



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

Nicholas H. Almeida

Petitioner

Versus

State of Maharashtra & Ors.

Respondents



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

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

I have carefully gone through the order passed by this Hon'ble Court dtd.13/12/2012.

Compliance of the Order dtd.13/12/2012:

- 1) Communication of the Order dtd.13/12/2012 and Review of performance of the industries and concerned CETPs in the MIDC area :-

(I) The order dtd.13/12/2012 has been specifically communicated to all the concerned Regional Officers in whose jurisdiction the Respondent-CETPs are situated by the circular through e.mail dtd.18/12/2012, asking them to bring all the requisite information in respect of the Respondent CETPs in their jurisdiction, more particularly, the year of the establishment with the initial designed capacity of CETP and the present inlet & outlet designed capacity of the CETP, with the consented quantity, the details of treatment and mode of disposal, consent status and compliance of consent conditions, compliance of various orders passed by this Hon'ble Court and various directions issued by the Respondent-Board. Similarly, the information on various issues pertaining to the CETPs, committee visits and recommendations with top ten highly polluting industries identified by the committee and them, as well as the comparative statement of the JVS results for the last 6 months alongwith actions initiated by them after 13/07/2012 details have been called.



(II) I say and submit that the Respondent-Board has taken a note of the directions of this Hon'ble Court to take review of the performance of the industries in the various CETP areas including the compliance of CETPs.

Therefore, it was decided to take review of all the CETPs in the State of Maharashtra, by calling upon the concerned Regional Officers of the Respondent-Board alongwith the above requisite information pertaining to the performance of the CETPs in their jurisdiction and to present it before the Member Secretary of the Board on

Action Plans about various CETPs, which are the Respondents in the present petition.



The Regional Officers, MPCB, Thane / Raigad / Kolhapur / Pune & Kalyan have attended the Joint Meeting on the subject matter at the Conference Room of the Board Office at Sion and presented their information on the performance of the CETPs and proposed actions to be initiated for improvement/upgradation/enhancement of the capacity, wherever applicable. It was decided to finalise the Action Plan for each CETP in consultation with all the Heads of the Departments of the Respondent Board.

Accordingly, initially the Action Plans for Mahad and Lote CETP have been finalized in the said meeting itself and it was decided to implement the Action Plan in a time bound manner as under :-

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

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

I say and submit that the Respondent-Board issued various directions from time to time to MMA CETP, Mahad in pursuance of various orders passed by this

secure the compliance thereof in a time bound manner.

The present status of the compliance of various conditions imposed by the Respondent-Board has been reported by the Regional Officer of the Respondent-Board at Raigad by his letter dtd.21/12/2012, which is reproduced as under :

Compliance of I.D No. B-1344 dtd. 05/03/2011, B- 2105 dtd 02/04/2012 & B-2905 dtd 05/05/2012



Sr. No.	Conditions Imposed	Compliance
1	To provide pH & TOC meter	Provided pH & TOC meter at Outlet
2	Upgrade & improve performance of CETP	CETP has upgraded & improved performance of CETP by 1) Maintaining the leakages of internal Chambers. 2) Removed the sludge about 10,000 MT from both sumps of CETP. 3) Provided additional floating aerators of 270 H.P 4) Maintenance work of collection tank, aeration tank, clarifier. 5) Maintenance & cleaning of carbon & sand Filters.
3	Forfeit 50% Bank Guarantee	50% out of 25 Lac Bank Guarantee forfeited. But CETP has not submitted the forfeited and new matching BG
4	To provide lock & key system to highly polluting industries	Mostly all polluting industries provide lock & key system.

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

Sr. No.	Conditions Imposed	Compliance
1	Effluent received from member industries meet with the inlet norms of CETP	Effluent received from member industries meet with the inlet norms of CETP.
2	CETP shall discontinue receiving high COD effluent from member units	Presently mostly all units achieve CETP inlet norms
3	MIDC & CETP shall provide storing effluent sump	Proposal is under consideration through MIDC
4	If CETP not functioning properly, CETP shall request to stop receiving effluent from member units	Presently CETP functioning properly.

5	Separate electric meter shall provide to ETP's by individual industries.	Separate electric meter provided by mostly all industries.
6	Out of 9 Industries to whom closure direction issued M/s. Shree Hari Chemicals shall not permitted to restart manufacturing activity without obtaining prior permission from of this court	M/s. Shree Hari Chemical is closed since 8 month.
7	Out of 8 Industries to whom closure direction issued, MIDC & MPCB will not permitted them if they are in position to control pollution level & also CETP shall able to treat within permissible norms	Mostly all industries achieve CETP inlet norms & CETP also achieve consented norms by improving their operation & maintenance.
8	MPCB shall submit functioning report of CETP by daily monitoring	The report is submitted to High Court & CETP mostly achieve consented norms



I say and submit that in compliance of various orders passed by this Hon'ble Court, MMA CETP has installed online pH & Online TOC Analyser. Besides that 10 large & medium scale highly polluting industries have also provided online pH & Online TOC Analyser with lock & key arrangements to their pollution control devices.

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

Statement showing the results on monitoring of the performance of CETP in comparison with the important

Inlet:-

Parameter	pH	B.O.D.	C.O.D.	SS
Standards	5.5 – 9.0	Not to exceed 700 mg/l	Not to exceed 1750 mg/l	Not to exceed 500 mg/l
Jan-12	7.77	525	1296	140
Feb-12	7.95	650	1200	284
Mar-12	7.22	265	672	172
Apr-12	7.36	378.78	1402.4	288.61
May-12	7.79	402.5	984	172
June-12	6.47	575	1109	180
Jul-12	6.84	109.14	276	99.14
Aug-12	6.98	141.5	360	96
Sept-12	7.36	320	728	128
Oct-12	7.17	205	520	166
Nov-12	4.52	255	536	130
Dec-12	8.12	290	688	144
AVG	7.13	343	814.28	166.65

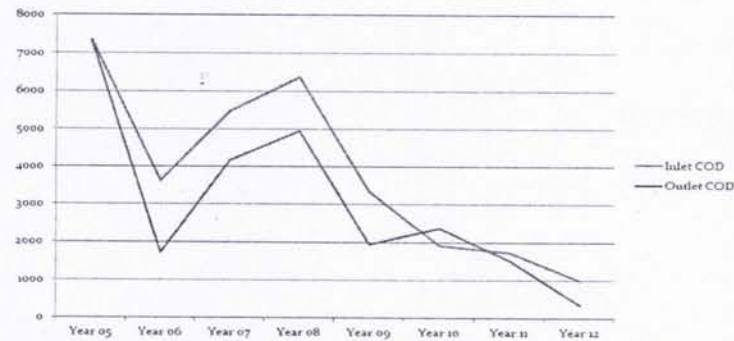
Outlet:

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	7.92	240	560	175
Feb-12	7.01	390	784	184
Mar-12	7.22	265	672	172
Apr-12	6.76	88.40	276.09	111.09
May-12	6.69	102	236	98
June-12	7.43	77.17	221.33	87.33
Jul-12	7.27	72	190	101
Aug-12	7.39	96.50	240	85
Sept-12	6.14	76	192	170
Oct-12	7.38	125	304	288
Nov-12	7.56	132	288	158
Dec-12	7.17	127	318	130
AVG	7.16	149.26	356.79	146.62

I say and submit that the Respondent Board is monitoring the performance of MMA CETP since beginning. A statement showing the results of JVS for the period 2005 to 2012 alongwith the graph of inlet & outlet COD of MMA CETP Mahad is reproduced



Date	Inlet COD	Outlet COD
<u>Year, 05</u>	<u>7360</u>	<u>7320</u>
<u>Year, 06</u>	<u>3629</u>	<u>1725</u>
<u>Year, 07</u>	<u>5471</u>	<u>4164</u>
<u>Year, 08</u>	<u>6378</u>	<u>4952</u>
<u>Year, 09</u>	<u>3337</u>	<u>1952</u>
<u>Year,10</u>	<u>1917</u>	<u>2372</u>
<u>Year, 11</u>	<u>1734</u>	<u>1523</u>
<u>Year, 12</u>	<u>814</u>	<u>356</u>



After going through the results on monitoring for last 8 years, it can be seen that the inlet & outlet COD was much, much on higher side initially in the year, 2005 at the maximum range of 7,360 mg./ltr. for inlet and in the maximum range of 7,320 mg/ltr. for outlet, with continuous follow up and because of various orders passed by this Hon'ble Court being implemented strictly, after 2011, the inlet COD has been brought to the **814 mg/ltr.**, which is within the designed capacity of the CEPT & outlet COD has been brought to 356 mg/ltr. of the outlet standards for which, the standards prescribed in the consent/EPA

considerable improvement in the performance of the MMA CETP on account of continuous monitoring done by the Respondent-Board, to secure the compliance of various directions issued by the Respondent-Board from time to time.

I say and submit that prior to issuance of necessary directions in 2012, though, the CETP was having primary, secondary and tertiary treatment facilities, the operation & maintenance of CETP was not proper, some of the highly polluting industries, which were identified by the Respondent-Board were discharging high COD stream, which was affecting the operation & maintenance of CEPT and therefore, the CETP was not meeting the standards prescribed under Environment (Protection) Act, 1986. After taking stringent actions against highly polluting units by imposing above stringent conditions and securing the compliance thereof, the performance has considerably improved as can be seen from the results on analysis for the last one year. However, there has been further scope for improvement in operation & maintenance tertiary treatment facility, for which, the Respondent-Board has already forfeited the bank guarantee of Rs.12.5 lakhs and directed the MMA CETP to furnish afresh bank guarantee of Rs.12.5 lakhs for improvement and proper operation & maintenance CETP units and Rs.2.5 lakhs for



the important information in respect of the CETP operations.

(iii) **Actions initiated after 13/12/2012** :- I say and submit that the Respondent-Board is continuously monitoring the performance of highly polluting industries responsible for the functioning of the CETP. Recently, two industries namely M/s.Sudarshan Chemicals with reference to the disposal of the sub-standard effluent to CETP and M/s.Astech Life Sciences Ltd. has been identified as defaulting industry for the discharge of untreated effluent outside the factory premises. I say and submit that after issuance of the proposed directions to M/s.Sudarshan Chemicals Ltd. vide letter dtd.4/10/2012, calling their reply / objections, it was decided to forfeit the bank guarantee of Rs.2.5 Lakhs out of Rs.5 Lakhs bank guarantee submitted by the said unit, ensuring the compliance of the proposed directions issued by the Board. I further say and submit the Respondent Board has forfeited the bank guarantee of M/s.Astech Life Sciences Ltd. amounting to Rs.5 lakhs by issuance of interim directions dtd.4/12/2012.



(iv) **Future Actions / In progress for improvement of MMA, Mahad CETP** :-

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

1. The Respondent Board has already directed MMA

by providing it within 30 days time duly supported by the bank guarantee of Rs. 2.5 Lakhs.

2. To operate and maintain tertiary treatment units properly and periodically cleaning shall be carried out, so as to improve functional efficiency of the CETP
3. To conduct treatability study for all units of CETP through a suitable Agency for improvement of scientific operation and maintenance of CETP.

I say and submit that the Regional Officer of the Respondent Board at Raigad is in process of issuance of directions to MMA CETP at Mahad in terms of the above points of compliance to ensure the compliance in a time bound manner.



(v) **MIDC issues in respect of MMA CETP Mahad :-**

During the joint meeting of CEO, MIDC with the Member Secretary, MPCB and other officials of MIDC and MPCB, the various issues in respect of MMA CETP were discussed and decisions taken in respect of increase in the length of disposal pipeline upto NIO's designated point at Ambet as per the assurance given in the Assembly and as decided in the Meeting of the Ministers :- It was decided that Executive Engineer, MIDC, Mahad (Civil) will arrange meeting with NIO and MPCB to decide further line of action and to review the necessity of the extension of pipeline upto Ambet.

(b) **Lote Parshuram CETP :-** The Regional Officer of the Respondent-Board at Kolhapur presented the details in

during last 9 months in compliance of the directions issued by the Respondent-Board on 4/4/2012 as under

(i) Compliance of directions dtd.4/4/2012 issued by the Respondent-Board.

Sr no	Directions	Compliance
a.	It shall not accept the effluent of high COD streams from the industries beyond consented limit or otherwise permitted for time being. It shall strictly observe lock and key provision to ensure that the CETP is not getting overload resulting into non performance or sub-standard performance. You shall also not collect the penal charges from industries discharging high COD beyond tolerance limit of CETP discharge. It shall install online flow meter, pH meter & TOC analyzer at the inlet and outlet with data logger and real time display.	CETP has provided lock & Key arrangement to outlet chamber. They have not accepted high COD effluent. Online flow meter, pH meter, TOC analyzer to inlet & outlet shall be provided at the time of up gradation. However, the Regional Officer, MPCB, Kolhapur directed the CETP Authorities by letter dtd.24/12/2012 to provide online flow meter, pH meter & TOC Analyser for inlet & outlet by March, 2013, for which, the CETP has been directed to furnish a bank guarantee of Rs.3 lakhs, which shall be valid for a period of one year, to be submitted with 15 days.
b.	It shall submit a concrete proposal for making improvement/up gradation in your CETP with enhancement of capacity if any, so as to achieve the outlet parameters of CETP along with bar chart within 15 days from the date of receipt of these directions.	CETP has replaced 200 no's diffusers to increase the effectiveness of bioreactor. Sludge from primary effluent collection tank was removed & disposed to CHWTSDF. The proposal for upgradation & modification of CETP has been sent to the Ministry of Environment & Forests, Govt. of India through the Respondent-Board for further financial approval. This needs to be expedited.
c.	It shall discontinue receiving pre-treated effluents from the concerned individual industrial unit after giving prior notice to stop all manufacturing activities, when the CETP finds that the effluents being sent by an individual industrial unit into	They have stopped to accept high COD effluent.



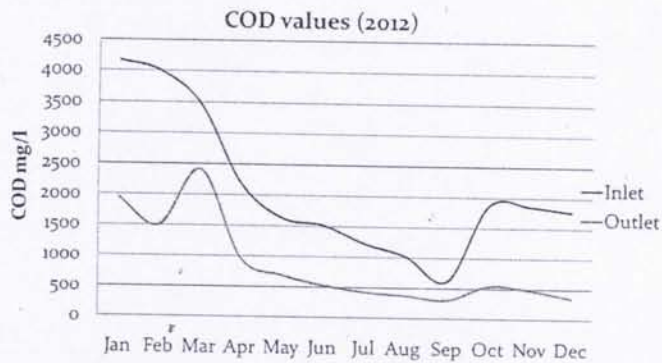
	the CETP outlet norms because of an individual industrial unit into the CETP inlet are carrying such high pollution load.	
d.	It shall call upon your members to stop manufacturing activities, whenever CETP is not functioning for any reason whatsoever.	CETP called meeting of all member industries to stop receiving of the effluent when ever there is a malfunctioning of bioreactors or maintenance activity carried out in CETP.
f.	It shall ensure that you and 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 form the individual industry for the purpose of treatment in the CETP.	As per the guideline given by MIDC individual units have increase there treated effluent storage capacity up to one day.
h	It shall furnish an irrevocable bank guarantee of Rs. 05 lakhs ensuring the compliance of the above directions/consent conditions, which shall be valid for period of one year, to be submitted wihtin 15 days time to the respectibe Regional Officer, MPCB. The Respondent-Board further directed the CETP Authorites to furnish an irrevocable bank guarantee of Rs.2.5 lakhs ensuring the establishment, operation & maintenance of the website in the public domain within 30 days time vide letter dtd.15/12/2012.	CETP has been submitted Bank Guarantee Rs. 5 Lakh valid up to 30/06/2013. The proposal is yet to be received.



ii) **Monitoring of the performance of CETP at Lote during last 6 months -**

I say and submit that the Respondent Board is continuously monitoring the performance of the Lote CETP since March, 2012, with taking rigorous follow up to secure the compliance of various orders passed by this Hon'ble Court and mandatory directions issued by the Respondent-Board. A statement showing the results of monitoring of CETP for the last 9

After going through the results for the above period, it can be concluded that the inlet COD of the CETP has been drastically improved from 4480 mg./ltr. to 1800 mg./ltr., which is within the designed capacity of Lote CETP for 2000 mg./ltr. for inlet. The outlet COD after treatment has been improved from 2272 mg./ltr. to 352 mg./ltr., thereby the COD improvement can be seen to a considerable extent, though it is exceeding the EPA Standards for outlet COD. A graphical picture is reproduced below for kind perusal.



iii) Actions initiated by the Respondent-Board against the grossly Polluting industries in the MIDC Lote :-

I say and submit that the Respondent-Board has initiated a number of recurring actions against the defaulting units, which are responsible for disturbing the functioning of CETP. A statement showing the details of actions initiated by the Respondent-Board during last 9 months is enclosed and marked as an Exhibit-'II'

iv) Future Actions / In progress for improvement of Lote CETP :-

I say and submit that the following actions are proposed against the CETP Lote and the highly polluting industries in the CETP

some of the defaulting highly polluting units responsible for the exceeding parameters of outlet COD :-

1. Evaluation of the performance for the individual CETP units by the independent expert agency in a time bound manner to be conducted by the CETP Authorities, duly supported by bank guarantee of Rs.50,000/- valid for a period of one year, ensuring the said compliance.
2. To provide tertiary treatment by CETP, so as to achieve the outlet standards prescribed under EPA by submitting a concrete proposal with bar chart and to implement the upgradation by March, 2013, duly supported by the bank guarantee of Rs.5 Lakhs valid for a period of one year, ensuring the compliance of the said conditions.
3. The Respondent-Board is already directed to establish, operate and maintain website by providing it within 30 days time duly supported by the bank guarantee of Rs.2.5 lakhs.
4. To provide online TOC analyzer, pH meter, flow meter to highly polluting industries by March, 2013, necessary directions will be issued to the concerned industries,
5. To provide online flow meter, pH meter & TOC Analyser for inlet & outlet by March, 2013, for which, the CETP has been directed to furnish a bank guarantee of Rs.3 lakhs, which shall be valid for a period of one year, to be submitted with 15 days.
6. To upgrade CETP by way of necessary modification after financial approval of the MoEF, GoI, within a time bound manner.



CETP in terms of the above points of compliance to ensure the compliance in a time bound manner vide letter dtd.24/12/2012. A copy of the said specific directions is enclosed herewith and marked as an Exhibit-'III'

v) MIDC issues in respect of Lote Parshuram CETP :-

During the joint meeting of CEO, MIDC with the Member Secretary, MPCB and other officials of MIDC and MPCB, the following issues in respect of Lote Parshuram were discussed and decisions taken in respct of those issues are as under.

- a. Extension of existing disposal pipeline :- Taking into consideration the feasibility of additional Lote Industrial area, as recommended by NIO, it was decided that the feasibility of conveying the effluent likely to be generated in proposed additional Lote Industrial area in the existing HDP disposal line of 600 mm dia will be taken into consideration and then, decision will be taken.
- b. Overflow Problems of Chambers :- It was decided to jointly inspect the various places of overflow of chambers by MPCB and MIDC Local Officers and to take decision in respect of providing mechanical screen to the inlet chambers to avoid chocking of the chambers by the MIDC.
- c. Upgradation of existing CETP :- It was decided that MPCB & MIDC will jointly take follow up with MoEF, Gol, where the upgradation proposal is pending.



III) **Directions issued to all the CETPs with regard to the establishment of the website** :- In order to bring more transparency and create more awareness about the Common Waste Management Facility, all the CETPs in the State of Maharashtra have been directed to establish appropriate websites, giving the details in respect of their establishment, various statutory permissions obtained by them, the information in respect of the Members of the CETP (Green, Orange & Red Category with the scale of the industry), the inlet & outlet designed capacity of the CETP with the parameters standards for inlet & outlet prescribed in the consent order, the point & mode of disposal, consent status, proposals for improvement, expansion/modernization of CETP units and the results on monitoring done by the Respondent-Board. They have been directed to establish their website/s within 30 days from the date of the receipt of the directions, for which bank guarantee of Rs.2.5 lakhs was also directed to be submitted to ensure the compliance about establishment, and operate & maintain of the website. A sample copy of the directions issued vide letter dtd.15/12/2012 along with a list of CETPs is enclosed herewith and marked as an **Exhibit-IV** collectively. This is done in order to bring more information in respect of the CETP to the public domain and to find out whether direct link can be given to the MPCB website in respect of all the CETPs in the State of Maharashtra.



IV) **Assessment of CETPs at Tarapur and Badlapur through NEERI** :- The Respondent-Board has accepted

order dtd.30/3/2012, to consider periodic assessment of the performance of the CETPs in the State of Maharashtra, to assess the adequacy of thereof and for undertaking further improvement/ upgradation/expansion of their capacities and so as to suggest some remedial measures including the performance of the CETPs to be evaluated or audited in terms of efficient functioning. Initially, the Respondent-Board has assigned the NEERI the job of assessment of the adequacy of the performance of the CETPs at Badlapur and Tarapur. The Board will thereafter take decision in respect of the evaluation of the functioning of other CETPs through third party, so as to bring more efficiency and transparency in monitoring the performance of the CETPs.



N/A. Chaphekar
(Netra Chaphekar)
I/c 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 I to IV are true and correct to the best of my knowledge and belief. I say that the contents of the above reply from paragraph I to IV 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 27 th day of December, 2012.

Deponent,

Solemnly affirmed at Mumbai }
 On this 27 day of December, 2012 }
 (Yeshwant B. Sontakke)
 Joint Director (Water Pollution Control)

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

BEFORE ME

K. K. Warke
27/12/2012
S. K. WARKE
 ADVOCATE & NOTARY
 5/4, Himalaya, Opp. Podar Hospital,
 Next to Sadanand Restaurant,
 Wotij, Mumbai - 400 013



Sampling Date	Location	Consent		Treated effluent		21/11/2012		22/11/2012		3/12/2012		11/12/2012	
		Limit	Inlet	Outlet	Inlet	Outlet	Inlet	Outlet	Inlet	Outlet	Inlet	Outlet	
	pH	6.5 To 9	8.04	6.87	7.47	8.04	7.89	6.72	8.61	7.04	7.36	7.56	6.23
	C.O.D.	100	490	185	310	1325	690	185	775	136	670	1408	304
	Suspended Solids	250	1888	472	712	2880	1696	440	1764	352	1408	304	144
	Oil & Grease	20	NA	NA	NA	--	260	150	240	130	180	124	124
	Sulphate	1000	NA	NA	NA	NA	NA	NA	NA	NA	6.6	NA	NA
	Chloride	600	NA	NA	NA	NA	3000	3200	2011	--	--	--	--
	Cadmium	2100	NA	NA	NA	NA	BDL	BDL	0.008	0.019	0.018	BDL	BDL
	Nickel	5	NA	NA	NA	NA	NA	NA	--	NA	NA	NA	NA
	T.A.N	50.0	NA	NA	NA	NA	198	BDL	0.078	0.146	0.11	0.05	0.05
	Fluoride	-	NA	NA	NA	NA	NA	NA	--	NA	--	NA	NA
	Zinc	-	NA	NA	NA	NA	NA	NA	--	NA	--	NA	NA
	Copper	-	NA	NA	NA	NA	0.182	0.119	0.144	0.129	0.121	0.128	0.128
	T.D.S	2100	8186	3006	2962	8186	8704	3030	12.3	5.7	8.82	4.18	4.18
	T.K.N	-	NA	NA	NA	NA	NA	NA	9440	3860	2766	2766	2766
	Chromium+6	-	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	Chromium	-	NA	NA	NA	NA	BDL	0.180	1.240	1.080	0.488	0.254	0.254
	Iron	-	NA	NA	NA	NA	0.26	0.14	0.72	0.47	1.62	1.08	1.08

Note:- All results are expressed in ppm except pH.
1. NA:- Not analyzed
2. BDL:- Below Detectable Limit.

A Statement showing the names of large scale industries (LSI) and medium scale industries (MSI) with generation & discharge of effluent to CETPs and actions initiated by the Board against the defaulting units.

Exhibit - II

Sr. No	Name of the Industry	Categ ory of industr ies of effluent (LSI/M SI)	Generation & discharge of effluent M3/day into CETP.	Action initiated by the Board against defaulting unit.	Present status
1.	M/s. Gharada Chemicals Ltd, D-1/2, MIDC Lote, Tal: Khed, Dist: Ratnagiri.	LSI	934 M3/day	Closure directions were issued on 28/3/2012, however, on account of further corrective measures and personal hearing extended to it, restart directions issued on 4/4/2012 subject to the certain terms & conditions, directing the unit to operate & maintain pollution control devices to achieve inlet parameters being disposed off into the CEPT. To connect online pH Monitoring System and Flow Meter reading to the their Website to the information of the public at large by 30/5/2012 and to connect online Boiler Stack Monitoring System to the website for the information of the public, which the same is made operational. To install AAQM Station and online Air Monitoring system by 30/5/2012.	Online pH meter & Flow meter installed. Online SO2 analyzer installed for AAQM. Online stack monitoring installed. JVS results are within limit.
2.	M/s. Dow-Agro Science Pvt.Ltd., A-1, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	LSI	760 M3/day	Interim direction issued on dt. 01.09.2012. Instructed industry to provide Bioassay test system with 03 months, Online TOC meter, BG of 1.0 lakh to be submitted, Take measures to reduce limits of TDS, Chlorides & Sulphates.	Industry place order for online TOC meter, BG of 1.0 lakh submitted, Online Bioassay test work under progress.
3.	M/s. A.B. Mauri India Pvt.Ltd., B-7/2A, MIDC Lote, Tal: Khed, Dist: Ratnagiri.	LSI	350 M3/day	The Board has issued directions on 27/6/2012 and 24/12/2012 directing them to dispose of the RO rejects for composting and mulipal effect evaporator and the bank guarantee of Rs.2 Lakh forfeited. Fresh BG Rs.10.0 Lakh taken.	RO reject stored in premises, platform for composting as per GREP norm work completed. RO Industry started composting. RO reject 40.0m3/d is utilize for composting purpose. Equipment for multiple effect evaporator received at site construction work is under progress.

4.	M/s.Riverside Industries Ltd.M Plot No.B-6, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	MSI	172	M3/day	Interim direction issued on dt.31.08.2012. Industry shall install ACF & PSF within 15 days. BG of 50000/- shall be submitted.	within prescribed norms.
5.	M/s.S.I. Group India Ltd Khed, Dist: Ratnagiri.	LSI	163	M3/day	Interim direction issued on dt.02.12.2011. As per segregation of concentrated stream shall be completed before 31.03.2012. Industry has upgraded ETP & segregated stream. JVS result last three month within prescribed norms.	Complied.
6.	M/s.Excel Industries Ltd, Plot No.B-6, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	LSI	148	M3/day	Regional Officer-Kolhapur has issued show cause notice vide letter dt.13/4/2012 on account of having exceedance less than 25% in respect of results of samples collected by him. The unit is under observation.	JVS results are within prescribed norms.
7.	M/s.Shreyas Intermediates Ltd.	LSI	145	M3/day	Interim directions issued on 27/6/2012 for stabilization of ETP to be completed before 31/7/2012 and bank guarantee of Rs.50,000/- has been forfeited. Direction issued on dated 24/12/2012 for installation of TOC analyzer.	Upgradation work completed. Online pH meter installed. Samples are collected on dt.17.08.2012.& 27.10.12 exceeds prescribed norms. LES collected & Proposal submitted to HQ. Letter issued for forfeiture of BG of Rs. 50000/- and letter issued for submission of fresh BG of Rs. 2 Lacs.
8.	M/s.Shree Pushkar Petro Products Ltd, B-102, 103, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	LSI	68	M3/day	Now, the unit has provided secondary effluent treatment plant including pressure sand filter and activated carbon filter. Hence, conditional directions issued on 27/6/2012 for stabilization of ETP to be completed before 31/7/2012, to provide online pH meter at the outlet of ETP on or before 31/07/2012 and bank guarantee of Rs.1.50 Lakhs has been forfeited. Direction issued on dated 24/12/2012 for installation of TOC analyzer.	Upgradation work completed. After upgrade samples are collected on dt.17.08.2012 & 27.10.12. result exceeds prescribed norms. Letter issued for forfeiture of BG of Rs. 1.5 Lac.
9.	M/s.Ratnagiri Chemicals Pvt.Ltd, Plot No.C-39, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	MSI	5.0	m3/day	Interim directions are issued by the Regional Officer, MPCB, Kolhapur dt.16/6/2012, directing them to complete upgrade of ETP within one month period and not to discharge substandard effluent to CETP.	Upgradation work completed. Presently unit is not in operation.

10.	M/s. Panjab Chemicals & Crop. Product Ltd., Plot No. D-2, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	MSI	2.20 M3/day	Interim directions are issued by the Regional Officer, MPCB, Kolhapur dtd. 16/6/2012, directing them to achieve zero discharge by the end of 30 th June, 2012.	Upgradation work is completed. After upgradation JVS results are within prescribed norms.
11.	M/s. Dongreen Chemicals, B-23, MIDC Lote, Tal: Khed, Dist: Ratnagiri.	MSI	5.00 M3/day	Directions are issued by the Regional Officer, MPCB, Kolhapur vide letter dtd. 28/03/2012, directing the unit to upgrade ETP, so as to ensure complying with inlet parameters of CETP within 3 months i.e. upto 15/6/2012 by submitting concrete proposal, to submit Bank Guarantee of Rs. 50,000/- ensuring compliance of directions.	BG of 50000/- is submitted. Unit is not in operation from April-2012.
12.	M/s. Aimco Pesticide Plot No. B 1/1, MIDC Lote, Tal- Khed, Dist- Ratnagiri.	MSI	30 M3/day	Interim Directions issued on 24.12.2012 and directed to industry to complete upgradation of ETP within Befor Feb-2013.	Industry has started upgradation work. Bioreactor upgradation work completed and ETP under stabilization.



A Statement showing the names of small scale industries (SSI) with generation & discharge of effluent to CETPs and actions initiated by the Board against the defaulting units.

Sr. No.	Name of the Industry	Generation & discharge of effluent M ³ /day into CETP.	Action initiated by the Board against defaulting unit.	Present status	Upgradation work completed. BG submitted. After upgradation JVS results are within prescribed norms.	Upgradation work completed. After JVS results are within prescribed norms.	After upgradation JVS results are within prescribed norms.	Industry has started upgradation work.
1.	M/s. Swastik Industries, A-5/1, MIDC Lote, Tal: Khed, Dist: Ratnagiri	5.50 M ³ /day	Interim directions are issued on 28/3/2012 by the Regional Officer, MPCB, Kolhapur, directing the unit to upgrade the ETP within 3 months time i.e. upto 15/6/2012, to segregate concentrated stream in separate collection tank by 31/05/2012 and to treat concentrated stream in upgraded ETP by 15/6/2012, with Bank Guarantee of Rs.50,000/- ensuring the compliance of the directions.		Upgradation work completed. BG submitted. After upgradation JVS results are within prescribed norms.	Upgradation work completed. After JVS results are within prescribed norms.	After upgradation JVS results are within prescribed norms.	Industry has started upgradation work.
2	M/s. Harishree Aromatics and Chemicals, B-22, MIDC Lote, Tal: Khed, Dist: Ratnagiri.	4.0 M ³ /day	Interim directions are issued on 28/3/2012 by the Regional Officer, MPCB, Kolhapur, directing the unit to upgrade the ETP within 3 months time i.e. upto 15/6/2012, not to use the waste aqueous solution from pesticide industry as a raw material and provide sufficient capacity of scrubber by 31/5/2012 with Bank Guarantee of Rs.50,000/- ensuring the compliance of the directions.		Upgradation work completed. After JVS results are within prescribed norms.	After upgradation JVS results are within prescribed norms.	Industry has started upgradation work.	
3.	M/s. Bahar Agrochem, E-24, MIDC Lote Parshuram, Tal: Khed, Dist: Ratnagiri.	15.0 M ³ /day	Regional Officer, MPCB, Kolhapur has issued interim directions vide letter dtd. 16/6/2012, directing the unit to segregate strong & weak stream before end of June, 2012 etc and to upgrde the ETP.		After upgradation JVS results are within prescribed norms.	Industry has started upgradation work.		
4	M/s. Ganesh Chemicals P. No. B-80,81, MIDC Lote Parshuram, Tal: Khed, Dist- Ratnagiri.	3.2 M ³ /day	Interim Directions issued on 24.12.12 and directed to industry to complete upgradation of ETP Befor Feb-2013.		After upgradation JVS results are within prescribed norms.	Industry has started upgradation work.		

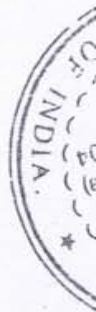


Exhibit -IV

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

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

E-mail: enquiry@mpcb.gov.in



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

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai- 400 022.

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

NO.MPCB/JD(WPC)/B- 7396

Date: 15/12/12

To
Common Effluent Treatment Plant,
Plot No. AM 8, MIDC Akkalkot Road,
Solapur, Dist - Solapur

Sub : 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.

- Ref :
1. Orders passed by Hon'ble High Court of Judicature at Mumbai in the Public Interest Litigation No.17/2011 from time to time.
 2. Directions issued by the Incharge Joint Director(WPC), MPCB dtd.03/03/2012 onwards.



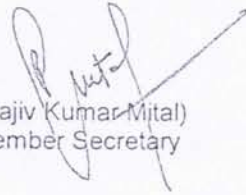
We refer to the orders passed by the Hon'ble High Court of Judicature at Mumbai in the Public Interest Litigation No.17/2011 filed by Nicholas Almedia v/s State of Maharashtra and Ors. from time to time, as well as the Guidelines issued by the CPCB from time to time, followed by the directions issued by the Incharge Joint Director(WPC), MPCB dtd.03/03/2012 & from time to time, with regard to the making available the important information in respect of various CETPs on their website for the information of all the concerned including the Regulatory Authorities.

Being one of the Common Waste Management Authority, it becomes necessary on your part to have a proper website, giving details of the establishment of your society, various permissions obtained from the Statutory Authorities, the information in respect of the Members of CETP with the categorization of the industries (Green, Orange & Red) as well as SSI, MSI & LSI, the inlet & outlet designed capacity of CETP with reference to various parameters, the details of CETP units, disposal arrangement, the point of discharge duly authorized by the Competent Authority like NIO, first Consent to Establish and renewal granted from time to time with a copy of last Consent to Operate, proposals for improvement / expansion / modification of the ETP and disposal arrangements and standards laid down under the provisions of the Environment (Protection) Rules, 1986 with the monitoring results.

You are, therefore, directed to establish appropriate website, giving all the details, so as to bring more information in respect of your common facility to the notice of all concerned within 30 days time and to communicate the website details to the MPCB, so as to establish proper link of your website on the website of the MPCB. You shall furnish an irrevocable bank guarantee of Rs.2.5 Lakhs, ensuring the compliance of these directions within stipulated time, which shall be valid for a period

: 2 :

of one year to be submitted within 7 days time from the date of receipt of these directions. You are also directed to send your official e.mail/s for further correspondence, in future.


(Rajiv Kumar Mital)
Member Secretary

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

Copy to: Sr.Law Officer(P&L Divn.)/Asstt.Secretary(Tech.)/Chief Accounts Officer/
Joint Director(AIR)/ Principal Scientific Officer/Joint Director(WPC)/Joint
Director(PAMS)/Regional Officer(HQ), MPCB, Mumbai – for information and
necessary follow up action.



A statement showing list of CETPs to whom directions issued by the Respondent Board vide letters dtd. 15.12.2012

Sr. No.	Name of the CETP	No. of Direction	Date
1	PRIA CETP (I)Ltd Plot No.P-58, MIDC Patalganga Dist.Raigad	BO/P&L Div/B-7375	15/12/2012
2	RIA CETP Co-op Society Ltd Plot No. 9/11 MIDC Dhatav, Tal-Roha, Dist. Raigad	BO/P&L Div/B-7376	15/12/2012
3	MMA-CETP Co-op Society Ltd Plot No.P-43,MIDC Mahad, Dist. Raigad	BO/P&L Div/B-7377	15/12/2012
4	Taloja CETP Co-op Society, P-24,MIDC Taloja, Navi Mumbai.	BO/P&L Div/B-7378	15/12/2012
5	Thane-Belapur Assoc Plot No.P-60,MIDC Khairane, Thane Belapur Road, Navi Mumbai.	BO/P&L Div/B-7379	15/12/2012
6	Tarapur Industrial Manufacturing Assoc (TIMA) Recreation Centre MIDC Tarapur Industrial Area, Thane-401506	BO/P&L Div/B-7380	15/12/2012
7	Tarapur Environment Protection Socety CETP, Plot No.AM-29(pt), MIDC Tarapur.Boisar, Dist.Thane.	BO/P&L Div/B-7381	15/12/2012
8	Badlapur CETP Association Plot No.OS-4,MIDC Badlapur Dist Thane.	BO/P&L Div/B-7382	15/12/2012
9	Additional Ambernath CETP P-42 ,Aama Welfare Centre Anand Nagar, Addl Ambernath MIDC Ambernath,Dist. Thane.	BO/P&L Div/B-7383	15/12/2012
10	ACMA -CETP Co-op Soc.Ltd W-30,MIDC Ambernath, Chemical Zone, Dist - Thane.	BO/P&L Div/B-7385	15/12/2012
11	Dombivli Better Environment Plot No.OS-8 ,MIDC Phase-I, Opp. Telephone Exchange, Dombivli (E)	BO/P&L Div/B-7384	15/12/2012
12	Chikhholi -Morivali Effluent Treatment P-17,MIDC Morivali, Ambernath, Dist Thane.	BO/P&L Div/B-7386	15/12/2012
13	Dombivli CETP (Chemical) (Phase-II), R-4/2,MIDC Phase-II, Opp.W-4 shed, Dombivli (E)	BO/P&L Div/B-7387	15/12/2012
14	Lote Pershuram Environment Protection Co-op Society, P-10,MIDC Lote,Khed, Ratnagiri.	BO/P&L Div/B-7388	15/12/2012
15	L.K.Akiwate Industrial Co-op Estate Ltd, Jaysingpur	BO/P&L Div/B-7373	15/12/2012
16	Kurkumbh Environment Protection Co Society AM-4, MIDC Kurkumbh Pune	BO/P&L Div/B-7374	15/12/2012



: 2 :

20	Kagal Hatkangale CETP Five Star MIDC, Tal. Hatkangale, Dist. Kolhapur	BO/P&L Div/B- 7391	15/12/2012
21	SMS Waluj CETP Pvt Ltd Plot No.P-82,MIDC Waluj, Dist Aurangabad	BO/P&L Div/B- 7392	15/12/2012
22	Ichalkaranji Textile Development Cluster Ltd,	BO/P&L Div/B- 7393	15/12/2012
23	Krishna Vally Envirotech (P) Ltd, Plot No.61,Sangli Miraj Incl Area,Dist Sangli	BO/P&L Div/B- 7394	15/12/2012
24	Hydro Air Tectonics (PCD) Plot No.7,Talegaon Industrial Area,Tal.Maval,Dist. Pune	BO/P&L Div/B- 7395	15/12/2012
25	Common Effluent Treatment Plant, Plot No. AM 8, MIDC Akkalkot Road, Solapur, Dist - Solapur.	BO/P&L Div/B- 7396	15/12/2012



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 ORDERS DTD.13.12. 2012
PASSEED BY THIS HON'BLE COURT

Dated this Day of December, 2012