

**BEFORE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]**

Original Application No.182/2023(WZ)
I.A. No. 237/2024(WZ)
Miscellaneous Application No. 14/2023(WZ)
Disposed on 01/12/2023

Prasad Haribhau Jadhav

Applicant

Versus

M/s Godavari Biorefineries Ltd & ors.

Respondent(s)

Date of hearing: 02.02.2026

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

Applicant: Mr. Tanaji Balasaheb Gambhire, Applicant in-person

Respondents: Ms. Supriya Dangare, Adv. for R-14
Mr. Aniruddha Kulkarni, Adv. for (SEIAA) R-3 to 5.
Ms. Manasi Joshi, Adv. MPCB (R. 6 & 7).
Mr. Pushkal Mishra, Advs. R-1 & 9 to 11.
Mr. Saurabh Kulkarni, Advs. for R.13

ORDER

1. This application is moved by the applicant seeking closure of the respondent no.1- M/s Godavari Biorefineries Ltd on account of the said respondent having caused damage to the environment by its activity.

2. We had considered this application on various dated i.e., 08.01.2024, 22.02.2024, 05.03.2024, 04.04.2024 and 15.04.2024. By order dated 15.04.2024, we constituted a Joint Committee with a direction to visit the site collect samples in presence of the applicant's Counsel as well as the representative of the Project Proponent and submit a factual and action taken report. The said report has been filed on 26.08.2024 which is annexed at page no. 513 to 547. The relevant part of which is quoted herein below:

“5.0 Observations and findings

This report is outcome containing factual and action taken report of the joint committee based on the preliminary information received from MPCB, followed by inspection cum monitoring & physical observations made in the industry and analysis results of environmental samples (effluent, source emission, surface water quality and ambient air quality) and information submitted by the industry through MPCB and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as follows.

i. Based on the objections filed to the Hon'ble NGT by the applicant(s) against the report of the Respondent no. 2 i.e. MPCB, it is observed that the applicant(s) have mentioned mainly about non-compliance of sampling procedure as per Section 21 of the Water (Prevention and Control of Pollution) Act, 1974 while collecting effluent & water samples in & around the industry; not analysing the ambient air quality samples w.r.t. the parameters stipulated under National Ambient Air Quality Standards, 2009; past alleged discharge of effluent outside the industry premises; not verifying the operational status & calibration status of installed pollution control devices; and other submissions made by the applicant(s) & applicant(s) counsel in respect of piece-meal production activities by the industry including nonoperational status of installed ETP & APCDs.

ii. Since the applicant(s) have raised objections in respect of sampling procedure of MPCB while collecting the environmental samples in compliance to the earlier order of the Hon'ble NGT, dated 08/01/2024 and also considering the other aspects mentioned in the objections filed to the Hon'ble NGT; the joint committee along with the applicant(s) & applicant(s) counsel and industry representative initially carried-out reconnaissance survey of the industry and alleged monitoring locations, where MPCB had previously collected environmental samples including water sampling locations outside the industry premises. Subsequently, the joint committee collected the representative environmental samples viz. effluent, sewage, source emission, surface water quality and ambient air quality, in presence of applicant(s) & applicant(s) counsel and also in presence of the industry representative.

iii. In accordance with the Sub Section 3 of Section 21 of the Water (Prevention and Control of Pollution) Act, 1974; the water samples collected from the alleged locations outside the industry premises and effluent & sewage samples collected from the ETP & STP of the industry are equally divided & served one set of such collected samples to the applicant(s) and occupier of the industry, as applicable. Also, sent another set of such collected samples to the laboratory established by the State Board under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974 for analysis of physicochemical parameters, as applicable.

Source emission sample and ambient air quality samples were collected through M/s Mahabal Enviro Engineers Pvt. Ltd., It is observed that MPCB has outsourced the works related to collection of ambient & source emission samples to the said laboratory, based on the work order issued by MPCB to the said laboratory, dated 20/09/2022. The said laboratory has been recognized under Environment (Protection) Act, 1986 and its recognition is valid up to 28/06/2025. As per the said work order, the said laboratory is only responsible for collection of source emission & ambient air quality samples. Later, such collected samples should be handed over to MPCB for analysis at any of the MPCB's Regional

Laboratory(s) or Central Laboratory, established by the State Board under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974. Further, it is gathered from MPCB that as one of the said MPCB's Regional Laboratory(s) or Central Laboratory is not having the required infrastructure/equipment either due to maintenance or unavoidable circumstances, such collected samples of source emission and ambient air quality are submitted for analysis at M/s Ashwamedh Engineers & Consultants, Nashik. Copy of the letter, dated 23/05/2024 issued by MPCB, SRO-Ahmednagar to the said laboratory is given at Annexure-11. The said laboratory has been recognized under Environment (Protection) Act, 1986 and its recognition is valid up to 22/11/2025. Please refer the Photographs 17 to 21 in respect of sealing of collected environmental samples in presence of applicant(s) & industry representative and submission of the same to the aforesaid laboratory(s). Some of the other photographs taken during the joint committee inspection is given at Annexure-12.

(iv) The joint committee collected & analysed the monthly production data of the industry w.e.f. October, 2023 till May, 2024. Out of 39 different types of consented products, as per CTO, dated 27/02/2023; the industry is engaged in manufacturing of 17 products, which are purely based on market demand and quantity of production of the said products during the said assessed period is observed to be within the consented limits i.e. as per CTO, dated 27/02/2023.

v. The industry has provided designated & covered storage shed for storage of coal. Also, provided designated & covered storage shed for storage of biomass and newly commissioned mechanized & closed alternative fuel system i.e. biomass shredder & feeder, for input to boiler. Further, the industry has deployed 01 no. of dust suppression/fogging vehicle to contain the fugitive road dust within the industry premises.

vi. The industry has installed OCEMS sensors (emission) for measurement of Particulate Matter at both the stacks i.e. 30 TPH AFBC boiler and 18 TPH ISGEC boiler.

vii. During the joint inspection, the operational stack attached to 30 TPH AFBC boiler is operated @ 24.174 TPH (min: 22.726 TPH & max: 26.53 TPH) with fuel consumption of about 4.251 TPH (coal: 3.5 TPH & biomass briquette: 0.75 TPH) and is found operated @ 80.58% load on 21/05/2024. Similarly, the operational stack attached to 30 TPH AFBC boiler is operated @ 27.734 TPH (min: 22.983 TPH & max: 31.6 TPH) with fuel consumption of about 4.876 TPH (coal: 3.459 TPH & biomass briquette: 1.416 TPH) and is found operated @ 92.44% load on 22/05/2024.

Further, during May, 2024 i.e. w.e.f. 01/05/2024 till the date of joint committee inspection (i.e. 22/05/2024); the said boiler is operated @ 28.59 TPH (min: 20.25 TPH & max: 30.875 TPH) with fuel consumption of about 5.09 TPH (coal: 3.82 TPH & biomass briquette: 1.27 TPH) and is found operated @ 95.3% load.

Based on the aforesaid data, it is observed that the industry is operating one of the boiler at about 95.3% capacity and the other boiler i.e. ISGEC 18 TPH boiler is kept as a standby and used as & when required or during maintenance of main AFBC boiler of 30 TPH capacity.

viii. The industry has installed inline CEMS sensors (effluent) for measurement of various parameters viz. pH, TSS, BOD, COD & flow in the output pipeline of the reverse osmosis (i.e. after tertiary treatment). It is observed that the industry has carried-out

calibration of the installed OCEMS sensors (emission & effluent) in April, 2024.

ix. The industry has maintained separate logbooks for ETP, STP and boiler section to record the operational parameters and also maintained the entries in respect of concentration of analysed parameters. The industry has installed common energy meter for ETP & STP and separate energy meter for APCDs attached to boilers to record the electricity consumption for operation of ETP & STP and APCDs. Based on the data analysed, the monthly electricity consumption for operation of ETP & STP during March, 2024 till the date of joint committee inspection (i.e. 22/05/2024) is 1,41,012 KWh; 1,21,902 KWh and 86,901 KWh respectively. Similarly, based on the data analysed, the monthly electricity consumption for operation of APCD attached to operational & monitored 30 TPH AFBC boiler during March, 2024 till the date of joint committee inspection (i.e. 22/05/2024) is 7,407 KWh; 7,169 KWh and 5,206 KWh respectively.

x. Analysis results of the treated effluent sample from the final outlet of ETP (RO permeate & MEE condensate), meant for reuse for the process, cooling, scrubbing as per CTO, dated 27/02/2023 reveals that the concentration of all the monitored parameters are within the General standards (inland surface standards) for discharge of environmental pollutants Part A: Effluents, as per the Environment (Protection) Rules, 1986. As the CTO, dated 27/02/2023 issued by MPCB doesn't specify about the parameters & its limiting concentration for the final treated effluent from ETP, the joint committee compared the concentration of said samples to that specified in the Environment (Protection) Rules, 1986 i.e. General standards (inland surface standards) for discharge of environmental pollutants Part A: Effluents, as per the Environment (Protection) Rules, 1986. During the joint committee inspection, the installed inline CEMS (effluent) is found operational and the concentration of displayed parameters in the inline CEMS panel are pH: 6.36; TSS: 1.46 mg/l; BOD: 1.35 mg/l and COD: 2.7 mg/l respectively. The quantity of treated effluent from ETP for reuse in the process cooling towers is 15.873 m³/hr i.e. 380.952 m³/day.

[Please refer S. no. 4.1, as above]

xi. Analysis results of the treated sewage from the final outlet of STP, meant for reuse for gardening within the industry premises as per CTO, dated

27/02/2023 reveals that the concentration of all the monitored parameters viz. SS: 24 < 50 mg/l; BOD: 10 < 30 mg/l; and COD: 32 < 100 mg/l are within the MPCB prescribed standards, as per CTO, dated 02/02/2023.

[Please refer S. no. 4.1, as above]

xii. Analysis results of the water sample i.e. stagnant water accumulated at depression/pit at western side pit of Godavari River (within the Godavari River bed) reveals that the concentration of criteria pollutants viz. BOD & COD and various physicochemical parameters, viz. electrical conductivity, TDS, chloride, total hardness, sulphate, and sodium is on the higher side. Similarly, during the past MPCB monitoring carried-out on 06/06/2023 it is reported that the stagnant water sample collected at the aforesaid location had concentration of BOD: 65 mg/l and COD: 204.8 mg/l. Whereas, on the same day of monitoring, the treated effluent sample from the ETP was found complied.

[Please refer S. no. 4.2, as above]

xiii. Analysis results of the source emission sample collected from the operational stack attached to 30 TPH AFBC boiler reveals that the concentration of monitored parameters i.e. PM and SO2 is found to be within the MPCB prescribed standards, PM: 16 < 115 mg/Nm3 and SO2: 179 < 1362 Kg/day.

[Please refer S. no. 4.3, as above]

xiv. Analysis results of ambient air quality monitoring carried-out at all the three locations reveals that the concentration of PM10 is found to be exceeding the National Ambient Air Quality Standards vide Notification dated 18/11/2009, PM10: 203 > 100 µg/m3 at; PM10: 188 > 100 µg/m3 at; and PM10: 103 > 100 µg/m3 respectively. Rest of the parameters viz. PM2.5, SO2, NO2, Ozone, Lead, Carbon monoxide, Ammonia, Benzene, Benzo (a) pyrene, Arsenic, and Nickle are well within the National Ambient Air Quality Standards vide Notification dated 18/11/2009 at all the three monitored locations.

[Please refer S. no. 4.4, as above]

xv. The industry has obtained membership from M/s Maharashtra Enviro Project Ltd., Ranjangaon - a common hazardous waste treatment, storage and disposal facility (CHWTSDF) for disposal of hazardous wastes generated from the industry. The membership certificate is valid up to 28/05/2027. As per the manifest records of FY: 2023-24, the industry has disposed following types of hazardous wastes to the CHWTSDF.

S. no.	Hazardous waste	Disposed quantity, MT
1.	Cat. no. 1.4 (organic residues)	362.34
2.	Cat. no. 1.6 (spent catalyst & molecular sieve)	2.56
3.	Cat. no. 5.1 (used oil)	1.08
4.	Cat. no. 35.2 (spent ion exchange resin)	0.61
5.	Cat. no. 35.3 (chemical sludge)	20.56
6.	Cat. no. 37.3 (evaporation residues)	39.75

The disposal quantity of said hazardous wastes are within the consented capacity of the CTO, dated 27/02/2023.

xvi. The industry is carrying-out monitoring of raw effluent & treated effluent from ETP, raw sewage & treated sewage from STP, source emission monitoring of stacks, and ambient air quality on quarterly basis through an NABL accredited laboratory i.e. M/s Dr. Subbarao’s Environment Centre, Sangli. Compiled monitoring results of ETP, STP and source emission for the month of January, 2024 and April, 2024 is depicted in the below Table-6 to 8.

Table-6: Analysis results of ETP.

Parameters	January, 2024			April, 2024		
	ETP Inlet	ETP outlet		ETP Inlet	ETP outlet	
		RO Outlet (Permeate)	MEE Condensate		RO Outlet (Permeate)	MEE Condensate
pH	4.36	6.12	8.03	4.85	6.76	7.18
TSS	375	10	15	380	12	10
TDS	6640	271	190	3670	291	138
COD	3608	18	41	3765	28	81
BOD	1736	<4	11	1782	<4	26
Chloride	813	41	20	751	45	61
Sulphate	290	13	17	282	16	19
O&G	ND	ND	ND	ND	ND	ND

Note: Concentration of all the parameters are expressed in mg/l, except pH. ND: Not detected. Discharge standards not specified in the CTO, dated 27/02/2023.

Table-7: Analysis results of STP

Parameters	January, 2024		April, 2024		Standards, as per CTO, dated 27/02/2023
	Inlet	Outlet	Inlet	Outlet	
pH	7.69	7.72	7.79	7.82	Not specified
TSS	152	40	177	47	50
TDS	2370	1081	2584	1126	Not specified
COD	228	60	370	76	100
BOD	115	21	182	22	30
Chloride	396	236	459	259	Not specified
Sulphate	187	66	205	81	Not specified
O&G	ND	ND	ND	ND	Not specified

Note: Concentration of all the parameters are expressed in mg/l, except pH. ND: Not detected.

Table-8: Analysis results of source emission

Parameters	January, 2024	April, 2024	Standards, as per CTO, dated 27/02/2023
Particulate Matter (PM), mg/Nm ³	34	46	115
SO ₂ Kg/day	18	17.08	1362

Based on the said compiled results of ETP, STP and source emission, it is observed that the industry is complying with the respective stipulated standards, as applicable.

xvii. Based on the documents submitted by the industry during joint committee inspection, it is observed that the industry has commissioned new boilers and alternative fuel section for boilers, to reduce the conventional fuel; augmented the existing environment management system by commissioning of new ETP; STP; and APCDs and also implemented various preventive & corrective measures in the process. As per the said documents, it is observed that the same are implemented during last two years. It is observed that the industry has incurred total Rs. 35.932 Crores towards commissioning of new boilers and augmentation of existing environment management system and in the process section for abatement of emission & effluent. Details of the same are given below:

- Commissioning of new ETP of reported design capacity of 600 m³ / day comprising of primary, secondary and tertiary treatment system including RO & MEE to achieve ZLD conditions;
- Commissioning of new STP of reported design capacity of 200 m³ / day comprising of primary, secondary and tertiary treatment system to achieve ZLD conditions;
- Commissioning of new 30 TPH AFBC boiler with dual fuel (coal & biomass); and commissioning of new 18 TPH ISGEC boiler;
- Commissioning of new APCD i.e. dust extraction system and ESP with 04 no. of field in series, can operate up to 99.97% efficiency to control particulate matter for 30 TPH AFBC boiler and 18 TPH ISGEC boiler;
- Closed pneumatic ash conveyance system for handling fly ash from the APCD i.e. Electrostatic Precipitator (ESP) attached to 30 TPH AFBC and 18 TPH ISGEC boilers along with closed silos with ash conditioners for handling & management of fly ash;
- Mechanized and closed alternative fuel system i.e. biomass shredder & feeder to 30 TPH AFBC boiler;

- OCEMS for ETP and stacks of 30 TPH AFBC boiler and 18 TPH ISGEC boiler; and
- Installation of silencer i.e. vent steam silencer for the turbine vent to abate noise during venting of steam;

xviii. Based on documents submitted by the industry during joint committee inspection, it is observed that the industry is continuously involved in extending support/help to the surrounding villages viz. Vari, Kanegaon & Sade etc. under CSR activities. As per the said documents of October, 2023 to March, 2024; it is observed that the industry has incurred total Rs. 2. 67 Crores towards various activities viz. community development; educational support to school children; providing water supply & infrastructure; medical camp expenses; and allotment of 5-acre land to Maharashtra Government Water Supply Department for commissioning of water supply infrastructure etc.

6.0 Conclusions

i. As directed by the Hon'ble NGT vide para 7 of the order dated 15/04/2024, the joint committee during its inspection heard the representation (oral submissions) as submitted by the applicant(s) & applicant(s) counsel about the present issues, allegations made in the original application, area under reference and other submissions made by the applicant(s) & applicant(s) counsel. Accordingly, the joint committee taken cognizance of submissions by made by the applicant(s) & applicant(s) counsel including the submissions made in the original application. The joint committee also heard the representation (oral submissions) as submitted by the representative of the industry about various initiatives taken in the field of pollution control and various developmental activities implemented under CSR scheme at surrounding villages.

ii. The industry has installed ETP of reported design capacity of 600 m³/day consisting of primary, secondary & tertiary treatment system as per CTO, dated 27/02/2023 to achieve the ZLD conditions. At present, the average effluent generation from the process, R&D activities, and utility streams is about 350 – 390 m³/day.

[Please refer S. no. 3.1, as above]

iii. Analysis results of the treated effluent sample from the final outlet of ETP (RO permeate & MEE condensate), meant for reuse for the process, cooling, scrubbing within the industry premises as per CTO, dated 27/02/2023 reveals that the concentration of all the monitored parameters are within the General standards (inland surface standards) for discharge of environmental pollutants

Part A: Effluents, as per the Environment (Protection) Rules, 1986.

[Please refer S. no. 4.1, as above]

As per the data analysed in respect of generation & utilization of treated effluent from ETP (i.e. RO permeate & MEE condensate) w.e.f. April, 2023 till date of joint committee inspection (22/05/2024), the industry is generating avg. 365 m³/day of effluent and after treatment at ETP, the industry is reusing the entire treated effluent

from ETP (i.e. RO permeate & MEE condensate) for cooling tower make-up (process cooling towers, 12 nos. and MEE cooling tower, 02 nos.) within the industry premises @ avg. 359 m³/day. The industry has installed inline CEMS sensors (effluent) for measurement of various parameters viz. pH, TSS, BOD, COD & flow at the outlet of ETP i.e. RO permeate. Thus complying with ZLD conditions as per CTO, dated 27/02/2023. The same is in compliance to the conditions stipulated in S. no. 1 of Schedule-I i.e. Terms & conditions for compliance of Water Pollution Control of the CTO, dated 27/02/2023.

As per the water balance, at full production capacity, the industry requires at about 2,691 m³ /day of fresh water for the process, utilities and domestic purpose. For process cooling towers (12 nos. and MEE cooling towers of 02 nos.) alone the industry requires 2,222.5 m³/day of fresh water. Wherein, the industry requires entire treated effluent generated @ avg. 590 m³/day (obtained from treatment of maximum effluent generation of about 596m³/day, after considering evaporation losses from all the cooling towers) for reuse in the cooling towers and the remaining quantity is met through addition/top-up with fresh water.

Hence, in view of the above, the industry is in deficit to completely meet/replace the actual fresh water requirement to the said cooling towers through reuse of treated effluent from ETP and such deficit quantity is met through addition/top-up with fresh water.

iv. Analysis results of the treated sewage from the final outlet of STP, meant for reuse for gardening within the industry premises as per CTO, dated 27/02/2023 reveals that the concentration of all the monitored parameters are within the MPCB prescribed standards, as per CTO, dated 27/02/2023.

[Please refer S. no. 4.1, as above]

As per the data analysed in respect of generation & utilization of treated sewage from STP w.e.f. October, 2023 till date of joint committee inspection (22/05/2024), the industry is reusing the treated sewage for gardening within the industry premises @ 138.5 – 149.63 m³/day. The same is in compliance to the conditions stipulated in S. no. 2 of Schedule-I i.e. Terms & conditions for compliance of Water Pollution Control of the CTO, dated 27/02/2023.

As per the records, the industry is reusing the said quantity of treated sewage for gardening at four different Gat nos. within the industry premises having total area of about 70 acres (i.e. Gat no. 158 – 20 acres; Gat no. 167 – 12.5 acres; Gat no. 168 – 20 acres and Gat no. 169 – 17.5 acres). The industry has adopted sprinkler & drip irrigation system (2 no. of pumps having 7.5 HP capacity & delivery pipe of 3.5 inches) for utilization of treated sewage for gardening near officer's bungalow and ETP area. In rest of the areas, the treated sewage is being conveyed through tankers for watering of green belt.

v. Analysis results of the water sample i.e. stagnant water accumulated at depression/pit at western side pit of Godavari River (within the Godavari River bed – Please refer Photograph-5) reveals

that the concentration of criteria pollutant parameters viz. BOD: 330 mg/l and COD: 960 mg/l is on higher side along with other physicochemical parameters viz. TDS: 45,820 mg/l; EC: 55,870 μ S/cm; Chloride: 19,244.03 mg/l; Total hardness: 22,400 mg/l; Sulphate: 1,627.5 mg/l and Sodium: 199.84 mg/l respectively.

[Please refer S. no. 4.2, as above]

During joint committee inspection, the Godavari River is observed to be completely in dried condition (Please refer Photograph-12), except at few locations, stagnant water is accumulated at depressions/pits within the Godavari River bed and not observed any sort of discharge of effluent/sewage from the industry. Further, as the aforesaid water sample is a stagnant water, the quality of the same may not be compared with that of the drinking water quality standards – IS 10500: 2012 or with the Designated Best Use Water Quality Criteria.

The aerial distance (based on the Google earth) from the nearest boundary i.e. North-West corner of the industry, where the erstwhile alleged discharge through Balantin nalah to the stagnant water accumulated at depression/pit at western side pit of Godavari River (within the Godavari River bed) is about 390 m. Similarly, the aerial distance (based on the Google earth) from the nearest boundary i.e. South-West corner of the industry, where the erstwhile alleged discharge through Pimpal nalah to the stagnant water accumulated at depression/pit at western side pit of Godavari River (within the Godavari River bed) is about 1,087 m.

[Please refer Google image at S. no. 4.0, as above]

Whereas, during the past MPCB monitoring carried-out on 06/06/2023 it is reported that the stagnant water sample collected at depression/pit at eastern side pit-1 & 2 of Godavari River (within the Godavari River bed) had concentration of BOD: 32 mg/l & 66 mg/l and COD: 147.2 mg/l & 230 mg/l respectively. Similarly, the stagnant water sample collected at depression/pit at centre side pit and western side pit of Godavari River (within the Godavari River bed) had concentration of BOD: 36 mg/l & 65 mg/l and COD: 152.4 mg/l & 204.8 mg/l respectively. It was reported by MPCB that there were no industrial discharges outside the premises and the treated effluent sample collected from the final outlet of ETP on 06/06/2023 reveals that the concentration of BOD: 3.2 mg/l and COD: 20.4 mg/l. The same is found well within the General standards (inland surface standards) for discharge of environmental pollutants Part A: Effluents, as per the Environment (Protection) Rules, 1986.

Further, during the past MPCB monitoring carried-out on 29/11/2023 it is reported that the water sample collected at Balantin nalah had concentration of BOD: 40 mg/l and COD: 98.8 mg/l. Similarly, the water sample collected at Pimpal nalah had concentration of BOD: 28 mg/l and COD: 92 mg/l. It was reported by MPCB that there were no industrial discharges into the said nalahs and the said quality might due to surface run-off from the agricultural fields located upstream of the said nalahs which are passing through/passing adjacent to the industry premises, as it was reported about the incidence of heavy rainfall occurred on

27/11/2023. Whereas, the treated effluent sample collected from the final outlet of ETP on 17/11/2023 reveals that the concentration of BOD: 5.4 mg/l and COD: 28 mg/l and the treated effluent sample collected from the final outlet of ETP on 29/11/2023 also reveals that the concentration of BOD: 5.4 mg/l and COD: 19.2 mg/l. The same is found well within the General standards (inland surface standards) for discharge of environmental pollutants Part A: Effluents, as per the Environment (Protection) Rules, 1986.

Similarly, during the recent MPCB monitoring carried-out on 13/02/2024, it was reported by MPCB that there were no industrial discharges outside the premises and the treated effluent sample collected from the final outlet of ETP on 13/02/2024 reveals that the concentration of BOD: 34 mg/l and COD: 88 mg/l. The same is found within the General standards (inland surface standards) for discharge of environmental pollutants Part A: Effluents, as per the Environment (Protection) Rules, 1986, except for BOD. However, the treated effluent is being reused within the industrial premises for the process, cooling, scrubbing as per CTO, dated 27/02/2023.

vi. Analysis result of the source emission sample collected from the operational stack attached to 30 TPH AFBC boiler reveals that the concentration of monitored parameter i.e. PM and SO₂ is found to be within the MPCB prescribed standards. The industry has installed requisite air pollution control device i.e. Electrostatic Precipitator (ESP) for both the operational 30 TPH AFBC boiler & 18 TPH ISGEC boiler as per CTO, dated 27/02/2023 and the same is in compliance to the conditions stipulated in S. no. 1 of Schedule-II i.e. Terms & conditions for compliance of Air Pollution Control of the CTO, dated 27/02/2023. During source emission monitoring (i.e. on 22/05/2024 w.e.f. 14.00 hr to 16.00 hr) of the operational stack attached to 30 TPH AFBC boiler, the said boiler is operated @ 24.93 TPH with fuel consumption of about 4.414 TPH (coal: 3.142 TPH & biomass briquette: 1.272 TPH) and is found operated @ 83.1% load.

[Please refer S. no. 4.3, as above]

vii. Analysis results of ambient air quality monitoring carried-out at all the three locations reveals that the concentration of PM₁₀ is found to be exceeding the National Ambient Air Quality Standards vide Notification dated 18/11/2009. Rest of the parameters viz. PM_{2.5}, SO₂, NO₂, Ozone, Lead, Carbon monoxide, Ammonia, Benzene, Benzo (a) pyrene, Arsenic, and Nickle are well within the National Ambient Air Quality Standards vide Notification dated 18/11/2009 at all the three monitored locations. The increase in PM₁₀ concentration within the industry premises may be attributed due to dispersion of stack emission and re-suspension of road dust near the monitored locations, where it is observed that the approach roads are unpaved. Similarly, slight increase in PM₁₀ concentration Near Tukaram Maharaj mandir, Gat no. 463, outside the industry premises, Vill. Vari may be attributed due to movement of vehicles on the public road. The aerial distance (based on the Google earth) from the operational stack to the said monitoring location is about 335 m.

[Please refer S. no. 4.4, as above]

7.0 Recommendations

i. As per the conditions stipulated in S. no. 1 of Schedule-II i.e. Terms & conditions for compliance of Air Pollution Control of the CTO, dated 27/02/2023, the industry has obtained consent for operation of 02 no. of boilers. Whereas, it is observed that the industry has additional 02 no. of old boilers. Hence, the industry may be directed either to amend the existing CTO, dated 27/02/2023 for the provision of 04 no. of boilers or to dismantle the 02 no. of old boilers. Further, the industry may be directed to amend the existing CTO, dated 27/02/2023 for provision of process vent attached to the acetaldehyde plant.

ii. As there are instances of episodal deterioration of quality of run-off water at the alleged Balantin nalah, adjacent to wetland no. 1 of bioremediation area of the industry and Pimpal nalah, passing through the industry premises, Gat no. 138, Vill. Kanegaon i.e. near ETP of the industry; the industry may be directed to construct a trench of adequate size along the periphery of the bio-remediation area to contain the run-off water, outfalls into Godavari River. Later, the accumulated water from trench may be conveyed for treatment at the industry.”

3. No objection against the said report has been filed by the other parties.

4. From the side of project proponent/respondent no.1 reply affidavit has been filed dated 16.11.2024 after submission of the said Joint Committee report in which in Para-20 it is stated that in compliance with the recommendations cited above, the respondent no.1 applied for renewal of CTO and MPCB has issued new CTO including the operation of 4 boilers and the recommendation of the committee is complied with. The renewed CTO is issued by the authority on 13.10.2024 including four boilers which is valid upto 31.08.2029. A copy of the renewed CTO is annexed as Exhibit-"R-8".

5. Further it is mentioned in this affidavit that the Joint Committee has also made recommendation to construct a trench. In this regard, it is submitted that the natural nalah, Balatin Nalah Village Kanhegaon and Pimpal Nalah, Village Wari both originate from rainfall and ground water seepage. The primary source of the Balatin Nalah is surface run off water from around 2.5 to 3 kms which has more than 50 ha land. While the

primary source of the Pimpal Nalah is surface run off water from around 2.5 to 3 kms which has more than 120 ha land. These are seasonal natural courses which include runoff water flowing to River Godavari. The natural drain has been extinguished by the land owners of the nearby area. The natural Nalah's are passing through the land which are owned by the respondent no.1. Therefore, the respondent no.1 is committed for its sustainability. For the compliance of the recommendations made by the Joint Committee in this regard, the respondent No. 1 prays that MPCB, and CPCB along with MoEF&CC may be directed to provide practical solution so that the natural sources and ecosystem may be saved.

6. We have heard the Learned Counsel for the parties and are of the view that since there is no objection filed against the Joint Committee report, the same is accepted. Both the recommendations cited above also need to be accepted accordingly.

7. As far as recommendation no.1 with respect to industry/respondent no.1 obtaining consent to operate for four boilers is concerned, the same has already been done.

8. As regards the recommendation no.2 with respect to construction of trench of adequate size along the periphery of the bioremediation area to contain the runoff water is concerned, we are of the view that this needs to be implemented by the project proponent/respondent no.1 on urgent basis. Learned Counsel for the respondent no.1 showed some difficulty in its implementation saying that it appears to be infeasible but, in our estimation, it cannot be treated to be infeasible recommendation and accordingly we direct that recommendation no.2 cited above shall also be complied with within a period of two months from the date of uploading of this order.

9. This application accordingly stands disposed of.

Dinesh Kumar Singh, JM

Dr. Sujit Kumar Bajpayee, EM

February 02, 2026
AM.