

**MINUTES OF THE 146th MEETING OF THE GOA STATE
POLLUTION CONTROL BOARD HELD ON 15th DECEMBER, 2020
AT 11.30 AM IN THE CONFERENCE HALL OF THE BOARD.**

I. The 146th meeting of the Goa State Pollution Control Board was held on 15TH December, 2020 at 11.30 am in the Conference hall of the Board.

The following members attended the meeting:

1.	Mr. Ganesh B. Shetgaonkar, Chairman
2.	Director of Mines was represented by Officer of his department
3.	Director of Tourism was represented by Mr. Subhash Kavlekar, Asst. Director
4.	Director of Health Services was represented by Chief Medical Officer, NIEP
5.	Mr. Shawn Brian Martins, Panch Member, Village Panchayat Calangute
6.	Mr. Shubham Chodankar, Corporator, Corporation of the City of Panaji
7.	Mrs. Unnati Sahastrabhudhe, Panch Member, Village Panchayat Velguem
8.	Mr. Rajsingh Rane, Councillor Mapusa Municipal Council
9.	Mr. Sanjay Naik, Panch Member, Village Panchayat Sanvordem
10.	Mr. Blaise Costabir, Chairman, Confederation of Indian Industries
11.	Mr. Nilesh Shah, President Travel and Tourism Association of Goa
12.	Managing Director, Goa Tourism Dev. Corpn. Was represented by Mr. Laxmikant Vaigiankar, General Manager.
13.	Dr. (Mrs.) Shamila Monteiro, Member Secretary

II. Director of Industries, Trade and Commerce expressed his inability to attend the meeting. Leave of absence is granted to him.

III. Member Secretary welcomed the members for the meeting. The agenda items for the meeting were then taken for discussion.

Agenda item no. 01

Confirmation of the minutes of the 145th meeting of the Goa State Pollution Control Board held on 14/10/2020

The minutes of the 145th meeting of the Board held on 14/10/2020 were forwarded to all the members vide this office letter no. 4/145/20-PCB/Admn./12749 dated 23/10/2020. Member Secretary clarified to the members that Mr. Blaise Costabir, did take permission from the Chairman for

his leave after the presentation by MPT. Mr. Blaise desired that his dissent for the minutes in respect of the said unit be taken on record.

The minutes of the meeting are now confirmed, so as to enter the same in the Minutes Book.

Agenda item no. 02

Follow up action on the decision taken by the Board at its 145th meeting held on 14/10/2020.

Agenda item no. 3 – The members noted that letter is forwarded to Electricity Dept. for verifying the electricity bills in respect of the unit of M/s Jolly Metals.

Agenda item no. 19 – The members noted that a Revised proposal for creation of posts is forwarded to the Dept. of Environment and Climate Change.

Agenda item - 05 – The members noted that decision of the Board to lower the rent is conveyed to the Canteen Operator

Agenda item no. 6 – The members noted that Consent to Operate under Air Act and Water Act has been issued to M/s Mormugao Port Trust for the operation of mooring dolphin 1, 2, 3, incorporating the conditions

Agenda item no. 9 – The members noted that the decision of the Board to revoke the show cause notice and polluter pay principle penalty has been conveyed to the unit.

Agenda item no. 16 – The members noted that preparation of Seniority list of the staff is under process

Agenda item no. 18 – The members noted that letter is forwarded to Central Pollution Control Board and to M/s Indian Oil – Adani Gas Pvt. Ltd. for discontinuation of furnace oil and pet coke.

Agenda item no. 19 - The members noted that letter has been forwarded to the Law Department, seeking the Circulars/Office orders/ Memorandums issued with regard to empanelment of Advocates by the State Government.

Agenda item no. 20 – The members noted that the process for putting up of the bills by the staff of the Board in respect to the journeys performed is under process.

Table item no. 1 – The members noted that an office Circular is issued with respect to grant of Child Care leave, for information of the staff of the Board

Table item no. 2 – The members noted that the decisions of the Board are being incorporated in the Water and Air Rules, so as to forward to the Department of Environment.

Table item no. 3 - The members noted that the matter with regard to utilization of Environmental Compensation Funds is being processed by the Board

Agenda item no. 3

Adoption of the Audit Report of the Board for the financial years 2015-2016 and 2016 – 2017

The members perused the Audit report for the financial years 2015 - 2016 and 2016-2017 submitted by M/s R.K. Pikale & Associates, Chartered Accountants.

The Assistant Accounts Officer of the Board explained to the members the paras raised by the Auditor . i.e (a) with respect to TDS provision on payment of advances (b) Tax deducted at source on its income from FDR (c) Grants received by the Board from the Govt. for specific purpose are unutilised.

With regards to para (a) it was informed that statutory taxes are deducted in the last and final bill as per CPWD Manual, but as per the audit of the ICAI taxes are deducted at each stage and not in the final bill. Further, it was informed that in future the practice of deducting taxes per bill will be followed. Para (b) it was informed to the Board that the office has nominated a Chartered Accountancy firm to look into the matter and file returns for the previous 5 years and also seek exemption certificate for exempting the Board from paying TDS. Para (c) – the Board has written to the Ministry of Environment, Forest and Climate Change, central Pollution Control Board and various authorities for carrying forward the grants for utilisation.

Further, the AAO clarified that there was a delay in auditing the accounts of the Board, as the Auditor appointed earlier by the Comptroller and Auditor General has informed his inability to undertake the audit. As such request was forwarded to re-appoint another Auditor.

Chairman informed the members that since Auditors are appointed for the financial year 2015-2016 and 2016-2017 and the auditing is complete. As for the years 2017-2018, 2018-2019 and 2019-2020, the Board is in the process

of intimating the Chartered Accountancy firm to carry the audit of the three aforementioned years.

The Board thereafter passed the following Resolution unanimously:

“RESOLVED THAT Receipts & Payments, Income & Expenditure Account and the Balance sheets together with notes thereon for the financial year ended on 31st March, 2016 and 31st March, 2017 be and are hereby approved.

RESOLVED FURTHER THAT the Chairman, the Member Secretary, the Assistant Accounts Officer and Accountant are hereby authorized to sign the Audited Annual Accounts of the Goa State Pollution Control Board jointly”.

Agenda item no. 4

Representation from M/s South West Port Ltd. for adjustment in coal handling.

Member Secretary informed the members that the Board is in receipt of a representation from M/s South West Port Ltd. (SWPL) requesting for adjustment in the handling of coal as they could not handle the sufficient quantity during the monsoon season for four months i.e the permitted quantity of 0.575 MMTPM per month and have requested the same be permitted during the eight months during the non monsoon season by handling 0.515 MMTPM against 0.4 MMTPM and maintaining the total annual capacity of 5.5 MMTA.

The members deliberated on this issue and also perused the coal handled by the unit from April, 2020 to October, 2020. After discussions the members were of the opinion that the unit was permitted to handle 0.575 MMTPM considering that there will not be adverse pollution during the monsoon season. Further, it was also discussed that since the Source Apportionment study report by IIT is awaited and it would not be prudent to permit the unit to utilise the permitted capacity during the non monsoon season. Members decided not to permit M/s South West Port Ltd for adjustments in coal handling.

The members also deliberated that the South Central Railway be recommended to ensure that the wagons transporting coal shall have domes /metallic cover to the wagons, inorder to avoid spillage during transportation. It was also decided to write to Mormugao Port Trust, who shall peruse the mater with South Central Railway.

Agenda item no. 5

Categorisation of activities of Catering services

Member Secretary informed the members that Central Pollution Control Board (CPCB) has revised categorization in the year 2016 in which various sectors are categorized industries based on scores, as some of the sectors are not specifically categorized therein, and CPCB in the said categorization has mentioned that the score for any particular sector of industry be calculated based on the procedures specified therein, and the same should be vetted by the Technical Committee and approved by the Board.

The present proposal is that of the activity of catering services for which scores were calculated based on procedures stipulated by CPCB. Since the unit has a score of 30, the unit is categorised under Green Category.

Members approved for categorisation of catering services under Green category.

Further, the members also deliberated with regard to caterers serving food on tiffin basis, Self Help Groups. It was decided to classify the said activity on the quantity of food being served and accordingly list them in Green / White category.

Agenda item no. 6

M/s Sukraft Recycling Pvt. Ltd located at Plot No.26, Honda Industrial Estate, Honda, Sattari, Goa.

Member Secretary informed the members that the Board is in receipt of an application is for the Consent to Operate (fresh) under the Air Act, Water Act and Hazardous and Other Waste Rules for the manufacture of kraft paper, white kraft liner, water repellent and virgin top liner – 7500 metric tonnes/month and operation of power plant (steam turbine) with a capacity of 2.5 MW.

After deliberations the members approved for grant of Consent to Operate (fresh) under the Air Act, Water Act and Hazardous and Other Waste Rules to the unit of M/s Sukraft Recycling Pvt. Ltd located at Plot No.26, Honda Industrial Estate, Honda, Sattari, Goa.

Agenda item no. 7

Application of Goa Waste Management Corporation (Solid Waste Management Facility, Bainguinim)

Member Secretary informed the members that the Board is in receipt of an application for Consent to Establish under the Air Act and the Water Act from Goa Waste Management Corporation (Solid Waste Management Facility, Bainguinim) located at survey nos. 20/1-I, 20/3-A-1, 20/2-A, of Village Bainguinim, Tiswadi – North Goa is for proposed establishment of 250 TPD (+20%) Integrated Solid Waste Management Facility.

After deliberations, it was decided to grant Consent to Establish under the Air Act and the Water Act to Goa Waste Management Corporation (Solid Waste Management Facility, Bainguinim) for proposed establishment of 250 TPD (+20%) Integrated Solid Waste Management Facility.

The issue with regard to collection and disposal of PET bottles also came up for discussion and it was informed that the same are being collected by the manufacturer. As regards to glass bottles, the members informed that the same could be seen strewn at all places and the manufacturer be liable for collection of the same. After discussions it was decided to write to the Commercial Taxes Department and Department of Industries, Trade and Commerce for doing the needful.

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

Table item no. 1

Payment of arrears of the 7th Central Pay Commission (CPC) to the staff of the Board.

Member Secretary informed the members that the Board at its 141st meeting held on 11th December, 2019, had approved for implementation of the recommendations of the 7th CPC to the staff of the Board with effect from 01/01/20, however the arrears for the last four years have not been disbursed to the staff.

Member Secretary further informed the members that at present the Board has an amount of Rs. 36.30 Crores in Fixed Deposits, out of which the liability of the Board is Rs. 7,26,87,487/- as Contractors fees towards the Board's building cum laboratory, Rs. 1.81 Crores to be refunded to the Goa Waste Management Corporation towards the setting up of Common Hazardous Waste Treatment Facility at Pissurlem, an amount of Rs. 5 Crores as approved in the 145th meeting held on 14/10/2020 to be maintained into a corpus fund. Further, she proposed to pay the arrears of the 7th CPC to the Board officials and deposit the EPF arrears amounting to Rs. 7,75,00,000/-

Members approved for disbursement of arrears of the 7th Pay Commission to the Board officials and also officials who were terminated / resigned and accordingly deposit the EPF arrears accordingly.

Table item no. 2

Filling up of vacant posts in the Board office.

Member Secretary informed the members that the proposal as approved by the Board for creation of the post / additional posts has been forwarded to the State Government. She further informed that some posts are vacant in the Board office due to promotion are required to be filled in. Once this exercise is completed the resultant vacant posts will be filled in by following the due procedure. However, she clarified that the vacant post and the post proposed for creation shall be filled in as per the need, and considering the financial status of the Board.

Table item no. 3

Revised Budget Estimate for the year 2019-2020 and Budget Estimate for the year 2020 - 2021

Member Secretary informed the members that as per section 38 of the Water (Prevention and Control of Pollution) Act, 1974, Revised Budget estimate for the year 2019-2020 and Budget Estimate for the year 2020 - 2021, prepared in Form VI and VII, prescribed in Rule 31 is required to be placed before the Board for approval. She further informed that the Budget Estimate is required to be placed before the Board in the month of October, as the same could not be prepared, it is now placed for perusal and approval of the members.

The Assistant Accounts Officer of the Board gave a detailed presentation of the Revised Budget Estimates for the financial year 2019-2020 and informed that the budget expenditure for 2019-2020 was proposed at Rs. 1620.00 lakhs. Chairman also informed that an amount of Rs. 867.50 lakhs has been provided for salaries and related expenditure. The Budget Estimates for the financial year 2020-2021 is proposed at Rs. 2386.40. The amount towards salaries is earmarked at Rs. 1631.00 and an amount of Rs. 775.80 lakhs for disbursement of arrears towards the 7th CPC.

After detailed discussion, the Revised Budget Estimates for the financial year 2019 - 2020 and Budget Estimate of the Goa State Pollution Control Board for the financial year 2020 - 2021 was approved. It was also resolved to forward the same to the Department of Science, Technology & Environment, Govt. of Goa.

Table item no. 4**Report on coal handling at Mormugao Port Trust**

Member Secretary informed the members that Hon. Chief Minister desired to have a report on coal handling at Mormugao Port Trust. The same was compiled and forwarded to his office. The said report was placed for perusal of the members and Member Secretary gave a detailed account of the report.

Table item no. 5

Member Secretary informed the members that the Directorate of Vigilance had forwarded a complaint dated 19/02/2019 of Mr. Culvert Gonsalves with respect to pollution caused at the Cuncolim Industrial Estate. Accordingly, the Board approved for carrying out Environmental Audit of the units. Member Secretary informed the members that an Expert Committee was constituted with separate teams from different fields / with expertise in the relevant field for carrying out Environmental Audit of the Industries, based on the type of unit, its manufacturing activity etc. Accordingly, four units were inspected by the Committee, namely M/s united Marine products, M/s Sagar Feed and Food processing industry, M/s Indotech Ice and Cold storage and M/s quality Foods.

The Environmental Engineer of the Board gave a brief presentation on the findings of the Expert Committee during the Environmental Audit. He informed the members that all four units were discharging their waste water into the bore wells.

After deliberations, the members were of the opinion that strict action in the form of penalties be issued to the units under the Polluter Pay Principle.

The members applauded the work carried out by the Board.

Table item no. 6

Member Secretary informed the members that the Board has rented out its premises at the Dempo Towers Bldg., Panaji to the Department of Urban Development (DoUD) and Goa State Environment Impact Assessment Authority (SEIAA). She further informed that the Agreement is still in finalisation stage and yet to be signed. However, in respect of SEIAA, the deposit amount has been paid. She further informed that DoUD has requested for reduction of the rent as per the Circular issued by the General Administration Dept., for which the Board has already replied stating that rent value was fixed which was prevalent during that particular year i.e prior to the market / economic conditions and DoUD took possession of the premises in the year September, 2018. The rent value was fixed as per the decision of the

Board held in its meeting on 21/08/2018, it was also informed that re-valuation of the rent cannot be considered at this stage, as Goa State Pollution Control Board is an autonomous body outside the consolidated funds of the State Govt. and the Board depends on the rent for the administrative and maintenance of its new premises. The members noted the same.

Further, Mr. Blaise Costabir stated that, considering the cost towards maintenance fees, and other licence fees, the Board is earning a fraction towards the rent amount it was better to explore selling the premises.

Members agreed to the suggestions.

Table item no. 7

Member Secretary informed the members that the unit of M/s Canacona Hydro- carbons is engaged in re-processing of waste oil, which is categorised under hazardous Waste. She further informed the members that the Board had issued a Circular, wherein generators of hazardous waste oil in the State of Goa were directed to ensure that the waste oil is handed over to the re-cyclers / re-processors established and operating their plant in the State of Goa and having valid Consent under the Water Act, Air Act and authorisation under the provisions of Hazardous waste (Management, Handling and Trans-boundary Movement) Rules, 2008 to ensure better tracking and maintenance of records of storage, transportation and treatment of waste oil, further the Port Authority was also intimated to dispose the hazardous waste (waste oil) only to the registered recyclers and having established facilities within the State of Goa i.e M/s Canacona Hydrocarbons located at Canacona Industrial Estate.

Member Secretary further informed that the Board was in receipt of a letter dated 28/08/2018 from M/s Canacona Hydrocarbon requesting not to allow recyclers from other State to collect the waste oil from the Port area, since other States allow only State re-cyclers. The Board after examining the said representation issued a Circular directing units to hand over the hazardous waste (waste oil) to the re-cyclers / re-processors established and operating their plant in the State of Goa and having valid Consent under the Water Act, Air Act and authorization under Hazardous waste for better tracking and maintenance of records of storage, transportation and treatment of waste oil. Further, M/s Shiva Petro Synth Specialities Ltd., who was collecting the waste oil from the Port submitted a representation in this regard. The matter was discussed during the TAC meeting of the Board along with the Port officials and representative of M/s Canacona Hydrocarbons and M/s Shiva Petro, wherein it was decided to take the opinion of the Ministry of Environment, Forest and Climate change. The MoEF&CC has clarified that there is no ban on transboundry movement for Hazardous waste.

Members agreed to retain the circular issued by the Board as such a facility for re-processing of waste oil is established in the State.

Table item no. 8

Member Secretary informed the members that the Board was in receipt of a complaint from Adv. Rohit Bras De Sa, stating deviation of approved plans by Mr. Sheldon S. Martins (M/s Martins developers) in property bearing survey no. 57/3- D of Village Taleigao, requesting the Board to issue immediate direction under pollution laws to direct the erring parties to maintain Sewage Treatment Plant, Garbage disposal infrastructure.

The following facts were placed before the Board members:

- (a) The property was inspected by the Board officials on 25/10/2018 and it was observed that unit consists of 52 flats of which 44 are presently complete and occupied. Construction of 8 flats is in progress, non installation of a sewage treatment plant, approval of the project without the mandatory sewage treatment plant, composting facility not maintained for treatment of the wet waste
- (b) The Board also received complaints through e-mail from Mr. Gaurav Bakshi stating serious violation by M/s Martins Developers at Martin Palm Fringe Taleigao, Tiswadi-Goa.
- (c) Based on the inspection report show Cause notice was issued to M/s. Martin Developers, to Submit online application for obtaining Consent to Operate from the Board, provide STP of adequate treatment capacity (*as number of flats exceed 24 nos.*) within 30-days, Provide composting facilities and maintain the same for treatment of wet waste within the unit premises, Submit a compliance report to this office within 15 days from the date to receipt of this notice.
- (d) M/s Martins Developers replied to the show cause notice as follows: (a) All the flats are completed and handed over to the owners (b) Wet waste is collected by the Village Panchayat (c) Public Works Department(PWD) has already laid the pipe network for the underground public sewage line (d) the infrastructure for the public sewage line is nearing completion and that the same will be commissioned soon and the Complex is proposed to be connected to the Government sewage network, it is not feasible to purchase and construct a sewage treatment plant.
- (e) The Board received a communication from the Directorate of Vigilance, Porvorim requesting the Board to submit the action taken report/status on all the complaints filed by the complainant till date.

(f) The complex was again inspected by the Board officials on 29/03/2019 along with the representative of the Developer, officer from Primary Health centre, Chimbhel and official from Village Panchayat Taleigao, it was observed that the complex consists of 52 flats of which 44 flats are occupied and remaining 8 flats are yet to be completed, Village Panchayat has suspended occupancy certificate due to various irregularities such as blocking the main road, incomplete building work etc. No sewage treatment plant and composting unit is provided, DG set has a capacity of 40 KVA, the location of septic tank/soak pit as constructed within the premises of the project is not as per the approved plans, The unit has not submitted application for Consent of the Board.

(g) The Board issued show cause notice dated 30/04/2019 to the unit M/s. Martins Developers, Taleigao, directed to show cause within 15 days from the date of receipt of this notice as to why action should not be initiated against your unit for operating without obtaining Consent to Operate, and causing environmental pollution in the vicinity and also further directed to submit:

1. Application for obtaining Consent to Operate from the Board within 7 days.
2. Stop the indiscriminate discharge of wash water into the storm water drains to cause water stagnation.
3. Provide STP of adequate treatment capacity (*as number of flats 52 nos.*) within 30-days.
4. Submit a compliance report to this office within 15 days from the date to receipt of this notice.

(h) The Board issued Direction on 30/04/2019 to M/s. Martins Developers, Taleigao, directing to deposit an amount of Rs. Thirty five thousand only in favour Goa State Pollution Control Board, as penalty/compensation for the damage to the environment and for operating without Consent of the Board, under Polluter Pays Principle, which will be subsequently spent by the Board for restoration of the environment.

(i) M/s. Martins Developers, replied to the show cause notice stating that the complaint is false and Residential Complex is not a unit which was issued Occupancy Certificate. Nor they were informed by the local authority that it is mandatory for a residential complex to obtain Consent to Operate from the Board and neither were directed to obtain any Consent to Operate from the Board. He also desired to have a copy of the direction /notification in this regard.

(j) The Board vide its letter dated 22/08/2019 informed the Developer that the Board in its 110th meeting has made it mandatory to install Sewage

Treatment Plant for Residential Complex/housing with 24 flats and above and also further directed the following:

1. Treat / dispose-off solid waste as well as treatment of domestic wastewater within 07-days
2. Install Sewage Treatment Plant within a period of 3 months and apply online seeking Consent for the same,.
3. Submit a compliance report to this office within 7 days from the date of receipt of this letter.

(k) The Developer stated that the Board decision is taken in 110th meeting held on 23/10/2013 is not applicable to the residential complex in the property bearing no. Survey no. 57/3-D, of Taleigao Village as the construction license for the said residential complex was issued on 22/12/2012 which is before the date of the Board 110th Meeting.

(l) The said matter was placed before the Board Advocate, Adv. Wilbur Menezes for filing a criminal case against the Developer. However, he opined that the case is not strong so as to file a criminal case, as the Board cannot instruct the Developer for setting up a Sewage Treatment, as per the decision of the Board with retrospective effect.

The members deliberated on this issue and noted that prior to the decision of the Board, septic tank and soak pits were constructed for discharge of waste water, which was then transferred to the treatment plant. The members decided that in order to keep a check on the illegal discharge of waste water / over flow of septic tanks, it was decided to write to the Directorate of Health Services to monitor the suction of the septic tank / soak pit regularly of the housing complexes and accordingly initiate action and simultaneously inform the Panchayat / Municipality. Further it was also decided to inform the Panchayats to connect the septic tank / soak pit to the sewerage line if available in the particular locality.

Table item no. 9

The members discussed with respect to shacks being operated on the beaches wherein it should be made mandatory for the shacks to connect their sewage tank to the sewerage line. Member Secretary informed the members since the shack business is seasonal in nature, it would not be feasible draw a sewerage line as the shacks are on the beach side and laying the pipe line will have to be crossed to some private properties and through the sand dunes, which is not permitted as per CRZ regulations. She further informed that the shack owners are required to have a holding tank for discharge of sewage, which is to be collected by the Tourism department. Member Secretary further informed the members that since the licensing of the shacks is being done by the

Department of Tourism, Tourism dept. will be informed to follow up with this matter, and the Board could oversee the compliance.

VI. Member Secretary informed the members that this meeting is the last meeting of the re-constituted Board. Chairman and Member Secretary thanked the members for attending the Board meetings and for productive decisions taken during the last three years.

The meeting ended with thanks to the Chair.


(Dr. Shamila Monteiro)

Member Secretary


(Ganesh Shetgaonkar)

Chairman

GOA STATE POLLUTION CONTROL BOARD