

BEFORE THE HON'BLE NATION GREEN TRIBUNAL
WESTERN ZONE BENCH
ORIGINAL APPLICATION NO. 77 OF 2024

Mamta Samir Shirali & Anr. ...Applicant
V/s.
The Authorities of New Crematorium, Borivali & Ors.
...Respondents

AFFIDAVIT IN REPLY ON BEHALF OF THE RESPONDENT,
BMC.

I, Jayant D. Shirsath, Age : Adult, working as Executive Engineer (M&E) WS in the employment of BMC having office at Bandar Pakhandi Road, Off. Link Road, Kandivali (West), Mumbai 400 067; do hereby state on solemn affirmation as under

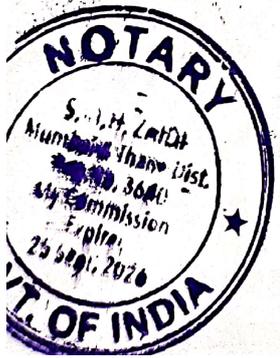
1. I say that by the Order dated 03.02.2026, this Hon'ble Tribunal as directed to file a clear affidavit whether the recommendation made by the MPCB are acceptable or otherwise.

2. In this regard, the Respondent BMC had filed an affidavit dated 10.12.2024 wherein at page No. 95, in point No. (b) it is stated as under :

The technically designed the crematorium so as to achieve burning temperature between 1000° C to 1100° C.

The cremation starts at around 500° C and due to exothermic burning the furnace temperature rises to 600° C to 800° C. The cremations get completed in around 90 minutes. If the furnace temperature is increased 1000° C, the cremation still will require 90 minutes for completion; however due to 1000+° C temperature the Nitrogen (N2) in air will start oxidizing leading to unnecessary increase in Nitric Oxide and Nitrogen Dioxide (Nox).

3. I say that the comparison between a crematoria and an incinerator done by MPCB is not appropriate as both serve different purpose and operate differently. That incinerators used for disposal of



municipal solid waste and biomedical waste (bio hazard) are governed by specific emission and operational norms prescribed by CPCB. The crematoria are used for cremation of human dead bodies and at present no specific emission norms have been formally prescribed for the same. I further say that the draft environmental guidelines for crematoria received from CPCB on 23.01.2026 are yet to be formally approved.

I say that the gas based crematorium at Babhai is being operated in compliance with the directions of this Hon'ble Tribunal and the said draft guidelines of CPCB. The operational temperature maintained is between 800° C to 1000° C, and increasing the temperature beyond this range is unnecessary and may lead to higher pollution levels and excess fuel consumption.

I further say that an emission control system comprising a wet scrubber and a 30.5 meter chimney has been installed and is operational to control emissions. The emission monitoring test report from NABL – approved laboratory is satisfactory and a copy of the same is annexed at **Exhibit- 1.**

I say that there are currently no specific pollution norms prescribed for crematoria located in densely populated residential area of Tier – 1 cities.

4. In view of the above, I say that the operation temperature is approximately maintained between 800° C to 1000° C, and increasing the temperature beyond this range is unnecessary and may lead to higher pollution levels and excess fuel consumption.

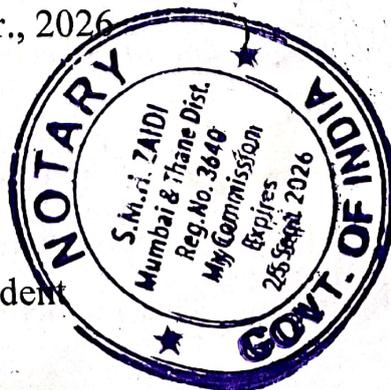
Solemnly affirmed at Mumbai

This ___ day of ___ Mar., 2026

Identified by me:

[Signature]

Advocate for the Respondent



Before Me,

[Signature] 1802074



VERIFICATION

I, Jayant D. Shirsath, Age: Adult, working as Executive Engineer (M&E) WS in the employment of BMC having office at Bandar Pakhandi Road, Off. Link Road, Kandivali (West), Mumbai 400 006., do hereby solemnly declare that what is stated in foregoing paras of the above Affidavit in Reply is stated from the office files of the Respondent and on information and belief which I believe the same to be true.

Solemnly declared at Mumbai)
Dated this day of , March 2026)

[Handwritten Signature]
1803/2026

Before Me

Identified by me,

[Handwritten Signature]

Advocate for the Respondent

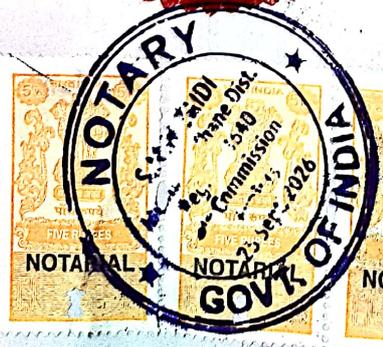
BEFORE ME
[Handwritten Signature]
S. M. H. ZAIDI
NOTARY 20/3/26

Government of India
Mumbai & Thane Dist

20 MAR 2026

NOTED & REGISTERED
Sr. No. 1082 Page No. 022
Book No. 4 Date

20 MAR 2026





GADARK LAB PVT. LTD. Exh. 1

INDUSTRIAL ANALYSTS & CONSULTANTS
 LAB.: H-64, Additional M.I.D.C. Kudal, Taluka - Kudal, District - Sindhudurg - 416 525.
 Tel.: (02132) 223519 • E-mail: info@gadark.in • Website: www.gadark.in

OFF.: 15, Hindu In Kohlnoor Industrial Complex, L.B.S. Marg, Vikhroli (West), Mumbai - 83.
 Tel.: (022) 2577 7069 / 2577 7070 / 2085 0091 • +91 93213 12367

167

TEST REPORT

Doc.No : GLPL/QF/7 8/02

Test Report No.	GA/26/03/68	Test Report Date	13/03/2026
Customer Name and Address	M/S. ADOR WELDING LIMITED EQUIPMENT PLANT, CHINCHWAD, PUNE - 411 019.		
Letter Ref / Date	---	Page No.	1 of 1
Sampling Done By	GLPL	Sample Received on	10/03/2026
Sampling Plan	GLPL/QF/7.3/06	Analysis Period	11/03/2026 To 13/03/2026

SITE - BABHAI HINDU SAMSHAN BHUMI, BABHI ROAD, VAZIRA NAKA, BORIVALI (WEST), MUMBAI

SAMPLING DETAILS - STACK EMISSION

	Scrubber Outlet
Stack Attached to	500
Stack Dimension [mm]	09/03/2026
Date of Sample collection	19:40
Time of Sampling [Hrs.]	122
Temperature of flue gas [°C]	6.2
Average flue gas velocity [m/s]	3307
Average volume of flue gas discharged [Nm ³ /hr]	

ANALYSIS REPORT :

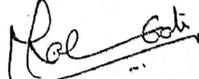
Parameters	Units	Results	Sampling & Analysis Methods
Particulate Matter	mg/Nm ³	49.5	IS 11255 (Part 1) 1985
Sulphur Dioxide	ppm v/v	Nil	IS 11255 (Part 2) 1985
	Kg/day	Nil	
NOx	mg/Nm ³	14.3	IS 11255 (Part 7) 2005
HF	mg/Nm ³	Nil	IS 11255 (Part 5) 2003
HCl	mg/Nm ³	Nil	GLPL/SOP/SE/08 : 2023
Total Hydrocarbon as Toluene	mg/Nm ³	12.7	APHA 43101-02-71 T
CO	ppm	17.8	IS 13270 : 1992
CO ₂	ppm	18.2	IS 13270 : 1992
O ₂	%	6.5	IS 13270 : 1992

End

For GADARK LAB PVT. LTD.



AUTHORISED SIGNATORY
[SACHIN B. GAONKAR]



CHECKED BY

Note :

1. The results relate only to the samples tested.
2. Test Report shall not be reproduced except in full, without written approval of the laboratory.
3. Samples will be preserved for a period 15 days from the delivery of Test Report.
4. Test Results relate only to the conditions prevailing at the time of sampling.
5. Customer complaint register is available at laboratory

Recognised by Central Pollution Control Board (MoEF and CC, Govt. of India), under the EP Act, 1986,
 valid upto 20th August 2028. ISO 9001 : 2015 and ISO 45001 : 2018 Certified.

