

Item No.6

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO.65 OF 2023(WZ)  
(Earlier Original Application No.276/2022 (PB))**

Rakesh Patel

.... Applicant

Versus

State of Maharashtra

....Respondents

Date of Hearing : 13.07.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : ----

Respondents : Mr. Ninad Laud, Advocate for R-4 (M/s Bodal  
Chemicals Ltd.)  
Mr. Maulik Nanavati, Advocate for GPCB  
Mr. Saurav Kulkarni, Advocate for R-2 (M/s Mayur  
Dye Chem Intermediates Pvt. Ltd.)

**ORDER**

1. Today, this matter is placed before us for the first time after getting it transferred from the Principal Bench.
2. The applicant is not present before us. Since the applicant was required to be intimated about this Original Application having been transferred to this Bench, we have tried to find out the address of the applicant which is found to be incomplete because on the envelope on which the address of the applicant is written, it is written as "Rakesh Patel Padra Gam, Baroda, Gujarat". In the main complaint also, he has not mentioned full address except putting his signature.
3. Today, the District Magistrate, Vadodara is present through VC, who apprised us that Padra is a Taluka and Taluka Headquarter and

address of the applicant is incomplete. It would not be possible to serve notice upon the applicant on the said address. In view of above, we failed to effect service upon the applicant and decided to proceed in absence of the applicant as the matter is entertained by the Principal Bench.

4. The grievance which has been raised in this complaint relates to the chemical industries in Padra Gam, District Baroda, discharging highly polluted and dangerous chemicals mixed water/effluents in Padra Canal through pipeline without treatment, which is resulting in environmental degradation. This matter was first considered on 28.04.2022 by the Principal Bench and on the said date, a Joint Committee was constituted comprising of CPCB, CGWA, State PCB and Collector, Baroda. The Joint Committee has submitted its report, which has been considered on the next date i.e. 21.07.2022 and it has been recorded in the next order of this Tribunal that from the said report, it is apparent that the effluent discharged from VECL channel into estuarine zone of river Mahi, was exceeding the prescribed standard of discharge. The said discharge is attributed to four industries namely M/s Loxim Industries Ltd., M/s Mayur Dye Chem. Intermediates Pvt. Ltd. Unit-III, M/s Kiri Industries Ltd. Unit-III and M/s Bodal Chemicals Ltd. Unit-VII.

5. The notices were directed to be issued to the Chairman/Managing Directors of the said companies requiring them to file their responses and the Joint Committee was further directed to undertake site visits and verify factual position of the quality of effluents discharged and the compliance of environmental norms including CRZ Notification by the members/beneficiary units and take appropriate action.

6. In pursuance of the order dated 21.07.2022, record reveals that the notices were issued to the abovesaid four companies and the notices were served upon them.

7. From the side of respondent No. 4 – M/s Bodal Chemicals Ltd., learned counsel Mr. Ninad Laud has appeared and states that he has already filed reply-affidavit on 18.10.2022, which is at pages 104 to 139 of the paper-book.

8. From the side of respondent No.2 - M/s Mayur Dye Chem. Intermediates Pvt. Ltd. (Unit-II), learned counsel Mr. Saurav Kulkarni has appeared and states that he has filed reply-affidavit on 07.02.2023, which is at pages 932 to 940 of the paper-book.

9. Apart from the above replies, the Joint Committee, nodal agency of which is GPCB, has filed second action taken report today. The same is taken on record, copy of which is said to be served on respondent Nos.2 and 4 today only. Therefore, the learned counsel for respondent Nos.2 and 4 seek time of a week to file the objections, if any against the same. We allow the same.

10. We direct the Registry to put up this matter for final argument on 03.08.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 13, 2023  
O.A. no.65/2023(WZ)  
npj