

Minutes of the 2nd Meeting of the Taloja (Industrial Area) Monitoring Committee held on 21-09-2018 constituted as per the Order dated 17-08-2018 passed by National Green Tribunal, Principal Bench, New Delhi.

Preamble :-

Shri Arvind Mhatre has filed Original Application No.125 of 2018, seeking various relief against the damage to environment due to discharge of effluents in the Kasardi River and Ghot River having adverse impact on the environment, though a Common Effluent Treatment Plant (CETP) is being managed by the Taloja CETP Co-operative Society Limited. Shri Mhatre further requested Hon'ble Tribunal to appoint a fresh tender body/executive body for the maintenance of the CETP Taloja considering the failure of the existing managing committee for up gradation and proper O & M of the CETP.

Hon'ble National Green Tribunal, Principal Bench, New Delhi has passed an Order dated 17-08-2018 in the above said matter considering the situation of the present nature of CETP Taloja requires continuous action not only to stop the pollution, but also damage is to be restored. Hon'ble NGT Principal Bench has constituted a Monitoring Committee to ensure credible mechanism consisting of following members:-

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| 1) Hon'ble Justice V.M.Kanade
Former Judge of Bombay High Court | - Chairman |
| 2) Shri Prasoon Gargava, Scientist-E,
Representative of the Central
Pollution Control Board | - Member |
| 3) Dr. Vijay Suryawanshi,
District Collector – Raigad | - Member |

The Hon'ble NGT has requested the Chief Secretary, Govt of Maharashtra to direct concerned department to convene a meeting and make necessary arrangements. Accordingly, the Environment Deptt, Govt of Maharashtra has issued an office order dated 5.9.2018 regarding constitution of monitoring Committee. A Preliminary Meeting of the above Committee was held on 05-09-2018 in which it was decided that there should be open dialogue with all stakeholders to get their issues & concern in compliance of the Order dated 17th Aug 2018 passed by Hon'ble NGT in OA No 125 of 2018 filed by Arvind Mhatra Vs MoEF & CC and Others.

Accordingly, the 2nd meeting was fixed on 21-09-2018 at 3.00 a.m. at Parishad Sabhagruha No.5, 7th Floor, Main Building, Mantralaya, Mumbai – 400 032. The stakeholders were directed to prepare power point presentation mentioning their roles, responsibilities & issues pertaining to present status of Talaja CETP and feasible measures to be taken for effective operation of Talaja CETP.

Meeting on 21-09-2018:-

The meeting of the Monitoring Committee was conducted on 21st September, 2018 under the Chairmanship of Hon'ble Justice V.M.Kanade, Former Judge of Bombay High Court. Dr. Suryawashi, Collector of Raigad District, Member of the Monitoring Committee and Shri Prasoon Gargava, Scientist-E, Central Pollution Control Board (CPCB), Member of the Monitoring Committee were present. Dr. A. N. Harshavardhan, Regional Officer, Navi Mumbai was Convener of the meeting.

The meeting was attended by all stake holders i.e. Maharashtra Industrial Development Corporation (MIDC), Maharashtra Pollution Control Board (MPCB), Talaja CETP Co-op. Society Ltd., Talaja Manufacturers' Association (TMA), City & Industrial Development Corporation Ltd., (CIDCO). A list of name, designation and Organization of the participants is enclosed herewith and marked as **Annexure-"A."**

Chairman of the Monitoring Committee, Hon'ble Justice V.M.Kanade, Former Judge of Bombay High Court welcomed all and briefed the pollution problems faced by the our Society particularly after industrial development and urbanization, global warming and ill-effects on the natural resources. The Hon'ble Chairman has expressed concern about the impact of environment on health and sustainable development. Hon'ble Chairman stressed upon need of effective efforts by all for protection of environment keeping in view the moral responsibility towards healthy sustenance of future generations.

Chairman of the Committee informed that as per the Order passed by the Hon'ble NGT, Principal Bench, New Delhi dated 17-08-2018, the Monitoring Committee is constituted for the following –

- a) To take stock of all actions taken so far in the light of various directions of the Tribunal;
- b) To prepare "Time-Bound Action Plan" to deal with the problem;
- c) To prepare comprehensive, integrated and inclusive strategy with clear measurable indicators of progress and success;
- d) To prepare a plan to reverse the damage caused and to prevent further damage;

Chairman of the Committee further said that as decided in earlier meeting, the stakeholders can present power point presentation mentioning their roles, responsibilities, issues/concerns and actions taken or planned in view of effluent management issues in MIDC, Talaja and present status of Talaja CETP. The first presentation was given by MIDC.

A) MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION (MIDC) :-

Representative of MIDC while presenting overview of Talaja Industrial Estate informed that Talaja Industrial Area was set up in the year 1970. In all total 1,497 plots were allotted. Now 1,133 nos of industries are in operation.

He informed that extension of disposal line upto point suggested by NIO for marine outfall is targeted for completion by December, 2020.

Nodal Officer as appointed by MIDC for the CETP informed that length of effluent collection pipeline is 42.0 k.m and length of effluent disposal schemes pipeline is 7.72 k.m. He further informed proposed remodeling of the Effluent collection and disposal scheme pipelines.

It is informed that with proposed remodeling, the length of effluent collection pipeline will be 59.51 k.m. of which 80% work is completed.

Representative of MIDC informed that as per requirement of World Bank Line of Credit for setting up CETPs, MIDC is Facilitator and it has allotted suitable land for CETP at a nominal rate of Rupees 1/- per sq. meter. MIDC has allotted 14,983 sq. Meter land in phased manner for setting up and expansion of CETP at Talaja. Talaja CETP Co-op. Society commissioned CETP of 10.0 MLD capacity in 1996 and MIDC has released 25% subsidy to Society. In the year 2008, Talaja CETP Society expanded the CETP capacity upto 22.50 MLD.

He informed that after observing non-performance of Talaja CETP, MPCB has issued directions u/s 33A of the Water (P & CP) Act, 1974 to CETP in 2015-16. As there was no improvement in performance of CETP, MPCB is not giving permission to new and expansion of projects at Talaja MIDC. Then Talaja CETP Co-op. Society took decision in their AGM held on 20-12-2016 to hand over CETP to MIDC. In March, 2017, Hon'ble Chairman of MPCB issued directions to MIDC to appoint an expert agency for O & M of CETP. MIDC has appointed an expert agency M/s CH2M to assess the condition of CETP in March, 2017. Based on CH2M's reports, tender was invited by

MIDC for rehabilitation, up gradation and expansion of CETP from 22.50 MLD to 27.50 MLD including five years' operation and maintenance of CETP.

Representative of MIDC informed that now elected body took decision on 6-8-2018 in AGM not to hand over CETP to MIDC for rehabilitation, up gradation and expansion. Hence, though the tender is approved by MIDC, no work order can be issued due to the stand of Talaja CETP Co-op. Society. Hence MIDC requested MPCB to intervene in the matter.

Chairman of the Committee asked the name of the bidder whom the tender is sanctioned. It is informed that Mr. K.D.Patil Associates & Aqua Chem have joint venture. Chairman of the Committee asked MIDC to take performance guarantee and bank guarantee while giving work order. The period of completion of the project and O & M of the CETP should be mentioned in the work order. There should be penalty clause of 5% of total charges for violation of completion of the project. Also the past financial record of the contractor should be verified.

Chairman of the Committee further suggested to take structural stability audit of the existing treatment units of CETP immediately.

Chairman of the Committee asked the period for completion of the work. Shri Shetty from Talaja CETP Co-op. Society Ltd., informed that if the work is given to them, within 13 months the new plant will be in operational stage.

Chairman of the Committee asked whether there is any information available about how many manufacturing units working at Talaja MIDC have no treatment facilities.

Dr. Y. B. Sonttake, Joint Director (Water) of MPCB informed that there are large, medium and small scale units. The units who discharge the effluent above 25.0 M3, they have almost provided pollution control system. These units have been given norms similar to outlet norms of CETP in their Consent but their effluent is meeting the inlet norms prescribed to CETP. He informed that MPCB observed that some small scale units give partial treatment, some small scale unit's discharges batch wise effluent. The advance mechanism to find the culprit is online monitoring particularly of COD parameter. Dr. Sontakke, Joint. Director (WPC), MPCB informed that after following due procedure, issuance of closure notice is considered by MPCB. Chairman of the Committee here opined that closure is drastic measure and it has socio-economic aspects attached as well. Therefore, ascending order of coercive action should be well defined.

B) TALOJA CETP CO-OP. SOCIETY LTD., -

The second presentation is given by Taloja CETP Co-op. Society Ltd. Shri Shetty while giving presentation informed that New Managing Committee of CETP has taken over charge from old committee on 5th July, 2018. The New Managing Committee is duty bound to follow NGT directions and affidavit submitted to the Tribunal on 11-07-2018. He informed that sludge cleaning activity from the system will be completed in four months' time. He informed that activities like cleaning, sludge removal, replacement of faulty equipments, other repair & maintenance works are targeted for completion by December, 2018 and CETP is expected to resume full-fledged operation of Phase I & II by December, 2018.

Shri Shetty while informing the vision of New Committee said that New Committee is committed and devoted towards the completion of job well in time and O & M of the CETP as prescribed by MPCB.

Here Chairman of the Committee asked whether sludge will be removed and will be sent to CHWTSDf and in how much area the sludge is lying. Shri Shetty informed that as Taloja CETP Co-op. Society works under Societies Act, it will have to take permission. After getting the permission, it will take 2-3 months to remove the sludge accumulated in 200 square meter area. Chairman of the Committee asked the depth of the sludge. Shri Bannerji from MIDC informed that almost 50% of the tank volume is occupied by sludge in treatment units. It is informed that chemical treatment will have to be adopted and new bio-mass is to be developed.

Shri Prasoon Gargava, Member opined that removal of sludge from functional unit is difficult and may not be very effective and since the hydraulic load of CETP is reduced due to steps taken by MPCB, alternate use of treatment units available in phase-I & phase-II streams can make sludge removal easy & effective. Shri Gargava also opined that well equipped laboratory to analyses operational parameters of CETP and all other required environmental parameters to check compliance is very much required for diagnostics & corrective measures. Moreover, trained/skilled manpower for laboratory as well as operation of CETP are of prime importance. Stakeholders are required to keep these two aspects in mind while working on other physical infrastructure. Officials of MIDC informed that as per the provisions, it will be developed.

Chairman of the Committee suggested for precise assessment, removal and disposal of the sludge with further required concrete steps to improve operation of CETP.

It is gathered from the representative of the CETP that CETP & MIDC are working on implementation of the physical measures and a meeting is scheduled in first week of October, 2018.

Dr Vijay Suryawanshi, Member suggested that matter need to be expedited and meeting may be convened within a week by MIDC and CETP. It is discussed that matter of taking of over of CETP by MIDC is resolved and there is no confusion over roles and responsibilities in execution of tasks between MIDC and CETP.

C) TALOJA MANUFACTURERS' ASSOCIATION (TMA) -

Ms. Jayashree Katkar, Hon'ble Member of Taloja Manufacturers' Association gave the information in brief.

She informed that TMA is registered under Bombay Public Trust Act 1950 on 12th June 1985. At present TMA has 424 Members and every year the Membership is increasing. TMA has always taken up the big issues with the concerned Authorities in the interest of the Industries in Taloja MIDC..

Ms. Katkar informed that there are 987 industries running in the MIDC Taloja and the Government gets annual revenue of around Rupees 75,000 crores. More than 1,50,000 direct and indirect employment opportunities have been provided by this Taloja MIDC.

While informing the difficulties, she informed that as CETP is being run by a Co-op. society, it do not have Technical Competency to face the challenges. The Society do not have sound financial position, and hence it impacts the Operations of CETP.

Ms. Katkar blamed that there are some external/ outside vested interest, whose chemical tankers are unloaded in Taloja MIDC Area.

Ms. Katkar informed that during 19 years, the condition of CETP has deteriorated to the present level. As per the report of MPCB, sometimes the outlet COD is more than the inlet COD of CETP. She blamed that there is interference in the working of CETP by Non Industrial people. When the question of non-functioning of CETP comes then all the industries suffer heavily, whereas, the real culprits remain scot-free.

Chairman of the Committee asked whether TMA has made available their own security system to nab the culprit.

Shri Prasoon Gargava, Member of the Monitoring Committee observed that the presentation of the TMA is focused on functioning of Taloja CETP, however views on

problems faced by small, medium and large scale industries in compliance of parameters prescribed in their consent was expected during meeting. Hon'ble Chairman of the Committee directed TMA representative to submit desired inputs through note to committee. Here representative of TMA informed that small scale industries might have stress to compete with present market conditions. Most of the time, their own pollution control devices develops certain problems. They are unable to hire modern technical support and hence they have strains for adopting the online monitoring system which is mandatory and installation of pH and Flow Meter. There is need that counseling, training and awareness needs to be organized on Pollution & Environment aspects, how to treat and process the effluent to CETP. TMA gave affirmation to submit revised presentation to committee.

Shri Gargava, Member opined that there should be open dialogue between member industries and CETP to address the issue of default in meeting the inlet norms of CETP. He suggested that CETP and TMA may devise a mechanism for surveillance to keep a check on defaulter units. Shri Gargava also suggested that besides surveillance of compliance in member units, random zone-wise effluent characteristics monitoring in MIDC area may also help in prioritize action & effort required for regulation. The zoning map presented by MIDC may be used to develop approach. Shri Shetty, representative of Talaja CETP Co-op. Society Ltd. informed that at present there are 974 units and hence greater control at source is required. Shri Shetty suggested that a joint surveillance mechanism can be made and samples can be collected at three different times to know the defaulters.

D) MAHARASHTRA POLLUTION CONTROL BOARD (MPCB)-

Dr. Y. B. Sontakke, Joint Director (Water), MPCB informed the Monitoring Committee that being Regulator, MPCB has taken many steps from time to time to tackle the pollution problems of the Talaja MIDC area. He informed that there are total 982 industries in MIDC Talaja, out of which, 753 units are non-effluent generating industries. Remaining about 229 units are effluent generating units. Out of 229 units, 57 nos of units are having effluent more than 25.0 CMD and 157 industries are having less than 25.0 CMD. 15 no. of industries have achieved Zero Liquid Discharge (ZLD). MPCB is more concerned about 57 no's who have more than 25.0 CMD effluent and 157 nos who have less than 25.0 CMD effluent. He informed that 57 industries who have more than 25.0 CMD effluent have provided full-fledged treatment plant. The 157

nos of industries who have less than 25.0 CMD effluent have completed 80% of treatment facilities consisting of primary and secondary.

He informed that 157 of industries who have less than 25.0 CMD effluent are prescribed to discharge their effluent (inlet standards of CETP) to the standards of COD upto 2700 mg/l.

Dr. Sontakke further informed that the Board has not given permission for commissioning of any new unit and expansion to any existing unit except Zero Liquid Discharge (ZLD) unit in MIDC Taloja due to insufficient O & M of CETP at Taloja. He further informed that MPCB desires that –

- a) Hon'ble Chairman, MPCB has already issued directions to MIDC in March, 2017 to appoint an expert agency for O & M of CETP;
- b) Hence, ownership issue of CETP should resolved immediately and O & M of CETP should be looked either by appointed agency or by MIDC to tackle the pollution issues;
- c) Retrofication should be done on top priority;
- d) There should be addition of a nitrification / de-nitrification system to meet the discharge limits for nitrogen;
- e) There is need of adequate phosphorus dosing system;
- f) The existing aeration system should upgraded for additional air demand required for revised BOD limits to achieve nitrification;
- g) Financial disputes should not arise as it will affect the smooth working of CETP;
- h) Upgradation should be carried as suggested by MIDC after pilot groundings.
- i) Time bound programme should be given;
- j) MPCB has allotted two additional FO's to this area for keeping vigilance, monitoring work etc.

Shri Sontakke expressed his opinion that civil works of expansion of hydraulic capacity of the CETP should be initiated only after consistent good performance of existing CETP after corrective measures. Shri Gargava, Member also agreed the same.

E) CITY & INDUSTRIAL DEVELOPMENT CORPORATION:-

Officials from CIDCO were present. As they have not prepared any presentation, it was directed by the Chairman of the Committee to prepare the presentation/note and send to committee member afterwards.

Dr. Harshvardhan RO, MPCB informed that MPCB has issued directions to CIDCO for the leakage of leachet from MSW Processing Plant at Chal village. The MSW and other waste is observed at the bank of Kasardi river also not provided sewage collection system followed by STP at CIDCO colony Navade, Tal-Panvel, Dist-Raigad, resulted into untreated sewage enters in Kasardi River. MPCB directed CIDCO to submit Action Plan for the above non compliances.

The Committee directed CIDCO to take further steps as per the directives given by MPCB and make presentation in the next meeting.

Chairman of the Committee reviewed the presentations, discussions and suggestions in the meeting and directed that –

- 1) As the Committee has to prepare an Action Plan, the stake holders who have not given the presentation are directed to give the same in the next meeting; The next meeting will be fixed in tentatively in the month of Oct 2018.
- 2) All the presentations which have been made available during the meeting should be placed on the website of respective stake holders;
- 3) The detailed data is required for the preparation of Action Plan. The Committee Members will meet further to include all the aspects/points for the preparation of data and further preparation of Action Plan;
- 4) After preparation of Action Plan, next stage of monitoring will be adopted. The suggestions and promises made by the stakeholders will be reviewed while carrying the monitoring.
- 5) The monthly monitoring programme will be implemented to know the laggings and stages of the target to be achieved;
- 6) Consider the suggestions made by the Members of Technical Committee while preparing the data and redefine further monitoring stages/programmes;
- 7) The Technical Members are directed to visit, inspect, collect the samples, give observations with analysis results of the site from time to time and give report to the Committee about the stages to be adopted. If this is done at source, on daily basis it should be put on the public domain of the stake holder;
- 8) The quantity of treated discharge effluent which is meeting to the inlet point of CETP from respective industries i.e. Large, Medium and Small Scale industries should be checked. Analysis of results of samples in chart format daily or on alternate day will be put on web by all the stake holders i.e. MPCB, MIDC and plan should be made to implement process of removable of sludge regularly. Accordingly, monitoring data can be put on web of the stake holders.

- 9) The bidder, whom the work order is issued be invited regularly for informing the Committee regarding the progress made. The Committee can also monitor the stages of progress made from time to time.
- 10) Member and District Collector of Raigad requested Chairman of the Monitoring Committee to conduct next meeting at Taloja MIDC. Chairman of the Monitoring Committee agreed and directed Convener of the Meeting Dr. Harshavardhan to keep follow up and arrange the next meeting at Taloja MIDC.
- 11) Convener of the Committee i.e. Regional Officer, MPCB, Navi Mumbai should compile all the suggestions made by the public, technical committee and any other institutions to the Committee and make spiral binding of all the suggestions and the stages.

Hon'ble Chairman of the Committee thanked all stakeholders, other government officials for attending the meeting.

The meeting ended extending thanks to the Chair.

Hon'ble Justice V.M.Kanade
(Chairman of the monitoring Committee)
Former Judge of Bombay High Court

ok.
3/10/16
(Dr. A. W. Harshavardhan) ****