

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
Original Application No.196/2024(WZ)**

Charan Ravindra Bhatt

... Applicant

v/s

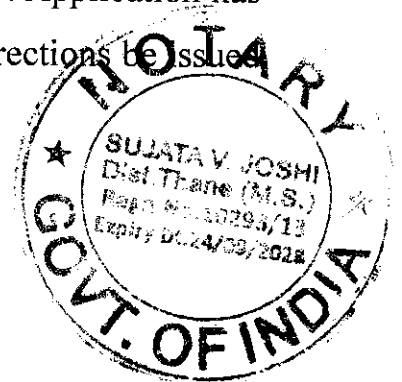
Metropolitan Commissioner,
MMRDA & Anr.

... Respondents

**Affidavit in Reply on behalf of Respondent No.3-Maharashtra
Pollution Control Board.**

I, Anand N. Katole, Aged-Adult, Occupation-Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Thane-II i.e. Respondent No. 1, having office at Plot No. P 30, 5th Floor, Office Complex Building, Wagle Industrial Estate, Mulund Check Naka, Thane (West) 400604, do hereby solemnly affirm and state as under :-

1. I say that I am the Sub Regional Officer Of Respondent No.3-MPCB, Thane-II and am authorized to affirm the present reply affidavit on its behalf. I have examined the relevant records available in my office in respect of the above matter and am affirming the present Reply Affidavit based on the same.
2. At the outset, it is submitted that the present Application has been filed by the Applicant praying that directions be issued



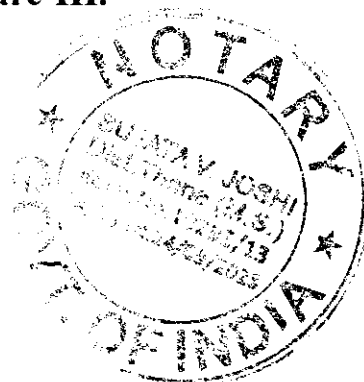
to Respondent No.2 -Vasai Virar City Municipal Corporation (VVCMC) to stop the discharge of water into Nalla (drain), which is treated in Bolinj STP-2 & it be directed to be used for all current and future private and government projects.

3. I say and submit that the Respondent Board has granted Renewal of Consent dated 8/9/2021 for STP of capacity 30 MLD at Bolinj Village for collection, treatment and disposal of domestic effluent, subject to certain terms and conditions, which is valid upto 31/1/2026, wherein, one of the condition that the treated effluent shall be disposed after proper disinfection on land for gardening, irrigation, road side plantation, curing water for construction, MSW facility for spraying purpose and all other non-portable, non tangible water uses etc. A copy of Renewal of Consent dated 8/9/2021 is enclosed as an **Annexure-I**.
4. I say and submit that in order to verify the compliance of consent conditions, the Officials of Respondent No.3-MPCB at Thane visited the site of Bolinj STP on 8/11/2024 and on the basis of non-compliances observed during the said visit, the Respondent No.3-MPCB has issued Show Cause Notice to Respondent No.2-VVCMC vide letter dated 29/11/2024. Copy of Show Cause Notice dated 29/11/2024 is enclosed as an **Annexure-II**.



5. I say and submit that in order to verify the present status, the the Officials of Respondent No.3-MPCB at Thane visited the site of Bolinj STP on 25/2/2025 and observed as under:

- (i) The STP was found in operation. The Capacity of STP is 30 MLD
- (ii) Partly treated sewage from Outlet is being directly discharged into a creek via Kaccha Nalla.
- (iii) The municipal authority is using partially treated sewage effluent for road cleaning, divider cleaning, and VVMC gardening purposes.
- (iv) The STP authority has installed an online monitoring system in accordance with consent condition No. 8; however, the system displays a reading of COD -47.12 mg/l, BOD-9.42 mg/l, pH-7.51, TSS-7.62, total nitrogen -2.01, NH4 -N- 11.4 needs to be calibration and is not connected to the MPCB server.
- (v) Vasai-Virar Municipal Corporation authority has provided an MBBR technology-based STP with a capacity of 30 MLD. The system includes a settling chamber, mechanical grit screen, manual fine screen, grit separator, Bio Reactor-1, Bio Reactor-2, an MBBR unit, a clarifier, and two decanters (each equipped with a 7.5 HP electric motor), along with a chlorine dosing tank. A copy of inspection report dt.25/02/2025 is enclosed as an **Annexure-III**.




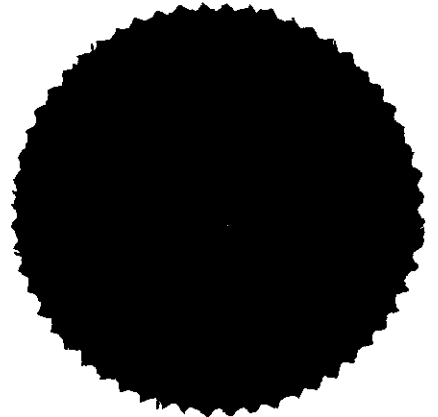
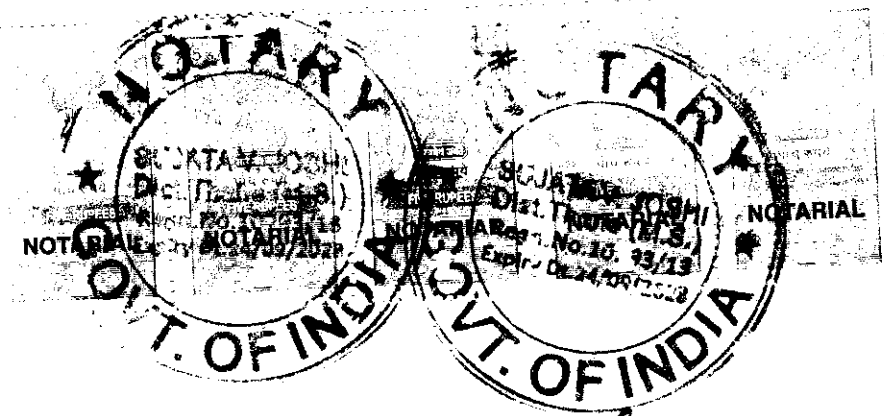
6. I say and submit that it is the primary responsibility of the Respondent No.2-VVCMC to utilize and reuse the water being treated at Bolinj STP to be used for other non-potable purposes.

Solemnly affirmed on this 19th day of March 2025 at Thane.

For and on behalf of
Maharashtra Pollution
Control Board,

Date: 19/03/2025
Place: Thane


(Anand N. Katole)
Sub-Regional Officer, Thane-II



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax: 24044532/4024068/4023516
 Website: <http://mpcb.gov.in>
 Email: jdwater@mpcb.gov.in



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

RED/L.S.I (Mun)

No:- Format1.0/CC/UAN No.0000110737/CR 2109000274

Date: 08/9/21

To,
 M/s. Vasai Virar Municipal Corporation,
 Virar East, Vasai-Virar City (Municipal Corporation),
 Tal Vasai, Dist-Palghar.



Your Service is Our Duty

Sub: Renewal of Consent for STP of capacity 30 MLD at Bolinge Village for collection, treatment and disposal of domestic effluent

Ref: 1. Earlier consent No-BO/JD(WPC) UAN No-80495/CO/CC-2007001531, dtd-27.07.2020
 2. Minutes of 6th Consent Committee Meeting dtd-22.07.2021.

Your application No.MPCB-CONSENT-0000110737 Dated 15.03.2021

For: grant of Consent to Operate 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 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:

- The consent to renewal is granted for a period up to 31/01/2026
- Conditions under Water (P & CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted quantity of discharge (MLD)	Standards to be achieved	Disposal
1	STP at Bolinge Village	30.00	As per schedule-I	Vaitrana Creek

- Conditions under Air (P & CP) Act, 1981 for air emissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	S-1	DG Set-500 KVA	01	As per Schedule -II
2	S-2	DG Set-500 KVA	01	As per Schedule -II

- Non-Hazardous Wastes:

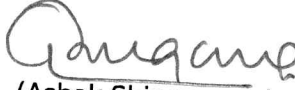
Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	STP Sludge	3	MT/Day	NA	Used as manure

- | Sr No | Type of Waste | Quantity | UoM | Treatment | Disposal |
|-------|--|----------|-----|-----------|----------|
| 5. | Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste: | | | | |

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
					NA

6. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
7. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
8. Industry shall install online continuous monitoring system as per CPCB guidelines & data to be transmitted directly from Data Logger to Board server .
9. Municipal Corporation shall try and reuse maximum quantity of treated sewage for secondary purpose such as irrigation, industrial cooling, construction activity etc.

For and on behalf of the
Maharashtra Pollution Control Board.


(Ashok Shingare IAS),
Member Secretary

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	500000.00	MPCB-DR-5222	26/03/2021	RTGS

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

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

1. As per your application, the Sewage Treatment Plant (STP) with the design capacity are as under:

A)

Sr.No.	Name of STP	Quantity of effluent MLD
1	STP at Bolinge Village	30.00

- B) The Applicant shall operate the Sewage treatment plant (STP) to treat the effluent 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.

Sr.No.	Parameters	Standards prescribed by Board
1	pH	6.5 to 9.0
2	BOD (3 days 27°C)	10.0
3	COD	50.0
4	TSS	20.0
5	Nh4-N	5.0
6	N-total	10.0
7	Fecal Coliform (MPN/100 ml)	100

- C) The treated effluent shall be disposed

After proper disinfection on land for gardening, irrigation, road side plantation, curing water for construction, MSW facility for spraying purpose, and all other non potable, non tangible water uses. The remaining shall be discharged as per Schedule I.

If the Local Body is admitting any effluent arising from the industries located in their jurisdiction, arrangement shall be made by the local body to see that such admittance :-

1. Will not cause the deterioration of sewers/drains.
2. Will not cause any toxicity either at treatment works of enroot.
3. Will not cause harmful effect on people working at treatment work or enroot.

The local body shall fully treat such industrial effluent to meet the above standards.

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 there of & 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 an extension or addition thereto.
3. The Corporation/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) Cess Act, 1977 and as amended, by installing water meters, filing water cess returns in Form-I and other provisions as contained in the said act.

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
2.	Domestic purpose	0.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	30.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0

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/ Environmental Clearance/ CREP guidelines.

SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

- Municipal Corporation shall provide the DG set of sufficient capacity in case of electricity failure.
- As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) 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, D-G. Set of 500 KVA	DG Set	Acoustic Enclosure	3.00	Diesel 135 Ltr/Hr	1	SO ₂	64.8 Kg/Day
S-2, D-G. Set of 500 KVA	DG Set	Acoustic Enclosure	3.00	Diesel 135 Ltr/Hr	1	SO ₂	64.8 Kg/Day

- The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
- The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards
Total Particulate Matter	Not to exceed 30 mg/ Nm ³

- The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
- 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	Compliance	Municipal Corporation & A Class Municipal Council (BG in Lakhs)	Time for Compliance	Period
Performance issues				
1	Providing Closed sewer pipeline network for carrying total sewage specified jurisdiction to that particular STP so that no sewage is discharge without treatment.	25	1 Year	
2	Criteria - To achieve full capacity of sewage treatment			
a.	25 % or less	100	1 Year	
b.	> 25% to 50 %	75	1 Year	
c.	> 50% to 75 %	50	1 Year	
d.	> 75 % and above	25	1 Year	
3	Providing arrangement for treated sewage recycle and reuse atleast 50% for gardening, road side plantation, curing for building construction, MSW facility for spraying purpose, and all other non potable, non tangible water uses. (per STP)	10	1 Year	
4	Providing adequate system for treatment / disposal of waste i.e. sludge to convert into manure. (per STP)	5	1 Year	
5	To provide online flow meter with data logger at the inlet and at outlet of STP (per STP)	2	Six months	
Operation and Maintenance issues				
6	Disposal of all solid waste like Grit etc. other than sludge generated from the STP at MSW site. (per STP)	2	Continuous	Monthly
7	Towards Operation & Maintenance of the Sewage Treatment Plant to achieve disposal standards. (per STP)	5	Continuous	Monthly
8	Obtaining approval from National Institute of Oceanography for fixing the treated sewage disposal point. (per STP)	10	2 Year	Monthly
9	Maintaining Records (per STP)	1.0	Continuous	Monthly
10	All the Bank Guarantees shall be submitted in 15 days from the date of receipt of the consent and all shall be valid for four months more than validity of the consent.			

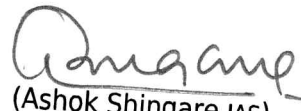
SCHEDULE-IV
General Conditions:

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. 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.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
11. 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 an extension or addition thereto.


12. 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.
13. The PP shall provide personal protection equipment as per norms of Factory Act
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.

26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. 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.
30. 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 provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
32. 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).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and 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.
34. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)

For and on behalf of the
Maharashtra Pollution Control Board.


(Ashok Shingare IAS),
Member Secretary

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 th Floor, Office Complex Bldg.,
Website: http://mpcb.gov.in		Near Mulund Check Naka,
E-mail Id: rothane@mpcb.gov.in		Wagle Estate, Thane-400 604.

No. MPCB/ROT/SCN-PI/2411290001

Date:-29/11/2024

To,

M/s. Vasai Virar Municipal Corporation,
STP 30 MLD, Village Bolinj,
Vasai virar city municipal corporation,
Virar (W), Tal. Vasai, Dist. Palghar.

**Sub:-** Show cause notice for non-compliance of consent condition.

Ref: - 1) Consent granted by Board dtd. 08/09/2021.
2) Visit of Board official dtd. 08/11/2024.
3) NGT order dtd. 04/10/2024.
4) Action proposal submitted by Sub- Regional Office, Thane-II vide MPCB-LEGAL_ACTIONS- 081124022, dtd. 24/11/2024.

WHEREAS, your corporation area falls under the Water (Prevention & Control of Pollution) Act, 1974, & the Air (Prevention & Control of Pollution) Act, 1981 and Solid Waste Management Rules, 2016 are applicable to your corporation.

AND WHEREAS, Board has granted renewal of consent for Bolinj STP with a condition to achieve consented standards.

AND WHEREAS, the officials of Sub Regional office Thane-II has visited your site and reported following non-compliances:

- 1) You have not operated & maintenance of Sewage treatment plant (STP) and untreated sewage was diverted in to local Nalla.
- 2) You are not operated decanter since long times was directly discharge into local nalla without any treatment and pipe line not connected to decanter but operation and maintenance of STP is very Poor as past analysis results of STP outlets dt 14.04.24, 10.01.24 and 05.10.23 were exceeding the Outlet standards.
- 3) You have not provided online Monitoring system at STP outlet.
- 4) You have not submitted bank guarantee as per Consent conditions.
- 5) You have not submitted detailed action taken report towards the compliances of Minutes of meeting.

AND WHEREAS, it seems that you are causing public nuisance & polluting the Environment, this amounts to blatant violation of consent conditions and clearly shows your gross negligent attitude towards pollution control.

NOW THEREFORE, you are hereby directed to show cause as to why legal action shall not be initiated against your corporation?

You shall submit reply to this direction and documents you want to rely upon within seven days failing in which, further legal action will be initiated against your corporation, which may please be noted.


(Kiran N. Hasabnis)
Regional Officer, Thane

Copy submitted to :

Assistant Secretary (Technical), MPC Board, Sion, Mumbai-22.

Copy to:-

Sub-Regional Officer, M.P.C. Board, Thane-II - He is directed to serve these directions to corporation & submit compliance.

