

**MINUTES OF THE 28TH MEETING OF THE GOA STATE
POLLUTION CONTROL BOARD, HELD ON MARCH 06, 1997 AT
3.30PM IN THE CONFERENCE HALL OF THE SECRETARIAT,
PANAJI-GOA.**

- I. The 28th Meeting of the Goa State Pollution Control Board was held under the Chairmanship of Dr. Carmo Pegado on March 06, 1997 at 3.30pm in the Conference Hall of the Secretariat, Panaji-Goa.

The following members were present for the meeting.

1.	Dr. Carmo Pegado	Chairman
2.	Director S.T.E	Member
3.	Managing Director GTDC	Member
4.	Managing Director EDC	Member
5.	Shri Andrew D'Souza	Member
6.	Shri Sanjay Gauns Dessai	Member
7.	Shri A.V. Palekar	TAC Member
8.	Shri H.R. Kulkarni	Member Secretary

The following members expressed their inability to attend the meeting

1.	Secretary (Environment)	Member
2.	Shri Shivanand Salgaocar	Member
3.	Director, Health Services	Member

The following members did not attend the meeting:

1.	Shri Subhash G. Narvekar	Member
2.	Shri Vishwasrao Dessai	Member
3.	Shri Rodney Rodrigues	Member
4.	Conservator of Forests	Member
5.	Shri Ashok Halarnkar	Member
6.	Chief Engineer, PWD	Member
7.	Chief Engineer, Irrigation	Member

II. AGENDA ITEM NO. 1

MINUTES OF THE 27TH MEETING OF THE GOA STATE POLLUTION CONTROL BOARD

The members perused the minutes of the 27th Meeting of the Goa State Pollution Control Board and the same were confirmed so as to make necessary entry in the Minutes Book.

AGENDA ITEM NO. 2

MINUTES OF THE 15 TH MEETING OF THE GOA STATE POLLUTION CONTROL BOARD

Sr. No. 1 - M/s Mandovi Metals Pvt. Ltd. - Cuncolim Industrial Estate

Sr. No. 4 - M/s Mandovi Castings Pvt. Ltd., Cuncolim Industrial Estate, Cuncolim-Goa.

TAC had withheld granting NOC for setting up of electro-metallurgical industries with potential for air pollution. Since the industries department have already taken decision not to allow any more industries of this nature and cut off date is given as October, 1996. In view of this, the Board approved considering NOC to these industries to whom the industries department has already granted registration in October 1996. No proposals are to be entertained after this date.

Sr. No. 6 - M/s Hoechst Marion Roussel Ltd., Verna

During the meeting of HPCC held on 3/2/97, the applicant industry informed that they have re-computed the water requirement and whole of the treated effluent will be utilised for gardening, recycling etc. within their own premises. In view of this GSPCB has no objection in setting up of their industry.

AGENDA ITEM NO. 3

MINUTES OF THE 16TH MEETING OF THE TECHNICAL ADVISORY COMMITTEE HELD ON 23/12/96

Sr. No. 5- M/s Goa Metals & Ferro Alloys Pvt. Ltd. - Honda Industrial Estate

Sr. No. 6 - Jain Carbides & Chemicals Ltd. - Usgao

TAC had withheld granting NOC for setting up of electro-metallurgical industries having potential for air pollution. Since the industries department have already taken the decision not to allow any more industries of this nature and cut off date is given as October, 1996. In view of this, the Board approved considering NOC to these industries for whom the industries department has already granted registration in October 1996. No proposals are to be entertained after this date.

Sr. No. 8 - M/s Gurudev Industries - Honda Industrial Estate

The proposal is for setting up of this industry at Honda Industrial Estate, wherein there is an existing pharmaceutical unit namely Procter & Gamble. Clean atmosphere required for the pharmaceutical industry. The activities of M/s Gurudev Industries will have an impact on the Ambient Air due to the emissions. The applicant is required to identify a separate location for setting up of this industry.

AGENDA ITEM NO. 4

MINUTES OF THE 17TH MEETING OF THE TECHNICAL ADVISORY COMMITTEE HELD ON 13/1/97

The members perused the minutes of the 17th Meeting of the Technical Advisory Committee meeting held on 13/1/97

AGENDA ITEM NO. 5

MINUTES OF THE 18TH MEETING OF THE TECHNICAL ADVISORY COMMITTEE HELD ON 24/2/97

Sr. No. 9 - M/s Kundil Alloys Pvt. Ltd. - Kundaim Industrial Estate

Sr. No. 10 - M/s Kundil Rolling Pvt. Ltd. - Kundaim Industrial Estate

Sr. No. 30 - M/s Shiva Metallurgical Products - Cuncolim Industrial Estate

TAC had withheld granting NOC for setting up of electro-metallurgical industries having potential for air pollution. Since the

industries department have already taken the decision not to allow any more industries of this nature and the cut off date is given as October 1996. In view of this, the Board approved considering NOC to this industry for whom the industries department has already granted registration in October 1996. No proposals are to be entertained after this date.

AGENDA ITEM NO. 6

PROGRESS IN RESPECT OF THE CONSTRUCTION OF THE BOARD BUILDING

The members perused the enclosure to this item in respect of construction of the Board building.

AGENDA ITEM NO. 7

With the permission of the Chairman, the issue of a distillery unit viz. M/s Penguin Alcohols Pvt. Ltd., Canacona came up for discussion. The Board members were appraised of the action taken so far by the Board. To summarise the following facts are in brief:

1. M/s Penguin Alcohols Pvt. Ltd. (PAPL) were issued with consent to establish (NOC) the distillery unit at Canacona Industrial estate with the following conditions apart from others:

a. The spent wash shall be treated in an anaerobic digester for bio-gas generation.

b. The effluent after bio-gas recovery shall be treated in two stages aerobic system to bring quality of the final effluent within the following limits: pH - 5.5 to 9.0, Suspended Solids - 100 mg/lit, Bio-Oxygen Demand - 100 (land disposal), Chemical Oxygen Demand - 250.

2. M/s PAPL commenced testing the distillery unit in November/December, 1995 without complying with the conditions stipulated at (1) above. The consent to operate the industrial unit under Section 25/26 of the Water (Prevention and Control of Pollution) Act 1974 was refused to this industrial unit of PAPL in January, 1996. Unauthorised and illegal operation of the distillery unit by PAPL resulted in generation of waste water (spent wash) of

highly polluting nature. PAPL disposed this waste water clandestinely in various places in Goa and was reported in various newspapers.

3. PAPL submitted an application for consent to operate the industrial unit under section 25/26 of the Water (Prevention and Control of Pollution) Act 1974 in June 1996. Since PAPL did not comply with the arrangement for disposal of the treated effluent on land for irrigation the consent to operate the industrial unit was refused to this firm.

PAPL was advised to comply with the requirements for safe disposal vide this office letter dated 28/10/96 with the instructions to intimate the Board by 15/11/1996.

4. M/s Penguin Alcohol's Pvt Ltd. (PAPL) preferred an appeal under section 28 of the Water (Prevention and Control of Pollution) Act 1974 against the letter no.5/487/95-PCB/671 dated 28/10/96 wherein PAPL were advised to comply with the observations of the 27th Board meeting with a time limit upto 15/11/96 to send in their observation if any. PAPL instead of complying with the observations, preferred to approach the Ld. Appellate Authority against a letter and not an order under section 25/27 of the Water (Prevention and Control of Pollution) Act 1974. The Ld. Appellate Authority advised the Goa State Pollution Control Board to file its reply/comments on the appeal of the Appellant

5. Goa State Pollution Control Board complied with the observations of PAPL and submitted its observations/comments to the Ld. Appellate Authority on 22/11/96

6. The Ld. Appellate Authority heard both the Appellant and Respondent on 22/11/96 in his Chamber and passed an interim order appointing a Commission headed by Dr. M. Modassir, Managing Director, Industrial Development. Corporation and three other members, with specific terms of reference.

7. The Commission advised the Board to appear before it and accordingly the Member Secretary alongwith Dr. N.P.S. Varde, Director, STE, Shri S. Chary, Asstt. Env. Engineer and Miss Natalia

Dias, Asstt. Law Officer represented the Board during the discussions. Shri Rajendra Lawande and Shri A.V. Palekar both TAC members were also requested to be present during discussions and they could not attend. The discussions were held in camera and the Chairman of the Commission promised to supply this Board a copy of the recording.

8. The Commission submitted its report to the Appellate Authority on 17/1/97 and the Ld. Appellate Authority in turn forwarded the same to GSPCB for their comments.

9. The report of the Commission was totally one-sided without regard to the facts of the case. GSPCB did not agree with the biased findings of the Commission and submitted its observations/clarifications in strongest terms.

10. The Ld. Appellate Authority delivered the judgement on 17/2/97 and the gyst of the judgement is detailed below:

a. Ld.Appellate Authority granted consent under section 26 of the Water (Prevention and Control of Pollution) Act 1974 wherein the Ld.Appellate Authority is not the competent authority to issue consent.

b. The effluent containing 100 mg/l B.O.D as pollution free is also not correct unless it is properly disposed off on land for irrigation.

c. The Ld. Appellate Authority has gone even one step further in asking the industry to start commercial production.

11. GSPCB having aggrieved by the Judgement of the Ld. Appellate Authority preferred an appeal under section 29 of the Water (Prevention and Control of Pollution) Act 1974 to Govt of Goa to reject the Judgement of the Ld. Appellate Authority as the same is against the provisions of the Water (Prevention and Control of Pollution) Act 1974 and the decision of the Government is awaited.

III. The meeting ended with thanks to the Chair.