

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 125 of 2018  
(M.A. No. 334 of 2018)  
(Earlier O.A. No.163/2017 (WZ))**

**IN THE MATTER OF:**

**Arvind Pundalik Mhatre  
Vs.  
Ministry of Environment, Forest and Climate Change & Ors.**

**CORAM : HON'BLE DR. JUSTICE JAWAD RAHIM, ACTING CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present:**     **Applicant :**                     **Mr. Lalit Mohan, Mr. Chetan R. Nagare and Mr. S.E. Avadh, Advs.**  
                  **Respondents :**                     **Mr. Divya Prakash Pande, Adv.  
  Mr. Saurabh Kuklarni, Adv. and Mr. Prashant Bhat, Adv.  
  Mr. Prakash Kumar Singh, and Mr. Bhupendra, Advs.  
  Mr. Mukesh Verma, Adv.  
  Mr. Amit Kumar and Mr. Vidisha Kumar, Advs.  
  Ms. Ramni Taneja, Adv.  
  Mr. Rajkumar Adv. with Ms. Urmila Thakur, LO for CPCB**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 03  April 11, 2018 R</b>	<p>We may refer to the proceedings in this case and time to time directions issued by the Tribunal in the matter relating to working of the Taloja CETP Co-operative Society Limited. The order passed on 04<sup>th</sup> April, 2018 in the same sequel had directed that Taloja CETP Co-operative Society Limited must make the statement with regard to the functionality of the CETP as it was submitted to us that CETP is functional and can take the capacity meeting the requirements. We had also ordered for joint inspection report which has been submitted to us today. As far as Taloja CETP Co-operative Society management is concerned, they have not filed any response. The report speaks for itself defining on analysis the effluent discharge intake in the CETP and the parameters of the discharge at exit are the same thereby establishing CETP is totally non functional. We requested the Learned Counsel to give us</p>

	<p><b>Item No.</b> <b>03</b></p> <p><b>April 11,</b> <b>2018</b> <b>R</b></p>	<p>further information and during the course of such submission, he stated that industries in that area are discharging effluent more than what the CETP could handle. On questioning as to when this problem occurred, we are informed by categorical statement on behalf of the Talaja CETP Co-operative Society Limited that it is existing since 2013. We have forewarned the Learned Counsel to obtain instructions as we may proceed to pass orders. He submits that on instructions from the representative of the Talaja CETP Co-operative Society Limited it is from 2013 the industries connected with CETP and are discharging more effluent than the capacity of the CETP but in this regard Talaja CETP Co-operative Society Limited had approached MIDC and has also issued fresh tenders for improving the capacity of CETP. As regards tendering is concerned, even on the previous date, it was submitted but admittedly no further progress has been made.</p> <p>The report reveals the parameters of the effluent discharge very high and alarming. It may also be placed on record, the discharge is directly going into the Creek wali from which the water is being used for drinking as well. The river involved is Kasardi River which is also grossly polluted as a consequence to such discharge. In the given circumstances, there has to be a appropriate order for immediate effective steps be taken by the Talaja CETP Co-operative Society Limited to forthwith stop the discharge which is not meeting the parameters fixed and also to prevent the ill affect on the environment, considering the period over 5 years since 2013. For the</p>
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	<p><b>Item No.</b> <b>03</b></p> <p><b>April 11,</b> <b>2018</b> <b>R</b></p>	<p>present, we direct the Taloja CETP Co-operative Society Limited to deposit sum of Rs. 5 crore within a month with the jurisdiction District Magistrate who is directed to keep their amount in a separate fund subject to the further orders that may be passed by the Tribunal.</p> <p>Meanwhile, the Taloja CETP Co-operative Society Limited is directed to commence the work of upgrading the CETP as is submitted today within a period of one month from now failing which they will be liable to such punitive action as is provided under National Green Tribunal Act apart from the law in force. We further direct the Pollution Control Board to conduct the inspection after a period of one month for ascertaining as to whether the Taloja CETP Co-operative Society Limited has commenced work as directed in the order passed by Tribunal and submit the report.</p> <p>We direct the Pollution Control Board to suggest such steps as may be necessary for taking effective steps for preventing discharge of the untreated water/ the effluent which are not meeting the parameters into the creek the river in the interim period till effective action is taken with regard to functioning of the CETP. The Pollution Control Board shall submit action taken with regard to such discharge once in a week to the Tribunal. The first report be submitted by next Thursday i.e. on 19<sup>th</sup> April, 2018 followed by every week's report. This case will be listed for considering the report of the Pollution Control Board on the dates specified above and the main case is concerned, it will be listed on 11<sup>th</sup> May, 2018.</p>
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	<p><b>Item No.</b> <b>03</b></p> <p><b>April 11,</b> <b>2018</b></p> <p><b>R</b></p>	<p>We further direct the senior most officer from the Pollution Control Board and also responsible officer from the Talaja CETP Co-operative Society Limited to be present.</p> <p>As far as the State is concerned, we direct the representative of the State Environment Department to be present on the next date of hearing. We further direct that in respect of the member units shall ensure pre treatment of the effluent to meet the inlet/CCN norms before sending effluents to CEPT and to ensure compliance of this directions, the Pollution Control Board shall conduct inspection of such units and submit report along with the first report that is to be submitted on 19<sup>th</sup> April, 2018. We make it clear that if the order is not complied, punitive action will have to be taken against the Talaja Co-operative Society and the officer concerned.</p> <p>List this case on the aforesaid dates with regard to the submission of the report.</p> <p>.....,ACP (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p>11.04.2018</p>
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