

**MAHARASHTRA POLLUTION CONTROL BOARD****WESTERN ZONE BENCH, PUNE****Original Application No.112/2024 (WZ)****Earlier Original Application No.377/2024(PB)**

**News item titled "Four Suffocate to death cleaning sewage plant in Mumbai Virar" in Times of India dated 10.04.2024**

**Affidavit on behalf of the Maharashtra Pollution Control Board i.e. Respondent No.2**

I, Anand Katole, Aged-Adult, Occupation-Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Thane-II, having office at Plot No.P-30, 5<sup>th</sup> Floor, Office Complex Building, Wagle Industrial Estate, Mulund Checknaka, Thane (West)-400 604, do hereby solemnly affirm and state as under:-

1. I say and submit that the Hon'ble National Green Tribunal, Principal Bench, New Delhi has registered the aforesaid News Item as Original Application bearing No.377/2024 and vide order dated 19/4//2024 transferred the said O.A. to the Hon'ble NGT, Western Zone, Pune, and impeded the Maharashtra Pollution Control Board as a Party Respondent, which is now registered as Original Application No.112/2024(WZ).





2. I am filing this Affidavit in compliance of the order dated 28/5/2024 passed by the Hon'ble NGT, WZ, Pune.
3. I say and submit that the above incidence happened on 09/04/2024 at the residential Township of M/s.Evershine Developers, Evershine Global City, Village Dongre, Taluka-Vasai, District Palghar. The residential Township has obtained Environmental Clearance dated 12/10/2017.
4. I say and submit that the Respondent Board has granted 1<sup>st</sup> Consent to Operate dated 24/09/2018 and Renewal of Consent 13/02/2024 to the above Project Proponent. A copy of the Renewal of Consent dated 13/02/2024 is enclosed herewith and marked as an **Annexure-I**.
5. I say and submit that M/s Evershine Developers has installed 3.6 MLD capacity Sewage Treatment Plant(STP) inside the township and given contract for the maintenance and operation of STP to private company M/s Polycon Enviro Engineer Pvt Ltd. On 09.4.2024 around 11.30 AM, four maintenance workers belonging to M/s Polycon Enviro Engineer Pvt. Ltd. died on the spot during the cleaning of the Sewage Treatment Plant. Four dead bodies were pulled out from the STP tank by the Fire Brigade Department of Vasai Virar City Municipal Corporation. The dead bodies were taken by Police to Rural Hospital Virar for Autopsy/Post-mortem. As per the Autopsy report, the cause of Death is due to Asphyxia due to drowning. FIR No. 0158/2024 U/S IPC 304, 34 has been filed by Shri Aanant Ghatal, father of



deceased Shri Amol Ghatal against the Owner of M/s Polycron Enviro Engineer Pvt.Ltd. and Supervisor of the Company in the Arnala Police Station.



For and on behalf of Maharashtra Pollution Control Board

(Anand Katole)

Sub-Regional Officer, Thane-II

Place : *Thane*  
Date : *10/06/2024*



**BEFORE ME  
NOTARY.**



**SUJATA V. JOSHI  
ADVOCATE & NOTARY**  
101/102, Vishal Bldg., Station Road,  
Kaiwa (W), Thane-400 605.

**NOTED & REGISTERED**

Sr. No.

*2654/2024*

**12 JUN 2024**

# MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437  
Fax: 24023516  
Website: <http://mpcb.gov.in>  
Email: [cac-cell@mpcb.gov.in](mailto:cac-cell@mpcb.gov.in)



Kalpataru Point, 2nd and  
4th floor, Opp. Cine Planet  
Cinema, Near Sion Circle,  
Sion (E), Mumbai-400022

Infrastructure/RED/L.S.I

No:- Format1.0/CAC-CELL/UAN No.0000186461/CR/2402001100

Date: 13/02/2024

To,  
Evershine Developers,  
Evershine Global City, at Village Dongre,  
Virar (west), Taluka Vasai, District- Thane



**Sub: Consent to Renewal and amalgamation of Part -I.II.III.IV & V, under RED category.**

- Ref:**
1. Environment clearance accorded Environment Department, Gol vide dated 12.10.2017
  2. Consent to Establish accorded by Board vide dated 19.09..2018.
  3. 1st Consent to Operate (Part-I,II,III) accorded by Board vide dated 22.08.2023.
  4. 1st Consent to Operate (Part-IV) accorded by Board vide dated 22.08.2023.
  5. 1st Consent to Operate (Part-V) accorded by Board vide dated 22.08.2023
  6. Minutes of 20rd CAC meeting held on 11.01.2024.

Your application NO. MPCB-CONSENT-0000186461

For: grant of Consent to Renewal under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I,II,III & IV annexed to this order:

1. **The Consent to Renewal is granted for a period up to 31.10.2025**
2. **The capital investment of the project is Rs.845.43 Cr. (As per C.A Certificate submitted by industry).**
3. **The Consent to Renewal and amalgamation of Part -I.II.III.IV & V named as EVERSHINE DEVELOPERS;, same as location of unit,(Avenue A1, A2, A3A, A3B, A4, AS, A6, B(I), B(2), CI, C2, C3) Evershine Global City, New survey no. 5/1, 5/2, 5/3, 5/4, 5/SA, 5/SB, 5/5C, 5/5D, 5/5E, 5/6,5/7,5/8 (Old S.No.5, 5B, 5D, 5F, 5G) of Village: Dongre, Tai: Vasai, Dist. : Palghar, Vasai, Palghar on Total Plot Area of 932440 SqMtrs for construction BUA of 892331.86 SqMtrs out of Total Construction BUA of 1684995.85 SqMtrs as per EC granted dated 12.10.2017 including utilities and services.**

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environment Clearance dated 12.10.2017	932440.00	2505114.36
2	Consent to Establish dated 19.09.2018	932440.00	1684995.85
3	1st Operate (Part-I,II,III) dated 22.08.2023	932440.00	820118.51

4	1st Operate (Part-IV) dated 22.08.2023	932440.00	299998.00
5	1st Operate (Part-V) dated 22.08.2023	932440.00	299998.00

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	NA	NA
2.	Domestic effluent	5724	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be used on land for gardening/construction activity & achieve Nil discharge outside the premises till completion of the project.

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1 to S-5	DG Set (625 kVA X 5 Nos.)	1	As per Schedule -II
S-6 to S-7	DG Set (320 kVA x 2 Nos.)	2	As per Schedule -II
S-8	DG Set (650 kVA)	1	As per Schedule -II
S-9	DG Set (450 kVA)	1	As per Schedule -II
S-10	DG Set (160 kVA)	1	As per Schedule -II
S-11	DG Set (180 kVA)	1	As per Schedule -II
S-12	DG Set (60 kVA)	1	As per Schedule -II
S-13 to S-14	DG Set (250 kVA x 2 Nos.)	2	As per Schedule -II
S-15	DG Set (350 kVA)	1	As per Schedule -II

6. **Conditions under Solid Waste Rules, 2016:**

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Bio degradable waste	14298 Kg/Day	OWC followed by Composting facility	Used as a manure for landscape/gardening within own premises
2	Non-Bio degradable waste	9768 Kg/Day	Sagregate	Handover to authorized vendor
3	STP sludge	532 Kg/Day	Drying	Used as a manure for landscape/gardening within own premises

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	As Actual	Ltr/A	Reprocessing	Sale to authorized recycler

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.

9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. This consent is issued pursuant to the decision of the 20th Consent Appraisal Committee Meeting held on 11.01.2024.
11. PP shall operate sewage treatment plant so as to achieve treated domestic effluent standard for the parameter BOD- 10 mg/lit.
12. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening.
13. PP shall operate organic waste digester along with composting facility/bio-digester (biogas) for the treatment of wet garbage.
14. PP shall make provision of charging ports for electric vehicles at least 40% of total available parking slots.
15. PP shall comply with the conditions stipulated in Environment Clearance & Consent Conditions.
16. PP shall submit the BG of Rs. 25 lakhs towards pollution control system and compliance of conditions stipulated in EC and Consent to Operate.



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Signed by: **Dr. Avinash Dhakne**  
Member Secretary  
For and on behalf of,  
**Maharashtra Pollution Control Board**  
ms@mpcb.gov.in  
2024-02-13 22:26:30 IST

#### Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	3381720.00	MPCB-DR-22757	28/11/2023	NEFT

#### Copy to:

1. Regional Officer, MPCB, Thane and Sub-Regional Officer, MPCB, Thane II  
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai
3. CAC Desk for updation purpose.

**SCHEDULE-I****Terms & conditions for compliance of Water Pollution Control:**

- 1) A] As per your application, you have provided MBBR Technology based Sewage Treatment Plants (STPs) of combined capacity **6650 CMD for treatment of domestic effluent of 5724 CMD.**
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

<b>Sr.No</b>	<b>Parameters</b>	<b>Limiting concentration not to exceed in mg/l, except for pH</b>
1	pH	5.5-9.0
2	BOD	10
3	COD	50
4	TSS	20
5	NH4 N	5
6	N-total	10
7	Fecal Coliform	less than 100

- C] The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be used on land for gardening/construction activity & achieve Nil discharge outside the premises till completion of the project.
- 2) The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto.
- 3) The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 4) **The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act,1974 and as amended, and other provisions as contained in the said act.**

<b>Sr. No.</b>	<b>Purpose for water consumed</b>	<b>Water consumption quantity (CMD)</b>
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	6991.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

- 5) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

**SCHEDULE-II****Terms & conditions for compliance of Air Pollution Control:**

- 1) As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) and to observe the following fuel pattern-

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1 to S-5	D.G. Sets (625 kVA 5 Nos.)	Acoustic Enclosure Stack	5.00	HSD 156.25 Ltr/Hr	1	SPM	375 Kg/Day
S-6 & S-7	D.G. Sets (320 kVA 2 Nos.)	Acoustic Enclosure Stack	5.00	HSD 160 Ltr/Hr	1	SPM	153.6 Kg/Day
S-8	D.G. Set (650 kVA)	Acoustic Enclosure Stack	5.00	HSD 162.5 Ltr/Hr	1	SPM	78 Kg/Day
S-9	D.G. Set (450 kVA)	Acoustic Enclosure Stack	5.00	HSD 112.5 Ltr/Hr	1	SPM	54 Kg/Day
S-10	D.G. Set (160 kVA)	Acoustic Enclosure Stack	5.00	HSD 40 Ltr/Hr	1	SPM	19.2 Kg/Day
S-11	D.G. Set (180 kVA)	Acoustic Enclosure Stack	5.00	HSD 45 Ltr/Hr	1	SPM	21.6 Kg/Day
S-12	D.G. Set (60 kVA)	Acoustic Enclosure Stack	5.00	HSD 15 Ltr/Hr	1	SPM	7.2 Kg/Day
S-13& S-14	D.G. Sets (250 kVA 2 Nos.)	Acoustic Enclosure Stack	5.00	HSD 125 Ltr/Hr	1	SPM	120 Kg/Day
S-15	D.G. Set (350 kVA)	Acoustic Enclosure Stack	5.00	HSD 87.5 Ltr/Hr	1	SO <sub>2</sub>	42 Kg/Day

- 2) The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Total Particular matter	Not to exceed	150 mg/Nm <sup>3</sup>
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- 3) The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
- 4) The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

### **SCHEDULE-III**

#### **Details of Bank Guarantees:**

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to R	2500000	15 days/extend	Towards O & M of pollution control system and compliance of consent conditions	31.10.2025	30.04.2026

\*\* The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.  
**# Existing BG obtained for above purpose if any may be extended for period of validity as above.**

#### **BG Forfeiture History**

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
1	NA	0	NA	NA	NA	NA

#### **BG Return details**

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

### **SCHEDULE-IV**

#### **General Conditions:**

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011).
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.

- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
  - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
  - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
  - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
  - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
  - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
  - f) D.G. Set shall be operated only in case of power failure.
  - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
  - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall make an application for renewal of the consent at least 60 days before date of the expiry of the consent.

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**This certificate is digitally & electronically signed.**

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