

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 orders passed by this Hon'ble Court dtd.13/12/2012. I say and submit that there were two CETPs in the Tarapur MIDC Area, namely, Tarapur Industries Manufacturers Association (TIMA) and Tarapur Environment Protection Co-Op. Society (TEPS-CETP), MIDC Tarapur. However, at present only one CETP i.e. TEPS CETP is in operation and TIMA CETP has been closed down w.e.f. 31/03/2012. I am therefore, hereby giving the details in respect of the performance of TEPS CETP only.

Sv. No 510/2013
19/1/2013



Compliance of the Order passed by this Hon'ble Court
dtd.13/12/2012 :

- (a) Tarapur Industries Manufacturers Association (TIMA) :- I say and submit that the TIMA CETP had been established in the year 1993 for the collection & treatment of 2 MLD industrial effluent from the Member-Industries. At that time, the collection was done through tankers because of no pipeline had been provided to connect all the SSI Units to TIMA CETP. Only SSI units not having adequate/secondary treatment facility had been joined to TIMA CETP. After establishment and fully operation of TEPS CETP, all the SSI Units have now joined TEPS CETP and therefore, nobody is sending their effluent to TIMA CETP, though, which has been further connected to TEPS CETP only. Therefore, TIMA CETP Society has taken decision to close down their CETP w.e.f. 31/03/2012 and communicated the Respondent-Board by its letter dtd.12/01/2013 that since TIMA CETP has been closed down w.e.f. 31/03/2012, it is unable to provide TOC Analyser, Online pH meter, Flow meter & Website, as directed by the Respondent-Board, on account of its permanent closure, the said directions are not applicable to them. A copy of their communication 12/1/2013 is enclosed herewith and marked as an Exhibit-'I'.
- (b) Tarapur Environment Protection Society TEPS-CETP :- The following chronology can be given in respect of the establishment and expansion of the TEPS-CETP :
- (i) I say and submit that Tarapur Environment Protection Society (TEPS-CETP) has been formed on 25/08/2004. It has commissioned its primary treatment plant of 20 MLD on 10/01/2006 and the secondary & tertiary treatment facilities for 20 MLD have been commissioned from March, 2007. The total area of CETP is 46,000 sq.mtrs. The said CETP's



capacity has been enhanced to 25 MLD (5 MLD expansion commissioned on 13/11/2009).

(II) I say and submit that as on date, total generation of industrial effluent from Tarapur area is about 33 MLD against capacity of 25 MLD, however, this generation of effluent had been observed to be increased due to further increase in the production by some of the industries, against which, the Respondent-Board had earlier taken serious cognizance of such type of actions and directed them to scrap their borewells and also communicated to the MIDC not to allow to enter any tanker or unauthorized water supply in the MIDC area vide letters dtd.27/08/2012 and 3/10/2012.

(III) I say and submit that after visit & inspection of the Hon'ble Supreme Court Monitoring Committee, the Respondent-Board had directed the TEPS-CETP to take steps to enhance its capacity to collect & treat total generation of industrial effluent from Tarapur MIDC. In compliance of the said directions, the work was also undertaken by the TEPS-CETP to upgrade & enhance the capacity of CETP from 25 MLD to additional 12 MLD i.e. total capacity upto 37 MLD. However, there was an opposition to the allotment of the plot for TEPS CETP and there was strong protest as well as serious agitations / hunger strike initiated by the nearby villagers from the Salvad Village. The Regional Officer of the Maharashtra Industrial Development Corpn.(MIDC), Thane-I by his letter dtd.26/03/2010 issued stop work directions to the allotment of the land in question to the TEPS-CETP, stating that the proposal in respect of allotment of the land has been sent to the Competent Authority for necessary approval. A true translation of



Marathi into English in respect of the letter dtd.26/03/2010 is enclosed and marked as an Exhibit-'II'.

- (IV) I say and submit that the Respondent-Board has already initiated stringent actions by filing Regular Criminal Case bearing No.338/2010 long back before the Chief Judicial Magistrate Court at Thane, on the ground of various non-compliances reported from time to time, which includes not meeting the consented standards and for excess generation of effluent above the capacity of CETP and for not taking effective steps for the enhancement of the capacity of TEPS-CETP, which is pending.
- (V) I say and submit that TEPS-CETP by its letter dtd.5/1/2013 given commitment for completing expansion of CETP of additional 37.5 MLD capacity, informing that the Writ Petition No.2311/2012 filed by TEPS-CETP vs State of Maharashtra regarding relocation of plot allotted to them is subjudiced before this Hon'ble Court and the TEPS-CETP can start project after re-allotment of the plot, which was already given to TEPS-CETP. I, therefore, say and submit that further expansion of TEPS-CETP has been stuck-up since long on account of re-alignment of the plot, which has already been allotted to them, but later on has been withdrawn by the MIDC Authorities.
- (VI) I say and submit that TEPS-CETP has entered into an agreement with M/s. Ramky Enviro Engineers vide letter 19/06/2012 for execution of its expansion proposal for further expansion after 37.5 MLD. After agreement of plot, TEPS CETP has completed site preparation, but till date MIDC has not demarcated the plot with necessary boundaries to carry out the execution work and therefore,



the TEPS-CETP is unable to take further steps to implement the expansion proposal. The Respondent-Board has also taken follow-up with MIDC Officials for the demarcation of plot as decided in the meeting conducted by Chief Executive Officer, MIDC at its office on 8/10/2012.

(VII) The Respondent-Board has taken on record the improvement measures taken by the TEPS-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 TEPS-CETP as under : -

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

(1) **Existing Treatment & Disposal Arrangements of TEPS-CETP** :- I say and submit that the existing CETP units consisting of primary, secondary & tertiary treatment facilities alongwith sludge handling facilities for the treatment & disposal of 25 MLD effluent. However, as stated above, on account of generation of industrial effluent more than 33 MLD, it is necessary on the part of the TEPS-CETP to increase the capacity of treatment & disposal of total industrial effluent generated from the Member Industries.

I say and submit that after due treatment given by the industries (primary treatment by SSI Units and full-fledged treatment [primary, secondary &/or tertiary]) by LSI/MSI, the treated effluent is



taken to 3 sumps provided & maintained by the MIDC and thereafter, the treated effluent from 2 sumps is pumped to CETP for further treatment and treated effluent from 3rd sump is being taken by gravity to the CETP for further treatment. However, on account of generation of industrial effluent more than 25 MLD and having capacity of CETP only upto 25 MLD, the total capacity of the Tarapur MIDC has been exhausted long back and therefore, there is an urgent need to enhance the capacity of CETP atleast upto 37 MLD on account of existing generation of industrial effluent from the said area.

I say and submit that a number of applications in respect of expansion of the production capacity have been received by the Respondent-Board from the existing industries and also new applications for establishment of industries generating effluent are also been received. However, on account of the revised Guidelines for the Centrally Sponsored Scheme of Common Effluent Treatment Plants (CETP) issued by the Ministry of Environment & Forests, Govt. of India (C.P. Division), New Delhi, the Respondent-Board is not in a position to consider grant of permissions to such industries and expansions. The issue was also discussed in a meeting called by Chief Executive Officer, MIDC on 8/10/2012, wherein, it was decided to consider the possibility of laying down separate pipeline for the industries providing fullfledged ETP/s to achieve the outlet parameters of CETP at the outlet point, having adequate capacity and after



expansion of CETP to join such effluent only for hydraulic load to TEPS-CEPT. The proposal was submitted to MIDC for necessary consideration and the MIDC has also in principle agreed to the said proposal. The concrete proposal in this respect shall be finalized by the MIDC being a Nodal Agency for infrastructure facility with monitoring & responsibility mechanism to be decided for the same with the concurrence of the Respondent-Board.

(2) Compliance of various directions issued by the Respondent-Board from time to time :

DIRECTION ISSUED BY MPCB BY JD (WPC) NO. B-1307
DATED 3.3.2012

Sr. No.	Directions	Compliance
1	Installation of certain electronics gadgets to monitor the unit operations through central monitoring system, so as to monitor the operations of CETP at a glance.	TEPS-CETP by it's letter dated 14.01.2013 submitted commitment for installation of following instruments a. TOC Analyzer b. MIMIC Panel and c. Audio Visual System by 30 th April-2013. (Exhibit "III")
2	To direct operator and laboratory staff to collect samples and analyze it for giving feedback for improving operational efficiency by the operators.	At present TEPS-CETP is doing sampling & analysis manually & submitting monthly Reports thereon to the Respondent Board in the form of abstract,
3	Providing Actuator Valve with variable timer system for timely removal of sludge from primary and secondary clarifier.	As per necessary verification done by the Board officials from time to time, It has been observed that the Actuator Valve with variable timer system for removal of sludge from primary clarifier has been installed, thereby the sludge removal mechanism has been improved, which further improved the efficiency of primary clarifier.
4	Installation of online monitoring system for pH, DO and flow for treated effluent so as to process and operate the unit efficiently.	Online Ph, DO & Flow of treated effluent Monitoring System has been provided in May-2012 by spending more than 10 Lakh Rupees.
5	To do bench scale laboratory treatability study, this concept is necessary to be introduced in order to evaluate efficient flocculants, non-degradable recalcitrant cod, unit efficiency achievable and oxygen demand, so as to decide operational changes as per the season and change in	TEPS installed lab scale pilot plant. TEPS in every season do the treatability studies to evaluate the performance unit wise. Recently, TEPS-CETP has submitted Treatability Studies done by it for the year-2011-2012 to the Sub Regional Office Tarapur-I. It has been observed



	the product.	from Treatability Study from the above period that the Effluent being received at CETP is generally Bio-degradable & can be easily treated at existing CETP
6	To train operator for efficient unit operations with the audio visual signal system to be introduced to know the health of biological reactors by providing microscope with CC TV camera and display system.	CETP has extended Training to it's operators. There are 23 persons being employed for Operation & Maintain ace of CETP (Out of Which 16 persons are skilled employees having Knowledge & Qualification in respect of the same. Since the CETP operation area is more than 10 acres , the TEPS has asked time for a period up to 30 th April-2013.

DIRECTION ISSUED VIDE LETTER NO. MPCB/I/C-JD(WPC)/2197,
DATED 04.04.2012

S. No.	Details of Direction	Compliance
a	<p>CETP shall not accept the high COD streams from the industries beyond the consented limit or otherwise permitted for time being.</p> <p>It shall strictly observed lock & key provision to ensure that the CETP is not getting overload resulting into nonperformance/ substandard performance.</p> <p>TEPS shall also not collect the penal charges from the industries discharging high COD, beyond tolerance limit of CETP discharge.</p> <p>TEPS shall install</p> <ul style="list-style-type: none"> • Online flow meter • PH meter • TOC Analyzer <p>With data logger & real time display</p>	<p>The CETP is receiving COD stream from the member industries which is within the design inlet standards. This has been confirmed from the results of JVS Samples collected from time to time during last year. Therefore, they are not collecting penal charges for high COD.</p> <p>TEPS-CETP has provided on line Flow meter, pH meter and DO meter except TOC Analyzer, Which will be provided by 30th April -2013</p>



b	<p>TEPS shall submit a concrete proposal for making improvement /up gradation in it's 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 date of receipt of this direction</p>	<p>TEPS-CETP has submitted up-gradation proposal & has already started the up-gradation work. It has replaced earlier diffused aeration system with Aspirators in three aeration tanks (9.0 nos. in each tank, Total 27 nos. of Aspirators costing Rs. 2.98 crores.) which are now in operation.</p> <p>The Sub Regional Officer Tarapur-I caused visited inspection on 12th June 2012 date and Observed the operation of Aspirators in three aeration Tanks. The work of installation of Aspirators in Fourth Aeration Tank was-in progress. At present de-sludging of the Aeration Tank was under progress, the orders are placed for the equipments.</p> <p>Replacement of diffused aeration system in the 4th Aeration tank with Aspirator is proposed to be completed by 25th May ' 2013.</p> <p>TEPS-CETP has also upgraded its laboratory by providing Lab scale flocculator for primary treatment study as well as provided microscope having interface with computer to enable the microbial study along with lab scale centrifuge</p>
C	<p>CETP 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.</p>	<p>As per Hon'ble High Court orders TEPS-CETP has communicated to member industries and requested them to comply. TEPS CETP has recently started vigilance sampling from industries.</p> <p>The influent received by them is however, found to be within inlet standards.</p> <p>MPCB through Committee has caused surprise Sampling of the highly polluting industries. As per the results of sampling, the overall inlet standards are found to be confirming to the design Inlet parameters of</p>



		TEPS-CETP.
d	TEPS-CETP 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 its effluent treatment Plant is not functioning for any reason whatsoever, whether for Maintenance, repairs or otherwise.	In this regard CETP has communicated to individual industry regarding the Hon'ble High Court orders but, CETP has not yet informed this office regarding any industry found in operation inspite of its treatment plant not functioning. As per enquiry with the TEPS, it has been informed that since the inlet parameters are confirming to the design inlet parameters of CETP, no such violation observed & reported.
e.	TEPS-CETP shall call upon your members to stop manufacturing activities; whenever CETP is not functioning for any reason whatsoever.	CETP has communicated Board's directions to the member industries.
f.	TEPS shall ensure that CETP 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.	The CETP authority informed that the MIDC is the competent Authority to make necessary arrangement for providing sumps for storing effluent received from the industries for the purpose of treatment to ensure that it conform to the design inlet parameters of CETP
g	TEPS-CETP shall ensure that every industrial unit having its own ETP shall have a separate electric meter for its effluent treatment plant.	Although, most of the industries have installed separate Electric meters to their ETPs, TEPS-CETP has communicated Board's orders to the member industries.
h	CETP shall submit irrevocable bank guaranty of Rs. 10.0 lacs ensuring the compliance of above directions /consent conditions	TEPS-CETP has informed that since number of directions have complied with, the Bank Guaranty may not be insisted.

I say and submit that after going through the present status of compliance in respect of various directions/ conditions imposed on TEPS-CETP vide letter dtd.03/03/2012, on the basis of further verification thereof by the Sub-Regional Office of the Respondent-Board at Tarapur, it can be seen that except condition no.1, all the remaining conditions have



been complied with by the TEPS-CETP and as far as installation of TOC Analyser, MIMIC Panel (with online display the operation of various pumps/equipments of CETP, at a place where such Panel is installed) and Audio Visual System by 30/04/2013. The Regional Officer of the Respondent-Board at Thane has issued specific final directions to TEPS-CETP, directing it to install above mechanism by 30/04/2013 within the time frame given to it by letter dtd.19/01/2013. A copy of the said directions is enclosed herewith and marked as an Exhibit-'IV'. Now, the Respondent-Board has obtained the bank guarantee as per the Revised Rationalized & Uniform Compliance Matrix of the Bank Guarantee prepared by the Respondent-Board for securing the compliances of the TEPS CETP.

I say and submit that the Regional Officer of the Respondent-Board at Thane had further pointed out the non-compliances on the part of TEPS-CETP to it by letter dtd.17/10/2012 on the basis of visit & inspection carried out by the Board officials on 11/10/2012, wherein it was observed that the CETP was not in operation and the untreated effluent from inlet tank was found to be overflowing into Sump No.2, which further was meeting Navapur creek and thereby causing pollution thereof.

The TEPS-CETP replied to the said communication by its letter dtd.07/11/2012, informing that due to all off sudden the failure of their one of the transformer with blast in the Transformer yard, the incident occurred, whereby untreated effluent from inlet tank was discharged. However, immediately stand by generator made operational and thereby CETP was also put into operation immediately. The overflow from the inlet tank was also stopped immediately.



Copies of the said communications are enclosed herewith
and marked as an Exhibit-'V' & 'VI' respectively.

DIRECTION ISSUED BY BOARD VIDES THEIR LETTER NO. BO/P&L/DIV/B-7371, DATED 15.12.2012

S. No.	Details of Direction	Compliance
A	TEPS-CETP had been directed to restrict the collection of effluent from the member industries to the capacity of CETP treatment and disposal arrangement and not to grant any new permissions for the industries generating effluent till CETP capacity is extended to the generation of the effluent from the Tarapur industrial area.	TEPS CETP vide their letter dtd.6/1/2013 has stated that since last one year, they have not granted new permission for TEPS Membership.
B	It shall not grant any new membership to new industrial units nor allow existing member units to increase the production capacity till the CETP is expanded to the capacity of generation of effluent from the Tarapur area	TEPS has informed to the Respondent Board vide letter dtd 06/01/2013 that since last one year, they have not given any new permission to join TEPS CETP and not admitted any new member to CETP. A copy of the said letter is enclosed as <u>Exhibit-'VII'</u>
C	It shall introduce a system / mechanism of assessing the effluent Quality received from the member units and informing MPCB regularly for initiating action against the member units, sending effluent non-complying with the inlet quality norms to CETP within 15 days from the date of receipt of these directions	TEPS CETP has informed to the Member Industries vide their circular dtd. 20/12/2012 that TEPS started collecting sample collection from Member industries.
D	It shall ensure proper operation & maintenance of effluent collection and conveyance system through regular interaction with MIDC, so as to stop leakages/overflow and bypass of the effluent.	TEPS CETP has informed that it had interaction with the MIDC Authorities from time to time with regard to the maintenance of effluent collection, steps to be taken in respect of stoppage of leakages & overflow and the problems in respect of existing infrastructure facilities including sumps, manholes & drainage lines etc. by letter vide letter dtd.09/10/2012 to Deputy Engineer, MIDC with a copy to MPCB. Copy enclosed (<u>Exhibit-'VIII'</u>)



E	<p>It shall submit a concrete proposal for upgradation and expansion of existing CETP to match the generation and-collection of effluent from Tarapur MIDC, so as to achieve the standards laid down under the provisions of the Environment (Protection) Act, 1986 and Rules made thereunder for inlet and outlet of CETP, within 15 days time duly supported by afresh bank guarantee of Rs.25 lakhs, which shall be valid for a period of one year in favour of the Regional Officer, MPCB, Thane.</p> <p>Their existing bank guarantee has been to be forfeited in view of the above serious non-compliances.</p> <p>They were already directed to furnish an irrevocable bank guarantee of Rs.2.5 lakhs for establishing and developing as well as maintaining the website of their facility being common waste management in order to display the details of their facility in the public domain and to have more transparency about the information in respect their facility.</p> <p>As far as upgradation of CETP is concerned, the following steps are taken by the TEPS-CETP</p> <p>(i) It replaced earlier diffused aeration system with Aspirators in three aeration tanks (9.0 Nos in each tank, Total 27 Nos of Aspirators), which were found to be in operation.</p> <p>The cost of such installation was Rs. 2.98 Crs.</p> <p>(ii) Replacement of 4th Aeration tank with Aspirator is proposed to be completed by 25th May ' 2013.</p> <p>(iii) As far as the enhancement of the capacity is concerned, the following are the details :</p> <p>a. TEPS CETP initially started its 12 MLD expansion at existing site (Plot No.AM-29 (pt), Shivajinagar, MIDC, Tarapur) in Jan' 2010, which was stopped by MIDC due to local agitation in March 2010.</p> <p>b. Thereafter, MIDC has allotted new plot admeasuring 85000 sq. meters at plot OS-30 for expansion of 37.5 MLD CETP.</p> <p>c. After agreement of plot, TEPS CETP has completed site preparation and work is allotted to M/s. Ramky Enviro Engineers vide letter 29/06/2012, but till date MIDC has not demarcated the plot to CETP.</p> <p>However, TEPS-CETP has not submitted the bank guarantee of Rs. 25 lakh, stating that on account of non-profit making organization, it is difficult for them to arrange for bank guarantee. However, it has already submitted bank guarantee of Rs.10 Lakhs for upgradation of CETP.</p> <p>As per verification report,</p>
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	<p>Directions issued vide MPCB/JD(WPC) B-7581, 15.12.2012 in respect of establishment & development of website.</p>	<p>75% of the upgradation work is completed.</p> <p>d. As far as establishment of website is concerned, TEPS has already registered its website as www.tepscetp.org and it will be completed & commissioned by 15/02/2013. Necessary bank guarantee of Rs.2.5 lakhs has already been submitted to the Regional Officer, MPCB,Thane.</p>
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I say and submit that the Respondent-Board had already submitted the details in respect of compliance of the order dtd.5/07/2012 & 20/11/2012 in its earlier Affidavit dtd.12/12/2012, which is already taken on record on 13/12/2012.

- (ii) I say and submit that the Respondent-Board regularly monitors the performance of TEPS-CETP with reference to important designed inlet & outlet standards. A statement showing the designed inlet & outlet results for the last one year is reproduced hereunder, which is self-explanatory.

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.

Inlet:-				
Parameter	pH	B.O.D.	C.O.D.	SS
Designed Parameter	5.5 – 9.0	Inlet Not to exceed 1500 mg/l	Inlet Not to exceed 3500 mg/l	Parameter not prescribed
Jan.12	5.0	525	1840	214
Feb.12	6.5	900	3800	568



Mar.12	4.1	712	1928	327
Apr.12	6.19	758	1866	168
May.12	7.9	480	1912	140
June.12	6.2	2016	805	296
July.12	6.7	520	1568	147
Aug.12	6.8	470	1980	100
Sept.12	5.8	490	1424	87
Oct.12	6.8	800	2184	164
Nov.12	7.05	470	1364	120
Dec.12	7.7	469	2122	138
Jan. 13	8.2	675	1880	72
AVG	6.5	714	1897	195

Outlet:-

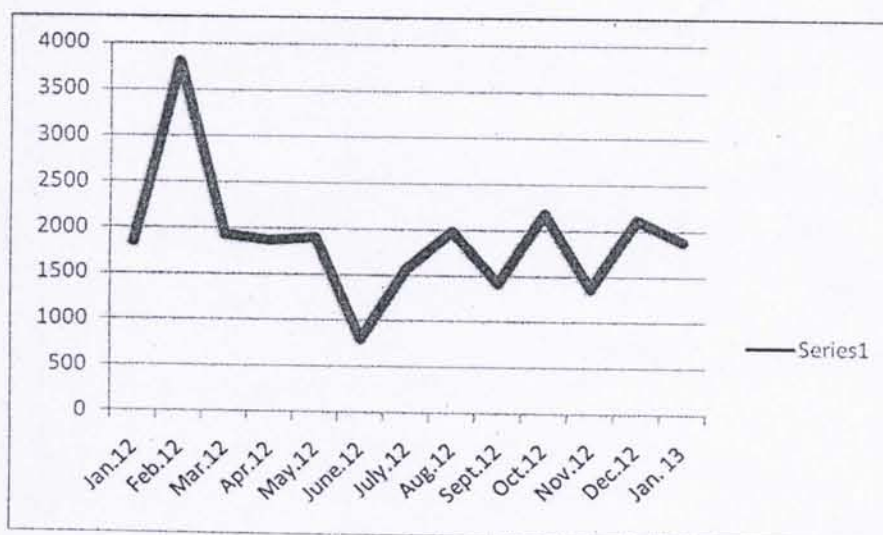
Parameter	pH	B.O.D.	C.O.D.	SS
Standards	5.5 – 9.0	Not to exceed 100 mg/l	Not to exceed 250 mg/l	Not to exceed 100 mg/l
Jan.12	7.0	155	320	68
Feb.12	4.8	400	1424	168
Mar.12	7.5	406	884	348
Apr.12	7.18	411	1059	190
May.12	7.4	500	1248	220
June.12	6.5	963	448	173
July.12	7.5	338	794	75
Aug.12	7.05	179	453	81
Sept.12	7.05	190	476	37
Oct.12	7.55	220	548	57



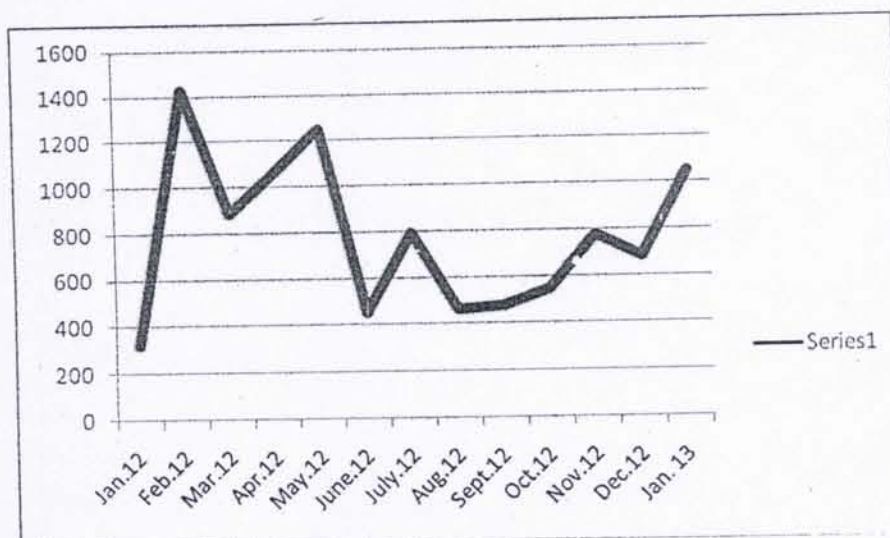
Nov.12	7.10	300	776	112
Dec.12	7.25	165	680	147
Jan. 13	7.3	370	1048	112
AVG	7.01	496	781	137

The Respondent-Board is monitoring the performance of TEPS-CETP from January, 2012 onwards. A statement showing the results of JVS for the period from January, 2012 to January, 2013 along with the graph of inlet & outlet COD of TEPS-CETP is reproduced hereunder :-

Parameter	Inlet C.O.D.
Designed Parameter	Not to exceed 3500 mg/l
Jan.12	1840
Feb.12	3800
Mar.12	1928
Apr.12	1866
May.12	1912
June.12	805
July.12	1568
Aug.12	1980
Sept.12	1424
Oct.12	2184
Nov.12	1364
Dec.12	2122
Jan. 13	1880



Parameter	Outlet C.O.D.
Standards	Not to exceed 250 mg/l
Jan.12	320
Feb.12	1424
Mar.12	884
Apr.12	1059
May.12	1248
June.12	448
July.12	794
Aug.12	458
Sept.12	476
Oct.12	548
Nov.12	776
Dec.12	680
Jan.13	1048



I further say and submit that a statement showing the inlet & outlet results of parameters of BOD, COD & pH indicating the highest reading in each particular month alongwith average is enclosed herewith and marked as an **Exhibit-IX**

After going through the results on monitoring for last one years, it can be seen that the inlet COD was within the designed inlet parameter of TEPS-CETP except February, 2012, however, from the outlet parameters, COD is varying from 320 mg/ltr. to 1424 mg./ltr. during the period from January, 2012 to January, 2013. This variation of COD at the outlet of CETP is due to there has been necessity of



upgradation, which is undertaken and 75% of the said upgradation is completed by installation of 27 nos. of Aspirators in 3 bioreactors. However, the upgradation of 4th bioreactor with 9 nos. of Aspirators is under progress, which will be completed by May, 2013.

(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. The Respondent-Board has taken following actions in respect of defaults :

(a) Previously the Regional Officer of the Board at Thane had issued Voluntary closure to 18 nos of industries, out of which 16 nos. of industries have been granted permission to restart their manufacturing activities after taking corrective measure & 2 nos. of industries are still under closure on account of their continuous non-compliances and proposed directions to 25 industries for discharge of substandard effluent into the CETP are issued , out of which 17 nos. of industries have been issued interim directions for taking further remedial measures within stipulated time. The units which have not complied with the proposed directions & interim directions, their bank guarantees have been forfeited and they have been directed to top-up the bank guarantee with double the amount of earlier forfeited bank guarantee. A statement showing the actions taken by the Regional Officer of the



Respondent-Board at Thane is enclosed herewith and marked as an Exhibit-'X'.

- (b) Further, the Respondent-Board has issued voluntary closures directions to M/s.Manan Cotsym, MIDC Tarapur, Dist: Thane vide letter dtd.10/01/2013 and has issued directions for disconnection of water & electricity supply to M/s.Ramdev Chemicals, Plot No.E-41, MIDC Tarapur, Dist: Thane vide letter dtd.02/01/2013 for not complying with the earlier voluntary closure directions dtd.12/4/2012. Copies of the said directions dtd.10/01/2013 & 02/01/2013 are enclosed herewith and marked as an Exhibit-'XI' & 'XII'.
- (c) The Respondent-Board has forfeited the 18 no. of Bank Guarantees in respect of defaulting industries, amounting to Rs.24,35,000/- by issuance of appropriate directions to the bank. A statement showing the forfeiture of various bank guarantees of highly polluting industries identified on the basis of sampling done by the officials of the Respondent-Board is enclosed herewith and marked as an Exhibit-'XIII'.
- (d) The Respondent-Board has also forfeited the bank guarantee of Rs.5 Lakhs given by TEPS-CETP ensuring the compliance of consent conditions vide letter dtd.07/01/2013. A copy of the said communication is enclosed herewith and marked as an Exhibit-'XIV'.



After forfeiture of the said bank guarantee of Rs.5 Lakhs, the Respondent-Board has obtained the bank guarantee of Rs.10 Lakhs, double the amount of forfeited bank guarantee of Rs.5 Lakhs, ensuring the compliance of the non-compliances pointed out vide directions issued by the Respondent-Board and also to ensure the various conditions for which, rationalized policy is laid down for obtaining bank guarantees.

- (e) The Respondent-Board by its letter dtd.15/12/2012 pointed out various non-compliances to the TEPS-CETP and directed it to restrict the collection of effluent from the Member Industries to the capacity of CETP treatment and disposal arrangements and not to grant any new permissions for the industries generating effluent till CETP capacity is extended including not to grant any new Membership or to allow existing Member Units to increase the production capacity. It has also been directed to ensure proper operation & maintenance of effluent collection and conveyance system through regular interaction with the MIDC Authorities, so as to prevent any leakages, overflow and by-pass of the effluent. The specific directions are given to submit concrete proposal for upgradation and expansion of the capacity of the existing CETP, to match the generation & collection of the effluent from Tarapur MIDC within 15 days time duly supported by the bank guarantee. A copy of the



said directions is enclosed herewith and marked as an Exhibit-XV.

I say and submit that TEPS-CETP by its letter dtd.6/1/2013 submitted reply giving the details of the various steps taken by it to comply with the directions and further pointed out that till date it has spent Rs.2.98 crores on the upgradation of existing CETP and will require to spend Rs.1.25 crores for last aeration tank upgradation. Therefore, it is not in a position to furnish the bank guarantee of Rs.25 Lakhs. The Respondent-Board is considering their difficulty, taking appropriate decision on the basis of rationalised policy decided by the Respondent-Board after taking into consideration the order passed by this Hon'ble Court dtd.10/1/2013. The Respondent-Board has already enclosed the revised circular dtd.14/1/2013 in the earlier Affidavit filed by the Member Secretary of the Respondent Board on 17/1/2013 in compliance of the order passed by this Hon'ble Court dtd.3/1/2013, whereby, rationalized bank guarantee/s have been decided by taking lenient view in the matter of Common Waste Management of CETPs.

(iv) Future Actions / In progress for improvement of TEPS-CETP TARAPUR:-

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



1. The Respondent Board has already directed TEPS-CETP Tarapur to establish, operate and maintain website by providing it within 30 days time duly supported by the bank guarantee of Rs. 2.5 Lakhs, which is under progress and will be completed by 15/02/2013.
2. To submit time bound program for the upgradation of existing CETP and concrete proposal for expansion of new CETP along with bank guarantee of Rs. 10 Lakhs each.

The upgradation work has already been started and completed more than 75% and the remaining work will be completed by May, 2013.

3. The Respondent Board has already directed to the TEPS-CETP to install TOC Analyser with data logger and real time display vide directions dt.4/4/2012, which will be completed by April, 2013.
4. To conduct treatability study for all units of TEPS-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-'XVI'.



The TEPS-CETP itself has completed in-house treatability study of various units of CETP as well as receiving effluent and observed that it is biodegradable as far as treatment is concerned i.e. treatable.

I say and submit that the Regional Officer of the Respondent Board at Thane has issued directions to the TEPS-CETP Tarapur, in terms of the above points of compliance, to ensure the compliance in a time bound manner vide letter dtd.19/01/2013, which is already enclosed at Exhibit-IV

(v) MIDC issues in respect of TEPS CETP

I say and submit that CEO, MIDC had called a Joint Meeting of the MIDC and MPCB officials to discuss various important issues pertaining to various MIDCs and CETPs on 8/10/2012 at World Trade Centre. An extensive discussions have been held with the concerned officers of MPCB & MIDC alongwith the Member Secretary of the Maharashtra Pollution Control Board.

During the course of meeting, the following important issues have been discussed & necessary decisions are taken.

Sr.No.	Issues discussed	Decision taken.
1.	Effluent carrying pipelines are inadequate	MIDC has informed that remodeling of effluent collection system is being done in Phase-wise manner.



		The work of 3 phases has already been completed and the 4 th phase work is in progress and the maintenance work is being allotted through AMC.
2.	Chambers are overflowing and effluent reaching Pasthal nalla.	MIDC has agreed to inspect the site in question through Local Officers and to solve the problem.
3.	Sump No.1 is inadequate and overflowing.	MIDC stated that the sump is having adequate capacity but report is being called from the local office.
4.	The demarcation and plot boundary work for TEPS-CETP in respect of expansion thereof to be done	It was stated that MIDC proposed slightly shifting of plot allotted to TEPS-CETP and if, TEPS-CETP is ready for shifting, the MIDC is ready to demarcate the plot immediately.
5	Navapur Pipeline extension into deep sea.	MIDC has clarified that final report regarding disposal line considering the outlet parameters and quantity of effluent to be discharged is received from NIO and the work will be undertaken in due course of time.
6.	Expansion of CETP pending, having generation of more than 35 MLD effluent.	MIDC assured allotment of land admeasuring 85,000 sq.mtrs. but the DPR and financial approval is awaited.
7.	Municipal solid wastes from the nearby villages dumped into MIDC areas.	MIDC made it clear that there is no policy to allot land for municipal solid waste dumping.
8.	MIDC is supplying excess water than the consented limits to the industries in Tarapur area.	MIDC stated that it is not possible to regulate the water supply exactly to the consented quantity.
9.	De-sludging of sumps not done regularly, thereby, pollutional problems aggravated.	MIDC stated that it is doing desludging regularly, however, due to inadequate capacity of CETP, the effluent reaching to CETP is not treated properly, hence, sump no.2 is required to be desludged on no fault of MIDC.
10.	Leakages of pipelines at various zones, which requires repairs on top priority basis.	It is confirmed that there are no leakages on collection lines through AMC Agency fixed by MIDC, which is appointed to attend various leakages. However, it is made clear that there may be overflow of chambers due to inadequate capacity of existing CETP.
11.	Inadequate capacity of sump no.1 and other sumps.	It is confirmed by the MIDC that the capacity of sump



		no.1 has been increased from 1500 m3 to 3000 m3 in the year and will be further enhanced upto 6000 m3. The proposal is in the process of approval.
--	--	--

(vi) **Assessment of TEPS-CETP at Tarapur 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 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 TEPS-CETP at Tarapur and Badlapur CETP respectively, which is already reported in the earlier Affidavit of the Respondent Board.

Devale

(D.T. Devale)
Sr. Law Officer for Respondent Board

[Signature]

(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 19 th day of January, 2013.

Deponent,

Solemnly affirmed at Mumbai }

On this th 19 day of January, 2013 }

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



BEFORE ME

S. K. Warke
19/1/2013
S. K. WARKE
ADVOCATE & NOTARY
5/4, Himalaya, Opp. Pooja Hospital
Next to Sadanand Restaurant,
Worli, Mumbai - 400 018.

Exhibit -I

Tel : (02525)271088

TIMA CETP CO-OPERATIVE SOCIETY LTD.

Registered Under The Maharashtra Co-Operative Society Act 1960.

Registered No. TNA (PLR) GNL (C) 371 / 92-93.

Plot No. 0/23 (1) Part, M.I.D.C., Tarapur, Boisar, Dist. Thane - 401 506.

D.K.Raut
CHAIRMAN

Vilas Gaitonde
VICE CHAIRMAN & M.D.

Minish B. Shah
JT. MANAGING DIRECTOR

DATE 12/01/013

To,

THE MEMBER SECRETARY,
MAHARASHTRA POLLUTION CONTROL BOARD,
3rd & 4th floor, Kalptaru point,
Opposite to cineplanet, Sion (east), Mumbai.

SUB: - TIMA-CETP CLOSES DOWN THEIR OPERATION.

RESPECTED SIR,

TIMA CETP has been established in the year 1993 for 2-MLD capacity. At that time all SSI units not having any other common facility had join to TIMA CETP. However since pipeline is not provided, the SSI unit were allow to dispose of their primary treated effluent by road tankers.

There after TEPS CETP has been established & commissioned w.e.f. April 2006. But most of the SSI unit where still continued to the members of TIMA CETP till the pipe line network has been provided. After provision of pipe line network to complete network to Tarapur MIDC area, the issue in respect of statu of 2MLD CETP of TIMA & 25 MLD TEPS CETP was discussed in the joint meeting of CEO MIDC & M.S.MPCB on 07/01/2010. The proposal was that all the industries in Tarapur MIDC Should becomes member of 25 MLD CETP & connect to collection system provided by MIDC as well as not to operate 2MLD CETP of TIMA. It was decided to inform all the members who have not join 25 MLD TEPS CETP has still disposing their effluent to CETP OF 2MLD capacity of TIMA & MPCB to issue proposed direction in this behalf (copy enclosed).

Therefore TEPS CETP has informed to TIMA CETP reference to our communication Dt.15/03/2012 has informed us as per list provided us regards our members & after verifying the records all the members of TIMA CETP have now join TEPS CETP the copy of letter enclosed.

The J.D.WEAP directed us to comply with surtain conditions imposed in his letter 05/03/2012 therefore we have communicated by our letter 15/03/2012 that all our members have connected their effluent line to MIDC drainage ultimately it goes to 25MLD TEPS CETP. As per MIDC instructions the 2MLD CETP is not in operations. We have decided to stop present activity of 2MLD CETP & to go for project of solid & liquid waste incineration for Tarapur MIDC INDUSTRIAL area at our premises which can also be worked as common facility for the Bio medical waste/hazardous solid waste facility for all the members in MIDC area and surrounding area. As per our survey about 400 to 550 m3 tons/ per month incinerable waste is

Page 1 of 1



generated from the said area. Which has been transported to 120 Km away from Tarapur send to Taloja common facility which can be very costly in transportation C2 of Hazardous waste. Similarly 50 to 100 Tons quantity of Biomedical waste is generated which is going to Taloja common facility. Which is 120 KM away from us, we shall so provide in present location at our site. We are also applying seferate for

the same. We have already closed down our CETP w.e.f. 31.03...012. There fore this may be taken as record and brought to the notice of Honorable High court.

Therefore, whatever direction are given to other CETP & also given to us including provision for TOC Analyzer on line PH meter, Flow meter & web site preparation etc. not applicable to us & kindly to withdraw.

This is for your kind information,

Thanking you.

For TIMA CETP CO-OPERATIVE SOCIETY LTD.
TIMA CETP CO-OP. SOCIETY LTD.

VILAS D. GAITONDE.

(Vice Chairmen & MD.)

Vice Chairman.

C.C.-

1. The Joint Director(WPC), MPCB-Sion
2. The Regional Officer, MPCB Thane
- ✓ 3. Sr. Law Officer, MPCB Sion.
4. The Sub Regional Officer, MPCB Tarapur.
5. The Executive Engineer MIDC Thane.
6. The Deputy Engineer, MIDC- Tarapur.



Tel : 102524

TIMA CETP CO-OPERATIVE SOCIETY LTD.

Registered Under The Maharashtra Co-Operative Society Act 1960.
Registered No. TNA (PLR) GNL (C) 371 / 92-93.
Plot No. 0/23 (1) Part, M.I.D.C., Tarapur, Boisar, Dist. Thane - 401 506.

F.A. Raut
CHAIRMAN

Vilas Gaitonde
VICE CHAIRMAN & MD

Minish B. Shah
JL. MANAGING DIRECTOR

Date : 15/03/2012

To
All Members
TIMA CETP CO-OP SOC LTD
Tarapur - 401 506

Dear Members,

Consequent upon receiving Guidelines issued by MPCB & MIDC. It is proposed to stop receiving effluent by tankers at 2MLD TIMA CETP Co-op. Soc. Ltd. The members who still continue sending their effluent to 2MLD CETP are requested to confirm that -

1. They are members of 25MLD CETP (TEPS), if so. Please submit copy of membership or share certificate to 2MLD CETP immediately.
2. They should contact Deputy Engineer MIDC for connection of their drainage line to New Drainage line connected by MIDC to 25MLD CETP

Treat this matter as very Urgent.

This is for your kind information.

Thanking You
FOR TIMA CETP CO-OP SOC. LTD

VILAS D. GAITONDE.
(Vice Chairman & MD)
CC. SRO MPCB, TARAPUR
DEPUTY ENGINEER MIDC
CHAIRMAN, TEPS (25MLD CETP)

P.S.- If you have any problem or doubts. Please contact Mr. B.K. Raut, TIMA President & Director of 25MLD CETP.

Received by

Date 20/03/2012

Inward Clerk

MIDC Sub. Div.

Tarapur



Tel : (02525)271088

TIMA CETP CO-OPERATIVE SOCIETY LTD.

Registered Under The Maharashtra Co-Operative Society Act 1960.

Registered No. TNA (PLR) GNL (C) 371 / 92-93.

Plot No. 0/23 (1) Part, M.I.D.C., Tarapur, Boisar, Dist. Thane - 401 506.

P. K. Raut
CHAIRMAN

Vilas Gaitonde
VICE CHAIRMAN & MD

Mimish B. Shah
Jt. MANAGING DIRECTOR

Date : 15/03/2012

To
All Members,
TIMA CETP CO-OP SOC LTD.
Tarapur - 401506.

Dear Members,

Consequent upon receiving Guidelines issued by MPCB & MIDC. It is proposed to stop receiving effluent by tankers at 2MLD TIMA CETP Co-op. Soc. Ltd. The members who still continue sending their effluent to 2MLD CETP are requested to confirm that -

- 1 They are members of 25MLD CETP (TEPS), if so. Please submit copy of membership or share certificate to 2MLD CETP immediately.
- 2 They should contact Deputy Engineer MIDC for connection of their drainage line to New Drainage line connected by MIDC to 25MLD CETP.

Treat this matter as very Urgent.

This is for your kind information.

Thanking You,
FOR TIMA CETP CO-OP. SOC. LTD.

Vilas D. Gaitonde
VILAS D. GAITONDE.
(Vice Chairman & MD)
CC. SRO MPCB, TARAPUR
DEPUTY ENGINEER MIDC
CHAIRMAN, TEPS (25MLD CETP)

P.S:- If you have any problem or doubts, Please contact Mr. P.K. Raut, TIMA President & Director of 25MLD CETP.

Received on
Date 20/03/2012
Inward Clerk
MIDC Sub, B
Tarapur

19/3/12
जा. ए. ए. कार्यालय
वि. ए.
एम. डी. ए. कार्यालय
वि. ए.
एम. डी. ए. कार्यालय
वि. ए.

TARAPUR ENVIRONMENTAL SOCIETY



TARAPUR ENVIRONMENT PROTECTION SOCIETY

Incorporated under Section 25 of Companies Act, 1956
(vide Regn.No. U 91990 MH 2004 NPL 148221)

Reg. Office & work Site : Plot No. AM-29/ Pt, Nr. Shivaji Nagar,
MIDC Tarapur, Dist. Thane Pin-401 506

Ph. (02525) 325 656 / 205013

E-mail : teps123_cetp@yahoo.co.in

Vinod D. Poddar
CHAIRMAN

Prakash M. Patil
VICE CHAIRMAN

S. B. Shetty

SECRETARY
Date: 18/03/2012.

Ashok M. Saraf
TREASURER

To,

The vice chairman
TIMA CETP CO.OP SOCIETY PVT. LTD.,
Plot no. O/23, Part-1st, MIDC-Tarapur

Sub:- Your letter dated 15.3.2012- membership details,
Dear,

With reference to your letter dated 15.3.2012, regarding information about membership of 2-MLD CETP members to 25-MLD CETP.

In this regard please note that as per the list provided by you of your members & going through our record all your member industries were having TEPS membership.

This is for your Kind information.

Thanking you,

For TARAPUR ENVI.PROTECTION SOCIETY.

K.B. Pujari
.K.B.PUJARI
Authorized Signatory.



Exhibit -II

जा.का./महाविम/प्रावता-१/१२७५ २०१०

दिनांक :- २६/०३/२०१०

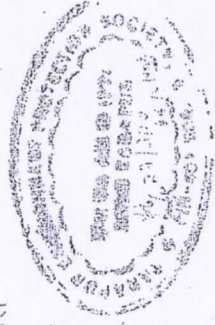
प्रति,
श्री.सि.एस. मणपत राऊत,
विभागीय/उप तालुका प्रमुख, शिवसेना,
मु.वि.सामकल, ता.पालघर,
जिल्हा-ठाणे.

विषय :- Open Space क्र.२३ व २४ शशील दाटप केलेले मूडल रद्द करून Sump -२ येथे चालू असलेले बांधकाम बंद करण्यासाठी महाविम, तारापूर येथील कार्यालयासमोर सालवळ प्रागस्थानी सुरु केलेले उपोषण.

महोदय,

आपण दिनांक २२/०३/२०१० पासून उर संन्यास. तारापूर वाडे कार्यालयासमोर लघुवस्तू विधायिका संदर्भात सुरु केलेला संप्रदायाच्या अनुषंगाने आपणांस कळविण्यात येते की, Sump-२ व Amenity क्र.६० मध्ये चालू असलेले OFTP ह्या विस्तारापीकरणाचे काम थांबविण्याचा निर्णय महानगराने घेतलेला आहे. तसेच Open Space क्र.२३ व २४ मध्ये दाटप केलेल्या मूडलवळ अंतर्गताने निर्मव धुण्यास राखण असलेल्या स्तरावर आपली मगणी विधानाचं पाहविण्यात आलेली आहे. कास्तव धुण्यास सुरु ठेवलेले उपोषण माने घेण्यात यावे ही टिपणी.

मा.सह मुख्य कार्यकारी अधिकारी
यांचे मागणेने.



हय :-

- १) मा.राहसिलदार, पालघर ता.पालघर माने विहिरीसाठी.
- २) मा.पोलिस निरीक्षक, बोईसर पोलिस स्टेशन, तारापूर यांना माहितीसाठी.

३) संपर्क :- ०२२३६६११०००० OFTP

आपला विश्वास,

२६/०३/१०
प्रदेशीक अधिकारी,
महोदय, ठाणे-१



MHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION

(A Government of Maharashtra Undertaking)



No.MIDC/Dy.CEO (Env)/²⁴⁵/2010

Date :- 5/04/2010

॥ वाचनं धेनुमुपासीत ॥
MIDC

To,
M/s. Enprotech,
705, Panchawati Tower,
Off. Yari Road, Andheri (W),
Mumbai-400061.

Sub. :- Approval of D.P.R. of 12 MLD expansion of
Tarapur CETP.

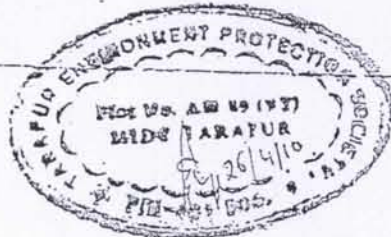
Ref. :- 1) M/s. NEERI's letter dtd. 06.04.2010.
2) Your letter No.En 10/018 dtd.12.04.2010.

Dear Sir,

M/s. NEERI vide letter at Sr.No. 1 above accepted the revised DPR for subject work as it meets the minimum basic criteria for going ahead with the design keeping in view of comments suggested by them. Hence the DPR is hereby principally approved but please adhere to the instructions & guidelines given by NEERI & also submit the compliance periodically. It is now requested to furnish the financial Appraisal Report from any bank nominated by MoEF, Govt. of India & draft MoU for approval of competent authority.

Thanking you,

Your's faithfully,



(R.M.Naikade.)
Dy.Chief Executive Officer(Env)
MIDC(HQ), Andheri(East),
Mumbai-93.

- Copy to Executive Engineer, MIDC, Thane Div.-I, Thane for information.
- Copy to Regional Officer, MIDC, Thane -I, Thane for information.
- Copy fwc's M/s. TEPS, Plot No.A.M.-29, Near Shivaji Nagar, Tarapur, MIDC for information please.
- Copy to guard file.





Exhibit - III

TARAPUR ENVIRONMENT PROTECTION SOCIETY

Incorporated under Section 25 of Companies Act, 1956

(vide Regn. No. U 91990 MH 2004 NPL 148221)

Reg. Office & work Site : Plot No. AM-29/ Pt. Nr. Shivaji Nagar,
MIDC Tarapur, Dist. Thane Pin-401 506

Ph. (02525) 325 656 / 205013

E-mail : teps123_cetp@yahoo.co.in

James D. Poddar
CHAIRMAN

Prakash M. Patil
VICE CHAIRMAN

S. B. Shetty
SECRETARY

Ashok M. Saraf
TREASURER

TEPS/MPCB-ROT/01-2013/03

DATE-14.01.2013

To:
THE REGIONAL OFFICER
MAHARASHTRA POLLUTION CONTROL BOARD,
5TH floor, Office Complex Building
Near Mulund Check Naka, Thane-City.

SUB. - SUBMISSION OF

1. Certain electronic system installation-commitment of Rs. 100 stamp paper.

REF.:-

a) MPCB direction dated 5.3.2012

RESPECTED SIR,

With reference to above subject we are herewith submitting the commitment for certain electronic gadgets to install on Rs. 100 Stamp paper duly notarized as desired by your office.

The system to install is

1. TOC ANALYZER,
2. MIMIC PANEL
3. AUDIO VISUAL SYSTEM.

The work on said installations/ procurement is already started. The system will be in operation by 30th April-2013

The above is for your information

Thanking You.

For TARAPUR ENVIRONMENT PROTECTION SOCIETY

G.S.JADHAV
ETP-MGR

INCL- Commitment on Rs. 100 stamp paper (duly notarized) about certain electronic system to install.

CC- TO

1. The Joint Director (VFC), MPCB-Sion
2. Sub Regional Officer, MPCB-Tarapur-I

15/1/13
SUB-REGIONAL OFFICE
M.P.C.B. BOARD
M.I.D.C. OFFICE - OMPD
TAL. PALGHAR, DIST. THANE





महाराष्ट्र MAHARASHTRA

GM 684540

विक्रीये विक्रान-पुढान नं. ४, 'चंद्रनी', बोईसर रोड, ठाणे ४०१ ५०६
अ.क्र. २९३७९ दिनांक १०/०१/२०१३

TARAPUR ENVIRONMENT PROTECTION SOCIETY
Plot No. AM-29 (P1), Near Shivaji Nagar,
MIDC Tarapur, Dist. Thane-401 506.

पुनरावृत्ति
(वर्षा भा. चौथी)
परवाना क्र. ०५८/२००९

5 JAN 2013

We, TARAPUR ENVIRONMENT PROTECTION SOCIETY, ("the Company") having our Registered office at Plot No. AM-29, MIDC-Tarapur, do hereby declare that the work of installation of following hardware/Equipments is in progress.

1. TOC Analyzer,
2. MIMIC Panel
3. Audio Visual System.

In light of the aforementioned facts, We, solemnly affirm and undertake that the Directions issued by the MAHARASHTRA POLLUTION CONTROL BOARD (MPCB) as regards to installation of above stated equipment/hardware systems will be complied with and that the same will become operational on or before 30th April, 2013.

This undertaking is executed on 14.01.2013

For TARAPUR ENVIRONMENT PROTECTION SOCIETY

ATTESTED BY ME

MR. HEMANT P. PATIL
14/1/2013 B.A.L.L.B

ADVOCATE & NOTARY
(GOVT. OF INDIA)

Off. D. Gopal Temple, Boisar,
Sudaram, No. 1/4,
Gala No. 4, Palghar, Dist. Thane, Maharashtra-40150

NOTE REGISTERED
371 2013

ETP MANAGER



Exhibit - IV

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272

Fax : 25805398

Visit us at:

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

E-mail Id: rothane@mpcb.gov.in



Regional Office, Thane
5th Floor, Office Complex Bldg.,
Near Mulund Check Naka,
Wagale Estate,
Thane-400 604.

No. MPCB/ROT/ 134

Date: 19/01/2013.

To,
The Tarapur Environment Protection Society CETP,
Plot No. AM-29(pt), Nr. Shivaji Nagar,
MIDC, Tarapur, Dist. Thane.

Sub:- Directions u/s. 33A of the Water (P. & C.P.) Act, 1974.

Ref:- 1) Various orders passed by the Hon'ble High Court in PIL No.17/2011 in connection with Nicholas H. Almeida V/s. State of Maharashtra and others.
2) Various directions issued by the Board on earlier occasions.

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, various orders have been passed by the Hon'ble High Court in the PIL NO.17/2011. AND WHEREAS, it is obligatory on your part to comply the said orders in toto.

AND WHEREAS, on the basis of the record of your case, the report of the S.R.O. Tarapur-I and compliance report submitted by you from time to time, it is observed that some of the compliances are not yet achieved.


NOW THEREFORE, following directions are issued for time bound compliances and reporting on your part:-

- 1) You shall install the following equipments :
 - a) TOC analyzer with Data Logging system.
 - b) MIMIC Panel
 - c) Audio-video system.The installation work shall be completed by 30th April 2013 as per undertaking submitted by you vide letter dated 04/01/2013.
- 2) You shall establish the web site and link the same with all the necessary accessories/equipments with the Board's web site. This work shall be completed by 15th Feb. 2013, as per your letter dated 14/01/13.
- 3) You shall complete the up gradation of the 4th aeration tank of the existing CETP of 25 MLD capacity by 25th May 2013, as per your letter dated 05/01/13.
- 4) You shall submit concrete proposals with time bound program for setting up of additional CETP of 37 MLD capacity at the earliest. Necessary follow up with the MIDC authorities for allotment of land for the extension work shall be taken up.



: 2 :

- 5) You shall follow up the matter of provision of sumps by MIDC in consultation with MIDC & industries and report the progress from time to time.
- 6) You shall not admit new members on account of the fact that the existing capacity of the CETP is already exhausted.
- 7) You shall submit monthly progress report of self monitoring and lab scale studies.
- 8) You shall once again remind the member units and request them to comply various orders passed by the Hon'ble High Court & report the progress from time to time.


(N.H. Shivangi)
Regional Officer, Thane.

Copy submitted to :-

- 1) Sr. Law Officer, M.P.C. Board, Mumbai-22.
- 2) Regional Officer (H.Q.) , M.P.C. Board, Mumbai-22.



Exhibit -V
1/29
MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272

Fax : 25805398

Visit us at:

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

E-mail Id: rothane@mpcb.gov.in



Regional Office, Thane
5th Floor, Office Complex Bldg.,
Near Mulund Check Naka,
Wagale Estate,
Thane-400 604.

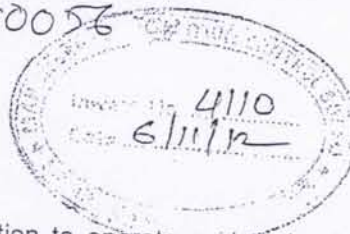
No. MPCB/ROT/PD/ 1789

Date: 17/10/2012

To:

✓ M/s. Tarapur Environment Protection Society,
Plot No. AM-29, MIDC, Tarapur,
Tal. Palghar, Dist. Thane.

121017R0056



Sub:- Non-operation of CETP.

WHEREAS TEPS is under statutory obligation to operate and maintain the CETP in proper manner so as to achieve the prescribed standards as per consent granted by the Board.

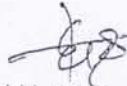
AND WHEREAS, during the visit of the Board officials to the CETP on 11/10/2012, it was noted that the CETP was not in operation. The untreated effluent from inlet tank was found to be overflowing into sump No.2, ultimately leading to Navapur creek and thereby causing pollution of creek water. This has given rise to the complaints from the nearby villagers.

This amounts to serious violation of consent conditions besides violation of Hon'ble High Court orders and clearly shows your gross negligent attitude towards pollution control.

NOW THEREFORE, in the exercise of the powers conferred upon the undersigned by the Board under Section Sec.33A of Water (P&CP) Act, 1974 & under Sec. 31A of Air (P & CP) Act 1981, I hereby issued proposed directions against your industry as follows:-

- a) Why TIMA shall not be directed to stop its contribution to the CETP?
- b) Why Legal action shall not be initiated against the concerned CETP authorities.

You shall submit your reply/objections to these directions within a period of 7 days from the date of receipt of this letter and remain present for hearing on 23/10/2012 at 3.00 pm at this office, failing which, the Board will have no option than to issue appropriate final directions as may be deemed fit in your case, which may please be noted.


(N.H. Shivangi)
I/c. Regional Officer, Thane

Copy submitted to :

- 1) Sr. Law Officer, M.P.C. Board, Sion, Mumbai-22.
- 2) Regional Officer (HQ), MPC Board, Sion, Mumbai-22.

Copy to:-Sub-Regional Officer, M.P.C. Board, Tarapur -I. He is requested to serve these directions on the industry & follow up and report within a week.

TEPS

Lone
TEPS - CETP

17/10/12



- As informed earlier vide our above mentioned letter that we are planning for additional transformer i.e. standby transformer of identical size & capacity in expansion which will take care of any such failure at existing site as well as at expansion site. As we have standby arrangement for each equipment. But at Transformer, we had two transformers & were in operation all the time.
- Further to this now we entered into AMC (Annual maintenance Contract) for both the Transformers with above mentioned Transformers manufacture for regular check up & to take corrective steps. Though the repaired transformer has five years onsite guaranty for free repair.

Sir, you will appreciate for what steps we took to bring plant operation in normalcy & further to this to avoid such occurrence in future. Corrective activities like Standby arrangement, DG Set & balance transformer used for plant operation & then after receipt & brought in operation of said repaired transformer were seen by your field officer during day to day visit to TEPS.

Considering our efforts, we humbly request herewith to not to take any action against us, but to help to us in this regard.

Thanking You.

For TARAPUR ENVIRONMENT PROTECTION SOCIETY

G.S.JADHAV
ETP-MGR
CC-

1. TO THE JOINT DIRECTOR (WPC)
2. TO THE SUB REGIONAL OFFICER-TARAPUR-I







Exhibit - VII
TARAPUR ENVIRONMENT PROTECTION SOCIETY

Incorporated under Section 25 of Companies Act, 1956
(vide Regn.No. U 91990 MH 2004 NPL 148221)

Reg. Office & work Site : Plot No. AM-29/ Pt. Nr. Shivaji Nagar,
MIDC Tarapur, Dist. Thane Pin-401 500
E-mail : teps123_cetp@yahoo.co.in

Ph. (02525) 325 656 / 205013

Ramesh D. Poddar
CHAIRMAN

Prakash M. Patil
VICE CHAIRMAN

S. B. Shetty
SECRETARY

Ashok M. Saraf
TREASURER

TEPS/MPCB-HQ/01-2012/01

DATE-06.01.2013

To,
THE MEMBER SECRETARY,
MAHARASTRA POLLUTION CONTROL BOARD,
3 & 4th floor, kalpataru point,
opposite cine-planet, sion(e), mumbai

Sub.- Letter No. BO/P&L/DIV/B-7371, DATED 15.12.2012

Ref.: 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 r.w. the Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2008.

1. Orders passed by Hon'ble High Court of Judicature at Mumbai in the Public Interest Litigation No. 1712011 from time to time.
2. Directions issued by the Incharge Joint Director (WPC), MPCB dtd.03/03/2012 onwards

Respected Sir,

With reference to your above mentioned letter received us on 19.12.2012, which is in respect to CPCB officials visit to TEPS & rest other. In this regard we wish to state as under:-

1. Found Acidic pH at Inlet during visit of CPCB Officials to TEPS-CETP

During the visit of CPCB official, the inlet receiving PH was acidic. Such acidic effluent discharge is a serious issue. But some time despite of monitoring it is difficult to control the same to 100%. Considering the vast industrial area & number of sumps (only two) provided some time it is difficult to locate the culprit. As probable discharge was made by industry or any unscrupulous element almost 5 to 6 hours prior to reach at TEPS inlet.

In this regard it is necessary to make two way provision, which is as follows

- To increase the number of sumps in industrial area in order to have better monitoring & isolation- TEPS also wrote letter to MIDC about such infrastructure provision.
 - TEPS established communication at existing two sumps. So now any such discharge receiving at above both the sumps were noticed & communicated, which thereby helping us to overcome such issue.
- 2) One out of the two secondary clarifiers was found non-operational, the launders of both the primary clarifiers and the operational secondary clarifier were found submerged and plastic/ backyard scrap material was observed floating in the equalization tank, the treatment unit subsequent to screens.

M.P.C. Board
Regional Office Thane
Complex Bldg. 5th Floor,
Mundla



The one of secondary clarifier was u/m during visit As it's bottom drain valve was non operational & otherwise if not opened, the recirculation process may suffers & will also reflect in increased COD due to carry over of biomass from clarifier launder. As a matter of fact the said flocculator required to empty out to replace the non operational bottom drain valve (with SS-316 disc valve). In between TEPS also completed overhauling of said secondary clarifier scrapping mechanism including anticorrosive painting. Please note that the said overhauling was done after almost 5 years of its operation.

All this was done within time frame & with correspondence with MPCB local office. The isolation & rectification was required in view of operation of CETP.

TEPS planned a mechanical screening arrangement at inlet in view of foreign materials entry in-process.

Now cleaning procedure were adopted twice in day to avoid any housekeeping issues.

3) The sample collected at sump no-2 was violating the discharge norms:

It was due to major three reason, which is as under :-

- a. It was due to excessive effluent beyond TEPS design capacity is taking direct way to sump-2 due to which the elevated parameters seen in sump-2 analyzed sample. About excessive effluent quantity it is necessary to curtail the quantity used by industry sourced from unauthorized source. We also concentrated over such excessive effluent discharge shortly we are going to communicate with major effluent contributor (up to or above 500 m³/day) to install flow meter at their ETP outlet with time frame & will monitor the same.
 - b. Sir, it is necessary to start expansion of existing CETP. Which will resolve the issue once for all. But the expansion work was held up due to non cooperation from MIDC & adamant stand of JSW & is against natural justice. In fact TEPS not responsible any delay for expansion.
 - c. After prosecution TEPS took massive upgradation of it's common effluent treatment facility, which includes upgradation of secondary treatment facility as well as upgradation of processes & systems. The attached herewith copy will clarify about the work done & planned. Sir to your information till date we spent Rs. 2.98 Crore over rectification & we are at final phase of upgradation. After completion of the system upgradation with Aspirators at aeration tank-D, we are sure enough to achieve the laid down norms.
- The above initial two aspects will definitely curtail the excessive effluent quantity receipt. & expansion will help to take care of excessive & additional effluent quantity.

4) Bypass open channels existing inside the CETP premises were carrying untreated effluent to the treated water disposal sump.

It was due to broken intermediate chamber in conveyance system after "V" Notch

Page 2 of 6



The said open channel is storm water drain. But since MIDC's intermediate chamber was broken the effluent from the said chamber leads to the adjacent open drain. About the same we lots of time communicated to rectify the said issue. But till date it is as it. Now for your information we are going to isolate from the said broken chamber by providing direct pipe line from filters to sump no.-2. Also to your information the effluent receipt quantity is over & above our treatment capacity. For the same expansion is the only solution, but MIDC not cooperating in this regard & created problem in plot possession in spite of timely completing site clearing work.

5) Sludge drying pits were inadequately maintained and sludge was dumped in haphazard manner.

The spreading of semidried solid waste was seen earlier during loading of same by mechanically (by JCB) way into CHWTSDF Vehicle. Now TEPS took all the 7 solar pit for revamp. Existing solar pits were not in position to usage of JCB inside pit for semidried sludge collection. Now TEPS is strengthening the solar pits. So that even JCB can have movement inside. Which will avoid spreading of sold waste during loading. The revamp work is already started will take two month to complete considering day to day sludge generation & it's drying at solar pit.

6) A big chunk of land in the CETP premises and the land near the effluent receiving tank was found contaminated as a result of seepage of effluent from the drains outside the CETP premises.

It was due to level difference of soil at inside & outside of wall near said location. Due to this the outside stagnated effluent coming inside the plot through seepage & forming pool. After said CPCB officials visit to TEPS, TEPS initially removed stagnated effluent along with sludge & brought to solar pit. Then after completely filled the said area with murum in month of may-2012. Now there is no any such seepage. The attached photograph will help to know present status(EXIBIT-1).

7) The sump receiving treated effluent of CETP for transferring it to the MIDC sump was also found to be broken and the effluent was finding its way on open earthen surface.

The ownership of the disposal system after our "v" notch is laying with MIDC. About the same TEPS conveyed to rectify the same. But till the date same is pending.

8) The treated effluent sample collection point was not easily accessible due to overflow and spread of effluent in the area.

Due to crossing storm water nallah, it was difficult to reach at the sampling point at "V" Notch. Now we prepared bridge to have easy access up to sampling point.

9) The exhaust of the DG set is not as per MIDC's consent conditions.



The DG Set (625 KVA) exhaust height is necessary to increase. As per the standard guidelines the total height of DG set exhaust shall be 11 mtr. Accordingly the work is going on. Expect to complete the said work by 15 Jan-2013

10) Significant fugitive emissions were observed during lime handling for chemical preparation.

TEPS earlier was working over either to use caustic or to use lime for neutralization. But now decided to continue with lime as Caustic is hazardous for handling. The mechanical handling system is now planned. Within next two months the same will be operational. Which thereby will avoid fugitive emission at chemical preparation area.

11) The CETP was being operated without valid consent

TEPS applied for renewal of consent to operate vide our application form vide our letter dated 23.12.2011 for year-2012 duly attached with requisite fees & the same was acknowledged on 26.12.2011. TEPS has not received renewed consent till Nov.-2012, since the renewal application was for one year so TEPS then after further applied for renewal of consent for year-2013 on 8.12.2012 along with requisite documents & fees.

Further to this MPCB issued many noncompliance letter. Which was addressed in time. In this connection vide above mentioned letter directed TEPS over certain points. In this regard we wish to state as under

1. The TEPS-CETP is being operated under capacity considering the quantum of effluent receipt.

TEPS-CETP is operated all the time to its design capacity. The issue aroused due to receipt of excessive qty of effluent from unaccounted & unauthorized sources of water usage. For the same expansion is the only remedy. But despite of our approved proposal, TEPS in year 2010 unilaterally forced to stop the 12-MLD Expansion. Which costed TEPS to approx. 1.5 Cr. Also same about planned new 37.5MLD Expansion, which was also delayed (held up) due to non cooperation from MIDC. As stated earlier we will complete the expansion within 15 months provided if land issue was resolved.

2. The outlet parameters are exceeding

The exceeding parameters is due to partially performing one of Bioreactor (No.-4) TEPS took for up gradation. As informed vide our earlier letters that the balance/last aeration tank i.e. tank no.-4 upgradation is required to complete as it's air grid was broken. The work of upgradation was started by first emptying out of tank. Since the embedded & fixed diffusers must have to remove otherwise if it may damage the aspirator propeller. Emptying out & desludging work is going on. Also aspirators were ordered. We expect to complete the upgradation job by 25.05.2013 with all respect. Which in turn then after will enhance the performance of CETP.

Page 4 of 6



Further to this based on directions issued to MIDC from MPCB, Now MPCB vide above same letter issued following directions. In this regard we wish to state as under.

- (a) To restrict the collection of effluent from the Member Industries to the capacity of CETP & not to grant any new membership permission till enhancement of capacity.

TEPS is operated to it's design capacity. The effluent collection & conveyance is through under ground drainage line which makes task a bit difficult. Retrenching effluent quantity by plugging unauthorized source can be possible with the help of both Nodal agencies.

Further in this connection please note that

- TEPS from last one year not permitting new permission for TEPS Membership.
- (b) Not to grant any new membership to new industrial units nor allow existing Member units to increase the production capacity till capacity enhancement.

In this connection please note that:

- TEPS not given new membership permissions.
- TEPS not given permissions for expansion.

- (c) To introduce a system / mechanism of assessing the effluent quality update with the same to MPCB :-

At present excessive effluent receipt situation, it is difficult to assess any such flow/quantity mechanically. But can possible to by fill & draw (tank) type assessment way. The sampling was just now started. Irregularities & deviation will clear only after next 15 days. If any such irregularities will observe, TEPS will forward the same to MPCB for their suitable action.

- (d) Proper operation & maintenance of effluent collection and conveyance system through regular interaction with MIDC, so as to stop leakage/overflow and bypass of effluent.

TEPS representative has day to day round in industrial area, if any such leakages, breakages will observe TEPS will definitely convey the same to MIDC.

- (e) In connection with above all compliance to submit BG of Rs. 25 lakh, along with this another BG of Rs. 2.5 lakh for website establishing also to submit.

TEPS started upgradation program from year 2011 end. Which is now at final stage, the upgradation of Aeration Tank-4 will thereby end the upgradation program. Which in turn will reflect into quality of effluent treated. The upgradation will complete by 25.05.2013. Along with this another two things TEPS is working Parrallaly with said upgradation that is

Page 5 of 6



1. Introducing mechanical screen at inlet
2. Revamping of existing floating aeration system at equalization. Which will be complete prior to aeration tank up gradation.

Considering our past efforts & present lined up upgradation work. Which till date costs us Rs. 2.98 crore and further Rs. 1.25 crore required for last aeration tank upgradation. So we herewith request you to not to insist for bank guaranty of RS. 25 lakh


Whereas TEPS already initiated action about website preparation. Which will be in work within stipulated time frame. The web name is already registered & is www.tepscetp.org. The Bank Guaranty of Rs 2.5 Lakh in this respect will be submitted in next couple of days.

With our above all explanations, we hope that you will consider our case sympathetically.

Yours Faithfully

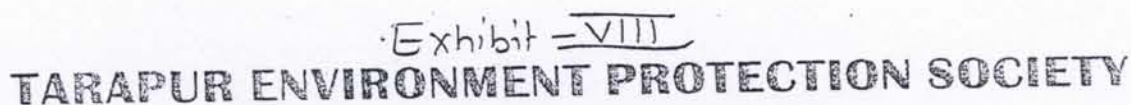
Thanking You

For TARAPUR ENVIRONMENT PROTECTION SOCIETY

 AUTHORIZED SIGNATORY
CC- SRO - Tarapur - 1

Page 6 of 6





E-mail : teps123_cetp@yahoo.co.in

Ashok M. Saraf
TREASURER

CC-, To The Sub Regional Officer, Tarapur-1

Love
H.C. Mathur



Exhibit - IX

JVS Outlet Analysis Report from Jan-2012 to 13.12.2012 TEPS- CETP Tarapur Environment Protection Society CETP

Jan-12

Inlet				Outlet			
Parameter	Design Value	Jan-12		Parameter	Discharge limit	Jan-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	4.9	4.8	PH	5.5 -9	7.2	7.4
BOD	1500	637	750	BOD	100	132.5	155
COD	3500	1696	1840	COD	250	400	480

Feb-12

Inlet				Outlet			
Parameter	Design Value	Feb-12		Parameter	Discharge Value	Feb-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.6	6.5	PH	5.5 -9	6.05	4.8
BOD	1500	700	900	BOD	100	345	400
COD	3500	2600	3800	COD	250	1040	1424

Mar-12

Inlet				Outlet			
Parameter	Design Value	Mar-12		Parameter	Discharge Value	Mar-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	7.5	6.8	PH	5.5 -9	8	8
BOD	1500	810	1450	BOD	100	418	418
COD	3500	2446	3400	COD	250	890	890

Apr-12

Inlet				Outlet			
Parameter	Design Value	Apr-12		Parameter	Discharge Value	Apr-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.7	3.6	PH	5.5 -9	7.1	7.1
BOD	1500	833	2000	BOD	100	403	403
COD	3500	2152	2880	COD	250	1030	1030

May-12

Inlet				Outlet			
Parameter	Design Value	May-12		Parameter	Discharge Value	May-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	7.9	7.9	PH	5.5 -9	7.4	7.4
BOD	1500	480	480	BOD	100	500	500
COD	3500	1312	1312	COD	250	1248	1248

Jun-12



Inlet				Outlet			
Parameter	Design Value	Jun-12		Parameter	Discharge Value	Jun-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.2	3.5	PH	5.5 -9	6.5	7
BOD	1500	2016	1350	BOD	100	963	1050
COD	3500	805	4400	COD	250	448	2464
Jul-12							
Inlet				Outlet			
Parameter	Design Value	Jul-12		Parameter	Discharge Value	Jul-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.7	6.6	PH	5.5 -9	8.3	8.3
BOD	1500	520	620	BOD	100	610	610
COD	3500	1568	2000	COD	250	1456	1456
Aug-12							
Inlet				Outlet			
Parameter	Design Value	Aug-12		Parameter	Discharge Value	Aug-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.8	6.8	PH	5.5 -9	7.4	7.4
BOD	1500	180	180	BOD	100	48	48
COD	3500	560	560	COD	250	100	100
Sep-12							
Inlet				Outlet			
Parameter	Design Value	Sep-12		Parameter	Discharge Value	Sep-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	4.7	4.7	PH	5.5 -9	7.1	7.1
BOD	1500	650	650	BOD	100	240	240
COD	3500	1936	1936	COD	250	250	250
Oct-12							
Inlet				Outlet			
Parameter	Design Value	Oct-12		Parameter	Discharge Value	Oct-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.3	6.3	PH	5.5 -9	7.7	7.7
BOD	1500	1050	1050	BOD	100	260	260
COD	3500	2800	2800	COD	250	624	624



Nov-12							
Inlet				Outlet			
Parameter	Design Value	Nov-12		Parameter	Discharge Value	Nov-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	7.3	7.3	PH	5.5 -9	7.1	6.9
BOD	1500	495	550	BOD	100	245	310
COD	3500	1448	1568	COD	250	684	896
Dec-12							
Inlet				Outlet			
Parameter	Design Value	Dec-12		Parameter	Discharge Value	Dec-12	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	7.1	8.2	PH	5.5 -9	7.2	7.4
BOD	1500	703	875	BOD	100	162	426
COD	3500	2122	2864	COD	250	680	896
Jan-13							
Inlet				Outlet			
Parameter	Design Value	Jan-13		Parameter	Discharge Value	Jan-13	
		Inlet Avg	Max Value			Outlet Avg	Max Value
PH	5.5 -9	6.8	5.4	PH	5.5 -9	7.3	7.4
BOD	1500	1137	1600	BOD	100	227	370
COD	3500	3280	4680	COD	250	638	1048



Exhibit-'X'

**Statement showing number of Interim Directions
issued to Industries**

Sr. No.	Name of the Industry	Proposed Directions issued vide letter No. & Date	Interim Directions issued vide letter No. & Date
1	M/s Aarti Industries Ltd., L-5, MIDC, Tarapur, Thane	MPCB/ROT/PD/1082 dtd. 17/4/2012	MPCB/ROT/ID/1125 dtd. 23.5.2012
2	M/s Aarti Industries Ltd., K-18,19, MIDC, Tarapur, Thane	MPCB/ROT/PD/1032 dtd. 17.4.2012	MPCB/ROT/ID/1157 dtd. 23.5.2012
3	M/s Punjab Chemicals & Crop Protection Ltd., E-51/1,2 & 52, MIDC, Tarapur, Thane	MPCB/ROT/PD/1916 dtd. 30.10.2012	MPCB/ROT/ID/2078 Dtd. 27.11.12
4	M/s Reasonance Specialities Ltd., T-140, MIDC Tarapur, Thane	MPCB/ROT/PD/1918 Dtd. 31.10.12.	MPCB/ROT/ID/1957 Dtd. 07.11.12.
5	M/s Concord Silk Mills, J-23, MIDC Tarapur, Thane	MPCB/ROT/PD/2132 Dtd. 04.12.12.	MPCB/ROT/ID/2326 dtd. 27/12/2012
6	M/s Gini Silk Mills, E-15, MIDC Tarapur, Thane	MPCB/ROT/PD/1926 Dtd. 01.11.12.	MPCB/ROT/ID/1952 dtd. 06/11/2012
7	M/s Mohini Organics Pvt. Ltd., T-77,78 & 79, MIDC Tarapur, Thane	MPCB/ROT/PD/1931 Dtd. 02.11.12.	MPCB/ROT/ID/1995 Dtd. 09.11.12.
8	M/s Mudra Life Styles Ltd., D-1, MIDC Tarapur, Thane	MPCB/ROT/PD/1927 Dtd. 01.11.12	MPCB/ROT/ID/1958 dtd. 07/11/2012



9	M/s Nayakem Organics Pvt. Ltd., T-128, MIDC Tarapur, Thane	MPCB/ROT/PD/1932 Dtd. 02.11.12.	MPCB/ROT/ID/1992 Dtd. 09.11.12.
10	M/s Pal Fashion, E-49, MIDC Tarapur, Thane	MPCB/ROT/PD/1809 Dtd. 19.10.12.	MPCB/ROT/ID/
11	M/s Uttam Chemicals, 87, MIDC Tarapur, Thane	MPCB/ROT/PD/1933 Dtd. 02.11.12.	MPCB/ROT/ID/1993 Dtd. 09.11.12
12	M/s Rolson Synthetics , E-8, MIDC Tarapur, Thane	MPCB/ROT/PD/1930 Dtd. 02.11.12.	MPCB/ROT/ID/2325 Dtd. 27.12.12.
13	M/s Kriplon Synthetics Pvt. Ltd., 97/98, MIDC Tarapur, Thane	MPCB/ROT/PD/1934 Dtd. 02.11.12.	MPCB/ROT/ID/2324 Dtd. 27.12.12.
14	M/s Aarti Drugs, E-93, MIDC Tarapur, Thane	MPCB/ROT/PD/1917 DTD.3/10/2012	MPCB/ROT/ID/1994 Dtd. 09.11.12.
15	M/s.Balaji Engineering Pvt.Ltd., Plot No.J-80,, MIDC Tarapur, Thane	MPCB/ROT/PD/1147 DTD.29/05/2012	MPCB/ROT/ID/B-11062, DTD.1/6/2012.
16.	M/s.K.P. Chemicals, Plot No.L-63, MIDC Tarapur, Thane	MPCB/ROT/PD/1292, DTD.22/05/2012	MPCB/ROT/ID/B-1327 DTD.29/6/2012
17.	M/s.Calyx Chemicals & Pharmaceuticals Ltd., Plot No.N-91/102, MIDC Tarapur, Thane	MPCB/ROT/PD/1079 DTD.17/4/2012	MPCB/ROT/ID/B-1120, DTD.23/5/2012



Exhibit - XI

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272
Fax : 25805398

Web site:

Website : <http://mpcb.gov.in/>
E-mail id: rothane@mpcb.gov.in



Regional Office, Thane
5th Floor, Office Complex Bldg.,
Near Mulund Check Naka,
Wagale Estate,
Thane-400 604

No. MPCB/ROT/VC/ 76

Date: 10/01/2013

To,
M/s Manan Cotsyn Pvt. Ltd.,
Plot no. G-4/2, MIDC, Tarapur,
Tal. Palghar, Dist. Thane.

Sub : Voluntary Closure directions under Sec. 33(A) of the Water (P&CP) Act, 1974 & under Sec. 31 (A) of the Air (P&CP) Act, 1981.

Ref : 1) Report submitted by SRO Tarapur-I vide e-mail dated 27.12.12.
2) Board's approval dated 02.01.13.

WHEREAS, you have been granted conditional consent to establish with the condition that you shall comply with the Environmental Norms by letter dated 21/12/2010.

AND WHEREAS, an Amendment in consent to establish has been issued on 17/10/2012 with respect to your request to incorporate condition of Trial runs in your consent to establish, making it clear that no separate permission for trial run / amendment in consent to establish is required.

AND WHEREAS, the officers of the Board during their visit and inspection dated 27/12/2012 observed that, you have applied for trial run and provided certain pollution control devices and were engaged in the manufacturing of processed fabric and dyeing yarn, for which the M. P. C. Board has issued consent to establish dated 21/12/2010 for generation of 225 M³ industrial effluent with zero discharge by imposing condition for recycle / reuse of entire effluent.

AND WHEREAS, you have applied to TEPS for the membership, which cannot be given by them on account of the fact that the capacity of the CETP is already exhausted.

AND WHEREAS, you have been engaged in trial runs as stated by you in your letter dated 29/12/2012 and applied for consent to operate on 17/05/2012 and assured to take commercial production after obtaining consent to operate only and further stated that the

...2/-



--2--


work of zero discharge system is under progress and the entire work of zero discharge will be completed by May, 2013.

AND WHEREAS, you have stated that effluent generated during trial run production is completely treated in ETP and reused for gardening.

AND WHEREAS, you have further communicated by letter dated 3/12/2012 to SRO that you will be complying with zero discharge system within 6-7 months time with a request to grant consent to operate.

After examining your records, reports of officers of the Board and after inquiry, I am satisfied that you have not so far provided zero discharge system, for which, you have stated 6-7 months time will be required. It is reported by the officers of the Board that you are engaged in the production activity.

NOW THEREFORE, you are hereby directed to stop production activities within 72 hours till zero discharge achieve consent condition of consent to establish failing which, the competent Authorities will be directed to disconnect electricity / water supply to your unit which please note.


(N.H. Shivangi)

Regional Officer, Thane.

Copy submitted to :

- 1) The Sr. Law Officer (P&L Divn.), M.P.C.Board, Mumbai.
- 2) The Regional Officer (HQ), M.P.C.Board, Mumbai

Copy to : The Sub-Regional Officer, M.P.C.Board, Tarapur-I,

He is requested to serve the directions on the industry, follow-up & report within a week.



Exhibit -XII

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272

Fax : 25805398

Visit us at:

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

E-mail Id : rothane@mpcb.gov.in



Regional Office, Thane
5th Floor, Office Complex Bldg.,
Near Mulund Check Naka,
Wagle Estate,
Thane-400 604

No. MPCB/ROT/ 27

Date :- 02.01.2013.

To,
The Executive Engineer (Water Supply),
MIDC, Tarapur, Tal. Palghar,
Dist. Thane.

Sub : Disconnection of water supply of M/s Ramdev Chemicals, Plot no. E-41, MIDC,
Tarapur, Tal. Palghar, Dist. Thane.

Sir,

This office has issued voluntary closure directions to M/s Ramdev Chemicals, Plot no. E-41, MIDC, Tarapur, Tal. Palghar, Dist. Thane, on 16.5.2012. However, Sub-Regional Officer, Tarapur-I vide E-mail dated 31.12.2012, has reported that the industry has not closed down its activities voluntarily & is operating illegally & is causing pollution.

In view of the above under Sec. 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Sec. 31(A) of the Air (Prevention & Control of Pollution) Act, 1981, it is requested to disconnect the water supply of the said industry & report accordingly.

Your's faithfully,

(N.H. Shivangi)

Regional Officer, Thane.

Copy submitted to: The Regional Officer(HQ), M.P.C.Board, Mumbai.

Copy to : The Sub-Regional Officer, Tarapur-I, --- He is requested to hand over the letter to the Executive Engineer, follow-up & report within 3 days.



Exhibit-XII

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272

Fax : 25805398

Visit us at:

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

E-mail id: rothane@mpcb.gov.in



Regional Office, Thane

5th Floor, Office Complex Bldg.,

Near Mulund Check Naka,

Wagle Estate,

Thane-400 604

No. MPCB/ROT/ 22

Date :- 02.01.2013.

To,
The Executive Engineer,
MSEDCL, Palghar,
Dist. Thane.

Sub : Disconnection of electric supply of M/s Ramdev Chemicals, Plot no. E-41, MIDC,
Tarapur, Tal. Palghar, Dist. Thane.

Sir,

This office has issued voluntary closure directions to M/s Ramdev Chemicals, Plot no. E-41, MIDC, Tarapur, Tal. Palghar, Dist. Thane, on 16.5.2012. However, Sub-Regional Officer, Tarapur-I vide E-mail dated 31.12.2012, has reported that the industry has not closed down its activities voluntarily & is operating illegally & is causing pollution.

In view of the above under Sec. 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Sec. 31(A) of the Air (Prevention & Control of Pollution) Act, 1981, it is requested to disconnect the electric supply of the said industry & report accordingly.

Your's faithfully,

(N.H. Shivangi)

Regional Officer, Thane.

Copy submitted to: The Regional Officer(HQ), M.P.C.Board, Mumbai.

Copy to : The Sub-Regional Officer, Tarapur-I, --- He is requested to hand over the letter to the Executive Engineer, follow-up & report within 3 days.



Exhibit -XIII

List of Bank Guarantees forfeited at Regional Office, Thane.

Sr. No.	Name and Address of Industry	Bank Guarantee Amount	Amount Forfeited	Remarks
1	Bajaj Healthcare Ltd. N-216,217 & 218, MIDC Tarapur	100,000	50,000	Forfeited vide letter dated 12/7/2012
2	Salvi Chemical Industries Ltd. E-93, MIDC Tarapur	25000	25000	Forfeited vide letter dated 12/7/2012
3	Sarex Overseas E-129 to 132, MIDC Tarapur	100,000	100,000	Forfeited vide letter dated 12/7/2012
4	Aarti Drugs Ltd. E-21/22, MIDC Tarapur	200,000	200,000	Forfeited vide letter dated 12/7/2012
5	Aarti Drugs Ltd. N-198, MIDC Tarapur	200,000	200,000	Forfeited vide letter dated 12/7/2012
6	Aarti Drugs Ltd. E-9/3-4, MIDC Tarapur	100,000	100,000	Forfeited vide letter dated 12/7/2012
7	Calyx Chemicals & Pharmaceuticals N-102/91, MIDC Tarapur	200,000	200,000	Forfeited vide letter dated 12/7/2012
8	Mohini Organics Pvt. Ltd. T-77,78 &79, MIDC Tarapur	25000	25000	Forfeited vide letter dated 12/7/2012
9	Mudra Lifestyles Ltd. D-1, MIDC Tarapur	100,000	100,000	Forfeited vide letter dated 12/7/2012
10	Mudra Lifestyles Ltd. D-1, MIDC Tarapur	200,000	200,000	Forfeited vide letter dated 5/01/2013
11	Everest Kanto Cylinders Ltd. N-662, MIDC Tarapur	200,000	200,000	6/09/2013



12	Balaji Engineering J-80, MIDC Tarapur	10,000	10,000	2/11/2012
13	Resonance Specialties Ltd. T-40, MIDC Tarapur	100,000	100,000	8/01/2013
14	Aarti Drugs (Rashes Chem) E-9/3-4, MIDC Tarapur	200,000	200,000	5/1/2013
15	Gini Silk Mills Ltd. E-15, MIDC Tarapur	100,000	100,000	5/1/2013
16	Concord Silk Mills Pvt. Ltd. J-10, 23, MIDC Tarapur	100,000	100,000	5/1/2013
17	TEPS-CETP MIDC Tarapur	500,000	500,000	09/1/2013
18	Sequent Scientific W-150 to 152, W-136 to 139 MIDC Tarapur	25000	25000	10/1/2013

Total.

2935000/-



Exhibit XIV

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272

Fax : 25805398

Visit us at:

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

E-mail Id: rothane@mpcb.gov.in



Regional Office, Thane
5th Floor, Office Complex Bldg.,
Near Mulund Check Naka,
Wagale Estate,
Thane-400 604.

No. MPCB/ROT/44

Date: 08/01/2013

To,

The Branch Manager,
Bank of Maharashtra,
C.F.C. Building, Taki Naka,
Tarapur S.M.E. Branch,
Dist. Thane- 401506.

Sub:- Forfeiture of Bank Guarantee vide No.BOM-0385/BG No. 45/2008-09.

Ref:- 1) Interim directions issued vide letter dtd. 31/10/2012.
2) Bank Guarantee submitted on behalf of M/s. TEPS-CETP.
3) Board's Office Note approval dated 28/12/2012.

Sir,

Vide reference No.3 above, Board has directed the undersigned to forfeit the Bank Guarantee of Rs. 5,00,000/- (Rupees Five Lacs only) submitted by your bank on behalf of M/s. Tarapur Environment Protection Society (CETP) MIDC Tarapur, Tal. Palghar, Dist. Thane-401 506, for non-compliance of provisions of the Water (P. & C.P.) Act, 1974 and the Air (P. & C.P.) Act, 1981, etc.

In view of above, you are requested to encash the Bank Guarantee (copy enclosed) and submit the Demand Draft of Rs. 5,00,000/- (Rs. Five lacs only) in favour of Maharashtra Pollution Control Board, Thane, within 7 days after receipt of this letter.

Thanking you,

Yours faithfully,

(N.H. Shivangi)
Regional Officer, Thane.





Bank of Maharashtra

(H.O. "Lokmangal", 1501, Shivajinagar, Pune: 411005.)
C.F.C. Building, Taki Naka, M.I.D.C.

Tarapur S.M. E. Branch, Dist. Thane: 401 506

- 02525-272 373 (Tele Fax) 261 829 e-mail - bom385@mahabank.co.in

AL16/BG/TEPS/2011-12

20th Jan. 2012

The Regional Officer,
M.P.C.B.
Office complex Building,
6th floor, Wagle Industrial Estate,
Mulund Check Naka,
Thane-400-604

Dear Sir,

Re: Extension of Bank Guarantee.

We have extended the Bank Guarantee as per request of Tarapur
Environment Protection Society dt. 20.01.2012 as under:

Original	
Bank Guarantee (Inland) No.	BOM-0385/BG NO. 45/2008-09
Date:	7 th July 2009
Renewed on	up to 31.12.2011
Nature of Guarantee	Performance
Amount	Rs.5,00,000/= (Rs. Five lakh only)
Issued in favour of	Regional Manager, MPCB, Office Complex Building, 5 th Floor, Wagle Industrial Estate, Mulund Check Naka, Thane: 400 604.
Issued on behalf of	M/s. Tarapur Environment Protection Society
Extended up to :	31 st Dec. 2012

Confirmation of this guarantee can be had from our Regional Office, Thane. The
address is as under:

Office of the Dy. General Manager,
Bank of Maharashtra,
Thane Regional Office,
B/37, Wagle Industrial Estate,
THANE

Yours faithfully,

Branch Manager



06
Exhibit - XV

MARASHTRA POLLUTION CONTROL BOARD

17/24020781/24014701

17/24024088/24044531

<http://mpcb.gov.in>

mpcb@mpcb.gov.in

BY R.P.A. D/FAX/HAND DELIVERY

NO. B0/P&L/DIV/B-7341

To

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

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai- 400 022.

Date: 15/12/12

M/s. Tarapur Environment Protection Society,
Common Effluent Treatment Plant,
Plot No. AM-29 (pt), MIDC Tarapur,
Dist: Thane.

Sub: Directions u/s 33A of the Water (Prevention & Control of
Pollution) Act, 1974 r.w. the Hazardous Waste
(Management, Handling & Transboundary Movement)
Rules, 2008.

- Ref: 1) Various directions issued by the MPCB from time
to time in respect of the upgradation of CETP and
enhancement of the capacity of CETP at Tarapur.
- 2) Directions issued by the Central Pollution Control
Board u/s 18(1)(b) of the Water (P&CP) Act, 1974
dtd. 2/09/2008 and 25/09/2012 respectively in respect of
initiating monitoring program for all CETPs and more
particularly assessment of the adequacy of the CETP
for treatment upto the prescribed standards of TEPS
CETP.
- 3) Orders passed by Hon'ble High Court of Judicature at
Mumbai dtd. 5/7/2011 and 20/11/2012 in PIL
NO. 17/2011- Nicholas Almedia v/s State of
Maharashtra and Ors.
- 4) A comprehensive report received from the Regional
Officer of the Board at Thane dtd. 22/11/2012.

WHEREAS, the TEPS-CETP has been established in the year, 2006 and has
been granted valid consent to operate vide letter No. BOWPAE/CETP/EIC No. TN-
2141-10/CC-04, dtd. 04/01/2011, which was valid upto 31/12/2011, for collection,
treatment and disposal of 25 MLD quantity of effluent generated from the Member
Industries in the Tarapur MIDC area. AND WHEREAS, the TEPS-CETP has been
designed for inlet parameters of pH-5.5 to 9.0, BOD-1500 mg./ltr., COD-3500 mg./ltr.,
respectively. AND WHEREAS, the outlet standards prescribed for TEPS-CETP are
pH-5.5 to 9.0, BOD-100 mg./ltr., COD-250 mg./ltr., Suspended Solids-100 mg./ltr.
respectively. AND WHEREAS, the TEPS-CETP at Tarapur has been operated under
capacity with reference to total generation of effluent being collected from the
Member Industries more than 40 MLD as against the capacity of existing CETP of
TEPS is 25 MLD for more than 3 years. AND WHEREAS, the Board is pursuing with
the TEPS for last more than 5 years to upgrade existing CETP and enhance the
capacity of the CETP to treat total generation of effluent from the Tarapur MIDC area
by issuance of various directions from time to time.

AND WHEREAS, the Chairman, CPCB on the basis of inspection conducted
by the CPCB Zonal Office, Vadodara on 23-24th January, 2008 of CETP at MIDC
Tarapur, issued directions to the MPCB to direct the concerned CETP for ensuring
the compliance of the prescribed standards and also to direct MIDC for taking

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adequate measures to augment, operate and maintain effluent carrying system of industrial estate. AND WHEREAS, you are operating the effluent carrying system of TEPS. AND WHEREAS, the following non-compliances have been reported by a team from CPCB Zonal Office (West), Vadodara on the basis of visit & inspection dated 4/5/2012.

- 1) The influent received by TEPS is not meeting with the prescribed inlet norms for various parameters such as pH=2.90 (standard-5.5 to 9), NH_3 - N=180 mg/ltr. (standard-50 mg/ltr.) and phenols = 6.75 mg/ltr. (standard 5 mg./ltr.)
- 2) The CETP was not being operated properly as one out of the two secondary clarifiers was found non-operational, the launders of both the primary clarifiers and the operational secondary clarifier were found submerged and plastic/ backyard scrap material was observed floating in the equalization tank, the treatment unit subsequent to screens.
- 3) The CETP was grossly violating the effluent discharge norms prescribe by MPCB in the consent conditions for parameters TSS-369 mg/ltr. and 163 mg/ltr. in MIDC sump no.2 (limit 100 mg./ltr.), cod-1623 mg/ltr. and 1474 mg/l. in MIDC sump No.2 (limit 250 mg./ltr.), BOD-591 mg/ltr. and 579 mg./l in MIDC sump No.2 (limit 100 mg/l), NH_3 -N-156 mg./ltr. and 139 mg./ltr. in MIDC sump No.2 (limit 50 mg./lts.), TKN-161 mg./ltr. and 171 mg./ltr. in MIDC sump No.2 (limit 50 mg./ltr.), CN-1.21 mg./ltr. (limit 0.2 mg./ltr.), Sulphide-5.5 mg./ltr. (limit 5 mg./ltr.), Oil & Grease-51.8 mg./ltr. (limit 20 mg./ltr.) and phenols 5.65 mg./ltr. (limit -5 mg./ltr.)
- 4) To bypass open channels existing inside the CETP premises were carrying untreated effluent to the treated water disposal sump.
- 5) Sludge drying pits were inadequately maintained and sludge was dumped in haphazard manner.
- 6) A big chunk of land in the CETP premises and the land near the effluent receiving tank was found contaminated as a result of seepage of effluent from the drains outside the CETP premises.
- 7) The sump receiving treated effluent of CETP for transferring it to the MIDC sump was also found to be broken and the effluent was finding its way on open earthen surface.
- 8) The treated effluent sample collection point was not easily accessible due to overflow and spread of effluent in the area.
- 9) The exhaust of the DG set is not as per MIDC's consent conditions.
- 10) Significant fugitive emissions were observed during lime handling for chemical preparation.
- 11) The CETP was being operated without valid consent under the Water (P&CP) Act, 1974, the Air (P&CP) Act, 1981 and Authorisation under the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

AND WHEREAS, the MPCB has issued various directions dtd.06/5/2006, 25/01/2007/03/03/2012 and 4/4/2012 respectively, bring to your notice various non-compliances including under capacity of the CETP and to submit a concrete proposal for making improvement/upgradation in your CETP with enhancement of the

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3 :
capacity, so as to treat total generation & collection of effluent from Tarapur MIDC and to achieve the outlet parameters of the CETP, with further directions to not to accept the effluent of high COD streams from the industries beyond the consented limits and to discontinue receiving pre-treated effluent, not conforming to the standards prescribed by the Board and to furnish a bank guarantee of Rs.10 lakhs, ensuring the compliance of above conditions by the directions dtd.4/4/2012 issued by the Member-Secretary of the Board. You have submitted bank guarantee ensuring the compliance of the above conditions, but not complied with the above specific conditions.

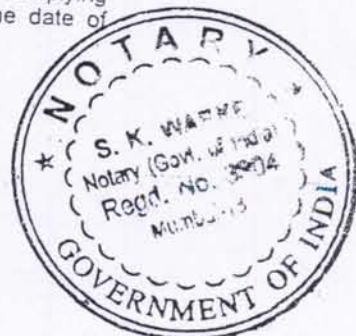
The following non-compliances are observed by the officials of the Board, as reported by the Regional Officer, MPCB, Thane vide letter dtd. 22/11/2012.

1. The TEPS-CETP is being operated under capacity with reference to total generation of more than 40 MLD effluent collected from the Tarapur MIDC, as against 25 MLD capacity of treatment & disposal. Though, the MPCB is pursuing the expansion of CETP with additional capacity since last more than 2 years, no concrete proposal with time bound program for implementation thereof has not been submitted.
2. The outlet parameters are exceeding as per the latest results of JVS collected on 1/11/2012, 17/11/2012, 21/11/2012 and 22/11/2012 respectively, as well as during the whole last year, on account of inadequate capacity of treatment as well as discharge of untreated effluent above 25 MLD capacity into the environment and thereby causing serious pollution thereof.

AND WHEREAS, after examining the record of your case, the reports of the officers of the Board and after making necessary inquiry, I am satisfied that the TEPS-CETP is one of the serious non-complied CETP being operated at under capacity and also not being operated properly. It is causing serious water pollution in the surrounding area and you are not at all serious about the pollution prevention aspect. You have blatantly violated the environmental norms and various directions issued by the Regulatory Authorities as well as Hon'ble Court from time to time. You are not controlling the excess discharge of effluent being generated from some of the Members of the CETP, who are stated to be using unauthorized water supply from borewells and tankers, as mentioned by you in your Notice of Motion, for which, the MPCB had already issued a detailed directions to the Chief Engineer, MIDC, Andheri, Mumbai by letter dtd.16/11/2009 to discontinue water supply from the tankers and borewells.

NOW THEREFORE, the following directions are issued against you.

- (a) You are hereby directed restrict the collection of effluent from the Member industries to the capacity of CETP treatment and disposal arrangement and not to grant any new permissions for the industries generating effluent till CETP capacity is extended to the generation of the effluent from the Tarapur Industrial Area.
- (b) You shall not grant any new membership to new industrial units nor allow existing Member units to increase the production capacity till the CETP is expanded to the capacity of generation of effluent from the Tarapur area.
- (c) You shall introduce a system / mechanism of assessing the effluent quality received from the member units and informing MPCB regularly for initiating action against the Member units, sending effluent non-complying with the inlet quality norms to CETP within 15 days from the date of receipt of these directions.



: 4 :

- (d) You shall ensure proper operation & maintenance of effluent collection and conveyance system through regular interaction with MIDC, so as to stop leakage/overflow and bypass of effluent.
- (e) You shall submit a concrete proposal for upgradation and expansion of existing CETP to match the generation and collection of effluent from Tarapur MIDC; so as to achieve the standards laid down under the provisions of the Environment (Protection) Act, 1986 and Rules made thereunder for inlet and outlet of CETP, within 15 days time duly supported by afresh bank guarantee of Rs.25 lakhs, which shall be valid for a period of one year in favour of the Regional Officer, MPCB, Thane. Your existing bank guarantee has been directed to be forfeited in view of the aabove serious non-compliances. You are already directed to furnish an irrevocable bank guarantee of Rs.2.5 lakhs for establishing and developing as well as maintaining the website of your facility being Common Waste Management in order to display the details of your facility in the public domain and to have more transparency about the information in respect your facility.

In case, you fail to comply with the above directions, the Board will have no option than to issue appropriate final directions including the closure, prohibition, regulation of your activity as well as the activities of the non-complied Members, as may deem fit in your case, which may please be noted.

(Rajeev Kumar Mittal)
Member Secretary

Copy submitted to: Hon'ble Chairman, Central Pollution Control Board (Ministry of Environment & Forests), Govt. of India, Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032 - for favour of information with reference to the directions issued by CPCB vide letter No.B-22013/PCI-SSI/CETP-Maharashtra/2012/26-28, dtd.25/09/2012.

Copy to:

- 1) Sr.Law Officer(P&L Divn.)/Joint Director (WPC), MPCB, Mumbai - for information and necessary follow up.
- 2) Regional Officer, MPCB, Thane / Sub-Regional Officer, MPCB, Tarapur - for information and necessary action and to take constant follow up in respect of above directions to secure the compliance thereof in a time bound manner.
- 3) The Executive Engineer, MIDC, Tarapur, Dist: Thane - for information and necessary action alongwith a copy of the directions issued to the Chief Engineer, MIDC, Andheri, Mumbai dtd.16/11/2009 - He is directed to ensure that the directions mentioned in the said letter dtd.16/11/2009 including stoppage of unauthorized use of water supply from the tankers and bore wells shall be scrupulously complied with, as directed by the Chairman, CPCB, New Delhi in her letter dtd.25/09/2012 (copy enclosed).

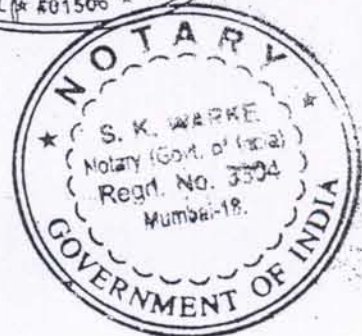
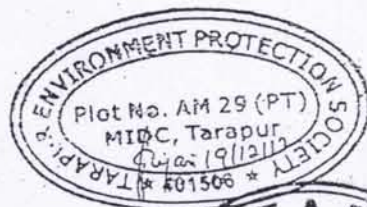


Exhibit - XVI

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
Fax: 24023516/24024068/24044531
Website: <http://mpcb.gov.in>
E-mail: enquiry@mpcb.gov.in

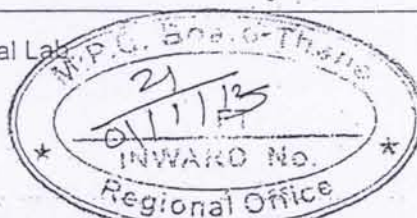


Kalpataru Point, 2nd, 3rd & 4th Floor,
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai- 400 022.

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.

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- 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 Mittal)
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.



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