

MAHARASHTRA POLLUTION CONTROL BOARD

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No. BO/MPCB/CC/Refusal/UAN
No.0000177671/CR/2411000788

Date: 13/11/2024

To,

1) Municipal Commissioner , (Owner)
Chatrapati Sambhaji Nagar Municipal Corporation
2) Watergrace Products (Opertaor)
Survey No-122,Gevrai Tanda, Patoda Shivar,Paithan
Road,Chatrapati Sambhaji Nagar



Sub: Refusal of Consent to Operate under Section 27 of the Water (Prevention & Control of Pollution) Act, 1974 ,Section 21 (4) of the Air (Prevention & Control of Pollution) Act, 1981 and Rule 10 of Bio Medical Waste Management Rules,2016.

- Ref:**
1. CCA granted by Board dated 03/06/2019.
 2. Interim Directions issued by JD(APC) on 19/07/2019
 3. Refusal of CCA vide No BO/MPCB/CC/Refusal/UAN No.0000088854/CR/2307000748 dated 13/07/2023
 4. Your application for grant of Consent to Operate (Renewal) vide UAN No. MPCB-CONSENT-0000177671 dated 31/07/2024
 5. Minutes of 24th CC meeting held on 02/01/2024.
 6. Minutes of Personal Hearing held on 31/01/2024
 7. Letter issued by Medical Officer Chh. Sambhaji Nagar Municipal Corporation dated 26/02/2024
 8. Minutes of 1st CC meeting held on 18/04/2024
 9. Board letter regarding provision of adequate land dated 10/05/2024
 10. Minutes of 6th CC meeting held on 10/07/2024
 11. Bank Guarantee of Rs. 20.00 Lakh as per interim directions 19/07/2019 submitted on 31/07/2024.
 12. Your letter regarding waive off 12% penal interest dated 28/08/2024
 13. Minutes of meeting held under Chairmainship of District Collector Chhatrapati Sambhaji Nagar dated 30/09/2024
 14. The letter issued by SRO Chhatrapati Sambhaji Nagar dated 08/10/2024
 15. This office email dated 17/10/2024
 16. Minutes of 10th CC meeting held on 24/10/2024

WHEREAS, this office is in receipt of your application for grant of Consent to operate (renewal) under section 26 of the Water (Prevention of Control of Pollution) Act, 1974 & under section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Bio Medical Waste Management Rules , 2016 received through Sub Regional Officer, Chhatrapati Sambhaji Nagar on 09/10/2023.



AND WHEREAS, your earlier application ref-3 was refused by the Board due to inadequate land as per CPCB guidelines and non-submission of a Bank Guarantee of Rs. 20.00 Lakh as per interim directions dated 19/07/2019.

AND WHEREAS, your application was discussed in the 24th CC meeting after due deliberation it was decided to extend the personal hearing before Hon'ble MS. Accordingly, the personal hearing was extended on 31/01/2024. During Personal Hearing the following decision made

1. Municipal Corporation is directed to provide adequate usable land, i.e., minimum 1.0 acre, to the Operator to fulfill the criteria outlined in CPCB guidelines
2. The Municipal Corporation or CBWTF Operator shall fill the excavation within 15 days, If they want to continue facility at this location.
3. The CBWTF Operator is mandated to submit the Renewal Agreement between the Municipal Corporation and the Operator within 15 days.
4. The CBWTF Operator shall submit the Bank Guarantee, as per Interim Directions dated 19.07.2019 to the Regional Officer, Ch. Sambhaji Nagar, if they want to renew the consent.
5. If the CBWTF fails to submit compliance, the CCA application will be refused.

AND WHEREAS, your application was again discussed in the 1st CC meeting held on 18/04/2024 wherein it was decided to issue a letter to Municipal Commissioner Chh. Sambhaji Nagar and CBWTF Operator to provide adequate land. Accordingly, the letter was issued on 10/05/2024.

AND WHEREAS, you have submitted the letter of Medical Officer, Chh. Sambhaji Nagar Municipal Corporation dated 26/02/2024 stating that, Chh. Sambhaji Nagar Municipal Corporation has given a grace period till 31/12/2024 or till establishment and operation of new facility whichever is earlier.

AND WHEREAS, your application was discussed in 6th CC meeting held on 10/07/2024, After due deliberation it was decided to grant CCA renewal till the establishment of a new facility for all Talukas of Dist. Ch. Sambhaji Nagar or 31/01/2025 whichever is earlier subject to submission of irrevocable Bank Guarantee of Rs. 20.00 Lakh imposed through Interim Directions dated 19/07/2019 along with 12% interest as per Bords Circular dated 29/02/2024.

AND WHEREAS, you have submitted the Bank Guarantee of Rs. 20.00 Lakh as per interim directions dated 19/07/2019 on 31/07/2024 valid till 31/10/2024.

AND WHEREAS, Municipal Corporation Chh. Sambhaji Nagar communicated that they had changed the operator and appointed M/s Biotic Waste Limited, Haryana, as the new operator through the minutes of the meeting held on 30/09/2024 under the chairmanship of the District Collector, Chhatrapati Sambhaji Nagar, regarding the district-level establishment of a CBWTF for Chhatrapati Sambhaji Nagar District.

AND WHEREAS, you have failed to comply with the land requirement of 1.0 acre as per CPCB revised guidelines for CBWTF dated 21/12/2016 and you have not paid the 12% penal interest of Rs. 11,98,685/- as per Board circular dated 29/02/2024.

AND WHEREAS, as per the SRO verification report w.r.t. compliance of third-party performance audit dated 05/07/2024 the existing CBWTF does not comply with the Bio-Medical Waste Management Rules,2016, and CPCB Revised guidelines dated 21/12/2016.

AND WHEREAS, your application was discussed in 10th CC meeting, after due deliberation CC decided to refuse the application.

In view of above, your application for a grant of Consent to Operate is hereby refused under Section 27 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 (4) of the Air (Prevention & Control of Pollution) Act, 1981 and Rule 10 of Bio Medical Waste Management Rules.2016 for the above non-compliances. If you are aggrieved by this order, you may prefer an appeal as per provision in the Water (P&CP) Act 1974 & the Air (P&CP) Act 1981 within 30 day's time from the date of receipt of this letter.



Copy to:

1. Regional Officer, MPCB-Aurangabad- for information, please. He is directed to issue stop work Direction to the PP after one month with intimation to competent planning Authority & report to HQ.
2. Sub Regional Officer, MPCB-Aurangabad I- for information. You shall communicate to the applicant and you shall submit the report w.r.t. Bio-Medical Waste generation in Chh. Sambhaji Nagar district and the available spear capacity at nearby facilities to treat & disposed the BMW waste generated in the Chh. Sambhaji Nagar district.