Environment,
All P.S. to Hon'ble Ministers and State Ministers,
Chief Executive Officer, MIDC,
Chairman/Member Secretary, MPCB,
Director, Directorate of Industries,
Directorate of Information and Public Relation,
All Desk of Environment Department/T.B.1, Master File.

Policy for Improvement of River Water Quality in Maharashtra