

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PUNE
AT PUNE**

ORIGINAL APPLICATION NO. 68 OF 2021

Vanashakti & Anr

.....APPLICANT

V/S

Municipal Corporation of Greater MumbaiRESPONDENTS

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Mumbai

Date : 10.01.2022



~~21~~
Adv. for the Respondent no.1

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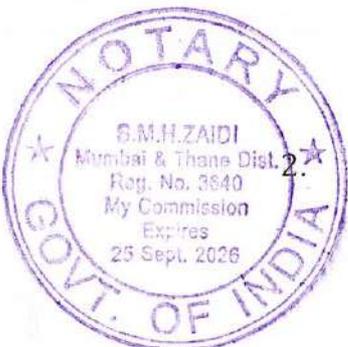
Municipal Corporation of Greater Mumbai.....RESPONDENTS

AFFIDAVIT IN REPLY ON BEHALF OF THE RESPONDENT NO. 1 :-

I, Shri. FakiraKerukshirsagar, Indian Inhabitant, working as Executive Engineer, Water Works (Construction); with Municipal Corporation of Greater Mumbai, having office at 01st Floor, Municipal Water Works Yard, Cama Lane, Ghatkopar (West), Mumbai – 400086,, do hereby state on solemn affirmation as under:-

1. I say that; I have perused the copy of the application and compilation filed by the Applicant and I have also perused the office records. I have made myself conversant with the facts of the case and am able to depose on behalf of the Respondent No.1.

That the MCGM is a Body Corporate duly constituted under the provisions of Mumbai Municipal Corporation Act, 1888



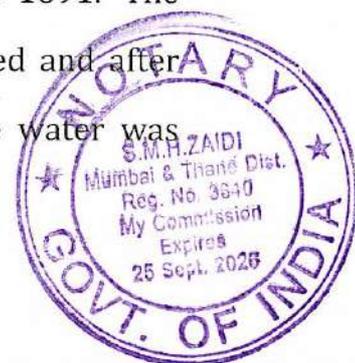
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(hereinafter referred to as the MMC Act, 1888) and is also the Planning Authority under the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the MRTP Act, 1966).

3. I say that the present Affidavit is filed in order to place the correct facts on record and in order to oppose the admission of the Application. For the sake of brevity, I deny each and every contention, averment, submission which is contrary to what is stated herein below and accordingly the said averments, contentions, submissions should not be deemed to have been admitted, by reason of non-traverse.

4. Regarding the paras/ portions of the Application dealing with the need to revive and protect Powai lake from the ingress of sewage and Hyacinth growth :

(a) Powai Lake is an MCGM created, human-made lake, planned as an anti-famine measure for Mumbai City (then Bombay). It was sanctioned by the Standing Committee in November 1889 and built by the Municipal Corporation by 1891. The water in Powai Lake has been severely polluted and after several unsuccessful attempts to purify it, the water was



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finally declared unfit for drinking purposes in 1893. The issues related to the poor quality of water still persist today coupled with excessive silting, sewage ingress and extended hyacinth growth, leading to eutrophication of the lake water. *Hereto annexed and marked as **Exhibit 'A'** is the copy of Affirmation by MCGM that, Powai Lake water is not used for drinking purpose.*

- (a) Powai Lake exists in an urban setting and several structures have been built on the immediate periphery of the lake including IIT hostel blocks, IIT accommodation buildings and canteen, the Renaissance Hotel and Convention Centre, the Lakeside Chalet Mumbai Marriott, and leased properties of HE department. In the present situation, only about 2 km (20% only) out of the 10.2 km circumferential of this public asset i.e. Powai Lake is accessible to the general public. As stated above IIT has made a motorable lake front road along the periphery of the part of Powai Lake adjacent to its property which is not open to public as community space. The IIT, the Renaissance Hotel and other private Lessees have, in the absence of lake front access, virtually monopolized the lake front and in effect prevented proper access to the Powai Lake even to MCGM Staff. Furthermore,



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the existing kuccha pathway along the Renaissance compound wall is being misused by lumpen elements and drug abusers. Due to the lack of a proper pathway access and unlit areas, illegal and anti-social activities are suspected to be carried out along the banks of the lake.

(b) The Public Project of "*Rejuvenation and Reinvigoration of the Physical and Natural Environment of Powai Lake, Mumbai*" is being undertaken by MCGM at Powai Lake to enable a sustainable rejuvenation and reinvigoration of the lake - its water, biodiversity and adjacent physical environment.

(c) MCGM has been putting all efforts to improve Powai Lake and its surrounding for quite a long time. Several measures are being implemented to alleviate the natural environment of Powai Lake and improve the quality of the lake water. One of the major challenges is to increase the dissolved oxygen levels (DO) and reduce the bio-chemical oxygen demand (BOD) for the sustenance of the aquatic life. MCGM has installed a barge mounted sub-surface aerator with two aspirators and intends to further install seven non-invasive, single Jet Floating Aerator type fountains which shall assist in transferring oxygen from the atmosphere into the water through enriched water droplets. These will beautify and



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revive the lake itself. *Hereto annexed and marked as **Exhibit 'B'** The chart of BOD/COD and Do levels in Powai Lake per MCGM-SCADA.*

- (d) MCGM has initiated several interceptors and rerouting measures to prevent sewage ingress into the lake. This Sewage ingress has led to the proliferation of rapidly growing hyacinth, estimated at 290,000 cu mtrs, hindering the survival of aquatic life due to reduced sunlight penetration, and leading to water loss through transpiration. Hyacinth areas are also breeding grounds for mosquitoes and mosquito-related illnesses. Water hyacinth, up to 5% of the water surface, can be tolerated because it purifies water by absorption of sewage. But currently, the hyacinth is occupying more than 20% of the water area, rendering it necessary to remove the hyacinth cover. MCGM has been carrying out regular programs for the removal of hyacinth.
- (e) With the above-mentioned three measures in place i.e. improved aeration to increase dissolved oxygen levels, sewage ingress interception and removal of hyacinth, the quality of water will be substantially improved, and consequently the flora and fauna will be able to survive and thrive, vastly rejuvenating the natural environment of Powai Lake.

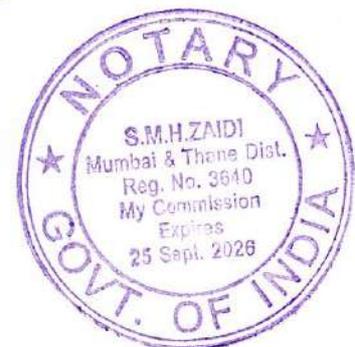


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(f) As the above mentioned environmental projects for water improvement are underway, the lake surrounds need to be remodeled to gain access for maintenance and upkeep, and for the community as a public recreation space. Presently the IIT Mumbai, the Renaissance Hotel and other private Lessees have, in the absence of lake front access being made available, virtually prevented access to the Powai Lake front. Furthermore, the existing kuccha pathway along the Renaissance compound wall is being misused by lumpen elements and drug abusers. The proposed walkway is essential for the proper safeguarding and maintenance of Powai Lake inasmuch as it will enable MCGM's maintenance Department and staff to have ready access to all portions of the lake front. MCGM staff can then take steps to prevent sewage being dumped into the lake either directly by culverts/pies or by joining sewage pipes through storm water drains.

(5) Regarding the proposed walkway and cycle path around the edge of Powai lake :

(a) There is a dearth of community recreation spaces in the eastern suburbs of Greater Mumbai, and there is practically no major community open space in this part of the city. At less than 2 sq.m. per capita, public developed open space is a much sought-after resource in Mumbai. In the suburbs, with over 10 million



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populations, this number falls down even lower, to less than 1 sqm per person. Powai Lake, with its 10.2 km of waterfront, offers an opportunity to create a large community open space for the citizens of Mumbai. The perimeter of the lake is roughly three times the length of Marine Drive and five times that of Worli Sea Face. Powai Lake, after rejuvenation, has the potential of becoming a major community open space. The Respondents submit that by developing the proposed walkway along the periphery of the Powai Lake, the Respondents will create an ecological destination which is accessible to the common citizen/ public.

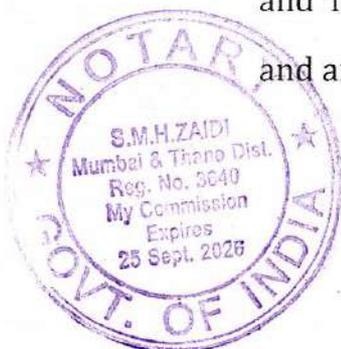
- (b) The Respondents say and submit that the proposed cycle path and walkway closely follows the alignment of the existing motorable lake front road of IIT Mumbai and thereafter the Renaissance Hotel compound wall and pathway. *Hereto Annexed and Marked **Exhibit C** is a Google map view of the entire Powai Lake showing the existing promenade, the portion adjacent to the IIT Mumbai property, the portion adjacent to the Renaissance hotel property and the portion that is adjacent to the MCGM Deer Park and Garden.*

- (c) The proposed walkway will be situated substantially in the Natural Area beyond the perimeter of Powai Lake. Only some limited portions fall in areas which are covered by water during the monsoon season and the few months thereafter. The



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installation of the walkway does not entail any reclamation or construction. As set out hereinafter in order not to impede the flow of water into the lake as also the flow of lake waters during the monsoon months, the walkway is to be developed using gabion technology, which is porous and does not prevent the flow of water. The Gabion Technology consists of placing PVC coated galvanized iron wire mesh baskets in place, containing stones of various sizes, **without any joinery, fixing or cement mortar.** These wire baskets containing stones of diverse sizes are merely placed on the surface, **without there being any foundation, or other means used to fix it to the earth.** On top of the gabion wall there will be a thin layer of cement board/synthetic composite board and macadam/ tar to enable walking/ cycling. There is no dumping of debris into the lake, nor any reclamation in the lake. Gabion technology does not involve any construction or reclamation. In the absence of cement or mortar, the gabion wall is porous and the gaps between the gabion stones allows and does not prevent the flow of water. Gabions also provide refuge for small aquatic life and have the potential of becoming a breeding ground for small and micro aquatic life. The Applicants allegations of reclamation,dumping of boulders and construction in the lake and its immediately surrounding areas are accordingly false and are denied.



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(d) For the development of the walkway, no trees are proposed to be cut. Whenever required the walkway and cycle track will be separated to go around trees. Only seasonal rank vegetation will be removed. The Applicant's allegation of cutting / uprooting of trees are factually incorrect and is denied. A detailed numbering of trees falling in the vicinity of the alignment of the proposed walkway has been carried out for recording purposes and with a view to protecting the trees in - situ. Only trees which have been uprooted due to Cyclone Tauktae and stormy monsoon conditions will be removed after taking due permissions. In the rarest of rare occasions, if felling of a particular tree is absolutely unavoidable, the same will be done only with prior approval of appropriate authority.

(e) The MCGM has constituted an Expert Committee comprising an environmental specialist, environmental scientist, herpetologist, limnologist and a marine biologist to guide the MCGM and oversee the process of making boardwalk using the said Gabion technology. The Committee of Experts comprises the following notable experts



- Dr. Rakesh Kumar, Environmental Scientist, CSIR (Chairperson)
- Dr. Deepak Apte, Environment Specialist and Marinez, (Member)
- Dr. Pramod Salaskar, Environment Specialist on Powai Lake (Member)
- Shri. Kedar Bhide, Herpetologist (Member)

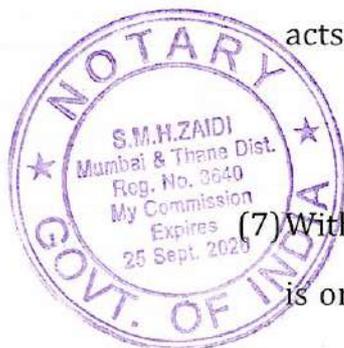
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- IIT Bombay Representative, Prof. D. N. Singh (Member)
- Shri. Hydraulic Engineer, MCGM (Secretary)

The committee has had periodic meetings and is currently guiding the project work.

(f) The MCGM will soon make available an online platform, with the history of Powai Lake, detailing out the proposals which addresses the concerns of the citizens in a Frequently Asked Questions format. The platform will provide an overview of the project. The MCGM is committed to making the process inclusionary in nature and encourages public participation. The MCGM has and will address further concerns and issues, if any, in a diligent manner, as the project, at its core, is for holistic public access to the lake front area.

(6) With reference to para 5 of the Application it is denied that any reclamation and / or construction and/ or cutting of trees and/ or dumping of debris is proposed in Powai lake for the walkway and cycle track as falsely alleged. It is denied that the conservation of Powai lake has been ignored by the 1st Respondent and/ or that its acts violate any of the Acts, Rules or Court orders.

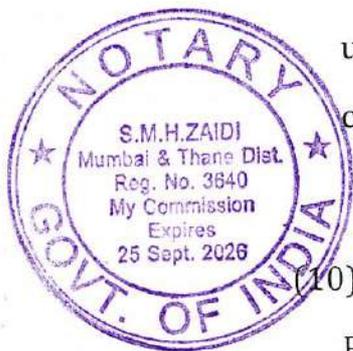


(7) With reference to para 6 of the Application it is denied that Powai is one of the five lakes that provide drinking and potable water to

Mumbai City and suburbs. As stated above Powai water was declared unfit for drinking purposes as far back as 1893.

(8) With reference to para 8 it is denied that the walk way and cycle track involve any "construction" and/ or that the Respondent has dumped any stones, metal wires and construction waste into the lake and/ or that it is cutting any trees in the periphery of the lake and/ or that it is constructing any tar road or concrete structures in and around the wetland area.

(9) With reference to para 15 & 16 it is denied that adjacent to Powai Lake is a dense forest area. As stated above Powai Lake in fact exists in an urban setting and several structures have been built on the immediate periphery of the lake including IIT hostel blocks, IIT accommodation buildings and canteen, the Renaissance Hotel and Convention Centre, the Lakeside Chalet Mumbai Marriott, and leased properties of HE department. As stated above IIT has made a motorable lake front road along the periphery of the part of Powai Lake adjacent to its property which however is not open to use by the public. It is denied that development of a walkway & cycle track will cut off direct interaction of the ecosystem.



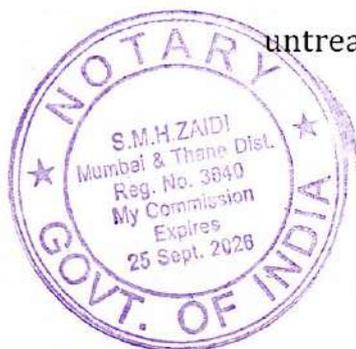
(10) With reference to para 19 to 22 it is reiterated that the Respondent has and will continue to take steps to remove the

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hyacinth growth in Powai lake and that the Respondent has and will continue to take steps to increase the levels of DO in the Powai lake water.

(11) With reference to para 23 it is reiterated that MCGM has initiated several interceptors and rerouting measures to prevent sewage ingress into the lake. However in the absence of a proper access to the entire lake front it is very difficult for municipal staff fully and appropriately deal with the issue of discharge of sewage into Powai lake. The proposed walkway and cycle path will enable Municipal Staff to monitor and prevent the discharge of untreated sewage into the lake.

(12) With reference to paras 36 to 39 it is denied that no steps have been taken to improve the water quality of Powai Lake. In this connection I reiterate what has been stated above. I deny that there has been no progress on the plan to desilt, plant trees and clear the lake of Hyacinths. It is reiterated that having regard to the absence of a proper access to the entire lake front it is very difficult for municipal staff to deal with the issue of removal of garbage and vegetation & prevent discharge of sewage into the lake. The proposed walkway and cycle path will enable Municipal Staff to remove garbage and monitor and prevent the discharge of untreated sewage into the lake.



(13) With reference to paras 49 to 53 and ground/ para 64(E) it denied that the use of Glyphosate to kill the hyacinth, is damaging the environment and/ or that the same is carcinogenic. The respondent submits that Glyphosate is an approved weedicide and widely used to remove the hyacinth. The Respondent has periodically undertaken measures to remove hyacinth from the Powai Lake. *Hereto Annexed and Marked **Exhibit D** is MPCB Letter re Glyphosate.*

(14) With reference to para 54 it is denied that Respondent Nos 1 & 2 have commenced any environmentally damaging activities within the lake boundaries. I deny that development of the walkway and cycle track substantially outside the periphery of the lake constitutes "construction" as falsely alleged. It is denied that there is any reclamation and/or digging, dumping, cutting of trees or concretization or introduction of harsh petroleum materials for a tar road and any dumping of metal or chemical waste in developing the walkway by the Gabion method referred to above. . It is denied that such development of the walkway and cycle path requires any permission from the Honble Courts or the State Wetlands Authority.

(15) With reference to para 55 it is denied that the development of the walkway & cycle track in the method stated above, entails any construction and/ or that it contrary to any law.

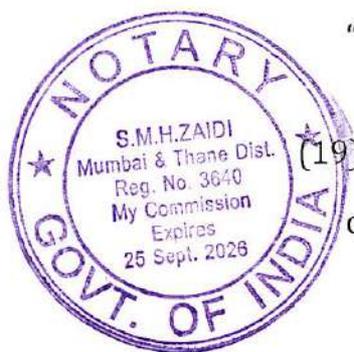


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(16) With reference to para 61 and para / Ground 64(B)(ii) it is denied that development of the walkway and cycle path by the Gabion Method detailed above, entails any reclamation or construction and/or it is in violation of any orders or the Wetland Rules.

(17) With reference to para/ Ground 64(D) (i) it is denied that the Respondents 1 & 2 have violated any principles of environmental jurisprudence and/ or that they have been negligent and /or that they have erected any illegal structures or failed to take necessary measures for protection and restoration of the Lake. It is reiterated that having regard to the absence of a proper access to the entire lake front it is very difficult for municipal staff to deal with the issue of removal of garbage and vegetation & prevent discharge of sewage into the lake. The proposed walkway and cycle path will enable Municipal Staff to remove garbage and monitor and prevent the discharge of untreated sewage into the lake.

(18) With reference to para / Ground 64(F) it is denied that development of the walkway and cycle path on the periphery of the lake by the Aforesaid Gabion Method/ technology is an "Invasive construction" as falsely alleged and/ or that it would cut off direct interaction of the ecosystem. I deny that any "construction" is to be done within the lake boundary.



(19) With reference to para 67 I deny that any "construction" is ongoing and / or that any damage has been caused to the lake.

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(20) I submit that the Applicants are not entitled to any of the reliefs/ orders sought for.

Solemnly Affirmed at Mumbai

This day of January, 2022

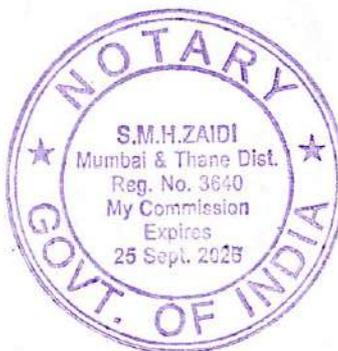


Respondent No.1

Advocate for Respondent

Drafted by Joel Carlos Adv

Draft settled by AspiChinoy Sr. Adv



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VERIFICATION

I, Shri. Fakira Keru Kshirsagar, Indian Inhabitant, working as Executive Engineer, Water Works (Construction); with Municipal Corporation of Greater Mumbai, having office at 01st Floor, Municipal Water Works Yard, Cama Lane, Ghatkopar (West), Mumbai - 400086, the deponent herein state that whatever stated in the present affidavit is true and correct and is as per the office records.

Fakira Keru Kshirsagar

Identified by me

Deponent

Advocate for Respondent

[Signature]

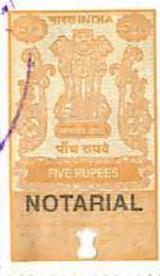
Solemnly affirmed at Mumbai,

Dated this _____ day of January, 2022



BEFORE ME
[Signature]
S. M. H. ZAIDI
NOTARY
Mumbai & Thane Dist.
10/1/22

10 JAN 2022
NOTED & REGISTERED
Sr. No. 929 Page No. 65
Book No. 2 Date 10 JAN 2022



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PUNE
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Mumbai

Date : 10.01.2022

Adv. for the Respondent no.1



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अजोय मेहता

महानगरपालिका आयुक्त



वृहन्मुंबई महानगरपालिका

क्रमांक : एमजीआर/१८२८

दिनांक : १५.०४.२०१५

विषय:- पर्यावरण विभागाच्या वेटलॅन्ड बाबतच्या Brief Document मध्ये पवई तलावाच्या समावेशाच्या अनुषंगाने अभिप्राय देण्याबाबत.

संदर्भ- युओआर-२०१७/सं.क्र.२३/नवि-२१ Dt. ३१.०३.२०१७

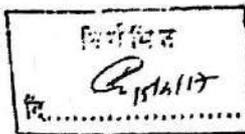
प्रिय श्रीम. म्हैसकर,

पवई तलाव हा मुंबई शहराच्या पूर्व उपनगरातील आदि शंकराचार्य मार्गालगत असलेला निसर्ग सुंदर तलाव आहे. सदर तलाव हा १८९० साली बांधण्यात आला असून तलावाचे एकूण क्षेत्रफळ (तलाव पूर्ण भरलेला असताना) २.२३ चौ.कि.मी. आहे. सदर तलावाचे पाणी अपेय जल असून हे आरे कॉलनीस १० दशलक्ष प्रतिदिन पशुपालनासाठी व ०.३ दशलक्ष प्रतिदिन एल. ऍन्ड. टी. कंपनीस औद्योगिक वापरासाठी पुरविले जात असल्यामुळे सदर तलाव पाणथळ क्षेत्रात (wetland) घोषित करणे संयुक्तिक वाटत नाही.

आपला स्नेहांकित.

A. J. Mehta
(अजोय मेहता)

श्रीम. मनिषा म्हैसकर
सचिव -२, नगर विकास विभाग,
महाराष्ट्र शासन, मंत्रालय,
मुंबई - ४०० ०३२.



P. Velrasu
I.A.S.
Addl. Municipal Commissioner
(Projects)



Annex Building, 2nd Floor,
Municipal Head Office,
Mahapalika Marg, Fort,
Mumbai - 400 001.
Tel. : + 91-22-2262 3004
Fax : + 91-22-2262 3325
E-mail : amc.projects@mcgm.gov.in

AMC/PI 6396

Date - 16-11-2021

Sub : Proposing Powai Lake as Wetland in brief document.

Dear Madam,

I am writing to you with respect to the proposal sent by your office dtd.21.1.2020, proposing Powai Lake as a Wetland, wherein it is said to be a natural lake which is factually incorrect. (Refer Annex 1)

You may kindly note that Powai Lake is an artificial water reservoir, built by the MCGM from 1889 to 1891 as an anti-famine measure for the then Bombay City. Shortly after, the water of the lake was found to be polluted and despite several measures, was declared unfit for drinking in 1893.

It has been clearly mentioned in the letter dtd. 15/04/2017, written by then Hon. MC to PS, Urban Development, wherein it has been suggested that it would not be appropriate to recommend Powai Lake as a wetland. (Refer Annex 2).

Therefore, you may kindly review the proposal submitted by your office, as Powai is not a natural lake and provides water for cattle sheds and industrial purposes.

Kindly resubmit the corrected proposal on urgent priority.

P. Velrasu
(P. VELRASU)
Addl. Municipal Commissioner (Projects)
16/11/2021

To
Smt. Nidhi Choudhari
Collector,
Mumbai Suburban District,
New Administrative Bldg., Kalanagar,
Bandra (East), Mumbai - 400 051



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Dissolved Oxygen Levels Healthy water should generally have **dissolved oxygen concentrations** above **6.5-8mg/L** and between about 80-120%.

Dissolved Oxygen Levels for Powai

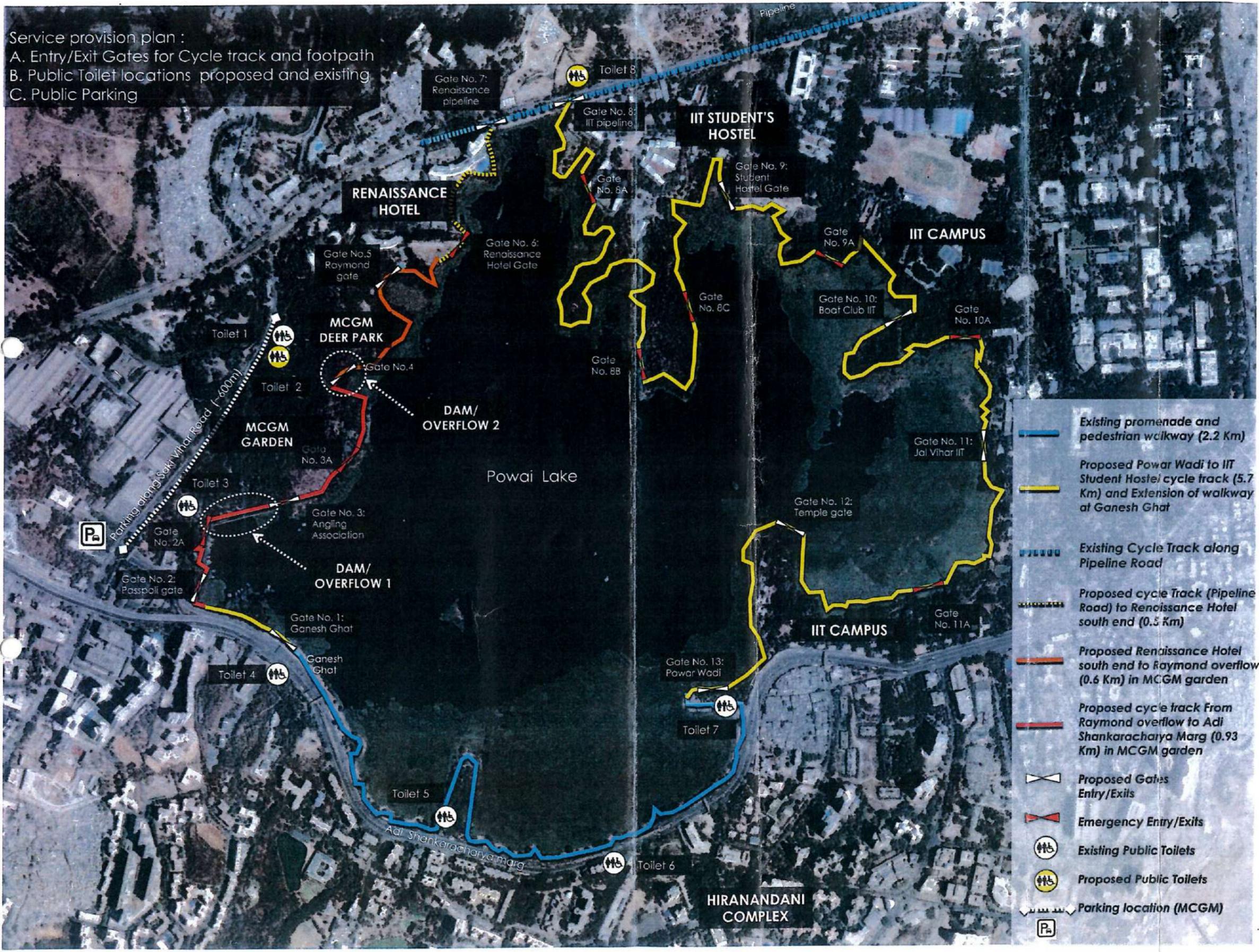
Source:WSP

Source:<https://www.sciencedirect.com>

Station number	Dissolved Oxygen Levels(mg/L)
Station1	5.95
Station2	3.43
Station3	5.78
Station4	8.79
Station5	5.92
Station6	5.33



Service provision plan :
 A. Entry/Exit Gates for Cycle track and footpath
 B. Public Toilet locations proposed and existing
 C. Public Parking



I

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701		Kalpataru Point, 2nd - 4th Floor
Fax: 24024068 / 24023515		Opp. Cine Planet Cinema,
Website: http://mpcb.gov.in		Near Sion Circle, Sion (E)
E-mail: ast@mpcb.gov.in		Mumbai-400 022.

No. BO/MPCB/AS(T)/CD/B- 211102/TJS0067 Date: 02/10/2021

To,

The Assistant Municipal Commissioner
S Ward, Municipal Office Building,
Near Magatram Petrol Pump,
LBS Marg, Bhandup (W) Mumbai- 400 078

Sub:- Directions U/s 33 (A) of Water (Prevention & Control Pollution) Act, 1974, u/s 31A of the Air (Prevention & Control Pollution) Act, 1981 r.w. Hazardous & Other Waste (Management and Transboundary Movement) Rules, 2016

Ref:

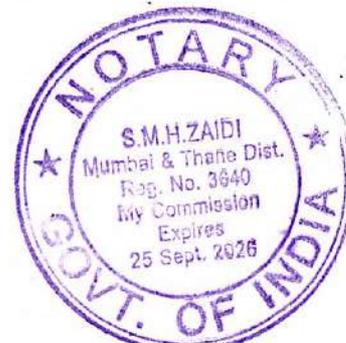
1. Compliant raised regarding spraying of Glyphosate on Powai Lake
2. Board Official visited dated 15/9/2021
3. Board's letter dated 16/9/2021
4. Personal Hearing extended to MCGM Officials
5. Various research papers/literature reviews.

WHEREAS, MCGM has allotted work for removal of water hyacinth from Powai Lake on 02/09/2021 to M/s. Saguna Rural foundation by using Saguna Jal Sanwadhan [SJS] Technique for 10 Acres on trial basis. SJS utilizes Glyphosate along with emulsifier was sprayed on water hyacinth by use of drone during the period from 3rd to 8th September 2021 as part of the treatment followed by manual removal of dead hyacinth and final disposal off to dumping site.

AND WHEREAS, this office was in receipt of compliant on 14/09/2021 regarding impact of spraying Glyphosate herbicide for destruction of water hyacinth on ecosystem at Powai Lake. Accordingly, Board officials visited to Powai Lake site on 15/09/2021.

AND WHEREAS, information regarding judicious-use of herbicide was called upon & personal hearing was extended therein, MCGM officials submitted that Out of total 557 Acres, 2 % area was designated for the above pilot project on trial basis wherein Glyphosate sprayed only 1.5liters per Acre of hyacinth area by adding water in the proportion of 1:100 along with emulsifier. Additionally, one lakh fish fingerlings were released on 08/09/2021.

AND WHEREAS, MPCB further instructed MCGM to carryout root cause analysis about growth of water hyacinth in Powai lake & take precautionary measures including restriction of sewage intrusion in the lake and submit time bound action plan. And also, to carryout water & sediment sampling at Pilot study area in question and submit study report indicating impact of Glyphosate herbicide on lake water and its aquatic life.



AND WHEREAS, MCGM collected water samples before & after the trial project. Additionally, MPCB also collected sample post trial runs. As per analysis report of Powai Lake at different locations, Glyphosate content was not detected neither in MCGM nor in MPCB analysis.

AND WHEREAS, Board subsequently approached M/s. Aurangabad Municipal Corporation & asked about the experience of water Hyacinth removal by using Jal Sanwadhan Technique from Dr. Salim Ali Lake. M/s. Aurangabad Municipal Corporation reported removal of water hyacinth from the 10 Acres of Dr. Salim Ali Lake in April 2019 & that there is no further growth of water hyacinth observed till date since then. It was also reported that post removal of water hyacinth there is an increase in fish population

AND WHEREAS, MPCB officials further visited Powai Lake after one month of spraying of Glyphosate & observed that water hyacinth plants in the area of application of the herbicide were found to be dried & other weeds were green & alive. Fishermen also informed that there was no fish mortality incidence in last month at Powai Lake.

AND WHEREAS, personal hearing was extended to MCGM Officials on dtd., 20/09/2021 and during the personal hearing MCGM has submitted literature/research papers which shows that the application & impact of use of Glyphosate for destruction of water hyacinth across the globe revealing that there are no identifiable impacts of this herbicide on freshwater ecosystem including flora & fauna assessed through long term studies. Also, data gathered from Powai lake regarding water & sediment post trial runs showed that Glyphosate concentration is Below Detection Levels.

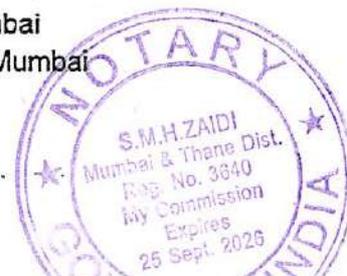
NOW THEREFORE, considering the submission made by the MCGM during hearing extended & the material facts, water & sediment analysis reports, literature review & similar type of study, your request is considered & you are allowed to use Glyphosate for destruction of water hyacinth in Powai Lake subject to following conditions,

1. MCGM shall take necessary precautionary measures to avoid ingress of treated/untreated sewage into Powai lake & same shall be diverted to available MCGM's STPs.
2. Appropriate measures to be taken for further work of implementation of the herbicide in suitable concentrations which are safe for ecosystem.
3. Disposal of dead water hyacinth shall be done in scientific manner such as composting, controlled incineration and or other scientific and environmentally friendly disposal methods.
4. Bioaccumulation studies in both aquatic freshwater flora & fauna to be carried out.
5. Monthly report to be submitted to the Board office including quantity of Glyphosate & emulsifier applied, analysis reports of water & sediments, disposal quantities & project completion report.


(J.S. Hajare)
Regional Officer, Mumbai

Copy Submitted to:

1. The Member Secretary, MPC Board Mumbai
2. The Asst. Secretary (Tech), MPC Board Mumbai



**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL, PUNE,
AT PUNE**

Original Application No.68 of 2021

Vanashakti & Anr.

.... Applicant

V/s

Municipal Corporation of
Greater Mumbai & Ors.

.... Respondents

**AFFIDAVIT-IN-REPLY ON BEHALF
OF RESPONDENT NO.1 i.e. MCGM**



Shri S.K. Sonawane & Ors.
Advocate for Respondents
Legal Department, Municipal Corpn.
Of Greater Mumbai, Mahapalika
Marg, Fort, Mumbai - 400 001.