

Item No.2

(Pune Bench)

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

(By Video Conferencing)

ORIGINAL APPLICATION NO.222 OF 2023 (WZ)

Mrs. Mangal w/o Vishnu Bodkhe & Ors.

.... Applicants

Versus

M/s Matrix Life Science Pvt. Ltd. & Ors.

....Respondents

Date of hearing: 03.01.2024

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

Applicants : Mr. Asim Sarode, Advocate

ORDER

1. This application has been filed with the prayers that respondent No.2 – MPCB be directed to close down the respondent No.1 – Industry – M/s Matrix Life Science Pvt. Ltd. and heavy fine be imposed upon it for discharging untreated chemical water thereby affecting the quality of ground water, which has resulted in damage to the crops of the applicants. It is also alleged that the Consent to Operate granted by respondent No.2 – MPCB is being violated by the said Industry, which is dumping the waste of their chemicals in the land itself without proper treatment thereof. It is also alleged that warning notice was issued to respondent No.1 by respondent No.2 – MPCB on 02.02.2021, for non-compliance of consent conditions, wherein it is stated that respondent No.1 has not provided ATFD for waste treatment and disposal and the RO reject is used on ash spraying.

2. During argument, learned counsel for the applicants has drawn our attention to pages 36 and 37 of the paper-book (Annexure-C), which is Visit Report of respondent No.2 – MPCB dated 12.07.2023 wherein it is

recorded that the Industry had achieved ZLD as per consent conditions. The learned counsel states that it is impossible to achieve ZLD in Indian conditions and that this false report has been prepared by the officials of the MPCB sitting in their office and not actually visiting the site in question. When we made a query to him as to whether any such pleading is there in the memo of Original Application, he could not show the same. He has drawn our attention to page 35 of the paper-book (Annexure-B), which is a warning notice dated 02.02.2021. Thereafter, he has also drawn our attention to page 38 of the paper-book, which is a direction dated 07.10.2022, issued by the MPCB (Annexure-D) under Section 331 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981. These documents are of earlier dates and not post 12.07.2023 when the visit was made by the MPCB officials and no infirmity was noticed.

3. The learned counsel for the applicants, at this stage, sought time till tomorrow to seek instructions from his clients as to whether this matter is to be contested further or they would not press this application. We allow his request and direct the Registry to place this matter tomorrow i.e. 04.01.2024 as the first matter on the Board.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 3, 2024
O.A. No.222/2023 (WZ)
npj