

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

Original Application No.196/2024 (WZ)

Charan Bhatt.

... Applicant

v/s

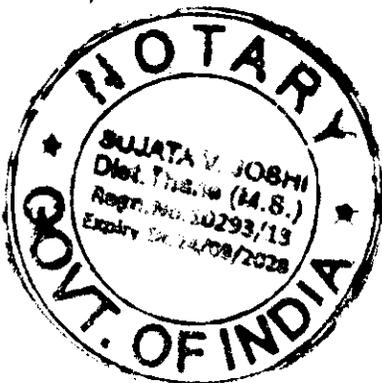
The Metropolitan Commissioner,
MMRDA & Ors.

... Respondents

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

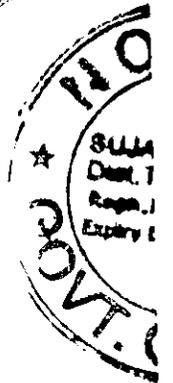
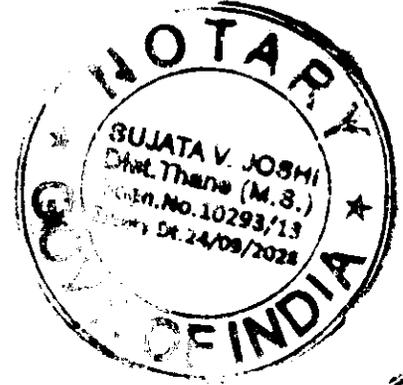
I, Anand N. Katole, Aged-Adult, Occupation-Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Thane-II i.e. Respondent No. 3, having office at Plot No. P 30, 5th 0Floor, Office Complex Building, Wagle Industrial Estate, Mulund Check Naka, Thane (West) 400604, do hereby solemnly affirm and state as under :-

1. I am filing the present Affidavit on behalf of the Respondent-Maharashtra Pollution Control Board in compliance of the order dated 22/8/2025 passed by this Hon'ble NGT, wherein, the Hon'ble NGT directed Respondent No. 3 -MPCB, to file additional affidavit regarding treated effluent was required by Respondent No. 2 i.e. VVCMC to be used for the site for spraying purposes, which is being done, but quantity of the same is not made clear.
2. I say and submit that in order to verify compliance the officials of the Respondent Board at Thane visited the 30 MLD STP of



Respondent No. 3 i.e. VVCMC on 22.09.2025 and observed that the said STP has been installed and found in operational. Corporation is partly reusing treated sewage for irrigation and industrial cooling. Reuse Quantity is as follows:

- Oct 2024 – 728 m³/M
- Nov 2024 – 1,074 m³/M
- Dec 2024 – 1,148 m³/M
- Jan 2025 – 1,374 m³/M
- Feb 2025 – 2,350 m³/M
- Apr 2025 – 3,054 m³/M
- May 2025 – 4458 m³/M , I.e 4.45 MLD .
- Jun 2025 – 3860 m³/M ,I.e 3.86 MLD.
- Jul 2025 – 674 m³/M .
- Aug 2025 – 122 m³/M .
- September 17.2025 – 160 m³/m.



Corporation is reusing only 2 to 3% of sewage generation.

3. I say and submit that the MPCB has collected STP Outlet samples for analysis and as per analysis report VVCMC is not achieving the consented standards in respect of BOD, COD, SS and Ammoniacal Nitrogen. A copy of visit report dated 22/09/2025 and analysis results is enclosed herewith as an **Annexure-I.**
4. I say and submit that it is mandatory on the part of Respondent No.2-VVCMC to achieve consented standards then only such treated water can be used in non-potable purposes such as agriculture, landscaping and construction. Presently, they are not achieving the consented standards. Therefore, the

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Respondent Board has issued Prosecution Notice u/s 33A of Water Act, 1974 to Respondent No. 3 i.e. VVCMC vide letter dated 9/10/2025. A copy of Prosecution Notice dated 9/10/2025 is enclosed herewith as an **Annexure- II**.

5. Hence this submission.

Solemnly affirmed on this 28th day of October, 2025 at Thane.



For and on behalf of
Maharashtra Pollution Control Board,

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

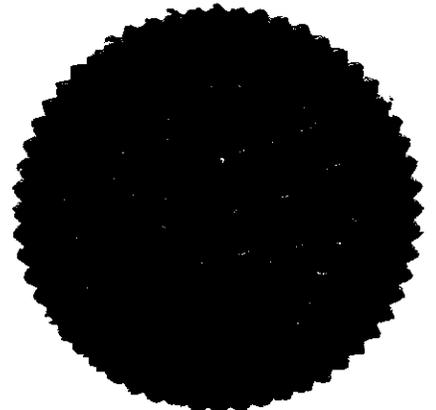


BEFORE ME
NOTARY

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

NOTED & REGISTERED
Sr. No. 9995/2025

28 OCT 2025



NOTARIAL



NOTARIAL



NOTARIAL



Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

Visit Report

General Information

IMIS ID : MPCB-UNCONSENTED-0000031962

Industry Name : M/s Vasai Virar Municipal Corporation Virar west

Address : STP 30 MLD village Bolinj Vasai virar city municipal corporation , Virar

Pincode : 401303

Category : Red (LSI)

Email :

Phone :

Visit Scheduled On : 22/09/2025

Last date of visit : 22/09/2025

Visited by : Pramod Lone(FO-Thane II)



Visited On

Visited Industry on :22/09/2025

Email Address of Unit :cevvcmc@gmail.com

Telephone Number of Unit :9167259861

Siting Criteria

Siting Criteria : No

Location

Notified Industrial area : No

Detail : NA

Planning Authority : STP plant , VVCMC

Visit For

Visit For : Unconsented

Previous Consent Detail

| Consent UAN No. | Date | Validity | Capital Investment | Verified By |
|-----------------|------|----------|--------------------|-------------|
| NA | | | 0 | NA |

Environment Clearance

Is EC Applicable : No

Production Details

| Product Name | Quantity(As consent) | Unit(As consent) | Quantity(Actual) | Unit(Actual) | Operational Issue |
|--------------|----------------------|------------------|------------------|--------------|-------------------|
| 30 MLD STP | 30 | MLD | 30 | MLD | No : NA |

Waste Water Management

Source of water :
 1) Surface
 Surface Detail : NA
 Authority Permission : Local body

Deviation In:

Water Consumption : No

Detail: NA

Effluent : No

Detail: NA

Sewage : No

Detail: NA

Whether Industrial effluent generated : No**Whether Domestic effluent generated : Yes**

| | | Industrial | | Domestic | Gardening |
|----------------------|----------------|------------|---------|----------|-----------|
| | | Process | Cooling | | |
| Generation in m3/day | As per consent | | | 30 | 0 |
| | Actual | | | 30 | 0 |

Treatment System

| Industrial | Domestic |
|-------------|--|
| Primary : | |
| Secondary : | Sewage Treatment Plant Activated Sludge Process MBBR |
| Tertiary : | |
| Advanced : | |

Domestic Purpose

a) Generation (in CMD) : 30

STP Capacity : 30

b) Disposal :

JVS sample collection (Water)

JVS sample collected for Water : Yes

Source : STP outlet Parameter : Biochemical Oxygen Demand (BOD) 3 days at 27 degree C Prescribed Value :

Previous JVS Records (Water)

| Sr. No. | Unique id | Barcode Number | Sample Type | Sample Subtype | Payment Status | COA Generated |
|---------|--------------------|----------------|-------------|----------------|-----------------|--|
| 1 | MPCB-JVS-030325004 | BR-0091325 | Water | JVS | Payment Pending | YES Link : Download |

Air Pollution Aspect

1) Details of emission : No

| # | Source | Fuel Name | Fuel Quantity | Fuel Unit | Control Equipment Installed | Stack Height(mtrs) | Operational Issue |
|-------------------|--------|-----------|---------------|-----------|-----------------------------|--------------------|-------------------|
| Record not found. | | | | | | | |

2) Differential in existing source of emission : No

JVS sample collection (Air)

JVS sample collected for Air : No

Detail : NA

Previous JVS Records (AIR)

| Sr. No. | Unique id | Barcode Number | Sample Type | Sample Subtype | Payment Status | COA Generated |
|---------|-----------|----------------|-------------|----------------|----------------|---------------|
|---------|-----------|----------------|-------------|----------------|----------------|---------------|

Hazardous Waste Generation

Difference in exiting waste generation : No

Non Hazardous Waste Generation

Difference in exiting waste generation : Yes

| Name of waste | Quantity as per consent | UOM | Treatment | Method of Disposal as per consent | Last Disposal date | Last Disposal quantity | Actual Disposal |
|---------------|-------------------------|--------|-----------|-----------------------------------|--------------------|------------------------|-----------------|
| STP sludge | 3 | MT/Day | NA | Used as manure | 22-09-2025 | 00 | 0.00 |

Any specific Conditions

| | Condition | Compliance |
|-----------------------|-----------------------------|-----------------------|
| Consent | Consent Granted on 8.9.2021 | Partially complied. |
| Directions | SCN issued | Partially complied |
| Environment Clearance | NA | NA |
| Any NGT / Court order | YES | Hon'ble court matter. |

Bank Guarantee

BG Imposed :

Remark

| # | Statutory Submissions | Financial Year | Within Time | Whether any deviation waste generation & disposal (less/more) |
|-------------------|-----------------------|----------------|-------------|--|
| Record not found. | | | | |

Penal Charges

Penal Charges : No

OCMS

Is Mandatory : Not Mandatory

Detail :

Connected to MPCB server : No

Detail : NA



Green Coverage

Green Coverage : Yes

Detail : NA

Any Specific Observation

Any Specific Observation : Bolinj STP 30 MLD. Local Body STP Visit Report Date of Visit: 22.09.2025 Purpose: Compliance verification of consent conditions and review in connection with the Hon'ble Court matter. 1. General Observation During the visit, it was observed that the 30 MLD Sewage Treatment Plant (STP) was in operation. 2. Consent Details • The Maharashtra Pollution Control Board (MPCB) has granted consent under the RED/LSI category vide Consent No. 1.0/CC-UAN No. 0000110737/CR-2109000274, valid up to 31.01.2026, for the operation of the STP located at Bolinj, Virar. • Quantity of Domestic Sewage: 30 MLD, disposal Vaitarani creek . 3. Sewage Generation Details As reported by the VVMC representatives, the STP receives and treats sewage collected from the following areas: • MHADA • Viva • Swarganga • Kharevali • Global City Square • Gopacharpada Square • Vidya Niketan Chowk • Manchel Pada Note: This excludes sewage from Nallasopara, Vasai, and Pelhar areas. 4. STP Technology The Vasai Virar Municipal Corporation (VVMC) has installed a 30 MLD STP based on Moving Bed Biofilm Reactor (MBBR) technology, consisting of the following units: • Settling Chamber • Mechanical Grit Screen • Manual Fine Screen • Grit Separator • Bio Reactor - I & II • MBBR Unit • Clarifier (Clari Flocculator) • Two Decanters (each with a 7.5 HP electric motor) • Chlorine Dosing Tank Observation: During the visit, the STP was found to be in operation. However, the clariflocculator requires replacement, as suspended particulate matter was not settling effectively, resulting in suspended solids being carried over to the outlet tank. Proper operation and maintenance of the clariflocculator is required. 5. Treated Effluent Discharge Despite heavy rainfall prior to sampling, the treated effluent outlet sample was collected for analysis and sealed in the presence of VVMC representatives - Shri.Omkar Patil and Ritika Bhagat. Observation: The treated sewage is being discharged into a nearby kaccha nala, which eventually joins the Vaitarna creek. 6. Non-Compliance with Consent Conditions 1. Bank Guarantee Submission: The local body authority has failed to submit the required Bank Guarantee as per the consent conditions schedule-III. 2. The authority has provided an Online Continuous Monitoring System (OCMS). 3. As per Consent Condition Schedule-III(1), the local body has not submitted the Bank Guarantee of rupees 25.00 Lakhs. Shri. Gaurav Parihar, Junior Engineer, Drainage Department, reported that the sewer pipeline for the 30 MLD STP has been completed up to 84 km. 4. Consent Condition No. 9 - Reuse of Treated Effluent: • Observation: Partially Complied. As per Condition No. 9, treated sewage shall be reused for secondary purposes such as irrigation and industrial cooling. However, VVMC has only partially reused the treated sewage for road cleaning, divider washing, and gardening. 5. Reuse Quantities Reported: • Oct 2024 - 728 m³/M • Nov 2024 - 1,074 m³/M • Dec 2024 - 1,148 m³/M • Jan 2025 - 1,374 m³/M • Feb 2025 - 2,350 m³/M • Apr 2025 - 3,054 m³/M • May 2025 - 4458 m³/M , i.e 4.45 MLD . • Jun 2025 - 3860 m³/M ,i.e 3.86 MLD. • Jul 2025 - 674 m³/M . • Aug 2025 - 122 m³/M . • September 17.2025 - 160 m³/m. (Copy of reuse record from November 2024 to 17th September - 2025 is enclosed.)

Previous legal action detail

| Sr. No. | Legal Action Details | Legal Direction/Notice Details |
|---------|---|--|
| 1 | MPCB-LEGAL_ACTIONS-081124022 Initiated By: Pramod Lone(FO-Thane II) | Show Cause Notice Outward No: MPCB/SCN/2411290001 Issued By: Shri. Kiran N. Hasabnis(RO-Thane) Issued On: 29/11/2024 |

Whether unit complied

Whether unit complied : No



| Sub-Regional Office, Thane-II | | | | | |
|---|----------------|-------------------|-------------------|-------------------|-------------------|
| Analysis Reports of VVCMC STP at Village: Bolinj Virar (W) STP-2 | | | | | |
| | | 26.02.2025 | 30.04.2025 | 27.05.2025 | 22.09.2025 |
| | | Outlet | Outlet | Outlet | Outlet |
| pH | 6.5-9.0 | 7.6 | 7.7 | 7.2 | 7.3 |
| BOD | 10 | 14 | 32 | 55 | 32 |
| COD | 50 | 14 | 116 | 200 | 128 |
| SS | 20 | 37 | 28 | 20 | 45 |
| Ammonical Nitrogen | 5 | 7.55 | 53.6 | 12.96 | 8.66 |

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. |
| "Your Service is Our Duty" | | |

No. MPCB/ROT/PR/ 2510090001

Date: 09/10/2025

To
City Engineer,
Vasai Virar City Municipal Corporation,
STP 30 MLD, Village Bolinj,
Virar (W), Tal. Vasai, Dist. Palghar.



Your Service is Our Duty

Sub: Prosecution Notice under the provision of Water (Prevention & Control of Pollution) Act, 1974.

- Ref:
1. Consent to Operate granted by the Board.
 2. Law Evidence Sample of your STP collected by Board's Officer on Date 27/05/2025.
 3. Prosecution proposal approved by Member Secretary of the Board on 28/08/2025.

WHEREAS, the Maharashtra Pollution Control Board has granted you Consent to Establish and Operate for provision and operation of Sewage Treatment Plant located in your corporation jurisdictions, subject to certain terms & conditions.

AND WHEREAS, it is obligatory on your part to provide and operate adequate and suitable Sewage Treatment Plant to treat the sewage generated in your jurisdiction and to comply with the consent conditions, so as to achieve standards prescribed by the Board in the Consent.

AND WHEREAS, the officials of the Board at Sub Regional Office, Thane-II have inspected to 30 MLD Sewage Treatment Plant located in your Corporation area on 26/02/2025, 30.04.2025 and 22/09/2025 and observed that analysis results of 30 MLD STP plant outlet parameters were not meeting with consented standards. Your 30 MLD STP is needs are not adequate to treat the sewage generated in your jurisdiction, thereby discharging substandard treated effluent into the local nalla, which further meets to Vasai creek and causing water pollution. Board officials also has collected the Law Evidence Samples on 27.05.2025, which reveals that the parameters are exceeding the limit prescribed by the Board in the Consent, details of STP and analysis results of the year 2005 is given below;

| STP Name/ Location | Exceeded Parameter | | | | | |
|-------------------------|--------------------|---------------------|----------------------|----------------------|----------------------|----------------------|
| | Parameters | Consented Standards | 26.02.2025 Outlet | 30.04.2025 Outlet | 27.05.2025 Outlet | 22.09.2025 Outlet |
| Bolinj 30 MLD STP | BOD | 10 | 14 | 32 | 55 | 32 |
| | COD | 50 | 14 | 116 | 200 | 128 |
| | SS | 20 | 37 | 28 | 20 | 45 |
| | Ammonical Nitrogen | 5 | 7.55 | 53.6 | 12.96 | 8.66 |

AND WHEREAS, in view of the above, it has been observed that you have failed to comply with the provisions under the Water (Prevention and Control of Pollution) Act, 1974 and thereby discharging untreated/ under treated effluent into the environment/into nearby nalla meets to Vasai creek and thereby causing water pollution into the environment affecting health of citizens.

AND WHEREAS, you are hereby called upon to show cause as to why prosecution shall not be lodged against your Municipal Corporation and persons who are responsible for day to day affairs of the Municipal Corporations under the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

Your reply to the said prosecution notice shall reach this office within a period of 10 days from the date of receipt of this notice, failing which, appropriate legal action shall be initiated against your Municipal Corporations and the persons who are responsible for day to day affairs of the Municipal Corporations without giving you further opportunity, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board

(Kiran N. Hasabnis)
Regional Officer, MPC Board, Thane

Copy submitted for favor of information to:

1. The Member Secretary, MPCB Board, Sion, Mumbai.
2. The Commissioner, Vasai-Virar City Municipal Corporation, Palghar

Copy submitted to:

1. Joint Director (WPC), MPCB, Mumbai.
2. Assistant Secretary (Tech), MPCB, Mumbai.
3. Law Officer (P&L Divn.), MPCB, Mumbai.

Copy to:

1. Sub-Regional Officer, MPCB, Thane-II – for information and necessary follow up action.