

Item No.1

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.205/2023(WZ)
Earlier Diary No.2704138005812023**

Satguru Agro Industries

.....Applicant

Versus

M/s. Salvi Chemicals Ltd. & Ors.

....Respondent(s)

Date of hearing: 04.12.2023

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

Applicant : Ms. Supriya Dangare, Advocate

ORDER

1. This application has been filed with the prayers that respondent No.1-M/s. Salvi Chemicals Ltd. be directed to stop the seepage and leakage of untreated polluted chemical from its unit in the premises of applicant No.1; EDC be levied from the respondent No.1 for damaging environment; and direction be issued to the respondents to restitute the area in question.

2. The submission made by the learned counsel for applicant is that the industry of respondent No.1 is a chemical manufacturer of iron, iodine and quinolone products, which is carrying out its operations at Plot No.E, 93-94, MIDC, Tarapur Industrial Area, Boisar for the last more than 20 years. The applicant's unit is situated adjacent to the unit of respondent No.1. There is a common boundary wall and the untreated polluted water/effluent is entering the premises of the applicant's unit, regarding which a complaint dated 14.12.2022 was made by the

applicant to the Sub-Regional Officer, Maharashtra Pollution Control Board (MPCB), Tarapur MIDC, Boisar, a copy of which has been annexed at page no.17 of the paper book and thereafter, another complaint was made regarding the same issue to the said Officer on 09.01.2023, a copy of which is also annexed at page no.30 of the paper book but no action has been taken at their end.

3. It is also submitted by the learned counsel for applicant that the applicant has got the effluent analyzed through the Private Agency 'Enviro Care Labs Pvt. Ltd.' on his own but the report of the same could not be placed on record, for which some time may be allowed. We grant two weeks' time for the same. The photographs have also been annexed, showing stagnation of the effluent, which is said to be lying in the premises of applicant.

4. We find *prima facie* case adversely impacting environment is made out, therefore, we deem it appropriate to admit this application and accordingly admit the same.

5. Registry is directed to issue Notice to the respondents, returnable within 04(four) weeks.

6. Applicant is directed to take necessary steps for service to the respondents by both ways (Dasti as well as by Registered Post) and also on available e-mail/WhatsApp and submit service affidavit within one week.

7. Applicant is also directed to provide copy of the application and relevant documents to the respondents within a week.

8. Respondents are directed to submit their reply affidavits within three weeks and also circulate the same to the applicant as also other respondents by available e-mail.

9. Rejoinder, if any, is directed to be submitted within one week thereafter.

Put up this matter for further consideration on 02.02.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 04, 2023
Original Application No.205/2023(WZ)
Earlier Diary No.2704138005812023
P.Kr