

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

ORIGINAL APPLICATION NO. 30 OF 2025 (WZ)

Vishal S. Rajemahadik .....Applicant ,

**Versus**

Maharashtra Pollution Control Board & Ors. ....Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 2- VASAI VIRAR CITY MUNICIPAL CORPORATION**

**1. PRELIMINARY SUBMISSION**

1.1. The present reply is being filed in response to the Original Application No. 30/2D25 (WZ) filed by the Applicant under Sections 14 and 15 read with Section 18 of the National Green Tribunal Act, 2010.

1.2. The allegations made in the application are general, vague, and based solely on news articles, without any scientific evidence or field-specific environmental impact assessments to establish causation or violation directly attributable to the VVCMC.

1.3. Save and except what is specifically admitted herein, all other allegations, contentions, and submissions made in the Original Application are denied in toto.

**2. ABOUT VVCMC'S JURISDICTION AND FUNCTION**

2.1. VVCMC is a statutory body constituted under the Maharashtra

Municipal Corporations Act and is tasked with multiple civic and developmental responsibilities, including sanitation, solid waste management and implementation of the Construction and Demolition (C&D) Waste Management Rules, 2016. 2.2, VVCMC acts in coordination with the Maharashtra Pollution Control Board (MPCB), which is the competent authority to monitor and take action under the Air (Prevention and Control of Pollution) Act, 1981.

### **3. REGARDING AIR QUALITY MANAGEMENT**

3.1. VVCMC has implemented several measures under the "Action Plan for Control of Air Pollution in Non-Attainment Cities of Maharashtra - Vasai-Virar 2020", including regular sprinkling of water on roads, use of mechanised road sweepers in identified high-dust areas, sum, and coordination with the Traffic Department and RTO for emission control of vehicles.

3.2. VVCMC has also initiated steps for identification, registration of Ready Mix Concrete (RMC) plants operating within its municipal limits, in coordination with **MPCB**.

3.3. The issue of ambient air quality monitoring is primarily within the statutory domain of the MPCB and Central Pollution Control Board (CPCB). VVCMC does not operate or control Continuous Ambient Air Quality Monitoring Stations (CAAQMS), nor is it authorized to issue

consents under the Air Act, 1981.

#### **4. ON C&D WASTE MANAGEMENT COMPLIANCE**

4.1. The allegation of non-compliance with C&D Waste Management Rules, 2016 is misconceived. WCMC has already notified dedicated C&D waste collection points and initiated proposals for setting up C&D waste processing plants, with tenders for the same in process.

4.2. The allegations regarding dumping and non-processing of C&D waste are not supported by any specific on-ground complaints or inspection reports filed before the Hon'ble Tribunal.

#### **5. SPECIFIC REBUTTAL TO PRAYERS SOUGHT**

5.1. The Applicant has sought directions to constitute a Special Investigation Team (SIT) and other sweeping directions based on general environmental grievances without pinpointing specific RMC plants or individual construction sites under VVCMC jurisdiction that are in violation.

5.2. VVCMC has no role in enforcement of consents or siting criteria for RMC plants - this falls entirely under the purview of MPCB.

5.3. Any blanket direction against VVCMC, without specific findings or *failure* of duty, would be disproportionate and uncalled for in the facts of the case.

## **6. STEPS TAKEN BY VVCMC:**

6.1. VVCMC has been proactive in implementing environmental safeguards. It has issued advisories and stop-work notices to construction sites not complying with environmental norms, conducted regular inspections of major construction sites, coordinated with MPCB for identification of defaulting units, and initiated public awareness campaigns on pollution control.

6.2. VVCMC has also submitted quarterly compliance reports to the MPCB in accordance with its statutory obligations,

## **7. PRAYER**

In light of the above, it is most respectfully prayed that this Hon'ble Tribunal may:

- a. Take on record this reply affidavit filed by VVCMC;
- b. Reject the reliefs sought against VVCMC as being premature, vague, and unsupported by specific facts;
- c. Permit VVCMC to place further documents and reports on record as may be required by this Hon'ble Tribunal;
- d. Pass such other orders as this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINSHIP, THE RESPONDENT AS IN DUTY  
BOUND SHALL BE

Place : Virar

Date: 8.9.2025

Filed By:



For Respondent No. 2 - WCMC  
Through Counsel  
Nikhil V. Chavan, Advocate

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

Original Application No. 30 of 2025 (WZ)



Vishal S. Rajemahadik

...Applicant

Versus

Maharashtra Pollution Control Board

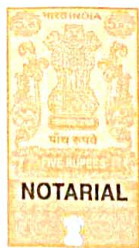
& Ors.

...Respondents

AFFIDAVIT

I, Ajit Muthe, Deputy Commissioner, Vasai Virar City Municipal Commissioner Office at: Vasai Virar City Municipal Corporation, do hereby solemnly declare and state as under:-

1. That I am the Respondent No. 2 in the above titled Original Application and being well conversant with the facts and circumstances of the case, I am competent to swear this Affidavit.



2. That I have gone through the contents of the OA No. 30/2025 that has been drafted by my counsel on my instructions and state that the facts mentioned therein are true to the best of my knowledge.

**VERIFICATION**

I, Ajit Muthe, Deputy Commissioner the above named deponent, presently at Virar, do hereby verify that all what is contained in my above affidavit is true and correct to the best of my knowledge and belief.

Verified and signed at Virar on this 4<sup>th</sup> day of September, 2025.

Solemnly affirmed at Virar,

on this 4<sup>th</sup> day of September, 2025

  
Deponent

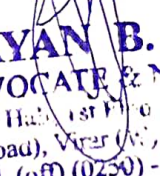
उप - आयुक्त

वसई विरार शहर महानगरपालिका

Before me,

**BEFORE ME**

SERIAL NO. 3879-  
DATE. 8 SEP 2025

  
**NAYAN B. JAIN**  
ADVOCATE & NOTARY  
5, Varnak Hall, 1st Floor, Gogashi Road,  
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