

**MINUTES OF THE 136th MEETING OF THE
GOA STATE POLLUTION CONTROL BOARD HELD ON 13th
FEBRUARY, 2019, AT 3.00 PM, IN THE CONFERENCE HALL OF
THE GOA STATE POLLUTION CONTROL BOARD, SALIGAO.**

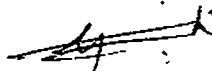
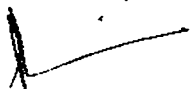
1. The 136th meeting of the Goa State Pollution Control Board was held on 13th February, 2019 at 3.00 p.m. in the Conference hall of the Goa State Pollution Control Board.

The following members / officials attended the meeting:

1.	Mr. Ganesh Budhu Shetgaonkar, Chairman
2.	Director of Industries, Trade and Commerce was represented by Dy. Director
3.	Chief Engineer, Water Resource Dept. was represented by Chief Engineer
4.	Director of Mines and Geology was represented by Dy. Director, Mrs. Neha Panvelkar
5.	Director of Health Services was represented by Health Officer
6.	Director of Tourism was represented by Assistant Director, Mr. S. Kavlekar
7.	Mr. Shawn Brian Martins, Panch Member, Village Panchayat Calangute
8.	Mr. Rajsingh Rane, Councillor, Mapusa Municipal Council
9.	Mr. Savio Messias, President, Travel and Tourism Association of Goa
10.	Mr. Shubham Chodankar, Corporator, Corporation of the City of Panaji
11.	Ms. Unnati Sahastrabhudhe, Panch member, Village Panchayat Velguem
12.	Mr. Sanjay Naik, Panch Member, Village Panchayat Sanvordem
13.	Mr. Atrey Sawant, Chairman, Confederation of Indian Industries (Goa Chapter)
14.	Mr. Sanjit Rodrigues, Managing Director, Goa Tourism Dev. Corpn. was represented by S.E, Shri S.M. Mhapne
15.	Dr. Shamila Monteiro, Member Secretary

II. At the outset, Member Secretary welcomed the Board members for the meeting.

Member Secretary informed the Members present that as per the Water (Prevention and Control of Pollution) Act, 1974, the members of the Board are nominated by their name and designation and that the meeting notice was sent to the members to remain present for the meeting in person.



Members informed that since the Government nominated members i.e the Directors cannot be present for the meeting due to their pre-occupation. they depute their sub-ordinates to attend the meeting.

Thereafter the agenda items were taken for discussions.

Agenda item no. 01

Confirmation of the Minutes of the 135th meeting of the Board held on 2nd November, 2018

The minutes of the 135th meeting of the Board held on 2nd November, 2018, duly signed forwarded vide this office letter no. 4/135/18-PCB/Admn/15243 dated 23/11/2018 were confirmed so as to enter in the minutes Book.

Agenda item no. 02

Follow up action on the decision taken at the 133rd meeting of the Board held on 29/06/2018

Agenda item no. 05 – Application of M/s South West Port Ltd. for Consent to Operate under Air Act and Water Act -

The Goa State Pollution Control Board has granted M/s Adani Mormugao Port Terminal Pvt. Ltd., Renewal Consent to dated 23/01/2018.

The said Renewed Consent Order, at condition no. 3(xiv), stipulates as follows;

“ The Unit shall install a Continuous Ambient Air Quality System (CAAQMS) to measure parameters like PM₁₀, PM_{2.5}, CO, SO₂, NO₂, and submit Real Time Data to this Office’

M/s Adani Mormugao Port Terminal Pvt. Ltd installed a CAAQMS at MPT Colony, D Type Quarters, at Sada Vasco.

The Renewed Consent Order, at condition no. 4(vi), mandates that M/s Adani Mormugao Port Terminal Pvt Ltd is required to take adequate mitigation measures to control emissions and to achieve Ambient Air Quality Standards as follows;

PM₁₀ not to exceed 100 micrograms per m³ (24 hours average).

PM_{2.5} not to exceed 60 micrograms per m³ (24 hours average)

On perusal of the CAAQMS Real Time data from the CAAQMS installed by M/s Adani Mormugao Port Terminal Pvt. Ltd at MPT Colony, D

Type Quarters, at Sada Vasco, as placed before the Board, it is seen that the values of PM₁₀ recorded on, 9/2/2019 is 168.47 micrograms per meter cube, on 10/02/2019 is 171.01 47 micrograms per meter cube, on 11/2/2019 is 139.747 micrograms per meter cube and on 12/02/2019 is 132.974 micrograms per meter cube. These readings indicate that the Ambient Air Quality at Sada Vasco is exceeding the permissible limits of 100 micrograms per meter cube thereby indicating that M/s Adani Mormugao Port Terminal Pvt. Ltd has violated condition no. 4(vi) of the Renewed Consent to Operate Order dated 23/01/2018 issued to you by this Board.

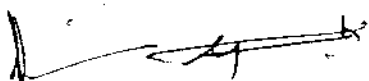
The Board also carries out independent Ambient Air Quality Monitoring at Fuse Call station at Vasco and at MPT Fire Brigade Station. The reports of the this AAQM, as placed before the Board, indicate that the values of PM¹⁰ on 5/2/2019 and 7/2/2019 at Fuse Call station at Vasco are 249 micro grams per meter cube and 126 micro grams per meter cube respectively and at MPT Fire Brigade Station the values of PM10 on 5/2/2019 and 7/2/2019 are 390 micro grams per meter cube and 437 micro grams per meter cube.

These readings indicate that the Ambient Air Quality at Fuse Call station at Vasco and at MPT Fire Brigade Station is exceeding the permissible limits of 100 micrograms per meter cube thereby indicating that M/s Adani Mormugao Port Terminal Pvt. Ltd has violated condition no. 4(vi) of the Renewed Consent to Operate Order dated 23/01/2018 issued to them by this Board.

The Board also observed that there were windy conditions at Vasco from 1/02/2019 that continues till date and that M/s Adani Mormugao Port Terminal Pvt. Ltd has been carrying out handling of Coal at their facility at Berth no. 7 from 1/02/2019 till date, during the aforesaid windy conditions.

After detailed discussions and deliberation and after considering the reports of monitoring as aforesaid the Members concluded that M/s Adani Mormugao Port Terminal Pvt. Ltd. handling of Coal at their facility at Berth No. 7 during the prevalent windy conditions has resulted in the deterioration of Ambient Air Quality standards at Vasco City which is indicated by the exceedances of PM₁₀ as aforesaid in the reports of monitoring.

Hence, the members have decided that in light of the deteriorating air quality in Vasco city, and the aforesaid and enclosed reports of monitoring of AAQ, M/s Adani Mormugao Port Terminal Pvt. Ltd should be directed to temporarily suspend the handling of coal at their facility at Berth No. 7 forthwith. Members also decided that the management of M/s Adani Mormugao Port Terminal Pvt. Ltd should be directed to appear before the Board at its next meeting that is fixed on 21/02/2019 at 11:30 a.m. in order to



Show cause as to why the Renewed Consent to Operate order dated 23/01/2018 issued to M/s Adani Mormugao Port Terminal Pvt. Ltd by this Board under the Air (Prevention and Control of Pollution) Act, 1981, should not be revoked.

It was further decided that the Member Secretary of the Board immediately convey the aforesaid decisions of the Board to M/s Adani Mormugao Port Terminal Pvt. Ltd by way of directions under section 31(A) of the Air Act.

With respect to M/s South West Port Ltd, located at Berth no. 6(A), at MPT, Members observed that the Board had granted the unit Renewal Consent to Operate under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 dated 06/07/2018.

The said Renewed Consent Order, at condition no. 4(x), stipulates as follows;

"The Unit shall maintain and operate a Continuous Ambient Air Quality System (CAAQMS) and the data so generated shall be transferred to GSPCBs server on Real Time Basis."

In this regard M/s South West Port Ltd has installed a CAAQMS at Berth no. 6(A).

The said Renewed Consent Order, at condition no. 4(xi), mandates that M/s South West Port Ltd is required to take adequate mitigation measures to control emissions and to achieve Ambient Air Quality Standards as follows;

PM₁₀ not to exceed 100 micrograms per m³ (24 hours average).

PM_{2.5} not to exceed 60 micrograms per m³ (24 hours average).

On perusal of the CAAQMS Real Time data from the CAAQMS installed by M/s South West Port Ltd at Berth no. 6(A), as placed before the Board, Members observed that the values of PM₁₀ recorded on, 6/2/2019 and 7/02/2019 is 124.93 micrograms per meter cube and 155.61 micrograms per meter cube respectively. Further the members also observed that the above readings indicate that the Ambient Air Quality at Berth no. 6(A) is exceeding the permissible limits of 100 micrograms per meter cube thereby indicating that M/s South West Port Ltd has violated condition no. 4(xi) of the Renewed Consent to Operate Order dated 06/07/2018 issued to them by this Board.

The Board members observed that the Board also carries out independent Ambient Air Quality Monitoring at Fuse Call station at Vasco and at MPT Fire Brigade Station. The reports of the aforesaid AAQM as placed before the Board indicate that the values of PM₁₀ on 5/2/2019 and 7/2/2019 at

Fuse Call station at Vasco are 249 micro grams per meter cube and 126 micro grams per meter cube respectively and at MPT Fire Brigade Station the values of PM₁₀ on 5/2/2019 and 7/2/2019 are 390 micrograms per meter cube and 437 micrograms per meter cube respectively.

The Board members observed that the above readings indicate that the Ambient Air Quality at Fuse Call station at Vasco and at MPT Fire Brigade Station is exceeding the permissible limits of 100 micro grams per meter cube thereby indicating that SWPL has violated condition no. 4(xi) of the Renewed Consent to Operate Order dated 06/07/2018 issued to them by this Board.

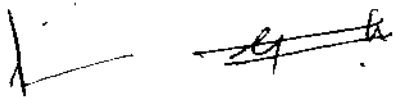
Members also perused the CAAQMS Real Time data from the CAAQMS installed by M/s Adani Mormugao Port Terminal Pvt. Ltd, at MPT Colony, D Type Quarters, at Sada Vasco, as placed before the Board. It was observed that the values of PM₁₀ recorded on, 9/2/2019 is 168.47micrograms per meter cube, on 10/02/2019 is 171.01 47micrograms per meter cube, on 11/2/2019 is 139.747 micrograms per meter cube and on 12/02/2019 is 132.974 micrograms per meter cube. Members observed that these readings indicate that the Ambient Air Quality at Sada Vasco is exceeding the permissible limits of 100 micrograms per meter cube thereby indicating that SWPL has violated condition no. 4(xi) of the Renewed Consent to Operate Order dated 06/07/2018 issued to you by this Board.

Members also observed that there were windy conditions at Vasco from 1/02/2019 that continues till date.

Board members further observed that SWPL has been carrying out handling of Coal at its facility at Berth no. 6(A) from 1/02/2019 till date, during these windy conditions.

The Board at its 136th Meeting has discussed the aforestated issue at length and has concluded that the handling of Coal at the facility at Berth No. 6(A) by SWPL during the prevalent windy conditions has resulted in the deterioration of AAQ standards at Vasco City which is indicated by the exceedances of PM₁₀ at the aforestated locations.

After detailed discussions and deliberation and after considering the reports of monitoring as aforestated and as viewed by the members at the power point presentation, the members concluded that M/s SWPL handling of Coal at their facility at Berth No. 6(A) during the prevalent windy conditions has resulted in the deterioration of Ambient Air Quality standards at Vasco City which is indicated by the exceedances of PM₁₀ as aforestated.

A handwritten signature and a scribble consisting of several horizontal lines.

Hence the members have decided that in light of the deteriorating air quality in Vasco city, and the aforesaid and enclosed reports of monitoring of AAQ, SWPL should be directed to temporarily suspend the handling of coal at their facility at Berth No. 6(A) forthwith. Members also decided that the management of SWPL should be directed to appear before the Board at its next meeting that is fixed on 21/02/2019 at 11:30 a.m. in order to Show cause as to why the Renewed Consent to Operate order dated 6/07/2018 issued to SWPL by this Board under the Air (Prevention and Control of Pollution) Act, 1981, should not be revoked.

It was further decided that the Member Secretary of the Board immediately convey the aforesaid decisions of the Board to SWPL by way of directions under section 31(A) of the Air Act.

Members also decided that the Officials of the Board conduct a discreet surprise inspection of the facilities of SWPL and M/S Adani at MPT to verify the factual situation as regards to pollution control measures and site conditions and submit this report to the Board at its next meeting on 21/02/2019.

In so far as the pending application for grant of Renewal of Consent to operate received from SWPL and placed before the Board is concerned; the Members decided that this application should be considered after taking a decision on the aforesaid Show cause notice/directions issued by the Board to SWPL.

Agenda item no. 03

Follow up action on the decision taken at the 134th (Special) meeting of the Board held on 21/08/2018

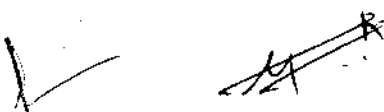
Items discussed with the permission of the Chair - Member Secretary placed the report as prepared by the Technical Advisory Committee of the Board with regard to their visit to Port on the Table for perusal of the members.

Agenda item no. 04.

Follow up action on the decision taken at the 135th meeting of the Board held on 2nd November, 2018

Agenda item no. 3- Members noted that the Revised Estimates of the Goa State Pollution Control Board for the financial year 2018-19 were forwarded to the Department of Environment.

Agenda item no. 4 – Complaint of Mr. Gabriel Fernandes against M/s Jolly Metals – Members perused the inspection report of the inspection carried on



24/12/2018, as submitted by the officials of the Board. Member Secretary also placed on record the letter received by the Board from the Water Resource Department vide no. WRD/WDXII/Tech/F.15/1063/2018-19 dated 11/02/2019 stating as follows:

a.	The crusher is located within a distance of less than 5 metres from D2 – D3 Distributory canal of Salaulim irrigation Project
b.	Mandatory NOC is not obtained from WRD even though the crusher is located in close vicinity of the canal
c.	Encroachment and trespassing has been established upon WRD land by crushing unit and a complaint has been filed with Quepem Police Station for necessary action and FIR has been registered
It is further stated in the said letter that if there is a request from M/s Jolly Metals requesting for Consent to operate, the same may be denied or if Consent to operate is already awarded the same may be withdrawn immediately.	

Both the parties were called before the Board for hearing based on the inspection conducted by the Board officials. Representatives of M/s. Jolly Metals and the complainant, Mr. Gabriel Fernandes were present before the Board, They have stated that they reiterated the submissions made by them during the 135th meeting of the Board held on 2nd November, 2018.

The members deliberated on the issue and have concluded as follows:-

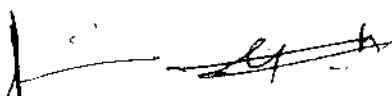
1. The Board is required to hear the parties on all the grievances raised by Mr. Gabriel Fernandes in Application No. 130/2015 filed before the Principal Bench of the National Green Tribunal

Accordingly the parties were heard at the 135th meeting of the Board and their submissions recorded.

2. After considering the submissions of the complainant Mr. Gabriel Fernandes as made at the 135th meeting, it is observed that the primary objection of the complainant is that the unit of M/s Jolly Metals has been in operation from 2006 to 2015 without the Consent of the Board and that inspite of this being a punishable offence under the Water Act and Air Act, no action has been initiated by the Board.

The complainant also alleges that the unit has produced material in excess of the consented quantity.

3. On the contrary, the representative of the stone crushing unit M/s Jolly Metals states that as far as the decision of the Board dated 07/02/2017 for initiating action on the unit for operating without Consent is concerned the



same was challenged by him before the High Court of Bombay at Goa vide W.P. 227/2017.

It is further stated that the Hon'ble High Court vide Judgment dated 12/4/2017 quashed and set aside the Board's decision dated 7/2/2017 and granted the Board liberty to give a hearing to the unit and the complainant with regard to Show Cause Notice dated 18/8/2016 and to take a fresh decision in accordance with Law.

4. It is clear from the proceedings of this Board that the unit has been heard on the issue of operation of the unit from 2006 to 2015 without Consent in terms of the Directions of the Principal Bench of the NGT.

5. After considering the submissions of the parties, the members have concluded that as there is no specific denial by way of submissions or documentation by the unit of M/s Jolly Metals to the fact of it initially being operated without the Consent of the Board. It is decided that the present facts of the case constitute a fit case for the Board to initiate criminal proceedings against the operators of the stone crushing unit of M/s Jolly Metals for initially operating without the Consent of the Board and for violating the provisions of the Water and Air Acts respectively.

6. Further as regards to the letter received by the Board from the Water Resource Department vide no. WRD/WDXII/Tech/F.15/1063/2018-19 dated 11/02/2019; the Members decided that this information would be ground for issuing the stone crushing unit of M/s Jolly Metals a Show cause notice as to why the Consent to Operate issued to it should not be revoked by the Board.

Agenda item no. 5 – Application cum request of M/s Kargwal Construction Pvt. Ltd. to conduct Environmental Public Hearing with regard to establishment of a Marina Ahoy Marina – Members noted that letter is forwarded to the District Magistrate / District Collector to fix a suitable date for conduct of the Environmental Public Hearing.

Agenda item no. 6 – Categorisation of the unit of M/s MRF Ltd., Usgao in Orange category – Members noted that the decision of the Board has been conveyed to the Central Pollution Control Board.

Agenda item no. 7 – Applications received by the Board from private shack / hut owners for obtaining Consent to Establish of the Board – Members noted that Circular has been issued by the Board and Consents are issued as per the Circular.

Agenda item no. 9 -- Application for Consent to Operate of M/s Deccan Fine Chemicals (for operation of the pilot plant)- Members noted that Consent to Operate to M/s Deccan Fine Chemicals has been granted.

Agenda item no. 10 - Application for Consent to Operate of M/s Deccan Fine Chemicals (I) Pvt. Ltd. (change in product mix) - Members noted that Consent to Operate to M/s Deccan Fine Chemicals has been granted.

Agenda item no. 11 -Application for Consent to Operate of M/s Deccan Fine Chemicals (change in product mix) - Members noted that Consent to Operate to M/s Deccan Fine Chemicals has been granted.

Agenda item no. 12 - Application of M/s M.K. Aromatics for setting up of a solid waste management facility - Members noted that Consent has been granted to M/s M.K. Aromatics.

Agenda item no. 13 - Operation of the mine unit of Shakti Bauxite Mine - Members noted that the decision taken by the Board has been conveyed to the Board Advocate.

Agenda item no. 14 - Revision of the delegation of powers by the Board to its officers - Members noted that Office order has been issued delegating powers to its Officers / Officials which has been forwarded to the Department of Environment, for issue of suitable Notification.

Member Secretary informed the members since Office Order is issued in general only the delegated authorities as follows be forwarded to the Government for Notification, as other work allocation are purely internal administration matters of the Board and dynamic in nature.

1. Delegation of powers under Red category of units
2. Delegation of powers under orange category of unit
3. Delegation of powers under Green category of units
4. Delegation of powers under Hazardous Waste/ Bio-medical Waste/ Solid Waste / Plastic Waste / Batteries / E-waste Rules.

Further Member Secretary informed the members that work allocation of subjects being internal administration matters of the Board can undergo continuous changes depending upon work exigencies, which are restricted to internal Circulation which could be determined and decided by the Member Secretary with the approval of the Chairman.

Members agreed to the above.




Table item no. 01 - Member Secretary informed the members that the deviated amount towards the Civil and plumbing works till RA bill no. 08 for Rs. 85,98,796/- and the deviated amount towards fire fighting works till R.A bill no. 03 for Rs. 6,99,383/- was placed at the Board meeting. The minutes were recorded that approval for deviated amount of Rs. 85,98,796/- for R.A bill no. 8 as approved. The deviated amount towards fire fighting till R.A bill no. 03 amounting to Rs. 6,99,383/- was placed at the meeting, however the same was not recorded in the minutes due to oversight. Members approved for rectification of the minutes.

Table Item no. 02 – Consent to Establish of M/s Sukraft Re-cycling Pvt. Ltd. (expansion) – Members noted that Consent to Establish to M/s Sukraft Re-cycling has been granted.

Agenda item no. 05

Condemnation of office vehicles bearing nos. GA-01-S-6346 (Toyota Qualis) and no. GA-01-S-9684 (Tata sumo).

Member Secretary informed the members that two office vehicles no. GA-01-S-6346- - Toyota qualis, which was purchased in the year 2003 has completed 15 years on road and has covered 2,91,474 kms. and vehicle no. GA-01-S-9684 - Tata Sumo, which was purchased in the year 2006 has completed 13 years on road and has covered 1.63 lakh kms. The said vehicles require major works pertaining to the body and other repairs to be carried out, further the R.T.O clearance of the vehicle is not obtained after completion of 15 years. Since the vehicle has already covered more than 1.50 lakh kms. It was proposed for condemnation of the vehicle after obtaining clearance and upset value of the vehicle from the Public Works Dept.

Members noted that since the vehicles have already crossed their life span these vehicles may not adhere to the pollution norms. It was decided to get the upset value of the vehicle from the Public Works Dept and condemn the vehicles, which could be sold as scrap by call of quotations from the open market.

As regards to purchase of two new vehicles replacing the above condemned vehicles, the members were of the opinion that the Board shall not go for purchase of new vehicles, as cost involvement towards maintenance is high.

Member of the Board suggested that Goa Tourism Development Corporation gives vehicles on hire and the services of the Corporation could be utilised by the office.

Member Secretary informed the members that the Board is required to carry out monitoring on a 24 hours shift, as a result of which Drivers were recruited on contract basis to transport the staff to the locations. She further informed if the Board hires vehicles, the Drivers so recruited on contract basis will be provided with some training and their services will be utilised in the monitoring activities. The members agreed for the same.

Agenda item no. 06

Application for Consent to Establish (expansion) under the Air Act and the Water Act of M/s Goa Glass Fibre Ltd located at Survey no. No. 218/220 (part), Village Colvale, Tal- Bardez, Goa.

Members perused the proposal of M/s Goa Glass Fibre Ltd located at Survey no. No. 218/220 (part), Village Colvale, Tal- Bardez, Goa for Consent to Establish (expansion) under the Air Act and the Water Act for Increase in manufacturing capacity of Chopped Strand Mat, Roving, Woven Roving and Chopped Strand from 1,352 MT/Month to 2,120 MT/Month.

After deliberations the members agreed for grant of Consent to Establish (expansion) to the unit.

Agenda item no. 07

Application from Directorate of Health Services, Govt. of Goa, for setting up a 500 bedded District Hospital Health Care Facility, Margao, for Consent to Establish under the Air Act and the Water Act.

Members perused the proposal for Consent to Establish under the Air Act and the Water Act of Directorate of Health Services, Govt. of Goa for setting up a 500 bedded District Hospital Health Care Facility at Margao,.

Member Secretary informed the members that the hospital is nearing the stage of completion and the Consent to Establish was not obtained earlier from the Board.

After deliberations, members approved for grant of Consent to Establish under the Air Act and the Water Act

Agenda item no. 08

Grant of ex post facto approval for providing Internet Service provider on end to end optic fibre at the office premises at Saligao.

Member Secretary informed the members that Board had invited open quotations by E-mail for carrying out the work of high speed internet leased line with 1:1 10 mbps high speed with static IPs for the office building at

Saligao, due to urgency of the nature of requirement, as the office was due to shift to its new premises. Quotations as follows were received and work order was issued to M/s G-Wave for an amount of Rs. 3,02,080/- (i.e. Rs. 24190/- x 12 + Rs. 11,800/-).

1.	M/s G - Wave - Goa Broadband Network (GBBN) (M/s United Telecoms Ltd.)	Rs. 24,190/- per month + Rs. 11,800/- as one time installation charges.
2.	M/s Ethernet Express	Rs. 27,140/- per month
3.	M/s Vodafone	Rs. 31,467/- per month
4.	M/s BSNL	Rs. 32,450/- per month

Chairman further informed the members since the purchases were urgently required for the functioning of the office, the same had to be carried out at a short time, as the functioning of the office would have been stalled due to non connectivity.

Member Secretary informed the members that since the purchases were effected through quotations received by e-mail which is not as per the Financial Rules, the same is placed before the Board to accord ex post facto approval for making payments to the party i.e M/s G - Wave - Goa Broadband Network (GBBN) (M/s United Telecoms Ltd.) amounting to Rs. 3,02,080/-.

Members approved ex post facto for making payments to M/s G - Wave - Goa Broadband Network (GBBN) (M/s United Telecoms Ltd.) amounting to Rs. 3,02,080/-.

Agenda item no. 09

Consents issued under OCMMS Software (On-line Consent Management and Monitoring System) and Notification of the digitised signatures.

Members perused the details of Consents issued by the Board under OCMMS Software (On-line Consent Management and Monitoring System) from 10th October, 2018 to 5th February, 2019, by the Delegated Authorities for grant of Consents under Red, Orange and Green categories

Member Secretary informed the members that with the introduction of OCMMS, Consents are issued on-line with digitized signature of the Delegated Authority. Since the Consents are outwarded and digitally signed, the system is required to be notified in the Gazette to hold grounds in the Court of Law.

Members agreed to forward the proposal to the Department of Environment for notifying in the Official Gazette.

Agenda item no. 10

Categorisation of the units:

(a) M/s Automobile Corporation of Goa Ltd. Honda Industrial Estate, Sattari Goa.

The Member Secretary informed the members the office is in receipt of an application from the unit, requesting for change in category from Red category to Orange category. The unit deals in bus body building. As per the categorisation list, industries associated in automobile manufacturing (integrated facilities) is categorised under Red category. The unit has informed that have discontinued the primer paint shop and as such request for change in categorisation.

Based on the details of the water, air & hazardous waste pollutants, and also referring to the Comprehensive Industry Document Series COINDS/67/2007 issued by Central Pollution Control Board, the scores were calculated which stand as follows:

1.	Water Pollution Score (W)			
	Scores	Waste water category	Value	
	Score on W1	W13	20	
	Score on W2	-	0	
Water Pollution score = W1 + W2			20	
2.	Air Pollution Score (A)			
	Score	Air Pollutant category	value	
	Score on A1	A1D	15	
	Score on A2	-	0	
Air pollution score = A1 + A2			15	
3.	Hazardous Waste score (HW)			
	Score	HW category	Value	
	HW	HW1	20	20
Grant Total = W + A + HW			55	

Member Secretary informed the members that the industrial score of the unit is 55, the unit is categorised under Orange category. She further informed that the matter was placed before the TAC of the Board and TAC has recommended the unit to be categorised under Orange category subject to approval of the Board.

Members approved for categorisation of the unit under Orange category

(b) M/s Crompton Greaves Ltd. - Kundaim Industrial Estate

The Member Secretary informed the members that the Central Pollution Control Board had classified the industries into Red Orange, Green and White classified. The industries / sectors which are not categorised are required to be calculated based on the guidelines issued by CPCB regarding the Water, Air and Hazardous pollutant levels.

The unit deals in manufacture of FHP motors. As per the categorisation list, industries associated in electrical and electronic item assembling (completely dry process) is categorised under White category. Since the unit also deals in painting activity, the score was calculated and is as under:

1.	Water Pollution Score (W)			
	Scores	Waste water category	Value	
	Score on W1	W13	20	
	Score on W2	-	0	
	Water Pollution score = W1 + W2			20
2.	Air Pollution Score (A)			
	Score	Air Pollutant category	value	
	Score on A1	A1D	15	
	Score on A2	-	0	
	Air pollution score = A1 + A2			15
3.	Hazardous Waste score (HW)			
	Score	HW category	Value	
	HW	HW1	20	20
Grant Total = W + A + HW			55	

Member Secretary informed the members that the industrial score of the unit is 55, the unit is categorised under Orange category. She further informed that the matter was placed before the TAC of the Board and TAC has recommended the unit to be categorised under Orange category subject to approval of the Board.

Member approved for categorisation of the unit under Orange category

(c) Categorisation of Stone quarries

The Member Secretary informed the members that the Central Pollution Control Board had classified the industries into Red Orange, Green and White classified. The industries / sectors which are not categorised are required to be calculated based on the guidelines issued by CPCB regarding the Water, Air and Hazardous pollutant levels. As per revised categorisation, stone quarries

are not categorised specifically. Hence, calculations of the score was done, which is as under

1.	Water Pollution Score (W)			
	Scores	Waste water category	Value	
	Score on W1	W16	12	
	Score on W2	-	0	
Water Pollution score = W1 + W2			12	
2.	Air Pollution Score (A)			
	Score	Air Pollutant category	value	
	Score on A1	A1D	15	
	Score on A2	-	0	
Air pollution score = A1 + A2			15	
3.	Hazardous Waste score (HW)			
	Score	HW category	Value	
	HW	HW4	10	10
	Grant Total = W + A + HW			37

Member Secretary informed the members that the industrial score for the stone quarry activity is 37, the unit is categorised under Green category. She further informed that the matter was placed before the TAC of the Board and TAC has recommended the unit to be categorised under Green category (mistakenly recorded as Orange category in the agenda notes) subject to approval of the Board.

After deliberations the members noted that since the pollution levels from the stone quarries is very high, which also involves transportation, the activity be categorised under Orange category.

Members approved for categorisation of the Stone quarries under Orange category.

Agenda item no. 11

Re-designation of the First Appellate Authority under the RTI Act

Member Secretary informed the members that the Board at its 125th meeting held on 23rd June, 2017 had designated, the Chairman of the Board as First Appellate Authority under the Right to Information Act and it was now proposed to re-designate the First Appellate Authority as follows:

First Appellate Authority be the Member Secretary, GSPCB

Members approved the re-designation, so as to forward to the Director (Environment), Govt. of Goa for amendment in the order dated 1st August, 2017.

III. With the permission of the Chair, Member Secretary took the following Table items for discussion:

Table item no. 01

Order passed by the National Green Tribunal vide order no. 95/2018 and 1038/2018

Member Secretary informed the members that the Board is in receipt of letter dated 08/01/2019 from the Central Pollution Control Board (CPCB) enclosing a copy of order dated 22/11/2018 passed by the Principal Bench of the National Green Tribunal (NGT) in OA no 353/2016 in which the CPCB was directed to convey the following direction of the NGT;

'We may also clarify at this stage that apart from prosecution, the statutory authorities under the Environment (Protection) Act, 1986, the Air (Prevention and Control of Pollution) Act 1981 and Water (Prevention and Control of Pollution) Act, 1974 must, in exercise of their incidental powers, prescribe scale of compensation to be collected from the polluters on the 'Polluter Pays' Principle. Such scale which may be laid down at various levels having regard to the local conditions or as per directions in the hierarchy of the Authorities.'

The Principal Bench of the NGT in OA no 1038/2018 has stated as follows:

'Needless to say that it will be open to the SPCB's and CPCB to take coercive measures including recovery of compensation for the damage to the environment on Polluter Pays principle as well as also direct taking off such precautionary measures as may be necessary on the basis of precautionary principle.'

The Principal Bench of the NGT vide order dated 11/01/2019 passed in OA no 95/2018 has held that SPCB's are required to take stringent action as required which can act as deterrent against violation of pollution norms. Simply issuing notices has not brought about results. The NGT has held that in the instant case there was a failure by the Gujarat PCB to control pollution as no closures nor prosecution were launched against the defaulting units and no adequate preventing and remedial measures including assessment and recovery of damages was taken by the PCB.

It was also held that the Polluter Pays principle is an accepted norm within the purview of regulatory regime. Pollution cannot be allowed to be a profitable

activity and deterrent action must be taken wherever pollution is found so as to render causing of pollution unprofitable and unacceptable. Any polluter must be subjected to heavy and deterrent economic sanctions.

The NGT has held that this is not happening for which failure the Regulatory authority cannot disown responsibility. It is further observed that even a regulatory authority may be held accountable if it is pollutes with polluters by being required to pay damages or errant Officers being held liable for action including prosecution.

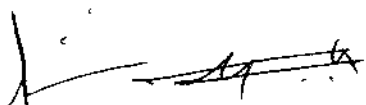
Member Secretary informed the members that Goa State Pollution Control Board (GSPCB) is required to ensure that violators of the Environmental norms including the Environment Protection Act, Air Act and Water Act are required to be prosecuted and prescribed scale of compensation from these violators and from any person/unit that causes pollution, is required to be collected by the GSPCB in exercise of its incidental powers on the Polluter Pays principle. As such the Board is required to prescribe scale of compensation to be collected from the Polluters on the Polluter Pays principle, which are required to be laid down at various levels having regard to the local conditions or as per the directions in the hierarchy of the authorities.

She further informed that Central Pollution Control Board has developed the criteria of categorization of industrial sectors based on the Pollution Index which is a function of the emissions (air pollutants), effluents (water pollutants), hazardous wastes generated and consumption of resources. The Pollution Index PI of any industrial sector is a number from 0 to 100 and the increasing value of PI denotes the increasing degree of pollution load from the industrial sector. Based on the series of brain storming sessions among CPCB, SPCBs and MoEFCC, the following criteria on 'Range of Pollution Index' for the purpose of categorization of industrial sectors is finalized.

Red category	has a score above 60
Orange Category	between 41 to 59
Green Category	between 21 to 40
White Category	including and upto 20

Further, the Board prescribes late fees to the establishment who fail to apply for Renewal of Consent prior to expiry of validity or the establishments who are operating without the Consent of the Board which are 50% of the Fees applicable.

After deliberations, it was proposed to levy penalty for violations observed which is proposed as follows: .



1.	Operating without the Consent of the Board		
	Red Category	40% of fees/year	for score above 100
	Red Category	20% of fees/year	for score between 60 - 100
	Orange Category	15% of fees/year	
	Green Category	10% of fees/year	

2.	Violations observed during inspection		
	a.	Discharge/Emission/Burning of Waste/Disposal of solid waste	
		Red Category	20% of fees/incident or Rs. 40,000/- whichever is higher
		Orange Category	15% of fees/incident or Rs. 20,000/- whichever is higher
		Green Category	10% of fees/incident or Rs. 10,000/- whichever is higher
	b.	Discharge + Emission /Discharge + Noise / Emissions + Disposal of Solid waste	
		Red Category	30% of fees/incident
		Orange Category	25% of fees/incident
		Green Category	20% of fees/incident
	c.	Exceeding prescribed limits for Air / Water/ Noise	
		Red Category	40% of fees
		Orange Category	30% of fees
		Green Category	20% of fees

This penalty will be in addition to the late fees charged by the Board as stated at who fail to apply for Renewal of Consent prior to expiry of validity or the establishments who are operating without the Consent of the Board which are 50% of the Fees applicable and if the unit is found to be operating without the Consent of the Board.

It was further decided that if the establishment is still found violating, then the penalty will be double for every additional violation.

As regards to Green category of units it was decided that the violations be put up before the Board for decision, which could be decided on case to case basis.

The penalty as stated above is approved by the members so as to forward the same to the Director, Dept. of Environment, Govt. of Goa, for issue of a suitable Notification.

Table item no. 02

Applications received by the Board for Material Recovery Facility.

Member Secretary informed the members that the Board issues Authorisation under Solid Waste Management Rules, 2016 for Garbage Disposal Facility to Local Bodies. The Board had formulated Guidelines under Rural Garbage Scheme, 2005 for identification of sites for the Garbage Disposal Facility at its 117th Board meeting held on 12/03/2015. The Local Bodies had applied for approval of sites under the Rural Garbage Scheme and applications were rejected as the site was found to be non-complying to above guidelines of the Board. The local bodies informed the Hon'ble High Court regarding the rejection of applications of site approvals by the Board. The Board directed the Directorate of Municipal Administration and Directorate of Panchayat to re-apply for Material Recovery Facility and informed the Court accordingly.

Member Secretary further informed that presently the Board is in receipt of applications from 10 Panchayats and 2 Municipal Councils for Material Recovery Facility (MRF). However, the Board may receive more such applications from the Village Panchayats and Municipal Councils

After deliberations, it was decided to grant approvals for the said sites with terms and Conditions as stated below:

1.	The Local Body should organise collection of source segregated waste on regular pre-informed timings.
2.	The Local Body/Operator should construct non permeable concrete platform for storage of the non-biodegradable waste and ensure that leachate/wash water should not be let out on open ground.
3.	The storage area should be properly covered to prevent ingress of rain water in to the waste as per the Template of the Goa Waste Management Corporation./ alternatively, container of a suitable size could be used.
4.	The leachate/wash water should be collected in collection tank and disposed as per norms.
5.	No foul/ offensive odour shall emanate from the facility
6.	The dry waste collected should be manually sorted in various sections such as glass, paper, plastic, metal etc
7.	Recyclable waste to be given to recyclers.
8.	Facilities like bailing, shredding are proposed for dry waste with minimum noise levels.
9.	The Local Body/Operator should construct a compound wall along the boundary of the site.
10.	The Local Body/Operator should carry out plantation along the periphery of the facility. The green belt should be a minimum of 3

	metres around the facility along the boundary and should include vegetation shrubs, indigenous trees and leaves with high green density greenery for serving as green banner and noise reduction.	
11.	There should be adequate drainage system so as to prevent any storm water from entering the premises.	
12.	This NOC from pollution angle is only for suitability of the site for material recovery facility and is granted without any prejudice to any other permission(s) required under any laws by laws and regulations in force.	
13.	Any violation of the provisions of the Solid Waste Management Rules, 2016, will attract the penal provisions of the Environment (Protection) Act, 1986	
14.	The Approval for site suitability is for a period of ONE year from the date of issue of the approval. The Local Body should apply for renewal of approval 60 days prior to expiry of the approval.	
15.	The shed should be adequately ventilated to meet work place standards prescribed by Inspectorate of Factories and Boilers.	
16.	Good house-keeping should be maintained with zero littering	
17.	Define time lines for waste pick up from facility should be identified and maintained strictly so as to prevent overloading of available storage space.	
18.	Daily waste records to be maintained for industrial waste categories i.e re-cycleable, non re-cycleable etc. under individual headers.	
19.	There will be complete prohibition on open burning of waste anywhere within your area jurisdiction; for each such incident, violators including the Village Panchayat / Municipality or any person responsible for such burning shall pay a fine towards environmental compensation of Rs. 5,000/- (Rupees five thousand only) in case of simple burning and Rs. 25,000/- (Rupees Twenty five thousand only) in case of bulk waste burning in the form of arrears of land revenue to the District Authority.	
20.	There will be a complete prohibition on open littering of waste anywhere within your area of jurisdiction. For each such incident, violator including the Village Panchayat / Municipality or any person responsible for such littering shall pay a fine towards environmental compensation of Rs. 3,000/- (Rupees three thousand only) in case of simple littering or Rs. 5000/- (Rupees five thousand only) in case of bulk littering to the concerned Authority.	
21	The approval is granted for collection, segregation and bailing of:	
	Sr. No.	Type of waste Qty./month
	1.	Re-cycleable
	2.	Non re-cycleable

Agenda item no. 03

Delegation of financial powers to the Chairman in respect of purchases

Member Secretary informed the members that the Board in respect to placing of work orders / purchase of any item / instrument etc. follows Government procedures by inviting quotations from the open market / issues tenders in the local newspapers, for which a minimum of three quotations / tenders should be received for opening the bid/ quote. A comparative statement is then prepared and the lowest bidder is issued work order / supply order.

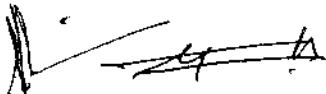
She further informed that there are instances, when the office is unable to get three quotes, as a result of which the same are required to be re-invited, which is time consuming, further only quotes are received from single suppliers / two suppliers, where it becomes difficult to place orders and do the procedure again resulting in time loss.

Members noted the above and empowered the Chairman to accept single quote / two quotations after following the codal formalities upto the value of Rs. 10,000,00/-.

III. With the permission of the Chair, Members raised the following:

a. Shri Shubham Chodankar, Councillor of Corporation of City of Panaji and member of the Board informed that the Sewage treatment Plant at Patto is discharging its untreated waste in the river. Chairman informed that the Board is in receipt of the complaint and that the Executive Engineer was called to this office on two occasions for which he has failed to appear. He informed that he will take up the matter once again.

b. Members desired to know with regard to implementation of the recommendations of the VIIth Pay Commission to the Staff of the Board. Member Secretary clarified that presently only the staff on deputation from the Government to the Board are given the benefits of the VIIth Pay Commission. As regards to implementing the same to the Board staff, she informed that the same is under consideration, as presently the financial resources of the Board is not so sound. She further informed that the Board sustains through its own funds received through the fees for Consent applications, which were notified in 1988. Presently the fee structure is under revision and the same is forwarded to the Law Department, Govt. of Goa for vetting. It was agreed to pursue the matter with the Law Department

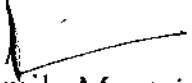


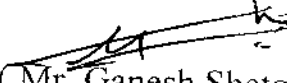
Member Secretary further informed that once the revised fees structure is notified and the Board gets sufficient revenue, recommendations of the VIIth Pay Commission could be implemented to the staff of the Board.

c. Members informed that there are many scarp yards, mostly which are located in the fields / reclaimed land and are causing serious threat, as scarp of different nature is collected. Chairman informed that inspections of such scarp yards will be conducted and the same shall be placed before the Board for decision

IV. Chairman informed the members that the next Board meeting is scheduled on 21st February, 2019 at 11.30 am, during which the inspection report and the air monitoring reports are to be placed before the Board for decision on the directions to be issued to M/s South West Port Ltd. and M/s Adani Mormugao Port Terminal Pvt. Ltd.

V. The meeting ended with thanks to the Chair.


(Dr. Shamila Monteiro)
Member Secretary


(Mr. Ganesh Shetgaonkar)
Chairman