

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**WESTERN ZONE BENCH, PUNE****MEMORANDUM OF APPLICATION**

(UNDER SECTION 14, 15 AND SECTION 18(1) READ WITH
SECTION 20 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010)

ORIGINAL APPLICATION NO. 173 OF 2024

IN THE MATTER OF:

Govandi New Sangam Welfare SocietyApplicants

Versus

State of Maharashtra & OrsRespondents

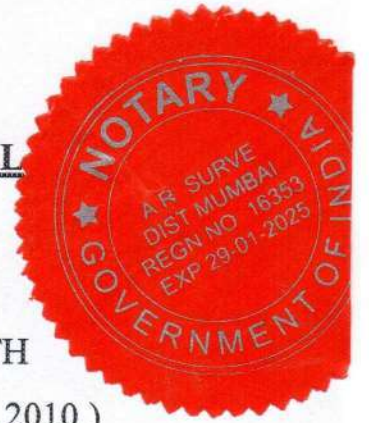
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
MEMORANDUM OF APPLICATION

(UNDER SECTIONS 14, 15 AND SECTION 18(1) READ WITH
SECTION 20 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010)
ORIGINAL APPLICATION NO. 173 OF 2024



IN THE MATTER OF:

Govandi New Sangam Welfare Society ...Applicant

Versus

State of Maharashtra & Ors. ...Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANTS

I, Shaikh Faiyaz Alam, aged 29 years, Indian Inhabitant, Authorised Signatory of Applicant and having my address at Kamla Raman Nagar, Baiganwadi, Govandi, Mumbai – 400 043, do hereby solemnly state that I am filing this additional affidavit in terms of the directions passed by this Hon'ble Tribunal *vide* order dated 27.08.2024 with respect to :

- (i) providing additional facts and further documents including the stay order of the Hon'ble Bombay High Court concerning the Writ Petition filed by Respondent No. 5 challenging the closure directions dated 06.07.2019 and
- (ii) providing a clarification (in a tabular form) regarding the period of violation for which the environmental compensation has been prayed against R-5.

I. Providing additional facts and documents concerning R-5's Writ Petition challenging the closure direction dated 06.07.2019



1. I say that subsequent to the issuance of the closure direction dated 06.07.2019 by MPCB (*annexed at Pg. 45 at Annexure A-5 to the OA*) to R-5, Writ Petition No. 2326 of 2019 before the Hon'ble Bombay High Court was filed by R-5 on 12.07.2019. A copy of the Writ Petition is not available with the Applicant as they were not a party to the writ proceedings. However, a perusal of a series of orders passed in WP No. 2326 of 2019 clearly reflect the position of the said petition from time to time and the same is narrated hereinbelow for the convenience of this Hon'ble Tribunal:

- (i) **Order dated 18.07.2019** – the Hon'ble High Court directed MPCB (R-2 & R-3 therein) to carry out an inspection of the Bio-Medical Waste Treatment Plant of R-5 and then file a counter-affidavit within 4 weeks. Thereafter at Para 5, the Hon'ble High Court passed an order staying the implementation of the closure direction dated 06.07.2019 with the following observations:

"5] On the issue whether the Petitioner should be entitled to an interim order staying implementation of the impugned order dated 6th July 2019, we note that the public injury caused by closing the plant would be much more than permitting plant to operate even on assuming that the stand of Respondent Nos.2 and 3 is correct. We clarify, we are not opining prima-facie that the stand of the Respondents is correct.

6] Therefore, till the present order is vacated or modified, operation of the impugned order dated 6th July 2019 shall be stayed."

Annexed and marked hereto as **ANNEXURE R-1** is a copy of the order dated 18.07.2019.



- (ii) **Order dated 09.09.2019 in R-5's WP** – Further time was sought by the Respondents to file a reply to which the Hon'ble High Court granted two more weeks while the interim order was directed to be continued. Annexed and marked hereto as **ANNEXURE R-2** is a copy of the order dated 18.07.2019.
- (iii) Thereafter, the aforesaid writ petition did not get listed for a long period of time and upon witnessing continuous toxic smoke being emitted from the Bio-Medical Waste Treatment Plant despite sending various representations to regulate and control the pollution, the Applicant was constrained to file PIL (L) No. 33884 of 2022 on 21.10.2022 seeking (a) closure and shifting of the plant and (b) environmental compensation against R-5 under the Polluter Pays Principle.
- (iv) **Order dated 05.12.2022 in the PIL** - Applicant's PIL was listed for the first time when the Hon'ble High Court observed that the concern expressed in the PIL petition is serious and directed that the said PIL (L) No. 33884 of 2022 be heard together with the Writ Petition No. 2326 of 2019. Annexed and marked hereto as **ANNEXURE R-3** is a copy of the order dated 05.12.2022 in PIL (L) No. 33884 of 2022.
- (v) **Orders dated 16.01.2023, 15.02.2023, 23.03.2023, 19.04.2023, 07.06.2023 (common orders in WP and PIL)** – Thereafter, both the Writ Petition and the PIL were heard together wherein orders relating to completion of pleadings in the PIL were passed. Annexed and marked hereto as **ANNEXURE R-4** is a copy of



the orders dated 16.01.2023, 15.02.2023, 23.03.2023, 19.04.2023 & 07.06.2023.

- (vi) **Order dated 05.07.2023 (common order)** – The Hon’ble High Court recorded that R-5 has given a commitment to relocate itself at a new site after obtaining necessary permissions within a period of 13 (thirteen) months. Annexed and marked hereto as **ANNEXURE R-5** is a copy of the order dated 05.07.2023.
- (vii) **Order dated 11.08.2023 (common order)** – The Hon’ble High Court reproduced a tentative timeline tendered by R-5 for the establishment of new Bio-Medical Waste Treatment Plant at a new site and sought reduction of the timeline from 13 months. Annexed and marked hereto as **ANNEXURE R-6** is a copy of the order dated 11.08.2023.
- (viii) **Order dated 11.09.2023 (final order in the PIL)** – Final order was passed in the Applicant’s PIL (L) No. 33884 of 2022 wherein it was directed that (i) the entire shifting ought to be completed in two months’ time, (ii) periodic monthly inspection ought to be undertaken by MPCB as the plant will continue to operate until the shifting occurs and (iii) liberty granted to the Applicant to approach this Hon’ble Tribunal to seek prayers concerning environmental compensation for the past wrongs. Order dated 11.09.2023 is annexed to the OA at Pg. 39 (ANNEXURE A-3).
- (ix) **Order dated 11.09.2023 (final order in the WP)** – In light of the final order passed in the PIL, the Hon’ble High Court passed the following final order in R-5’s Writ Petition No. 2326 of 2019:



“1.Learned senior counsel Shri Chinoy, representing the petitioner, states that in view of intervening circumstances, the writ petition has been rendered infructuous.

2.The writ petition is dismissed as infructuous.

3.All pending applications stand disposed of.”

Annexed and marked hereto as ANNEXURE R-7 is a copy of the order dated 11.09.2023 passed in Writ Petition No. 2326 of 2019.

2. I say that the above, therefore, indicates the entire timeline of how the proceedings before the Hon’ble High Court had continued, which points towards the fact that because R-5 had agreed to relocate the Bio-Medical Waste Treatment Plant in another 2 years, the Hon’ble High Court recorded the same and allowed the Bio-Medical Waste Treatment Plant to continue its operations subject to strict compliance of the environmental norms with monthly inspection of the present site to be undertaken by MPCB. Additionally, the Hon’ble High Court granted liberty to the Applicant herein to approach this Hon’ble Tribunal to pursue its prayer regarding environmental compensation to be paid by R-5 under the strict liability and polluter pays principles. It is on the basis of this liberty that the present OA came to be filed.
3. I say that bearing in mind that irrespective of the aforesaid liberty granted by the Hon’ble High Court, MPCB was statutorily duty-bound to impose environmental penalty against R-5 under the EPA, 1986, Air Act, 1981 and Water Act, 1974 read with CPCB Guidelines since it was an admitted position that R-5 had committed grave environmental pollution, the Applicant felt that that it needs to monitor whether R-5 is



complying with the pollution laws so that a comprehensive application can be filed before this Hon'ble Tribunal. *Vide* 03.05.2024, the Applicant sought information concerning the past violations done by R-5 at the Bio-Medical Waste Treatment Plant and the penalty imposed for such past violations as MPCB was duty-bound to collect environmental penalty under the Polluter Pays Principle. However, the RTI response only provided information of the closure notices and other site inspection reports instead of providing any definite answer on monetary penalty. In view of MPCB's continuing failure to impose environmental penalty on R-5 and with liberty already granted by the Hon'ble High Court of Bombay to approach the Hon'ble NGT in this regard, the present OA came to be filed. Annexed and marked hereto as **ANNEXURE R-8** is a copy of the entire set of RTI response comprising of 53 leaves, as received from MPCB. I say that in the main OA, only relevant pages from this RTI response were annexed. However, in view of this Hon'ble Tribunal's oral direction that all pages are required to be annexed, the entire set is, therefore, annexed hereto.

II. Clarification on the period of violation by R-5

4. I say that the Applicant has already stated in the OA at Para 30 (Pgs. 20-21) that the period of calculation of Environmental Compensation Charges (ECC) under the Polluter Pays Principle is with effect from 29.06.2018 till 02.02.2023 and the same is substantiated from the material already annexed to the OA in the following tabular manner:

Sr. No.	Date	Event	Reference
1.	29.06.2018	Site inspection report that recorded 12 major non-compliances as	@Pg. 46, OA A-4



		reproduced in the closure direction dated 06.07.2019.	
2.	06.07.2019	Closure direction issued u/s 33A of Water	@Pg. 45, OA A-4
3.	14.11.2019	MPCB's site inspection report states that control system for dioxin and furans were installed in 3 out of 4 incinerators.	@Pg. 115, OA A-11
4.	07.08.2020, 10.08.2020, 17.09.2020	News appeared regarding excess smoke and MPCB conducted site visit on 10.08.2020 and found that excess smoke was being emitted from the stack and R-5 did not start using the app developed by CPCB regarding real-time covid disposal and to monitor dioxin and furan. So MPCB issued directions u/s 33A of Water Act to R-5.	@Pg. 124, OA A-12
5.	30.11.2021, 24.03.2022	Site inspection carried out by MPCB on 30.11.2021 and found 8 major deficiencies including exceeding emission standards and not monitoring furans and dioxins. A fresh Show Cause notice issued to R-5 in this regard.	@Pg. 126, OA A-13
6.	25.08.2022, 26.08.2022	Direction u/s 31A of the Air Act, 1981 to submit the proposal for upgradation of pollution control	@Pg. 128, OA A-14



		systems so as to achieve prescribed standards was issued to R-5.	
7.	27.09.2022, 02.02.2023	MPCB, in its letter to CPCB, has observed that post upgradation of pollution control system, Total Particulate Matter (TPM) of R-5's plant was exceeding the normal standards.	@Pg. 132 133, OA A-15

5. I say that the above clearly demonstrates that between 29.06.2019 to 02.02.2023, R-5 has been in continuous violations of various kinds and therefore, appropriate environmental penalty has to be imposed on R-5. I say that Applicant's calculation is tentative and is subject to confirmation by the expert agencies. The calculation is done only to assist this Hon'ble Tribunal and nothing more and hence, prayer clause (c) is sought in the alternative.

6. As regards the clarification regarding communication dated 02.02.2023 issued by MPCB to CPCB with the subject "*Application for seeking reimbursement money from stakeholders who running the firm and Pollution Board since MPCB failed in its duties and poor citizens are now constrained to pay for setting up Air Purifier Devices. These devices prevent worst AQI which emits by Toxic fumes of Biomedical Incinerator.*", I say that MPCB had issued this letter to CPCB on the basis of an email received from CPCB dated 26.12.2022 and the same is annexed to the present additional affidavit at Annexure R-8 above. The email dated 26.12.2022 states the following:



This has reference to trailing email dated 25.12.2022 with respect to representation received from skfaiyaz.mech.engg@gmail.com regarding pollution caused due to CBWTF, Govandi-Mumbai, Maharashtra which is self explanatory.

In this regard, it is requested to arrange to take necessary action and action taken report may please be forwarded to the complainant along with a copy to this office, at the earliest."

7. Therefore, CPCB sought an action taken report in regards to the complaint of Faiyaz Shaikh. It is in response to this email (*as can be seen from Reference section of the letter*) that MPCB had written its communication to CPCB and therefore, this communication is nothing but an action taken report. I say that this fact gets further corroborated upon reading the entire communication as it does not deal with the issue on the subject line but actually reads as an Action taken report.
8. In light of the above, I say that this Hon'ble Tribunal be pleased to pass an appropriate order of admission.

Solemnly affirmed at Mumbai)

Dated this 3rd Day of September, 2024)

Identified by Me



Zaman Ali,

Advocate for Original Applicants



BEFORE ME



DEPONENT

A. R. SURVE
ADVOCATE & NOTARY
GOVT OF INDIA
REG. No 16353

NOTED & REGISTERED
Reg. No. 1) 5859
Page No. 18
Date 3 SEP 2024

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.2089 OF 2019

M/s. SMS Envoclean Private Limited ..Petitioner
Versus
The State of Maharashtra and others ..Respondents

Mr. Aspi Chinoy, Senior Advocate a/w Mr. Rampal Kohli, Mr. Vikram Chavan I/by C. K. Legal, Advocates for the Petitioner.

Mr. Abhay Patki, AGP for Respondent No.1 – State.

Ms. Sharmila Deshmukh a/w Ms. Jaya Bhagwe, Advocates for Respondent Nos.2 & 3.

Ms. K. H. Mastakar, Advocate for Respondent No.4 – MCGM.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 18th JULY, 2019

P.C.

1] Counsel as above appear for the Respondents on advance copy of the Writ Petition being served. Learned counsel for the Respondents waive notice.

2] Keeping in view the pleadings in the Writ Petition and the documents filed in support of the pleadings, it would be advisable that before Respondent Nos.2 and 3 file a counter affidavit an inspection of the Common Bio-Medical Waste Treatment Plant established by the Petitioner is conducted in the presence of the representative of the

BGP.

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Petitioner and for which it is agreed that the inspection shall be conducted on 29th July 2019 at 11:00 a.m.

3] Counter affidavit be filed by the Respondents within four weeks. It is expected that in the counter affidavit filed by Respondent Nos.2 and 3 reference would be made to the report and the same shall be filed alongwith affidavit.

4] Rejoinders be filed within two weeks thereafter.

5] On the issue whether the Petitioner should be entitled to an interim order staying implementation of the impugned order dated 6th July 2019, we note that the public injury caused by closing the plant would be much more than permitting plant to operate even on assuming that the stand of Respondent Nos.2 and 3 is correct. We clarify, we are not opining prima-facie that the stand of the Respondents is correct.

6] Therefore, till the present order is vacated or modified, operation of the impugned order dated 6th July 2019 shall be stayed.

7] Re-notified for 9th September 2019.

N. M. JAMDAR, J

CHIEF JUSTICE

BGP.

True Copy
[Signature]

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2326 OF 2019

M/s. SMS Envoclean Private Limited .. Petitioner

Vs.

The State of Maharashtra and Anr. .. Respondents

WITH
CHAMBER SUMMONS (L) NO. 280 OF 2019
IN
WRIT PETITION NO. 2326 OF 2018

Abu Asim Azmi & Anr. .. Applicants

In the matter between

M/s. SMS Envoclean Private Limited .. Petitioner

Vs.

The State of Maharashtra and Anr. .. Respondents

Mr. Rampal Kohli a/w Mr. Vikram Chavan a/w Mr. Khalid Kazi
a/w Mr. Jatin Sehai I/by C. K. Legal for Petitioner.

Mr. Milind More, AGP for Respondent No.1.

Ms. Sharmila Deshmukh a/w Ms. Jaya Bagwe for Respondent
Nos.2 & 3.

Ms. K. H. Mastakar for Respondent No.4.

Mr. A. A. Siddiqui a/w Ms. Farzana Sawant & Ms. Adeeba Khan
for applicant in CHSL/280/19.

CORAM: PRADEEP NANDRAJOG, CJ. &
SMT. BHARATI DANGRE, J.

SEPTEMBER 09, 2019.

P.C.

1. Petitioner to file a reply to the Chamber Summons (L)
No. 280 of 2019. Needful shall be done within three weeks.
2. Counter affidavit proposed to be filed by the existing
respondents be filed within two weeks.
3. Rejoinder(s) be filed within four weeks thereafter.
4. List after six weeks.
5. Interim orders to continue.

SMT. BHARATI DANGRE, J.

CHIEF JUSTICE

True Copy
[Signature]



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022

**Govandi New Sangam Welfare Society} Petitioner
versus
The State of Maharashtra and Ors. } Respondents**

Mr. Zaman Ali for the petitioner.

Mr. Milind More, Addl. GP for respondent no.1-
State.

Mr. Sachindra B. Shetye with Mr. Vikrant Dere and
Mr. Akshay Pansare for respondents no. 2 and 3.

Ms. Rupali Adhate for respondent no.4-MCGM.

Ms. Chandni Bhatt i/b M/s C. K. Legal for
respondent no.5.

**CORAM: DIPANKAR DATTA, CJ. &
ABHAY AHUJA, J.**

DATE: DECEMBER 5, 2022.

P.C.:

1. A copy of the writ petition shall be made over to Ms. Bhatt, learned advocate for the respondent no.5, during the course of the day by Mr. Ali, learned advocate for the petitioning society.

2. The petitioning society is comprised of residents of Govandi (West) node of Mumbai. By instituting this writ petition styled as a public interest litigation, the petitioning society seeks an order for shifting of an incinerator of the bio-medical waste treatment plant at Govandi, run by the Municipal Corporation of Greater Mumbai through a contractor

i.e., the respondent no.5, on the ground of emission of toxic substances released from such incinerator.

3. We have found from Exhibit-D that on an approach being made by the respondent no.5 by instituting Writ Petition (L) No. 2089 of 2019, a coordinate Bench of this Court had stayed the operation of the impugned order dated 6th July, 2019. Although the order does not clearly record what the impugned order required of the respondent no.5, we have gathered that the said order was a closure order.

4. The concern expressed in this PIL petition is serious. Coupled with the fact that there was an earlier closure order which has since been stayed by this Court, we are of the view that this PIL petition ought to be heard along with Writ Petition (L) No. 2089 of 2019.

5. List this petition as well as Writ Petition (L) No. 2089 of 2019 on **16th January, 2023** for analogous hearing.

6. The respondents in this PIL petition shall be at liberty to file their respective reply-affidavits by 5th January, 2023; rejoinder thereto, if any, may be filed by 12th January, 2023.

(ABHAY AHUJA, J.)

(CHIEF JUSTICE)

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2326 OF 2019

M/s. SMS Envoclean Pvt. Ltd.Petitioner
V/S
The State of Maharashtra & Ors.Respondents

...

WITH

CHAMBER SUMMONS (L) NO.280 OF 2019

IN

WRIT PETITION NO.2326 OF 2019

Abu Asim AzmiApplicant
IN THE MATTER BETWEEN
M/s. SMS Envoclean Pvt. Ltd.Petitioner
V/S
The State of Maharashtra & Ors.Respondents

...

Ms. Sneha Mishra i/b M/s. C.K. Legal for the Petitioner.
Ms. Afrin Khan h/f Mr. Aforz Siddiqui for the Applicant in CHSW.
Mr. Milind V. More, Additional GP for Respondent No.1-State.
Mr. Vikrant Dere and Mr. Akshay Pansare i/b Mr. Sachindra B. Shetye for
Respondent Nos.2 and 3-MPCB.
Mrs. Rupa Adhate for Respondent No.4-MCGM.
Mr. Zaman Ali for the Petitioners in PILL 33884 of 2022.
Mr. C.M. Lokesh for Respondent No.5 in PILL 33884 of 2022.

...

**CORAM: S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATE : 16 JANUARY 2023.

P.C.:

1 Under order dated 5 December 2022 in PIL (L) No.33884 of 2022 it was directed that Writ Petition (L) No.2089 of 2019 be listed alongwith the

PIL and the Reply-Affidavits were directed to be filed on 5 January 2023 and Rejoinder on 12 January 2023. Today the said PIL is not listed alongwith the present Writ Petition.

2 The parties shall file Reply-Affidavits/Rejoinder as directed under order dated 5 December 2022 in PIL (L) No.33884 of 2022 by 31 January 2023.

3 Place the present Writ Petition alongwith PIL (L) No.33884 of 2022 on 15 February 2023.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)



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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO. 2326 OF 2019
WITH
CHAMBER SUMMONS (L) NO. 280 OF 2019**

SMS Envoclean Pvt. Ltd. .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

**WITH
INTERIM APPLICATION (L) NO. 31148 OF 2022
IN
WRIT PETITION NO. 2326 OF 2019**

**Govandi New Sangam Welfare
Society .. Applicant**

In the matter between:

SMS Envoclean Pvt. Ltd. .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

**WITH
PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022**

**Govandi New Sangam Welfare
Society .. Petitioner**

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. Aspi Chinoy, Senior Advocate a/w Mr. R. S. Kohli, Ms. Nikita K. Dharamshi, Ms. Sneha Mishra i/by M/s. C. K. Legal for the petitioner in WP/2326/2019 and for respondent no.5 in PILL/33884/2022.

Mr. Zaman Ali for petitioner in PILL/33884/2022.

Mr. Milind More, Addl. Govt. Pleader for State.

Ms. Sarika Shetye i/by S. B. Shetye for respondent nos.2 and 3 in PILL/33884/2022.

Mrs. Shilpa Redkar for respondent no.4/MCGM in PILL/33884/2022.

Mr. Anoop Patil a/w Mrs. Shilpa Gajare Dhumal for respondent no.4/MCGM in WP/2326/2019.

Mr. Vikrant Dere and Mr. Akshay Pansare i/by Mr. Sachindra B. Shetye for respondent nos.2 and 3/MPCB.

Mr. C. M. Lokesh for respondent no.6 in PILL/33884/2022.

Mr. Mateen Shaikh a/w Mrs. Farzana Sawant, Afrin Khan i/by Afroz A. Siddiqui, Mr. Arshad Sheikh for applicant in CHSWL/280/2019.

CORAM: S. V. GANGAPURWALA, ACTING CJ. & SANDEEP V. MARNE, J.

DATE: FEBRUARY 15, 2023

P.C.:

- 1.** The learned counsel for respondent nos.2 and 3 in PILL No.33884/2022 seeks leave to file affidavit. The same be filed with the office.
- 2.** The learned counsel for respondent no.6 in PILL No. 33884/2022 also seeks time to file affidavit. The same shall be filed within four weeks from today.
- 3.** At the request of the respondents, stand over to 23rd March, 2023.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2326 OF 2019

SMS Envoclean Pvt. Ltd.Petitioner
V/S
The State of Maharashtra & Ors.Respondents

...
WITH

CHAMBER SUMMONS (L) NO.280 OF 2019

IN

WRIT PETITION NO.2326 OF 2019

SMS Envoclean Pvt. Ltd.Applicant
IN THE MATTER BETWEEN
SMS Envoclean Pvt. Ltd.Petitioner
V/S
The State of Maharashtra & Ors.Respondents

...
WITH

INTERIM APPLICATION (L) NO.31148 OF 2022

IN

WRIT PETITION NO.2326 OF 2019

Govandi New Sangam Welfare Society ...Applicant
IN THE MATTER BETWEEN
SMS Envoclean Pvt. Ltd.Petitioner
V/S
The State of Maharashtra & Ors.Respondents

...
WITH

PUBLIC INTEREST LITIGATION (L) NO.33884 OF 2022

Govandi New Sangam Welfare SocietyPetitioner
V/S
The State of Maharashtra & Ors.Respondents

WITH

INTERIM APPLICATION (L) NO.4441 OF 2023

IN

PUBLIC INTEREST LITIGATION (L) NO.33884 OF 2022

Abu Asim Azmi & Anr.Applicants
 IN THE MATTER BETWEEN
 Govandi New Sangam Welfare SocietyPetitioner
 V/S
 The State of Maharashtra & Ors.Respondents

...
 Ms. Nikita K. Dharamshi i/by M/s. C. K. Legal for the Petitioner in WP/2326/2019 and for Respondent no.5 in PILL/33884/2022.
 Mr. Zaman All for the Petitioner in PILL/33884/2022.
 Mr. Milind V. More, Addl. Govt. Pleader for Respondent No.1-State.
 Mr. Sachindra B. Shetye a/w Ms. Sarika Shetye a/w Mr. Akshay S. Pansare for Respondent Nos.2 and 3 in PILL/33884/2022.
 Ms. Oorja Dhond i/b Mr. S.K.Sonawane for Respondent No.4/MCGM in PILL/33884/2022.
 Mr. Anoop Patil a/w Ms. Shilpa Redkar i/b Mr. S.K. Sonawane for Respondent No.4/MCGM in WP/2326/2019.
 Mr. C.M. Lokesh for Respondent No.6 in PILL/33884/2022.
 Ms. Muskan Shaikh, Mr. Mateen Shaikh i/b Mr. Afroz A. Siddiqui for Applicant/Intervenor in CHSWL/280/2019 in WP/2326/2019 a/w IAL/4441/2023.

...
**CORAM: S.V. GANGAPURWALA, ACJ &
 SANDEEP V. MARNE, J.**
 DATE : 23 MARCH 2023.

P.C.:

1 Adjournment is sought by the Writ Petitioner on the ground that the Counsel appearing for the Petitioner cannot remain present before this Court.

3 Stand over to 19 April 2023 as a last chance. No further time would be granted to the Petitioner.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2326 OF 2019

SMS Envoclean Pvt. Ltd.

..... Petitioner

Vs.

The State of Maharashtra & Ors.

..... Respondents

**WITH
CHAMBER SUMMONS (L) NO.280 OF 2019
IN
WRIT PETITION NO.2326 OF 2019**

**WITH
INTERIM APPLICATION (L) NO.31148 OF 2022
IN
WRIT PETITION NO.2326 OF 2019**

**WITH
PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022
WITH
INTERIM APPLICATION (L) NO.4441 OF 2023
IN
PUBLIC INTEREST LITIGATION (ST) NO. 33884 OF 2022**

Ms. Nikita K. Dharamshi i/by M/s. C. K. Legal for the Petitioner in WP/2326/2019 and for Respondent no.5 in PILL/33884/2022.

Mr. Zaman All for the Petitioner in PILL/33884/2022.

Mr. Milind V. More, Addl. Govt. Pleader for Respondent No.1-State.

Ms. Sarika Shetye, i/b Mr. Sachindra B. Shetye, Adv. for Respondent Nos.2 and 3 in PILL/33884/2022.

Ms. Oorja Dhond i/b Mr. S.K.Sonawane for Respondent No.4/MCGM in PILL/33884/2022.

Mr. Anoop Patil a/w Ms.Shilpa Redkar i/b Mr. S.K. Sonawane for Respondent No.4/MCGM in WPL/2089/2019.

Mr. C.M. Lokesh for Respondent No.6 in PILL/33884/2022.

Ms. Afrin Khan, i/b Mr. Afroz A. Siddiqui for Applicant/Intervenor in CHSWL/280/2019 in WP/2326/2019 a/w IAL/4441/2023 in PILL/33884/2022.

**CORAM: S.V.GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATED : APRIL 19, 2023

P.C.

1. It is submitted that Mr.Aspi Chinnoy, the learned Senior Advocate appears for Respondent No.5 and he is engaged in a part-heard matter. As such, a short accommodation is solicited.

2. In view of the request made, place the matters on 8th June 2023.

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)



ipti

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022

Govandi New Sangam Welfare Society ... Petitioner
versus
The State of Maharashtra & Others ... Respondents

**WITH
INTERIM APPLICATION (L) NO. 4441 OF 2023
IN
PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022**

Abu Asim Azmi and Another ... Applicants
versus
Govandi New Sangam Welfare Society ... Respondent

**WITH
WRIT PETITION NO. 2326 OF 2019**
SMS Envoclean Pvt. Ltd. ... Petitioner
versus
The State of Maharashtra & Ors. ... Respondents

**WITH
CHAMBER SUMMONS (L) NO. 280 OF 2019
IN
WRIT PETITION NO.2326 OF 2019**
SMS Envoclean Pvt. Ltd. ... Applicant
versus
The State of Maharashtra & Another ... Respondents

WITH
INTERIM APPLICATION (L) NO. 31148 OF 2022
IN
WRIT PETITION NO. 2326 OF 2019

Govandi New Sangam Welfare Society ... Petitioner
versus
The State of Maharashtra & Others ... Respondents

WITH
CHAMBER SUMMONS (L) NO. 280 OF 2019
IN
WRIT PETITION NO. 2326 OF 2019

SMS Envoclean Pvt. Ltd. ... Applicant
versus
The State of Maharashtra & Another ... Respondents

.....

Mr. Zaman Ali for the Petitioner in PILL/33884/2022.

Mr. Milind More, Addl. GP for Respondent No.1-State.

Mr. Akshay S. Pansare i/b. Mr. S.B. Shetye for Respondent Nos. 2 and 3- Maharashtra Pollution Control Board.

Ms. Oorja Dhond i/b. Mr. S.K. Sonawane for Respondent No.4.

Mr. Aspi Chinoy, Senior Advocate with Mr. R.S. Kohli and Ms. Nikita Dharamshi i/b. C.K. Legal for Respondent No.5 in PILL/33884/2022.

Ms. Muskan Shaikh for the Intervenor in IAL /4441/2023 and for the Applicant in CHSWL/280/2019.

Mr. C.M. Lokesh for Respondent No.6 in PILL/33884/2022.

.....

CORAM : NITIN JAMDAR, ACJ &
SANDEEP V. MARNE, J.

DATE : 7 JUNE 2023

P.C.:

The learned Counsel for the Petitioner places before us communication issued by the Maharashtra Pollution Control Board, Regional Office, Mumbai and states that cause raised by the Petitioner is under consideration. He states that certain guidelines need to be stipulated.

2. Request is made on behalf of the learned Counsel for Respondent Nos. 2 and 3- Maharashtra Pollution Control Board for time. Stand over to **5 July 2023**.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

True Copy
[Signature]



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022
WITH
INTERIM APPLICATION (L) NO. 4441 OF 2023

Govandi New Sangam Welfare Society } Petitioner
Versus
The State of Maharashtra & Ors. } Respondents

WITH
WRIT PETITION NO. 2326 OF 2019
WITH
CHAMBER SUMMONS (L) NO. 280 OF 2019
AND
INTERIM APPLICATION (L) NO. 31148 OF 2022

SMS Envoclean Pvt. Ltd. } Petitioner
Versus
The State of Maharashtra & Ors. } Respondents

Ms. Nikita Dharamshi i/b. C. K. Legal for the
Petitioner in WP/2326/2019 and for Respondent
No.5 in PILL/33884/2022.

Mr. Milind More, Additional Government Pleader for
Respondent No. 1 (State) in both matters.

Mr. S. B. Shetye with Mr. Manish Bohra and
Mr.Akshay Pansare for Respondents 2 & 3 in
PILL/33884/2022.

Mr. C. M. Lokesh for Respondent No. 6 in
PILL/33884/2022.

Mr. Anoop Patil with Ms. Oorja Dhond i/b. Mr. S. K.
Sonawane for Respondent No. 4 in WP/2326/2019.

Ms. Afrin Khan for the applicant in IAL/4441/2023.

CORAM: NITIN JAMDAR, ACTING CJ. &
ARIF S. DOCTOR, J.

DATE: 5 JULY 2023

P.C.:

. The learned counsel for the Petitioner in PIL(L) No. 33884 of 2022 is not present.

2. By Writ Petition No. 2326 of 2019, M/s. SMS Envoclean Pvt. Ltd. has challenged the order dated 6 July 2019 passed by the Maharashtra Pollution Control Board (MPCB) directing closure of the Petitioner's plant. By order dated 18 July 2019, this Court has granted ad-interim order staying the operation of the order dated 6 July 2019.

3. The PIL is moved by Govandi New Sangram Welfare Society seeking direction to the Municipal Corporation to shift the Bio-Medical Waste Treatment Plant to any other location.

4. On the last occasion, the learned counsel for MPCB had placed a communication before us that the cause raised by the PIL Petitioner is under consideration. M/s. SMS Envoclean Pvt. Ltd., which is Respondent No. 5 in the PIL has tendered an additional affidavit, wherein, Respondent No. 5 has stated as under: -

"14. In order to summarize the present situation in a nut shell, I say that the existing operational facility at Deonar is operating as per BMW Rules, 2016 and associated guidelines and complying with all statutory requirements pertaining to same. I further say that in respect of the site at Atkargaon, Khalapur, District Raigad, the process for development permission is

pending before the MSRDC. After the development permission is granted by MSRDC, the Respondent No.5 will have to obtain Environmental Clearance and after having obtained Environmental Clearance, the plant of Respondent No.5 will be relocated at the new site Atkargaon Khalapur, District Raigad within a period of 13 months. On the other hand, the Respondent No.5 in pursuance to the meeting held by the Minister of Industries, Government of Maharashtra on 30/11/2022 is also making sincere efforts for allotment of land at Patalganga-Borivali, MIDC area. I say that in regards to the land in MIDC area, as there is no requirement of public hearing and also that infrastructure facilities such as electricity, water, road and telecom are readily available; the process of relocating would start with obtaining Environment Clearance followed by the relocation/installation of the new plant which would take approximately 13 months after having Environment Clearance.

15. In view of the factual aspects as stated above and that Respondent No.5 is committed to upholding its responsibilities as a responsible corporate citizen and aims to ensure that the plant's relocation is executed in a manner that prioritizes the well-being of the community and environment, the aforesaid Public Interest Litigation deserves to be dismissed with exemplary costs and I pray accordingly.”

5. Thus, Respondent No. 5 has given a commitment to relocate itself at a new site after obtaining necessary permissions within a period of 13 (thirteen) months.

6. The learned counsel for the Respondents in both, the Writ Petition and the PIL Petition as also the learned counsel for the PIL litigant will take instructions whether the stand taken by Respondent No. 5 is satisfactory.

7. Stand over to 9 August 2023. To be listed under the caption
“For Directions”.

(ARIF S. DOCTOR, J.)

(ACTING CHIEF JUSTICE)

Digitally
signed by
JAYANT
VISHWANATH
SALUNKE
Date:
2023.07.06
15:55:58
+0530

True Copy
[Signature]



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022

Govandi New Sangam Welfare Society Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

**WITH
INTERIM APPLICATION (L) NO.4441 OF 2023
IN
PUBLIC INTEREST LITIGATION (L) NO. 33884 OF 2022**

Abu Asim Azmi & Anr. Petitioners
Vs.
Govandi New Sangam Welfare Society Respondents

**WITH
WRIT PETITION NO.2326 OF 2019
WITH
CHAMBER SUMMONS (L) NO.280 OF 2019
IN
WRIT PETITION NO.2326 OF 2019**

SMS Envoclean Pvt. Ltd. Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

**WITH
INTERIM APPLICATION (L) NO.31148 OF 2022
IN
WRIT PETITION NO.2326 OF 2019**

Govandi New Sangam Welfare Society Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

Mr. Zaman Ali with Neil Pais for the Petitioners in PIL Petition

Mr. Aspi Chinoy, Senior Advocate with R. S. Kohli, Ms. Nikita K.

Dharamshi I/b. C.K. Legal for the Petitioner in Writ Petition and for Respondent No.5 in PIL Petition

Mr. Milind More, Addl.GP for Respondent No.1 - State

Mr. Sachindra B. Shetye a/w. Ms. Sarika Shetye and Mr.Akshay S. Pansare for Respondent – MPCB

Mr. Anoop Patil with Ms. Oorja Dhond I/b. S. K. Sonawane for Respondent No.4 – MCGM in PIL Petition

Mr. Anoop Patil with Ms. Shilpa Puranik I/b. S. K. Sonawane for Respondent No.4 – MCGM in Writ Petition

Mr. C. M. Lokesh for Respondent No.6- Central Pollution Control Board in PIL Petition

CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. & ARIF S. DOCTOR, J.

DATE : AUGUST 11, 2023

P.C.

1. Shri Chinnoy, learned Senior Advocate representing Respondent No.5 has tendered a Tentative Timeline for the Establishment of Bio-Medical Waste Treatment Plant. The Timeline is extracted hereunder:

Sr. No.	Activity	Timelines
1	Land came to be allotted by the MIDC on 09/08/2023 after the payment of 25% being the earnest money to the MIDC in lieu of the Offer letter dated 04/08/2023.	15 days
2	Application of Terms of Reference (ToR) for Environment Clearance	7 days i.e. 22 days from the allotment of land.

3	Application of Consent to establish (CTE) from MPCB	7 days i.e. 22 days (simultaneously with ToR)
4	Grant of CTE by MPCB	1 month i.e. 52 days from the allotment of land
5	Baseline Monitoring – Note: As per the standard terms prescribed by the Ministry of Environment, Forest and Climate Change for EIA, wherein the Government has stipulated 3 months for monitoring; failing which the EC shall not be granted. As per the said standard terms monitoring is not permitted during monsoon months i.e. till September of this year.	3 months i.e. 142 days from the allotment of land.
6	Preparation of EIA Report	20 days i.e. 162 days from the allotment of land
7	Finalization of EIA Report	10 days i.e. 172 days from the allotment of land
8	Appraisal from SEIAA	30 days i.e. 202 days from the allotment of land
9	Grant of Environmental Clearance	30 days i.e. 232 days from the allotment of land
10	Completion of construction of Plant	13 months from the grant of EC

2. For establishment of the said plant, apart from seeking Consent to Establish (CTE) from the Maharashtra Pollution Control Board (for short the "**MPCB**"), Respondent No.5 shall also be required to seek environmental clearance under the Environment Impact Assessment Notification dated 14th

September 2006. The Court accepts the Tentative Timeline furnished by Respondent No.5, however, we direct the MPCB to consider and take decision on the Application for CTE with expedition. We also direct that a decision for grant of environmental clearance by the State Environment Impact Assessment Authority / State Environment Impact Assessment Committee shall also be given in the minimum possible time.

3. All the Officers of the MPCB and the members of the State Environment Impact Assessment Authority / State Environment Impact Assessment Committee shall extend their fullest cooperation. We expect the cooperation from the Officers for the reason that the bio-medical waste is being generated everyday and if it is not treated in a scientific manner, it is not only hazardous to the employees working in the hospitals and nursing homes but also to all who come in contact with the hospitals everyday.

4. Regarding item No.10 of the Tentative Timeline, as extracted above, we direct that sincere endeavour shall be made by all concerned including Respondent No.5 to reduce the period of 13 months for construction of the plant. In this respect, we

direct that the Member Secretary, MPCB shall hold a meeting with representative of Respondent No.5, who may be a Technical Expert, along with one representative of the Municipal Corporation of Greater Mumbai, at the earliest to find out as to how this 13 months period can be reduced.

5. The meeting shall be convened within two weeks from today and Minutes of such meeting shall be presented before the Court by the learned Counsel for the MPCB by the next date of listing.

6. Stand over to 11th September 2023 'for Directions'.

(ARIF S. DOCTOR,J)

(CHIEF JUSTICE)

True Copy
[Signature]



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2326 OF 2019
WITH
CHAMBER SUMMONS (L) NO. 280 OF 2019**

M/s. SMS Envoclean Pvt. Ltd. .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. Aspi Chinoy, Senior Advocate a/w Ms. Nikita K. Dharamshi for petitioner.

Mr. Milind More, Addl. Government Pleader for respondent no.1/State.

Mr. Sachindra B. Shetye a/w Mr. Irfan A. Shaikh for respondent nos.2 and 3/MPCB.

Mr. Anoop Patil a/w Ms. Shilpa Puranik i/by S. K. Sonawane for respondent no.4/MCGM.

Ms. Afrin Khan i/by Mateen Shaikh for applicant in CHSL/280/2019.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 11th SEPTEMBER, 2023

P.C.:

1. Learned senior counsel Shri Chinoy, representing the petitioner, states that in view of intervening circumstances, the writ petition has been rendered infructuous.
2. The writ petition is dismissed as infructuous.
3. All pending applications stand disposed of.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

True Copy
[Signature]

महाराष्ट्र प्रदूषण नियंत्रण मंडळ
उप प्रादेशिक कार्यालय, मुंबई-४

दूरध्वनी क्र. २४०१५२६९/२४१६२३९
Visit us at : <http://mpcb.gov.in>
Email : sromumbai4@mpcb.gov.in



कल्पतरु पॉइंट, दुसरा मजला,
शीव माटुंगा स्किम रोड क्र. ८
शीव सर्कलसमोर, शीव (पूर्व)
मुंबई - ४०० ०२२

“आपली सेवा आमचे कर्तव्य”

जा.क्र. मप्रनि/उपप्राकामु-४/- १२४७

दिनांक: २४/०५/२०२४

✓ R/PAD / Hand Delivery

प्रति,

✓ श्री. शोख फैयाज आलम
गोवंडी न्यू संगम वेल्फेअर सोसायटी
कमला रमण नगर बिगनवाडी,
गोवंडी, मुंबई ४०० ०४३
मो. क्र. ८२८६४९१६८१

विषय :- माहितीचा अधिकारी अधिनियम-२००५ अन्वये माहिती पुरविण्याबाबत.
संदर्भ :- १) आपला या कार्यालयास प्राप्त अर्ज दि. ०३.०५.२०२४ (११५१)
२) उप प्रादेशिक अधिकारी, मुंबई- ३ यांच्याकडून प्राप्त झालेली माहिती
दि. १६.०५.२०२४.

संदर्भाधीन अर्जास अनुसरून, उप प्रादेशिक अधिकारी, मुंबई- ३ यांच्या कार्यालयाकडून माहितीचा अधिकार अधिनियम-२००५ अन्वये प्राप्त झालेल्या माहितीच्या प्रती या पत्रासोबत जोडण्यात येत आहेत.

आपणास वरील माहिती मान्य नसल्यास हे पत्र मिळाल्यापासून ३० दिवसांच्या आत प्रथम अपिलिय अधिकारी तथा प्रादेशिक अधिकारी, म.प्र.नि. मंडळ, मुंबई, कल्पतरु पॉइंट, दुसरा मजला, सायन सर्कल, सिने प्लॅनेट सिनेमा समोर, शीव (पूर्व), मुंबई- ४०००२२ यांच्याकडे अपील करता येईल.

सोबत — वरिलप्रमाणे एकूण पाने ५३

(Handwritten Signature)

(अच्युत नांदवटे)

जन माहिती अधिकारी तथा
उप प्रादेशिक अधिकारी, मुंबई ४

प्रत माहितीस्तव सादर-

प्रथम अपिलीय अधिकारी तथा प्रादेशिक अधिकारी, मुंबई

Maharashtra Pollution Control Board

Sub Regional Office, Mumbai-4

Telephone no. 24015269/2416239

Visit us at: <http://mpcb.gov.in>Email: sromumbai4@mpcb.gov.in

Maharashtra "Our Service Our Duty"

KALPATARU PAINT, 2ND FLOOR,

SHIV MATUNGA SCHEME ROAD

NO. Opposite 8 Shiv Circle, Shiv

(East) Mumbai - 400 022

Ja.No. Maprani/Upprakamu-48-1247

Date: 24/05/2024

✓ RPAD / ~~Hand Delivery~~

Per,

✓ Mr. Sheikh Faiyaz Alam

Govandi New Sangam Welfare Society

Kamala Raman Nagar Biganwadi,

Govandi, Mumbai 400 043

Md. No. 8286491681

Subject :- Regarding providing information under Information Officer Act-2005.

Reference :- 1) Your application received in this office dt. 03.05.2024 (1151)

2) Information received from Deputy Regional Officer, Mumbai-3
dt. 16.05.2024.

Right to Information from the office of Deputy Regional Officer, Mumbai 3, pursuant to the application under reference

Copies of information received under Act-2005 are enclosed with this letter. If you do

not agree with the above information within 30 days from the receipt of this letter First Appellate

Officer and Regional Officer, M.P.No. Mandal, Mumbai, Kalpataru Point, 2nd Floor, Sion Circle, Opposite Cine
Planet Cinema, Shiv (East), Mumbai- 400022.

Along with - Total leaves 53 as above


(Achyut Nandwate)

Public Information Officer and

Deputy Regional Officer, Mumbai 4

Copy information submitted-

First Appellate Officer and Regional Officer, Mumbai

MAHARASHTRA POLLUTION CONTROL BOARD

SUB-REGIONAL OFFICE – MUMBAI -III

Phone No. 24015269 / 24016239

Visit us at :

<http://mpcb.gov.in>

Email :

sromumbai3@mpcb.gov.in



"Your Service is our Duty"

Kalptaru Point 2nd floor,
Sion Matunga Scheme Road
No. 8, Infant of Sion Cercal,
Sion (E),
Mumbai – 400 022.

No./MPCB/SROM-III/ 1179

Date- 16/15 /2024

To,

Public Information Officer,
MPC Board, Mumbai.

Sub: - Application for information sought under RTI Act-2005.

Ref: 1) Sub-Regional Office letter No. MPCB/SROM-4/1151, Dated- 10.05.2024.

2) RTI application received of Mr. Shaikh Faiyaz Alam, Govandi New Sangam Welfare Society, Kamla Raman Nagar Baiganwadi Govandi Mumbai, Maharashtra 400043.

With reference to above subject matter, the information sought by the applicant is submitted herewith in following format.

Sr. No	Question	Answer
1.	Total number of complaints filed against this above mentioned firm either by local or NGO's Elected representative or political parties from year 2009 to till date, need all compliants	Copy of Complaints are attached herewith.
2	Total show cause notice issued either by Maharashtra state government or by MCGM BMC or by Maharashtra Pollution Control Board, or Cabinet Ministers of Environment portfolio since from 2009 to till date.	Copy of SCN dtd 24.03.2022 is attached herewith.
3	Past violation done by this plant enlist the violation list penalty impose by concert regulation statue such like MPCB/CPCB from 2009 to till date.	Copy of direction dtd 06/07/2019, 22/01/18 are attached herewith.
4	SMS Envoclean Pvt. Ltd "A Common biomedical waste treatment plant, govandi deonar established in 2009, need wind direction report.	As per office record information is not available.
5	Enlist the area/ Surrounding name where wind/Soke enter from stack of common biomedical incinerator.	As per office records information is not available.
6	Timing of plant working, also provide which day the plant in not working for how much time?	Regular operations as per consent.



MAHARASHTRA POLLUTION CONTROL BOARD

SUB-REGIONAL OFFICE - MUMBAI-III

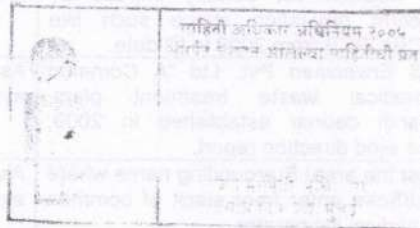
7	Seeking reading of online continuous emission quality monitoring system from 2009 to till date, parameters such as PM, HCl, HF, NH3, SO2, CO, O2, CO2, NOx, VOC, etc.	The said information is available on MPCB website http://mpcb.gov.in Quick Link-Online OCEMS-OCEMS Data of Industry - CBMWTSDF.
8	Need physical inspection report of the site which MPCB officials conducting daily by the Direction of Bombay High Court to submit report on monthly basis	Copy of visit report in the month of Nov 2023, Dec 2023, Jan 2024, Feb 2024, March 2024, April 2024 are attached herewith.

Applicant asked information by hand total Xerox copies of pages is 51.

2 June
16/5/2024

Sub-Regional Officer, Mumbai-III

Copy Submitted to- Regional Officer, MPCB, Mumbai



AATIF SHAIKH
SOCIAL WORKER
(HSE ENGINEER)

LOTUS COLONY PLOT
NO.22 ROOM NO.1284
GOVANDI MUMBAI 400043



आतिफ शेख, लोटस कॉलोनी,
 प्लॉट नंबर 22, कमरा नंबर 1284,
 गोवंडी, मुंबई 400043,
 मोबाइल नंबर:-9372104302
 दिनांक:-09/05/2022

प्रति,

महाराष्ट्र पॉल्यूशन कंट्रोल बोर्ड (MPCB)

कल्पतरु पॉइंट, तीसरी और चौथी मंजिल, रोड नंबर 8, सायन सर्क, सामने। पीवीआर थिएटर, मुंबई, महाराष्ट्र 400022.

विषय :- एस.एम.एस एनवोकलीन प्रा लिमिटेड कंपनी को जल्द से जल्द यहां से हटाया जाए

श्रीमान,

मैं आतिफ शेख एक जिम्मेदार नागरिक होने के नाते एम.पी.सी.बी. (महाराष्ट्र पॉल्यूशन कंट्रोल बोर्ड), सी.पी.सी.बी. (सेंट्रल पॉल्यूशन कंट्रोल बोर्ड) से विनती करता हूँ कि हमारे यहां मुंबई में एम ईस्ट वार्ड (M-East Ward) में 12 लाख की आबादी है जो कि एक बहुत बड़ी आबादी है। जहां पर बहुत गरीबी है एक रिपोर्ट के अनुसार हर साल मुंबई में जितने भी टी.बी. के मरीज होते हैं उनमें से 22% परसेंट मरीज सिर्फ गोवंडी से आते हैं यहां पर दमे के मरीज काफी ज्यादा तादाद में हैं फेफड़ों की बीमारी यहां आम है जिसमें फेफड़ों के कैंसर और सांस लेने में तकलीफ होना और एच.आई.वी (HIV) के भी बहुत सारे मरीज हैं यहां की हवा काफी प्रदूषित है जिसमें ऑक्सीजन के अलावा बाकी गैस का परसेंटज काफी ज्यादा है एक रिपोर्ट के अनुसार यहां के लोगो की नॉर्मल एज (Normal Age) 40 से 50 होती है ये अक्षय कुमार (Bollywood Actor) ने एक टीवी शो में कहा था। ये सब आपको बताने का मकसद मेरा ये है कि इन सब बीमारियों की बड़ी वजा यहां पर मौजूद एसएमएस कंपनी और देवनार डंपिंग ग्राउंड है जो कि आबादी के बीच में है। इतनी बड़ी आबादी के बीच में एस एम एस कंपनी का मौजूद होना ही ये सेंटर गवर्नमेंट और राज्य सरकार के ही रूल के खिलाफ है। कोई भी इंडस्ट्री आबादी से दूर होना चाहिए। यहां पर बॉडी के पार्ट्स जलाए जाते हैं

* इन परकार के बायो मेडिकल वेस्ट को यहां लाया जाता है *

औषधीय पदार्थ : इसमें बची-खुची और पुरानी व खराब दवाएँ आती हैं।

रोगयुक्त पदार्थ : इसमें रोगी का मल-मूत्र, उल्टी, मानव अंग आदि आते हैं।

WRO 3
 Minyom...
 12/5

Form D
 मालिकी कानून अखिल भारतीय प्रत
 मोहदातिफ शेख

9372104302

mohdaatif00727@gmail.com

AATIF SHAIKH
SOCIAL WORKER
(HSE ENGINEER)

LOTUS COLONY PLOT
NO.22 ROOM NO.1284
GOVANDI MUMBAI 400043

रेडियोधर्मी पदार्थ : इसमें विभिन्न रेडियोधर्मी पदार्थ जैसे कि रेडियम, एक्स-रे तथा कोबाल्ट आदि आते हैं।

रासायनिक पदार्थ : इसमें बैटरी व लैब में प्रयुक्त होने वाले विभिन्न रासायनिक पदार्थ आते हैं।

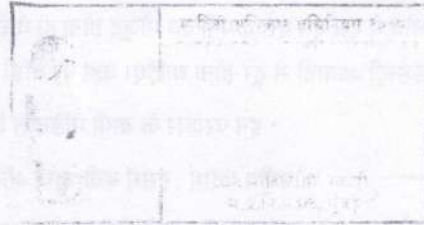
उपरोक्त के अलावा कुछ सामान्य पदार्थ भी होते हैं जिनमें दवाइयों के रैपर, कागज, रिपोर्ट, एक्स-रे फिल्मों और रसोई से निकलने वाला कूड़ा-कचरा आता है। यही नहीं, कुछ अन्य पदार्थ जैसे कि ग्लूकोज की बोतलें, सूइयाँ, दस्ताने आदि भी बायोमेडिकल कचरे में आते हैं।

इन सब कचरों को इतनी बड़ी आबादी के बीचमें ट्रांसपोर्ट के जरिए लाकर खुली हवा में उनको रखना फिर उनको जलाना कितना सही है ये आप लोग खुद समझ सकते है। HIV और Coronavirus जैसी बीमारियां कितनी आसानी से फैलती है ये हर बच्चे बच्चे को पता है इसलिए मेरी विनती है के इस कंपनी को जल्द से जल्द यहां से हटाया जाए।

अगर इस कंपनी को जल्दी यहां से नहीं हटाया गया तो मैं और गोवंडी की आम जनता भूक हड़ताल करने और रास्ता रोकों आंदोलन करने पर मजबूर होजायेगी जिसके जिम्मेदार आप लोग होंगे।

आपका आभारी,

Aatif
 श्री. आतिफ शेख.

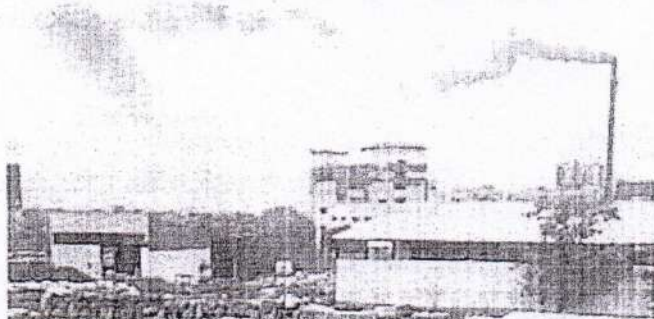


9372104302

mohdaatif00727@gmail.com

Green nod for plant at Khalapur awaited

This means it is unlikely that the treatment facility will be moved out of the city limits by this month-end



The plant came up in 2009 but the pollution worsened in the past 4 years, say locals

Continued from page 1

RESIDENTS from Govandi, Mumbaito, Devere and surrounding areas have filed repeated complaints against SMS Envoclean Pvt. Ltd since June 2020 alleging that toxic air and black smog are being emitted from the facility, particularly due to the burning of personal protective equipment (PPE) kits, causing health problems. Acting on their complaints, the Maharashtra Pollution Control Board (MPCB) had directed the firm and contractor to improve their scrubber technology to control the emission of thick black smoke. But locals say the plant has been brazenly coughing out smog-filled smoke.

SMS Envoclean has been appointed by the BMC to deal with the city's bio-medical refuse, including the refuse being generated from COVID facilities. When the BMC and MPCB gave a contract to the company in 2009 to treat Mumbai's bio-medical waste, the plan was to have three such facilities but the Govandi plant had to take all the load as the other two were unable to find places for the other two ponds. Over the years, toxic emissions from the plant at Govandi East became a serious health concern for the locals.

In October and November 2020, the Maharashtra environment department had directed that the plant be relocated 70 km outside of Mumbai to Khalapur by February 2022. While the deadline was later extended to May 2022, locals said, there is little or no indication that the move is taking place.

The initial directive of the state environment department followed a long notice from lo-

cal to MMR. The local wards, Shivajinagar, Jangamwad and Mankherd, among others, are surrounded by toxic air as a result of the bio-medical waste treatment plant is also a major contributor to the problem," said local resident and lawyer Saf Alam, who is representing the residents.

Alam said they also got support from environment minister Aaditya Thackeray. "We've all been very supportive and have waited patiently. Nonetheless for hours at a time, black smoke can be seen coming out of the facility's chimney. We will wait until the end of May this year, and if the facility is not relocated to Khalapur or outside of city limits, we will file a case against the facility and MMR in the NCT of Mumbai."

'Adding to TB woes'

Muakh Fayaz, who lives in the vicinity of the plant, said, "Ward M. East, Govandi, Devere is known as a TB hotspot in the city, and more people have been diagnosed with asthma. Above all, they have been suffering as a result of the company's thick smoke, which is exacerbating their health problems. We've even posted videos and photos on social media showing thick black smoke erupting from the chimney. Following our Twitter posts and complaints, the CPCB forwarded the directive to the MPCB to take action against the violators and request an action taken report, but the MPCB officials have visited in the last two days. We are considering filing a lawsuit very soon."

'Will verify complaints'

As a way to take the social media

complaints seriously, "We understand that residents must have seen the smoke, however, it is not necessary that it is hazardous. They have been following all stipulated norms and we will still send a team to verify the complaints by residents. The shifting of the facility is currently in the process. The environment clearance for setting up the facility in Khalapur is awaited. Until they get the clearance the facility cannot be shifted there," said Ashok Shingare, member secretary, MPCB.

'It's a gimmick'

Amal Nilawar, director, SMS Envoclean called the opposition to the plant a gimmick by some people. "This is a phenomenon, well known world-wide since 2009, an air pollutant. Not in my backyard. There are several NSA buildings coming up in the area however, the opposition and objection to the BMC treatment facility is to help boost the real estate prices. The process of shifting will cost us a huge sum, the land itself cost us \$10 crore. However, we have already given a commitment and we are working to all our capacity to shift the facility," said Nilawar.

He added, "About shifting the facility to Khalapur, almost 90 per cent of the process is done, including the public hearing there. Two months back we have already submitted a proposal and all relevant documents to the State Environment Impact Assessment Authority. Now we are awaiting their call. We will be giving the final presentation on the same. We will need environment clearance for shifting the facility to Khalapur."

परिशिती अधिवासा अधिनियम २००६
 प्रथम देवघर २२/०५/२०२२
 परिशितीची प्रत

विठ्ठल गोविंद लोकरे
अध्यक्ष,
'एम/पूर्व' प्रभाग समिति
सदस्य - स्थायी समिति



'एम/पूर्व' विभाग महापालिका कार्यालय,
के. मधुकर तुकाराम कदम मार्ग व पेरीफेरी रोड जंक्शन,
देवनागर महापालिका वसाहत, गोवडी,
मुंबई - ४०० ०४३.
अध्यक्षांचे कार्यालय
दूरध्वनी क्र. : २५५० २२७९
विस्तारित क्र. : १११
भ्रमणध्वनी क्र. : ९८९२२५५४२१
क्र. : म. चि. / 'एम/पूर्व' प्र. स.
दिनांक : २५/५/२०२२



मा. डी. राजेश टेंपे
आगोज्या मंत्री
महाराष्ट्र राज्य

यांचा सन्नेह नमस्कार

विषय : नगराधिकार्या आगोज्याची, जिविताची वेळेगाडी युस्.युम्.
युस्. कंपनी बंद करव्याबाबत.

महोदय,

युस्.युम्. पूर्व विभागातून सुद्धा, आगोज्याची युस्.युम्. कंपनी अर लोकतस्तीत आहे. या कंपनीमध्ये बायो मेडिकल कचऱ्याची आवश्यक प्रक्रिया करून विल्हेवाट लावली जाते. तसेच शस्त्रक्रियेमध्ये निकामी झालेले मानवी अवयवांची येथे विल्हेवाट लावली जाते. परंतु महोदय या ठिकाणी उघावेळी आवश्यक प्रक्रिया करून बायो मेडिकल कचऱ्याची विल्हेवाट लावली जाते त्यावेळी कंपनीच्या विमणीतून अफेद घुस निघतो. कोठाच्याही प्रकारे कचऱ्यावर प्रक्रिया न करता विल्हेवाट लावली जाते त्यावेळी काळा घुस निघतो. नेहमीच दिवसा काही वेळासाठी अफेद घुस दिवसो अन्याया काळा घुसत विमणीतून निघताना दिवसो. अहर् कंपनी अर लोकतस्तीत अवल्याने जवळ जवळ शिवडीनगर. मानसपूर्व विधानसभ्या परिषदातील नगराधिकार्या या प्रमुखगणांच्या अचकर परिणाम होत अवल्याने दिवसो येत आहे. अच येता अघाट्याने यत्रत आहे. महोदय, अंपुर्ण सुबई मधुन बायो मेडिकल वेस्ट या कंपनीकडून जमा केले जाते. यामध्ये जमा होणाऱ्या अनार्डनच्या बाटल्या व मिडिज विकण्याची कंपनीला यज्ञानामार्फत यशवानगी दिली आहे का? काबता आर्थिक फायद्यासाठी कंपनीकडून अज्ञा वस्तुंची वेष्टाहकपणे विक्री होत अवल्याने निदर्शनास आले आहे.

या कंपनीमध्ये काम करणाऱ्या कामगारांच्या सुरक्षेविषयी कोणतीही उपयोजना नाही तसेच आवश्यक काळजी देखिल घेतली जात नाही. कामगारांन कोणतेही विमा कवट, अंरक्षण दिले जात अवल्याने माझ्या निदर्शनास आले आहे. कंपनीला कामकाशाविषयी रवत्या आगोज्याविषयी काही देतो हेतो नमुन स्वतःचे १ आर्थिक दित जीणानुष्ये काम कंपनी करित आहे. अहर्, अहिकार अधिनियम १००५ महोदय, या कंपनीच्या प्रमुखगणांच्या अचकर परिणाम विमतामध्ये

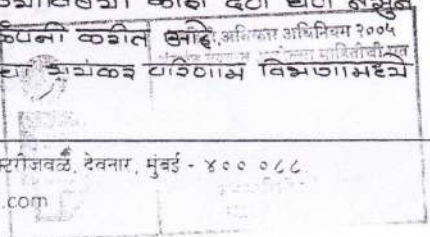
॥ २ ॥

निवास : १०३/बी, साईसस्कार को ऑप. हौ. सोमायटी, टेलिकॉम फॅक्टरीजवळ, देवनागर, मुंबई - ४०० ०८८.

ई-मेल : vithalokare65@gmail.com

SKO 11
24/5

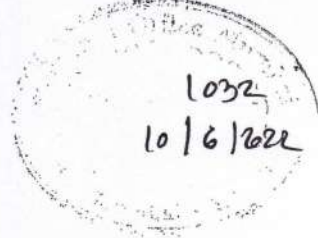
FORM
As communication
MR.
25/05



AJAZI WELFARE SOCIETY

To,
Officer of Pollution Control Board Maharashtra,
Kalpataru Point, 3rd and 4th floor,
Opp. PVR Theatre,
Sion (E), Mumbai-400 022

10/06/2022



Sub : **Request to Shut down SMS Company (Biomedical waste Company) Govandi 400043.**

Respected Sir,

I **Faizan qureshi** adult, having office at room no. 529 plot no. 09 lotus colony govandi, Mumbai.-400043 president Of **Ajazi welfare society** , do hereby give my complaint as under:

The several Govandi residents, especially children and the elderly, had developed respiratory problems because of Biomedical waste Company(SMS company).

"Many residents has a complained to that they are suffering from breathing problems and asthma due to Biomedical waste Dump in Govandi . The BMC has failed to take any action against the menace of SMS Company. We therefore request you to shut down the SMS Company,"

Biomedical waste droppings have been linked to various diseases. Because it contains a high amount of disease-causing organisms, also called pathogens, medical waste poses a risk when handled improperly and released into the environment. The World Health the following diseases:

Parasitic Infections

It's not surprising that labs who regularly test for parasitic infections would have specimens that are positive for parasites. Typically, labs will incubate body fluids to test for these parasites, then dispose of them as medical waste. Some of the parasites can still live and thrive in the waste and potentially cause infection should they come in contact with a host.

SRO3

HPA

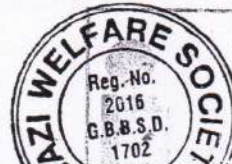
10/6/22

complaint

Fo CMI

An prepare reply.

R 10/06/22 9167424995



राष्ट्रियी अधिकाय अधिनियम २००५
असुरत देवतार आरक्षण अधिनियम प्रस

Signature

ROOM NO .529 PLOT NO. 09 LOTUS COLONY GOVANDI MUMBAI . 43

... continuation sheet

Lung Infections

It is common for medical waste to release airborne aerosols that could potentially contain pathogens, such as a respiratory syncytial virus (RSV), or other viruses that can cause lung infections like influenza, tuberculosis and pneumonia.

Skin infections

It's very possible to contract a skin infection from medical waste, even something as dangerous as anthrax. Yes, anthrax cases are rare, but anthrax vaccine-producing labs may generate anthrax-contaminated medical waste and, if handled improperly, this waste poses a serious threat to the community.

HIV and Hepatitis B and C Viruses

There is always the chance that medical waste contains sharps that may contain blood contaminated with viruses that cause AIDS, Hepatitis B and C. A needle stick or puncture from a scalpel blade can result in deadly infections. This is why sharps are required to be disposed of in rigid, sealed, and clearly marked containers.

Candida

Candida is a disease caused by the yeast *Candida albicans*.

Candida albicans is associated with prolonged hospital stays, so it goes without saying that untreated waste from hospital facilities may contain significant amounts of this pathogen. *Candida* poses significant and even life-threatening risk to the elderly, pregnant mothers, small children, and people with weakened immune systems.

Meningitis

Medical waste may contain pathogens that can transmit meningitis.

Meningitis, which is transmitted via body fluids, causes inflammation of the membranes surrounding the brain and spinal cord.

Bacteremia

Bacteremia is a life-threatening infection. Bacteremia infection occurs when bacteria are present in the bloodstream, where it can easily infect other organs and cause inflammation. A particular type of medical waste, sharps, can introduce pathogens into the bloodstream that may result in bacteremia.

So, people are often affected by fever. The children are often affected by infection, fever, etc. I request you to look into this matter seriously to shutdown SMS company in this locality.

Sincerely

Faizan qureshi

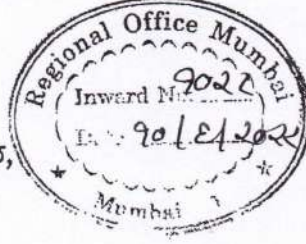


EKTA
The Power of Unity



G.B.B.S.D.434/2019, Maharashtra
Mob : 9082243819/7738301148 / 7039502581

FOUNDER PRISIDENT : MR. VIJAY THORAT



दिनांक : 10/06/2022

144

प्रति,
महाराष्ट्र प्रदूषण नियंत्रण मंडळ,
कल्पतरु पाईट, सायन (पूर्व),
मुंबई - ४०००२२.

विषय : जनतेचा आक्रोश आणि सतत होणाऱ्या त्रासामुळे, रोगराईमुळे SMS इन्वोक्लेन प्रा. लि. कंपनीचे सर्व परवाने रद्द करून त्वरीत बंद करण्याबाबत.

महोदय,

आम्ही उपरोक्त संस्थेचे पदाधिकारी असून गेल्या कित्येक वर्षांपासून मानखुर्द-शिवाजीनगर मधील जनता, खासदार, आमदार, नगरसेवक रस्त्यावर येऊन SMS इन्वोक्लेन कंपनी बंद करण्यासाठी आंदोलने करीत आहे. त्यातच पर्यावरण मंत्री श्री. आदित्यसाहेब ठाकरे यांना त्यांच्या ट्विटर वरून कंपनी फेब्रुवारी २०२२ ला स्थलांतरीत करण्याचे विधान केले असतानाही अद्याप ही कंपनीचा सोक्षमोक्ष लागला नाही.

तरीही आपल्या माहितीकरिता सदर विभागातील जनता आणि रजिस्टर समाजसेवक एकत्र येऊन पत्रव्यवहार करीत आहेत. परंतु माध्यमातून कोणत्याही प्रकारची कारवाई होत नाही असे दिसण्यात येत आहे. आणि स्थानिक सामाजिक संस्था आणि जनतेमध्ये आक्रोश वाढत चाललेला आहे आणि तो आक्रोश जनआंदोलनात बाहेर पडण्याची शक्यता टाळता येत नाही.

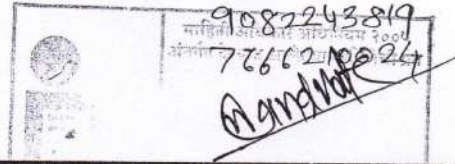
तरीही आपण लवकरात लवकर सदर कंपनीचे परवाने रद्द करून कंपनी बंद करण्याचे आदेश द्यावे. हि विनंती.

complaint
PO (MF)
As preparatory.
13/06/22

S2103
NA
10/6

आपला विश्वासू,

Thorat
(विजय पो. थोरात)
संस्थापक / अध्यक्ष





गोवंडी न्यू संगम वेलफेअर सोसायटी

ADD: KAMLA RAMAN NAGAR BAIGANWADI GOVANDI MUMBAI, MAHARASHTRA 400043
 MOB: +91 8286491681/ 8898685354
 Regd No: G.B.B.S.D 380/21

GOVANDI NEW SANGAM WELFARE SOCIETY

Date: 02/07/2022

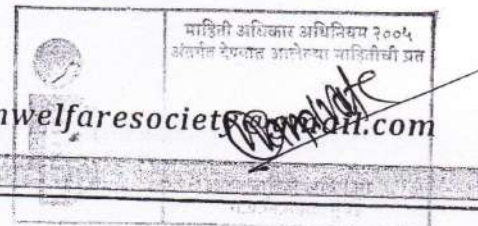
To,
 The Chairman MPCB,
 Shri. A I Jarhad,
 Kalpataru Point, 3rd & 4th Floor,
 Opposite PVR Cinema,
 Sion (E), Mumbai- 400022.

Sub : Application for Immediate Closure of SMS Envoclean PVT LTD Biomedical waste incinerator plant to save residents from public health crisis, Directions 33A of the Water (Prevention & Control of Pollution) Act 1974, 31A of the Air (Prevention & Control of Pollution) Act 1981 , A/C with Biomedical Waste Management Rules 2016.

Reference: Previous Complaint of NEW SANGAM WELFARE SOCIETY to the office through Portal
 CPCBTW-6981, TW 21-3966, TW 21-3958,
 MPCB-COMPLAINT-0000004418, MPCB-COMPLAINT-0000004655,
 MPCB-COMPLAINT-0000004156, MPCB-COMPLAINT-0000004428,
 MPCB-COMPLAINT-0000004560, MPCB-COMPLAINT-0000004505.

- 1) The Common Bio-Medical Waste Treatment facility operating less than 30 meters from the residential area, Plant Burning 8-10 tons of hazardous bio medical waste per day injurious to health and life of the 12 lakh public living around it and degrading the environment for all times to come.
- 2) As Per the guidelines of Central Pollution Control Board (CPCB), the common Bio-Medical Waste Treatment Facility should be located at a place reasonably far away from residential and sensitive area so that it has minimal impact on these areas.
- 3) Delhi High Court's Judgment dated on 15 January 2013 observed " It is not in dispute that the bio-medical waste is a hazardous waste which can be highly injurious to human life". The Judgment refers to 'The summary of "Epidemiological Studies on Adverse Health Effects Associated with Incineration" would show that medical waste incinerators are a leading source of dioxins and mercury in the environment and there is link between Incinerator emissions and adverse health impacts on Incinerator workers and residents living around the incinerators."

Handwritten notes:
 In complaint
 to cmr
 to prepare
 by



Email: newsangamwelfaresocietysangam@gmail.com

Problems of unplanned burning:

- i) Dioxins are produced during combustion process studies have established that they can cause reproductive and development problems and an increased risk of heart disease and diabetes.
 - ii) The Doctor stated that the incineration plant at Deonar made no efforts to monitor the level of pollutants released in the air, this was against the guidelines of CPCB which require every incineration plant to have its own on site air quality monitoring unit
 - iii) Threat to Human & Animal life
 - iv) Genetic Disorder
 - v) Increased risk of lethal congenital abnormalities, Spinal bifida, heart defects.
 - vi) Risk of stillbirths and anencephalus crematoria.
 - vii) Risks of all cancers and specially of stomach, colorectal, liver and lung.
- 4) This plant is under fully violation under Article 226 of the constitution, states that "to protect the life and health of the residents".
 - 5) Visits of officials of the Board vide dtd on 10.08.2020 observed that "Excess amount of Black Toxic smoke emits from the stack and No Digital Monitoring process on App Developed by the CPCB regarding real time disposal.
 - 6) I Quoted all relevant significant on Print Media, Zee 24 Taas, Midday, Wire, Mirror Now, and other subordinate national channel media.
 - 7) Above all consideration in negligence we hope the Board will take closure direction on immediate ground by means of disconnect the water & electricity supply.

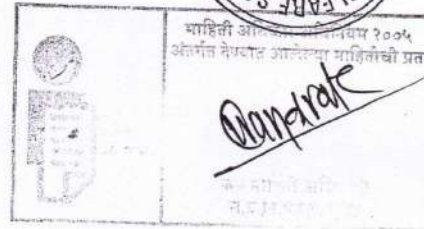
Yours Faithfully



Shaikh Falyaz Alam

Copy submitted for information to:

1. Member Secretary, M.P.C Board, Sion, Mumbai
2. Regional Director CPCB, Pune
3. The Assistant Secretary (Tech) M.P.C Board, Sion Mumbai
4. The Principal Scientific Officer, M.P.C Board, Sion, Mumbai
5. Sub Regional Officer, Mumbai-III
6. Divisional Head-AQM, C.P.C Board, Delhi
7. Environment Secretary, Mantralaya, Mumbai



From,

Shaikh Faiyaz Alam,
Govandi (West), Mumbai -
Maharashtra - 400043

28th December 2022

Mob: +91-8898685354

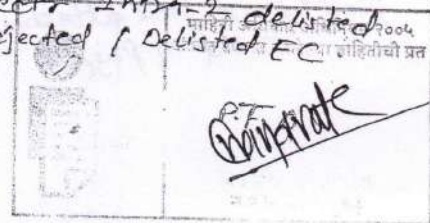
Email: skfaiyaz.mech.engg@gmail.com

To,

- 1) The Chairman & Principle Secretaries,
Environment and climate change Department,
Government of Maharashtra, New Administrative Block,
15th Floor, Madame Cama Rd, Vasthalya, Mumbai - 400032
- 2) The Maharashtra State Environment Impact
Assessment Authority, 601, 6th Floor, NKM International House
Behind LIC Yogakshema Building, 177 BabuBhai Chiny
Marg, Nariman Point, Mumbai - 400020.
- 3) The Maharashtra Pollution Control Board,
Kalpataru Point, 3rd & 4th Floor, Opposite,
PVR Cinema, Sim (E), Mumbai - 400022.

Subject: Seeking Reply for CBMWTF Govandi Deonar having name
"SMS Envoclean Pvt Ltd" whose Environment Clearance (EC)
Showing in ~~delisted~~ state in parivesh (CEC) website,

- ii) Matter already highlighted in National Human rights
Commissions, hence please on 30th August 2022, hence
Please provide Line of action report after 30/08/2022.
- iii) Need Action taken Report of complain lodged on
25/12/2022.
- iv) Proposal No: SIA/MH/MIS/52785/2020 having name
SMS Envoclean Pvt Ltd at Sects Infra-2 ~~delisted~~
specify Exact reason of Rejected / ~~Delisted~~ EC



①

v) On 07/06/2022 at Varsha Niwas, Malabar Hill, Mumbai, a meeting under the Chairmanship of Environment Minister, at that time committee & whole Body decided, the plant will move Khalapur. Reigad till June 2023, But ~~at~~ now only 6 months or remain no progress shows in Environment Clearance stage.

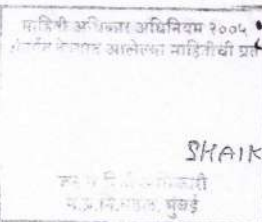
Respected Sir/Madam,

I "Shaikh Faiyaz Alam" Community representative of urban area & resident of Govandi Deonar, Seeing the matter of mis. sms Envoclem prt. ltr from long decades, numerous gimmicks & stunt I had seen earlier before.

Now I am seeking urgent reply from all above mentimed Department in each subject line wise.

please provide me a written soft copy/hard copy letter on immediate basis to know the brief details.

Note: please find attachment
Total 9 page.



Yours thankfully,

Shaikh Faiyaz Alam

SHAIKH FAIYAZ ALAM

Case No.- 3045/13/16/2022
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

MANAV ADHIKAR BHAWAN, BLOCK-C,
G.P.O. COMPLEX, INA, NEW DELHI- 110023
Fax No.: 011-24651332 Website: www.nhrc.nic.in

Date : 30/08/2022

To,

THE CHAIRMAN
Maharashtra State Pollution Control Board
MUMBAI MAHARASHTRA
Email- chairman@mpcb.gov.in

Sir/Madam,

The complaint/intimation dated 18/08/2022, received from SHAIKH FAIYAZ ALAM in respect of SHAIKH FAIYAZ ALAM AND OTHER RESIDENTS, was placed before the Commission on 30/08/2022. Upon perusing the same, the Commission directed as follows:

This complaint be transmitted to the concerned authority for such action as deemed appropriate. The case is closed.

2. Accordingly, I am attaching scanned copy of the complaint/intimation for necessary action as per the directions of the Commission.

Yours faithfully

Sd/-

Indrajeet Kumar
DEPUTY REGISTRAR (LAW)

SB-2 Section

Ph. No. 011-24663276

Email. drl.nhrc@nic.in

	<p>भाहिती अधिकार अधिनियम २००६ अंतर्गत देण्यात आलेली भाहितीची प्रत</p> <p><i>(Signature)</i></p>
--	---



Gmail

Falyaz alam Shaikh <skfaiyaz.mech.engg@gmail.com>

Seeking Urgent Reply of official lodged complaint in Maharashtra PCB and the Complaint ID is: TW 21-5215,

5 messages

Falyaz alam Shaikh <skfaiyaz.mech.engg@gmail.com>

Sun, Dec 25, 2022 at 3:40 PM

To: "CPCB, RD Pune" <rdpune.cpcb@gov.in>, Public Complaints <prc.cpcb@nic.in>, CPCB Air Complaints <aircomplaints.cpcb@gov.in>, ccb.cpcb@nic.in, mscb.cpcb@nic.in, BHARAT KUMAR SHARMA <bksharma.cpcb@nic.in>, "CPCB, RD Pune" <rdpune.cpcb@nic.in>, Pratik Bharne <pratik.cpcb@gov.in>, Vinod Babu Bommathula <bvbabu.cpcb@nic.in>, ksharma.cpcb@nic.in

Respected Team,

I am active citizens of India seeking action taken report on below mentioned link as well on complaint ID: TW 21-5215, .

Twitter Complaint link:

https://twitter.com/im_cms22/status/1568347664458338304?t=ODpZZJpJafpNsadbQWHX8w&s=19

<https://twitter.com/GovandiCell/status/1601242925467596849?t=hU-fpod1pB5OlqGkuM6OPg&s=19>

<https://twitter.com/GovandiCell/status/1596996799298170880?t=F4vPrSo1c-8zSXXjwp5FXQ&s=19>

https://twitter.com/CPCB_OFFICIAL/status/1603720593119277057?t=ljZiwRRfRaTihQCaYniJRg&s=19

News FirstPost link:

<https://www.firstpost.com/india/watch-where-all-of-mumbais-medical-waste-goes-3483835.html>

The matter pertain by CBMWTP since running in residential area within buffer zone only 50 meter.

The plant should be locate outside of 500 meter radius but it violate the rule.

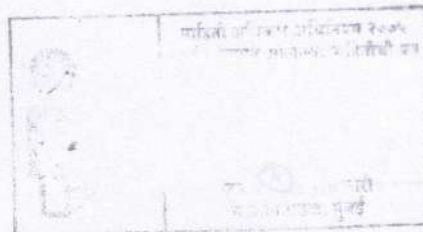
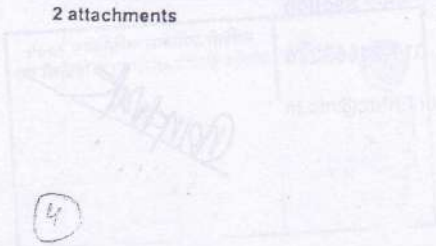
Please provide appropriate action taken report as early as possible.

●M/s. Sms Envoclean PVT LTD, Govandi, Dumping Rd, Deonar, Mumbai 43

Thanks & Regards

Mob: 8898685354

2 attachments





Central Pollution Control Board
Ministry of Environment, Forest and Climate Change

Dear Sir,
Your complaint has been forwarded to the concerned agency for action through Maharashtra PCB and the Complaint ID is: TW 21-5215.
Regards,
Complaint Redressal Team CPCB
8:25 am 16 Dec 22

Screenshot_20221225-153317.png
907K

Biomedical_incinerator_plant_Revised.mp4
2043K

Faiyaz alam Shaikh <skfaiyaz.mech.engg@gmail.com>
To: "CPCB, RD Pune" <rdpune.cpcb@gov.in>, Public Complaints <prc.cpcb@nic.in>, CPCB Air Complaints <aircomplaints.cpcb@gov.in>, ccb.cpcb@nic.in, mscb.cpcb@nic.in, BHARAT KUMAR SHARMA <bksharma.cpcb@nic.in>, "CPCB, RD Pune" <rdpune.cpcb@nic.in>, Pratik Bharne <pratik.cpcb@gov.in>, Vinod Babu Bommathula <bvbabu.cpcb@nic.in>, ksharma.cpcb@nic.in
Mon, Dec 26, 2022 at 1:03 PM

[Quoted text hidden]

CPCB, RD Pune <rdpune.cpcb@gov.in>
ms <ms@mpcb.gov.in>
Mumbai <romumbai@mpcb.gov.in>, sromumbai2 <sromumbai2@mpcb.gov.in>, Pratik Bharne <pratik.cpcb@gov.in>, skfaiyaz.mech.engg@gmail.com
Mon, Dec 26, 2022 at 4:53 PM

Sir,

This has reference to trailing email dated 25.12.2022 with respect to representation received from skfaiyaz.mech.engg@gmail.com, regarding pollution caused due to CBWTF, Govandi-Mumbai, Maharashtra which is self-explanatory.

In this regard, it is requested to arrange to take necessary action and action taken report may please be forwarded to the complainant along with a copy to this office, at the earliest.

धन्यवाद,
केंद्रीय प्रदूषण नियंत्रण बोर्ड
क्षेत्रीय निदेशालय, पुणे



भारत 2023 INDIA

वसुधैव कुटुम्बकम्

ONE EARTH • ONE FAMILY • ONE FUTURE

From: "skfaiyaz mech engg" <skfaiyaz.mech.engg@gmail.com>
To: "CPCB, RD Pune" <rdpune.cpcb@gov.in>, "Public Complaints" <prc.cpcb@nic.in>, "CPCB Air Complaints" <aircomplaints.cpcb@gov.in>, "Chairman CPCB" <ccb.cpcb@nic.in>, "Member Secretary CPCB" <mscb.cpcb@nic.in>, "BHARAT KUMAR SHARMA" <bksharma.cpcb@nic.in>, "CPCB, RD Pune" <rdpune.cpcb@nic.in>, "Pratik Bharne" <pratik.cpcb@gov.in>, "Vinod Babu Bommathula" <bvbabu.cpcb@nic.in>, "ksharmacpcb" <ksharma.cpcb@nic.in>
Sent: Sunday, December 25, 2022 3:40:33 PM
Subject: Seeking Urgent Reply of official lodged complaint in Maharashtra PCB and the Complaint ID is: TW 21-5215,
दिनांक २००५
अंतर्गत देण्यात आलेल्या माहितीची प्रत



[Quoted text hidden]



वसुधैव कुटुम्बकम्
ONE EARTH • ONE FAMILY • ONE FUTURE

2 attachments

Central Pollution Control Board
CPCB-GHAI

Subject: [Quoted text hidden]

Dear Sir,

Your complaint has been forwarded to the concerned agency for action through Maharashtra PCB and the Complaint ID is: TW 21-5215.

Screenshot_20221225-153317.png
907K

Regards,
Complaint Redressal Team CPCB
5:25 pm - 15 Dec 22

Biomedical_incinerator_plant_Revised.mp4
2043K

Faiyaz alam Shaikh <skfaiyaz.mech.engg@gmail.com>
To: "CPCB, RD Pune" <rdpune.cpcb@gov.in>
Cc: ms <ms@mpcb.gov.in>, romumbai <romumbai@mpcb.gov.in>, sromumbai2 <sromumbai2@mpcb.gov.in>, Pratik Bharne <pratik.cpcb@gov.in>

Tue, Dec 27, 2022 at 2:07 PM

Please Provide action taken report as early as possible.

[Quoted text hidden]

2 attachments



G20 theme and logo.png
48K

वसुधैव कुटुम्बकम्
ONE EARTH • ONE FAMILY • ONE FUTURE



G20 theme and logo.png
48K

वसुधैव कुटुम्बकम्
ONE EARTH • ONE FAMILY • ONE FUTURE

Faiyaz alam Shaikh <skfaiyaz.mech.engg@gmail.com>
To: "CPCB, RD Pune" <rdpune.cpcb@gov.in>, Assistant Commissioner Meast Ward <ac.meast@mcgm.gov.in>, Iqbal Singh Chahal <mc@mcgm.gov.in>
Cc: ms <ms@mpcb.gov.in>, romumbai <romumbai@mpcb.gov.in>, sromumbai2 <sromumbai2@mpcb.gov.in>, Pratik Bharne <pratik.cpcb@gov.in>

Tue, Dec 27, 2022 at 4:03 PM

It's an exclusive interview about Govandi Pollution Menace.

Please find the attachment or click link below
https://youtu.be/6_9K22UFKu0

Thanks & Regards

[Quoted text hidden]

Govandi Pollution News _ गोवंडी प्रदूषणाच्या विळख्यात, आधीच डम्पिंगचा त्रास त्यात मेडिकल प्लांटची भर.mp4
16734K

File Name	Size	Format	Created	Modified	Accessed	Downloaded	Deleted	Shared
Govandi Pollution News _ गोवंडी प्रदूषणाच्या विळख्यात, आधीच डम्पिंगचा त्रास त्यात मेडिकल प्लांटची भर.mp4	16734K	MP4	2022-12-27 16:03	2022-12-27 16:03	2022-12-27 16:03	2022-12-27 16:03	2022-12-27 16:03	2022-12-27 16:03



7

TimeLine Details

Proposal received date at each stage of flow.

(EC)

Proposal No.* : SIA/MH/MIS/52785/2020

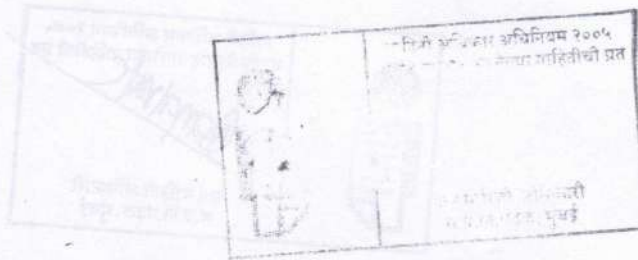
Project Name* : SMS Envoclean Pvt. Ltd.

Status

Project Sector* : INFRA-2

Date of submission* : 19 Mar 2022

Submitted by Proponent	Query for Shortcoming(if any) by SEIAA	Resubmission of Proposal by Proponent	Accepted by SEIAA and forwarded to SEAC	Query for Shortcoming(if any) by SEAC	Resubmission of Proposal by Proponent	Accepted by SEAC	Forwarded to SEIAA for EC	EC Letter Uploaded On/EC Granted
19/03/2022	N/A	N/A	21/03/2022	N/A	N/A	03/08/2022	N/A	N/A

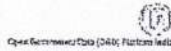


2

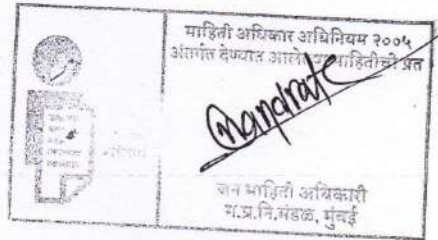


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No	Proposal Details	Location	Important Dates	Category	Company/Proponent	Current status	* Attached Files	View Timel Data
1	Proposal No : SIA/MH/MIS/52785/2020 File No : SIA/MH/MIS/52785/2020 Proposal Name : SMS Envoclean Pvt. Ltd.	State : Maharashtra District : Raigad Tehsil : Khalapur	Date of Submission : for TOR Date of Submission : 19 Mar for EC : 2022	INFRA-2	SMS ENVO CARE LIMITED	Delisted	 	



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 For any Technical support, Please Contact EFCCID, NIC, New Delhi, monitoring-ec(at)nic.gov.in



9



MANAV SEVA SANSTHA (REGD.)

PRT No. F-67121(M)
Regd. No. G.B.B.S.D. 2105/2016 (Maharashtra/ Mumbai)

CEN 353-1, B-57, Dr. Z. Hussain Nagar, G. M. Link Road, Govandi, Mumbai-400043.

Ref. No. प्रति _____

Date : 10/06/2022

प्रदूषण नियंत्रण बोर्ड महाराष्ट्र,
कल्पतरु पॉइंट, तीसरी और चौथी मंजिल,
पीवीआर थिएटर, सामने,
सायन (ई), मुंबई-400 022



विषय :- एस.एम.एस एनवोक्लीन प्रा लिमिटेड कंपनी को जल्द से जल्द यहां से हटाया जाए।

श्रीमान,

मैं रजा शेख एक जिम्मेदार नागरिक और मानव सेवा संस्था के अध्यक्ष होने के नाते, प्रदूषण नियंत्रण बोर्ड महाराष्ट्र के अधिकारी से विनती करता हूँ के हमारे यहां मुंबई में एम ईस्ट वार्ड (M-East Ward) में १२ लाख की आबादी है जो के एक बहत बड़ी आबादी है। जहा पर बहत गरीबी है एक रिपोर्ट के अनुसार हर साल मुंबई में जितने भी टी.बी के मरीज होते है उनमें से ८८% परसेंट मरीज सिर्फ गोवंडी से आते है यहां पर दमे के मरीज काफी ज्यादा तादाद में है फेफड़ों की बीमारी यहां आम है जिसमें फेफड़ों के कैंसर और सांस लेने में तकलीफ होना और एच.आई.वी (HIV) के भी बहत सारे मरीज है यहां की हवा काफी प्रदूषित है जिसमें ऑक्सीजन के अलावा बाकी गैस का परसेंटज काफी ज्यादा है एक रिपोर्ट के अनुसार यहां के लोगो की नॉर्मल एज (Normal Age) ४० से ५० होती है ये अक्षय कुमार (Bollywood Actor)ने एक टीवी शो में कहा था। ये सब आपको बताने का मकसद मेरा ये है के इन सब बीमारियों की बड़ी वजा यहां पर मौजूद एसएमएस कंपनी और देवनार डंपिंग ग्राउंड है जो के आबादी के बीच में है। इतनी बड़ी आबादी के बीच में एस एम एस कंपनी का मौजूद होना ही ये सेंटर गवर्मेंट और राज्य सरकार के ही रूल के खिलाफ है। कोई भी इंडस्ट्री आबादी से दूर होना चाहिए। यहां पर बाँडी के पार्ट्स जलाए जाते है

SR03
P.L.M.V. & NA
10/06/22

FO CMD
for prepare
reply.
15/06.



* इन परकार के बायो मेडिकल वेस्ट को यहां लाया जाता है *

औषधीय पदार्थ : इसमें बची-खुची और पुरानी व खराब दवाएँ आती हैं।

रोगयुक्त पदार्थ : इसमें रोगी का मल-मूत्र, उल्टी, मानव अंग आदि आते हैं।

रेडियोधर्मी पदार्थ : इसमें विभिन्न रेडियोधर्मी पदार्थ जैसे कि रेडियम, एक्स-रे तथा कोबाल्ट आदि आते हैं।

रासायनिक पदार्थ : इसमें बैटरी व लैब में प्रयुक्त होने वाले विभिन्न रासायनिक पदार्थ आते हैं।

उपरोक्त के अलावा कुछ सामान्य पदार्थ भी होते हैं जिनमें दवाइयों के रैपर, कागज, रिपोर्ट, एक्स-रे फिल्मों और रसोई से निकलने वाला कूड़ा-कचरा आता है। यही नहीं, कुछ अन्य पदार्थ जैसे कि ग्लूकोज की बोतलें, सूइयाँ, दस्ताने आदि भी बायोमेडिकल कचरे में आते हैं।

इन सब कचरों को इतनी बड़ी आबादी के बीचमें ट्रांसपोर्ट के जरिए लाकर खुली हवा में उनको रखना फिर उनको जलाना कितना सही है ये आप लोग खुद समझ सकते हैं। HIV और Coronavirus जैसी बीमारियां कितनी आसानी से फैलती है ये हर बच्चे बच्चे को पता है इसलिए मेरी विनती है के इस कंपनी को जल्द से जल्द यहां से हटाया जाए।

अगर इस कंपनी को जल्दी यहां से नहीं हटाया गया तो मैं और गोवंडी की आम जनता भूख हड़ताल करने और रास्ता रोकने आंदोलन करने पर मजबूर होजायेगी जिसके जिम्मेदार आप लोग होंगे।

आपका आभारी,

G. M.

(रजा शेख)



THINK NEW



Regd.: 434/2022 G.B.B.S.D.

THINK NEW FOUNDATION

WE WANT TO CHANGE THE LEVE OF THINKING OF AUR PEOPLE BY THE SPORTS EDUCATION AND SOCIAL WORK

Saeed Khan (President) : 9137900571, Sabiya Sk.: 9136237412, Alauddin Shaikh : 9320920966
Rafi Nagar Part 2, Gali No.5, Near Babe Rehmat Masjid, Shivaji Nagar, Govandi, Mumbai-400043.

Ref. No. TNF/12

Date: 10/06/2022

125

To,
Officer of Pollution Control Board Maharashtra,
Kalpataru Point, 3rd and 4th floor,
Opp. PVR Theatre,
Sion (E), Mumbai-400022.



Sub : Request to Shut down SMS Company (Biomedical waste Company) Govandi 400043.

Respected Sir,

I Saeed khan , adult, having office at rafi nagar part 2, gali no 5 near babe rehmat masjid, shivaji nagar, govandi, Mumbai.-400043 president Of think new foundation, do hereby give my complaint as under:

The several Govandi residents, especially children and the elderly, had developed respiratory problems because of Biomedical waste Company(SMS company).
"Many residents has a complained to that they are suffering from breathing problems and asthma due to Biomedical waste Dump in Govandi . The BMC has failed to take any action against the menace of SMS Company. We therefore request you to shut down the SMS Company,"

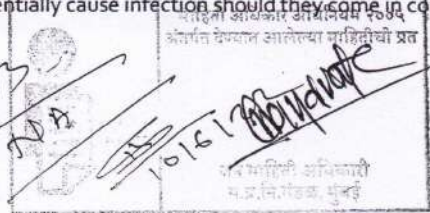
Biomedical waste droppings have been linked to various diseases. Because it contains a high amount of disease-causing organisms, also called pathogens, medical waste poses a risk when handled improperly and released into the environment. The World Health the following diseases:

Parasitic Infections

It's not surprising that labs who regularly test for parasitic infections would have specimens that are positive for parasites. Typically, labs will incubate body fluids to test for these parasites, then dispose of them as medical waste. Some of the parasites can still live and thrive in the waste and potentially cause infection should they come in contact with a host.

complaint
for CMPD
Dis prepared by

SRO
NA
10/6/22



Lung Infections

It is common for medical waste to release airborne aerosols that could potentially contain pathogens, such as a respiratory syncytial virus (RSV), or other viruses that can cause lung infections like influenza, tuberculosis and pneumonia.

Skin infections

It's very possible to contract a skin infection from medical waste, even something as dangerous as anthrax. Yes, anthrax cases are rare, but anthrax vaccine-producing labs may generate anthrax-contaminated medical waste and, if handled improperly, this waste poses a serious threat to the community.

HIV and Hepatitis B and C Viruses

There is always the chance that medical waste contains sharps that may contain blood contaminated with viruses that cause AIDS, Hepatitis B and C. A needle stick or puncture from a scalpel blade can result in deadly infections. This is why sharps are required to be disposed of in rigid, sealed, and clearly marked containers.

Candida

Candida is a disease caused by the yeast *Candida albicans*.

Candida albicans is associated with prolonged hospital stays, so it goes without saying that untreated waste from hospital facilities may contain significant amounts of this pathogen. *Candida* poses significant and even life-threatening risk to the elderly, pregnant mothers, small children, and people with weakened immune systems.

Meningitis

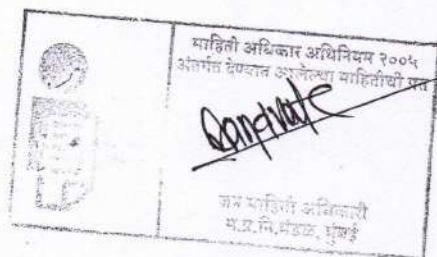
Medical waste may contain pathogens that can transmit meningitis.

Meningitis, which is transmitted via body fluids, causes inflammation of the membranes surrounding the brain and spinal cord.

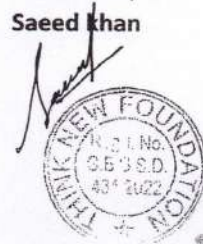
Bacteremia

Bacteremia is a life-threatening infection. Bacteremia infection occurs when bacteria are present in the bloodstream, where it can easily infect other organs and cause inflammation. A particular type of medical waste, sharps, can introduce pathogens into the bloodstream that may result in bacteremia.

So, people are often affected by fever. The children are often affected by infection, fever, etc. I request you to look into this matter seriously to shutdown SMS company in this locality.



Sincerely
Saeed Khan





SAMAJ SAHIYOG SANSTHA

G.R.R.S.D Reg:- 1500

(Regd.)

Date : 10/06/2022

प्रति,
प्रदूषण नियंत्रण बोर्ड महाराष्ट्र,
कल्पतरु पॉइंट, तीसरी और चौथी मंजिल,
पीवीआर थिएटर सामने,
सायन (ई), मुंबई-400 022

147



विषय :- एस.एम.एस एनवोक्लीन प्रा लिमिटेड कंपनी को जल्द से जल्द यहां से हटाया जाए।

श्रीमान,

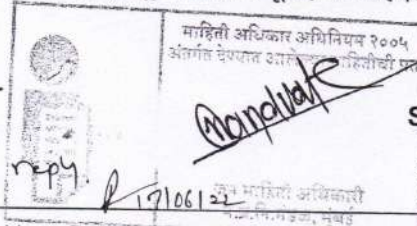
मैं मोहम्मद हुसैन शेख एक जिम्मेदार नागरिक और समाज सहयोग संस्था के अध्यक्ष होने के नाते, प्रदूषण नियंत्रण बोर्ड महाराष्ट्र के अधिकारी से विनती करता हु के हमारे यहां मुंबई में एम ईस्ट वार्ड (M-East Ward) में १२ लाख की आबादी है जो के एक बहत बड़ी आबादी है। जहा पर बहत गरीबी है एक रिपोर्ट के अनुसार हर साल मुंबई में जितने भी टी.बी के मरीज होते है उनमें से ८८% परसेंट मरीज सिर्फ गोवंडी से आते है यहां पर दमे के मरीज काफी ज्यादा तादाद में है फेफड़ों की बीमारी यहां आम है जिसमें फेफड़ों के कैंसर और सांस लेने में तकलीफ होना और एच.आई.वी (HIV) के भी बहत सारे मरीज है यहां की हवा काफी प्रदूषित है जिसमे ऑक्सीजन के अलावा बाकी गैस का परसेंटज काफी ज्यादा है एक रिपोर्ट के अनुसार यहां के लोगो की नॉर्मल एज (Normal Age) ४० से ५० होती है ये अक्षय कुमार (Bollywood Actor) ने एक टीवी शो में कहा था। ये सब आपको बताने का मकसद मेरा ये है के इन सब बीमारियों की बड़ी वजा यहां पर मौजूद एसएमएस कंपनी और देवनार डंपिंग ग्राउंड है जो के आबादी के बीच में है। इतनी बड़ी आबादी के बीच मै एस एम एस कंपनी का मौजूद होना ही ये सेंटर गवर्मेंट और राज्य सरकार के ही रूल के खिलाफ है। कोई भी इंडस्ट्री आबादी से दूर होना चाहिए। यहां पर बाँडी के पार्स जलाए जाते है

SRUB
NA
10/6/22

complaint

FOCMD

As prepar



Signature



Plot No 10, Durga Seva Sangh, Near Durga Mandir, Lotus Colony, Abdul Hamid Marg,
Govandi, Mumbai - 400 043 • Contact : Husain Shaikh - 8657322472

* इन परकार के बायो मेडिकल वेस्ट को यहां लाया जाता है *

औषधीय पदार्थ : इसमें बची-खुची और पुरानी व खराब दवाएँ आती हैं।

रोगयुक्त पदार्थ : इसमें रोगी का मल-मूत्र, उल्टी, मानव अंग आदि आते हैं।

रेडियोधर्मी पदार्थ : इसमें विभिन्न रेडियोधर्मी पदार्थ जैसे कि रेडियम, एक्स-रे तथा कोबाल्ट आदि आते हैं।

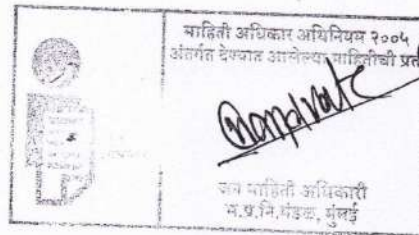
रासायनिक पदार्थ : इसमें बैटरी व लैब में प्रयुक्त होने वाले विभिन्न रासायनिक पदार्थ आते हैं।

उपरोक्त के अलावा कुछ सामान्य पदार्थ भी होते हैं जिनमें दवाइयों के रेपर, कागज, रिपोर्ट, एक्स-रे फिल्मों और रसोई से निकलने वाला कूड़ा-कचरा आता है। यही नहीं, कुछ अन्य पदार्थ जैसे कि ग्लूकोज की बोतलें, सूइयाँ, दस्ताने आदि भी बायोमेडिकल कचरे में आते हैं।

इन सब कचरों को इतनी बड़ी आबादी के बीचमें ट्रांसपोर्ट के जरिए लाकर खुली हवा में उनको रखना फिर उनको जलाना कितना सही है ये आप लोग खुद समझ सकते हैं। HIV और Coronavirus जैसी बीमारियां कितनी आसानी से फैलती है ये हर बच्चे बच्चे को पता है इसलिए मेरी विनती है के इस कंपनी को जल्द से जल्द यहां से हटाया जाए।

अगर इस कंपनी को जल्दी यहां से नहीं हटाया गया तो मैं और गोवंडी की आम जनता भूख हड़ताल करने और रास्ता रोको आंदोलन करने पर मजबूर होजायेगी जिसके जिम्मेदार आप लोग होंगे।

आपका आभारी,



(मोहम्मद हुसैन शेख)





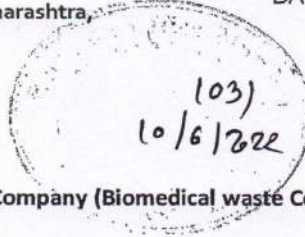
HUMAN HELP WELFARE FOUNDATION

PRESIDENT : MAJID SHAIKH
97739 87739

Dr. Zakir Husain Nagar, Near. Imam Bada, G.M. Link Road, Govandi, Mumbai - 400 043

To,
Officer of Pollution Control Board Maharashtra,
Kalpataru Point,
3rd and 4th floor,
Opp. PVR Theatre,
Sion (E), Mumbai-400022

DATE : 10/06/2022



128

Sub: Request to Shut down SMS Company (Biomedical waste Company) Govandi 400043.

Respected Sir,

I Majid shaikh S/o Mustafa shaikh , adult, having office at CEN 248, 9 Dr.Zakir Hussain Nagar, Ghatkopar Link Road, Govandi Mumbai.-400043 President Of Human Help Welfare Foundation ,do hereby give my complaint as under:

The several Govandi residents, especially children and the elderly, had developed respiratory problems because of Biomedical waste Company(SMS company).

"Many residents has a complained to that they are suffering from breathing problems and asthma due to Biomedical waste Dump in Govandi . The BMC has failed to take any action against the menace of SMS Company. We therefore request you to shut down the SMS Company,"

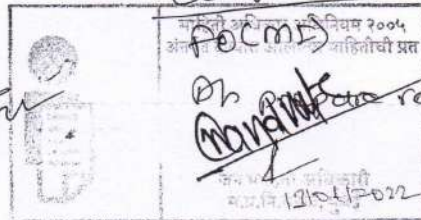
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Parasitic Infections

It's not surprising that labs who regularly test for parasitic infections would have specimens that are positive for parasites. Typically, labs will incubate body fluids to test for these parasites, then dispose of them as medical waste. Some of the parasites can still live and thrive in the waste and potentially cause infection should they come in contact with a host.



SRO3
HA
10/6/22



humanhelpwelfarefoundation10@gmail.com

Lung Infections

It is common for medical waste to release airborne aerosols that could potentially contain pathogens, such as a respiratory syncytial virus (RSV), or other viruses that can cause lung infections like influenza, tuberculosis and pneumonia.

Skin infections

It's very possible to contract a skin infection from medical waste, even something as dangerous as anthrax. Yes, anthrax cases are rare, but anthrax vaccine-producing labs may generate anthrax-contaminated medical waste and, if handled improperly, this waste poses a serious threat to the community.

HIV and Hepatitis B and C Viruses

There is always the chance that medical waste contains sharps that may contain blood contaminated with viruses that cause AIDS, Hepatitis B and C. A needle stick or puncture from a scalpel blade can result in deadly infections. This is why sharps are required to be disposed of in rigid, sealed, and clearly marked containers.

Candida

Candida is a disease caused by the yeast *Candida albicans*.

Candida albicans is associated with prolonged hospital stays, so it goes without saying that untreated waste from hospital facilities may contain significant amounts of this pathogen. *Candida* poses significant and even life-threatening risk to the elderly, pregnant mothers, small children, and people with weakened immune systems.

Meningitis

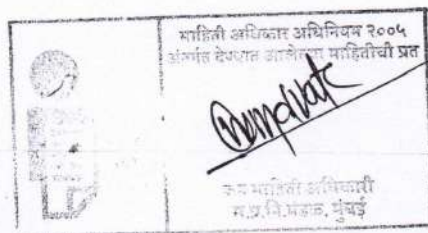
Medical waste may contain pathogens that can transmit meningitis.

Meningitis, which is transmitted via body fluids, causes inflammation of the membranes surrounding the brain and spinal cord.

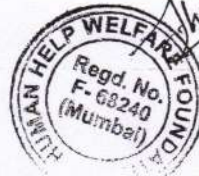
Bacteremia

Bacteremia is a life-threatening infection. Bacteremia infection occurs when bacteria are present in the bloodstream, where it can easily infect other organs and cause inflammation. A particular type of medical waste, sharps, can introduce pathogens into the bloodstream that may result in bacteremia.

So, people are often affected by fever. The children are often affected by infection, fever, etc. I request you to look into this matter seriously to shutdown SMS company in this locality.



Sincerely
Majid shaikh



* इन परकार के बायो मेडिकल वेस्ट को यहां लाया जाता है *

औषधीय पदार्थ : इसमें बची-खुची और पुरानी व खराब दवाएँ आती हैं।

रोगयुक्त पदार्थ : इसमें रोगी का मल-मूत्र, उल्टी, मानव अंग आदि आते हैं।

रेडियोधर्मी पदार्थ : इसमें विभिन्न रेडियोधर्मी पदार्थ जैसे कि रेडियम, एक्स-रे तथा कोबाल्ट आदि आते हैं।

रासायनिक पदार्थ : इसमें बैटरी व लैब में प्रयुक्त होने वाले विभिन्न रासायनिक पदार्थ आते हैं।

उपरोक्त के अलावा कुछ सामान्य पदार्थ भी होते हैं जिनमें दवाइयों के रैपर, कागज, रिपोर्ट, एक्स-रे फिल्मों और रसोई से निकलने वाला कूड़ा-कचरा आता है। यही नहीं, कुछ अन्य पदार्थ जैसे कि ग्लूकोज की बोतलें, सूइयों, दस्ताने आदि भी बायोमेडिकल कचरे में आते हैं।

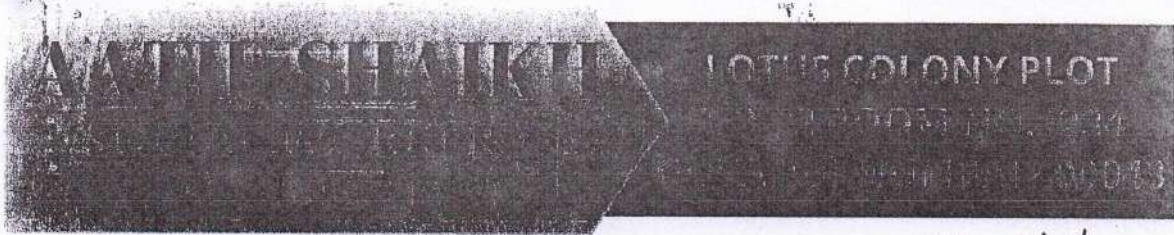
इन सब कचरों को इतनी बड़ी आबादी के बीचमें ट्रांसपोर्ट के जरिए लाकर खुली हवा में उनको रखना फिर उनको जलाना कितना सही है ये आप लोग खुद समझ सकते हैं। HIV और Coronavirus जैसी बीमारियां कितनी आसानी से फैलती है ये हर बच्चे बच्चे को पता है इसलिए मेरी विनती है के इस कंपनी को जल्द से जल्द यहां से हटाया जाए।

अगर इस कंपनी को जल्दी यहां से नहीं हटाया गया तो मैं और गोवंडी की आम जनता भूख हड़ताल करने और रास्ता रोको आंदोलन करने पर मजबूर होजायेगी जिसके जिम्मेदार आप लोग होंगे।

आपका आभारी,

(इमरान मलिक)





Date:- 10/06/2022

To,
Officer of Pollution Control Board Maharashtra,
Kalpataru Point, 3rd and 4th floor,
Opp. PVR Theatre,
Sion (E), Mumbai-400 022



Sub: Request to Shut down SMS Company (Biomedical waste Company) Govandi
400043.

Respected Sir,

I Aatif shaikh, adult, having office at lotus colony plot no. 22 room no.1284 Govandi Mumbai.-400043 Social Worker Of Govandi ,do hereby give my complaint as under:

The several Govandi residents, especially children and the elderly, had developed respiratory problems because of Biomedical waste Company(SMS company).

"Many residents has a complained to that they are suffering from breathing problems and asthma due to Biomedical waste Dump in Govandi . The BMC has failed to take any action against the menace of SMS Company. We therefore request you to shut down the SMS Company,"

Biomedical waste droppings have been linked to various diseases. Because it contains a high amount of disease-causing organisms, also called pathogens, medical waste poses a risk when handled improperly and released into the environment. The World Health the following diseases:

Parasitic Infections

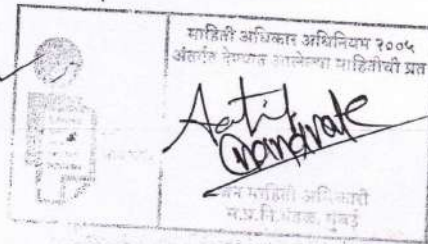
It's not surprising that labs who regularly test for parasitic infections would have specimens that are positive for parasites. Typically, labs will incubate body fluids to test for these parasites, then dispose of them as medical waste. Some of the parasites can still live and thrive in the waste and potentially cause infection should they come in contact with a host.

complaint
FOCME)

As prepare reply.

10/06/22

10/06/22
NA



0272104302

mohdaatif00727@gmail.com

Lung Infections

It is common for medical waste to release airborne aerosols that could potentially contain pathogens, such as a respiratory syncytial virus (RSV), or other viruses that can cause lung infections like influenza, tuberculosis and pneumonia.

Skin infections

It's very possible to contract a skin infection from medical waste, even something as dangerous as anthrax. Yes, anthrax cases are rare, but anthrax vaccine-producing labs may generate anthrax-contaminated medical waste and, if handled improperly, this waste poses a serious threat to the community.

HIV and Hepatitis B and C Viruses

There is always the chance that medical waste contains sharps that may contain blood contaminated with viruses that cause AIDS, Hepatitis B and C. A needle stick or puncture from a scalpel blade can result in deadly infections. This is why sharps are required to be disposed of in rigid, sealed, and clearly marked containers.

Candida

Candida is a disease caused by the yeast *Candida albicans*.

Candida albicans is associated with prolonged hospital stays, so it goes without saying that untreated waste from hospital facilities may contain significant amounts of this pathogen. *Candida* poses significant and even life-threatening risk to the elderly, pregnant mothers, small children, and people with weakened immune systems.

Meningitis

Medical waste may contain pathogens that can transmit meningitis.

Meningitis, which is transmitted via body fluids, causes inflammation of the membranes surrounding the brain and spinal cord.

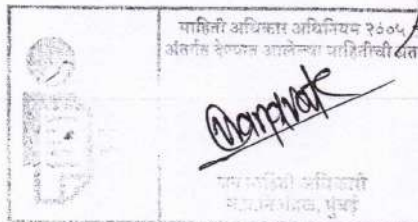
Bacteremia

Bacteremia is a life-threatening infection. Bacteremia infection occurs when bacteria are present in the bloodstream, where it can easily infect other organs and cause inflammation. A particular type of medical waste, sharps, can introduce pathogens into the bloodstream that may result in bacteremia.

So, people are often affected by fever. The children are often affected by infection, fever, etc. I request you to look into this matter seriously to shutdown SMS company in this locality.

Sincerely

Aatif Shaikh



MAHARASHTRA POLLUTION CONTROL BOARD

Phone : (022) - 24016239
 Fax : (022) - 24015269
 Email : romumbai@mpcb.gov.in



Regional Office, Mumbai,
 Kalpataru Point, 1st Floor, Sion Circle,
 Sion (E), Mumbai- 400 022

No: MPCB/ROM/ SCN - 220324 FTS 0147

Date: - 24/03/2022

To,
 M/s. SMS Envoclean Pvt. Ltd.,
 (CBMWTSDF), Next to Deonar Dumping Ground,
 Ghatkopar-Mankhurd Link Road, Govandi (W),
 Mumbai - 400 043.

Sub: Show Cause notice for Closure Directions under Section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981 read with Bio Medical Waste Management Rules, 2016.

Ref: 1) Combine Consent granted by the Board.
 2) Directions issued by the Board vide No. BMW/B1366, dtd 17.09.2020.
 3) Visit of Board Officials dtd 30/11/2022

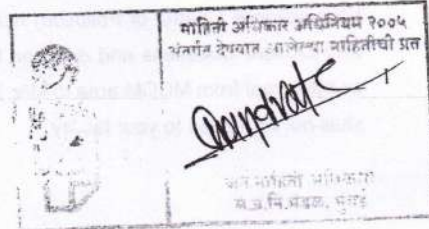
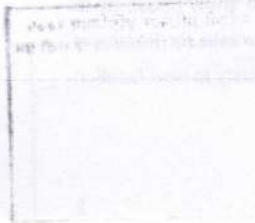
WHEREAS, the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Bio Medical Waste Management Rules, 2016 is applicable to the State of Maharashtra as declared in Official Gazette. AND, the area where your common facility is situated, falls under the said declared area.

AND WHEREAS, You have been granted combine consent under the provisions of the Water (Prevention of Control of Pollution) Act 1974 & Air (Prevention & Control of Pollution) Act 1981 read with Bio Medical Waste (Management & Handling) Rules, 1998 subject to certain terms & conditions more precisely prescribed in the consent order referred 1 above.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control systems so as to comply with the conditions prescribed in the consent. **AND WHEREAS**, Board had issued Directions to your facility as below;

1. You should divert 50% of generated COVID waste to M/S MWML Taloja for treatment and disposal during this pandemic by following SOP's and guidelines issued by the Board from time to time, so as to reduce the load on incinerators.
2. You should start the use of App developed by the CPCB regarding real time COVID waste disposal, including to carry out monthly monitoring of dioxin and Furan in the source emission.

AND WHEREAS, Officials of the Board carried out visit to your facility on 30/11/2022 and reported following Non-Compliances;



MAHARASHTRA POLLUTION CONTROL BOARD
Regional Office, Mumbai

:2:

- 6) You shall maintain proper records of Waste collection, No. of incineration batches, Bottom fly ash, Chemical reagent used & volume of water.
- 7) You shall appoint qualified personal for operation of incinerator.
- 8) You shall appoint training from recognized technical organization to incinerator operator is not provided.
- 9) You shall submit Annual Report reviewing the performance of the incinerator carried out by MoEF recognized laboratory.
- 10) You shall achieve the consented outlet parameters such as BOD & TDS of JVS analysis reports.
- 11) You shall operate & maintain Effluent treatment plant & recycle treated water inside the plant.
- 12) You shall operate & maintain APCs .
- 13) You shall comply with above directions within given time period & submit B.G of Rs 5 lakh within seven days valid up to 1 year towards the compliance of above direction against you etc, which may please be noted.

In case, you fail to comply with above conditions, the Board will have no option than to initiate further stringent legal action including forfeiture of Bank guarantee, filing prosecution against you which may please be noted.

These directions are issued with approval of Member Secretary.

FOR AND ON BEHALF OF THE
M. P. C. BOARD

(M.R. Lad)

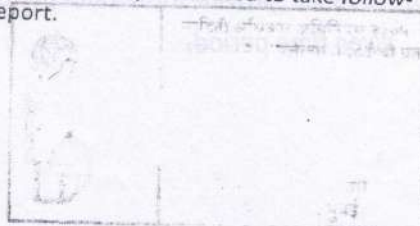
Regional Officer, Mumbai

Copy submitted to:

1. Member Secretary, M.P.C. Board, Sion Mumbai
2. Asst. Secretary (Tech.), MPCB, Mumbai.
3. Law Officer, MPCB, Mumbai.

Copy to:

4. Sub regional Officer, M.P.C. Board, Mumbai-III-You are hereby instructed to take follow-up with above said common facility & submit report.



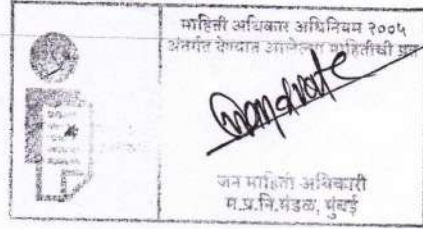
You are hereby directed to submit your reply within seven days from the receipt of these directions, failure to this, it will be assumed that you have nothing to say, and Closure Directions and direction for shifting the entire Bio Medical waste for treatment and disposal from MCGM area to M/s. MWML Taloja till shifting of said facility to new location will be confirmed & competent authorities will be directed to disconnect your water & electricity supply to stop your activity, which may please be noted..

For and on behalf of
Maharashtra Pollution Control Board.

S.B. Bhosale
24/5/22
(S. B. Bhosale)
Regional Officer, Mumbai

SRO. Mumbai-III- MPCB, He is requested to submit the present status of industry within 3 day period & ensure that SCN to be served to the industry.

M/s. SMS Envoclean Pvt. Ltd.,
(CBMWTSDF), Next to Deonar Dumping Ground,
Ghatkopar-Mankhurd Link Road, Govandi (W),
Mumbai - 400 043.



MAHARASHTRA POLLUTION CONTROL BOARD

Phone : (022) - 24016239

Fax : (022) - 24015269

Email : romumbai@mpcb.gov.in



Regional Office, Mumbai,
Kalpataru Point, 1st Floor, Sion Circle,
Sion (E), Mumbai- 400 022

No: MPCB/ROM/ SCN - 220324 FTS 0147

Date: - 24/03/2022

To,

M/s. SMS Envoclean Pvt. Ltd.,
(CBMWTSDF), Next to Deonar Dumping Ground,
Ghatkopar-Mankhurd Link Road, Govandi (W),
Mumbai - 400 043.

Sub: Show Cause notice for Closure Directions under Section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981 read with Bio Medical Waste Management Rules, 2016.

Ref: 1) Combine Consent granted by the Board.
2) Directions issued by the Board vide No. BMW/B1366, dtd 17.09.2020.
3) Visit of Board Officials dtd 30/11/2022

WHEREAS, the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Bio Medical Waste Management Rules, 2016 is applicable to the State of Maharashtra as declared in Official Gazette. **AND**, the area where your common facility is situated, falls under the said declared area.

AND WHEREAS, You have been granted combine consent under the provisions of the Water (Prevention of Control of Pollution) Act 1974 & Air (Prevention & Control of Pollution) Act 1981 read with Bio Medical Waste (Management & Handling) Rules, 1998 subject to certain terms & conditions more precisely prescribed in the consent order referred 1 above.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control systems so as to comply with the conditions prescribed in the consent. **AND WHEREAS**, Board had issued Directions to your facility as below;

1. You should divert 50% of generated COVID waste to M/S MWML Taloja for treatment and disposal during this pandemic by following SOP's and guidelines issued by the Board from time to time, so as to reduce the load on incinerators.
2. You should start the use of App developed by the CPCB regarding real time COVID waste disposal, including to carry out monthly monitoring of dioxin and Furan in the source emission.

AND WHEREAS, Officials of the Board carried out visit to your facility on 30/11/2022 and reported following Non-Compliances;

<p>पत्र क्र. २२०३२४/२०२२</p> <p>२४/०३/२०२२</p>	<p>महाराष्ट्र प्रदूषण नियंत्रण बोर्ड</p> <p>भारतीय प्रदूषण नियंत्रण बोर्ड</p> <p><i>Signature</i></p> <p>सं. प्र. नि. प्र. व. व. व.</p>
--	---

- 1) As per the records produced during visit, it is observed that you have stopped sending COVID waste to M/s. MWML Taloja since July 2021 for treatment and disposal. Quantity of waste incinerated at site exceed 50% incinerator capacity of 1800 Kg/D.
- 2) Online monitoring system provided for incineration stack found to be nonoperational during the visit dated 30/11/2021. It is informed by CTF representative that same is under maintenance due to sensor malfunctioning.
- 3) Dioxin furan monitoring is carried out on 09.11.2020, 17.05.2021. As per Boards direction dated 17.09.2020, you have not carried out monthly monitoring of dioxin and furan in the source emission.
- 4) Out of 56 COVID HCE, 38 no of HCEs are using CPCB COVID waste app for disposal of their waste. CTF shall communicate the list of non-users HCEs & also may arrange sensitization workshop of member HCEs for COVID app use.
- 5) Only 140 member HCEs out of 11,708 are using barcoding system for waste disposal. Also at the time of visit some of the barcode stickers were not able to scan, due to technical reasons. CTF shall implement the barcoding system effectively & shall submit details.
- 6) Vehicle washing bay shall be provided with dyke wall arrangements & well-defined gutter system.
- 7) Analysis reports of the stack emissions dated 7.02.2021, 13.02.2021, 14.02.2021, 15.02.2021, 16.02.2021, 17.02.2021 and 12.11.2021 are observed to be exceeding the standards.
- 8) You have not submitted revised timeline for shifting of existing facility at Khalapur, Dist. Raigad as per instruction given in the meeting dated 06/01/2022.

AND WHEREAS, after examining all the reports and records available with this office. I have come to the conclusion that you are knowingly and willfully violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Wastes (M, H & T M) Rules 2008 as amended in 2016 read with Bio Medical Waste Management Rules, 2016.

NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 & 31(A) of Air (Prevention & Control of Pollution) Act, 1981, you are hereby directed to show cause as to why Closure Directions and direction for shifting the entire Bio-Medical waste for treatment and disposal from MCGM area to M/s. MWML Taloja till shifting of said facility to new location shall not be issued to your facility.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
 Fax: 24024068 / 24023516
 Website: <http://mpcb.gov.in>
 E-mail: psa@mpcb.gov.in



Kalpataru Point, 2nd - 4th Flr.
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai-400 022.

No.MPCB/PSO/B-190706 FT300 38

Date 06.07.2019

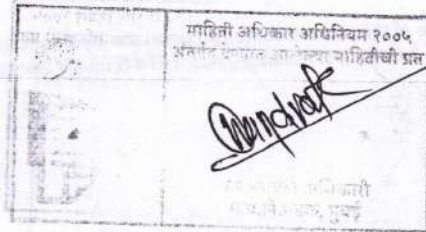
To,
 M/s.SMS Envoclean Pvt.Ltd
 (CBMWTSDF), Next to Deonar Dumping Ground
 Ghatkopar-Mankhurd Lind Road
 Govandi (W), Mumbai 400 043

Sub: Closure Direction under Section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 read with Bio Medical Waste Management Rules, 2016.

- Ref: 1. Combine Consent granted by the Board vide dated- 24.03.2015
 2. Proposed Directions issued by the Board vide No.BMW/B-1366 dtd.5.4.2017 ✓
 3. Reply submitted to the proposed directions vide dtd.11.4.2017.
 4. Visit of Board Officials dtd.1.9.2017.
 5. Assurance given by Hon'ble Minister, Environment, GoM in Legislative Assembly at Nagpur on 21.12.2017.
 6. Closure Direction issued vide No. MPCB/ROM/CD/TB-2606, dated- 22.12.2017 ✓
 7. Conditional Direction issued vide No. MPCB/ROM/CD/TB-229, dated- 22.01.2018 ✓
 8. Meeting held in the chamber of Hon'ble Minister of Env., GoM on 19.03.2018
 9. Minutes of meeting received from Additional Chief Secretary, Env, Dept, GoM on 21.06.2018
 10. Proposed Direction issued vide No. MPCB/PSO/BMW/B-3417, dated- 24.08.2018
 11. Your reply submitted on 08.10.2018
 12. Letter issued by Hon'ble Minister of Environment, GoM on 27.06.2019
 13. Visit of Board Officials of SRO- Mumbai-II on 29.06.2019

WHEREAS, the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and Bio Medical Waste Management Rules, 2016 is applicable to the State of Maharashtra as declared in Official Gazette. AND, the area where your common facility is situated, falls under the said declared area.

AND WHEREAS, you have been granted combined consent under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and Bio Medical Waste (Management and Handling) Rules, 1998 subject to certain terms and conditions more precisely prescribed in the consent order referred 1 above.



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:2:

AND WHEREAS, it is obligatory on your part to provide adequate pollution control system so as to comply with the conditions prescribed in the consent.

AND WHEREAS, conditional direction was issued on 22.01.2018 and subsequently, proposed directions was issued to your facility on 24.08.2018 vide reference 6 & 10 respectively in pursuance of Assembly assurance by Hon'ble Minister of Environment, GoM on 21.12.2017

AND WHEREAS, you have submitted reply to the proposed directions vide reference 11 above which is not satisfactory. Further, you have not submitted concrete time bound proposal till today for shifting incinerator facility in compliance with the proposed direction issued on 24.08.2018.

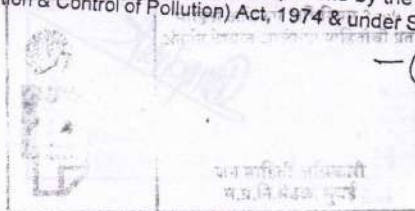
AND WHEREAS, MPCB officials, has visited your common facility on 29.06.2018 and following non-compliances are reported,

1. Out of 4 incinerator of 250 kg/hr each only one incinerator is provided with Dioxin and Furans control systems.
2. Water meter is not provided to ETP outlet.
3. Segregation of Biomedical Waste in colour coded bags as per BMW Rules, 2016 was not found.
4. Proper storage of autoclavable and incinerable waste was not found.
5. Record of BMW is not properly maintained.
6. As per the consent condition water consumption is 50 CMD. However, effluent generation is more than water consumption i.e. 74 CMD.
7. Effluent Treatment Plant is under capacity for treatment of 74 CMD effluent.
8. Autoclaved waste is shredded in Unscientific manner.
9. BMW transportation vehicles are not properly washed at the site.
10. Vehicles used for transportation of BMW are without Biohazard symbol and GPS tracking system.
11. Bikes used for BMW collection and transportation are without permission of the Board.
12. Analysis report of stack for the month of September & December, 2018 and January, March, April and May, 2019 revealed that particulate matter was exceeding. In May, 2019 particulate matter it has exceeded more than double the permissible standards

AND WHEREAS, it is apprehended that Air pollution control Device is not properly working, which resulted nuisance and health impact in the nearby residential area. This has also been reported by nearby residents. This is apprehended act of negligence on your part.

AND WHEREAS, after examining all the reports and records available with this office, I have come to the conclusion that you are knowingly and wilfully violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (M, H & TM) Rules 2008 as amended in 2016 read with Bio Medical Waste Management Rules, 2016 and directions issued by MPCB, time to time.

NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A)

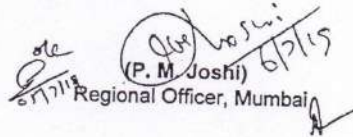


:3:

of the Air (Prevention & Control of Pollution) Act, 1981, Regional Officer, Mumbai hereby direct you to safely stop your activities within 15 days and also stop collection of Bio Medical Waste from the entire jurisdiction.

You are also directed to immediately start handover of incinerable waste of 1.0 MT/day to M/s. Mumbai Waste Management Ltd., CBMWTF, Taloja, Navi Mumbai forthwith at your own cost and risk with immediate effect so as to reduce the pollution load caused due to inadequate incinerator performance.

In case, you fail to comply with these directions, the Board will have no option than to initiate further action including imposing penalty for Environmental Compensation charges against CBMWTF and / or prosecution against you, which may be noted.


 (P. M. Joshi) 6/2/15
 Regional Officer, Mumbai

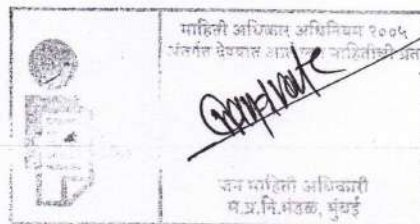
Copy submitted to: for information please.

- 1) Chairman, MPCB, Sion, Mumbai
- 2) Member Secretary, MPCB, Sion, Mumbai
- 3) Additional Municipal Commissioner (SWM), MCGM, Mumbai – You shall ensure collection, transportation, treatment and disposal of BMW generated from the HCEs in MCGM jurisdiction in accordance with the provisions of BMW Rules, 2016 and guidelines issued by CPCB.

Copy to:

1. Asstt. Secretary (Tech), MPCB, Mumbai
2. Law Officer, MPCB, Mumbai
3. Regional Officer, MPCB, Mumbai
4. Sub Regional Officer, MPCB, Mumbai III
 - He directed to ensure that above direction is served to the facility and MCGM and ensure necessary follow up towards compliance of the direction and report through R.O. MPCB, Mumbai.

Copy to: M/s. Mumbai Waste Management Ltd., Taloja, Navi Mumbai: You are directed to accept the "Yellow" category waste not exceeding 1.0 MT/day from M/s. SMS Envoclean Pvt. Ltd., Deonar, Mumbai at cost till further orders and submit weekly report of receipt and disposal of same.



MAHARASHTRA POLLUTION CONTROL BOARD

Sub Regional Office, Mumbai-III

Ph. :- (022)- 24015269

Ph. :- (022)- 24016239

Visit us at :- <http://mpcb.gov.in>

e-mail : sromumbai3@mpcb.gov.in



Kalpataru Point, 1st Floor,
Sion Circle, In front of Cine Planate
Theater, Sion (East),
Mumbai -400022.


Visit Report

Date: 21/11/2023


Name of industry :	M/s. SFLS Innocean Pvt. Ltd. 5904-11A, 5904-11B Near Deonar, dumping ground, Mankhurd link road, Chhatkoyas, Mumbai-43
Consent/ Authorization status:	30/06/2023. Applied for renewal
Industry representative	Mr. Binesh Turi (Gen. officer)
Effluent status	D. E.- I.E.-

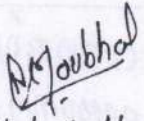
Observations:

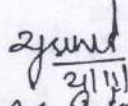
- 1) Visited the compressor site and incineration facility was found in operation.
- 2) Ventury scrubber provided to incinerator found in operation
- 3) Online monitoring (omission) system provided to incinerator stack which was found in operation
- 4) The temp of incinerator primary chamber maintained above 800°C and secondary chamber above 1050°C.
- 5) Autoclave and shredder provided and found in operation
- 6) ETP of 200 CMD capacity provided for waste water treatment and it is found in operation

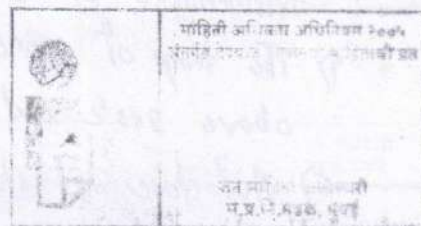
 _____ (Signature) _____ _____ _____	माहिती अधिकार अधिनियम 2005 Section 8(1)(b) - Information withheld under the provisions of the RTI Act, 2005.
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- 7) Treated water is being utilized for scrubbing purpose.
- 8) Separate space for storage of BMW provided.
- 9) VPS provided for vehicles for collection and transportation of bio medical waste.
- 10) Housekeeping, noise segregation and storage also needs improvement.


 Vinay Taci
 env. compliance
 officer - SMS
 GNVOC/EOO.


 Nitesh Maubhal
 F.O. (Mumbai-3)
 M.P.C.B.


 R.S. Potade
 SRO - Mumbai 3
 M.P.C.B.



MAHARASHTRA POLLUTION CONTROL BOARD

Sub Regional Office, Mumbai-III

Ph. :- (022)- 24015269
 Ph. :- (022)- 24016239
 Visit us at :- <http://mpcb.gov.in>
 e-mail : sromumbai3@mpcb.gov.in



Kalpataru Point, 1st Floor,
 Sion Circle, In front of Cine Planate
 Theater, Sion (East),
 Mumbai -400022.

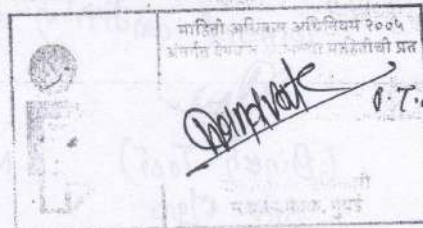
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Visit Report


Name & Address of industry : M/s. STS Envoclear Pvt. Ltd.,
 Date of visit : Near Doodar Dumping, Kurla.
 Visited by : A.S. Dabade (Sr. Insp), Nitesh Masbhal.
 Contact person : Mr. Dinesh Tuvi / Dattashah Pawar
 Contact no Note : 11/12/2020
 Consent status : ~~30/06/2023~~ 11/09/2025.

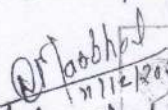
Observations

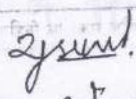
- 1) Industry has installed 4 incinerators having capacity 150kg/hr each. Incinerator 1 & 2 quenched, ventury scrubber, deep jet separator, two staged pack bed scrubber, mist eliminator and carbon filter provided. Incinerator 3 & 4 - ventury scrubber, pack bed scrubber, mist eliminator and carbon filter provided. HSD used as fuel.
- 2) At the time of visit incinerator 1 & 2 found in operation, AP6 system in operation, slight emission observed from stack. Primary & secondary temp. is 850°C & 1040°C respectively.
- 3) Shredded material & plastic bags in huge quantities found stacked in premises which should be disposed off to recycle.



- 4) Industry has installed baby boiler 450 kg/hr HSD used as fuel, which is not included in consent. Steam utilized for autoclave
- 5) Autoclave installed 450 kg/batch (90 mins) and in operation volume 1600 lit/hr.
- 6) OCEMS is provided to incinerator stack for CO , CO_2 , O_2 & PM.
- 7) Shredder provided (3 nos.) having capacity 300, 300 & 150 kg/hr and in operation.
- 8) STP of 200 LPH provided for waste water treatment which comprises of collection tank, flash mixer, settling tank, dosing tank, sand filter, carbon filter, water press and treated storage tank. Treated effluent is utilized for scrubbing system.
- 9) STP sludge & incineration waste send to TTC, Malape for disposal.
- 10) COMOTSO shall submit details of barcode system.
- 11) COMOTSO reported that shifting of incineration facility at Patalganga-Dorivali MHG is in process.
- 12) Industry shall submit the compliance report of consent condition at above point.


(Dinesh Toor)
Env. Mgr


(Nitish Pabhad)
F.U. (Mumbai)


(A.S. Dufade)
SRO - Mumbai-3.

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 Sion Matunga Scheme Road No. 8,
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 Mumbai – 400 022.

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Visit Report

Name of Industry: - M/s. SMS Envoclean Pvt Ltd.

Address:- 5904/1A, 5804/AB, Near Deonar Dumping Ground,
 Ghatkoper, Mankhurd Link Road Mumbai-43.

Date of Visit:- 25/01/2024

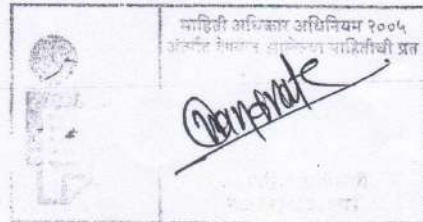
Visited By:- Nilesh Marbhal, FO

Contact Person: - Dinesh Tari, Env't Officer.

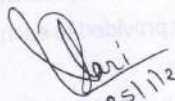
Consent Status – Valid upto 11.09.2025.

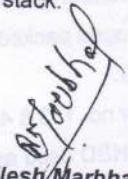
- The CBMWTFD was found in operation.
- Incinerators- 4 no. provided and having -250 kg/hr. capacity of each incinerator, Air pollution control system comprises- quencher, ventury scrubber, droplet separator, Double staged packed bed scrubber, mist eliminator, carbon filter provided to each incinerator.
- Incinerator no. 1, 3 & 4 were found in operation, common stack of height 32 meters provided, HSD used as fuel.
- Online emission monitoring system provided to incinerator stack was found in operation.
- CO- 55 mg/m³, CO₂- 5.23 mg/m³, O₂- 15.71 % & PM- 30.57 mg/Nm³.
- The temperature of incinerator found as-


Incinerator	Primary	Secondary
I)	859 degree C	1067 degree C
II)	856 degree C	1055 degree C
II)	879 degree C	1082 degree C



- MAHARASHTRA POLLUTION CONTROL BOARD
Sub-Regional Office Mumbai-III
- Autoclave – 1600 Ltr. capacity provided
 - Shredder- 3 nos., 150 kg/hr. 200 kg/hr. & 300 kg/hr. capacity provided.
 - The firm as carried out Dioxin furan monitoring on 11/01/2024. The monitoring is carried out from M/S. Vitmta Labs ltd, Hyderabad, Telangana state.
 - Presently avg. regular waste (Incinerable waste) -10 MT/day.
 - The firm has reported that not sending any waste to M/S. MWML, Taloja since Aug-2021.
 - The Dyke wall arrangement provided to vehicle washing area.
 - They have reported shifting of facility at Patalganga- Borivali MIDC, Dist- Raigad is in process,
 - ETP 200 CMD capacity provided for waste water treatment and treated water is using for scrubbing purpose.
 - During visit white smoke/ steam noticed through incinerator stack.


25/1/24
Dinesh Tari
Envt Officer
SMS Envoclean Pvt Ltd


Nilesh Marbhal
Field Officer

	प्रादेशिक प्रदूषण नियंत्रण बोर्ड महाराष्ट्र शासन, मुंबई
	प्रादेशिक प्रदूषण नियंत्रण बोर्ड महाराष्ट्र शासन, मुंबई

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Visit Report

Name of Industry: - M/s. SMS Envoclean Pvt Ltd.

Address:- 5904/1A, 5804/AB, Near Deonar Dumping Ground,
 Ghatkoper, Mankhurd Link Road Mumbai-43.

Date of Visit:- 20/02/2024

Visited By:- Nilesh Marbhal, FO

Contact Person: - Dinesh Tari, Emt Officer.

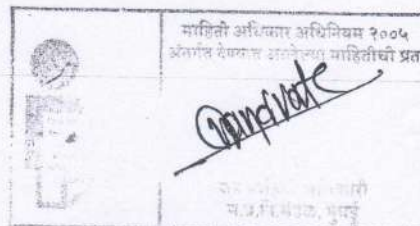
Consent Status – Valid upto 11.09.2025.

- The CBMWTFD was found in operation.
- Incinerators- 4 no. provided and having -250 kg/hr. capacity of each incinerator, Air pollution control system comprises- quencher, ventury scrubber, droplet separator, Double staged packed bed scrubber, mist eliminator, carbon filter provided to each incinerator.
- Incinerator no. 2 & 3 were found in operation, common stack of height 32 meters provided, HSD used as fuel.
- Online emission monitoring system provided to incinerator stack was found in operation.

CO- 42 mg/m³, CO₂- 4.05 mg/m³, O₂- 16.89 % & PM- 28.64 mg/Nm³.

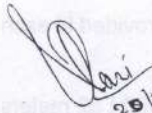
The temperature of incinerator found as-

Incinerator	Primary	Secondary
I)	866 degree C	1068 degree C
II)	869 degree C	1072 degree C

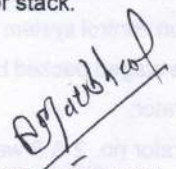


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- Autoclave – 1600 Ltr. capacity provided
- Shredder- 3 nos., 150 kg/hr. 200 kg/hr. & 300 kg/hr. capacity provided.
- The firm as carried out Dioxin furan monitoring on 08/02/2024. The monitoring is carried out from M/S. Vitmta Labs ltd, Hyderabad, Telangana state.
- Presently avg. regular waste (Incinerable waste) -10 MT/day.
- The firm has reported that not sending any waste to M/S. MWML, Taloja since Aug-2021.
- The Dyke wall arrangement provided to vehicle washing area.
- They have reported shifting of facility at Patalganga- Borivali MIDC, Dist- Raigad is in process,
- ETP 200 CMD capacity provided for waste water treatment and treated water is using for scrubbing purpose.
- During visit white smoke/ steam noticed through incinerator stack.


20/12/24

Dinesh Tari
Envt Officer
SMS Envoclean Pvt Ltd



Nilesh Marbhal
Field Officer



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Visit Report

Name of Industry: - M/s. SMS Envoclean Pvt Ltd.

Address:- 5904/1A, 5804/AB, Near Deonar Dumping Ground,
 Ghatkoper, Mankhurd Link Road Mumbai-43.

Date of Visit:- 18/03/2024

Visited By:- Nilesh Marbhal, FO

Contact Person: - Dinesh Tari, Evt Officer.

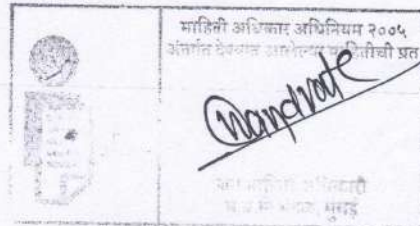
Consent Status – Valid upto 11.09.2025.

- The CBMWTDF was found in operation.
- Incinerators- 4 no. provided and having -250 kg/hr. capacity of each incinerator, Air pollution control system comprises- quencher, ventury scrubber, droplet separator, Double staged packed bed scrubber, mist eliminator, carbon filter provided to each incinerator.
- Incinerator no.2 & 4 were found in operation, common stack of height 32 meters provided, HSD used as fuel.

Online emission monitoring system provided to incinerator stack was found in operation.

- CO- 42.67 mg/m³, CO₂- 4.37 mg/m³, O₂- 16.57 % & PM- 26.09 mg/Nm³.
- The temperature of incinerator found as-

Incinerator	Primary	Secondary
I)	861 degree C	1064 degree C
II)	867 degree C	1068 degree C



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- Autoclave – 1600 Ltr. capacity provided
- Shredder- 3 nos., 150 kg/hr. 200 kg/hr. & 300 kg/hr. capacity provided.
- The firm as carried out Dioxin furan monitoring on 16/03/2024. The monitoring is carried out from M/S. Vitmta Labs Ltd, Hyderabad, Telangana state.
- Presently avg. regular waste (Incinerable waste) -10 MT/day.
- The Dyke wall arrangement provided to vehicle washing area.
- They have reported shifting of incinerator facility at Patalganga- Borivali MIDC, Dist- Raigad is in process.
- ETP 200 CMD capacity provided for waste water treatment and treated water is using for scrubbing purpose.

Dinesh Tari
Envt Officer
SMS Envoclean Pvt Ltd

Nilesh Marbhal
Field Officer

	Primary	1001 degree C
	Secondary	1004 degree C

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 Mumbai - 400 022.

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Visit Report

Name of Industry:- M/s. SMS Envoclean Pvt Ltd.

Address:- 5904/1A, 5804/AB, Near Deonar Dumping Ground,
 Ghatkoper, Mankhurd Link Road Mumbai-43.

Date of Visit:- 22/04/2024

Visited By:- Nilesh Marbhal, FO

Contact Person:- Dinesh Tari, Evt Officer.

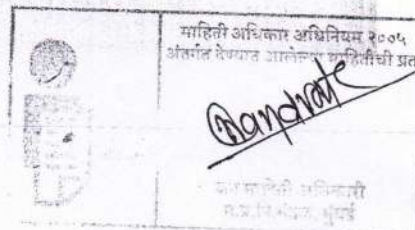
Consent Status - Valid upto 11.09.2025.

- The CBMWTFD was found in operation.
- Incinerators- 4 no. provided and having -250 kg/hr. capacity of each incinerator, Air pollution control system comprises- quencher, ventury scrubber, droplet separator, Double staged packed bed scrubber, mist eliminator, carbon filter provided to each incinerator.
- Incinerator no.2 & 4 were found in operation, common stack of height 32 meters provided, HSD used as fuel.
- Online emission monitoring system provided to incinerator stack was found in operation.

CO- 42.07 mg/m³, CO₂- 3.46 mg/m³, O₂- 17.42 % & PM- 29.56 mg/Nm³.

The temperature of incinerator found as-

Incinerator	Primary	Secondary
I)	872 degree C	1068 degree C
II)	861 degree C	1057 degree C



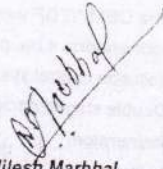
MAHARASHTRA POLLUTION CONTROL BOARD
Sub-Regional Office Mumbai-II

- Autoclave – 1600 Ltr. capacity provided
- Shredder- 3 nos., 150 kg/hr. 200 kg/hr. & 300 kg/hr. capacity provided.
- The firm as carried out Dioxin furan monitoring on 12/04/2024. The monitoring is carried out from M/S. Vitmta Labs ltd, Hydrabad, Telangana state.
- Presently avg. regular waste (Incinerable waste) -10 MT/day.
- The Dyke wall arrangement provided to vehicle washing area.
- They have reported shifting of incinerator facility at Patalganga- Borivall MIDC, Dist- Raigad is in process.
- ETP 200 CMD capacity provided for waste water treatment and treated water is using for scrubbing purpose.



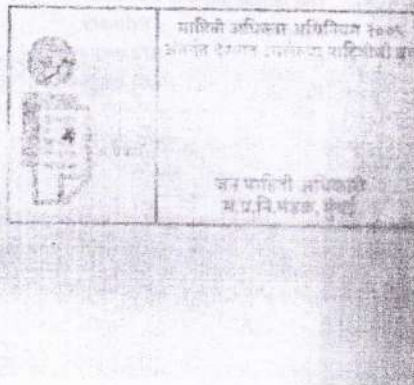
Dinesh Tari

Envt Officer
SMS Envoclean Pvt Ltd



Nilesh Marbhal

Field Officer



True Copy
[Signature]

**BEFORE THE NATIONAL GREEN
TRIBUNAL, WESTERN BENCH
SITTING AT PUNE
ORIGINAL APPLICATION
NO. 173 OF 2024**

BETWEEN:

Govandi New Sangam Welfare Society
...APPLICANT

Versus

State of Maharashtra & Ors
...RESPONDENTS

**ADDITIONAL AFFIDAVIT ON
BEHALF OF THE APPLICANT**

Dated this 3RD day of September, 2024

ZAMAN ALI

Advocate for the Applicant

17, 1st Floor, Rohit Chambers,

Janmabhoomi Marg, Fort,

Mumbai – 400 001

+91-9167628833

zamanali1602@gmail.com

Enrolment No. – MAH/3028/2014