

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

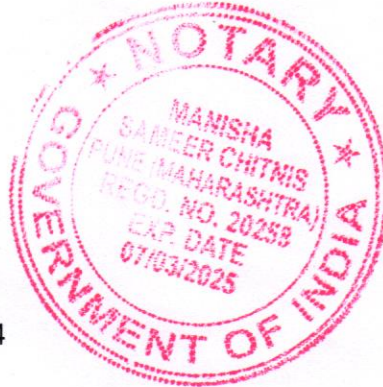
**ORIGINAL APPLICATION NO. 112 /2024 (WZ)  
EARLIER ORIGINAL APPLICATION NO. 377 / 2024 (PB)**

**IN THE MATTER OF: -**

**NEWS ITEM TITLED "FOUR SUFFOCATE TO DEATH CLEANING SEWAGE PLANT IN MUMBAI'S VIRAR" APPEARING IN THE TIMES OF INDIA DATED 10.04.2024.**


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3	<b>Annexure-R1-I:</b> -Copy of the e-mail communication dated 10/05/2024 with Maharashtra Pollution Control Board (MPCB) and Vasai-Virar Municipal Corporation (VVMC) related to request for providing Action Taken Report (ATR)	
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5.	<b>Annexure-R1-III:</b> -Copy of the Action Taken Report (ATR) submitted by Vasai-Virar Municipal Corporation (VVMC) vide e-mail dated 29/06/2024.	



Place: Pune

Date: 04/09/2024

  
(Pratik D. Bharne)

**Regional Director**

- क्षेत्रीय निदेशक / Regional Director  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
क्षेत्रीय निदेशालय, पुणे / Regional Directorate, Pune  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
M/o Env't. Forest & Climate Change, Govt. of India  
सर्वे नं. ११०, हीराबाई धनकुडे हॉल, बाणेर रोड, बाणेर, पुणे - 411045  
Sr. No. 110, Hirabai Dhankude Hall, Baner Road, Baner, Pune-411045

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

ORIGINAL APPLICATION NO. 112 /2024 (WZ)  
EARLIER ORIGINAL APPLICATION NO. 377 / 2024 (PB)

**IN THE MATTER OF: -**

**NEWS ITEM TITLED "FOUR SUFFOCATE TO DEATH CLEANING SEWAGE  
PLANT IN MUMBAI'S VIRAR" APPEARING IN THE TIMES OF INDIA DATED  
10.04.2024.**

**REPLY ON BEHALF OF RESPONDENT NO. 1,**  
**CENTRAL POLLUTION CONTROL BOARD(CPCB)**

1. That, the Hon'ble NGT (WZ) vide order dated 28/05/2024 has sought the reply of Respondent No.1 i.e. Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. Thereby, the reply is made in this instant Original Application (hereinafter referred as OA) in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under the Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and control of Pollution) Act 1981, and the Environment (Protection) Act, 1986.

**PRELIMINARY SUBMISSION**

3. That, the matter is related to the death of 4 persons by suffocation after inhaling toxic gases while cleaning a private Sewage Treatment Plant (STP) in a residential township in Virar.
4. It is humbly submitted that the Answering Respondent (CPCB) has pursued the said matter with Maharashtra Pollution Control Board (herein after referred as MPCB) and Vasai-Virar Municipal Corporation (VVMC) vide e-mail dated

10/05/2024 with a request to submit Action Taken Report (ATR) in the said matter. Copy of the aforesaid e-mail dated 10/05/2024 is given at **Annexure R1-I**.

5. It is humbly submitted that MPCB and Vasai-Virar Municipal Corporation (VVMC) have submitted the copy of Action taken report (ATR) to this Answering Respondent in above subject matter vide e-mails dated 14/06/2024 and 29/06/2024 respectively. Copy of ATR as submitted by MPCB given at **Annexure-R1-II** and Copy of ATR as submitted by VVMC is given at **Annexure-R1-III**. Relevant extract of aforesaid reports are summarized as below:

- I. That, the incident occurred on 09/04/2024, in the 28 flats residential township building of M/s Evershine Developers, which is one of the 124 residential building complex in Evershine Global City, Village Dongre, Taluka Vasai, District Palghar. STP (3.6 MLD) has been constructed for the treatment & disposal of domestic wastewater from the said residential township building. The incident occurred during cleaning of the pipe in the tank of the said STP.
- II. M/s Evershine Developers has given contract to a private company M/s Polycon Enviro Engineer Pvt. Ltd., for operation & maintenance (O & M) of the STP.
- III. All the four deceased workers were maintenance workers belonging to M/s Polycon Enviro Engineer Pvt. Ltd.,
- IV. The said residential township had obtained Environmental Clearance (EC) from SEIAA, Maharashtra vide dtd.12.10.2017 and also obtained Consent to Operate (CTO) from MPCB vide dated 24.09.2018 and further obtained renewal of Consent to Operate (CTO) vide dated 13.02.2024.
- V. As per the Autopsy Report, the cause of death is Asphyxia due to drowning. The Arnala Police Station has registered FIR No. 0158/2024 under Section 34 and 304 in Indian Penal Code 1960 against the owner of M/s Polygon Enviro Engineer Pvt. Ltd., and Supervisor of the M/s Polygon Enviro Engineer Pvt. Ltd.,



VI. That, it is observed from the letter (attached with ATR provided by MPCB) dated 12.04.2024 from Vasai-Virar Municipal Corporation to Director, National Commission For Scheduled Castes (NCSC), Pune that as per the Social Justice and Special Assistance Department, Government of Maharashtra vide Government Resolution dated 12/12/2019, the operator of STP i.e. M/s Polycon Enviro Engineer Pvt Ltd will be required to pay compensation of Rs.10 lakh each to victim's legal heirs from their own fund and it is the responsibility of the collector to conform the compensation has been received to the legal heirs of the deceased workers.

VII. Further, it is observed from the Action Taken Report of VVMC, the National Safai Commission, held meeting on 30/04/2024 at Vasai -Virar Municipal Corporation, where The Commission has ordered the operator of STP to comply with The Hon'ble Supreme Court of India judgement dated 27/3/2024 in Writ Petition no. 583 of 2003 regarding payment as compensation of Rs.30 lakhs each to the dependant family members of such deceased workers.

6. That in light of the above submissions, this Answering Respondent No. 1 i.e. CPCB shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the present original application.



**Noted & Registered**  
At.Sr.No. 7991/2024

*Pratik D. Bharne*

**Pratik D. Bharne**

(Scientist 'E' & Regional Director)

Central Pollution Control Board

क्षेत्रीय निदेशक / Regional Director  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
क्षेत्रीय निदेशालय, पुणे / Regional Directorate, Pune  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
M/o Env't. Forest & Climate Change, Govt. of India  
सर्वे नं. ११०, हीराबाई धनकुडे हॉल, बाणेर रोड, बाणेर, पुणे - 411045  
Sr. No. 110, Hirabai Dhankude Hall, Baner Road, Baner, Pune-411045

**BEFORE ME**

*Manisha Sameer Chitnis*

**MANISHA SAMEER CHITNIS**  
NOTARY  
GOVERNMENT OF INDIA

**04 SEP 2024**



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

ORIGINAL APPLICATION NO. 112 /2024 (WZ)  
EARLIER ORIGINAL APPLICATION NO. 377 / 2024 (PB)

**IN THE MATTER OF: -**

**NEWS ITEM TITLED "FOUR SUFFOCATE TO DEATH CLEANING SEWAGE PLANT IN MUMBAI'S VIRAR" APPEARING IN THE TIMES OF INDIA DATED 10.04.2024.**

**AFFIDAVIT**

I, Pratik D. Bharne, working as Scientist 'E' & Regional Director in Central Pollution Control Board, Regional Directorate, Survey No. 110, Hirabai Dhankude Multipurpose Hall, Baner Road, Baner, Pune – 411045, do hereby solemnly affirm, declare on oath and state as under:

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the contents there of are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

*Pratik D. Bharne*

**DEPONENT**

क्षेत्रीय निदेशक / Regional Director

केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board

क्षेत्रीय निदेशालय, पुणे / Regional Directorate, Pune

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
M/o Env't. Forest & Climate Change, Gov't of India

सर्वे नं. ११०, हीराबाई धनकुडे हॉल, बाणेर रोड, बाणेर, पुणे - 411045  
Sr. No. 110, Hirabai Dhankude Hall, Baner Road, Baner, Pune-411045

**VERIFICATION**

Verified at Pune on this day 4<sup>th</sup> of September 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Pune on this the Day 4<sup>th</sup> of September 2024.



**COUNSEL for Respondent No. 1**

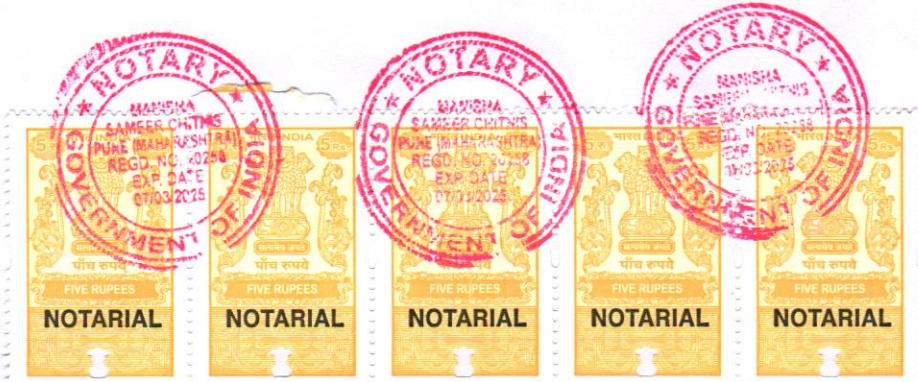
*Prakash B.*

**DEPONENT – Respondent No. 1**

क्षेत्रीय निदेशक / Regional Director  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
क्षेत्रीय निदेशालय, पुणे / Regional Directorate, Pune  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
M/o Env't. Forest & Climate Change, Govt. of India  
सर्वे नं. ११०, हीराबाई धनकुडे हॉल, बाणेर रोड, बाणेर, पुणे - 411045  
Sr. No. 110, Hirabai Dhankude Hall, Baner Road, Baner, Pune-411045



**Noted & Registered**  
At.Sr.No. 800/2024



**BEFORE ME**

*ms*

**MANISHA SAMEER CHITNIS**  
NOTARY  
GOVERNMENT OF INDIA

**04 SEP 2024**

Email

SHAILENDRA BANSAL

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**Hon'ble NGT (PB) Suo Moto matter in Original Application No. 377 of 2024, In re News item appearing in The Times of India dated 10.04.2024 Titled "4 suffocate to death sewage plant in Mumbai's Virar"**

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**From :** SHAILENDRA BANSAL <shailendra.cpcb@gov.in>

Fri, May 10, 2024 12:03 PM

**Subject :** Hon'ble NGT (PB) Suo Moto matter in Original Application No. 377 of 2024, In re News item appearing in The Times of India dated 10.04.2024 Titled "4 suffocate to death sewage plant in Mumbai's Virar"

 1 attachment

**To :** rothane@mpcb.gov.in, srothane2@mpcb.gov.in, Anil kumar pawar <commissioner.vvmc@gov.in>, vasaivirarcorporation@yahoo.com

**Cc :** ms <ms@mpcb.gov.in>, Pratik Bharne <pratik.cpcb@gov.in>, NISHCHAL C <nischal.cpcb@nic.in>, Avanish Tripathi <atripathi.cpcb@gov.in>, Bandhu Kamal <kamalbandhu.cpcb@gov.in>, KRISHAN KUMAR GUPTA <kkgupta.cpcb@gov.in>

Sir/Madam,

I am directed to forward mail in the aforementioned subject matter.

This is reference to Hon'ble NGT (PB) Suo Moto matter in Original Application No. 377 of 2024, In re News item appearing in The Times of India dated 10.04.2024 Titled "4 suffocate to death sewage plant in Mumbai's Virar". The matter is related to death of 4 persons by suffocation after inhaling toxic gases while cleaning a private sewage treatment plant in residential township in Mumbai's Virar.


The NGT Principal Bench vide order dtd. 19.04.2024 in the said Suo Motu matter, impleaded the following as respondents (viz. CPCB, MPCB, District Collector- Mumbai) for file their report. copy of said order dated 19.04.2024 is attached herewith for kind reference. The said Original Application is transferred to the Western Zonal Bench, Pune for appropriate further action.

In this regard, it is requested to kindly examine the said order and provide action taken report, if any; on the said issue. The matter is listed on [28/05/2024](#).

सादर / Regards

शैलेन्द्र बंसल / Shailendra Bansal  
सहायक विधि अधिकारी / Assistant law Officer  
क्षेत्रीय निदेशालय, पुणे / Regional directorate, Pune  
केंद्रीय प्रदूषण नियंत्रण बोर्ड / Central Pollution Control Board

---

 **19.04.2024.2024**  
57 KB

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**From:** srothane2@mpcb.gov.in  
**To:** "SHAIENDRA BANSAL" <shailendra.cpcb@gov.in>  
**Cc:** "Pratik Bharne" <pratik.cpcb@gov.in>, rothane@mpcb.gov.in  
**Sent:** Friday, June 14, 2024 6:24:31 PM  
**Subject:** Re: Hon'ble NGT (PB) Suo Moto matter in Original Application No. 377 of 2024, In re News item appearing in The Times of India dated 10.04.2024 Titled "4 suffocate to death sewage plant in Mumbai's Virar"

Sir,  
Pl see ATR on above incident.

Sent from [Outlook for Android](#)

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**From:** SHAIENDRA BANSAL <shailendra.cpcb@gov.in>  
**Sent:** Friday, June 14, 2024 6:13:23 PM  
**To:** SRO Thane 2 <srothane2@mpcb.gov.in>; vasaivirarcorporation@yahoo.com <vasaivirarcorporation@yahoo.com>  
**Cc:** Pratik Bharne <pratik.cpcb@gov.in>; NISHCHAL C <nischal.cpcb@nic.in>; Avanish Tripathi <atripathi.cpcb@gov.in>; Bandhu Kamal <kamalbandhu.cpcb@gov.in>; KRISHAN KUMAR GUPTA <kkgupta.cpcb@gov.in>; Dr. Avinash Dhakne <ms@mpcb.gov.in>; Municipal Commissioner VVMC <commissioner.vvmc@gov.in>; RO Thane <rothane@mpcb.gov.in>  
**Subject:** Re: Hon'ble NGT (PB) Suo Moto matter in Original Application No. 377 of 2024, In re News item appearing in The Times of India dated 10.04.2024 Titled "4 suffocate to death sewage plant in Mumbai's Virar"

Sir/Madam

I am directed to send reminder mail in aforesaid matter.

This is reference to trailing mail communication in Hon'ble NGT Suo Moto matter in O.A. No. 112 of 2024 in O.A. No. 377 of 2024, in re News item appearing in The Times of India dated 10.04.2024 Titled "4 suffocate to death sewage plant in Mumbai's Virar". The matter is related to death of 4 persons by suffocation after inhaling toxic gases while cleaning a private sewage treatment plant in residential township in Mumbai's Virar.

Earlier this office i.e. RD Pune CPCB requested to examine the said matter and provide action taken report however response is still awaited. in this regard, it is again requested to provide action taken report/status report if any; on said matter. The matter is listed on [05/09/2024](#).

सादर / Regards

शैलेन्द्र बंसल / Shailendra Bansal  
सहायक विधि अधिकारी / Assistant law Officer  
क्षेत्रीय निदेशालय, पुणे / Regional directorate, Pune  
केंद्रीय प्रदूषण नियंत्रण बोर्ड / Central Pollution Control Board

---

**From:** "SHAIENDRA BANSAL" <shailendra.cpcb@gov.in>  
**To:** rothane@mpcb.gov.in, srothane2@mpcb.gov.in, "Anil kumar pawar" <commissioner.vvmc@gov.in>, vasaivirarcorporation@yahoo.com

**MAHARASHTRA POLLUTION CONTROL BOARD****PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO.377/2024**

**Suo Motu Matter In re : News appeared in Times of India dt  
10.04.2024 Titled " Four Suffocate to death cleaning sewage Plant  
In Mumbai Virar"**

**Report on behalf of the Maharashtra Pollution Control Board**

1. This Honble Tribunal has registered the News appeared in the "The Times of India" dated 10.4.2024 titled "Four Suffocate to deal cleaning sewage plant in Mumbai Virar" as Original Application No.377/2024. In this regard, Hon'ble NGT issued notice dated 15.4.2024 to file report.
2. The incident happened on 09.04.2024 at the residential Township of M/s.Evershine Developers, Evershine Global City, Village Dongre, Taluka- Vasai, District Palghar. Above said residential Township has Obtained Environmental clearance on 12.10.2017. Maharashtra Pollution Control Board has granted 1<sup>st</sup> Consent to Operate on 24.09.2018 and Renewal of Consent on 13.02.2024 to the above Project Proponent. A copy of the Renewal of Consent dated 13.02.2024 is enclosed herewith and marked as an **Annexure-I**.
3. M/s Evershine Developers has installed 3.6 MLD capacity Sewage inside the township and given contract for the maintenance and operation of STP to private company M/s Polycon Enviro Engineer Pvt Ltd. On 09.4.2024 around 11.30 AM, four maintenance workers belonging to M/s Polycon Enviro Engineer Pvt Ltd died on the spot during the cleaning of the Sewage Treatment Plant. Four dead bodies were pulled out from

the STP tank by the Fire Brigade Department of Vasai Virar City Municipal Corporation. The dead bodies were taken by Police to Rural Hospital Virar for Autopsy/post-mortem. As per the Autopsy report, the cause of Death is due to Asphyxia due to drowning. FIR No. 0158/2024 U/S IPC 304, 34 has been filed against the Owner of M/s Polygon Enviro Engineer Pvt Ltd and Supervisor of the Company in the Arnala Police Station.

For and on behalf of Maharashtra  
Pollution Control Board



(Anand Katole )

Sub-Regional Officer, Thane-II

Place :  
Date;- 17.04.2024

# MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437  
 Fax: 24023516  
 Website: <http://mpcb.gov.in>  
 Email: [cac-cell@mpcb.gov.in](mailto:cac-cell@mpcb.gov.in)



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

Infrastructure/RED/L.S.I

No:- Format1.0/CAC-CELL/UAN No.0000186461/CR/2402001100

Date: 13/02/2024

To,  
 Evershine Developers,  
 Evershine Global City, at Village Dongre,  
 Virar (west), Taluka Vasai, District- Thane



**Sub: Consent to Renewal and amalgamation of Part -I.II.III.IV & V, under RED category.**

- Ref:**
1. Environment clearance accorded Environment Department, Gol vide dated 12.10.2017
  2. Consent to Establish accorded by Board vide dated 19.09..2018.
  3. 1st Consent to Operate (Part-I,II,III) accorded by Board vide dated 22.08.2023.
  4. 1st Consent to Operate (Part-IV) accorded by Board vide dated 22.08.2023.
  5. 1st Consent to Operate (Part-V) accorded by Board vide dated 22.08.2023
  6. Minutes of 20rd CAC meeting held on 11.01.2024.

Your application NO. MPCB-CONSENT-0000186461

For: grant of Consent to Renewal under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I,II,III & IV annexed to this order:

1. **The Consent to Renewal is granted for a period up to 31.10.2025**
2. **The capital investment of the project is Rs.845.43 Cr. (As per C.A Certificate submitted by industry).**
3. **The Consent to Renewal and amalgamation of Part -I.II.III.IV & V named as EVERSHINE DEVELOPERS;, same as location of unit,(Avenue A1, A2, A3A, A3B, A4, AS, A6, B(I), B(2), CI, C2, C3) Evershine Global City, New survey no. 5/1, 5/2, 5/3, 5/4, 5/SA, 5/SB, 5/5C, 5/5D, 5/5E, 5/6,5/7,5/8 (Old S.No.5, 5B, 5D, 5F, 5G) of Village: Dongre, Tai: Vasai, Dist. : Palghar, Vasai, Palghar on Total Plot Area of 932440 SqMtrs for construction BUA of 892331.86 SqMtrs out of Total Construction BUA of 1684995.85 SqMtrs as per EC granted dated 12.10.2017 including utilities and services.**

Sr.No	Permission Obtained	Plot Area (SqMtr)	BUA (SqMtr)
1	Environment Clearance dated 12.10.2017	932440.00	2505114.36
2	Consent to Establish dated 19.09.2018	932440.00	1684995.85
3	1st Operate (Part-I,II,III) dated 22.08.2023	932440.00	820118.51

4	1st Operate (Part-IV) dated 22.08.2023	932440.00	299998.00
5	1st Operate (Part-V) dated 22.08.2023	932440.00	299998.00

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal
1.	Trade effluent	Nil	NA	NA
2.	Domestic effluent	5724	As per Schedule - I	The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be used on land for gardening/construction activity & achieve Nil discharge outside the premises till completion of the project.

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
S-1 to S-5	DG Set (625 kVA X 5 Nos.)	1	As per Schedule -II
S-6 to S-7	DG Set (320 kVA x 2 Nos.)	2	As per Schedule -II
S-8	DG Set (650 kVA)	1	As per Schedule -II
S-9	DG Set (450 kVA)	1	As per Schedule -II
S-10	DG Set (160 kVA)	1	As per Schedule -II
S-11	DG Set (180 kVA)	1	As per Schedule -II
S-12	DG Set (60 kVA)	1	As per Schedule -II
S-13 to S-14	DG Set (250 kVA x 2 Nos.)	2	As per Schedule -II
S-15	DG Set (350 kVA)	1	As per Schedule -II

6. **Conditions under Solid Waste Rules, 2016:**

Sr No	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Bio degradable waste	14298 Kg/Day	OWC followed by Composting facility	Used as a manure for landscape/gardening within own premises
2	Non-Bio degradable waste	9768 Kg/Day	Sagregate	Handover to authorized vendor
3	STP sludge	532 Kg/Day	Drying	Used as a manure for landscape/gardening within own premises

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No.	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	As Actual	Ltr/A	Reprocessing	Sale to authorized recycler

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.

9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
10. This consent is issued pursuant to the decision of the 20th Consent Appraisal Committee Meeting held on 11.01.2024.
11. PP shall operate sewage treatment plant so as to achieve treated domestic effluent standard for the parameter BOD- 10 mg/lit.
12. The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be utilized on land for gardening.
13. PP shall operate organic waste digester along with composting facility/bio-digester (biogas) for the treatment of wet garbage.
14. PP shall make provision of charging ports for electric vehicles at least 40% of total available parking slots.
15. PP shall comply with the conditions stipulated in Environment Clearance & Consent Conditions.
16. PP shall submit the BG of Rs. 25 lakhs towards pollution control system and compliance of conditions stipulated in EC and Consent to Operate.



*Dinazg*

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c1bac04d  
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1498666a  
93331109

Signed by: **Dr. Avinash Dhakne**  
Member Secretary  
For and on behalf of,  
**Maharashtra Pollution Control Board**  
ms@mpcb.gov.in  
2024-02-13 22:26:30 IST

#### Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	3381720.00	MPCB-DR-22757	28/11/2023	NEFT

#### Copy to:

1. Regional Officer, MPCB, Thane and Sub-Regional Officer, MPCB, Thane II  
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai
3. CAC Desk for updation purpose.

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

- 1) A] As per your application, you have provided MBBR Technology based Sewage Treatment Plants (STPs) of combined capacity **6650 CMD for treatment of domestic effluent of 5724 CMD.**
- B] The Applicant shall operate the sewage treatment plant (STP) to treat the sewage so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

<b>Sr.No</b>	<b>Parameters</b>	<b>Limiting concentration not to exceed in mg/l, except for pH</b>
1	pH	5.5-9.0
2	BOD	10
3	COD	50
4	TSS	20
5	NH4 N	5
6	N-total	10
7	Fecal Coliform	less than 100

- C] The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing, air conditioning, cooling tower make up, firefighting etc. and remaining shall be used on land for gardening/construction activity & achieve Nil discharge outside the premises till completion of the project.
- 2) The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or and extension or addition thereto.
- 3) The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
- 4) **The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act,1974 and as amended, and other provisions as contained in the said act.**

<b>Sr. No.</b>	<b>Purpose for water consumed</b>	<b>Water consumption quantity (CMD)</b>
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	6991.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00

- 5) The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time.

**SCHEDULE-II****Terms & conditions for compliance of Air Pollution Control:**

- 1) As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) and to observe the following fuel pattern-

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1 to S-5	D.G. Sets (625 kVA 5 Nos.)	Acoustic Enclosure Stack	5.00	HSD 156.25 Ltr/Hr	1	SPM	375 Kg/Day
S-6 & S-7	D.G. Sets (320 kVA 2 Nos.)	Acoustic Enclosure Stack	5.00	HSD 160 Ltr/Hr	1	SPM	153.6 Kg/Day
S-8	D.G. Set (650 kVA)	Acoustic Enclosure Stack	5.00	HSD 162.5 Ltr/Hr	1	SPM	78 Kg/Day
S-9	D.G. Set (450 kVA)	Acoustic Enclosure Stack	5.00	HSD 112.5 Ltr/Hr	1	SPM	54 Kg/Day
S-10	D.G. Set (160 kVA)	Acoustic Enclosure Stack	5.00	HSD 40 Ltr/Hr	1	SPM	19.2 Kg/Day
S-11	D.G. Set (180 kVA)	Acoustic Enclosure Stack	5.00	HSD 45 Ltr/Hr	1	SPM	21.6 Kg/Day
S-12	D.G. Set (60 kVA)	Acoustic Enclosure Stack	5.00	HSD 15 Ltr/Hr	1	SPM	7.2 Kg/Day
S-13& S-14	D.G. Sets (250 kVA 2 Nos.)	Acoustic Enclosure Stack	5.00	HSD 125 Ltr/Hr	1	SPM	120 Kg/Day
S-15	D.G. Set (350 kVA)	Acoustic Enclosure Stack	5.00	HSD 87.5 Ltr/Hr	1	SO <sub>2</sub>	42 Kg/Day

- 2) The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards.

Total Particular matter	Not to exceed	150 mg/Nm <sup>3</sup>
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- 3) The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
- 4) The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

### **SCHEDULE-III**

#### **Details of Bank Guarantees:**

Sr. No.	Consent(C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to R	2500000	15 days/extend	Towards O & M of pollution control system and compliance of consent conditions	31.10.2025	30.04.2026

\*\* The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.  
**# Existing BG obtained for above purpose if any may be extended for period of validity as above.**

#### **BG Forfeiture History**

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
1	NA	0	NA	NA	NA	NA

#### **BG Return details**

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

### **SCHEDULE-IV**

#### **General Conditions:**

- 1 The applicant shall provide facility for collection of samples of sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- 2 The firm shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act 1986 and Solid Waste Management Rule 2016, Noise (Pollution and Control) Rules, 2000 and E-Waste (Management & Handling Rule 2011).
- 3 Drainage system shall be provided for collection of sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No sewage shall be admitted in the pipes/sewers downstream of the terminal manholes. No sewage shall find its way other than in designed and provided collection system.

- 4 Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- 5 Conditions for D.G. Set
  - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
  - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
  - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
  - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
  - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
  - f) D.G. Set shall be operated only in case of power failure.
  - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
  - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
- 6 Solid Waste - The applicant shall provide onsite municipal solid waste processing system & shall comply with Solid Waste Management Rule 2016 & E-Waste (M & H) Rule 2011.
- 7 Affidavit undertaking in respect of no change in the status of consent conditions and compliance of the consent conditions the draft can be downloaded from the official web site of the MPCB.
- 8 Applicant shall submit official e-mail address and any change will be duly informed to the MPCB.
- 9 The treated sewage shall be disinfected using suitable disinfection method.
- 10 The firm shall submit to this office, the 30th day of September every year, the environment statement report for the financial year ending 31st march in the prescribed Form-V as per the provision of rule 14 of the Environmental (Protection) Second Amended rule 1992.
- 11 The applicant shall make an application for renewal of the consent at least 60 days before date of the expiry of the consent.

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**This certificate is digitally & electronically signed.**

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 **vvcmc information.pdf**  
5 MB

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**From :** aarogyheadoffice@gmail.com

Sat, Jun 29, 2024 12:51 PM

**Subject :** Hon'ble NGT (PB) Suo Moto matter in Original  
Application No. 377 of 2024, In re News item  
appearing in The Times of India dated 10.04.2024  
Titled "4 suffocate to death sewage plant in Mumbai's  
Virar" Inbox Yahoo Mail

 2 attachments

**To :** SHAIENDRA BANSAL <shailendra.cpcb@gov.in>

**Cc :** vasavirarcorporation@yahoo.com,  
dmcvvcmc@gmail.com

Sir/Madam

Please find the attachment.

Regards  
DMC  
solid waste Management Department  
vasai Virar City Municipal corporation.

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 **letter.pdf**  
926 KB

 **vvcmc information.pdf**  
5 MB

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मुख्य कार्यालय, विरार  
विरार (पूर्व),  
ता.वसई, जि.पालघर - ४०१ ३०५.



दूरध्वनी : ०२५० - २५२५१०१ /  
०२/०३/०४/०५/०६

फॅक्स : ०२५० - २५२५१०७

ई-मेल

:vasaivirarcorporation@yahoo.com

जावक क्र: व.वि.श.म./च.रो.अ/१८६/२०२४

दिनांक : २६/०५/२०२४

To  
The Assistant Law Officer,  
Regional Directorate,  
Central Pollution Control Board,  
Pune.

Subject :- Hon'ble NGT(PB) Suo Moto matter in original application No .377  
of 2024, in re News Item appearing in the Times Of India dated  
10.04.2024 Titled "Four Suffocate To Death Sewage Plant In  
Mumbai, s Virar"

Refe :- Your mail received on dated 10/05/2024 .

Respected Sir,

As per your above reference letter Hon'ble NGT(PB) Suo Moto matter in original  
application No .377 of 2024, in re News Item appearing in the Times Of India dated  
10.04.2024 Titled "Four Suffocate To Death Sewage Plant In Mumbai, s Virar". We are  
herby enclosing the relevant information along with this letter.

Thanking You.

Your Faithfully

  
(Narasimha Kamthe)

Deputy Municipal Commissioner  
Vasai Virar City Municipal Corporation

## Incident Information

Global City under Vasai Virar City Municipal Corporation, Rustamji Home Complex near Rustamji School, Virar (W) is a 124 residential building complex. All the buildings are ground floor + 7 floors and each building has 28 flats with a total of 3472 flats. The STP plant has been constructed for the scientific disposal of the waste water of the said building. On Tuesday 09/04/2024 at approximately 11.00 am to 11.30 am to remove the choke-up in the pipe which was choked up in the tank of the said STP plant, the Maintenance Officer of the said plant. First one of the workers of Policon Enviro Engineers Pvt. Ltd. Company went inside to remove the choke-up from the choked pipe in the tank of the said STP plant. As there was no movement or sound of the employee who came down, another employee came down to see him. As there was no movement or sound from the second employee, the third and fourth employee also got down respectively. As there was no movement or sound of the said four employees, May said that all the four employees died due to suffocation due to toxic gas in the recycle sludge tank of the plant. Other present employees of Policon Enviro Engineers Pvt Ltd Company informed the fire department of the Municipal Corporation.

Accordingly, the Municipal Corporation's firefighting team went to the spot wearing BA set (Artificial Breathing Apparatus), tied a rope around the waist and descended into the tank of the STP plant with the help of a ladder. Thereafter, the said deceased employee was taken to Rural Hospital, Virar East for autopsy. Regarding the said incident at Arnala Police Station through the police department, 304 under Indian Penal Code 1860 and 34 under Indian Penal Code Me. Policon Enviro Engineers Pvt. Ltd. A case has been registered against the supervisor Mr. Mahadev Tukaram Kupte.

### Name and Address of Accused :-

- 1) Polycon Enviro Engineers Pvt Ltd Proprietor Global City, Virar West, Arnala, Mira Bhayander, Vasai Virar Police Commissionerate, Maharashtra
- 2) Mahadev Tukaram Kupte 409, B.No.17 Sriram Kripa Co.O.Society, Vawatewadi, Virar, Mira Bhayander, Vasai Virar Police Commissionerate Maharashtra

### Details of deceased persons:-

#### A. No. Name Age Address Information

- 1 Shubham Parkar 28 years Amogha Darshan, Dongarpada, Virar (W) Puja Shubham Parkar (Wife)
- 2 Amol Ghatal 28 years Adnegaon, Nankarpada, Bhatane Puja Amol Ghatal (Wife)
- 3 Nikhil Ghatal, 24 years Adnegaon, Nankarpada, Bhatane Anant Ghatal (Father)
- 4 Sagar Tandlekar 31 years Dongarpada, Near Radhakrishna Temple, Virar Sunil Gopal Tandlekar (Father)

The name and address of the above accused and the details of the deceased are being given as per FIR No.0158, dated 09/04/2024 registered at Arnala Police Station. Also, the information about the

heirs of the deceased employees has been taken by the employees of the Municipal Corporation at the actual place of the concerned.

The STP plant in which the said incident happened is a private STP plant of the developer M. Rustomji Developers for the scientific disposal of the building's waste water and the said STP plant is run by a private company M. Policon Environment Engineers Pvt. Therefore, the staff deployed to clean the said STP plant has not been appointed by the Municipal Corporation. Also, the said supervisor or his company has not been appointed by the Municipal Corporation.

Following are other measures taken under Safai Mitra Safety Challenge under Rehabilitation Act 2013 by Vasai Virar City Municipal Corporation.

1) For the safety of the cleaning workers, for the cleaning of polluted sewers and drains, the following personal protective equipments are provided by the municipality to the cleaning workers for the safety of the cleaning workers.

1. Reflecting Jackets = 89
2. Safety Helmets = 89
3. Normal Face Masks = 89
4. Hand Gloves (pair) = 89
5. Safety Gumboots (pair) = 89
6. Safety body clothing = 89
7. Safety Body Harness = 16

Municipalities have given training to the sanitation workers from time to time for the daily use of the said equipment.

2) The following equipments are available for cleaning protective mils tank and sewers.

- 1) Gas Monitor = 3
- 2) Breathing Apparatus = 9
- 3) Airline Breathing Apparatus = 9
- 4) Safety Tripod Set = 9
- 5) Nylon Rope Ladder = 9
- 6) Blower with Air Compressor (Air Vent Blower) = 9
- 7) Gas Mask = 18
- 8) Sewer Inspection Camera = 1

3) The following state-of-the-art systems/vehicles are available for mechanical cleaning of septic tanks and sewers:

- 1) Suction Machine (Desludging) = 16 (Total Available Capacity = 82 Km Lt.)
- 2) Suction Cum Jetting Machine = 10 (Total Available Capacity = 57 Km. Ltd.)
- 3) Super Sucker Cum Jetting = 1 (Total Available Capacity = 10 Km.)
- 4) Robotic Sewer Cleaning Equipment = 3
- 5) Power Rodding Apparatus = 2

4) To make septic tank cleaning mandatory after 3 years, the Municipal Corporation has taken up the work of creating an online system for online mapping of septic tanks and sewers through software and to bring consistency in cleaning of septic tanks and sewers through schedule and the implementation of this will start soon.

5) Under the Safai Mitra Safety Challenge, Vasai Virar City Municipal Corporation is spreading public awareness through various media (social media, newspapers, banners, hoardings, stickers, wall pictures) as well as going door to door as per manual scavenger and Prevention Act 2013.

However, the municipal corporation provided facilities under the measures as above It is mentioned for the category of employees of municipal cleaning staff (regular/contractual/daily/outsourced) in the area of operation. However, the deceased employees in the said incident are sanitation workers employed by external agencies in the private sector. Therefore, it is the responsibility of the concerned company (M. Policon Enviro Engineers Pvt. Ltd.) to provide periodic training to the said employees for the daily use of safety equipment and devices.

Also, according to issue no.11 of Social Justice and Special Sub-Division, Ministry of Mumbai, Government Decision dated 12/12/2019, other than the offices/establishments/organizations mentioned in No.1 to 10, the remaining private sector as well as the incidents occurred in other sectors. Regarding the category of workers working in polluted sewers is A.No. Apart from the office/establishment/institution mentioned in 1 to 10, cleaners appointed in private sector as well as other sectors (regular/contractual/daily/outsourced) (this will also include cleaners employed in the above places through outsourcing and contract)'. According to the judgment given by the Supreme Court in Writ Petition No.583/2003 dated 27/3/2024, the family members of the workers who died in the said sewerage while working as sweepers / manual scavengers since 1993, and the dependents of such deceased worker, shall be given Rs.30 each. As competent authority to pay compensation of lakhs 'A.No. In addition to the offices/establishments/organizations mentioned in 1 to 10, the heads of the remaining private sector shall pay Rs. 30 lakhs will be paid as compensation and the collector should ensure that it is received.

The developer of the said STP plant is M/s. Rustamji Developers' private STP plant for the scientific disposal of the building's sewage. STP is run by a private company called policon Enviro Engineers Pvt Ltd. The matter of giving Consent To Establish and Operate for the said STP plant and to monitor and control the proper functioning of the said plant comes under the jurisdiction of the Maharashtra Pollution Control Board. Therefore, the matter is not related to this office. Also, in this case

as the head of the private project related to the accident in the private STP plant owned and operated by them. The heirs of the concerned deceased employees will be required to pay compensation of Rs.30 lakh each from the funds of Policon Enviro Engineers Pvt Ltd. as well. The heirs of the deceased employees received compensation through Polycon Enviro Engineers Pvt Ltd. The matter must be confirmed through the collector's office. According to this office V.V.S.M./Additional Commissioner/256/2024 dated 12/04/2024 Hon. Collector So. Palghar has been informed.

Also, regarding the inquiry into the said incident, the National Safai Commission, New Delhi, held a meeting on 30/04/2024 at the headquarters of Vasai Virar City Municipal Corporation, in which the representatives of Rustamji Home Complex, Virar (W) Building and Policon Enviro Engineers Pvt. Ltd. owners were present. Hon. The Commission have ordered to follow the owner of Policon Enviro Engineers Pvt. Ltd. Hon. Supreme Court Writ-Petition no. 583/2003 dated 27/3/2024 as per the judgment dated 27/3/2024 regarding finding the families of the workers who were died in the said sewage while working as scavengers / manual scavengers since 1993 and paying Compensation of Rs.30 lakh each to the dependent family members of such deceased worker. Suggestions have been made to upgrade the facilities of manual Scavenger.

Above are the relevant content of the incident.

  
Ame (SWM)

  
(Naranab Kamthe)  
Deputy Municipal Commissioner  
Vasai Virar City Municipal Corporation