

**MINUTES OF THE 5<sup>th</sup> MEETING OF THE TALOJA (INDUSTRIAL AREA) MONITORING COMMITTEE HELD ON 21-08-2019 AND REPORT ON PRESENT PROGRESS STATUS –**

(With reference to the Committee constituted in compliance of Order passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi Dated 17<sup>th</sup> August, 2018 in OA No.125 of 2018 filed by Arvind Mhatre V/s MoEFCC & Others)

**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 Kasadi River and Ghot River having adverse impact on the environment, though a Common Effluent Treatment Plant (CETP) 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 upgradation 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 felt that 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, New Delhi has constituted a Monitoring Committee (hereinafter referred as "NGT Committee") under the Chairmanship of Former Judge of Mumbai High Court Justice V. M. Kanade, District Collector, Raigad and representative from Central Pollution Control Board as Members to execute the said Order and also requested Chief Secretary, Govt. of Maharashtra to provide all support and facilities to the said



“NGT Committee” to perform its functions. Accordingly, the Environment Department, Govt. of Maharashtra issued an Office Order dated 05-09-2018 regarding constitution of Taloja (Industrial) Area Monitoring Committee. The committee prepared the action plan and reviewed implementation status from time to time through meetings with stakeholders.

**MEETING ON 21<sup>st</sup> AUGUST, 2019:-**

The 5<sup>th</sup> meeting of the Taloja (Industrial Area) Monitoring Committee held on 21-08-2019 at meeting hall of IMC Church gate, Mumbai at 02.30 p.m.

Following members attended the meeting: -

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|--|--------------------------|
| 1) Justice Mr. V.M.Kanade,<br>Former Judge of<br>Mumbai High Court   | - <b><u>Chairman</u></b> |
| 2) Shri Prasoon Gargava,<br>Regional Director,<br>Representative of the Central<br>Pollution Control Board | - <b><u>Member</u></b>   |
| 3) Dr. Vijay Suryawanshi,<br>District Collector, Raigad  | - <b><u>Member</u></b>   |
| 4) Dr. A. N. Harshvardhan,<br>Regional Officer, MPCB   | - <b><u>Convener</u></b> |

Hon'ble Justice V.M. Kanade, Chairman of Monitoring Committee welcomed all and informed that this meeting is being held after gap of six months. The meeting was scheduled in the last month but was postponed due to heavy rain and flood like situation in the region.



Hon'ble Chairman of the Monitoring Committee remarked that some progress is made. A huge quantity of sludge is removed from CETP. Pipelines have been installed. Phase-II units of the CETP is almost revamped and ready for stabilization. The Phase-I units of CETP are taken-up for revamp. The Smell is substantially reduced. But schedule is lagging. It is observed that there is lack of co-ordination amongst the stake holders. The balance amount to be deposited has not been collected by the Taloja Manufacturers' Association. The National Green Tribunal, PB, New Delhi has constituted this Committee and role of the committee is to monitor the progress made. The Committee can make recommendations about the work that has been done and work which ought to have been done. The NGT, PB, New Delhi has passed an Order to shut down some industries. Some industries have completed necessary improvement work in there pollution control devices hence they have been allowed to restart by MPCB. The development of industries is important, but it is not at the cost of environment. The joint efforts and co-ordination are required. Small leftover works of Phase – II of CETP is to be completed with stabilization within next few days. Hon'ble Chairman, NGT Committee was informed that last month there was heavy rain, which has disturbed the day to day working. Naturally, many aspects of construction/maintenance of the CETP are hampered. In the past meeting, the issue of installation and commissioning of Online Monitoring System to the outlet of the treated effluent was discussed and committee desired to know the present status of the same. The Operating Agency appointed



by the MIDC was asked to give the presentation for present status of Phase-I, Phase-II of CETP.

Chief Engineer of MIDC, before starting the presentation informed that –

- a) MIDC has already appointed an agency i.e. M/s KDC-Aqua to plan and commission the various CETP units and the directives given by the NGT Committee. The presentation will be given by them. Before the presentation certain issues were highlighted by MIDC.
- b) The total sludge of 4,264.0 M.T. has been removed and sent to Mumbai Waste Management, the Common Hazardous Wastes, Treatment, Storage, Disposal Facility;
- c) MIDC has to collect an amount of Rupees 3.95 crores from the member units. Out of it, Rupees 77.39 lakh is recovered so far;
- d) While collecting the amount, many Members/Industries are saying that if they are ZLD (Zero Liquid Discharge) industries, how they are liable to pay the amount as per the Order of Hon'ble NGT. This point should be focused.
- e) Regarding progress of Phase-II which is completed. The details will be shown in the presentation. Regarding Phase-I, this is to inform that heavy rain has disturbed the total activities. Hence, Hon'ble Chairman of the NGT Committee is requested to consider the aspect and some additional time factor should be allocated particularly 2-3 months. In the last three months, the work could not take place of the desired speed.



The official of Operator appointed by the MIDC i.e. M/s KDC-Aqua gave the presentation regarding present status of work and further planning to comply the directives of the NGT Committee. The total lay out was also shown in the presentation. It was informed that there are three phases. The first was constructed and brought into operation in Dec. 1999. Second phase was completed 12 years ago (in Feb 2008) and the third is yet to be completed. The capacity of the first phase was 12.0 MLD, second was 10.0 MLD and after completion of third phase, the total capacity will be 27.5 MLD.

The representative informed that all civil work is totally refurbished. It is informed that life of civil work is 25 years, equipment's 10 years, new equipment's 15 years. He informed that earlier BOD limit was 100 and now it is 30. Most of the instruments have been brought from Germany. He gave details of present capacity, extended capacity and total capacity. While informing the achievements, it is informed that foul smell has drastically stopped. The workman are able to work in the area. He informed that basic reason of foul smell is anaerobic condition of the wastewater. It has been addressed to a great extent with removal of sludge from treatment units of Phase-II and shall be done in Phase-I as well. After completion and stabilization of both the phases, the desired result will come. The Phase-II is completed, Phase-I is under process.

The representative while giving presentation informed that vigilance is carried in industrial area. The outlet BOD and COD have come down. Efforts are being made to



achieve the target. By November end, target will be achieved.

Regional Officer, MPCB, New Mumbai and Convener of the meeting was asked about the present status of CETP consent. It is informed that Consent to Establish (C to E) is obtained for Phase-III. Also Environment Clearance (EC) is recently granted. The Renewal of Consent to operate for Phase-I & II is pending. Just now CETP has received the sanction of 3000 KVA power connection. Earlier it was 1,000 KVA.

Dr. Harshvardhan, Regional Officer, MPCB, New Mumbai and Convener of the meeting here remarked that results depicted in presentation from online system are highly erroneous. The Online Monitoring system is not yet repaired and connected to the MPCB server; flow meters are not installed at inlet and outlet also. He further informed that last one year he is taking the follow up, but MIDC/CETP failed to do the needful.

The representative of the Operator of MIDC informed that pilot plant designed with present condition is operational. It was informed that the Hon'ble Environment Minister of Maharashtra made surprise visit to the site.

For the plantation aspect, this is to submit that heavy rain and flood condition has destroyed the saplings/plantation. The heavy rain affected the working of equipment's also.

Some of the questions raised by the Chairman of the NGT Committee and response from MIDC/Executing Agency are as below:



- a) When the foul smell will be arrested completely?
  - may go at the end of November, 2019 once the plant is stabilized.
- b) When the Phase-II revamping will be over?
  - The Phase-II is over. Some new equipment's are being installed.
- c) When the entire project will be completed?
  - The entire project will be completed at the end of Nov. 2019.

Shri Gargava, Representative of CPCB and Member of the Committee made mention of following—

- a) No regular reports are being submitted from MIDC, TIA/TMA, MPCB to CPCB;
- b) Page no.13, point no.15 of Hon'ble NGT, PB order dated 9<sup>th</sup> April,, 2019 was referred in which it is clearly mentioned to submit progress report in prescribed manner. It should have been submitted on regular basis.
- c) As per the directives, the Online Monitoring System is not installed and connected to the CPCB and MPCB server. It is integrated part of the permission.
- d) The results of inlet and outlet parameters along with chemical consumptions should be reported for last six months. Share the information with all the committee members.
- e) Phase-I should not suffer due to delay in completion of Phase-II and III.
- f) As per the analysis results from MPCB, the high annual average of COD observed at inlet was quoted as reason



for non-compliance. In January, 2019, the inlet concentrations drastically reduced. The concentration reduction-wise results of last year were better.

g) The chemical consumption data and result sheet should be informed henceforth to Hon'ble Chairman and members of the Committee.

h) It is stressed upon that in light of significant reduction in inlet concentration, the revamped Phase-II CETP should be stabilized and should be in position to perform with desired results in next four weeks' time. The MIDC and consultant appointed by them should explore and make all necessary efforts for the same.

Chairman of the Committee requested Taloja Industries' Association (TIA) to give their presentations

Representative of TIA informed that we have carried Awareness Programme with MPCB at CETP premises only. It was well attended by representatives of industries. In the presentation, the Action Plan of MIDC was discussed. It was informed that the Petitioner was also invited to interact and to know the efforts carried out.

Shri Shetty from TIA informed that they have been informed that the collection of amount is with MIDC. MIDC will collect on behalf of CETP. Rupees 3 crores 99 lakh is to be collected, out of it 77 lakhs are collected. Chief Engineer, MIDC informed that some of the industries claims that they should not be charged being ZLD units. Chairman of the Committee clarified that ZLD units have to pay the same as before Hon'ble NGT's order none of the units had ZLD and were part of some sorts of violations. Such units may



approach to NGT for repayment. Shri Shetty informed that MIDC has already issued notices for water cut. The Local Talati is also initiating the parallel action Japti as Shri Shetty informed that, they are pressing the industries for paying the instalment. After paying, they can raise the issue. Shri Shetty further informed that after taking awareness programme, the situation is changed. The inlet parameters are maintained and from industries' side, it can be said that we can achieve the target.

Here Regional Officer, MPCB, New Mumbai and Convener of the Meeting supported the fact that all have contributed for the pollution. When the petition was filed, they were not ZLD units. Hence, every industry has to pay. Shri Shetty informed that they have asked Industries to pay under protest.

Chairman of the Committee further asked about the River Pollution.

Regional Officer, MPCB, Navi Mumbai here informed that, extension of discharge point of CETP at 3 km. in the sea is pending from MIDC. Chief Engineer, MIDC informed that tender process is under progress. Shri S.B.Patil from MIDC informed that the present discharge point is not as per National Institute of Oceanography (NIO). The tender procedure is under process. Here the issue of mangroves /CRZ arises, as pipeline has to be taken through mangroves. MIDC is in the verge of alignment of pipeline route and within 15-30 days, the tender will be finalised.

Chairman of the NGT Committee asked after completion of tender procedures, how long it will take, as in



last one year MIDC informed that disposal point is in creek and we are going 3 km away in the sea. Chief Engineer informed about difficulty in this pipeline alignment due to mangroves on land. The point is to be fixed as per high tide and low tide situation. Environmental Clearance is required here. All the permissions here are much more time consuming.

Chief Engineer, MIDC informed that we are on the verge of alignment. When the tender is finalised, the application for other permissions starts, within one month, it will be finalised and tender procedure will be completed.

Chairman of NGT asked after tender procedure, how long it will take? It was informed that 18-20 months period can be ideal. Chairman opined that, this is major source of pollution. Chief Engineer, MIDC informed that at present disposal point is not at Kasadi river, it is in the creek. MIDC clarified that domestic effluent does not falls in MIDC jurisdiction.

Regional Officer, MPCB, Navi Mumbai said that MIDC pipelines at Kasadi village are broken, it has resulted into leakages at several places. Hence discharge from MIDC industries mixes in Kasadi river. The routine discharge is not at Kasadi river. The Accidental discharge due to breakages, leakages of pipelines causes the effluent in Kasadi River. He further said that major contributor of pollution of Kasadi river is domestic effluent from the industries and villagers. . Chairman of the NGT Committee here opined that in any case, the domestic effluent should not mix in river water. Chief Engineer informed that there is no designated industrial



discharge. RO, MPCB, Navi Mumbai said as per photographs when he visited the site, there was accidental discharge. The smell nuisance is upto Kalamboli and Kharghar.

Representative of the petitioner said that practical situation is very bad. CETP up gradation is going on, but local people are facing tremendous threat of pollution. He said Operator of the CETP says about the life of instruments, but about the life of adjoin people who are suffering the pollution. The NGT Committee should also consider the issue of Rehabilitation issues who suffers pollution, by Nodal Agencies also. He said that Taloja MIDC has 60,000 Crore turnover. They have deposited only six crores. There is indirect pollution of ground water. Nobody is taking care of it. Yesterday, Panvel Municipal Corporation published the Environment Report which shows that 10% people in the adjoin areas are suffering due to respiratory diseases and skin diseases. He further informed Committee that Environment should be given priority than livelihood as per Supreme Court Judgement. Under RTI he sought information which shows that in spite of closure order, the industries are running. Water pollution and air pollution are unbearable. Continuous vigilance is required. Chairman asked for the suggestions for the grievances also.

Chairman of the Committee remarked that this Monitoring Committee independently cannot pass the Order. Facts will be recorded to take up matter with Hon'ble NGT. But one has to approach to NGT for appointment of full time Administrator or Expert. The representative further informed that due to his application 2017, the Taloja Co-op. Society was dissolved and Administrator was appointed.



Shri Arvind Mhatre, the Petitioner informed that the practical and physical situation is very horrible. The upgradation of CETP is going on. But, the work carried is totally in low quality. There was heavy rain, but COD level was very high. After giving tender of 80 crores, the work carried is very low standard. But what about the river pollution. Life of nearby villagers is in danger. There is increase in cancer patients in the area. The smell nuisance is tremendous. The surrounding residents are suffering due to lung diseases.

It is known that the instruments installed are also low quality. Naturally, the instruments are not giving the realistic results. There is no Operation & Maintenance of the instruments. The civil work also kept pending. The electric instruments are not working. The people who are residing nearby various industries inform that the company officials are hiding the hazardous materials and chemicals underground. There was an explosion in the Mumbai Waste Management. Our life is in danger due to chemicals and pollution.

He further read the Order of NGT which observed that joint committee of MPCB and CPCB reported that the phenol was highly exceeding. Hence here tertiary treatment is required. The highly toxic pollutants should be removed before discharge. The tertiary treatment is proven technology, it should be adopted immediately.

The representative who was giving presentation said that the last point is disposal Point. Disposal Point is 7.2 away. It is in inter-tidal zone. As per CRZ norms, the point falls under



Highly Eco Sensitive Zone. In the prohibited area, it is not good to keep disposal point. Hence 3 km. is suitable like TTC area.

RO, MPCB, NAVI MUMBAI & CONVENER OF THE MEETING'S  
REMARKS ON PRESENTATION AND DISCUSSIONS:-

Regional Officer, MPCB, Navi Mumbai here remarked that the views expressed just now may be of month of June, 2019, where one culprit has disposed the tanker at Kasadi River.

Regional Officer, MPCB, Navi Mumbai informed that

- a) In the month of June, 2019 there was an incidence. Unknown person was disposed untreated effluent into the Ghot River in the night may be through tanker. MPCB has carried extensive survey of the industries from raw material to final product. MPCB had filed FIR against the concerned unknown tanker owner. District Magistrate, Raigad was in Delhi, hence he was requested to guide Police as Police was not ready to accept MPCB's FIR. After directives of DM/ C.P.Navi Mumbai the police has carried the Panchanama and FIR.
- b) After the incidence, MPCB has organized a meeting with Industries' Association to inform how the local industries pollute the river, releasing the tankers in the river, throwing sludge in the river etc. After taking meeting thrice, it was decided that provide C.C.TV camera should be fitted to know the culprit. After detailed discussions, various locations have been fixed. The contribution for it will be carried by Industries' Association only.



- c) Regarding explosion in MWML i.e. Mumbai Waste Management Ltd., MPCB has wrote a letter to Police Department for filing the FIR against MWML and the concerned industries, whose waste box along with chemical was observed. Thereafter Police has filed FIR.
- d) Last year, MPCB has filed four FIRs. MPCB is strictly carrying out vigilance monitoring. MPCB initiates immediate action under Environment Laws.
- e) MPCB agrees that in Taloja area, there is heavy pollution of water, air, smell and soil.
- f) The sludge was not removed from CETP since 20 years, hence the possibility of the obnoxious smell was may be sludge only.
- g) It is observed that most of MIDC pipelines (internal and external) do break and leak. Hence surrounding local people and even industries do suffer due to breakage of pipelines.
- h) The adjoining people also responsible as they do not disclose the name of the tanker. The tankers are hired from the adjoining area only. Hence c.c.tv camera are proposed which will be installed shortly.
- i) CETP expansion and upgradation work is going slow. The common people blames MIDC and MPCB. As local people suffers and opt to agitate. That is not their mistake.
- j) It was suggested by RO, MPCB that there are some industries in Taloja who are carrying tertiary treatment and there parameters were within MPCB prescribed limit. Total Treated Effluent arrived from all industries are approximately 15-17 MLD. Hence, those industries



have tertiary treatment facility may be segregated by MIDC and out of 17 MLD total effluent 7 MLD effluent may be segregated and that, is to be discharged directly at outlet of CETP and balance of 10 MLD is to be treated at newly revamped and improved Phase-II CETP which has 12.5 MLD capacity. If this exercise done by MIDC as a stop gap arrangement then, water pollution problem will be solved to some extent.

- k) It is known that in Phase I<sup>st</sup> CETP, there is civil and mechanical work. But if it is done simultaneously, the delay can be minimized.
- l) It was observed several times to MPCB that CETP officials unable to give record, chemical consumption during the visit to CETP for which time to time direction was issued by MPCB to MIDC but still it's going on. It's very bad. There is no connectivity of Online Monitoring System as MPCB as well as CPCB server for which MPCB has taken constant follow up since from last one year but, CETP fails to do so it is to be updated immediately.
- m) There is no flow meter and pH meter.
- n) There is no Online monitoring system, though MPCB has taken follow up since last one year;
- o) Before the NGT Committee, the presentation shown by Operator of MIDC is totally misleading. Before giving presentation, the Operator should present the same before MIDC and MPCB officials for actual status.
- p) MPCB is hosting CETP result on MPCB website constantly so that the general public can watch the same.



- q) As the working of the previous Committees were dissatisfied, MPCB requested MIDC to take in hand the CETP maintenance and operation. MIDC is an organization of Govt. of Maharashtra. It has to follow strict Government guidelines regarding calling of tender. Naturally, the time will go, which cannot be avoided. MIDC has to follow budgetary provisions, technical sanctions etc.
- r) For the disposal point, this is inform that when CETP was constructed in 1999, the area of Kharghar was not at all developed as residential zone. For the extension of disposal point of CETP, NIO i.e. National Institute of Oceanography has to study considering all scientific aspects and thereafter suggest disposal point.
- s) MIDC is already directed to change internal and external pipelines. The height of chambers increased to reduce accidental breakage of Chambers. The untreated sewage is generated from the villages located on the Bank of River as well as new residential CIDCO complex are discharging into river resulted major river pollution factor. It has to be restricted and provision of STP for the same is urgent need to avoid river pollution.
- t) All the Gram panchayat and other agencies have been issued notices by MPCB to provide STP's. Now most of the villages have been transferred in Panvel Municipal Corporation area.
- u) After completion of CETP this Kasadi River can be undertaken under River Conservation and Restoration Program. MPCB is monitoring Taloja MIDC Day and Night to control the pollution.



The representative of Talaja Manufacturers Association informed that awareness programme is carried. They have collected the data of all 72 large industries. Chairman of the Committee directed both the Association that awareness programme not resulted much improvement and proved to be waste of time and money rather than this every industry should update their pollution control devices to control Air and Water pollution otherwise committee will recommend NGT to close down all industries till they improve their pollution control system. This may be noted by both the Associations very seriously.

Petitioner's representative has made presentation for restoration of Kasadi river programme

Chairman of the Committee has appreciated the same and directed to take-up after completion of CETP work and smooth functioning of CETP tentatively by November, 2019. Committee opined that such programme may be taken up with involvement of expert institutions like IIT by following due procedure so that the work will be done scientifically. The Collector Raigad agreed for the said programme of Kasadi River restoration. Further, he explained that, the expenditure will be incurred from NGT funds of Rs 10 Crore with prior permission from NGT.

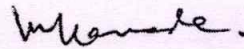
Finally Chairman of the Committee concluded that all the stake holders i.e. MPCB, MIDC and other Government agencies should work on war footing, then only directions can be achieved. It should be a good example for others.

It is huge problem, manufacturing units, government agencies, Collector Office, MIDC and MPCB should prepare a



plan and take steps to ensure. If two decades have been taken for taking effective steps, there will be some lapses in a huge project. Environment is equally or more important than industrial development. Chairman of the Committee further remarked that we are giving one more chance and four weeks' time to MIDC for complete the work and demonstrate desired performance of CETP. If the contractor does not complete the schedule of four weeks' time, MIDC should take action against the Contractor. As contractor is lowest bidder, he should complete the work in specified time. Do not make it as profit making machine. Hence expedite the work, adhere the schedule. 2<sup>nd</sup> Phase should give desired performance in four weeks' time. After four weeks' time, we will meet again to monitor the progress. Chairman of the Committee further remarked that only cleaning of river will not solve the problem, the underground water should also be considered.

Chairman of the Committee thanked all for attending the meeting. The meeting ended extending vote of thanks to the Chair.



(Shri. V.M. Kanade)

Chairman

Taloja Monitoring Committee.