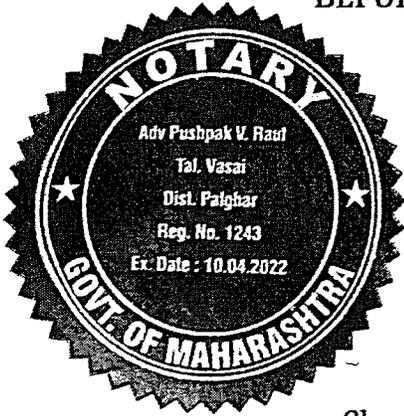


BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT PUNE

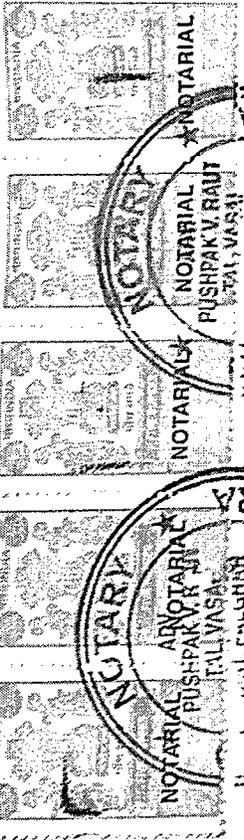


Original Application 32/2021

Charan Ravindra Bhatt

...Applicant

Versus



Virar City Municipal Corporation & Anr

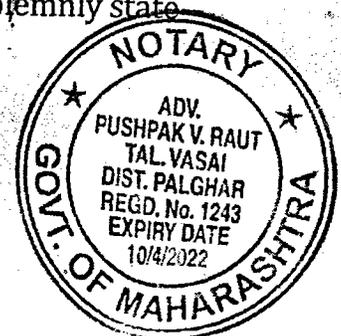
...Respondents

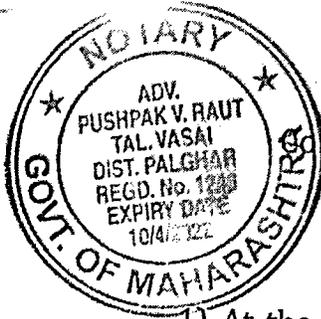
PRELIMINARY REPLY ON BEHALF OF THE RESPONDENT

NO 1 IS AS UNDER

Mr. Gangatharan D major of age, having office at VVCMC Head Quarters opposite Virar Police Station, bazar ward Virar (East) 401305, the Municipal Commissioner in the Respondent no 1 Municipal Corporation herein after referred to as the "Answering Respondent" do hereby solemnly state and affirm as under.

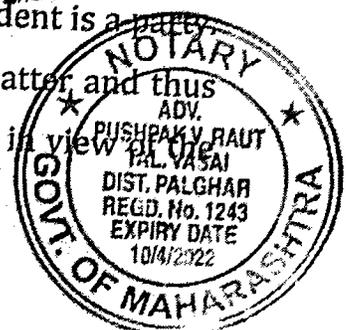
SERIAL No.	0	8	0	7
DATE:	03	12	2021	

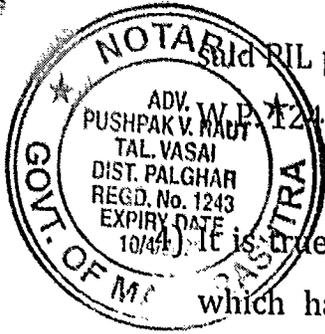




I say that I am the Commissioner In the Respondent No 1 Corporation and hence I am competent to swear this Affidavit.

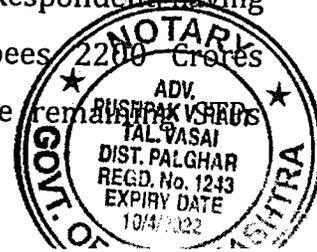
- 1) At the outset the answering Respondent states that the contents of the entire Original Application are denied save to the extent to which it is specifically admitted, nothing herein may be deemed to be admitted for lack of a specific traverse. The Answering Respondent is submitting its preliminary reply, and reserves the right to file a detailed reply.
- 2) I say that the contents of the Original Application are vague and multifarious and is in the nature of a fishing enquiry, without any proof of the allegations made in the said Application, the Applicant be put to strict proof of the allegations baldly made by him in the instant Original Application. The answering Respondent states that the present Original Application is barred by Limitation, in as much as the Applicant has not even pleaded as to when the Cause of Action first arose.
- 3) At the further outset the Answering Respondent states that the issue with respect to treatment of sewerage water is already pending before the Hon'ble High Court of Bombay in the matter PIL W.P. No 124/2019 Mr Anil Kumar Pillai versus State of Maharashtra & Ors in which the Answering Respondent is a party. The Hon'ble High Court is in *Seisen* of the above matter and thus this Hon'ble Tribunal may pass appropriate orders in view of the

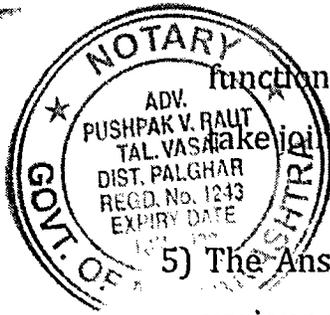




... pending before the Hon'ble High Court. A copy of the PIL
 ... 124/2019 is hereto annexed and marked as Annexure R1-1.

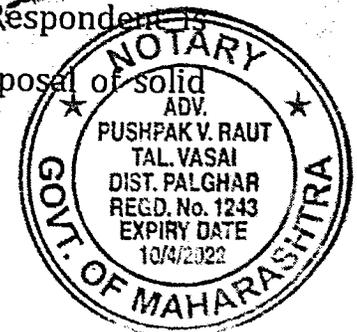
It is true to say that currently only 1 STP is functional at Bolinj which has a capacity of 30 MLD and there is a proposal to establish 6 STP's with a total capacity of 198.50. The Answering Respondent further states that, the scheme of under Ground Sewerage system for the entire Vasai Virar City Municipal Corporation's grants in aid had totaled to an amount of rupees 557. 68 Crores out of which the Central Government through its Central Public Health & Environmental Engineering Organization CPHEEO Department had approved an amount of Rupees 11.6517 crores for the STP in Virar, in its meeting held on 18.08.2011 whereby which the funding pattern was in the ratio of 80% 10% & 10% by the Central Government, State Government and the Local Body respectively. However only an amount of Rupees 66.22 crores was approved. The Answering Respondent had also written a letter dated 23.12.2011 to the Central government in this regard for the release of further funds. Letter dated 23.12.2011 is hereto annexed and marked as Annexure R1-2. Further the Central Government had released funds on 22.05.2014. communication dated 22.5.2014 id hereto annexed and marked as Annexure R1-3. The Answering respondent further states that the said STP could be made functional only in 2017 after a lot of efforts from the Answering Respondent, having to use its own funding. A total of Rupees 2200 Crores approximately is required for making all the remain

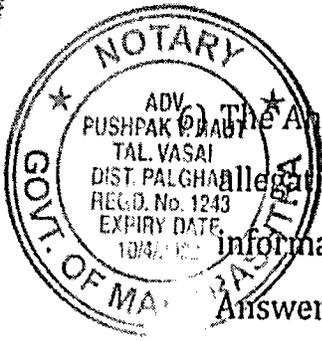




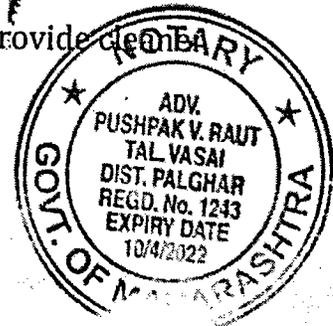
functional for which the Central and State Governments have to make joint efforts.

5) The Answering Respondent further states that they have taken various measures for effective disposal of Solid waste. The entire area of the Corporation has been divided into 20 zones for the purpose of effective collection of MSW. There are a total of 219 tricycles for the purpose of collection of garbage. Some of the garbage is collected through tippers which are 120 in number handcarts which are 208 in number. The Answering Respondent also has 2 mechanized sweeping machines. And There are a total of 25,000 waste bins having a capacity of 240Litres each for the purpose of collection of waste. There are a total of 65 compactors and 45 dumpersfor the purpose of transportation from the primary source to the Treatment Plant. The answering Respondent further states that there are a total of 20 tractors deployed for the purpose of collection and disposal of green waste i.e tree barks, leaves etc. Thus the Answering Respondent ensures and provides the service of door to door collection of solid waste, and has deployed safai karmacharis to that effect.A total of about 600 Tons of garbage is generated within the limits of the Answering Respondent every day, theSolid waste is then taken to the Gokhivare Plant for windrow processing, two segregating trammel machines of 300 TPD each are processing daily waste and are fully operational. Thus the Answering Respondent is taking all measures for effective collection and disposal of solid waste.





The Answering Respondent further states that, with respect to the allegation that the Answering Respondent furnished false information in its letter dated 22.11.2017 is denied, the Answering Respondent states that since there were no successful bidders, and the Answering Respondent had received only 1 bid for the same and could not go ahead with the task of design, installation and supply of Air Quality Monitoring System. The Answering Respondent further states that, the Respondent No2 Maharashtra Pollution Control Board has already installed one Air Quality Monitoring system at Navghar (West) and another installation work is underway near Bolinj. The Answering Respondent further states that it has taken various methods for curbing of air pollution by installation of LPG Crematoriums for a pollution less cremation of bodies. There are 2 Mechanized sweeping machines which operate throughout the day for curbing dust pollution. The Answering Respondent is in the process of adopting the 'Miyawaki method' of urban afforestation, for bringing down air pollution and increasing oxygen levels in the vicinity. Respondent and has kept a target of plying 14 Electric Busses which is proposed to be increased to 65 by the year 2025. The Answering Respondent has further initiated the work of installing 31 Air Purifying machines and installing mist water fountains at 14 locations to curb air pollution, to provide clean



air in areas that are crowded and prone to air pollution. Thus the Answering Respondent has initiated the work of containing air pollution in the near future and is making all sincere efforts in that endeavor.

The Answering Respondent further states that the Original Applicant has raised multiple cause of action, contrary to the provisions of rule 14 of the National Green Tribunal Rules 2011, thus the instant Original Application is not maintainable and is liable to be dismissed.

Vasai / Virar

Dated 03.12.2021

J. Shal.

Advocate for Respondent No 1

Ribuff

Respondent No 1

Verification

I Mr. Gangatharan D major of age, having office at VVCMC Head Quarters opposite Virar Police Station, bazar ward Virar (East) 401305 hereby verify the contents of Paragraphs 3,4,5,6 are true to my own knowledge and the contents of Paragraphs 1,2,& 7 are in the nature of legal submissions which I believe to be true and no material has been suppressed herewith.

Place

Vasai /Virar

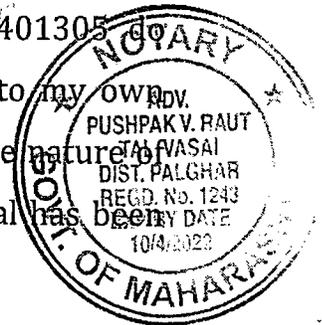
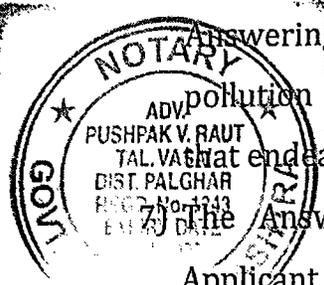
Date 03.12.2021

Ribuff
Respondent No 1

BEFORE ME

P. Vasudeo Raut

PUSHPAK VASUDEO RAUT
ADVOCATE & NOTARY
215, 2ND FLOOR, GOKUL PLAZA,
VEER SAVARKAR MARG, VIRAR (E),
TAL. VASAI, DIST. PALGHAR,
PIN - 401 305. MOB: 9980332999



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

[RULE 4(e) OF THE BOMBAY HIGH COURT PUBLIC INTEREST
LITIGATION RULES, 2010]

(56) 10269
PUBLIC INTREST LITIGATION NO. OF 2019

DISTRICT: PALGHAR

Anil Kumar Pillal

- Petitioner

Versus

State of Maharashtra and Ors.

- Respondents

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Place: Mumbai
Date: 26/03/2019


(Pravatkar S. Pathak)
Advocate for the Petitioner

A 321
321

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**[RULE 4(e) OF THE BOMBAY HIGH COURT PUBLIC INTEREST
LITIGATION RULES, 2010]**

PUBLIC INTEREST LITIGATION NO. OF 2019

DISTRICT: PALGHAR

Anil Kumar Pillai - Petitioner

Versus

State of Maharashtra and Ors. - Respondents

SYNOPSIS

Sr. No.	Date	Particulars
1	25/04/2017	The petitioner approached the Corporation raising grievances about the several unauthorized occupations in buildings constructed by various builders and developers by way of representation but till date no action has been taken.
2	19/09/2018	It has been reflected in the said minutes that there are about 5-6 STPs are proposed. However, till date, except the STP at Bolinj, having capacity of 30 MLD, no such STP has been erected by the respondent Corporation
3	24/09/2018	The Petitioner addressed a letter to the Respondent No.4 by pointing out that Respondent Corporation failed to provide Sewage Water Treatment Plant and also requested to take appropriate steps as to provide SWTP within the limits of Virar-Vasai Municipal Corporation through his representation.
4	23/9/2018	Since there was no response the Petitioner approach to the Respondent No.4 by its Representation dated 23/9/2018 and requested to take strict action against Respondent No.2 Corporation.
5	30/10/2018	The Petitioner also approached the Regional Officer of Maharashtra Pollution Control Board and thereby requested to take strict action and to setup Committee to visit construction site and issue the stop/closure notices or deemed action as per the Provisions Act
6	22/11/2018	The Petitioner filed by an Application under R.T.I. Act dated 22/11/2018 and thereby requested for the information in respect of Representation as there was no response from the Respondent No.3 &2.
7	13/12/2018	The Petitioner made one more Representation dated and pointed out the growing concern in respect Evershine City, which is partly developed by the Evershine builder.
8	26/12/2018	The Respondent No.3 replied to the said R.T.I. Application and informed that the office of

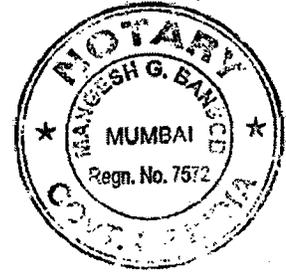
		Respondent No.3 have started investigation in respect of the complaints.
9	24/12/2018	They also informed that the Regional Officer by its letter dated 24/12/2018 proposed an action against M/s.Navkar Estate Pvt. Ltd
10	28/02/2019	The petitioner has given its notice cum representation dated 28 th February, 2019 to the learned Commissioner and thereby requested to take prompt steps to provide adequate STPs within the limits of the Corporation.
11	02/03/2019	The petitioner approached the Maharashtra Pollution Control Board and obtained the analysis of the sample which clearly shows that the discharge is consist of pollutant in much higher levels as compared to their permissible limits.
12	06/03/2019	The Respondent No.3 had issued a Show-Cause Notice to the respondent Corporation
		Hence this Petition

Ground to be urged:
As per the petition

Act to be referred:
1. Constitution of India, 1950
2. the Maharashtra Municipal Corporation Act, 1949

Authority at Present: Nil
Place: Mumbai
Date: 26/03/2019


(Pravartak S. Pathak)
Advocate for the Petitioner



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**[RULE 4(e) OF THE BOMBAY HIGH COURT PUBLIC
INTEREST LITIGATION RULES, 2010]**

PUBLIC INTEREST LITIGATION NO. OF 2019

DISTRICT: PALGHAR

Anil Kumar Pillai
Age:48, Occupation: Service,
Residing at -
C/302, Evershine Classique CHS,
Near Evershine Medical,
Evershine City, Vasai East,
Taluka Vasai, District Palghar 401 208 .. Petitioner

Versus.

1. State of Maharashtra
Through its Principal Secretary,
Urban Development Department
Mantralay, Mumbai
2. Virar Vasai Municipal Corporation,
Through Commissioner
Vasai Virar Shahr Mahanagarpalika,
Vasai (W), District Palghar
3. Maharashtra Pollution Control Board,
Kalpataru Point, 3rd & 4th Floor,
Road No.8, Opp. PVR Cinema,
Sion Circle, Mumbai, 400 022
4. Secretary,
Environment Department,
Mantralaya, Mumbai



.. Respondents

TO,

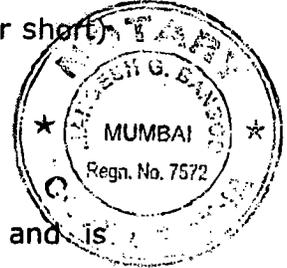
**THE HON'BLE THE CHIEF JUSTICE AND OTHER
JUDGES OF THE HON'BLE HIGH COURT
OF JUDICATURE AT BOMBAY**

**HUMBLE PETITION OF THE
PETITIONER ABOVENAMED**

MOST RESPECTFULLY SHEWETH :

**I) PARTICULARS OF THE CAUSE/ORDER AGAINST WHICH
THE PETITION IS MADE:**

- (1) The Petitioner states that the petitioner is approaching to this Hon'ble High Court being aggrieved by the non-fulfilment of the statutory duty of the respondent no.2 Corporation to provide adequate Sewerage Treatment Plant ("STP" for short) within the limits of Municipal Corporation.



II) PARTICULARS OF THE PETITIONERS:

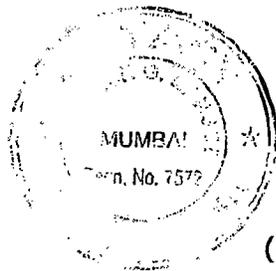
- (1) The petitioner is the citizen of India and is entitled to the fundamental rights guaranteed under the Constitution of India.
- (2) The petitioner states that the present petitioner is a social activists and Co-convener of South Indian Cell, BJP Maharashtra Pradesh residing within the limits of Vasai Virar Municipal Corporation at the address mentioned in title.
- (3) The petitioner has no any criminal antecedents nor any criminal complaint is filed against the petitioner. In short, the present petitioner is very strong positive background and respectable person within the limits of Vasai Virar Municipal Corporation.

III) PARTICULARS OF THE RESPONDENTS:

- (1) The respondent no.1 & 4 is the State of Maharashtra.
- (2) The respondent no.2 is the Vasai Virar Municipal Corporation, a statutory body constituted under the Maharashtra Municipal Corporation Act.
- (3) The Respondent No.3 is the Maharashtra Pollution Control Board, a statutory body constituted under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
- (4) The Petitioner states that that the Respondents are State within the meaning of Art. 12 of the Constitution of India.

IV) DECLARATION AND UNDERSTANDING OF THE PETITIONERS:

- (1) That the present Petition is being filed by way of Public Interest Litigation and the petitioners do not have any personal interest in the matter. The Petition is filed in the interest of public at large. Thus, the interest of public at large is involved in the present case.
- (2) That the entire litigation costs, including the advocate's fee and other charges are being borne by the petitioner.
- (3) That a thorough research has been conducted through information obtained under the Right to Information Act, 2005 in the matter filed before this Hon'ble Court through the present Petition. Such revealing information is annexed with the Petition as hereinafter referred.
- (4) That to the best of petitioners' knowledge and research, the issues raised were not dealt with or decided and that a similar or identical petition was not filed earlier by it.
- (5) That, the petitioners have understood that during the course of this Petition the Court may require any security to be furnished towards costs or any other charges and the petitioners shall have to comply with such requirements.

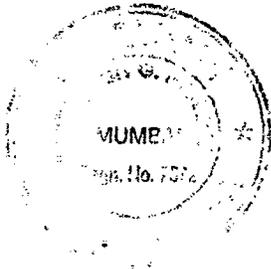


V) FACTS IN BRIEF:

- (1) The Petitioner states that, the Petitioner being resident of the Vasai City is interested in the overall development of the Vasai Virar City and keeping his eye on the level of pollution of the Sea Shore and creek area.
- (2) The petitioner states that the petitioner initially approached the Corporation raising grievances about the several unauthorized occupations in buildings

constructed by various builders and developers without obtaining necessary Occupation Certificates and thereby requested to take appropriate action by way of representation dated 25th April, 2017. At this juncture, the petitioner submits that till date no action has been taken by the respondent no.2 Corporation against such builders and developers who failed to obtain Occupation Certificates from the Corporation and in absence of Occupation Certificate, the possessions are already delivered to the concerned flat / residential / house purchasers within the limits of respondent Corporation. A copy of the representation dated 25th April, 2017 is annexed herewith and marked as **Exhibit - A.**

- (3) The petitioner states that in absence of Occupation Certificate, many builders and developers have not provided basic amenities with respect to proper discharge of sewerage water. In absence of Occupation Certificate, there is no consent to operate regarding STP at several places within the limits of respondent Corporation specifically to projects wherein the area is more than 20,000 sq. meters and, therefore, sewerage water coming from several buildings within the limits of the Corporation is flowing to sea water without any treatment, causing high level of pollution within the sea shore and creek area. Therefore, the present Petitioner addressed a letter dated 24/09/2018 to the Respondent No.4 by pointing out that Respondent Corporation failed to provide Sewage Water Treatment Plant which is mandatory under Section 177 and 178 of the Maharashtra Municipal Corporation Act 1949. The present Petitioner requested to take appropriate steps as to provide Sewage Water Treatment Plant within the limits of Virar-Vasai Municipal Corporation through his representation. The copy of the Communication dated



24/09/2018 is annexed herewith and marked as **Exhibit - B.**

(4) The Petitioner states that the present Petitioner also approached by the Representation dated 30/09/2018 to the Regional Officer of Maharashtra Pollution Control Board and thereby requested to take strict action against the persons who have failed to establish / operate Sewage Treatment Plant under the Water (Prevention & Control of Pollution) Act, 1974 as well as under Rule 5 of Hazardous Waste Rules, 2016. Further it is also pointed out there is no provisions of Sewage Water Treatment Plant herein after to refer as S.T.P. for the sake of brevity and as a result of in absence of S.T.P. generated within the city does not get water discharged by polluting of sea water and therefore requested to setup an Committee to visit construction site and issue the stop/closure notices or deemed action as per the Provisions Act. The copy of the Representation dated 30/9/2018 is annexed herewith and marked as **Exhibit - C.**

(5) The Petitioner states that in absence of any response from the Respondent Maharashtra Pollution Control Board as well as on behalf of the Respondent Corporation; the Petitioner again constrained to approach to the Respondent No.4 by its Representation dated 23/10/2018 and thereby pointed out the status of S.T.P. in Vasai-Virar Municipal areas wherein only one S.T.P. is in existence and apart from that there are near about 4 to 5, S.T.P.'s proposed in different locality. However, due to scarcity of funds the Corporation is unable to build the required S.T.P. for the limits of Respondent Corporation. The Petitioner also pointed out that in Housing Complex which is more than 20,000 Sq.m. it is mandatory to have S.T.P. in such Housing Complex. However, those S.T.P.'s are not maintained by those Housing Complex

apart from the said project of Global City, Virar no other S.T.P. constructed which commissioned by any developer. Further it was also pointed out that many Residential Projects are less than 20,000 sq.m. and therefore those projects are within the ambit of Respondent No.2 i.e. Municipal Corporation which is utterly failed to provide S.T.P. This has been resulted into environment pollution and degradation of marine life and its biodiversity. The Petitioner also pointed out to the Respondent No.3 that the Respondent No.3 is responsible for the Control of Pollution and having overall authority over the Municipal Corporation which is responsible for erection and maintenance of S.T.P.'s. The Respondent Corporation also granted construction permission and commencement certificates to the various new projects without having adequate provisions for the requisite S.T.P's and therefore requested to take strict action against Respondent No.2 Corporation. The copy of the Representation dated 23/10/2018 is annexed herewith and marked as **Exhibit - D.**



- (6) The Petitioner states that since there was no reply or response by the Respondent No.3 including Respondent No.2 in respect of Representations made by the present Petitioner. Therefore, the Petitioner filed by an Application under R.T.I. Act dated 22/11/2018 and thereby requested for the information in respect of Representation of the Present Petitioner. The copy of the R.T.I. dated 22/11/2018 is annexed herewith and marked as **Exhibit - E.**
- (7) The Petitioner states that the Respondent No.3 replied to the said R.T.I. Application dated 22/11/2018 by its response dated 26/12/2018 and thereby informed to the Petitioner that the office of Respondent No.3 have started investigation in respect of the complaints of present Petitioner and further

informed that the Regional Officer by its letter dated 24/12/2018 proposed an action against M/s.Navkar Estate Pvt. Ltd. The copy of the response of Respondent No.3 dated 26/12/2018 is annexed herewith and marked as **Exhibit - F.**

- (8) The Petitioner states that in the meantime the present Petitioner made one more Representation dated 13/12/2018 and thereby pointed out that one of the projects known as Evershine City, which is partly developed by the Evershine Builders wherein development is still going on; on the basis of Commencement Certificate issued on 06.09/1991 in favour of one Mr. R.K.Wadhwan, which has been time to time amended and small-small projects have been developed by the various developers on the basis of Commencement Certificate issued on 06/09/1991. It is also pointed out if the entire construction on the basis of one single Commencement Certificate issued by CIDCO and subsequently amended by Respondent No.2 Corporation which is more than 20,000 sq.m. in total and considering one Commencement Certificate the entire project has to be develop as per the Commencement Certificate granted in the year 1991 which has amended till date and therefore comes within the ambit of area which is more than 20,000 sq.m. In absence of S.T.P. the entire sewage water is got discharged into the sea water to the drainage system of Respondent Corporation which results into a damage to mainlife because of high level pollution and affects traditional rights of fishermen as well as health of citizens residing within the coastal area. Therefore the Petitioner also supplied details of Commencement Certificate inclusive of S.T.P. amendments and thereby requested to take necessary steps to provide a suitable S.T.P. within the project 'Evershine City' by taking appropriate strict action against the person in



whose favour of the Commencement Certificate has been issued and other developers who partly developed the said Evershine City Project, for not providing S.T.P. which is discharging untreated sewerage into sea shore and creek area. The petitioner states that in absence of STP for this entire area which is more than 20,000 sq.meters, which is still under development, on the basis of Commencement Certificate dated 6th September, 1991, no builder developer has constructed its STP neither the Corporation has provided STP in the said area and resultantly the entire sewerage water is getting discharged into the sea shore or creek area through the drainage system of the respondent Corporation which results into causing damages to marine line because of higher level of pollutants which also effects the traditional rights of fishermen. The discharge of pollutants through sewerage water is also causing nuisance to the citizens residing within the vicinity of sea shore and creek area and suffering through several health issues. The copy of the Representation dated 13/12/2018 is annexed herewith and marked as **Exhibit - G**.



- (9) The petitioner states that the Corporation is having only one STP at Bolinj in function with capacity of 30 MLD. Apart from the said STP at Bolinj there is no any other STP owned and managed by the respondent Corporation within its limits. The petitioner states that the total water supply to the respondent Corporation is about 180 MLD per day i.e. 150 MLD from Surya Project, 20 MLD from Uchgaon dam, and 10 MLD from Pelhar dam and accordingly out of 180 MLD, 80% of water has to be discharged after its treatment through STP. However, in absence of STP about 150 MLD water per day on paper discharged into the sea shore and creek area without

any treatment. The fact of supply of water about 180 MLD per day, 80% discharge is reflected in the minutes dated 19th September, 2018. At this juncture, the petitioner states that it has been reflected in the said minutes that there are about 5-6 STPs are proposed. However, till date, except the STP at Bolinj, having capacity of 30 MLD, no such STP has been erected by the respondent Corporation. The copy of the minutes dated 19th September, 2018 is annexed herewith and marked as **Exhibit - H.**

(10) The petitioner states that the existing STP is also not properly functioning in its discharge, the petitioner approached the Maharashtra Pollution Control Board i.e. respondent no.3 and obtained the analysis of the sample collected by the respondent no.3 which clearly shows that the discharge is consist of pollutant in much higher levels as compared to their permissible limits. The copy of the Analysis dated 2nd March, 2019 is annexed herewith and marked as **Exhibit - I.**

(11) The petitioner states in the aforesaid facts and circumstances, the present petitioner also approached to the Maharashtra Pollution Control Board i.e. respondent no.3 and accordingly the respondent No.3 had issued a Show-Cause Notice dated 6th March, 2019 to the respondent Corporation. The copy of the Show-cause notice dated 6th March, 2019 is annexed herewith and marked as **Exhibit - J.**

(12) The petitioner states that it has been reflected in the said notice dated 6th March, 2019 that out of 30 MLD, only 15 to 16 MLD domestic sewerage is been treated which clearly shows that the Corporation has utterly failed to discharge its duty provided under Section 177 of the Maharashtra Municipal Corporation Act as to make the adequate provisions for disposal of sewerage and construction of STP in its limits.



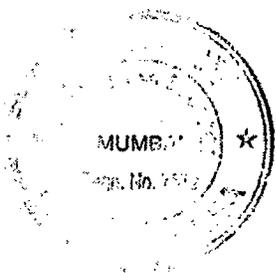
(13) The petitioner states that there are several construction projects having area of more than 20,000 sq. meters are also utterly failed to provide adequate STPs in their own projects which is a mandatory requirement as per the Notification issued by the Central Government. The Petitioner craves leave to refer and rely upon the notification at the time of oral hearing.

(14) The petitioner states that in the aforesaid facts and circumstances of the case, the present petitioner approached the respondent no.3 i.e. Municipal Pollution Control Board and highlighted the problems that inspite of having compulsion of providing STP in a project which is more than 20,000 sq.meters, various developers have not provided any such STPs. Accordingly, taking the cognizance of the complaint of the petitioner, the respondent no.3 issued a show-cause notice only to the few builders and developers. The respondent no.3 has issued a show-cause notice in the month of December and January. The copy of the show-cause notices issued to the builders and developers are annexed herewith and marked as **Exhibit - K colly.**

(15) The petitioner states that it is the responsibility of the Municipal Corporation while granting Commencement Certificate to the projects having built up area of more than 20,000 sq. meters to put condition of construction of STP for their project and in case of failure to provide such STP to any such project, the Corporation is bound to refuse the Occupation Certificate. Apparently, it appears that for various projects the Corporation has not provided Occupation Certificate but still the possession has been handed over to the flat purchasers. The petitioner further submits that in case of any failure of providing STP for such projects having built up area of



more than 20,000 sq.meters it is responsibility of the respondent no.3 to take action under the Water (Prevention and Control of Pollution Act, 1974) as well as Hazardous Waste (Management and Transboundary Movement) Rule 2016 against such offending builders and developers. However, some of the officers of the respondent No.3 Board orally informed to the petitioner that it is difficult on their part to identify the projects having built up area of more than 20,000 sq.meters which clearly shows that the nodel agency is required or the respondent Corporation must pass information in respect of such projects having area of more than 20,000 sq.meters to the respondent no.3. Even otherwise, the project also required to obtain environmental clearance, therefore, the contention is unbelievable that the Respondent No.3 cannot identify the projects having built up area more than 20000 Sq. meters.

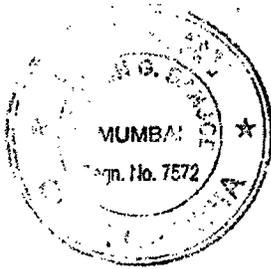


(16) The petitioner states that in absence of proper communication between the Corporation and respondent no.3 and more particularly failure on the part of the respondent no.2 Corporation to provide adequate STPs within its limits, the sea water and creek water is continued to be polluted, which requires immediate attention and urgent steps to control such pollution due to failure of Municipal Corporation in providing adequate STPs.

(17) The petitioner states that in the aforesaid facts and circumstances, to invite immediate attention and to realize the Corporation the gravity of the problem, the petitioner has given its notice cum representation dated 28th February, 2019 to the learned Commissioner and thereby requested to take prompt steps to provide adequate STPs within the limits of the Corporation. The copy of the notice cum

representation dated 28th February, 2019 is annexed herewith and marked as **Exhibit - L.**

(18) The petitioner states that in the aforesaid facts and circumstances, no attention has been paid by the Corporation to the notice cum representation dated 28th February, 2019. The Petitioner states that though the Respondent No.3 has issued necessary show cause notice against some of the builders and developers but the said steps are not sufficient as to tackle the problem of water pollution because of untreated discharged of water by the Respondent Corporation who is having primary duty under section 177 and 178 of the Maharashtra Municipal Corporation Act, as to make the addiquate provisions of means for disposal of sewage and construction of S.T.P's within its limits. At this juncture, the Petitioner submits that the health of the citizens is the priority of any local authority including Respondent Corporation and Respondent No.2 Corporation cannot run away from its duty and responsibilities by the reason of non-availability of funds. The Petitioner states that in aforesaid circumstances in absence of adequate S.T.P. within the limits of Respondent Corporation that treating disregard to the provisions of its duties under the Maharashtra Municipal Corporation Act as well as the Environment (Protection) Act 1986 and the water (Prevention and Control of Pollution) Act, 1981 and Rules framed their under. The Corporation is deliberately playing with the life of citizens by permitting further construction within the limits of Corporation which results into continuous pollution of sea water. The Petitioner submits that the violation by the Respondent Corporation as well as Pollution Control Board in respect of Sewage Water Treatment is not only the violating the Municipal Laws but also violating the several International Conventions and



Treaties wherein the Government of India is signatory and therefore binding upon to state. The Corporation also failed to take any immediate or urgent steps to control the pollution in absence of adequate STP and, therefore, the present petitioner is constrained to approach to this Hon'ble High Court on various grounds which are set out herein below without prejudice to each another:-

VI)**GROUND**

- (a) At the outset, the respondent no.2 Corporation failed to fulfill its statutory duty under Section 177 of the Maharashtra Municipal Corporation Act as to make adequate provisions for disposal of the sewerage and construction of the STPs within its limits and, therefore, interference of this Hon'ble Court is necessary.
- (b) That it is a matter of fact that total entitlement and availability of the water within the limits of respondent no.2 Corporation is about 180 MLD. However, only 15 MLD / CMD sewerage is treated in the existing STP, which clearly shows that near about 120 MLD sewerage is discharged in the sea shore and creek area without any treatment. Therefore, the respondent no.2 Corporation is not only the polluter but also failed to perform its duty to provide adequate STPs.
- (c) That the Corporation also failed to compel the builders and developers who are having projects of built up area more than 20,000 sq. meters to construct STPs in the said area and, therefore, interference of this High Court is necessary.
- (d) That the existing STP is not working at its full capacity and there is also absence of adequate STPs within the limits of Municipal Corporation. However, the respondent no.2 Corporation is still granting Commencement Certificates to the new



construction projects without taking into consideration the damages being caused to the environment in the absence of STPs. Therefore, in the absence of adequate STPs within the limits of Corporation, no such construction projects be permitted within the limits of Corporation.

(e) That the show-cause notice issued by the respondent no.3 dated 6th March, 2019 to the respondent Corporation clearly states that current STP which is functional at Bolinj, Virar has been operating without any mandatory consent to operate, which clearly shows that the respondent no.2 Corporation has utter disregard to the principles of sustainable development and which is the mandatory condition under the several environmental legislations and, therefore, in absence of consent to operate STP, the Corporation is illegally treating its sewerage to the extent of 15 to 16 MLD and, therefore, it is the responsibility of the Corporation to abide the Rules and Regulations issued under the Water Act and to pay respect to the said Rules and Regulations, which are governed by the respondent no.3 herein.



(f) At the outset, only after consistently approaching to the several Authorities, the respondent no.3 has issued a show-cause notice to the some of the developers. However, respondent no.3 has shown its inability to take action against the builders and developers who are having their construction projects having built up area more than 20,000 sq. meters as the respondent no.3 is unable to identify such projects. Therefore, interference of this Hon'ble High Court is necessary with necessary directions to the respondent nos. 2 and 3 as to take action against such projects who failed to provide

STPs within their construction projects which are more than 20,000 sq.meters.

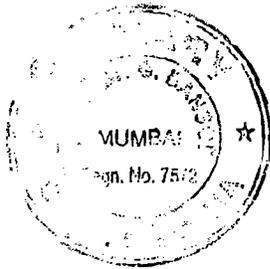
- (g) Even otherwise, in the interest of justice, this petition may be allowed and the Corporation may be directed to take immediate steps to provide adequate STPs within the limits of Corporation within such period as this Hon'ble Court may deem fit.

VII) SOURCE OF INFORMATION

- (1) The petitioners submit that the petitioners have received the information under Right to Information Act and through the articles published in various newspapers.
- (2) The Petitioner also obtained some information through the information available in public domain.

VIII) ANY REPRESENTATIONS MADE

- (1) The petitioner states that in the aforesaid facts and circumstances, to invite immediate attention and to realize the Corporation the gravity of the problem, the petitioner has given its notice cum representation dated 28th February, 2019 to the learned Commissioner and thereby requested to take prompt steps to provide adequate STPs within the limits of the Corporation.



IX) NATURE AND EXTENT OF INJURY CAUSED / APPREHENDED:

- (1) The Petitioner states that the respondents have been failed and neglected to fulfil its statutory duties in true spirit as to provide adequate Sewage Treatment Plants within the limits of Corporation as to avoid the excessive pollution due to untreated sewage in the sea water.
- (2) The effect of Pollution in sea shore as well as in the creek area surrounded with the limits of Vasai Virar Municipal Corporation causing serious damages to the marine life as well the health of persons

residing within the vicinity of sea shore and creek area. The effect of Pollution is long lasting and the damages cannot be quantified in terms of money.

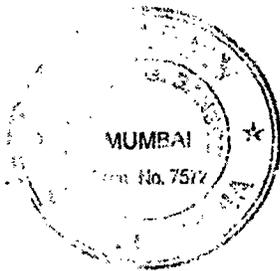
- (3) That in absence of immediate action by the respondents the effect of pollution would keep increasing due to relocation and migration of various citizens causing concentrating and increase in Population which resulting into excessive additional untreated sewage discharge.

X) DOCUMENTS RELIED UPON :

- (1) The petitioners are relying on the documents as per the list of documents/index annexed with this Petition.

XI) OTHER PARTICULARS:

- (1) The Petitioners states that the Petitioners are having prima facie case and balance of convenience lies in favour of present Petitioners. No prejudice will cause to the respondents if necessary ad-interim, interim relief passed or this Petition may be allowed in favour of Petitioners however, Petitioners will suffer from irreparable loss which cannot be settled in terms of money if no such relief is granted.
- (2) The petitioners state that this hon'ble Court is having necessary territorial jurisdiction to entertain present Petition.
- (3) The petitioners state that there is no delay in filing the present Writ Petition.
- (4) The petitioners state that the petitioners are not having any alternate, effective and efficacious remedy and, therefore, the present petitioners are approaching to this Hon'ble High Court under Article 226 of the Constitution of India.
- (5) The petitioners state that the petitioners have paid necessary Court fees of Rs. _____ /- at the time of filing of the present Writ Petition.



- 18
- (6) The Petitioners have not received any notice of caveat from the present Respondents.
- (7) The Petitioners states that the Petitioners have not filed any other Petition or any other proceedings before this Hon'ble High Court or Supreme Court touching to the subject matter of the present Petition.
- (8) The petitioners craves leave to add, alter, amend the present petition with prior permission of this Hon'ble High Court.

XII) PRAYERS OF THE PETITIONERS



- (a) Be pleased to issue a writ of mandamus or any other writ or order in the nature of mandamus and thereby direct the respondent no.2 Corporation to consider the representation dated 28th February, 2019 forthwith and thereby further direct the respondent no.2 Corporation to take immediate steps to provide adequate STPs within the limits of Vasai-Virar Municipal Corporation taking into consideration future demand of adequate water supply and the probable discharge of sewerage water i.e. 80% out of its entitlement within such period of time as this Hon'ble Court may deem fit.
- (b) Be pleased to issue a writ of mandamus or order or any other such writ in the nature of mandamus and thereby direct the respondent Corporation to stop the further permission for any construction projects till such period of time when adequate STPs are made available with the limits of respondent no.2 Corporation.
- (c) During the pendency of the present petition, this Hon'ble Court be pleased to direct the respondent no.2 Corporation not to issue Commencement Certificates to any construction projects until and unless necessary steps are

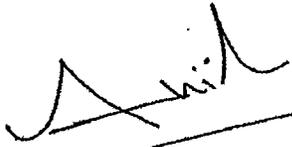
taken by the Corporation and construction of new STPs is started by the Corporation.

- (d) Ad-interim relief in terms of prayer clauses (b) and (c).
- (e) Any other and further reliefs in favour of the petitioner be provided as this Court may deem fit.

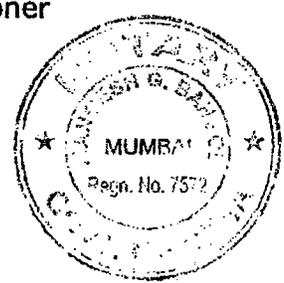
AND FOR THIS ACT OF KINDNESS, APPELLANT IN DULY BOUND SHALL EVER PRAY.

Mumbai

Dated: 25th day of March, 2019


Petitioner


Advocate for the Petitioner



20

VERIFICATION

I, Mr. Anil Kumar Pillai, an adult, Indian inhabitant, the Petitioner herein above do hereby state on solemn affirmation that what is stated above in paragraph number II to XII is true and correct to the best of my knowledge and belief and I believe the same to be true and correct.

NOTARY
[Handwritten signature]

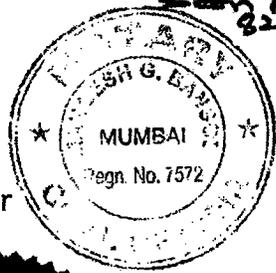
Solemnly Affirmed at Mumbai
This 25th day of March, 2019

[Handwritten signature]
Deponent

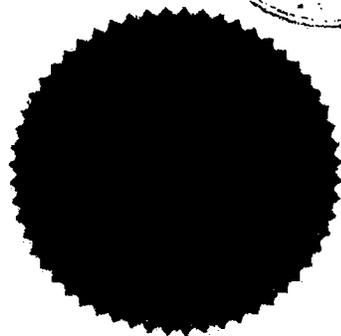
Identified by me

[Handwritten signature]

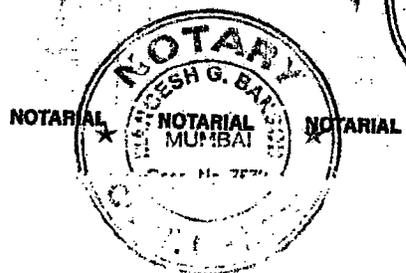
Advocate for the Petitioner



BEFORE ME
[Handwritten signature]
25/03/2019
MANGESH G. BANSOD
NOTARY,
GOVT. OF INDIA
10/D, Bahubali Bldg.,
17H, Cawasji Patel Street,
Fort, Mumbai - 400 001.



NOTED	
Date	Sr. No.
25/03/2019	064/14



NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Exh/619 "A"

21

BHARTIYA JANATA PARTY

Anil Kumar Pillai - PRESIDENT (South Indian Cell)

Mob.: +

To,

Date: 25th April 2017

Mr. Satish Lokhande IAS.,

The Municipal Commissioner,

Vasai-Virar City Municipal Corporation,

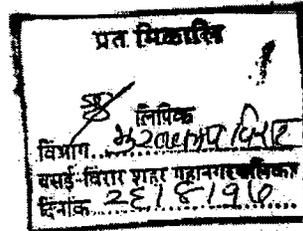
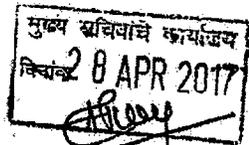
Virar, Palghar Dist., Maharashtra

Subject: Grant of OC to Buildings in Evershine City, Vasai (E)

Dear Sir,

You are very well aware that most of the buildings in Evershine City, Vasai East do not have Occupancy Certificate (OC) although residents have been paying various taxes to VVMC. Majority of these buildings have been constructed by M/s. Evershine Builders and the land is in lease with Shri. R.K. Wadhwan (P.A. Holder) his address at Dewan Tower, Station Road, Vasal Road East, Taluka Vasai, Dist. Thane (M/s. Dewan Group) who have no intention to grant OC to the residents. I am quite surprised that VVMC is completely mute on this topic and no actions have been taken against the Builders/ Developers who have not given to OC to residents even after the formation of Society. The citizens have taken hefty home loan and put their valuable earnings to buy a house for the future of their family members. However, without OC, their future is in dark. All government and Semi Government taxes towards purchase of Flat have been paid by the residents to the Builder. The Builders have also received their profit but are shrugging off their responsibility to give OC to the residents of Vasai and in particular Evershine City. Some of the buildings do not comply with the pre-conditions given by CIDCO / VVMC and residents are completely in dark.

The new constructions which are coming up in the locality also do not comply with the permissions given by VVMC. There are no rain water harvesting, solar lights, etc. inspite of the same being made compulsory for Builders. Under this scenario, permissions are still given for construction of buildings. There is no verification done on the constructed structures against the approved plan. As a result, Builders try to evade facilities promised to the property buyers and earn huge profits.



...2...
[Signature]
मुख्य अधिकारी कार्यालय
वसाई-विरार शहर महानगरपालिका
दिनांक 25/4/17

22

BHARTIYA JANATA PARTY

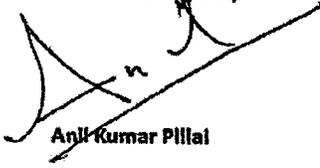
Anil Kumar Pillai - PRESIDENT (South Indian Cell)
Mob.: +91 - 7709000032

2

You are thus requested to take strict action against all such Builders who have failed to provide OC to the buyers.

Looking forward to your earliest action in this regard.

Thanks and regards,



Anil Kumar Pillai

Cc To

1. Shri. Narendra Damodards Modi - The Hon., Prime Minister of India
- 2 Shri. Devendra Fadnawis - The Hon Chief Minister of Maharashtra
- 3 Shri. Sumeet Mallick IAS. - The Hon. Chief Secretary of Maharashtra
- 4 Shri. Sanjay Kelkar - The Hon. M.L.A. Thane, Maharashtra

Encl. Letter Submitted by Evershine Classique Co.op. Hsg. Society Ltd.



भारतीय जनता पार्टी

अनिल कुमार व्ही. पिल्लई

सहसंयोजक

दक्षिण भारतीय आघाडी - महाराष्ट्र प्रदेश

Exhibit "B"

23



Ref : MH/BJPSIC/46/2018-19

Date : 24th September 2018

To,
The Hon. Member Secretary,
Maharashtra Pollution Control Board
Kalpataru Point, 3rd & 4th floor, Sion Matunga Scheme Road No. 8,
Sion Circle, Sion (E),
Mumbai - 400 022

Dear Sir,

This is to bring to your kind notice the Sewage Treatment issues in Vasai East especially Evershine City and Vasant Nagari residential areas falling under the jurisdiction of Vasai-Virar Municipal Corporation. Most of these residential buildings have been built by prominent builders viz. Evershine Builders, Rashmi Builders, Seth Builders, Neminath Constructions, Star Residency (Star Developes) Veena Developers & Nikunj Developers (Veena Dynasty), Regal Builder, Metha Constuction, Anchor Park (Anchor Realty), Shanti Construction, Virdavan Construction etc many small builders. Although these builders have come up with excellent infrastructure but they have ignored the sewage generated from their buildings. Unfortunately, there is no 'Sewage Treatment Plant' (STP) in Vasai to deal with the sewage. As a result, the sewage from all these residential buildings eventually meets the nearby sea endangering the aquatic life. This is a big threat to our environment and needs to be seriously attended.

The Vasai-Virar Municipal Corporation has also failed to provide a suitable sewage disposal system as per Sec. 176 and 177 of Maharashtra Municipal Corporation Act.

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कार्यालय - सी/३०२, एव्हरशाईन क्लासिक, एव्हरशाईन सिटी, वसई (पू), पालघर - ४०९२०८.

मोबाईल [REDACTED] Email - [REDACTED]

Track on www.indianpost.gov.in
Dial 1800 266 6868

भारतीय डाक
RN146824633IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: PRAVIN P PATIL, MUMBAI
PIN:400032, Mantralaya SO Mumbai
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)
<Track on www.indianpost.gov.in>
Dial 1800 266 6868

भारतीय डाक
RN146824614IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: THE HON MEMBER SEC. MUMBAI
PIN:400032, Sim SO
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)

24

2

You are thus requested to look into this serious matter and take appropriate actions against the culprits failing which I will be compelled to approach the National Green Tribunal (NGT) which may be kindly noted.

I look forward to your immediate action.


Anil Kumar Pillai

Track on www.indianpost.gov.in
Dial 1800 266 6868

भारतीय डाक
RN146824766IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: THE HON PRINCIPAL SEC. MUMBAI
PIN:400032, Mantralaya SO Mumbai
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)
<Track on www.indianpost.gov.in>
Dial 1800 266 6868

C.C. To,

1. The Hon. Minister of State (Environment)- Maharashtra State.
2. The Hon. Chief Secretary - Maharashtra State.
3. The Hon. Chairman – Maharashtra State Pollution Board .
4. The Hon. Principal Secretary- Environment Department , Maharashtra
5. The Hon. Principal Secretary – Urban Development- Maharashtra
- 6 The Hon. Principal Secretary - Public Health Department- Maharashtra
7. The Hon. Principal Secretary – Water Supply & Sanitation Department- Maharashtra

भारतीय डाक
RN146824752IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: THE HON PRINCIPAL SEC. MUMBAI
PIN:400032, Mantralaya SO Mumbai
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)
<Track on www.indianpost.gov.in>

Track on www.indianpost.gov.in
Dial 1800 266 6868

भारतीय डाक
RN146824735IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: THE HON CHAIRMAN M.S.P.B.MUMBAI
PIN:400032, Sim SO
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)
<Track on www.indianpost.gov.in>
Dial 1800 266 6868

WAIR MAIL AND CIVIL

भारतीय डाक
RN146824749IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: THE HON CHIEF SEC. MUMBAI
PIN:400032, Mantralaya SO Mumbai
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)
<Track on www.indianpost.gov.in>
Dial 1800 266 6868

WAIR MAIL AND CIVIL

भारतीय डाक
RN146824620IN IVR:82771
RI VASAI ROAD E S.D (401202)
Counter No:1,24/09/2018,11:06
To: THE HON PRINCIPAL SEC. MUMBAI
PIN:400032, Mantralaya SO Mumbai
From: ANIL K PILLAI, VASAI
Wt:15gms
Amt:25.00(Cash)
<Track on www.indianpost.gov.in>
Dial 1800 266 6868



भारतीय जनता पार्टी

अनिल कुमार व्ही. पिल्लई

सहसंयोजक

दक्षिण भारतीय आघाडी - महाराष्ट्र प्रदेश

Exhibit "C"



25

Ref : MH/BJPSIC/48/2018-19

Date : 30th September 2018

To,
Shri.M.R. Lad,
Regional Officer,
Regional Office, 5th Floor,
Office Complex Building,
Wagale Estate, Thane-400 604.

भारतीय जनता पार्टी
RNO32721853TH IWR:827763272185
RL VASAI EAST IE S.O (401200)
Counter No:2, 01/10/2018, 09:58
To: M R LAD, THANE
PIN:400604, Nagle I.E. S.O
From: ANIL KUMAR PILLAI, VASAI
Wt:20gms
Act:25.09(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800 265 8869>

भारतीय जनता पार्टी
RNO32721853TH IWR:827763272185
RL VASAI EAST IE S.O (401200)
Counter No:2, 01/10/2018, 09:58
To: THE CHAIRMAN, NAGARASHIKHA POLL
PIN:400622, Sion SO
From: ANIL KUMAR PILLAI, VASAI
Wt:20gms
Act:25.09(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800 265 8869>

Dear Sir,

This is to bring to your kind notice construction carried out by many prominent and small Construction Builders in Vasai-Virar Municipal Corporation region without any valid Consent to Establish / Operate.

Vasai-Virar belt has seen growth of many residential and commercial projects in the past few years due to availability of cheap and affordable prices as compared to suburbs. There are many big-small Builders who are in this business of many years; prominent among these are Sunteck Realty, (Naigaon) Reliable Homes (Naigaon) Maad Reality (Naigaon) Navakar Estate Naigaon) Reshmi Construction (Vasai), Evershine Builders, Shantee Homes (Vasai) RR Jai Residency (Vasai) Crystal Developers (Vasai) Kamyra Group (Vasai)) RNA Builders NG (Vasai) Kalash Kurnkum Darshan (Vasai) Veena Developers & Nikunj Developers (Veena Dynasty), Seth Builders (Vasai) Shapoorji Pallonji (Virar) Poonam Developers (Virar) Ekta World (Virar), Rustomjee (Virar) Cosmos Group (Virar) Bhoomi Group, Agarwal Group (Virar) etc. Most of these Builders do not take Consent to Establish / Operate from MPCB and carry out constructions against the provisions of Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and Control of Pollution) Act 1981 and Authorization under Rule 5 of the Hazardous Waste (M,H & TM Rules) 20018. This has been going on from many years with the blessings of Some Government/ Semi Government Officers and local

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कार्यालय - सी/३०२, एव्हरशाईन क्लासिक, एव्हरशाईन सिटी, वसई (पू), पालघर - ४०९२०८.

मोबाईल ~~XXXXXXXXXXXX~~ Email - ~~XXXXXXXXXXXX~~

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politicians. Pollution norms are openly flaunted. There is no provision to recycle domestic effluent for flushing, gardening, etc. There is no provision of STP.

There is also no provision of STP in Vasai-Virar belt and as a result the sewage generated by these construction sites pollutes the nearby sea endangering the aquatic life and violating the provisions of EP Act 1986. Trees are cut without any permission to facilitate the construction work. No Environment Clearance Certificate is taken from the Environment Department.

I thus request you to kindly intervene, set up a committee to visit all such construction sites and issue stop / closure notices or deemed actions as per the provisions of Act. This could save our environment and further damage.

I look forward to your earliest response.

Awaiting your reply in the said matter.

Thanks and regards,

Jai Hind, Jai Maharashtra.


Anil Kumar Pillai

C.C. To,

1. The Hon. Minister of State (Environment)- Maharashtra State.
2. The Hon. Chairman – Maharashtra State Pollution Board .
3. The Hon. Member Secretary- Maharashtra State Pollution Board.
4. The Hon. Principal Secretary- Environment Department , Maharashtra
5. The Hon. Principal Secretary – Urban Development- Maharashtra

भारतीय डाक
RHO3221736IN IVR:827703272173
RL VASAI EAST IE S.O (401208)
Counter No:2, 01/10/2018, 09:58
To:THE MEMBER SEC, MAHARASHTRA POLL
PIN:400032, Sim 80
From:ANIL KUMAR PILLAI, VASAI
Wt:20gms
Amt:25.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800 266 8048>

भारतीय डाक
RHO3222097IN IVR:827703272209
RL VASAI EAST IE S.O (401208)
Counter No:2, 01/10/2018, 09:58
To:PRINCIPAL SEC, ENVIRONMENT DEPT
PIN:400032, Mantralaya SO Mumbai
From:ANIL KUMAR PILLAI, VASAI
Wt:20gms
Amt:25.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800 266 8048>

भारतीय डाक
RHO3221976IN IVR:827703272197
RL VASAI EAST IE S.O (401208)
Counter No:2, 01/10/2018, 09:58
To:PRINCIPAL SEC, URBAN DEVELOPMENT
PIN:400032, Mantralaya SO Mumbai
From:ANIL KUMAR PILLAI, VASAI
Wt:20gms
Amt:25.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800 266 8048>

भारतीय डाक
RHO3221619IN IVR:827703272161
RL VASAI EAST IE S.O (401208)
Counter No:2, 01/10/2018, 09:58
To:PRINCHA P PATTI, ENVIRONMENT MINT
PIN:400032, Mantralaya SO Mumbai
From:ANIL KUMAR PILLAI, VASAI
Wt:20gms
Amt:25.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800 266 8048>

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[Go here Home](#) > Track Consignment

Track Consignment

Quick help

* Indicates a required field.

Consignment Number	RM032721622IN					
Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivered On
Vasai East IE S.O	01/10/2018 10:01:44	400804	25.00	Registered Post	Wagle IE S.O	04/10/2018 19:17:30

Event Details For: RM032721622IN Current Status: Item Delivered

Date	Time	Office	Event
04/10/2018	19:17:30	Wagle IE S.O	Item Delivered
04/10/2018	12:05:40	Wagle IE S.O	Out for Delivery
03/10/2018	11:29:27	Wagle IE S.O	Item Received
01/10/2018	10:01:44	Vasai East IE S.O	Item Booked

More Information >>

Booked At	Destination Pincode	Tariff
Not Available	Not Available	Not Available

Event Details For: RM032721622IN Current Status: Bag Despatched to WAGLE IE.

Date	Time	Office	Event
02/10/2018	06:12:27	MUMBAI (CR)	Bag Despatched to WAGLE IE.
02/10/2018	04:15:44	MUMBAI (CR)	Item Bagged to WAGLE IE.
02/10/2018	00:19:16	MUMBAI (CR)	Item Received
02/10/2018	00:19:16	MUMBAI (CR)	Bag Opened

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New-Delhi-110001.



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भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

पोहोस पाकती/प्राप्ति स्वीकृति/ACKNOWLEDGEMENT
Received Registered Letter/Parcel

रजिस्ट्री-पत्र/पारसल प्राप्त हुआ/नॉन-रजिस्ट्री पत्र/पारसल बिकाले

आधार नं. 54
R.P.-54

क्रमांक/No. _____ तारीख/Dated _____ का/of/से _____

* विमा भुल्य रूपसे
* बीमे का भुल्य रूपसे में
* Insured for Rupees _____
रेजिस्ट्री पाव
पाने वाले का नाम
Addressed to: Mr. Murlid, The Regional Office
Office, Commerce Building
Wagle Park, Wagle

वितरण टपाल कार्यालय/तारखेस घाव
वितरण अक्षर की तारीख-मोहर
Date stamp of office of delivery _____

हस्ताक्षर
Signature and Name _____

Handwritten notes:
L-3/PSD/RP-54 AD CARD (loss)/2017-18/1200000
* अज्ञातस्थान भाग को कट दिया जाए
* Strike out if not relevant

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Track Consignment

Home > Home > Track Consignment

Track Consignment

Quick help

* Indicates a required field.

* Consignment Number

RM032722092IN

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivered On
Vasai East IE S.O	01/10/2018 10:01:44	400032	25.00	Registered Post	Mantralaya SO Mumbai	04/10/2018 17:54:28

Event Details For : RM032722092IN Current Status : Item Delivered

Date	Time	Office	Event
04/10/2018	17:54:28	Mantralaya SO Mumbai	Item Delivered
04/10/2018	14:29:28	Mantralaya SO Mumbai	Out for Delivery
03/10/2018	08:07:40	Mantralaya SO Mumbai	Item Received
01/10/2018	10:01:44	Vasai East IE S.O	Item Booked

More information >>>

Booked At	Destination Pincode	Tariff
Not Available	Not Available	Not Available

Event Details For : RM032722092IN Current Status : Bag Despatched to MANTRALAYA SO (MUMBAI)

Date	Time	Office	Event
02/10/2018	08:10:52	MUMBAI (CRC)	Bag Despatched to MANTRALAYA SO (MUMBAI)
02/10/2018	04:27:15	MUMBAI (CRC)	Item Bagged to MANTRALAYA SO (MUMBAI)
02/10/2018	00:19:16	MUMBAI (CRC)	Item Received
02/10/2018	00:19:16	MUMBAI (CRC)	Bag Opened

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भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

पोस्टेज पावती/प्राप्ति स्वीकृति/ACKNOWLEDGEMENT

रजिस्ट्री-पत्र/पार्सल प्राप्त हुआ/भौदणीकृत पत्र/पार्सल भिजवाते
Received Registered Letter/Parcel/

क्रमांक/No.	तारीख/Dated	क/ of /से
-------------	-------------	-----------

भारतीय मुद्रा रुपये
इसके का मूल्य रूपयों में _____
Insured for Rupees

प्रेषक का नाम _____
प्रेषक का नाम _____
Addressed to: **The Hon. Principal Secretary
Government Department
Mantralaya, Mumbai**

को/ on _____
दिनांक _____
रोजी भिजवाते

स्वकारी आधि नाम / हस्ताक्षर और नाम
Signature and Name

आवक लिपिक,
भारतीय टपाल कार्यालय/पोस्टाफिस डाक
विभाग/पोस्टाफिस की तारीख-महूर
Date of receipt of delivery

L-3/PSD/RP-54/AG CARD (Form) /2017-18 /120000

R.P. 54

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Track Consignment

you are here Home > Track Consignment

Quick help

Track Consignment

* Indicates a required field.

* Consignment Number

RM032721976IN

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivered On
Vasai East IE S.O	01/10/2018 10:01:44	400032	25.00	Registered Post	Mantralaya SO Mumbai	03/10/2018 18:31:46

Event Details For: RM032721976IN Current Status: Item Delivered

Date	Time	Office	Event
03/10/2018	18:31:46	Mantralaya SO Mumbai	Item Delivered
03/10/2018	11:19:24	Mantralaya SO Mumbai	Out for Delivery
03/10/2018	08:07:40	Mantralaya SO Mumbai	Item Received
01/10/2018	10:01:44	Vasai East IE S.O	Item Booked

More information >>

Booked At	Destination Pincode	Tariff
Not Available	Not Available	Not Available

Event Details For: RM032721976IN Current Status: Bag Dispatched to MANTRALAYA SO (MUMBAI)

Date	Time	Office	Event
02/10/2018	06:10:52	MUMBAI (CRC)	Bag Dispatched to MANTRALAYA SO (MUMBAI)
02/10/2018	04:27:15	MUMBAI (CRC)	Item Bagged to MANTRALAYA SO (MUMBAI)
02/10/2018	00:19:16	MUMBAI (CRC)	Item Received
02/10/2018	00:19:16	MUMBAI (CRC)	Bag Opened

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Handwritten: 31

Handwritten: SPP - [unclear] - [unclear]

Handwritten: L-3 / PSD / RP-54 AD CARD (loss) / 2017-18 / 1200000

Handwritten: * अनारक्षक भाग खोलावा

Handwritten: * Strike out if cancelled

भारतीय टपाल विभाग
भारतीय डाक विभाग
DEPARTMENT OF POSTS, INDIA

आर. पी.-54
R.P.-54

पोहोच पावती/प्राप्ति स्वीकृति/ACKNOWLEDGEMENT
Received/Registered Letter/Parcel/

प्राप्त/परसल प्राप्त हुआ/नॉवणीकृत पत्र/परसल पिकावे

क्रमांक/No.	तारीख/Dated	का/of/से
* मिनी प्रत्येक रुपये		
* पोस्टे का मूल्य रुपयों में		
* Marked for Rupees		

Addressed to: **The Hon. Principal Secretary**
Dak Bhawan
Mantralaya Mumbai

वितरण टपाल कार्यालय का तारखेचा छाप
वितरण कारखाने की तारीख-नोहर
Date stamp of office of delivery

स्वाक्षरी आणि नाम / स्वाक्षरी और नाम
Signature and Name

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Track Consignment

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Quick help

Track Consignment

* Indicates a recipient's file

* Consignee's name

RM032721619N

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivered On
Not Available	02/10/2018 10:01:44	400032	25.00	Registered Post	Mantralaya SO Mumbai	03/10/2018 18:31:46

Event Details For: RM032721619N Current Status : Item Delivered

Date	Time	Office	Event
03/10/2018	18:31:46	Mantralaya SO Mumbai	Item Delivered
03/10/2018	11:40:33	Mantralaya SO Mumbai	Out for Delivery
03/10/2018	08:07:40	Mantralaya SO Mumbai	Item Received
02/10/2018	16:01:44	Vasai East IE SO	Item Booked

More information >>

Booked At	Destination Pincode	Tariff
Not Available	Not Available	Not Available

Event Details For: RM032721619N Current Status : Bag Despatched to MANTRALAYA SO (MUMBAI)

Date	Time	Office	Event
02/10/2018	06:16:52	MUMBAI (CRO)	Bag Despatched to MANTRALAYA SO (MUMBAI)
02/10/2018	04:27:15	MUMBAI (CRO)	Item Bagged to MANTRALAYA SO (MUMBAI)
02/10/2018	00:19:16	MUMBAI (CRO)	Item Received
02/10/2018	00:19:16	MUMBAI (CRO)	Bag Opened

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New-Delhi-110001





भारतीय जनता पार्टी

अनिल कुमार व्ही. पिल्लई
सहसंयोजक

दक्षिण भारतीय आघाडी - महाराष्ट्र प्रदेश



Ref. MH/BJPSIC/59/2018-19

Date: 23rd October 2018

To,
Mr. E. Raviendran Saheb IAS,
The Hon. Member Secretary
Maharashtra Pollution Control Board
Kalpataru Point, 3rd & 4th floor, Sion Matunga Scheme Road No. 8,
Sion Circle, Sion (E),
Mumbai - 400 022

Subject: Pollution issue in Vasai-Virar region due to no provision of STPs

Dear Sir,

This is continuation to my earlier correspondence (Ref: MH/BJPSIC/48/2018-19 dated 30th Sept. 2018) to Mr. M.R. Lad, Regional Officer, Thane, a copy of the same is also marked to your Office. I have neither received any reply to my letter nor have any updates been provided.

Meanwhile, I have received a copy of a correspondence (dated 4/9/2018 enclosed below) from the Municipal Commissioner, VVMC to the Secretary, VVMC regarding the status of STP in Vasai-Virar Municipal areas. As per the correspondence, there is only one STP situated at Boling, Virar which caters to the areas of Virar. There are 5-6 STPs proposed in the areas of Nallasopara, but due to scarcity of funds, they are unable to build the same. The correspondence also mentions that as per DC Rules, a Housing Complex which is more than 20,000 sq.m. is mandated to have a STP in the complex. However, the same is not maintained by these complexes. The Municipal Commissioner has proposed to bring all such STPs which are mandated under DC Rules to bring under the ambit of VVMC and collect the cost of erection and maintenance of all such STPs from the Builders to generate funds.

It is thus clear from the correspondence that there are no STPs in Vasai and Nallasopara regions and the sewage water from these residential areas meet the nearby sea without any treatment. I fail to understand that though the Municipal Commissioner wants to bring the STPs built in housing complex with more than 20,000 sq.m. under its control, what about those which are below 20,000 sq.m.? Definitely, these come under the ambit of Municipal Corporation and it has failed to act on it, creating huge environmental pollution.

...2...

कार्यालय - सी/३०२, एव्हरशाईन क्लासिक, एव्हरशाईन सिटी, वसई (पू), पालघर - ४०९२०८.

मोबाईल -

Email -

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MPCB which is responsible for the control of Pollution and the Municipal Corporation which is responsible for the erection and maintenance of STPs in Vasai-Virar regions are together responsible for the current situation. The environment, and in general the human habitat, has to pay for your negligence.

The plastic ban has been implemented in the state from past few months and heavy penalty has been imposed on the general public. However, no action is taken on the government officials for their negligence in not curbing the pollution due to non-availability of STPs. Is law different for government officials?

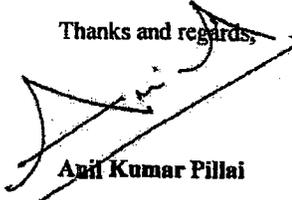
There are many constructions (small and big) carried out in Vasai-Virar region and permissions are granted to all by VVMC although it does not make any provisions for STP. It is high time that the Municipal Corporation should first concentrate on building STPs before granting permissions to all such constructions. Such constructions should be immediately stopped and your Office is responsible to impose such restrictions on Municipal Corporation.

In case you fail to act on such sensitive case, I will be compelled to approach NGT for justice and you will be responsible for the consequences.

You are thus requested to take strict action on Vasai-Virar Municipal Corporation as per the provisions of law in not curbing the pollution in the region.

I thus look ahead to your immediate action and reply.

Thanks and regards,



Anil Kumar Pillai

C.C. To,

RN032727293IN IVR:8277032727293
 RL VASAI EAST IE S.O <401208>
 Counter No:2,23/10/2018,12:55
 To:HD CHAIRMAN ,MATUNGA
 PIN:400022, Sion SD
 From:ANIL K PILLAI ,EVERSHINE
 Wt:34gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 1800 266 6868>



RN032727024IN IVR:8277032727024
 RL VASAI EAST IE S.O <401208>
 Counter No:2,23/10/2018,12:55
 To:MEMBER SECRETARY ,SION
 PIN:400022, Sion SD
 From:ANIL K PILLAI ,EVERSHINE
 Wt:34gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 1800 266 6868>



1. The Hon. Minister of State (Environment)- Maharashtra State.
2. The Hon. Chairman – Maharashtra State Pollution Board .
3. The Hon. Principal Secretary- Environment Department , Maharashtra
4. The Hon. Principal Secretary – Urban Development- Maharashtra

Encl. The Copy to the letter addressed to Shri. Lad, The Hon. Regional Officer, dated 30th September, 2018 Ref. MH/BJPSIC/48/2018-19.

RN032727039IN IVR:8277032727038
 RL VASAI EAST IE S.O <401208>
 Counter No:2,23/10/2018,12:55
 To:PRAVIN POATE PATIL ,MANTRALAY
 PIN:400032, Mantralaya SD Mumbai
 From:ANIL K PILLAI ,EVERSHINE



RN032727121IN IVR:8277032727112
 RL VASAI EAST IE S.O <401208>
 Counter No:2,23/10/2018,12:55
 To:PRINCIPAL SEC,ENVIRON DE
 PIN:400032, Mantralaya SD Mumbai
 From:ANIL K PILLAI ,EVERSHINE
 Wt:34gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 1800 266 6868>



RN032727126IN IVR:8277032727126
 RL VASAI EAST IE S.O <401208>
 Counter No:2,23/10/2018,12:55
 To:PRINCIPAL SEC,URBAN MINISTRIES
 PIN:400032, Mantralaya SD Mumbai
 From:ANIL K PILLAI ,EVERSHINE
 Wt:34gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 1800 266 6868>

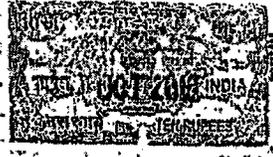


Exhibit "E"

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**Application for Obtaining Information under
The Right to Information Act, 2005**

To,
The Right to Information Officer,
Maharashtra Pollution Control Board,
Kalpataru Point, 3rd & 4th floor,
Sion Matunga Scheme Road No. 8,
Sion Circle, Sion - East,
Mumbai- 400 022



Applicant's Name : Anil Kumar V Pillai
Applicant's Address : C/302, Evershine Classique Co.Op. Hsg. Society Ltd,
Near Evershine Medical, Evershine City, Vasai - East,
Palghar Dist. Maharashtra- 401208.
Applicant's Contact No. : 7709000032
Applicant's Mail Id. : pillaiaksa@gmail.com

Details of Information Required

1. Letter Reference No : MH/BJPSIC/48/2018-19 dtd. 30th September 2018
MH/BJPSIC/59/2018-19 dtd. 23rd October 2018
2. Period of Information : 20th September 2018 to 21st November 2018.

Details of Information Required : Please Provide me copies of all correspondence done and received by your Office along with relevant documents with reference to the above Letter during the given period.

Reason for Seeking information : To prepare for legal proceedings.

Date : 22 /11/2018

Place : Vasai Road

Encl. Copy of above reference letters

Anil Kumar V Pillai
(Sign of Applicant)

MAHARASHTRA POLLUTION CONTROL BOARD
Sion Circle, Sion East, Mumbai - 400 022
Tel: 24010437 / 24020781

Exhibit "F"

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MAHARASHTRA POLLUTION CONTROL BOARD**RIGHT TO
INFORMATION**

Tel : 25802272

Fax : 25805398

E-mail Id: srothane1@mpcb.gov.in
Visit us at: www.mpcb.gov.inSub-Regional Office, Thane-I
5th Floor, Office Complex
Bldg.,
Near Mulund Check Naka,
Wagale Estate,
Thane-400 604

No. MPCB/SROT-I/RTI- 50/B-72

Date:-26/12/2018

To,
Mr. Anil Kumar V Pillal,
C/302, Evershine Classoque Co. op. Hsg
Society Ltd, Near Evershine Medical,
Evershine city, Vasai (E), Dist- palghar.

Sub :- Application under RTI Act, 2005....

- Ref :- 1. RTI application by Mr. Anil Kumar V Pillal, dtd. 22/11/2018
 2. This office letter vide No. MPCB/SROT-I/RTI-58/B-21,
 dtd. 12/12/2018
 3. Reply received from Sub-Regional Officer, Thane-II letter vide no.
 MPCB/SROT-II/RTI/B-71, Dtd. 26/12/2018

Information called upon by you under Right to Information Act, 2005 vide application ref no.
 1) is enclosed herewith.

If you are not satisfied with above information you may file an appeal application to
 Regional Officer and Appellate Authority 5th Floor, Office Complex Bldg., Near Mulund Check
 Naka, Wagale Estate, Thane-400 604 within 30 days.

D.A. – As above

(Signature)
 26/12/2018
 Information Officer &
 Sub-Regional Officer, Thane-I

Copy submitted for information to:-
 Appellate Authority & Regional Officer, M. P. C. Board, Thane

Copy to:- Master file



भारतीय जनता पार्टी

अनिल कुमार व्ही. पिल्लई

सहसंयोजक

दक्षिण भारतीय आघाडी - महाराष्ट्र प्रदेश



Ref: MH/BJPSIC/80/2018-19

Date: 13th Dec. 2018

To,
Mr. V.V. Kiledar,
 The Hon. Sub-Regional Officer, Thane -2
 Maharashtra Pollution Control Board
 5th Floor, Office Complex Building
 Plot Nos. P 30, Wagale Estate, Mulund Check Naka
 Thane West 400 604

RECEIVED
 R. WASAI EAST DE 9.0 4001208
 Date: 14/12/2018, 11:25
 TO: MEMBER SECRET, MAHARASHTRA POLL.
 PIN: 400022, Dist: TH
 FROM: NIEL NEMAR PILLAI, WASAI
 No: 2018
 Tel: 4001208

Dear Sir,

This has reference to your letter (Ref. 2/2012 dated 12/11/2018) addressed to the Municipal Commissioner, Vasai – Virar Municipal Corporation (VVMC) pertaining to my complaint of pollution of sea due to non-provision of Sewage Treatment Plant in Vasai. Please refer my earlier correspondence (Ref: MH/BJPSIC/46/2018-19 dated 24th Sept. 2018) addressed to the Member Secretary in this matter.

I have carefully read the 'Visit Report' of your Field Officer mentioning that M/s. Evershine Builders has not provided any STP in Evershine City, Vasai (E) and the sewage from residential areas mixes with the municipal drainage system. This eventually meets the sea endangering the species.

However, I am sorry to say that the concerned Officer has not investigated the matter properly. The fact mentioned by you that each of these individual constructions are less than 20,000 sq. m. and thus it falls under the ambit of VVMC is not true. If you look at the Commencement Certificate (CC) issued by CIDCO / VVMC to all these Constructions over these years, you will find that many constructions have been carried out on the same CC with amendments from time to time. Most of the land in Evershine City and Vasant Nagari are in the name of Mr. Rakesh Wadhawan as P.A. holder. I am enclosing only very few CC copies of following buildings constructed at various periods.

2 copies

14/12/18

अनिल कुमार व्ही. पिल्लई
 सहसंयोजक
 400 604

..2..

कार्यालय - सी/३०२, एकरशाईन क्लासिक, एकरशाईन सिटी, वसई (पू), पालघर - ४०९२०८.

मोबाईल [REDACTED] Email - [REDACTED]

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It is thus clear from these documents that a major portion of Evershine City & Vasant Nagari, Vasai East belongs to Mr. Rakesh Wadhawan, which was developed by many small Builders from time to time. The total area if calculated, will be definitely more than 20,000 sq.m. which certainly falls under your jurisdiction.

It is clear that your Officer has not thoroughly investigated the complaint and prepared a false report. This is against the provisions of Sec. 21 of Indian Penal Code (45 of 1860) which clearly outlines the duties of a Public Servant. This act of your Officer and thereby your Dept. attracts punishment laid down under Sec. 53 of Indian Penal Code (45 of 1860).

The provision for STP lies with the MPCB and it is thus imperative on your part to provide a suitable STP in Evershine City, Vasant Nagari and Vasai in general, to prevent pollution of the sea arising from the discharge of sewage from the residential areas in Vasai.

It is also imperative on your part to take strict action against Mr. Rakesh K. Wadhawan, (address at Devan Tower, Station Road, Vasai Road East, Palghar Dist.) , Shri. Deepak P. Shah Partner of M/s. Sharp Realtors (address at Mirza Shopping Centre, 19A, 1st floor, Opp. Railway Station, Virar – East, Taula Vasai, Palghar Dist), and all concerned people (instead of all builders whose roles were very limited) as per the provisions of law for not providing STP in Evershine City thereby leading to current pollution of water bodies.

I thus look forward to your immediate action and a reply in this matter failing which I will compelled to seek legal action against you and the Board.

Thanks and regards,


Anil Kumar Pillai

1. The Hon. Minister of State (Environment) - Maharashtra State.
 2. Shri Sanjay Kelkhar Saheb – The Hon. MLA Thane
 3. The Hon. Chairman – Maharashtra State Pollution Board .
 4. The Hon. Member Secretary- Maharashtra State Pollution Board.
 5. The Hon. Principal Secretary- Environment Department , Maharashtra
 6. The Hon. Principal Secretary - Urban Development- Maharashtra
 7. The Hon. Regional Officer - Maharashtra State Pollution Board, Thane
- Encl. Some Commencement Certificate Ref. No. details. and copy of your letter dated 12/11/2018 Ref. No.2/2012.

KV327320901N IUR:827763271E
 RL VASAI EAST IE S.O 491208
 Counter No:2,14/12/2018,11:25
 To:SRVIN P INTEL,MANTRALAYA
 PIN:400032, Mantralaya SO Mumbai
 From:ANIL KUMAR PILLAI,VASAI
 Wt:70gms
 Amt:40.00(Cash)
 (Track on www.indiapost.gov.in)

KV327320901N IUR:827763271E
 RL VASAI EAST IE S.O 491208
 Counter No:2,14/12/2018,11:25
 To:SECRETARY,MANTRALAYA
 PIN:400032, Mantralaya SO Mumbai
 From:ANIL KUMAR PILLAI,VASAI

KV327320901N IUR:827763271E
 RL VASAI EAST IE S.O 491208
 Counter No:2,14/12/2018,11:25
 To:CHAIRMAN,MAHARASHTRA POLL.
 PIN:400022, Eran 50
 From:ANIL KUMAR PILLAI,VASAI
 Wt:70gms
 Amt:40.00(Cash)

KV327320901N IUR:827763271E
 RL VASAI EAST IE S.O 491208
 Counter No:2,14/12/2018,11:25
 To:PRINCIPAL SEC,ENVIRONMENT DEPT
 PIN:400032, Mantralaya SO Mumbai.
 From:ANIL KUMAR PILLAI,VASAI
 Wt:70gms
 Amt:40.00(Cash)

Exhibit 1/11

वसई - विरार शहर महानगरपालिका

महानगरपालिका कार्यालय, मुख्यालय
जा.क्र.वविशम/काअ/शाअ/बांघ/527/2020.
दिनांक :- 08/09/2020

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प्रति,
महानगरपालिका सचिव,
वसई विरार शहर महानगरपालिका
प्रेषक :-
आयुक्त,
वसई विरार शहर महानगरपालिका

दिनांक 08.09.2020

गोषवारा मा.महासभा

विषय :- वसई - विरार शहर महानगरपालिका कार्यक्षेत्रातील 20,000 चौ. मीटर किंवा त्यापेक्षा जास्त बांधकाम क्षेत्र विकसीत करणाऱ्या गृह प्रकल्प विकसीत करणाऱ्या विकासकांकडून STP साठी शुल्क आकारणी करण्याबाबत.

वसई - विरार शहर महानगरपालिका मुंबई शहरा नजीक असल्याने या क्षेत्राची लोकसंख्या व नागरीकरण झपाट्याने होत आहे. नवीन घट्ट्या संकुले / नगरे वसत असून सदर नव्याने वसणाऱ्या घट्ट्या / संकुले यांना पायाभूत सुविधा उपलब्ध करून देण्याची जबाबदारी महानगरपालिकेची आहे.

महानगरपालिकेस सघःस्थितीत सुर्या टप्पा - 1/2, सुर्या टप्पा - 3, उसगाव व पेल्लार या पाणी पुरवठा योजनांतून एकूण 100 द.ल.ली. प्रतिदिन पाणी पुरवठा होत असून शहरी मानांकानुसार यांच्या 20% पाणी मलनिःस्सार्णाद्वारे विसर्ग होत आहे. सदर पाण्यावर प्रक्रिया करणे M.P.C.B च्या मार्गदर्शक व कायद्यानुसार बंधनकारक आहे. तसेच विकास नियंत्रण नियमावलीनुसार (As per DCR) 20,000 चौ. मीटर पेक्षा जास्त बांधकाम क्षेत्र विकसीत करणाऱ्या संकुलांसाठी STP प्रकल्प बांधणे व त्यात सदर संकुलातील निर्माण होणारे मल जलावर प्रक्रिया करणे अनिवार्य आहे. सघःस्थितीत महापालिकेने सेटबाईट सिटी योजने अंतर्गत विरार, बार्डीज येथे STP - 3 केंद्र विकसीत केले असून विरार - पुर्य - पश्चिम प्रभाग क्षेत्रात भुयारी गटार योजना विकसीत केली आहे.

उर्वरित महापालिकाक्षेत्रात अद्याप 4 ते 6 STP केंद्र उभारणे व भुयारी गटार योजना प्रस्तावित आहे. यासाठी मोठ्या प्रमाणावर खर्च अपेक्षित असून मोठ्या प्रमाणावर निधी महापालिकेस उभारणे आवश्यक आहे.

महापालिका कार्यक्षेत्रात 20,000 चौ. मीटर किंवा त्यापेक्षा जास्त बांधकाम क्षेत्र विकसीत करणारे बरेच गृह प्रकल्प प्रस्तावित/ प्रगतीत असून DCR मधील तसूदीनुसार गृह प्रकल्पांना स्वतःचे STP प्रकल्प उभारणे अनिवार्य आहे. परंतु गृह संस्थांकडून सदर प्रकल्पांची देखभाल दुरुस्ती व्यपस्थितरीत्या न झाल्यास मल जलावर प्रक्रिया न करता सांडपाणी शेट गटारात सोडले जाण्याची शक्यता आहे. त्यामुळे 20,000 चौ. मीटर किंवा त्यापेक्षा जास्त विकसीत करणाऱ्या प्रस्तावित व प्रगतीमधील गृह प्रकल्पांच्या विकासकांकडून त्यांच्या गटार आराखड्यात STP साठी आरक्षित असलेली किंवा विना मोबदला महानगरपालिकेस हस्तांतरित करावी. STP (अदाजपत्रकानुसार) उभारणीसाठी हाणाव खर्च व पुरविले जाणारे देखभाल दुरुस्ती खर्च महापालिकेस अदा केल्यास महापालिका अस्तित्वातील / अस्तित्वातील उभारण्यात येणाऱ्या STP प्रकल्पात सदर मल जल जाहणीद्वारे पुरविल्यावास्तविकता करणे शक्य होईल. सदर निर्णयाने महापालिकेकडे उर्वरित क्षेत्रात STP प्रकल्प उभारणीसाठी आरक्षण प्रस्तावित निधी जमा होईल.

वरील 20,000 चौ. मीटर किंवा त्यापेक्षा जास्त क्षेत्र विकसीत करणाऱ्या गृह प्रकल्पांच्या विकासकांकडून STP साठी आरक्षण आता महापालिकेकडे हस्तांतरित करून घेण्यास STP साठी मल जल जाहणीद्वारे पुरविल्यावास्तविकता खर्च तसेच देखभाल दुरुस्ती खर्च (अनुषंगीय) यांच्यासंबंधित निर्णयाने महापालिकेकडे आरक्षण प्रस्तावित निधी जमा होईल.

वसई विरार शहर महानगरपालिका

Exhibit "I" 40 -

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL LABORATORY, THANE

Tel. No. (0253) 25820423
Fax No. (0253) 25805390
Web site: <http://mpcb.gov.in>
Email: mpcbthanelab@mpcb.gov.in

Office Complex Bldg.
5th, Floor, Wagle Estate.
Near Mulund Check Naka.
Thane - 400 604.

ANALYSIS REPORT

MPCB/RLT/JVS/353

Date: 2/3/19

Sub Regional Officer, Thane - II

Sample Collected By: J. B. Bhusara (FO)

Lab Report No. J - 1176

Sample Collection Date: 20/02/2019

Sample Code No. SROTR - II/JVS/19/29

Sample Acceptance Date: 21/02/2019

Seal No. 262

Industry Type. STP.

Particulars	Result
pH	6.9
BOD.3 day 27°C	125.0
C.O.D.	192.0
Suspended Solids	60.0
Oil & Grease	4.2
TDS	4270.0
Chloride	2060.0
Sulphate	231.6
Detergant	0.3

- Note: 1) All results are expressed in mg/Lit except pH;
2) N.A. Indicates Not Analyzed.
3) BDL Indicates Below Detectable Level.
4) N.D. Indicates Not Detectable.

Ragini Butale
113
(Ragini Butale)
Scientific Officer,
Regional Laboratory, Thane.

Vasai Virar City Municipal Corporation
STP at Baling, Virar (W)



ISO 9001: 2015 & OHSAS 18001: 2007 Certified



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Parameter & Limits

Sr. No.	Parameters	Limits
1.	pH	5.5 to 9
2.	BOD	100
3.	COD	250
4.	SS	100
5.	O & G	10
6.	TDS	2100
7.	Sulphate	1000
8.	Chloride	600
9.	Copper	3
10.	Iron	5
11.	Zinc	5
12.	Nickel	3
13.	Lead	0.1
14.	Phenol	1
15.	Phosphate	5
16.	Total Chromium	2
17.	Chromium (Hexa)	0.05
18.	TAN	50
19.	TRC	1
20.	Total Metal	10
21.	% Sodium	60%
22.	Detergent	2
23.	DO	5

Exhibit JV 42

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,
Email: rothane@mpcb.gov.in		Wagle Estate, Thane-400 604

No: MPCB/ROT/PD/P/232

Date: 05/03/2019

To,
 City Engineer,
 Vasal-Viral City Municipal Corporation,
 Tal. Vasal & Dist. Palghar - 401 305

Sub: Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and/or u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981

Ref: - 1) Consent granted by Board
 2) Proposal submitted by Sub-Regional Officer Thane-II vide MPCB/SROT-II/B-190305-FTS-0188, dtd: 05/03/2019,
 3) Visit of Board official of Sub-Regional Officer Thane-II on 20/02/2019

WHEREAS, the Maharashtra State has been declared as Water & Air Pollution Prevention Area under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 respectively.

AND WHEREAS, it is obligatory on your part to obtain Consent from Board under provisions of the above mentioned legislations. AND WHEREAS, it is obligatory on your part to provide necessary water pollution control devices and operate them efficiently and continuously so as to meet the standards prescribed in the Environment Protection Act, 1986. AND WHEREAS, it is also mandatory on your part to provide necessary collection, storage, treatment & disposal arrangements under the Solid Waste Management Rules, 2016 vide Notification bearing S.O. No. 1357 (E) dtd: 08/04/2018.

AND WHEREAS, it is obligatory on your part to comply with those conditions stipulated in the Consent granted by the Board. Also you are operating without obtaining consent to operate from M.P.C. Board S.T.P. at Bolinj.

AND WHEREAS, Board Officials of SRC, Thane-II visited your STP at Bolinj on 20/02/2019 & vide above ref-2 reported following non-compliances:

- 1) You have provided 30 CMD capacity STP at Bolinj, Viral, but presently only 15 to 16 CMD domestic sewage is being treated.
- 2) Work of connection of underground drainage system is in progress, which requires another 3-4 months.
- 3) You have not obtained consent to operate for this STP.
- 4) You have provided 30 CMD STP out of 105 CMD sewage generation. Work of other STP not started yet.

AND WHEREAS, this amounts to blatant violation of consent conditions and clearly shows your gross negligent attitude towards pollution control.

AND WHEREAS, after examination of the record of your case, the reports of the members of the Board, and after making necessary inquiry, I am satisfied that you are violating above consent conditions and causing serious pollution in the surrounding area.

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NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33A of the Water (P & C) Act, 1974 and under section 31 of the Air (P & C) Act, 1987, hereby direct you as follows:

- a. Why legal action shall not be initiated against you for violation of the provisions of the aforementioned Acts?
- b. Why prosecution under section 43, 44 read with section 24, 25/26 of the Water (Prevention & Control of Pollution), Act 1974 & Section 15 of the Environment (Protection), Act 1986 shall not be filed against Corporation before Hon'ble Court?

In view of this, you are instructed herewith to submit your reply within 7 days, failing which this office will constrain to initiate legal action as per the provision of Environment Act.

[Signature]
Regional Officer, Thane

Copy submitted to:-
Principal Scientific Officer, MPC Board, Sion, Mumbai-22

Copy to:-
Sub-Regional Officer, M.P.C. Board, Thane-II - He is directed to serve these directions and submit the compliance.

Exhibit "K" (Coll.) 44

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		Wagale Estate, Thane-400 604.
NO: MPCB/ROT/PD-PI 2215		Date:- 24/12/2018

To,
M/s. Navkar Estate & Homes Pvt. Ltd.,
Navkar City, S. No. 332/1, 3, 4, 6A, 7 & 8,
333/142, 336/2, 336/2, 336/3F, Vill. Juchandra,
Naigaon (E), Tal. Vasai, Dist. Palghar - 401 207

Sub: Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and/or u/s 31A of the Air (Prevention & Control Of Pollution) Act, 1981 and the Hazardous Waste (Management, Handling & Transboundry Movement) Rules, 2016.

**Ref: - 1) Consent granted by Board
2) Complaint received to this office
3) Board official visit to your unit, dtd. 01/12/2018
4) Proposal submitted by S.R.O., Thane-II vide MPCB/SROT-RI/B-181207-FTS-0145, dtd. 07/12/2018**

WHEREAS, you are operating unit in the Water Pollution Prevention Area declared under the Water (Prevention & Control of Pollution) Act, 1974, & Air Pollution Prevention Area declared under the Air (Prevention & Control of Pollution) Act, 1981.

WHEREAS, you have been granted Conditional combine Consent to operate and Authorization under the provisions of the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 and the Hazardous Waste (Management, Handling & Transboundry Movement) Rules, 2016.

AND WHEREAS, it is obligatory on your part to provide adequate and suitable treatment & disposal arrangements for effluent air pollution control and Hazardous Waste Management so as to achieve the standards prescribed in the consent order.

AND WHEREAS, Board officials of Sub- Regional Office, Thane- II visited your industry on 01/12/2018 and vide ref. no. 4 reported following:

1. Till date you have not installed organic waste convertor.
2. You have not installed online monitoring system for parameters pH, B.O.D. & T.S.S.
3. You have not submitted Bank Guarantee of Rs. 20.0 Lakh (Rs. Twenty Lakh) & Rs. 2.0 Lakh (Rs. Two Lakh) as per consent to establish condition.

AND WHEREAS, this amounts to blatant violation of consent conditions and clearly shows your gross negligent attitude towards pollution control.

AND WHEREAS, after examination of the record of your case the reports of the officers of the Board and after making necessary inquiry, I am satisfied that you are violating above consent conditions and causing serious pollution in the surrounding area.

: 2 :

NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33A of the Water (P & CP) Act, 1974 and under section 31 of the Air (P & CP) Act, 1981, I, hereby direct you as follows:

- a. Why your industry shall not be directed to close down its project activity forthwith?
- b. Why the competent authority shall not be directed to disconnect water / electricity supply to your project?
- c. Why legal action shall not be initiated against you for violation of the provisions of the aforementioned Acts?

You are requested to make it convenient to attend the personal hearing at above mentioned office address along with all relevant documents on 02/01/2019 @ 11:00 hrs. Please ensure that the authorized competent decision making authority attends the meeting.

Sd/—
(M. R. Lad)
Regional Officer, Thane

Copy submitted to :
Principal Scientific Officer, MPC Board, Sion, Mumbai-22.

Copy to:-
Sub-Regional Officer, M.P.C. Board, Thane-II - He is directed to serve these directions to industry & attend hearing with relevant documents.

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MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Sub-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		Wagale Estate, Thane-400 604.

NO: MPCB/ROT/DP-P/190118-FTS-0230 Date:- 18/01/2019

To,
M/s. Sharp Realtors,
(Shri Deepak P. Shah Partner),
Mirza Shopping centre, 19A, 1st floor,
Opp. Railway station, Virar (E),
Tal. Vasal, Dist. Palghar - 401305

Sub: Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and/or u/s 31A of the Air (Prevention & Control Of Pollution) Act, 1981 and the Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2016.

Ref: - 1) Proposal submitted by Sub-Regional Officer Thane -II, vide MPCB/SROT-II/B-190114-FTS-0261, dtd. 14/01/2019,
2) Visit of Board official of Sub-Regional Officer Thane -II on 19/10/2018

WHEREAS, you are operating unit in the Water Pollution Prevention Area declared under the Water (Prevention & Control of Pollution) Act, 1974, & Air Pollution Prevention Area declared under the Air (Prevention & Control of Pollution) Act, 1981.

WHEREAS, you have been granted Conditional combine Consent to operate and Authorization under the provisions of the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 and the Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2016.

AND WHEREAS, it is obligatory on your part to provide adequate and suitable treatment & disposal arrangements for effluent air pollution control and Hazardous Waste Management so as to achieve the standards prescribed in the consent order.

AND WHEREAS, Board Officials of SRO, Thane-II visited your industry on 19/10/2018 & following are the observations:

- 1) You are operating your project in the name M/s. Sharp Realtors & Other builders without permission / consent from M.P.C. Board.
- 2) You have not provided sewage treatment plant and effluent generated from project found discharging in to nearby nallah leads to creek causing water pollution.
- 3) You have not provided organic waste convertor for treatment of biodegradable waste.

AND WHEREAS, this amounts to blatant violation of consent conditions and clearly shows your gross negligent attitude towards pollution control.

AND WHEREAS, after examination of the record of your case the reports of the officers of the Board and after making necessary inquiry, I am satisfied that you are violating above consent conditions and causing serious pollution in the surrounding area.

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: 2 :

NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33A of the Water (P & CP) Act, 1974 and under section 31 of the Air (P & CP) Act, 1981, I, hereby direct you as follows:

- a. Why your industry shall not be directed to close down its manufacturing activity forthwith?
- b. Why the competent authority shall not be directed to disconnect water / electricity supply to your unit?
- c. Why legal action shall not be initiated against you for violation of the provisions of the aforementioned Acts?

You are requested to make it convenient to attend the personal hearing at above mentioned office address along with all relevant documents on 28/01/2019 @ 12:30 hrs. Please ensure that the authorized competent decision making authority attends the meeting.


 (M. R. Lad)
 Regional Officer, Thane

Copy submitted to :
Principal Scientific Officer, MPC Board, Slon, Mumbai-22.

Copy to:
Sub-Regional Officer, M.P.C. Board, Thane-II - He is directed to serve these directions to industry & attend hearing with relevant documents.

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MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 th Floor, Office Complex Bldg.,
Website: http://mpcb.gov.in		Near Mufund Check Nake,
E-mail Id: rothane@mpcb.gov.in		Wagale Estate, Thane-400 604.
NO: MPCB/ROT/IPD-PI/190118-FTS-0227		Date:- 18/01/2019

To,
M/s. Rakesh K. Wadhawan,
 Devan Tower, Station Road,
 Vasai (E), Dist. Palghar – 401 208

Sub: Proposed Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and/or u/s 31A of the Air (Prevention & Control Of Pollution) Act, 1981 and the Hazardous Waste (Management, Handling & Transboundry Movement) Rules, 2016.

**Ref: - 1) Proposal submitted by Sub-Regional Officer Thane –II, vide MPCB/SROT-II/B-190114-FTS-0258, dtd. 14/01/2019,
 2) Visit of Board official of Sub-Regional Officer Thane –II on 19/10/2018**

WHEREAS, you are operating unit in the Water Pollution Prevention Area declared under the Water (Prevention & Control of Pollution) Act, 1974, & Air Pollution Prevention Area declared under the Air (Prevention & Control of Pollution) Act, 1981.

WHEREAS, you have been granted Conditional combine Consent to operate and Authorization under the provisions of the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 and the Hazardous Waste (Management, Handling & Transboundry Movement) Rules, 2016.

AND WHEREAS, it is obligatory on your part to provide adequate and suitable treatment & disposal arrangements for effluent air pollution control and Hazardous Waste Management so as to achieve the standards prescribed in the consent order.

AND WHEREAS, Board Officials of SRO, Thane-II visited your industry on 19/10/2018 & following are the observations:

- 1) You are operating your project in the name M/s. Rakesh Wadhawan & Other builders without permission / consent from M.P.C. Board.
- 2) You have not provided sewage treatment plant and effluent generated from project found discharging in to nearby nallah leads to creek causing water pollution.
- 3) You have not provided organic waste convertor for treatment of biodegradable waste.

AND WHEREAS; this amounts to blatant violation of consent conditions and clearly shows your gross negligent attitude towards pollution control.

AND WHEREAS, after examination of the record of your case the reports of the officers of the Board and after making necessary inquiry, I am satisfied that you are violating above consent conditions and causing serious pollution in the surrounding area.

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NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33A of the Water (P & CP) Act, 1974 and under section 31 of the Air (P & CP) Act, 1981, I, hereby direct you as follows:

- a. Why your industry shall not be directed to close down its manufacturing activity forthwith?
- b. Why the competent authority shall not be directed to disconnect water / electricity supply to your unit?
- c. Why legal action shall not be initiated against you for violation of the provisions of the aforementioned Acts?

You are requested to make it convenient to attend the personal hearing at above mentioned office address along with all relevant documents on 28/01/2019 @ 12:15 hrs. Please ensure that the authorized competent decision making authority attends the meeting.


(R. R. Lad)
Regional Officer, Thane

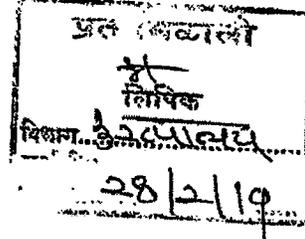
Copy submitted to :
Principal Scientific Officer, MPC Board, Sion, Mumbai-22.

Copy to:-
Sub-Regional Officer, M.P.C. Board, Thane-II. He is directed to serve these directions to industry & attend hearing with relevant documents.

Exhibit "L" SO

'NOTICE'

To
The Hon. Commissioner,
Vasai-Virar Municipal Corporation,
Opp. Virar East Police Station,
Vasai East, Palghar Dist.



Sir,

I, Mr. Anil Kumar V. Pillai, a social activist, and Co-convenor of South Indian Cell, BJP Maharashtra Pradesh residing within the limits of Vasai Virar Municipal Corporation, having my residential address at C/302, Evershine Classique CHS, Near Evershine Medical, Evershine City, Vasai East. District Palghar - 401 208 gives you following notice as under:

1. That initially I have approached the Corporation raising grievances about the several unauthorised occupations in buildings constructed by various builders and developers without obtaining necessary Occupation Certificates and thereby requested to take appropriate action by my representation dated 25th April 2017. Unfortunately, till date no action has been initiated against the defaulting builders and developers. The copy of the Representation dated 25th April 2017 is annexed herewith and marked as **Annexure - "A"**.
2. That in absence of Occupation Certificates many builders and developers have not provided basic amenities with respect to proper discharge of sewage water. In absence of Occupation Certificate there is no consent to operate with regard to Sewage Treatment Plant (S.T.P) at several places within the limits of Respondent Corporation, specially the project in area more than 20000 Square Meters and therefore sewage water coming from several buildings within the limits of Corporation is flowing in to the sea water without any treatment. The discharged of Sewage

Water without treatment in sea water have created nuisance for a longer period.

3. That the Corporation is having only one Sewage Treatment Plant at Boling in function with the capacity of **30 MLD**. **As per your letter dated 19 September, 2018 (letter attached) you have agreed that around 80% of the water supplied turns out into sewage system. The total water supply to VVMC is 130MLD (100MLD from Surya project, 20 MLD from Usgaon dam & 10 MLD from Pelhar). Hence as per your statement, around 104MLD is converted into waste and enters the Sewage system. You have no other option but to discharge around 74MLD of untreated sewage into the natural resources.** Therefore, it is obvious that the sewage generated within the limits of Municipal Corporation is get discharged into sea water without any treatment resulting into pollution in sea which is not only causing the damages to the marine life but also affecting the rights of fishermen as well as the citizens at large residing in coastal area.
4. That the only available Sewage Treatment Plant is also not properly functioning as per the standards and norms prescribed by the Pollution Control Board.
5. That Municipal Corporation is having primary duty under section 177 of the Maharashtra Municipal Corporation Act, as to make the provisions for disposal of sewage and construction of S.T.P's within its limits. However, the corporation has failed to perform its duty.
6. In such circumstances, by this Notice I am inviting your attention that the being local authority the primary duty to have proper and adequate treatment of the sewage water is casted upon the corporation. Further, you are requested to note that polluter pays principal is the law of the land. Therefore, excuses for not providing adequate mechanism for sewage treatment does not absolve the responsibility of the corporation.
7. That I also invite your attention in respect of one of the projects known as Evershine City, which is partly developed by the

Evershine Builders and wherein development is still going on; on the basis of Commencement Certificate Issued on 06/09/1991 in favour of one Mr. R.K.Wadhwan, which has been time to time amended and small projects have been developed by the various developers on the basis of single Commencement Certificate issued on 06/09/1991. You may please note that the entire construction on the basis of single Commencement Certificate issued by CIDCO and subsequently amended by Corporation is more than 20,000 sq.m. in total. Considering one Commencement Certificate, the entire project is under development as per the Commencement Certificate granted in the year 1991 which has been amended till date; therefore it falls within the ambit of area which is more than 20,000 sq.m. In absence of S.T.P. the entire sewage water is got discharged into the sea water through the drainage system of Respondent Corporation which results into causing damages to marine life because of high level pollutants and also affects traditional rights of fishermen as well as health of citizens residing within the coastal area.

8. Therefore, you are requested to promptly take appropriate steps to provide adequate Sewage Treatment Plants within the limits of Corporation at earliest or otherwise I may constrain to approach the court as per legal advice seeking action against the corporation and its authorities for wilful default in providing adequate Sewage Treatment Plants within the limits of Municipal Corporation.

Thanking You.

Place: Vasai Road

Date: 28th February 2019.



Mr. Anil Kumar V. Pillai

T. C.
goh

मुख्य कार्यालय, विरार
विरार (पूर्व),
ता. वसई, जि. ठाणे, पिन ४०१ १०५.



दूरध्वनी : ०२५०-२५२५१०८/०२/०३/०४/०६
फॅक्स : ०२५०-२५२५१०७
ई-मेल : vasalvirarcorporation@yahoo.com

आ.ता. : म.वि.रा.म./सं.से/४२/२०११-१२
दिनांक : २३/१२/२०११

प्रति
मा. प्रधान सचिव
नगरविकास विभाग,
महाराष्ट्र राज्य, मंत्रालय,
मुंबई.

विषय- वसई-विरार शहरासाठी केंद्र शासनाचे सॅटेलाईट सिटींना पायाभूत सुविधा निर्माण
करणेची योजना (UIDSST) योजनेअंतर्गत दुयारी गटार योजनेसाठी मंजूर
झालेल्या निधीपैकी राज्य शासनाच्या हिश्याचा निधी वितरीत करणे बाबत .

संदर्भ - १. मान्यता व संनियंत्रण समितीची ६ वी बैठक दि १८/०८/२०११.
२. मा. कक्ष अधिकारी, महाराष्ट्र शासन यांचेकडिल दि १२/१०/२०११ चे पत्र .

महोदय,

वसई-विरार महापालिकेसाठी केंद्र शासनाच्या सॅटेलाईट सिटी योजना मंजूर झालेली आहे . या योजने
अंतर्गत भूपारी गटार योजनेचा (Underground Sewerage Treatment) डि.पी.आर राज्य शासनामार्फत
केंद्र शासनास सादर केलेला होता . या योजनेचे केंद्र शासनाचे मान्यता व संनियंत्रण समिती च्या दि
१८/०८/२०११ रोजी दिल्ली येथे झालेल्या बैठकीमध्ये वसई-विरार शहर महानगरपालिकेला भूपारी गटार
योजनेच्या एकूण योजने ५५७.६८ कोटी पैकी भाग-१ म्हणून रु .६६२२.६३ लाख पहिला भाग मंजूर करून निधी
उपलब्ध केला जाणार आहे. या भाग -२ चे रु ३४४२.४९ लाखाचे योजनेसाठी प्रशासकिय मान्यता दिलेली
आहे . केंद्र शासनाने या योजनेसाठी केंद्र स्तरावरील निधी चालू वर्षी शिल्लक राहिल्यास वसई-विरार चे भूपारी
गटार योजना दुसरे भागासाठी म्हणजेच रु ३४४२.४९ योजनेसाठी निधी दिला जाणार आहे .

तरी वरील प्रमाणे भूपारी गटार योजने साठी राज्यशासनाचा १०% असलेला निधी रु ६६. २३ लाख
अंदाजपत्रकीय खर्चाचे भाग १ साठी रु . ६.६२२ कोटी व रु ३४४२.४९ अंदाजपत्रकीय खर्चाच्या भाग -२
साठी रु. ३.४४२ कोटी या महानगरपालिकेकडे वर्ग होणारा यिनंती आहे . याकामी वाबाबत दि.
१८/०८/२०११ रोजी झालेल्या मान्यता व संनियंत्रण समितीच्या बैठकीत सुचना दिलेल्या आहेत .

तरी या कामी राज्यशासनाच्या हिश्याचा निधी या महापालिकेस लवकरात लवकर वितरीत करावा हि
यिनंती .

फळाचे,

आपला दिवांस,

आयुक्त

वसई-विरार शहर महानगरपालिका

23/12/11

T. C. J.

TRANSLATED COPY

To,
Hon. Principal Secretary
Urban Development Department,
Ministry, Maharashtra State,
Mumbai.

Subject :- Disbursement of state government fund sanctioned for underground sewerage scheme for Vasai-Virar City under central governments Urban Infrastructure Development Scheme for Satellite Town (UIDSST) scheme.

Reference :- 1. Approved & Monitoring committee's 6th meeting dated 18/08/2011.
2. Hon. Desk officer, Maharashtra State, letter dated 12/10/2011.

Sir,

Central Government Satellite City Scheme has been approved for Vasai Virar City Municipal Corporation. Under this scheme D.P.R. of underground sewerage treatment was submitted through the state government to the central government.

In the meeting of central government approved & monitoring committee held on 18/08/2011 at Delhi, Vasai Virar City Municipal Corporation will be provided amount of Rs.6622.63 Lac as part-1 out of total amount of treatment scheme. Also administrative sanction has been given to amount of Rs.3442.49 Lac of part-2 of the scheme. If the central governments funds at the central level for this scheme remains balance in the current year, then the funding will be given for the second part of Vasai-Virar underground sewerage scheme, i.e. amount of Rs.3442.42 Lac.

It is requested that, as above mentioned for underground sewerage scheme state governments 10% fund of Rs.66.23 Lac for part-1 of budget expenses i.e. Rs.6.622 Cr. and 10% of Rs.3442.49 Lac for part-2 of budget expenses i.e. Rs.3442 Cr. be transferred to this Municipal Corporation Directions has been given in this regards in the approved & Monitoring Committee's meeting dated 18/08/2011

Therefore it is requested that the state governments funds be transferred to this corporation to the earliest.

Thanking You.

Your's Faithfully,

Municipal Commissioner
Vasai-Virar City Municipal Corporation

T. C.
S. L.

No. K-14011/18/2014-UD-III
 Government of India
 Ministry of Urban Development
 (UD-III Division)

Nirman Bhawan, New Delhi
 Dated: 22nd May, 2014

To
 The Pay & Accounts Officer (Secy)
 Ministry of Urban Development
 Nirman Bhawan
 New Delhi

Sub: Urban Infrastructure Development of Satellite Towns around seven mega cities -
 Sanction of projects relating to Maharashtra - "Underground Sewerage Scheme for
 Vasai-virar, Sub Region STP-2 Maharashtra".

Sir,

In continuation of this Ministry's sanction of even number dated 14/02/2012 releasing first instalment of Rs.1324.52 lakh. I am directed to convey sanction of the President to the proposal submitted by State Government of Maharashtra for project "Underground Sewerage Scheme for Vasai-virar, Maharashtra" at an estimated cost of Rs. 6622.63 lakh (Rupees Sixty six crore twenty two lakh and sixty three thousand only) out of which Central share is Rs. 5298.10 lakh (80% of approved cost), State Share is 10% & the ULB Share is 10% and to release second instalment of Rs.1324.52 lakh (Rupees Thirteen Crore Twenty Four lakh and Fifty Two Thousand only) to the State Govt. during 2014-15.

2. The sanction of the project is subject to the following conditions:

- (i) The sanction shall be regulated in accordance with the provisions of GFR, 2005.
- (ii) State Government would maintain a separate account in respect of the project.
- (iii) The money will be utilized for the purpose for which it has been sanctioned. Otherwise, it (or any unutilized portion thereof) would be refunded along with interest at prescribed rates to Central Government forthwith as per provisions contained in the Rule 209 of GFR, 2005.
- (iv) The State Government of Maharashtra will furnish utilization certificate in respect of funds released at an early date in the prescribed proforma (GFR-19A), in compliance with the instructions contained in Rule 212 of the General Financial Rules, 2005. In addition, the State Govt. will also submit consolidated U.C. within six months of completion of the project.
- (v) The next instalment would be released only on receipt of Utilization Certificate for minimum 75% of the second instalment.
- (vi) Any increase in project cost due to any reason shall be met by the State Govt. and no Central Assistance would be given for that purpose.
- (vii) The Central Share will be released in four instalments.
- (viii) Final instalment shall be released after entire State/ULB share are released & utilized.
- (ix) The State/ULB will not obtain any financial assistance for this project from any other Ministry/Department of Govt. of India.

- (x) State/ULB will adhere conditions stipulated in technical appraisal by CPHEEO and the minutes of S&MC meeting held on 03.02.2011.
- (xi) 3rd and subsequent instalments shall be released after commensurate financial & physical progress is achieved.
- (xii) The project will be completed within 36 months from the date of sanction.
- (xiii) The State Govt. will direct the towns to expedite the reforms to be undertaken under the scheme.

- 3. The expenditure involved is debit to Major Head 2217 - Urban Development (Plan) - 05 Other U.D. Schemes - 800 Other Expenditure - 23 - Urban Infrastructure Development in Satellite/Counter Magnet Cities - 23.00.35 - Grants-in-aid for creation of Capital Assets under Demand No. 103 for the year 2014-15 of the Ministry of Urban Development.
- 4. The amount will be credited to the State Government's account to RBI as per procedure laid down by Ministry of Finance, Department of Expenditure vide O.M. No. F-II (45/76/SC) dated 22.02.1977.
- 5. This issues with the concurrence of Finance Division vide their Dy. No. 497/US(F)/FD/14 dated 15.05.2014.
- 6. Entry has been made at Sl. No. 1 of Grant-in-aid Register-2014-15.
- 7. No U.C is pending for this project from the Govt. of Maharashtra.
- 8. The sanction is Non-recurring.

Yours faithfully,

 (Naresh Kumar)

Under Secretary to the Govt. of India
 Telefax: 011-23061137

Copy to:

- 1. The Secretary, UD Department, Government of Maharashtra, Mumbai.
- 2. The Resident Commissioner, Maharashtra Bhawan, New Delhi
- 3. The Accountant General, Govt. of Maharashtra
- 4. Director, Vasai-virar City Municipal Corporation, Vasai-virar, Mumbai
- 5. The Principal Director of Audit, Economic and Service Ministries, AGCR Building, New Delhi - 110002
- 6. The Advisor (HUD), Planning Commission, Yojana Bhawan, New Delhi.
- 7. Finance Division, MoUD, New Delhi
- 8. CP, TCPO, New Delhi
- 9. PS to JS (UD)
- 10. Sanction File
- 11. Guard File


 (Naresh Kumar)

Under Secretary to the Govt. of India

