

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**WESTERN ZONE BENCH, PUNE****ORIGINAL APPLICATION NO. 173 OF 2024(WZ)**

Govandi New Sangam Welfare Society

APPLICANT

V/s

State of Maharashtra & Ors

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PUNE

DATE: 18/01/2025



ADVOCATE FOR RESPONDENT No.5

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RESPONDENTS**REPLY ON BEHALF OF RESPONDENT NO.5****MAY IT PLEASE THE HON'BLE TRIBUNAL****THE RESPONDENT NO.5 MOST RESPECTFULLY SUBMITS****THAT:-**

1. At the outset, the Respondent No.5 in the present proceedings denies everything that is contrary to what is stated herein and/or inconsistent herewith as if the same is set out in extenso and specifically traversed. The Respondent No.5 submits that, nothing not expressly admitted herein ought to be taken as admitted by the Respondent No.5 or be deemed to have been admitted by the Respondent No.5 for want of specific traverse. The Respondent No.5 states that for the purpose of brevity, the Respondent No.5 has not denied each and every allegation, statement and contention of the Applicant which is ex-facia contrary to the contention of Respondent No.5 and its stand in the present case except to the extent that such allegation, statement or contention necessitate, cogent, warrant or reply. The Respondent

No.5 also reserves its right to file an additional reply to any the Additional Affidavit filed by the Respondent Nos.2 & 3 regarding calculation of Environmental Damage Compensation (“EDC”) as directed by this Hon’ble Tribunal vide its order dated 12th November 2024. The Respondent No.5 also further reserves its right to file any additional reply if at all any affidavit filed by the Applicant or any other Respondent.

2. It is alleged in the Original Application that there is a continuous release of toxic emissions from the Common Bio-Medical Waste Treatment Facility (“CBWTF”) operated by Respondent No.5 and hence environmental damage compensation is sought by the Applicant. It is submitted that the compensation claim filed by the Applicant is baseless, misconceived, and liable to be dismissed on the following grounds, which are without prejudice to one another and the fact that the petition is not maintainable under the provisions of the NGT Act.

(I) **PRELIMINARY OBJECTIONS**

3. The Respondent No.5 submits that the present Application has been filed by the Applicant without any proof substantiating such claim. The Applicant in the entire Original Application has failed to make out a case that how it is aggrieved by the operation of the Respondent No.5. The Applicant is neither an aggrieved party nor has pointed out the substantial question relating to the environment under section 2(m) of the National Green Tribunal Act, 2010 (NGT Act) and thus,

the issue of locus of Applicant is to be decided by this Hon'ble Tribunal.

4. At the outset, the Respondent No.5 submits that, this Hon'ble Tribunal does not have jurisdiction to try, entertain and dispose of the present application, as the same is not within limitation. The present Respondent states that, the Hon'ble Supreme Court and Bombay High Court had on the interpretation of various Statutes, held that, when a statute prescribes a shorter period of limitation and different scheme of the limitation, the provision of Limitation Act is excluded and the Court/Tribunal must apply the period of limitation as prescribed in the specific statute while exercising the powers. In view of this, the application preferred by the Applicant is totally misconceived and liable to be dismissed.
5. It is submitted that the Original Application is preferred under Sections 14, 15 and 18(1) of the National Green Tribunal Act, 2010 and the limitation provided under Section 14(3) of the Act is six months. Section 14(3) reads as under:

Section 14(3): No Application for adjudication of dispute under this section shall be entertained by the tribunal unless it is made within a period of 6 months from the date on which the cause of action for such dispute first arose.

The Applicant has stated that there have been violations since 29th June 2018 but preferring an application for a "cause of action" which

arose six years ago is beyond the limitation. Hence, the present Original Application is barred by limitation and liable to be dismissed on this ground alone. The present Application filed by the Applicant upon plain reading of Section 15 of the said act is barred by law of limitation. On bare perusal of Section 15 of the said Act, an Application raising substantial question relating to environment seeking compensation (including enforcement of legal right relating to environment) has to be filed within a period of 5 years from date on which the cause of action for such dispute “first arose” provided that, this Hon’ble Tribunal may, if it is satisfied that the Applicant was prevented by sufficient cause from filling the Application within the said period, allow it to be filed within a further period not exceeding sixty days. In the present case the application is totally barred by Limitation, the Applicant in the Additional Affidavit dated 3rd September 2024 has pointed out that the Respondent No.5 has not complied with the norms for the period from 29th June 2018 to 2nd February 2023. The present Application is filed on 7th August 2024. The Applicant is showing the alleged period of non-compliance beyond the period of 5 years, which is impermissible.

6. It is submitted that the present application is barred by limitation u/s 15 of the NGT Act, 2010 which prescribes a period of 5 years for filing an application from the date on which the cause of action for such dispute “first” arose, extendable by a further period of 60 days thereafter, provided that the Applicant may show by a sufficient cause that the Applicant was prevented from filing such an application in time. Further, the Applicant has also sought to file an application

under section 15 of the said act which also provides for the aforesaid words “the date’, “cause of action” and “first arose”. The Applicant in the present case has failed to point out any destruction to the environment for seeking restoration or remediation under the provisions of Section 15 of the Act. Hence, the present application cannot be entertained under the provisions of Section 15 of the Act.

7. Further, the application of the principles of recurring and/or continuing cause of action for the purposes of disputes under Section 15 of the said Act would lead to serious anomalous and undesirable consequences. That the Legislature while enacting the statute purposely used the words “first” for “cause of action” to file an action before the Tribunal. That the Hon'ble Supreme Court in the case of L.C. Hanumanthappa vs H.B. Shivakumar (2016) I SCC 332 has held that the word 'first' has been used between the words 'sues and 'accrued'. This would mean that if a suit is based on multiple causes of action, the period of limitation will begin to run from the date when the right to sue first accrues. To put it differently, successive violation of the right does not give rise to fresh cause and the suit will be liable to be dismissed if it is beyond the period of limitation counted from the day when the right to sue first accrued.
8. That in a catena of cases, this Hon'ble Tribunal has also taken the view that limitation period begins to run from the date when the cause of action first arose including in Application No. 33 of 2016 *Jai Javan Jai Kisan and Ors. Vs Vidarbha Cricket Association and Ors.*; O.A. NO. 179 of 2016 *Graminee Environment Foundation vs. Balaji*

Infrastructures Ltd. and Ors, OA No. 95 of 2014 Mr. Suresh Waman Dhavale and ors. vs MOEF and Ors.

9. Similarly, section 15(3) of the act contemplates that no application for grant of compensation or relief or restitution of property or environment shall be entertained unless the same has been made within a period of five years from the date on which such compensation or relief first arose.
10. In this Application, the Applicant has failed to state a substantial question relating to environment or whether there is any violation of legal right relating to environment. The Application is vague as the Applicant has failed to point out the exact nature of violation, the destruction to the environment. It is a trite law that the principle of polluters pay will come into effect only when there has been substantial evidence relating to the destruction of environment. The Applicant has vaguely made references to rising cases of tuberculosis in the area surrounding the answering Respondent's CBWTF. No proof has been brought on record by the Applicant to establish the same.

(II) FACTS OF THE PRESENT CASE

11. The Respondent No.5 is a company incorporated under the provisions of the Companies Act, 1956 having its address as more particularly set out in the cause title of the Application. The Respondent No.5 is engaged in activities of collection, transportation,

treatment and disposal of bio-medical waste for the territorial jurisdiction of Respondent No.4.

12. The Respondent No.4 invited one tender for installation of four Common Bio-Medical Waste Treatment Disposal facilities at Mumbai for the treatment of bio-medical waste. The four plants were proposed to be installed at four different locations within the jurisdiction of the Respondent No.4. In the tender process, the Respondent No.5 emerged successful having ushered L-1 in the tender of the Respondent No.4.
13. The Respondent No.4 issued Work Order dated 3rd July 2007 in respect of the tender for the collection, transportation, treatment, storage and disposal facility on BOOT basis at Deonar Dumping Ground for a period of 20 years.
14. The Plot admeasuring 4000 sq. mtrs. was handed over to the Respondent No.5 on 19th October 2007 for implementation of the BMW facility.
15. The Respondent No.5 was granted authorisation for operating the facility for collection, reception, storage, transportation, treatment and disposal under Bio-Medical Waste Rules by the Respondent No.2, which was further renewed periodically.
16. The Respondent No.5 submits that the facility started operations in May 2009 and continues to operate within the parameters prescribed

by the BMW Rules and the Guidelines of the Central Pollution Control Board as well as the State Pollution Control Board. The Respondent No.5's facility is handling /treating and disposing bio-medical waste to the extent of approximately 20 tons per day. The facility of the Respondent No.5 was installed at a location allotted by the Respondent No. 4 in conformity with guidelines of the Central Pollution Control Board. The Consent to Establish and Consent to Operate were duly granted by Maharashtra Pollution Control Board for the same. It is pertinent to note that Respondent No. 2 was the project consultant for setting up this CBWTF and well aware of its location even before the Consent to Establish was granted to the Respondent No.5.

It is submitted that the CBWTF unit has been developed according to CPCB guidelines and MPCB CTE and the following equipment have been installed for effective treatment of bio-medical waste:

Sr. No.	Equipment	Number	Capacity
1.	Incinerator	4 nos.	250 Kg/ hour
2.	Autoclave	1 no.	400 Ltr/ Batch
3.	Shredders	3 nos.	(150 + 200 + 300) Kg/hour
4.	Chemical Disinfection Unit	1 no.	500 Kg/Hour
5.	Effluent Treatment Plant (Zero Liquid Discharge)	1 no.	200 KL/Day
6.	GPS Enabled Vehicles	61 nos.	

17. As a regular practice, the Respondent No. 3 conducted periodical visits to the Respondent No.5's CBWTF to verify the status and compliances. On one such occasion, the Respondent No.3 visited the facility of the Respondent No.5 on 30th June 2019 and carried out inspection and took samples with regards to stack emissions at the facility of the Respondent No.5. The Respondent No.5 submits that the samples collected on 30th June 2019 from the facility of the Respondent No.5 were analysed by the Regional Laboratory, Thane and the analysis report dated 1st July 2019 is hereto annexed and marked as **ANNEXURE – R-1**. A bare perusal of these reports will show that the emission parameters were well within the prescribed limits.
18. Despite the above, the Respondent No.5 was shocked to receive the Order dated 6th July 2019 which was served by hand delivery upon the Respondent No.5 at their facility thereby directing the closure of the facility and the same is marked as **ANNEXURE – R-2**. The Respondent No.5, immediately upon the receipt of the aforesaid order challenged the same before the Hon'ble High Court of Judicature at Bombay vide Writ Petition No.2326 of 2019. The Hon'ble High Court vide its order dated 18th July 2019 was pleased to stay the same stating that the public injury caused by closing the plant would be much more than permitting the plant to operate even on assuming that the stand of Respondent No. 2 and 3 is correct. Copy of the order dated 18th July 2019 is annexed hereto and marked as **ANNEXURE – R-3**. The Writ Petition vide order dated 11th September 2023 was disposed off

as it was rendered infructuous on account of the subsequent circumstances.

19. The Respondent No.5 submits that the Applicant herein also filed a Public Interest Litigation (L) No.33884 of 2022 praying for shifting of the CBWTF of the Respondent No.5 and also imposition of Environmental Damage Compensation. The Hon'ble High Court disposed off the PIL vide order dated 11th September 2023 noting that the timeline has been furnished by the Respondent No.5 regarding setting up of the new plant and granted liberty to the Applicant to approach this Hon'ble Tribunal for imposition of EDC. The Hon'ble High Court further made it clear that they have not made any observation as to the merit of the claim of the parties so far as prayer clause pertaining to imposition of EDC is concerned, which shall be adjudicated by the NGT after hearing and giving opportunity to present their respective cases, to the respective parties. Copy of order dated 11th September 2023 is annexed hereto and marked as **ANNEXURE – R-4**.
20. The Respondent No.5 submits that the Respondent No.5 had planned to relocate its CBWTF at Survey No.231, Atkargaon, Khalapur, District Raigad even before the order passed by the Hon'ble High Court of Bombay as the decision was taken in the meeting dated 05th October 2020 with the then Minister of Environment, Government of Maharashtra in the house. The Respondent No.5 was in the process of obtaining the Environmental Clearance for the same and has already received the Consent to Establish dated 18th November 2020 from the Respondent No.2. However, due to resistance from the local residents

at Atkargaon, political leaders had intervened in the matter and requested for relocation of the proposed CBWTF from Atkargaon. Considering the requests, the Government of Maharashtra directed to shift the Atkargaon project to MIDC area during meeting dated 30th November 2022.

21. As directed by GoM, Respondent No. 5 along with MIDC officials visited and identified the plot A-2/3 at Patalganga Borivali MIDC area on 15th December 2022. Respondent No. 5 had taken permission of MIDC and conducted contour survey and finalized the plot area of 18615 Sq. m. Further, Respondent No. 5 had submitted an application with DPR to MIDC for allotment of land on 23rd February 2023. In the meantime, the Applicant in the present OA had filed PIL 33884 of 2022 before the Hon'ble High Court of Bombay on 16th January 2023. It is submitted that the Offer Letter was received on 05th August 2023 for allotment of land at Patalganga Borivali MIDC. Respondent No.5 had paid the Advance Payment of 25% on 08th August 2023. Further, Respondent No. 5 had submitted the detailed timelines for relocation of the incinerator facility before the Hon'ble Court which is reflected in the order dated 09th August 2023. In view of the aforesaid, the Hon'ble High Court had directed that the new incinerator facility shall be commissioned within two years from date of the order i.e. 11th September 2023. During the said period, a letter was received from Respondent No. 2/3 regarding concerns raised by nearby industries at Patalganga. The Respondent No. 2/3 convened a series of meetings dated 27.03.2024, 03.04.2024, and 24.04.2024. As per the Minutes of Meeting dated 24th April 2024, it was jointly directed by Respondent No. 2/3 and MIDC that the facility should be relocated to another

suitable industrial area. As per these minutes, the Respondent No. 2/3 was required to make a submission before the Hon'ble High Court regarding factual situation for the delay in relocation and establishment of CBWTF.

22. Following the decision taken in the meeting dated 24th April 2024, MIDC offered to show a few plots in MIDC Talaja Industrial Area and Additional Ambarnath Industrial Area (Jambhivali). However, the plots in Talaja were not vacant and hence the new plot JB-33 at Additional Ambarnath Industrial Area (Jambhivali) which was the only vacant plot was identified for establishment of proposed CBWTF. Thereafter, as part of the ongoing relocation of existing CBWTF, the Respondent No. 5 initiated the procedure for procuring necessary approvals wherein Respondent No. 5 has received the land allotment offer letter, Terms of Reference (ToR) from the State Environmental Impact Assessment Authority (SEIAA) on 19th December 2024. Meanwhile, baseline monitoring study has been done as per EIA notification, 2006 and Consent to Establish has been applied for on 22nd August, 2024 and the same is awaited.
23. The Respondent No.5 has been facing hardships and difficulties at the behest of the said political parties who have made attempts to hamper the functioning of the facility only with a motive of gaining political mileage among the people of the surrounding areas /political constituencies. The Applicant strategically filed the present case just before the Maharashtra state assembly elections on 7th August, 2024, despite a previous High Court order (PIL 33884 of 2022) on 11th September 2023, and a committee report on 21st July 2023. The

present case filed almost after a period of 1 year. This timing suggests a deliberate attempt to exploit the situation for political gain, rather than a genuine concern for the issue. The Respondent No.5 has addressed various complaints/representations to the police authorities as well as Respondent No.2/3 highlighting their grievances against the political interference.

24. The Respondent No.5 submits that based on the order dated 11/09/2023 passed by the Hon'ble Bombay High Court, the Applicant has already approached the Hon'ble NGT, Principal Bench at Delhi wherein a case has been registered in April 2022 bearing O.A. No. 643/2022, following a letter of complaint from one Mr.Saif Alam. Mr. Saif Alam is an advocate and Vice-President of Mumbai Yuvjan Sabha, Samajwadi Party, Maharashtra. He is the founder of Exa Education Foundation (NGO under section 8 of companies act) alongwith another director Muskan Shaikh. It may be noted that Ms. Muskaan Shaikh is the Advocate who represented the intervenor Abu Azmi in WP No.2326/2019. Based on this complaint, order came to be passed on 13th March 2023, constituting a Joint Committee consisting of the CPCB, the State PCB, and the District Magistrate. The committee was instructed to visit the site, collect relevant data, and take necessary action if any environmental law violations were found. The report was to be submitted to the Registrar of this Hon'ble Tribunal. The committee visited the facility on 17th May 2023 and later submitted their report. Detailed report has been placed before this Hon'ble Tribunal, wherein it is recorded that the plant is compliant. The Respondent No. 5 submits that pursuant to Hon'ble

NGT Order dated 11/12/2024 in the instant matter, the Respondent No. 3 had issued a letter dated 13/01/2025 to the Respondent No. 5 regarding levy of Environmental Compensation. The Respondent No. 3 has calculated the Environment Compensation Amount at Rs.14,22,500/- (Rupees Fourteen Lakhs Twenty-Two Thousand and Five Hundred Only). Before assessing the Environment Compensation, Respondent No.5 was given an opportunity of personal hearing on 16/01/2025 at the Regional Office of Respondent no. 3. A copy of the letter dated 13/01/2025 is annexed herewith and marked as **ANNEXURE - R-5**.

25. Without prejudice to its rights and the ongoing legal proceedings, the Respondent No. 5 attended the meeting on 16th January 2025. During the course of hearing, Respondent No. 5 sought from Respondent No.3 the annexure regarding the number of days of violation which was not provided with the letter dated 13/01/2025. The same was provided by Respondent No.3 during the meeting and explained in detail. The discussion was held at length wherein the Respondent No.5 protested the calculations and sought clarification on the same. Respondent No. 5 has submitted its objection with respect to the period between 12/11/2021 to 11/01/2022 i.e. 61 days as it was peak COVID period. However, the objection was denied by Respondent No.3 citing the Respondent No.3's Board Circular on COVID for relaxation from 01/04/2020 to 31/03/2021. Respondent No. 5 further requested to consider 'R' factor as 100 instead of 250 as the period under consideration was peak COVID period. However, the request was not considered by Respondent No. 3. The minutes of the meeting were provided to Respondent No. 5 vide letter dated 16/01/2025. A

copy of the said letter is annexed herewith and marked as **ANNEXURE - R-6**.

Respondent No. 5 states that its CBWTF is fully compliant with the BMWM Rules 2016 and other CPCB Guidelines and there has been no destruction or damage caused to the environment on account of the activities carried out by the said facility. Respondent No. 5 further states that they have not committed any violations that would warrant the payment of Environmental Compensation.

(III) PARA-WISE REPLY

26. The Respondent No.5 submits that, with respect to the contents of para 1 & 2, the Respondent No.5 does not wish to offer any comments. With respect to the contents of para 3, the Respondent No.5 does not have any knowledge about the activities of the Applicant and hence it is refraining from making any submissions in that regard. With respect to the contents of para 4, the same is regarding description of the parties and hence need not be commented upon. With respect to the contents of para 5, the same are denied by the Respondent No.5. The Applicant has merely stated about the health issues including that of respiratory diseases and Tuberculosis. However, the Applicant has not produced a single document to show that the diseases were spread on account of the activity of the Respondent No.5 and also failed to furnish the details of patients, their medical history etc.

27. The Respondent No.5 submits that the contents of para 6 are misleading and hence denied. The Respondent No.5 submits that since 2018, some political parties and leaders with the ulterior political motives started pressurizing the Government for removal /shifting of the CBWT facilities only with a motive to create their vote banks. The issue has been grabbed by the competitor to malign the image of CBWTF operated by the Respondent No.5 by creating nuisance hand in hand with the Applicant. The issue was also raised in the Legislative Assembly and by taking cognizance of the same the then Environment Minister gave assurance for closure of the facility within 3 days, without examining the status. The Respondent No.2 under pressure issued a closure direction and asked to close the facility within 48 hrs without any thought given towards treatment and disposal of highly infectious biomedical waste of Mumbai city. The order was challenged before the Hon'ble High Court and the Hon'ble Court was pleased to stay the same.
28. The Respondent No. 5 submits that one of the major concerns in the Closure Notice was non-availability of the control systems for dioxins and furans. In this context the answering Respondent submits that the primary source of dioxins and furans is the burning of chlorine compounds at high temperatures. However, the Respondent No.5 has strictly adhered to BMW Rules 2016, by using non-chlorinated bags for incinerable biomedical waste, thereby minimizing the risk of dioxin and furan emissions. A fully functional dioxin and furan control system is in place, ensuring compliance with safety and environmental standards. The Respondent No.2 has verified the same and mentioned in their visit report dated 14th November 2019. Even

prior to this visit report, the Respondent No. 5 had already carried out the sampling and testing for Dioxin and Furan once a year as prescribed in the BMWM rules, 2016 and the emission levels were well within the prescribed limits. The sampling and testing were done by third party agency named 'SGS India Private Limited' which is a NABL accredited laboratory, and the reports dated 30.04.2018 and 11.09.2019 are annexed herewith as ANNEXURE – R-7. With a small facility of 18 TPD capacity, the Respondent No.5 is merely part of the broader waste management system and other major industrial units, which includes several larger entities like India's largest dump site which catches frequent fires and other facilities causing significant environmental damage (e.g., plastic to oil recovery plant from burning process, metal recovery from scrapped wires/cables in open area, household open bakeries, frequent fires in used oil illegal storage points).

29. The Respondent No.5 submits that the contents of paras 7 to 9 are false and denied. The need for Environmental Clearance was introduced for establishment of CBWTF through the EIA Notification dated 17th April 2015. The facility commenced operations in 2009 with a valid consent to Operate, after obtaining Consent to Establish from Respondent No.2. The guidelines issued by the CPCB dated 21st December 2016 also state that the existing facilities will not require an EC unless to go for modernisation or expansion. In the present case the Respondent No.5 has not undertaken either. Also, the guidelines state that that the distance between the CBWTF facility and residential areas is "preferably" 500 m. It is also submitted that there

is no requirement of buffer zone if the facility is in notified industrial area. Further, the land where CBWTF is situated is earmarked for waste management by Respondent No.4. The location is in Industrial Zone as per MCGM Master plan 1991 and Master plan 2034. Copy of both the master plan are annexed hereto and marked as **ANNEXURE – R-8**.

30. That the Applicant has deliberately not referred to the part of Para 6 of the Revised Guidelines for Common Bio Medical Waste Treatment facilities, which promotes that the CBMWF should be preferably developed in the notified industrial area without the requirement of the buffer zone. The entire Para 6 of the revised guidelines which provides for the Location Criterion is reproduced herein below:

PARA 6: LOCATION CRITERIA

In the context of these guidelines, buffer zone represents a separation distance between the source of pollution in CBWTF and the receptor - following the principle that the degree of impact reduces with increased distance. The following parameters may be considered for ascertaining buffer distance on case-to-case basis:

- (i) potential for spread of infection from wastes stored in the premises.*
- (ii) applicable standards for pollution control and the relative efficiency of the existing incinerators and emission control systems,*
- (iii) potential of fugitive dust emission from incinerators,*
- (iv) potential for discharge of wastewater*
- (v) the potential for odour production,*

- (vi) *the potential for noise pollution*
- (vii) *the risk posed to human health and safety due to exposure to emissions from incinerator*
- (viii) *the risk of fire and*
- (ix) *Significance of the residual impacts such as bottom ash and fly ash.*

As far as possible, the CBWTF shall be located near to its area of operation in order to minimize the transportation distance in waste collection, thus enhancing its operational flexibility as well as for ensuring compliance to the time limit for treatment and disposal of bio-medical waste as stipulated under the BMWM Rules (i.e., within 48 hours). Also, the location of the CBWTF should be in conformity to the CRZ Norms and other provisions notified under the Environment (Protection) Act, 1986. The location shall be decided in consultation with the State Pollution Control Board (SPCB)/ Pollution Control Committee (PCC). The location criteria for development of a CBWTF are as follows:

- (a) *A CBWTF shall preferably be developed in a notified industrial area without any requirement of buffer zone (or)*
- (b) *A CBWTF can be located at a place reasonably far away from notified residential and sensitive areas and should have a buffer distance of preferably 500 m so that it shall have minimal impact on these areas. In case of non-availability of such a land, the buffer zone distance from the notified residential area may be reduced to less than 500 m by SPCB/PCC without referring the matter to CPCB by prescribing additional control measures such as (i) adoption of best available technologies (BAT) by the*

proponent of CBWTF; (ii) prescribing stringent standards for operation of the CBWTF by the SPCB/PCC; (iii) adoption of zero liquid discharge by the CBWTF and (iv) in case of any complaints from the public, then CBWTF should prove that the facility is not causing any adverse impact on environment and habitation in the vicinity. If SPCB/PCC is not in a position to resolve the issue relating to buffer zone while selecting the site for CBWTFs, in such a case, SPCBs/PCCs may refer the matter to CPCB.

- (c) *The CBWTF can also be developed as an integral part of the Hazardous Waste Treatment Storage and Disposal Facility (TSDF) subject to obtaining of necessary approvals from the authorities concerned including 'environmental clearance' as per Environmental Impact Assessment 2006 and further amendments notified under the Environment (Protection) Act, 1986, provided there is no CBWTF exist within 150 KM distance from the existing TSDF.*

A bare perusal of this provision makes it abundantly clear that the Respondent No. 5 is not in violation of these guidelines. The Respondent No.5 is deploying cutting-edge Common Biomedical Waste Treatment Facility, dedicated to transforming infectious bio medical waste into safe for disposal as well as further recycling, playing a pivotal role in protecting the environment and public health. The state-of-the-art facility significantly reduces tonnes of waste into small quantum through destruction, treatment and disinfection and mitigates ecological risk.

31. The Respondent No.5 submits that the contents of paras 10 & 11 are denied. The Respondent No.5 has been analysing dioxin and furan emission standards since 2018 as per prescribed frequency of once in a year as per BMW Rules 2016. However, the tests are conducted on a monthly basis, as directed by Respondent No.2 from April 2022. All the test reports for Dioxins and Furans conducted by the third party are well within the stipulated limits and the same have been submitted to Respondent No. 3 for their record. Apart from this, the reports cited by the Applicant were produced from an academic perspective and are not directly applicable to the present case. These reports were published by private entities and do not hold regulatory authority in this matter. The competent authorities, CPCB and MPCB, are responsible for analysing the relevant data and making informed decisions. As per BMW Rules, 2016, Yellow category waste bags received from Health Care Establishments (HCEs) are directly incinerated as provided. Additionally, the facility is equipped with pollution control systems to mitigate any potential dioxin and furan emissions. The Answering respondent craves leave to produce on record the relevant reports if need arises.
32. The Respondent No.5 submits that with respect to the contents of paras 12 & 13, the Applicant is relying on record since the year 2013. The Respondent No.5 has already raised the objection relating to limitation. The Hon'ble Tribunal under Section 15 does not have the power to go beyond the period of 5 years. Also, the record produced does not reveal that the diseases caused are attributed to the activities of the Respondent No.5. Furthermore, the mentioned areas are in the very close vicinity of Deonar dumping ground which is India's oldest

and largest dumping ground where garbage from the entire city is disposed of. Aerosols from the dumping yard must be affecting the health of residents, potentially being misattributed to the facility of Respondent No.5. It is submitted that Tuberculosis is caused by a bacteria named mycobacterium tuberculosis. In contrast, the Respondent's facility incinerates the waste received from HCEs wherein the temperature in the primary and secondary chamber is maintained at required temperature of minimum 800°C and 1050°C ± 50°C respectively. There is no possibility of any bacteria surviving at such high temperatures. Moreover, the report annexed as Annexure-9 to the OA is a Report of the Baseline Survey of M(East) Ward, Mumbai published by Tata Institute of Social Sciences (TISS) which was published in 2015 whereas the Applicant is claiming that the said annexure is a copy of Respondent No. 4's medical records of tuberculosis cases from the year 2013 till 31st May 2022. None of the annexures in the entire application provide the actual details of the medical records of the inhabitants of the subject area and the cause thereof.

33. On the contrary, the Respondent No. 5 has sought information from Respondent No. 4 through RTI regarding the number of tuberculosis patients in the areas nearby to CBWTF wherein Respondent No. 4 has specifically informed that there is no increase in the number of TB patients in the said area. A copy of the said RTIs are annexed herewith and marked as **ANNEXURE – R-9** collectively.
34. The Respondent No.5 submits that, with respect to the contents of para 14, the judgment cited by the Applicant cannot be made

applicable to the present case. The judgment refers to the scenario in 2008 wherein BMW rules 1998 were applicable. The new set of rules came in 2016 which are comprehensive with respect to pollution norms and human health. Also, the plant of the Respondent No.5 operates strictly in accordance with BMW Rules 2016 and the CPCB guidelines.

35. The Respondent No.5 submits that with respect to the contents of para 15, that the Respondent No.5 is analysing dioxin and furan from 2018 as per prescribed frequency of once in a year as per BMW Rules 2016, however the tests are conducted on a monthly basis, as directed by MPCB from April 2022. The monitoring of Dioxin and Furan is very expensive and no other CBWTF in India is doing it on monthly basis. Despite the above, the Respondent No. 5 is bearing the additional financial burden of Rs. 68,000/- (approx.) per month for carrying out the test on monthly basis to ensure that the emissions are within limits and no harm is caused to the environment and public health. In addition to this, there is an Online Continuous Emission Monitoring System (OCEMS) in place for monitoring the stack emission standards which is directly linked to MPCB and CPCB servers. Furthermore, the Respondent has also engaged NABL approved third party agencies which conducts stack emission sampling and testing on monthly basis. However, the Joint Vigilance Samples taken by MPCB in many of its visits suggests that the parameters have exceeded the stipulated limits but these results neither match with the OCEMS reports or the third party reports and the range of discrepancy is too high. Since the JVS results were not acceptable to the Respondent No.5, the same was communicated to Respondent and a

request for reanalysing the legal samples was put forth by the Respondent No.5.

36. The Respondent No.5 submits that with respect to the contents of para 16, it is submitted that in 2020 entire world experienced COVID-19 Pandemic. The Respondent No.5 was at the forefront of COVID-19 battle ground and managing the waste generated from HCE, Quarantine centres, Path labs, etc. During this period all Health Care Establishments (HCE) and Quarantine centres were sending the bio-medical waste without proper segregation and all the waste was sent to CBWTF (PPE kits, mattresses, food waste & coconut shell, used masks, tissues and toiletries, of COVID-19 patients, etc.). The Respondent No.5 submits that the waste was disposed off scientifically despite the overload. During the same period, most of the industries were not in operation and hazardous waste generation from industries was minimum and Incinerator capacity of Common Hazardous Waste Treatment Storage and Disposal Facility (“CHWTSDF”) was available. As a precautionary measure to solve the issue of excess yellow category waste disposal in future due to unforeseen circumstances such as major breakdowns, unavailability of manpower, extra load on a particular day, etc., Respondent no. 5 vide its letter dated 09.06.2020, had requested the Respondent No. 2 & 3 for approval to transport and dispose off excess incinerable bio-medical waste from Respondent No. 5 to M/s Mumbai Waste Management Limited (MWML) and the said permission was granted vide letters dated 12.06.2020 and 31.07.2020 by Respondent No.3. This proactive initiative caused a financial loss to CBWTF itself still

the Respondent No.5 went ahead. Moreover, MPCB vide proposed directions dated 17.09.2020 had directed to divert the waste to MWML but they were not accepting the waste since 09.09.2020 claiming breakdown of their facility. The Respondent No.5 had also lodged its protest stating that it is not possible to ensure diversion of 50% waste every day and the arrangement to transfer the waste should be as per mutual co-ordination. Subsequently, the Respondent No.5 had received amended CTO for utilization of 100% incineration capacity on 15th March 2023 from Respondent No.2.

37. The Respondent No.5 submits that, with respect to the contents of para 17, the same are denied. The Respondent No.5 has submitted a detailed response dated 30th March 2022 to the show cause notice dated 24th March 2022 and the same was accepted by the Respondent No. 3 since the concerns raised in the notice were either already addressed by the Respondent No. 5 or appropriate explanation was available for the same. The Respondent craves leave to produce on record the document if need arises.
38. The Respondent No.5 submits that, with respect to the contents of para 18, the Respondent No.3 conducted a site visit on 26th August 2022 and directed to submit the proposal of upgradation APCD within 8 days and completion of upgradation within 1 month period. The Respondent No.5 had submitted the plan for the same with drawing and completed the upgradation work in stipulated time period and communicated to Respondent No.3 after completion of the work. The same has been verified by Respondent No.3. Furthermore, the Respondent No. 3 had conducted site visits every day from

20.08.2022 to 26.08.2022 and during these visits no non-compliance was reported by the Respondent No.3.

39. The Respondent No.5 submits that the contents of para 19 are repetitive and that the Respondent No.5 has already dealt with the same in foregoing paragraphs.
40. The Respondent No.5 submits that the contents of para 20 are false and frivolous. The Respondent No.5 is operating the facility as per the Consent to Operate terms and also as per the directions of Respondent no. 2/3. The analysis reports annexed by the Applicant at Annexure-15 are well within limits except for a few marginal exceedances and the Respondent No. 3 has also stated that the results are well within the prescribed limits. Moreover, the time period shown in this annexure is the same period for which the Respondent No. 5 has requested Respondent No.3 to reanalyse the samples considering the discrepancy in the sample reports.
41. The Respondent No.5 in response to the contents of para 21, submits that the facility is treating the entire waste generated from the city of Mumbai. All Common Biomedical Waste Treatment Facilities (CBWTFs) in India operate 24/7, with facilities designed for round-the-clock operation. If they do not operate 24/7, it would lead to chaos and a haphazard situation. Incinerator process with wet scrubbing always emit white steam from stack, which is part of process. The Respondent No.5 is continuously operating upgraded APCD system during operation of the plant which enhance the pollutant removal efficiency. Apart of making wild allegations against the Respondent

No. 5, the Applicant has failed to show any proof that the residents of the nearby areas are suffering from health issues due to the emissions from the Respondent's plant.

42. The Respondent No.5 submits that with respect to the EDC, the Respondent No.5 submits that the facility operates in full compliance with BMW Rules, 2016. All conditions have been met in a timely manner, which is supported by JVS sampling reports, third party sampling reports and OCEMS data which is continuously connected with MPCB and CPCB servers. The Respondent No.5 complies with emission standards for stack emissions, effluent, and autoclaves as per BMWM Rules, 2016. Biomedical waste is regularly collected from all member Healthcare Facilities (HCFs) without compromising safety regulations. Regular training is provided to Health Care Establishments (HCEs) to ensure proper biomedical waste management and compliance with safety standards.
43. With respect to contents of Para 24 to 32, the Respondent No.5 submits that the compensation amount claimed by the Applicant appears to be grossly inflated and lacks proper substantiation. Even assuming but without admitting any violation, the assumptions taken by the Applicant for calculating the EDC cannot be applied merely because there was a violation on a count for a parameter within the degree of tolerance or uncertainty. The Respondent No. 5 submits that the calculation of EDC is without application of mind and the Applicant is trying to mislead the Hon'ble Tribunal in this regard.

44. The Respondent No.5 submits that the polluters should certainly pay for the cost of restoration of environment due to pollution. But the proper determination must be done before imposing such penalty or cost of environmental compensation. Whether Respondent has defaulted on environmental emission standards, which parameters, and to what extent also must be determined. On the contrary, the Respondent No. 5 has complied with all the guidelines basis which the MPCB gave the 'Consent to Operate' only after ascertaining that all the stipulations as made in the 'Consent to Establish' are complied with; which included all the control equipment and other conditions.

45. The Respondent No. 5 specifically denies the estimated calculations made out by the Applicant under para 26 to 30. The consideration of maximum score for the purpose of calculations despite no non-compliance of Respondent No. 5 on that part clearly shows the intent of the Applicant to mislead the Hon'ble Tribunal. The Applicant has considered the entire period between June 2018 to February 2023 for the purpose of calculating EDC without specifying the non-compliances and damage to environment during the said period. For instance, even assuming without admitting, all alleged non-compliances highlighted by the Applicant pertain solely to incinerator emissions only. There are no violations reported regarding other critical operations, such as treated wastewater compliance, autoclave or microwave operations, biomedical waste collection and disposal within 48 hours, or any other listed parameters. Despite the alleged violations being limited to incinerator emissions, the Applicant has incorrectly considered the Pollution Index (PI) as 100, which applies to severe violations across all parameters. However, for non-

compliance limited to incinerator emissions, the actual PI should be considered 20 as per the CPCB guidelines, drastically altering the Environmental Compensation Charges (ECC) calculations. Similarly, the Applicant has incorrectly considered the Multiplying Factor in relation to incinerator emissions wherein the base Environmental Compensation Charge (ECC) is multiplied by a factor of 4, which is not justified since as per the CPCB guidelines, the Multiplying Factor should be applied based on the actual number of emission sources. This multiplication assumes multiple emission sources, but in the instant case, the emissions are originating from only one stack and therefore the Applicant has grossly erred while considering the multiplying factor which has significantly inflated the ECC amount presented by the Applicant.

46. Furthermore, the Applicant has applied a deterrent factor stating that the non-compliance is noticed in the second inspection and hence the EDC amount arrived at Rs. 8,40,00,000/- is multiplied by two (2) which raises the compensation amount to Rs. 16,80,00,000/-. The method of calculation adopted by the Applicant is to clearly inflate the EDC without any basis. It is ridiculous to claim that the facility was non-compliant for the entire period when contrary reports of the relevant authorities are already on record. The Applicant has incorrectly considered the Deterrent Factor (DF) for delay in compliance, which is not applicable in this case. The facility duly submitted replies to the site visit reports provided by regulatory authorities within the prescribed timelines. Therefore, there was no delay in compliance, and the Deterrent Factor for delay should not

have been applied. A bare perusal of the above makes it abundantly clear that the Applicant has submitted an inflated amount of ECC in its application without any supporting evidence.

47. The Respondent No.5 submits that, to levy EDC, the Applicant has to first prove that there has been destruction to the environment. The data has to be matched with the relevant evidence. The Applicant in the present case has only produced the literature on health hazards and failed to substantiate the same that the health hazards are attributable to the activity of the Respondent No.5. It is also evident from the fact that the Applicant was directed by this Hon'ble Tribunal to provide additional facts and further documents for substantiating its claim. The Respondent No.2 & 3 has timely visited the plant of the Respondent No.5 and have found the same to be compliant. The report produced before this Hon'ble Tribunal in OA No.643 of 2022 (PB) also records that the plant is compliant. The Applicant has conveniently suppressed the fact regarding the aforesaid report. The Applicant has filed this present application with malafide intentions and ulterior political interests and has miserably failed to produce on record any substantial evidence which proves that the facility operated by Respondent No. 5 has caused the public health emergency as alleged by the Applicant.

48. **REPLY TO GROUNDS:**

Grounds A-H as stated in Para 35 of the OA needs no specific reply from the answering Respondent as the preliminary submissions and preceding paras in this reply have already addressed these grounds and the same be read as a part of this paragraph.

49. The contents of Para 36 & 37 are false and therefore denied. The Applicant has not approached this Hon'ble Tribunal with clean hands. The Applicant has conveniently suppressed the fact that one Mr. Saif Alam had already approached the Hon'ble National Green Tribunal, New Delhi after the order dated 11/09/2023 passed by the Hon'ble High Court of Bombay wherein the petitioners were granted the liberty to approach National Green Tribunal for seeking compensation.
50. The contents of Para 38 are denied in totality. The issue pertaining to Limitation has already been dealt with in the preceding paragraphs between 4-11.
51. **Para 39 – Prayer –**
It is most respectfully submitted that in view of the submissions made hereinabove, the Applicant is not entitled for any relief from this Hon'ble Tribunal.
It is prayed that this Hon'ble Tribunal may kindly be pleased to dismiss this present application with heavy costs as the same is an abuse of the process of law and is based on vexatious and misleading facts and averments.

REPLY TO ADDITIONAL AFFIDAVIT FILED BY THE APPLICANT

Subsequent to order dated 27.08.2024 passed by the Hon'ble Tribunal, the Applicant had placed on record additional facts and documents by way of additional affidavit. The contents of the

aforesaid affidavit are denied, save and except the matter of record, being distorted and incorrect. Nothing shall be deemed to be accepted for want of specific denial.

52. **As to Para 1** – The contents are admitted to the extent of filing of W.P. No. 2326 of 2019 before the Hon'ble Bombay High Court against the closure notice dated 06.07.2019 and the subsequent orders passed in the said matter. The Respondent No. 5 is not privy to the reasons for filing of PIL (L) no. 33884 of 2022 before the Hon'ble Bombay High Court. The Hon'ble High Court had clubbed the matters together and the orders passed by the Hon'ble High Court are a matter of record.
53. **As to Para 2** – It is an admitted position that the Respondent No. 5 had agreed to relocate the CBWTF in another 2 years and the same was recorded by the Hon'ble Bombay High Court. However, it is pertinent to mention here that relocation of the CBWTF has been agreed by the Respondent No. 5 in the meeting with the then Environment Minister dated 05th October 2020 and CTE and other approvals were already in place for relocating the facility to Atkargaon.
54. **As to Para 3** – There were marginal exceedances during the unprecedented times of COVID-19 pandemic. The Respondent No. 5 had already apprised the Respondent No. 3 of the excess COVID-19 waste received from the HCEs. Respondent No. 5 is operating the facility as per the guidelines issued by CPCB and the applicable laws.

Respondent No. 5 has not committed any act that would cause grave environmental pollution, as alleged by the Applicant. The notices referred by the Applicant were issued by the Respondent No. 3 after various site inspections which were duly replied by the Respondent No. 5 which were acceptable to the Respondent No. 3. Hence, no penalty has been imposed on Respondent No. 5.

55. **Para 4 & 5** – The fact that the Applicant has considered the entire period between 29.06.2018 to 02.02.2023 for the purpose of calculation of EDC, is not acceptable. The facility was compliant during the said period barring a few exceedances which is evident from the series of visit reports of Respondent No.3. Admittedly, a few notices were issued by the Respondent No. 3 during the course of time which also included the extraordinary circumstances of COVID-19 pandemic. However, the Respondent No. 5 has duly responded to all the notices and all the compliances have been ensured.

56. **Para 6 & 7** - This para does not warrant any reply for want of specific knowledge.

Despite the additional facts and documents placed on record, the allegations made by the Applicant against Respondent No. 5 are far away from the factual position, and therefore, in the interest of justice, the present original application is liable to be dismissed.

Pune

Date: 18/01/2025



Advocate for Respondent No.5

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**WESTERN ZONE BENCH, PUNE****ORIGINAL APPLICATION NO. 173 OF 2024(WZ)**

Govandi New Sangam Welfare Society

APPLICANT

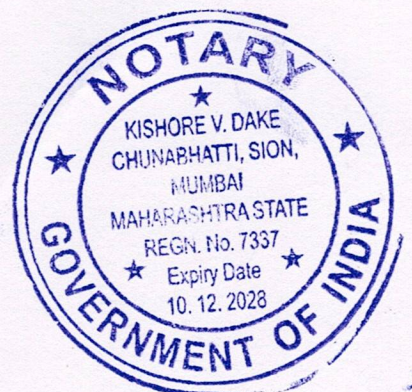
V/s

State of Maharashtra & Ors

RESPONDENTS**AFFIDAVIT IN SUPPORT OF REPLY****MAY IT PLEASE THE HON'BLE TRIBUNAL**

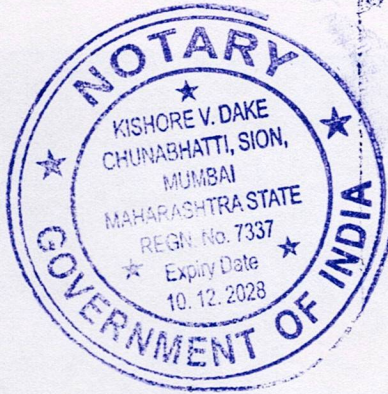
I, Saurabh Gautam, occupation: business, having office at Corporate Office, Near Deonar Dumping Ground, Next to Bulldozer Garage, Ghatkopar Mankhurd Link Road, Govandi, Mumbai – 400 043, do hereby state on solemn affirmation as under: -

1. I say that I am the Whole Time Director of the Respondent No.5 in the present case. I am aware of the facts and circumstances of the present case and hence am able to depose the same on oath.
2. I say that I am filing the present Reply to the Original Application. I say that the contents of the said Reply and the present affidavit are true and correct to the best of my knowledge, information, belief and the legal advice which I believe to be correct.



WHATEVER stated herein above is true and correct to the best of my knowledge and belief and for the same I have signed hereunder at Mumbai on this 18th day of January, 2025.

Deponent



BEFORE ME

[Signature]

K. V. DAKE B.Com. LL.B.,
NOTARY GOVT. OF INDIA
Advocate High Court, Mumbai
Janta Market, Shop No. 36,
Near Chembur Ry. Station, Chembur,
Mumbai-400 071.

Notary Register No.	Entry No	Date
59	590	18/1/2025



Notary Register Page No. 84

18 JAN 2025

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/Stack/ 135

Date: 11/7/19

Sub Regional Officer, Mumbai - III

Sample Collected By: Patthebahadur (FO)

Lab Report No. S - 61

Sample Collection Date: 30/06/2019

Sample Code No. SRO –MB – 3/Stack/19/07

Sample Acceptance Date: 01/07/2019

Seal No.204

Stack (point source) Emission Report.

Ref: Your letter No. 674

Sr. No.	Parameters	Results
1	Date of Sampling	30/06/2019
2	Stack (Identity)	Incinerator
3	Stack height mts.	30.0
4	Stack area sq.m.	0.63585
5	Flue gas temperature °c	90
6	Particulate matter emission mg,m3	15.0
7	SO ₂ (mg/m ³)	BDL
8	HCL (mg/m ³)	2.43

B. S. Gadhari

(B. S. Gadhari)
Scientific Officer,
Regional Laboratory, Thane.

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/Stack/ 135th

Date: 11/7/19

Sub Regional Officer, Mumbai - III

Sample Collected By: Patthebahadur (FO)

Lab Report No. S - 62

Sample Collection Date: 30/06/2019

Sample Code No. SRO -MB - 3/Stack/19/08

Sample Acceptance Date: 01/07/2019

Seal No.204

Stack (point source) Emission Report.

Ref: Your letter No. 674

Sr. No.	Parameters	Results
1	Date of Sampling	30/06/2019
2	Stack (Identity)	Incinerator
3	Stack height mts.	30.0
4	Stack area sq.m.	0.63585
5	Flue gas temperature °c	90
6	Particulate matter emission mg,m3	11.0
7	SO ₂ (mg/m ³)	BDL
8	HCL (mg/m ³)	2.43

B. S. Gadhari

(B. S. Gadhari)
Scientific Officer,
Regional Laboratory, Thane.



ANNEXURE-R-2**MAHARASHTRA POLLUTION CONTROL BOARD**

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023516

Website: <http://mpcb.gov.in>E-mail: psa@mpcb.gov.inKalpataru Point, 2nd - 4th Flr.

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai-400 022.

Date : 06.07.2019

No.MPCB/PSO/B- 190706FTB0088

To,

M/s SMS Envoclean Pvt.Ltd

(CBMWTSDf), Next to Deonar Dumping Ground

Ghatkopar-Mankhurd Lind Road

Govandi (W), Mumbai 400 043

Sub: Closure Direction under Section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 read with Bio Medical Waste Management Rules, 2016.

- Ref: 1. Combine Consent granted by the Board vide dated- 24.03.2015
 2. Proposed Directions issued by the Board vide No.BMW/B-1366 dtd.5.4.2017,
 3. Reply submitted to the proposed directions vide dtd.11.4.2017.
 4. Visit of Board Officials dtd.1.9.2017.
 5. Assurance given by Hon'ble Minister, Environment, GoM in Legislative Assembly at Nagpur on 21.12.2017.
 6. Closure Direction issued vide No. MPCB/ROM/CD/TB-2606, dated- 22.12.2017
 7. Conditional Direction issued vide No. MPCB/ROM/CD/TB-229, dated- 22.01.2018
 8. Meeting held in the chamber of Hon'ble Minister of Env., GoM on 19.03.2018
 9. Minutes of meeting received from Additional Chief Secretary, Env, Dept, GoM on 21.06.2018
 10. Proposed Direction issued vide No. MPCB/PSO/BMW/B-3417, dated- 24.08.2018
 11. Your reply submitted on 08.10.2018
 12. Letter issued by Hon'ble Minister of Environment, GoM on 27.06.2019
 13. Visit of Board Officials of SRO- Mumbai-II on 29.06.2019

WHEREAS, the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and Bio Medical Waste Management Rules, 2016 is applicable to the State of Maharashtra as declared in Official Gazette. AND, the area where your common facility is situated, falls under the said declared area.

AND WHEREAS, you have been granted combined consent under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and Bio Medical Waste (Management and Handling) Rules, 1998 subject to certain terms and conditions more precisely prescribed in the consent order referred 1 above.

:2:

AND WHEREAS, it is obligatory on your part to provide adequate pollution control system so as to comply with the conditions prescribed in the consent.

AND WHEREAS, conditional direction was issued on 22.01.2018 and subsequently, proposed directions was issued to your facility on 24.08.2018 vide reference 6 & 10 respectively in pursuance of Assembly assurance by Hon'ble Minister of Environment, GoM on 21.12.2017

AND WHEREAS, you have submitted reply to the proposed directions vide reference 11 above which is not satisfactory. Further, you have not submitted concrete time bound proposal till today for shifting incinerator facility in compliance with the proposed direction issued on 24.08.2018.

AND WHEREAS, MPCB officials, has visited your common facility on 29.06.2018 and following non-compliances are reported,

1. Out of 4 incinerator of 250 kg/hr each only one incinerator is provided with Dioxin and Furans control systems.
2. Water meter is not provided to ETP outlet.
3. Segregation of Biomedical Waste in colour coded bags as per BMWWM Rules, 2016 was not found.
4. Proper storage of autoclavable and incinerable waste was not found.
5. Record of BMW is not properly maintained.
6. As per the consent condition water consumption is 50 CMD. However, effluent generation is more than water consumption i.e. 74 CMD.
7. Effluent Treatment Plant is under capacity for treatment of 74 CMD effluent.
8. Autoclaved waste is shredded in Unscientific manner.
9. BMW transportation vehicles are not properly washed at the site.
10. Vehicles used for transportation of BMW are without Biohazard symbol and GPS tracking system.
11. Bikes used for BMW collection and transportation are without permission of the Board.
12. Analysis report of stack for the month of September & December, 2018 and January, March, April and May, 2019 revealed that particulate matter was exceeding. In May, 2019 particulate matter it has exceeded more than double the permissible standards

AND WHEREAS, it is apprehended that Air pollution control Device is not properly working, which resulted nuisance and health impact in the nearby residential area. This has also been reported by nearby residents. This is apprehended act of negligence on your part.

AND WHEREAS, after examining all the reports and records available with this office, I have come to the conclusion that you are knowingly and wilfully violating the provisions of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (M,H & TM) Rules 2008 as amended in 2016 read with Bio Medical Waste Management Rules, 2016 and directions issued by MPCB, time to time.

NOW THEREFORE, in exercise of the powers conferred upon me by the Board under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31(A)

:3:

of the Air (Prevention & Control of Pollution) Act, 1981, Regional Officer, Mumbai hereby direct you to safely stop your activities within 15 days and also stop collection of Bio Medical Waste from the entire jurisdiction.

You are also directed to immediately start handover of incinerable waste of 1.0 MT/day to M/s. Mumbai Waste Management Ltd., CBMWTF, Taloja, Navi Mumbai forthwith at your own cost and risk with immediate effect so as to reduce the pollution load caused due to inadequate incinerator performance.

In case, you fail to comply with these directions, the Board will have no option than to initiate further action including imposing penalty for Environmental Compensation charges against CBMWTF and / or prosecution against you, which may be noted.

(R. M. Joshi) 6/7/15
Regional Officer, Mumbai

Copy submitted to: for information please.

- 1) Chairman, MPCB, Sion, Mumbai
- 2) Member Secretary, MPCB, Sion, Mumbai
- 3) Additional Municipal Commissioner (SWM), MCGM, Mumbai – You shall ensure collection, transportation, treatment and disposal of BMW generated from the HCEs in MCGM jurisdiction in accordance with the provisions of BMW Rules, 2016 and guidelines issued by CPCB.

Copy to:

1. Asstt. Secretary (Tech), MPCB, Mumbai
2. Law Officer, MPCB, Mumbai
3. Regional Officer, MPCB, Mumbai
4. Sub Regional Officer, MPCB, Mumbai III
 - He directed to ensure that above direction is served to the facility and MCGM and ensure necessary follow up towards compliance of the direction and report through R.O, MPCB, Mumbai.

Copy to: M/s. Mumbai Waste Management Ltd., Taloja, Navi Mumbai; You are directed to accept the "Yellow" category waste not exceeding 1.0 MT/day from M/s. SMS Envoclean Pvt. Ltd., Deonar, Mumbai at cost till further orders and submit weekly report of receipt and disposal of same.,



ANNEXURE-R-3

(901) -WPL-2089-19. doc.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.2089 OF 2019

M/s. SMS Envoclean Private Limited ..Petitioner
Versus
The State of Maharashtra and others ..Respondents

Mr. Aspi Chinoy, Senior Advocate a/w Mr. Rampal Kohli, Mr. Vikram Chavan I/by C. K. Legal, Advocates for the Petitioner.

Mr. Abhay Patki, AGP for Respondent No.1 – State.

Ms. Sharmila Deshmukh a/w Ms. Jaya Bhagwe, Advocates for Respondent Nos.2 & 3.

Ms. K. H. Mastakar, Advocate for Respondent No.4 – MCGM.

CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.

DATE : 18th JULY, 2019

P.C.

1] Counsel as above appear for the Respondents on advance copy of the Writ Petition being served. Learned counsel for the Respondents waive notice.

2] Keeping in view the pleadings in the Writ Petition and the documents filed in support of the pleadings, it would be advisable that before Respondent Nos.2 and 3 file a counter affidavit an inspection of the Common Bio-Medical Waste Treatment Plant established by the Petitioner is conducted in the presence of the representative of the
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HIGH COURT, BOMBAY

71213

(901)-WPL-2089-19.doc.

Petitioner and for which it is agreed that the inspection shall be conducted on 29th July 2019 at 11:00 a.m.

3] Counter affidavit be filed by the Respondents within four weeks. It is expected that in the counter affidavit filed by Respondent Nos.2 and 3 reference would be made to the report and the same shall be filed alongwith affidavit.

4] Rejoinders be filed within two weeks thereafter.

5] On the issue whether the Petitioner should be entitled to an interim order staying implementation of the impugned order dated 6th July 2019, we note that the public injury caused by closing the plant would be much more than permitting plant to operate even on assuming that the stand of Respondent Nos.2 and 3 is correct. We clarify, we are not opining prima-facie that the stand of the Respondents is correct.

6] Therefore, till the present order is vacated or modified, operation of the impugned order dated 6th July 2019 shall be stayed.

7] Re-notified for 9th September 2019.

TRUE COPY



Section Officer

High Court, Appellate Side
Bombay 400 032

CHIEF JUSTICE

"Disclaimer Clause : Authenticated copy is not a Certified Copy"





**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**PUBLIC INTERET LITIGATION (L) NO. 33884 OF 2022
WITH
INTERIM APPLICATION (L) NO. 4441 OF 2023**

Govandi New Sangam Welfare
Society

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. Zaman Ali a/w Mr. Neil Pais for petitioner.

Mr. Milind More, Addl. Government Pleader for respondent no.1/State.

Mr. Sachindra B. Shetye a/w Mr. Irfan A. Shaikh for respondent nos.2 and 3/MPCB.

Mr. Anoop Patil a/w Ms. Oorja Dhond i/by S. K. Sonawane for respondent no.4/MCGM.

Mr. Aspi Chinoy, Senior Advocate a/w Ms. Nikita K. Dharamshi for respondent no.5.

Mr. C. M. Lokesh for respondent no.6/CPCB.

Ms. Afrin Khan i/by Mateen Shaikh for applicant in IAL/4441/2023.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 11th SEPTEMBER, 2023

P.C.:

1. Heard Mr. Zaman Ali, learned counsel representing the petitioner, Mr. More, learned Additional Government Pleader representing the respondent no.1/State of Maharashtra, Mr. Shetye, learned counsel representing the respondent nos.2

and 3/MPCB, Mr. Patil, learned counsel representing the respondent no.4/MCGM, Mr. Chinoy, learned senior counsel representing the respondent no.5 and Mr. Lokesh, learned counsel representing the respondent no.6/CPCB.

2. This Public Interest Litigation petition seeks appropriate directions to be issued by the Court to the respondent no.4/ Municipal Corporation of Greater Mumbai (hereinafter referred to as "the MCGM") and other responsible authorities to make appropriate arrangement for treatment of bio-medical waste at Govandi. According to the petitioner, the facility of bio-medical waste treatment at Govandi Plant is not adequate and as a matter of fact the incinerator put therein is the cause of major pollution in the area which is affecting large number of population living in the vicinity.

3. Alleging certain non-compliances and flaws by the respondent no.5 in running the said plant, it has also been urged in the PIL petition that the Maharashtra Pollution Control Board (hereinafter referred to as "the MPCB")/respondent no.3 be directed to impose appropriate environmental compensation upon the respondent no.5/contractor as per the guidelines available on the basis of "Polluter Pays" principle.

4. The Court it is order dated 11th August, 2023 had noted a tentative timeline given by the respondent no.5 for establishment of the new incinerator at a different place. Having considered the said timeline, the Court had directed the Member Secretary of the MPCB to hold a meeting with the representative of the respondent no.5 along with the representative of the MCGM to find out as to how 13 months'

period likely to be taken for completion of construction of plant from the date of grant of environmental clearance can be reduced. Pursuant to the said order, a meeting of the officers along with the representative of the respondent no.5 was held on 22nd August, 2023, wherein following decisions have been taken: -

Sr. No.	Points	Decision
1.	Obtaining the Plot in MIDC Area	M/s. SMS Envoclean Pvt. Ltd. shall expedite the payment to MIDC for allotment of the plot at the earliest.
2.	MPCB to consider and take decision on the Application for C to E with expedition	The Member Secretary, MPCB has directed M/s. SMS Envoclean Pvt. Ltd. to immediately apply for Consent to Establish for setting up of Bio-Medical Waste Treatment Facility at Patalganga - Borivali, MIDC area. Thereafter, MPCB will issue Consent to Establish on priority.
3.	The Hon'ble High Court also directed that a decision for grant of EC by the SEIAA/SEAC shall also be given in the minimum possible time.	M/s. SMS Envoclean Pvt. Ltd. informed that they will carry out Rapid EIA Study as per Guidelines issued by MoEF & CC, Govt. of India of the land at Patalganga-Borivali, MIDC area immediately once the plot is allotted and submit the application for Environmental Clearance to the

		Competent Authority.
3	To reduce the period of 13 months for construction of the plant.	M/s. SMS Envoclean Pvt. Ltd. shall reduce the timeline for establishment and commissioning of CBMWTSDF to 12 months after obtaining all the statutory permissions from the Government Agencies.

5. Accordingly, it appears that the respondents are moving in the direction of setting up the new incinerator which is likely to reduce the pollution level in the area. One of the decisions taken in the said meeting is that the period likely to be taken in construction of plant has been reduced from 13 months to 12 months. It has been informed by Shri Chinoy, learned senior counsel, representing the respondent no.5, that the payment to Maharashtra Industrial Development Corporation (MIDC) for allotment of the plot has already been made and further that directions have been issued by the MPCB to respondent no.5 to make application seeking consent to establish the bio-medical waste treatment facility at Patalganga - Borivali. In the meeting it was also decided that MPCB shall issue consent to establish the said facility on priority basis.

6. As regards the Environmental Impact Assessment (EIA) study, it has been informed by the learned senior counsel representing the respondent no.5 that immediately after the monsoon, the study shall be taken up and necessary application shall be made seeking environmental clearance, to

the State Environment Impact Assessment Authority/ State Environment Impact Assessment Committee.

7. In view of the aforesaid, we direct that the new incinerator facility shall be commissioned within two years from today. All the authorities, including respondent no.5, shall be held accountable in case there is any lapse on their part in establishing the new incinerator facility within two years from today.

8. We also direct that in the meantime the regular monitoring of the pollution levels in the area and also monitoring of the present plant shall be carried out by the MPCB not only using the online process but also by physical inspection of the site regularly, say on monthly basis.

9. So far as the prayer made in the PIL petition relating to environmental compensation is concerned, in our considered opinion, the issue can be better adjudicated by the National Green Tribunal (hereinafter referred to as "the NGT"). Thus, for prayer clause (b), which is extracted herein-below, we leave it open to the petitioner to approach the NGT where it will have all the pleas available to it to be raised.

"(b) That this Hon'ble Court be pleased to issue a writ of mandamus or any other appropriate writ order or direction directing Respondent No.3 to impose appropriate environmental compensation on Respondent No.5 under the Polluter Pays principle, as per the formula fixed by CPCB's 2019 Guidelines on imposition of environmental compensation and collect the same for the purposes of improving the environment in Govandi in a time-bound manner."

10. We further provide that in case the petitioner approaches the NGT for grant of above quoted prayer (b), the

proceedings before the NGT shall be expedited and completed as early as possible, in accordance with law.

11. We make it clear that we have not made any observation as to the merit of the claim of the parties so far as prayer clause (b) is concerned, which shall be adjudicated by the NGT after hearing and giving opportunity to present their respective cases, to the respective parties.

12. The PIL petition stands disposed of in the aforesaid terms.


13. All pending applications stand disposed of.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

Digitally
signed by
PRAVIN
DASHARATH
PANDIT
Date:
2023.09.12
11:00:27
+0530



MAHARASHTRA POLLUTION CONTROL BOARD			
Phone :	(022)- 25505928		
Fax :	(022)- 25505926		
Email :	romumbai@mpcb.gov.in		
Visit At :	http://mpcb.gov.in		
			Kalpataru Point, 2 st floor, Sion- Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400 022

"Your Service is our Duty"

No. MPCB/ 290113-FTS-0 260

Date:13/01/2025

To,
SMS Envoclean Pvt Ltd.,
Near Ghatkopar Mankhurd
Link Road, Mumbai.

Sub: To levy Environment Compensation.

**Ref: 1.Consent to Operate granted by the Board vide no.UAN-171815/CR/2312000751 dated 07.12.2023 valid up to 11.09.2025.
2. Hon'ble NGT Passed the order dtd 12/11/2024 in original application 173/2024(WZ).
3. Office Note submitted by SRO Mumbai-3 vide Office Note MPCB-ON-3540 dtd. 17/12/2024.**

Sir,

The Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Bio Medical Waste Management Rules to your organization vide dated 07.12.2023, subject to certain terms and conditions.

The Hon'ble NGT, Western Bench, Pune vide Order dated 12/11/2024 has directed to the Maharashtra Pollution Control Board to submit the calculation of EDC amount with period of Violation in tabular form & submit the same by way of an affidavit before the Hon'ble NGT.

In compliance of the Hon'ble NGT Order dated 12/11/2024, EDC has been calculated and details are given in Annexure-1 attached herewith.

Environmental Compensation (EC) amount calculated is Rs. 14,22,500/- (Fourteen lakhs, Twenty two thousands and Five hundred rupees only) as per the CPCB Guidelines for imposition of Environmental Compensation charges against Health care Facilities and Common Bio Medical Waste Treatment Facilities (As per Hon'ble National Green Tribunal's Order dated 12.03.2019 in the matter of O.A. 710 of 2017)

In view of the above, before assessing Environment Compensation, you are hereby given an opportunity of personal hearing **on 16/01/2025 at 12.00 pm. at Regional Office, MPCB, Mumbai, Kalpataru Point, 2nd Floor, Sion- Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022**, along with all relevant documents on which you would like to rely upon, failing which, MPCB will initiate legal action against your organization, without giving any further opportunity, which please note.

This is issued with the approval of the Competent Authority of the Board.

For and on behalf of Maharashtra
Pollution Control Board



(Ravindra B. Andhale)
Regional Officer, Mumbai

Copy to: The Sub Regional Officer Mumbai-3 - He is directed to take follow-up and ensure that direction to be served to the industry.

MPCB SRO Mumbai 3

Hon'ble NGT Passed the order dtd 12/11/2024 in original application 173/2024(WZ)
Wherein NGT directed to submit the calculation of EDC amount with period of Violation in tabular form

As per the CPCB guidelines for imposition of Environmental Chages (EC) against health care facility & common bio health care facility 2019, the EC is calculated are as under-

The period of violation alongwith the calculation of violation in tabular form are attached herewith for further necessary action

ENVIRONMENTAL COMPENSATION CALCULATIONS					
Sr No	Description	Symbol	Value /Range	Actual To be considered value if So	Remarks
1	Pollution Index				
a	Incinerator Emission (not Complying with BMWM Rules 2016)	PI	20	20	Intermittent exceedance of (PM) Particular Emission in timeline from 29/06/2018 to 02/02/2023. Details of No. of days of violation are mentioned in Annexure - 1
b	Treated Wastewater (not Complying with BMWM Rules 2016)		15	NIL	The Treated waste water from ETP is being utilised for scrubbing sytem in closed loop. No discharge of treated effluent outside. The sludge generated from waste water is disposed at CHWTSDF regularly.
c	Not complying with Autoclave and Microwave standards as per BMWM Rules 2016		15	Nil	The reports of spore test & validation test conducted through NABL Accredited Lab are within norms
d	Biomedical waste not collected and disposed off within 48 hrs		10	NIL	BioMedical Waste Collected & disposed off within 48 hrs Hence Complied.
e	Other Violations		10	Nil	
2	Scale of Operation for CBWTF				
a	upto 100 kg/hr	S	0.25	-	
b	100 to 250 kg/hr		0.50	-	
c	250 to 500 kg/hr		1.00	1.0	1. As per consent granted by the Board dated 27.12.2021 Condition no. 22 the industry shall operate at the incineration capacity of 50% of Bio-Medical Waste collected from MCGM area & shall be sent the remaining 50% of incineration BMW to M/s MWML facility, Talaja for scientific treatment and disposal of the waste. 2. As per consent granted by the Board dated 19.12.2022 Condition no. 19 in contjnuoation of Previous CCA condition the industry shall operate at the incineration capacity of 50% of Bio-Medical Waste collected from MCGM area & shall be sent the remaining 50% of incineration BMW to M/s MWML facility, Talaja for scientific treatment and disposal of the waste. 3. Ammdement in CCA dated 15.03.2023 the condidion No. 19 stipulated in the earlier CCA dated 19.12.2022 for 50% operation of te incineration capacity and vide this ammdement permission is granted for 100% incineration Capacity utilization. [Total N2=184 days Violation between the period from 27.02.2021 to 02.02.2023]
d	>500 kg/hr		1.50	1.5	CTF has provided four incinerator of capacity 250kg/hr each. Hence total capacity of incinerator plant is 1000kg/hr. the authorized treatment capacity (based on incinerator size) is more than 500kg/hr. Hence scale factor has taken as 1.5 [Total N1=67 days Violation between the period from 29.06.2018 to 26.02.2021]
3	Environmental Compensation Factor	R	upto 250	250	
4	Number of days of violation	N		251	
Total Environmental Compensation		EC		14,22,500/-	EC=PIxSxRxN in Rupees

The Formula derived for Environmental Compensation in CPCB guidelines are as under-
Environmental Compensation (EC) for CBWTFs= PI*S*R*N

where;

PI- Pollution Index

S-Size of Operation

R-Environmental Compensation factor

N-Number of days of violation

PI= 20

S1=1.5 S2=1.0

R=250

N1=67 N2=184

EC for CBWTFs = PI*S*R*N

1 EC = 20 * 1.5 * 250 * 67

EC = 5,02,500/- (Rupees Five Lakh Two Thousand Five Hundred Only)

2 EC = 20 * 1.0 * 250 * 184

EC = 9,20,000/- (Rupees Nine Lakh Twenty Thousand Only)

3 Total EC = 5,02,500+9,20,000

EC = 14,22,500/- (Rupees Forteen Lakh Twenty two Thousand Five Hundred Only)



MAHARASHTRA POLLUTION CONTROL BOARD
Sub-Regional Office, Mumbai-III

Phone No. 24015269 / 24016239
Visit us at : <http://mpcb.gov.in>
Email : sromumbai3@mpcb.gov.in



Kalptaru Point 2nd floor,
Sion Matunga Scheme Road No. 8,
Infront of Sion Circle, Sion (E),
Mumbai – 400 022.

"Your Service is our Duty"

No./MPCB/SROM-III/ 54

Date 16 / 01 / 2025

To,
M/s SMS Envoclean Pvt Ltd.
Near Ghatkopar Mankhurd
Link Road, Mumbai

Sub: - To Levy Environment Compensation

Ref: - Personal Hearing 16.01.2025 before Regional Officer Mumbai.

Sir,

Please find attached herewith the Minutes of meetings of personal hearing extended to representative of SMS Envoclean Pvt. Ltd. on 16.01.2025 before Regional Officer Mumbai & the copy of number of days calculation for environment compensation.

Yours Faithfully,

DA - As above

Sub- Regional Officer, Mumbai-3

Copy Submitted to:-

Regional Officer, MPCB, Mumbai.

name of the Industry - SMS Euroclean Pvt. Ltd.
Near Ghatkopar Mankhurd,
Link Road, Mumbai.

Date of Hearing - 16/01/2025

Industry Representative - 1) Shri. Saurabh Gautam
DGM,
2) Dinesh Tari
Env. Compliance Officer.

- Discussion: - A hearing was extended to SMS Euroclean Pvt. Ltd. regarding Environment Damage Calculation. Industry representative demanded to know the no. of days calculation and copy of Annexure-1 mentioned in the letter & copy of Annexure I was provided and no. of days was calculated and explained in detail.
- 1) The industry representative demanded that the Covid period 12/11/2021 to 11/01/2022 i.e 61 days should be excluded as it was Peak Covid period.
 - 2) The request was denied & Citing Board's Circular for relaxation from 01/04/2020 to 31/03/2021, as relaxation period only.
 - 3) The R factor which was selected as Rs 250 was questioned and industry representative requested to consider as Rs 100 as it was a pandemic period. However the request was not considered.

Saurabh Gautam
DGM

~~16/11/2025~~

signed
16/11/2025
(R. S. Dafade)

Rs Mumbai-3

Dinesh Tari
Env. Compliance Officer

signed
16/11/2025
(Ravi Andhale)

Rs Mumbai

signed

JVS REPORTS FROM 28.03.2018 TO 06.02.2023

Sr. No.	Sampling Date	PM in mg/Nm ³	from date	To date	No. of Violation days	Remarks
	Standard	50				
1	28/3/2018	37			0	
2	5/9/2018	43			0	
3	3/12/2018	32			0	
4	5/1/2019	47			0	
5	6/1/2019	27			0	
6	11/4/2019	66	11/4/2019	10/6/2019	61	
7	15/5/2019	128			0	
8	11/6/2019	10			0	
9	30/6/2019	15			0	
10	30/6/2019	11			0	
11	29/7/2019	31			0	
12	29/7/2019	18			0	
13	6/8/2019	11			0	
14	9/9/2019	27			0	
15	4/11/2019	14			0	
16	9/12/2019	17			0	
17	7/1/2020	28			0	
18	4/2/2021	43			0	
19	5/2/2021	40			0	
20	6/2/2021	39			0	
21	7/2/2021	109	7/2/2021	7/2/2021	1	
22	8/2/2021	15			0	
23	9/2/2021	28			0	
24	10/2/2021	23			0	
25	11/2/2021	26			0	
26	12/2/2021	48			0	
27	13/2/2021	175	13/2/2021	17/02/2021	5	
28	14/2/2021	142			-	
29	15/2/2021	143			-	
30	16/2/2021	206			-	
31	17/2/2021	171			-	
32	2021-02-18	37.25			0	OCEMS Results-
33	2021-02-19	37.18			0	As per Government of Maharashtra Circular during the pandemic period for imposition of restriction consequent the outbreak of corona virus & lockdown situation, MPCB could not carried out stack emission monitoring during the period for 18/02/2021 to 11/11/2021, Hence the Board has considered stack emission monitoring of Online Continuous Emission Monitoring System (OCEMS) installed by CBWTF which is connected to MPCB server. The Stack emission report of OCEMS during this period are within prescribed standards.
34	2021-02-20	37.33			0	
35	2021-02-21	37.27			0	
36	2021-02-22	37.19			0	
37	2021-02-23	37.27			0	
38	2021-02-24	37.35			0	
39	2021-02-25	37.24			0	
40	2021-02-26	37.31			0	
41	2021-02-27	37.25			0	
42	2021-02-28	37.3			0	
43	2021-03-01	37.31			0	
44	2021-03-02	37.26			0	
45	2021-03-03	37.18			0	
46	2021-03-04	37.34			0	
47	2021-03-05	37.31			0	
48	2021-03-06	37.23			0	
49	2021-03-07	37.42			0	
50	2021-03-08	37.26			0	
51	2021-03-09	37.19			0	

52	2021-03-10	37.24			0	
53	2021-03-11	37.11			0	
54	2021-03-12	37.3			0	
55	2021-03-13	37.29			0	
56	2021-03-14	37.22			0	
57	2021-03-15	37.32			0	
58	2021-03-16	37.26			0	
59	2021-03-17	37.24			0	
60	2021-03-18	37.3			0	
61	2021-03-19	37.27			0	
62	2021-03-20	37.29			0	
63	2021-03-21	37.24			0	
64	2021-03-22	37.33			0	
65	2021-03-23	37.38			0	
66	2021-03-24	37.39			0	
67	2021-03-25	37.27			0	
68	2021-03-26	37.3			0	
69	2021-03-27	37.18			0	
70	2021-03-28	37.28			0	
71	2021-03-29	37.27			0	
72	2021-03-30	37.32			0	
73	2021-03-31	37.3			0	
74	2021-04-01	37.33			0	
75	2021-04-02	37.21			0	
76	2021-04-03	37.29			0	
77	2021-04-04	37.33			0	
78	2021-04-05	37.23			0	
79	2021-04-06	37.33			0	
80	2021-04-07	37.3			0	
81	2021-04-08	37.3			0	
82	2021-04-09	37.3			0	
83	2021-04-10	37.28			0	
84	2021-04-11	37.28			0	
85	2021-04-12	37.17			0	
86	2021-04-13	37.35			0	
87	2021-04-14	37.19			0	
88	2021-04-15	37.36			0	
89	2021-04-16	37.28			0	
90	2021-04-17	37.3			0	
91	2021-04-18	37.3			0	
92	2021-04-19	37.28			0	
93	2021-04-20	37.29			0	
94	2021-04-21	37.18			0	
95	2021-04-22	37.29			0	
96	2021-04-23	37.3			0	
97	2021-04-24	37.28			0	
98	2021-04-25	37.33			0	
99	2021-04-26	37.28			0	
100	2021-04-27	NA			0	
101	2021-04-28	37.24			0	
102	2021-04-29	37.29			0	
103	2021-04-30	37.29			0	
104	2021-05-01	37.29			0	
105	2021-05-02	37.32			0	
106	2021-05-03	37.23			0	
107	2021-05-04	37.27			0	
108	2021-05-05	37.27			0	
109	2021-05-06	37.25			0	
110	2021-05-07	37.26			0	

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111	2021-05-08	37.28			0	
112	2021-05-09	37.25			0	
113	2021-05-10	37.31			0	
114	2021-05-11	37.27			0	
115	2021-05-12	37.28			0	
116	2021-05-13	37.27			0	
117	2021-05-14	37.24			0	
118	2021-05-15	37.2			0	
119	2021-05-16	37.37			0	
120	2021-05-17	37.21			0	
121	2021-05-18	37.24			0	
122	2021-05-19	37.25			0	
123	2021-05-20	37.25			0	
124	2021-05-21	37.3			0	
125	2021-05-22	37.28			0	
126	2021-05-23	37.26			0	
127	2021-05-24	37.29			0	
128	2021-05-25	37.23			0	
129	2021-05-26	37.15			0	
130	2021-05-27	37.3			0	
131	2021-05-28	37.3			0	
132	2021-05-29	37.32			0	
133	2021-05-30	37.15			0	
134	2021-05-31	37.26			0	
135	2021-06-01	37.25			0	
136	2021-06-02	37.26			0	
137	2021-06-03	37.31			0	
138	2021-06-04	37.26			0	
139	2021-06-05	37.34			0	
140	2021-06-06	36.71			0	
141	2021-06-07	NA			0	
142	2021-06-08	37.19			0	
143	2021-06-09	37.26			0	
144	2021-06-10	NA			0	
145	2021-06-11	NA			0	
146	2021-06-12	NA			0	
147	2021-06-13	NA			0	
148	2021-06-14	NA			0	
149	2021-06-15	NA			0	
150	2021-06-16	NA			0	
151	2021-06-17	NA			0	
152	2021-06-18	NA			0	
153	2021-06-19	NA			0	
154	2021-06-20	NA			0	
155	2021-06-21	NA			0	
156	2021-06-22	NA			0	
157	2021-06-23	NA			0	
158	2021-06-24	NA			0	
159	2021-06-25	NA			0	
160	2021-06-26	NA			0	
161	2021-06-27	NA			0	
162	2021-06-28	NA			0	
163	2021-06-29	NA			0	
164	2021-06-30	NA			0	
165	2021-07-01	NA			0	
166	2021-07-02	NA			0	
167	2021-07-03	NA			0	
168	2021-07-04	NA			0	
169	2021-07-05	NA			0	

170	2021-07-06	NA			0	
171	2021-07-07	NA			0	
172	2021-07-08	NA			0	
173	2021-07-09	NA			0	
174	2021-07-10	NA			0	
175	2021-07-11	NA			0	
176	2021-07-12	NA			0	
177	2021-07-13	NA			0	
178	2021-07-14	NA			0	
179	2021-07-15	NA			0	
180	2021-07-16	NA			0	
181	2021-07-17	NA			0	
182	2021-07-18	NA			0	
183	2021-07-19	NA			0	
184	2021-07-20	NA			0	
185	2021-07-21	37.21			0	
186	2021-07-22	37.35			0	
187	2021-07-23	37.21			0	
188	2021-07-24	37.25			0	
189	2021-07-25	37.26			0	
190	2021-07-26	37.26			0	
191	2021-07-27	37.33			0	
192	2021-07-28	37.25			0	
193	2021-07-29	37.32			0	
194	2021-07-30	37.33			0	
195	2021-07-31	37.3			0	
196	2021-08-01	37.19			0	
197	2021-08-02	37.33			0	
198	2021-08-03	37.21			0	
199	2021-08-04	37.25			0	
200	2021-08-05	37.31			0	
201	2021-08-06	37.22			0	
202	2021-08-07	37.26			0	
203	2021-08-08	37.24			0	
204	2021-08-09	37.25			0	
205	2021-08-10	37.27			0	
206	2021-08-11	37.31			0	
207	2021-08-12	37.23			0	
208	2021-08-13	37.3			0	
209	2021-08-14	37.26			0	
210	2021-08-15	37.28			0	
211	2021-08-16	37.25			0	
212	2021-08-17	37.27			0	
213	2021-08-18	37.26			0	
214	2021-08-19	37.34			0	
215	2021-08-20	37.21			0	
216	2021-08-21	37.31			0	
217	2021-08-22	37.31			0	
218	2021-08-23	37.32			0	
219	2021-08-24	37.24			0	
220	2021-08-25	37.58			0	
221	2021-08-26	37.56			0	
222	2021-08-27	37.25			0	
223	2021-08-28	37.34			0	
224	2021-08-29	37.13			0	
225	2021-08-30	37.35			0	
226	2021-08-31	37.41			0	
227	2021-09-01	37.41			0	
228	2021-09-02	37.53			0	

2/sum

229	2021-09-03	37.27			0	
230	2021-09-04	37.32			0	
231	2021-09-05	37.34			0	
232	2021-09-06	37.23			0	
233	2021-09-07	37.29			0	
234	2021-09-08	37.32			0	
235	2021-09-09	37.17			0	
236	2021-09-10	37.41			0	
237	2021-09-11	37.12			0	
238	2021-09-12	37.17			0	
239	2021-09-13	37.19			0	
240	2021-09-14	36.88			0	
241	2021-09-15	37.28			0	
242	2021-09-16	37.29			0	
243	2021-09-17	37.28			0	
244	2021-09-18	37.27			0	
245	2021-09-19	NA			0	
246	2021-09-20	37.29			0	
247	2021-09-21	37.24			0	
248	2021-09-22	37.24			0	
249	2021-09-23	37.31			0	
250	2021-09-24	37.21			0	
251	2021-09-25	37.36			0	
252	2021-09-26	37.27			0	
253	2021-09-27	37.21			0	
254	2021-09-28	37.24			0	
255	2021-09-29	37.28			0	
256	2021-09-30	37.31			0	
257	2021-10-01	37.25			0	
258	2021-10-02	37.14			0	
259	2021-10-03	37.3			0	
260	2021-10-04	37.11			0	
261	2021-10-05	37.25			0	
262	2021-10-06	37.32			0	
263	2021-10-07	37.3			0	
264	2021-10-08	37.28			0	
265	2021-10-09	37.49			0	
266	2021-10-10	37.29			0	
267	2021-10-11	37.26			0	
268	2021-10-12	37.28			0	
269	2021-10-13	37.22			0	
270	2021-10-14	37.28			0	
271	2021-10-15	37.27			0	
272	2021-10-16	37.32			0	
273	2021-10-17	37.29			0	
274	2021-10-18	37.24			0	
275	2021-10-19	37.25			0	
276	2021-10-20	37.32			0	
277	2021-10-21	37.26			0	
278	2021-10-22	37.34			0	
279	2021-10-23	37.24			0	
280	2021-10-24	37.26			0	
281	2021-10-25	37.26			0	
282	2021-10-26	37.24			0	
283	2021-10-27	37.31			0	
284	2021-10-28	37.31			0	
285	2021-10-29	37.31			0	
286	2021-10-30	37.32			0	
287	2021-10-31	37.26			0	

288	2021-11-01	37.25			0	
289	2021-11-02	37.2			0	
290	2021-11-03	37.51			0	
291	2021-11-04	37.13			0	
292	2021-11-05	37.29			0	
293	2021-11-06	37.28			0	
294	2021-11-07	37.32			0	
295	2021-11-08	37.26			0	
296	2021-11-09	37.31			0	
297	2021-11-10	37.3			0	
298	2021-11-11	37.19			0	
299	12/11/2021	84	12/11/2021	11/1/2022	61	
300	12/1/2022	8			0	
301	5/2/2022	5			0	
302	20/5/2022	5			0	
303	15/6/2022	55	15/06/2022	19/8/2022	66	
304	21/7/2022	90			0	
305	20/8/2022	11			0	
306	21/8/2022	17			0	
307	22/8/2022	87	22/8/2022	17/09/2022	27	
308	23/8/2022	192			-	
309	24/8/2022	172			-	
310	25/8/2022	277			-	
311	26/8/2022	193			-	
312	27/8/2022	137			-	
313	28/8/2022	192			-	
314	29/8/2022	177			-	
315	5/9/2022	134			-	
316	6/9/2022	205			-	
317	7/9/2022	183			-	
318	16/9/2022	139			-	
319	17/9/2022	72			-	
320	18/9/2022	47			0	
321	19/9/2022	88	19/09/2022	18/10/2022	30	
322	20/9/2022	65			-	
323	27/9/2022	57			-	
324	19/10/2022	11			0	
325	6/12/2022	46			0	
326	6/2/2023	14			0	
	TOTAL No. of days of violation				251	

jsund



Print Date : 30/04/2018

SAMPLE DRAWN BY SGS INDIA PVT. LTD.

Report No : CE18-002077.001

JOE No : CE18-002077

Report Control No : CER0000211833

Sample Described by Customer as : STACK MONITORING

Client Name : SMS ENVOCLEAN PRIVATE LIMITED
Client Address : GHATKOPAR MANKHUR LINK ROAD
 : Opp SATHE NAGAR, NEAR DEONAR DUMPING GROUND
City : GOVANDI(W)
Postal Code : 400043
State : Maharashtra
Country : INDIA
Sample Type : STACK MONITORING
Received : 07/04/2018
Sampling : INCINERATOR STACK
Location
Sampling Date : 26.03.18
Sampling Time : 10.50Hrs to 17.00Hrs
Sampling Method : As per below mentioned protocol
Test Start/End Date : 07/04/2018 - 30/04/2018

Analysis	Method	Result	Unit	Requirement/Limit As per CPCB	
				Min	Max
* Dioxins & Furans @ Effective Oxygen	HRGC/HRMS; ECO/AV/IAC/020	<0.0001	ng I-TEQ/Nm3	-	-
* Dioxins & Furans @ 10% Oxygen	HRGC/HRMS; ECO/AV/IAC/020	<0.0001	ng I-TEQ/Nm3	-	-
* Dioxins & Furans @ 11% Oxygen	HRGC/HRMS; ECO/AV/IAC/020	<0.0001	ng I-TEQ/Nm3	-	0.1

Remark :

Per pro SGS India Private Ltd



M_ELLAPPAN

Senior executive

Authorized Signatory

****End of Report****

Page 1 of 1

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Test Report

SAMPLE DRAWN BY SGS INDIA PVT. LTD.

Report No : CE19-003653.001

Print Date : 11/09/2019

JOE No : CE19-003653

Report Control No : CER0000292097

Sample Described by Customer as : STACK EMISSION MONITORING

Client Name : SMS ENVOCLEAN PRIVATE LIMITED
Client Address : GHATKOPAR MANKHUR LINK ROAD
 : Opp SATHE NAGAR, NEAR DEONAR DUMPING GROUND
City : GOVANDI(W)
Postal Code : 400043
State : Maharashtra
Country : INDIA
Sample Type : STACK EMISSION MONITORING
Received : 16/08/2019
Sampling : STACK NO.1, INCINERATOR STACK
Location
Sampling Date : 11.08.19
Sampling Time : 10.00Hrs to 14.00Hrs
Sampling Method : As per below mentioned protocol
Test Start/End Date : 16/08/2019 - 11/09/2019
NABL Group : Atmospheric Pollution
NABL Sub Group : Stack emission

Analysis	Method	Result	Unit	Requirement/Limit As per CPCB	
				Min	Max
DISCIPLINE:	CHEMICAL				
Dioxins & Furans @ Effective Oxygen	HRGC/HRMS; ECO/AV/IAC/020	0.0031	ng I-TEQ/Nm3	-	-
Dioxins & Furans @ 10% Oxygen	HRGC/HRMS; ECO/AV/IAC/020	0.0039	ng I-TEQ/Nm3	-	-
Dioxins & Furans @ 11% Oxygen	HRGC/HRMS; ECO/AV/IAC/020	0.0036	ng I-TEQ/Nm3	-	0.1

Remark : The above test parameter(s) is subcontracted to other SGS Lab

Page 1 of 2

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Test Report



SAMPLE DRAWN BY SGS INDIA PVT. LTD.

Report No : CE19-003653.001

Print Date : 11/09/2019

JOE No : CE19-003653

Report Control No : CER0000292097

Per pro SGS India Private Ltd

M_ELLAPPAN

Authorized Signatory

****End of Report****

Page 2 of 2

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Test Report

SAMPLE DRAWN BY SGS INDIA PVT. LTD.

Report No : CE19-003653.001

Print Date : 11/09/2019

JOE No : CE19-003653

Report Control No : CER0000292097

Sample Described by Customer as : STACK EMISSION MONITORING

Client Name : SMS ENVOCLEAN PRIVATE LIMITED
Client Address : GHATKOPAR MANKHUR LINK ROAD
 : Opp SATHE NAGAR, NEAR DEONAR DUMPING GROUND
City : GOVANDI(W)
Postal Code : 400043
State : Maharashtra
Country : INDIA
Sample Type : STACK EMISSION MONITORING
Received : 16/08/2019
Sampling : STACK NO.1, INCINERATOR STACK
Location
Sampling Date : 11.08.19
Sampling Time : 10.00Hrs to 14.00Hrs
Sampling Method : As per below mentioned protocol
Test Start/End Date : 16/08/2019 - 11/09/2019
NABL Group : Atmospheric Pollution
NABL Sub Group : Stack emission

Analysis	Method	Result	Unit	Requirement/Limit As per CPCB	
				Min	Max
DISCIPLINE:	CHEMICAL				
Dioxins & Furans @ Effective Oxygen	HRGC/HRMS; ECO/AV/IAC/020	0.0031	ng I-TEQ/Nm3	-	-
Dioxins & Furans @ 10% Oxygen	HRGC/HRMS; ECO/AV/IAC/020	0.0039	ng I-TEQ/Nm3	-	-
Dioxins & Furans @ 11% Oxygen	HRGC/HRMS; ECO/AV/IAC/020	0.0036	ng I-TEQ/Nm3	-	0.1

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Test Report



SAMPLE DRAWN BY SGS INDIA PVT. LTD.

Report No : CE19-003653.001

Print Date : 11/09/2019

JOE No : CE19-003653

Report Control No : CER0000292097

Per pro SGS India Private Ltd

M_ELLAPPAN

Authorized Signatory

****End of Report****

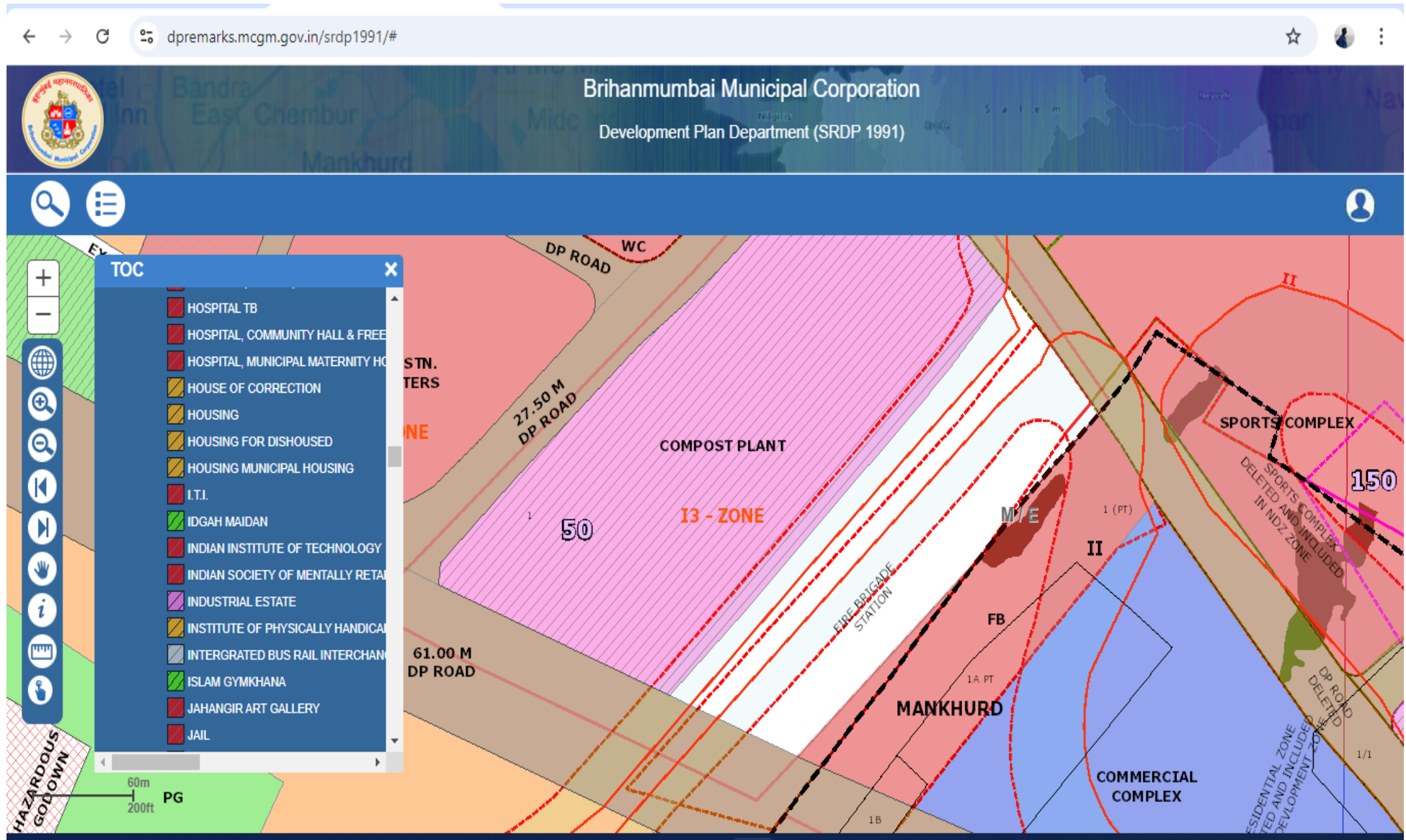


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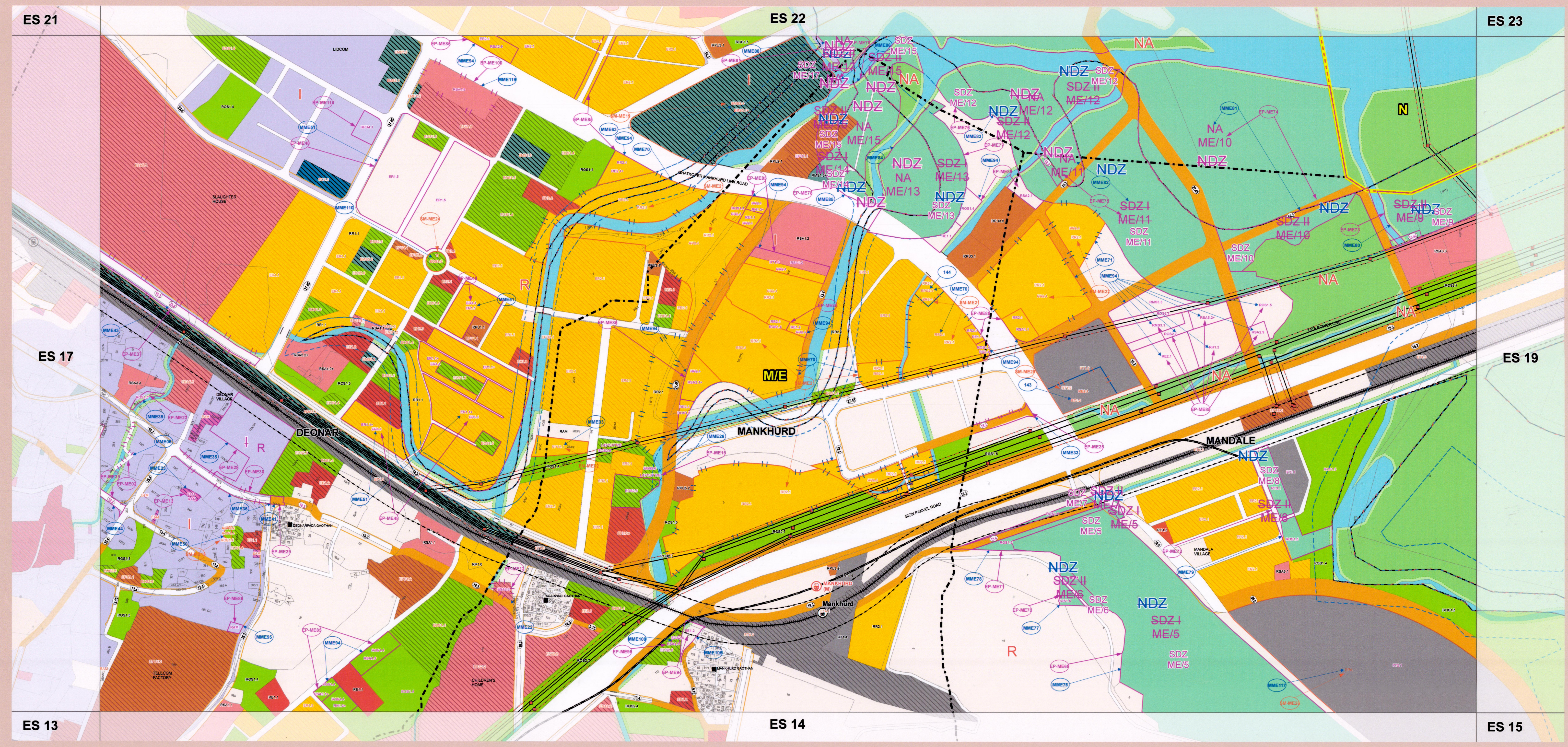


Table with 5 columns: S.N., Sanctioned Modification No., Modification No., Modification proposed by the Planning Authority, and Modification sanctioned by Government. It lists 10 specific modifications with their details and statuses.

कलम ३० नुसार फेरबदल MODIFICATION u/s 30 SHOWN AS
कलम ३१ नुसार साहज्य स्वरुपाचे बदल/ वगळलेला भाग EXCLUDED PART/SUBSTANTIAL MODIFICATION u/s 31 SHOWN AS
कलम ३१ नुसार दर्शविलेले मंजूर फेरबदल SANCTIONED MODIFICATION u/s 31 SHOWN AS

Legend section containing various symbols and codes for different types of buildings, services, and zones. It includes categories like Education, Health, Open Spaces, Public Utilities, Social Amenities, Municipal Services, Transportation, Reservations, Public Offices, Social Amenities, Primary Activities, and Land Use Zones. It also includes a Grid Key Map, Eastern Suburbs map, and Greater Mumbai map.

Development Plan - 2034 of Greater Mumbai. Includes the title 'विकास योजना - २०३४ बृहन्मुंबई', the motto 'महाराष्ट्र शासनाने महाराष्ट्र प्रादेशिक व नागरिकता अधिनियम १९६६ च्या कलम ३१(१) अन्वये शासन अधिसूचना क्र. टीपीसी-४३१७/६२९/प्र.क्र.११८/२०१७/विनि/तवि-११ दिनांक ८ मे २०१८ जखचे मंजूर केलेली योजना', and the title 'DEVELOPMENT PLAN - 2034 OF GREATER MUMBAI'. It also includes the notification number and date, and signatures of the Deputy Secretary, Chief Engineer, and Municipal Commissioner.



माहितीचा
अधिकार

महानगरपालिका आयुक्तांचे कार्यालय,
दुसरा मजला, जुनी इमारत,
महानगरपालिका मार्ग,
मुंबई - 400 001
दूरध्वनी क्र.22754208
क्र. एमजीसी/एफ/4795
दिनांक: 29/10/2024

प्रति,

✓ श्री.प्रशांत प्रतापराव गिरी
फ्लॉट नं.303, अस्था को.ऑप.हौ.सो.,
प्लॉट नं. 114, सेक्टर-14,
कामोटे, नवी मुंबई.
मो.क्र.9136637767

विषय - माहितीचा अधिकार अधिनियम, 2005 अंतर्गत माहिती मिळणेबाबत
आपला दि.25.10.2024 रोजीचा अर्ज.
संदर्भ: क्र.एमआयआर/7059 दि.25.10.2024

महोदय,

आपला उपरोक्त अर्ज जन माहिती अधिकारी तथा प्रशासकीय अधिकारी (आयुक्तांचे कार्यालय)
यांजकडून ह्या कार्यालयात दि.28.10.2024 रोजी प्राप्त झाला.

माहितीचा अधिकार अधिनियम 2005 मधील कलम 5(1)19(1) अन्वये जनतेला माहिती उपलब्ध करून
देण्यासाठी बृहन्मुंबई महानगरपालिकेने खातेस्तरावर/विभागस्तरावर जन माहिती अधिकारी/अपिलीय अधिकारी
नियुक्त केलेले आहेत. त्यांची माहिती महानगरपालिकेच्या www.mcgm.gov.in या संकेतस्थळावर उपलब्ध आहे.
आपल्या उपरोक्त अर्जामधील नमूद विषयाच्या अनुषंगाने ह्या कार्यालयाशी संबंधित माहिती खालीलप्रमाणे:-

अ.क्र.	अर्जदाराने मागितलेली माहिती	जन माहिती अधिकाऱ्याचे अभिप्राय
3)	क) गोवंडी मधील एस.एम.एस. कंपनीच्या संदर्भात श्री अदित्य ठाकरे यांनी उपस्थित केलेल्या प्रश्न 64537 बद्दलची पुरक टिप्पणीची मूळ प्रत.	गोवंडी मधील एस.एम.एस. कंपनीच्या जैव वैद्यकीय कच-यामुळे होणा-या प्रदुषणाबाबत मा. आमदार श्री अदित्य ठाकरे यांचा अर्थसंकल्पीय अधिवेशन 2023 मधील अतारांकित प्रश्न क्र. 64537 उप प्रादेशिक अधिकारी, मुंबई -3 महाराष्ट्र प्रदुषण नियंत्रण मंडळ, तसेच उप सचिव, पर्यावरण विभाग, मंत्रालय, मुंबई यांजकडून मुंबई महानगरपालिकेस प्राप्त झाला होता. सदर अतारांकित प्रश्नाच्या अनुषंगाने मा. महानगरपालिका आयुक्तांच्या मंजूरीने शासनाच्या महाराष्ट्र प्रदुषण नियंत्रण मंडळ व पर्यावरण विभागास दि.24.07.2023 रोजी उत्तर पाठविण्यात आलेले आहे. प्रश्नोत्तर व टिप्पणीची मूळ प्रत शासनास सादर करण्यात आलेली असल्याने मूळ प्रत देणे शक्य नाही. तथापी आपणांशी दि. 28.10.2024 रोजी दुपारी 3.00 वा. भ्रमणध्वनीवर केलेल्या चर्चेनुसार सदर अतारांकित प्रश्नाच्या उत्तर व टिप्पणीची साक्षांकित प्रत (एकूण 5 पृष्ठ) विनाशुल्क आपणांस व्यक्तीशः देण्यात येत आहेत.

याद्वारे आपला माहिती अधिकारांतर्गत केलेला अर्ज या कार्यालयापुरता निकाली काढण्यात येत आहे.

**I Undertake to file English
Translation at the time of hearing
of the Original Application**

उपरोक्त माहितीने आपले समाधान न झाल्यास, व आपणास अपिल करावयाची ईच्छा असल्यास आपण अपिलीय अधिकारी तथा सह प्रमुख कर्मचारी अधिकारी (सर्वसाधारण) यांच्याकडे खालील पत्यावर विहित कालावधीत अपिल करू शकता:-

अपिलीय अधिकारी:

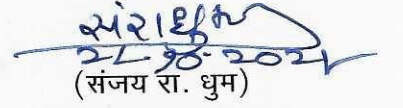
श्रीम. सुजाता वारीक,

सह प्रमुख कर्मचारी अधिकारी (सर्वसाधारण), प्रमुख कर्मचारी अधिकारी यांचे कार्यालय,

6 वा मजला, महापालिका विस्तारीत इमारत,

महापालिका मार्ग, फोर्ट, मुंबई - 400 001.

आपला विश्वासू,


(संजय रा. धुम)

जन माहिती अधिकारी
प्रशासकीय अधिकारी (एमजीसी)

क्र.सं.	विषय	दिनांक
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बृहन्मुंबई महानगरपालिका

दूरध्वनी क्र.- 22691168
फॅक्स क्र-22655927

महानगरपालिका आयुक्तांचे कार्यालय
महानगरपालिका मार्ग, मुंबई - 400001
क्रमांक: एमजीसी/मुंबई/362
दिनांक: 28/07/23

प्रति,

उप प्रादेशिक अधिकारी, मुंबई-3
एम.पी.सी. बोर्ड, कल्पतरु पॉईंट,
3 रा व 4 था मजला, सिनेप्लॅनेटच्या समोर,
सायन सर्कल, सायन (पूर्व), मुंबई-400022.

स्त्री. जांय ठाणुर
शास्त्रज्ञ श्रेणी-9 तथा उप सचिव,
पर्यावरण व वातावरणीय बदल विभाग,
99 वा मजला, नवीन प्रशासकीय इमारत,
महालय, मुंबई-32

विषय:- विधानसभा/परिषद अलारांकीत प्रश्न क्र. ६४५३७

महोदय,

उपरोक्त विषयाबाबतचे आपले दि. 07/07/23 (email) चे पत्र

क्र. मसगि/उपप्राकार/1923E कृपया पहावे.

सदर विधानसभा/परिषद अलारांकीत प्रश्न

चे उत्तर व टिप्पणी मनपा आयुक्त यांच्या मान्यतेने सोबत पाठवित आहे. अधिक माहितीसाठी

- 1) डॉ. वृक्षा शार, अधिकारी आरोग्य अधिकारी
- 2) डॉ. संगीता शवल, अधिष्ठाता (के.ई.एम.)
- 3) स्त्री. प्रशांत लायशेटे, प्रमुख अधिकारी (चक्रवर्ती)

यांचेशी दूरध्वनी क्र. 1) 24135467 अथवा
2) 24131419
3) 24945188
भ्रमणध्वनी क्र. 1) 9920759806 वर कृपया संपर्क साधावा ही विनंती.

- 2) 9820310850
- 3) 9869068796

आपला विश्वासू,

CS9 निर्मित
दि. 25/07/23

म.न.पा. आयुक्तांचे स्वीय चिटणीस

जन माहिती अधिकारी
प्रशासकीय अधिकारी (एमजीसी)
म.न.पा. आयुक्त कार्यालय

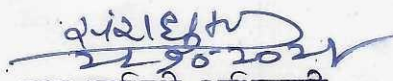
“सदर प्रत माहितीचा अधिकार अधिनियम 2005
अंतर्गत देण्यात आली आहे”

बृहन्मुंबई महानगरपालिका

विषय:- गोवंडीतील एस.एम.एस. कंपनीच्या जैववैद्यकीय कच-यामुळे होणा-या प्रदुषणामुळे नागरिकांचे आरोग्य धोक्यात आल्याबाबत. श्री. आदित्य ठाकरे विधानसभा सदस्य यांनी उपस्थित केलेला अतारांकित प्रश्न क्र. 64537


संदर्भ:-क्र. एमजीसी/एलएक्यू/382, दि.04.07.2023.

अ. क्र	प्रश्न	उत्तर
1	मानखुर्द शिवाजी नगर (मुंबई) येथील येथील SMS Envoclean Pvt. Ltd ही कंपनी बायोमेडीकल वेस्ट मेडीसीन, ऑपरेशन साहित्य, ऑपरेशन मानवी,अंग,नवजात मृत बालक अश्या कित्येक घातक वस्तु सदरहु ठिकाणी नष्ट करीत असल्याची बाब माहे जानेवारी,2023 मध्ये वा त्या दरम्यान निदर्शनास आली आहे. हे खरे आहे काय	सदर बाब मुंबई महानगरपालिकेच्या अखत्यारीत येत नाही.
2	असल्यास,सदरहु कंपनीच्या चिमणीद्वारे निघणा-या धुरामुळे परिसरात मोठया प्रमाणात प्रदुषण होत असल्यामुळे सदर. परिसरामध्ये वर्षापासून वारंवार क्षय रुग्ण आणि दम्याचे रुग्ण वाढत असुन एम/पूर्व वॉर्ड मध्ये सन 2013 ते मे 2022 पर्यंत क्षय रोगाच्या एकूण 45 हजार 51 रुग्णांची नोंद झाली असुन 1 हजार 877 रुग्णांचा मृत्यू झाला आहे. हे ही खरे आहे काय,	क्षयरोगाची बाधा प्रदुषणामध्ये होत नसून हवे मार्फत पसरणा-या मायकोबॅक्टेरियम टुबरक्यूलोसिस या जीवाणुमुळे होते. एम/पूर्व वॉर्ड मध्ये सन 2013 ते मे 2022 पर्यंत क्षयरोगाच्या एकूण 40779 रुग्णांची नोंद झाली असून 1635 रुग्णांचा मृत्यू झाला आहे. यापेकी Envoclean Pvt.Ltd या कंपनीच्या आजू बाजूच्या परिसरात मागील 10 वर्षात एकूण 8150 रुग्णांची नोंद झाली असून मृत्यू झालेल्या क्षयरोग रुग्णांची संख्या 314 आहे सदर परिसरामध्ये क्षयरोगाच्या रुग्णांचा संख्ये मध्ये वाढ दिसून येत नाही.
3	असल्यास, एस.एम.एस कंपनीकडुन होणा-या प्रदुषणामुळे कंपनी कार्यवाही करण्याबाबत मुंबई महानगरपालिका, महाराष्ट्र प्रदुषण महामंडळ आणि केंद्रीय प्रदुषण महामंडळ यांच्याकडे तक्रार करण्यात आल्या आहेत.हे ही खरे आहे काय,	महाराष्ट्र प्रदुषण नियंत्रण मंडळामार्फत जैव वैद्यकीय प्रक्रिया केंद्र स्थापन करणे / चालविणे यासाठीचे अधिकार पत्र बहाल (Authorization Letter) करण्यात येते. तसेच प्रकल्पाची नियतकालिक तपासणी व कामगिरीचे मूल्यांकन करण्याचे अधिकार हे महाराष्ट्र प्रदुषण नियंत्रण मंडळास आहेत. जल (प्रदुषण प्रतिबंध व नियंत्रण) कायदा- १९७४, वायु (प्रदुषण प्रतिबंध व नियंत्रण) कायदा-१९८९ नुसार औद्योगिक कारखान्यांना महाराष्ट्र प्रदुषण नियंत्रण मंडळाकडून संमतीपत्र दिले जाते. प्रदुषकांचे प्रमाण केंद्रीय प्रदुषण नियंत्रण मंडळाच्या मानकांहून जास्त आढळल्यास, उल्लेखीत कायदानुसार कारवाईचे अधिकार महाराष्ट्र प्रदुषण नियंत्रण


जन माहिती अधिकारी
प्रशासकीय अधिकारी (एमजीसी)
म.न.पा आयुक्त कार्यालय

“सदर प्रत माहितीचा अधिकार अधिनियम २००५
अंतर्गत देण्यात आली आहे”

		<p>मंडळास आहेत. त्याअनुषंगाने बृहन्मुंबई महानगरपालिकेतर्फे महाराष्ट्र प्रदूषण नियंत्रण मंडळास प्रदूषणाच्या पातळीची तपासणी करण्याचे कळविण्यात आले आहेत.</p>
4	<p>आसल्यास, सदर कंपनीला तत्कालीन सरकारने स्थलांतरीत करण्याचे आदेश देण्यात आले असताना सदर कंपनीने खालापूर तालुक्यामध्ये स्थलांतरीत करण्याचे आश्वासन शासनास दिले होते. हे ही खरे आहे काय,</p>	<p>हो हे खरे आहे. मुंबई शहरासाठीचे जैव वैद्यकीय प्रक्रिया केंद्र हे मे.एस.एम.एस.एन्व्होक्लिन प्रा.लि. यांच्या मार्फत देवनार येथे दि.०१.०५.२००९ पासून चालवण्यात येत आहे. ह्या प्रक्रिया केंद्रावर बृहन्मुंबई महानगरपालिकेच्या अखत्यारित रुग्णालये, आरोग्य सेवा केंद्रे तसेच शासकीय व खाजगी रुग्णालये, आरोग्य सेवा केंद्रे येथे दररोज निर्माण होणारा जैव वैद्यकीय कचरा पुढील प्रक्रियेसाठी आणला जातो. बृहन्मुंबई महानगरपालिकेच्या कार्यक्षेत्रात असणारी महानगरपालिकेची / शासकीय / खाजगी रुग्णालये व आरोग्य सेवा आस्थापने येथे निर्माण होणारा जैव वैद्यकीय कचरा हा मे.एस.एम.एस.एन्व्होक्लिन प्रा.लि. यांच्यामार्फत उचलण्यात येतो.</p> <p>सदर प्रक्रिया केंद्र उभारणीसाठी आवश्यक असणारी जागा बृहन्मुंबई महानगरपालिकेतर्फे देवनार येथे उपलब्ध करून देण्यात आली आहे. सन २०२० मध्ये तात्कालिन पर्यावरण मंत्री, महाराष्ट्र राज्य यांच्या सोबत झालेल्या बैठकीत दिलेल्या आदेशानुसार विद्यमान देवनारस्थित जैव वैद्यकीय प्रक्रिया केंद्राव्यतिरिक्त प्रस्तावित अतिरिक्त जैव वैद्यकीय प्रक्रिया केंद्र अटकरगाव, खालापूर, जिल्हा रायगड, महाराष्ट्र येथे हलविण्यासाठी तत्वतः संमती पत्र बृहन्मुंबई महानगरपालिकेमार्फत देण्यात आले आहे.</p> <p>सदर पत्राद्वारे दिलेली तत्वतः संमती ही खालील अटीच्या अधीन राहून देण्यात आली आहे.</p> <p>प्रस्तावित अतिरिक्त जैव वैद्यकीय प्रक्रिया केंद्र कार्यान्वीत होईपर्यंत मे.एस.एम.एस.एन्व्होक्लिन प्रा.लि. हे विद्यमान देवनारस्थित जैव वैद्यकीय प्रक्रिया केंद्राचे प्रचालन सुरू ठेवतील. विद्यमान जैव वैद्यकीय प्रक्रियाकेंद्राचे सर्व प्रचालन हे जैव वैद्यकीय कचरा नियम २०१६ मधील तरतूदीनुसार सुरू राहिल.</p>
5	<p>असल्यास, उक्त प्रकरणी शासनाने चौकशी केली आहे काय, चौकशीत काय आढळून आले. त्यानुषंगाने तक्रारीबाबत कार्यवाही न करणा-या अधिकारी व कर्मचारी यांच्यावर कारवाई करून</p>	<p>जीव जैविक कचरा प्रक्रिया केंद्र इतरत्र स्थलांतरीत करण्याकरिता आवश्यक कार्यवाहीमध्ये महानगरपालिकेकडून कोणताही विलंब झालेला नाही.</p>


 जन माहिती अधिकारी
 प्रशासकीय अधिकारी (एमजीसी)
 म.न.पा आयुक्त कार्यालय

"सदर प्रत माहितीचा अधिकार अधिनियम २००५
 अंतर्गत देण्यात आली आहे"

	<p>नागरिकांच्या आरोग्याच्या दृष्टीने घातक असलेल्या एस.एम.एस कंपनीने अन्य जागेवर स्थलांतरीत होण्याबाबत शासनास दिलेल्या आश्वासनाप्रमाणे कोणती कार्यवाही केली कार्यवाही केली वा करण्यात येत आहे.</p>	
6	नसल्यास विलंबाची कारणे काय आहेत,	

प्रस्तुत अहवाल तपासण्यात आला असून सदर माहिती वस्तुस्थितीवर आधारित आहे.

सही/- 11.07.2023
कार्यकारी आरोग्य अधिकारी

सही/- 11.07.2023
अधिष्ठाता (सेठ गो.सु.वै.म.व
रा.ए.स्मा.रुग्णालय)

सही/-
प्रमुख अभियंता (घ.क.व्य.)

सही/- 14.07.2023
संचालक(वै.शि. व प्र.रु.)

सही/- 06.07.2023
उप आयुक्त (घ.क.व्य.)

सही/- 06.07.2023
उप आयुक्त (सा.आ.)

सही/- 21.07.2023
अतिरिक्त आयुक्त (प.उप.)

सही/- 06.07.2023
अतिरिक्त आयुक्त (शहर)

महानगरपालिका आयुक्त

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7-23

“सदर प्रत माहितीचा अधिकार अधिनियम २००५
अंतर्गत देण्यात आली आहे”

21/7/2023

जन माहिती अधिकारी
प्रशासकीय अधिकारी (एमजीसी)
म.न.पा आयुक्त कार्यालय

बृहन्मुंबई महानगरपालिका

विषय:- गोवंडीतील एस.एम.एस. कंपनीच्या जैववैद्यकीय कच-यामुळे होणा-या प्रदूषणामुळे नागरिकांचे आरोग्य धोक्यात आल्याबाबत. श्री. आदित्य ठाकरे विधानसभा सदस्य यांनी उपस्थित केलेला अतारांकित प्रश्न क्र. 64537

संदर्भ:-क्र. एमजीसी/एलएक्यू/382, दि.04.07.2023.

पुरक टिप्पणी

मुंबई शहरासाठीचे जैव वैद्यकीय प्रक्रिया केंद्र हे मे.एस.एम.एस.एन्कोव्हिलन प्रा.लि. यांच्या मार्फत देवनार येथे चालवण्यात येते. सदर प्रक्रिया केंद्राच्या प्रचालनावर महाराष्ट्र प्रदूषण नियंत्रण मंडळ यांची देखरेख असते. सदर प्रक्रिया केंद्राच्या प्रस्तावित इतरत्र स्थलांतरासाठी आवश्यक असणारे संमती पत्र बृहन्मुंबई महानगरपालिकेमार्फत देण्यात आले आहे. याव्यतिरिक्त सदर प्रक्रिया केंद्राच्या स्थलांतराबाबत कोणतीही बाब हि महानगरपालिकेशी संबंधित नाही.

जल (प्रतिबंध व नियंत्रण) कायदा-१९७४, वायु (प्रतिबंध व नियंत्रण) कायदा-१९८१ नुसार औद्योगिक कारखान्यांना महाराष्ट्र प्रदूषण नियंत्रण मंडळाकडून संमतीपत्र दिले जाते. प्रदूषकांचे प्रमाण केंद्रीय प्रदूषण नियंत्रण मंडळाच्या मानकांहून जास्त आढळल्यास, उल्लेखित कायदानुसार कारवाईचे अधिकार महाराष्ट्र प्रदूषण नियंत्रण मंडळास आहेत. यास्तव सदर बाब महाराष्ट्र प्रदूषण नियंत्रण मंडळाशी संबंधित आहे.

अरथमा या आजाराचे निदान उपचार व रुग्णशिक्षण के.ई.एम. रुग्णालयातील श्वसनरोग चिकित्सा व पर्यावरण प्रदूषण संशोधन केंद्र या विभागातर्फे करण्यात येते.

प्रश्न क्र. 2 ला अनुसरून अरथमा निदान उपचार व अरथमा रुग्णशिक्षणाकरीता असलेल्या M-East विभागातून श्वसनरोग चिकित्सा विभाग के.ई.एम. रुग्णालयात आलेल्या रुग्णांची संख्या जोडत आहोत.

Year	Number of Asthma Patients from M-East ward
2012	47
2013	77
2014	15
2015	13
2016	43
2017	6
2018	3
2019	24
2020	2
2021	7
2022	41

वरील माहिती ही उपलब्ध अरथमा एज्युकेशन संदर्भातील Record मधून दिली आहे.

एम/पूर्व वॉर्ड मध्ये सन 2013 ते मे 2022 पर्यंत क्षयरोगाच्या एकूण 40779 रुग्णांची नोंद झाली असून 1635 रुग्णांचा मृत्यू झाला आहे. यापैकी Envoclean Pvt.Ltd या कंपनीच्या आजू बाजूच्या परिसरात मागील 10 वर्षांत एकूण 8150 रुग्णांची नोंद झाली असून मृत्यू झालेल्या क्षयरोग्यांची संख्या 314 आहे सदर परिसरामध्ये क्षयरोगाच्या रुग्णांचा संख्ये मध्ये वाढ दिसून येत नाही क्षयरोगाची बाधा प्रदूषणामध्ये होत नसून हवे मार्फत पसरणा-या मायकोबॅक्टेरियम टुबरक्यूलोसिस या जीवाणूमुळे होते.

प्रस्तुत अहवाल तपासण्यात आला असून सदर माहिती वस्तुस्थितीवर आधारित आहे.

सही/- 11.07.2023

कार्यकारी आरोग्य अधिकारी

सही/- 11.07.2023

अधिष्ठाता (सेठ गो.सु.वै.म.व
रा.ए.स्मा.रुग्णालय)

सही/-

प्रमुख अभियंता (घ.क.व्य.)

सही/- 14.07.2023

संचालक(वै.शि. व प्र.रु.)

सही/- 06.07.2023

उप आयुक्त (घ.क.व्य.)

सही/- 06.07.2023

उप आयुक्त (सा.आ.)

सही/- 21.07.2023

अतिरिक्त आयुक्त (प.उप.)

सही/- 06.07.2023

अतिरिक्त आयुक्त (शहर)

महानगरपालिका आयुक्त

24

7-23

“सदर प्रत माहितीचा अधिकार अधिनियम २००५ अंतर्गत देण्यात आली आहे”

जन माहिती अधिकारी
प्रशासकीय अधिकारी (एमजीसी)
म.न.पा आयुक्त कार्यालय



सहाय्यक आरोग्य अधिकारी
(क्षयरोग नियंत्रण विभाग) यांचे कार्यालय
बावलावाडी म्युनिसिपल कार्यालय, व्होल्टास हाऊस समोर,
डॉ.बी.आंबेडकर रोड, चिंचपोकली (पू),
मुंबई - 400 012
No. HO/ 1628 /TB, Date: 24/10 / 2024

नोंदणीकृत टपाल

प्रति,

श्री.धनंजय आत्माराम निकम
संत गाडगे महाराज गृहनिर्माण सो.,
खारदेव नगर, चेंबूर,
मुंबई - 400071

विषय:- माहितीचा अधिकार अधिनियम २००५ अन्वये श्री. धनंजय आत्माराम निकम, यांचा अर्ज.
संदर्भ: क्र.आ.अ. /1628 /क्षय, दि. 22 ऑक्टोबर 2024.

आपले दि. 22.10.2024 रोजीचा माहितीच्या अधिकार अधिनियम 2005 अन्वये माहिती मिळण्यासाठी केलेला अर्ज या कार्यालयास दि. 22.10.2024 रोजी प्राप्त झाला आहे त्याबाबतचे अभिप्राय खालीलप्रमाणे :-

अ.क्र.	आवश्यक असलेली माहिती	अभिप्राय
1	पत्र क्र. आ.अ. / 0088/ क्षय, दिनांक 12.04.2023 याची मुळ छायांकित प्रत मिळणेबाबत. टि.बी. संदर्भातील माहिती.	आपण विचारलेली माहिती या कार्यालयात उपलब्ध आहे. प्रत सोबत जोडण्यात आली आहे.

ह्याचबरोबर आपला माहितीचा अधिकारी अधिनियम 2005 अन्वये माहिती मिळविण्यासाठीचा अर्ज निकालात काढण्यात येत आहे. जर आपणांस वरील दिलेले अभिप्राय समाधानकारक नसल्यास तर खालील नमूद केलेल्या अधिका-यांकडे प्रथम अपिल 30 दिवसांच्या आत करावा.

प्रथम अपिलीय अधिका-यांचे नाव व पदाबाबत माहिती खालीलप्रमाणे आहे.

उपकार्यकारी आरोग्य अधिकारी (क्षय)
बावलावाडी म्युनिसिपल कार्यालय,
व्होल्टास हाऊस समोर, डॉ. बी.आंबेडकर रोड,
चिंचपोकली (पू),
मुंबई - 400 012


डॉ. अविनाश खाडे

सहाय्यक आरोग्य अधिकारी (क्षय) (प्र)
जन माहिती अधिकारी

बृहन्मुंबई महानगरपालिका

घन कचरा व्यवस्थापन खाते

प्र.अधि./.....१०११४...../घ.क.व्य.

29 MAR 2023

माहितीचा
अधिकार

विषय:- विधानसभा अर्थसंकल्प अधिवेशनामध्ये मांडण्यात आलेल्या एस.एम.एस.इन्व्होक्लिन समस्येबाबत संबंधितांना बैठक आयोजित करून त्वरित सदरची समस्या सोडविण्याबाबत.

संदर्भ:- १) मा.आमदार श्री. अबु असिम आझमी यांचे मा. मुख्यमंत्री (महाराष्ट्र राज्य) यांना सादर केलेले पत्र क्र.जा.क्र./सपा/एम.एल.ए./२०२३ दि.२३.०३.२०२३

२) MGC/MIP/1666 Dtd.15.03.2023

कृपया उपरोक्त विषयांकित मा. आमदार श्री. अबु असिम आझमी यांचे सोबत जोडलेले पत्र संदर्भित करावे.

सदर पत्राच्या अनुषंगाने मा. महानगरपालिका आयुक्त यांनी दोन दिवसात अहवाल सादर करण्याचे निर्देश दिले आहेत. मा. आमदार श्री. अबु असिम आझमी यांनी त्यांच्या उपरोक्त नमूद पत्रामध्ये उपस्थित केलेले मुद्दे हे आरोग्य विभागाशी संबंधित आहेत. याबाबत वैद्यकीय आरोग्य अधिकारी (एम/पूर्व) विभाग यांच्या कडून अहवाल प्राप्त झाला असून तो सोबत आपल्या माहितीकरिता जोडण्यात आला आहे.

मा. आमदार श्री. अबु आझमी यांनी त्यांच्या पत्रामध्ये असे नमूद केले आहे की, एम/पूर्व विभागातील मानखुर्द-शिवाजीनगर या भागात टी.बी. चे रूग्ण हे इतर विभागापेक्षा जास्त आहे. तरी याबाबत खालील प्रमाणे अहवाल या कार्यालयास दोन दिवसात सादर करावा.

अ) मुंबई शहराची एकूण लोकसंख्या

ब) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. झालेल्या रूग्णांची संख्या व त्यांची एकूण लोकसंख्येच्या तुलनेत टक्केवारी

क) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. रूग्ण बरे झालेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी

ड) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी

अ) एम/पूर्व विभागाची एकूण लोकसंख्या

ब) मागील पाच वर्षात (प्रत्येक वर्षी) एम/पूर्व विभागामध्ये टी.बी. झालेल्या रूग्णांची संख्या व त्यांची एम/पूर्व विभागातील एकूण लोकसंख्येच्या व मुंबईतील एकूण रूग्णांच्या तुलनेत टक्केवारी

क) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. रूग्ण बरे झालेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी

ड) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी

इ) विभागवार टी.बी. रूग्णांची संख्या

कार्यकारी आरोग्य अधिकारी यांच्या कडून सदर अहवाल प्राप्त होताच तो मा. महानगरपालिका आयुक्त यांना सादर करण्यात येईल.

कृपया सदर बाब तातडीची समजावी.

बृहन्मुंबई महानगरपालिका

सार्वजनिक आरोग्य खाते क्षयरोग नियंत्रण विभाग

सदर माहिती "माहितीचा अधिकार अधिनियम 2005"

अंतर्गत देण्यात आली आहे

24/10/23

सहाय्यक आरोग्य अधिकारी

क्षयरोग नियंत्रण विभाग

कार्यकारी आरोग्य अधिकारी

प्रमुख अभियंता (घ.क.व्य.)



माहितीचा
अधिकार

बृहन्मुंबई महानगरपालिका
सार्वजनिक आरोग्य खाते
क्षयरोग नियंत्रण विभाग

31 MAR 2023

पत्र. सं./ P/5369

10

आकांक्षा (अ)

मेरे
१/३/२३

का. आ. अ.

बृहन्मुंबई महानगरपालिका
सार्वजनिक आरोग्य खाते
क्षयरोग नियंत्रण विभाग

10 APR 2023

पत्र. सं./ 0088

AHO(15)

Joan
12/4/23

(6P)

To DTO (o)
for your information
& necessary
Actions

24/1/24
सहाय्यक आरोग्य अधिकारी
क्षयरोग नियंत्रण विभाग

file

12/04/23

बृहन्मुंबई महानगरपालिका
सार्वजनिक आरोग्य खाते क्षयरोग नियंत्रण विभाग
सदर माहिती "माहितीचा अधिकार अधिनियम 2005"
अंतर्गत देण्यात आली आहे



माहितीचा
अधिकार

565 बृहन्मुंबई महानगरपालिका

सार्वजनिक आरोग्य खाते

क्र. आज/ 0088 / क्षय, दिनांक 12 / 04 / 2023

विषय - विधानसभा अर्थसंकल्प अधिवेशनामध्ये मांडण्यात आलेल्या एस.एम. एस. इन्व्होक्लिन समस्येबाबत संबंधितांना बैठक आयोजित करून त्वरीत सदरची समस्या सोडविण्याबाबत.

संदर्भ - 1) मा. आमदार श्री. अबु असिम आझमी यांचे मा. मुख्यमंत्री (महाराष्ट्र राज्य) यांना सादर केलेले पत्र क्र. जा.क्र.सपा/ एम.एल.ए./2023 दि. 23.03.2023.

2) MGC/VIP/1666 dtd. 15.03.2023.

मा. आमदार श्री. अबु असिम आझमी यांनी "एमएम/पूर्व विभागातील मानखुर्द-शिवाजीनगर या भागात टी.बी.चे रुग्ण हे इतर विभागापेक्षा जास्त आहे" याबाबतचा या कार्यालयाचा खुलासा खालीलप्रमाणे -

अ) मुंबई शहराची एकूण लोकसंख्या

➤ मुंबई शहराची एकूण लोकसंख्या खालीलप्रमाणे -

वर्ष	लोकसंख्या
2018	13153000
2019	13551000
2020	13714000
2021	12543000
2022	12659000


ब) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. झालेल्या रुग्णांची संख्या व त्यांची एकूण लोकसंख्येच्या तुलनेत टक्केवारी

➤ मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. झालेल्या रुग्णांची संख्या व त्यांची एकूण लोकसंख्येच्या तुलनेत टक्केवारी खालीलप्रमाणे -

वर्ष	लोकसंख्या	टी.बी. झालेल्या रुग्णांची संख्या	%
2018	13153000	48544	0.4%
2019	13551000	51588	0.4%
2020	13714000	37943	0.3%
2021	12543000	49564	0.4%
2022	12659000	56074	0.4%

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- क) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. रूग्ण बरे झालेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी
- मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. रूग्ण बरे झालेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी खालीलप्रमाणे -



माहितीचा
अधिकार

वर्ष	बरे झालेले टी.बी.रूग्ण	टक्केवारी
2018	36582	75%
2019	39540	77%
2020	29048	77%
2021	38393	77%
2022	21034	38%

(टीप:- क्षयरूग्णांच्या उपचाराचे फलित 1 वर्ष आधीच्या कालावधीचे देण्यात येते.)

- ड) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी
- मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी खालीलप्रमाणे -

वर्ष	टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या	टक्केवारी
2018	2680	6%
2019	3072	6%
2020	2798	7%
2021	3238	7%
2022	2946	5%

(टीप:- क्षय रूग्णांचा मृत्यू अन्य कुठल्याही कारणाने झाला असल्यास तरी टीबी रूग्णांचा रूग्ण अहवाल हा क्षयरूग्ण मृत्यू असा देण्यात येतो. उदा. क्षय रूग्णांचा मृत्यू अपघाताने झाला असला तरीही त्याची नोंद निक्षय प्रणाली मध्ये क्षयरूग्ण मृत्यू अशी होते.)

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क) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. रूग्ण बरे झालेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी

➤ मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. रूग्ण बरे झालेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी खालीलप्रमाणे -



वर्ष	बरे झालेले टी.बी.रूग्ण	टक्केवारी
2018	4667	77%
2019	4084	78%
2020	2958	78%
2021	3767	74%
2022	2164	41%

(टीप:- क्षयरूग्णांच्या उपचाराचे फलित 1 वर्ष आधीच्या कालावधीचे देण्यात येते.)

ड) मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी

➤ मागील पाच वर्षात (प्रत्येक वर्षी) टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या व त्यांची एकूण रूग्णांच्या तुलनेत टक्केवारी खालीलप्रमाणे -

वर्ष	टी.बी. मुळे मृत पावलेल्या रूग्णांची संख्या	टक्केवारी
2018	271	5%
2019	279	5%
2020	247	7%
2021	292	6%
2022	215	4%


(टीप:- क्षय रूग्णांचा मृत्यू अन्य कुठल्याही कारणाने झाला असल्यास तरी टीबी रूग्णांचा रूग्ण अहवाल हा क्षयरूग्ण मृत्यू असा देण्यात येतो. उदा. क्षय रूग्णांचा मृत्यू अपघाताने झाला असला तरीही त्याची नोंद निक्षय प्रणाली मध्ये क्षयरूग्ण मृत्यू अशी होते.)

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अ) एम/पूर्व विभागाची एकूण लोकसंख्या

➤ एम/पूर्व विभागाची एकूण लोकसंख्या खालीलप्रमाणे -



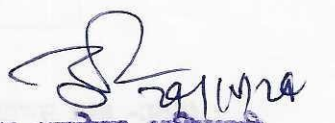
वर्ष	लोकसंख्या
2018	450814
2019	456276
2020	461738
2021	467200
2022	568851

ब) मागील पाच वर्षांत (प्रत्येक वर्षी) एम/पूर्व विभागामध्ये टी .बी. झालेल्या रुग्णांची संख्या व त्यांची एम/पूर्व विभागामधील एकूण लोकसंख्येच्या व मुंबईतील एकूण रुग्णांच्या तुलनेत टक्केवारी

➤ मागील पाच वर्षांत (प्रत्येक वर्षी) एम/पूर्व विभागामध्ये टी .बी. झालेल्या रुग्णांची संख्या व त्यांची एम/पूर्व विभागामधील एकूण लोकसंख्येच्या व मुंबईतील एकूण रुग्णांच्या तुलनेत टक्केवारी खालीलप्रमाणे -

वर्ष	लोकसंख्या	टी.बी. झालेल्या रुग्णांची संख्या	%
2018	769785	6022	0.8%
2019	779112	5244	0.7%
2020	788439	3775	0.5%
2021	797765	5096	0.6%
2022	1015585	5333	0.5%

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इ) विभागवार टी.बी. रूग्णांची संख्या



> विभागवार टी.बी. रूग्णांची संख्या खालीलप्रमाणे -

District	PHI Name	2018	2019	2020	2021	2022
Centenry	AYODHYA NAGAR RCH 2 UPHC (Anik Nagar Dispensary)	191	163	159	207	197
Centenry	AYODHYA NAGAR UPHC	174	141	118	120	171
Centenry	L.U. GADKARI MARG UPHC	69	60	60	76	89
Centenry	LOTUS COLONY UHC	377	334	250	291	356
Centenry	NIMBONI BAUG UHC	453	325	250	334	285
Centenry	PANDIT MADAN MOHAN MALVIYA SHATABDI MUNICIPAL GENERAL HOSPITAL- RH	146	183	158	156	207
Centenry	SHAHAJI RAJE URBAN HEALTH CENTRE & CHEETA CAMP HP	471	428	304	424	472
Centenry	PVT	494	392	273	500	429
Centenry	Grand Total	2375	2026	1572	2108	2206

District	Phi Name	2018	2019	2020	2021	2022
Govandi	Anna Bhou Sathe Nagar UPHC(Dispensary)	265	230	136	186	211
Govandi	BAIGAN WADI RCH II UPHC	368	234	166	250	330
Govandi	BAIGAN WADI UHC	309	272	168	185	208
Govandi	DEONAR UHC	369	367	256	265	242
Govandi	Maharashtra Nagar UPHC (Dispensary)	191	134	72	97	117
Govandi	MANKHURD UPHC	268	345	234	312	317
Govandi	New Baiganwadi (NUHM)	246	178	133	198	266
Govandi	SHIVAJI NAGAR UCH	338	373	233	327	320
Govandi	PVT	1293	1085	805	1167	1113
Govandi	Grand Total	3647	3218	2203	2987	3124
M East Ward Total		6022	5244	3775	5095	5330

Q. B. B. B.
12/11/23

उपकार्यकारी आरोग्य अधिकारी (क्षय)

→ प्रमुख अभियंता (ध.क.स.)

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S. S. S.
29/11/23

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इ) विभागवार टी.बी. रुग्णांची संख्या

➤ विभागवार टी.बी. रुग्णांची संख्या खालीलप्रमाणे -



विभाग	टी.बी. झालेल्या रुग्णांची संख्या
मुंबई	55997
अंधेरी पूर्व	2307
अंधेरी पश्चिम	2984
बैलबझार	2826
बांद्रा पूर्व	2324
बांद्रा पश्चिम	1425
बोरिवली	1578
भायखळा	2585
सेंटेनरी	2207
चेंबुर	2575
कोलाबा	1565
दादर	3967
दहिसर	1274
घाटकोपर	3459
गोरेगांव	1864
गोवंडी	3125
गॅट रोड	1696
कांदिवली	2249
कुर्ला	2132
मालाड	4069
मुलुंड	1686
परेल	1908
प्रभादेवी	1142
सायन	2482
विक्रोळी	2568

बृहन्मुंबई महानगरपालिका

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29/10/24