

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO 59 OF 2019

Sakharam Asaram Kale & Anr

--- Applicant

Vs

Regional Officer, Maharashtra Pollution Control Board and Others

---Respondent

SUBMISSION OF ACTION TAKEN REPORT IN COMPLIANCE OF THIS HON'BLE TRIBUNAL ORDER
DATED 17.10.2019

It is submitted that the Regional Officer, Aurangabad has issued Interim Directions u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 on 05.11.2019 to all 5 Nos of units of M/s Modern Road Makers Pvt Ltd located at Khed Tq & Dt- Osmanabad, Washi, Tq-Washi, Dt- Osmanabd, Sasewadi Shivar, Manjarsumbha, Tq& Dt-Beed, Talewadi , Tq- Georai, Dt-Beed and Murma, Tq-Paithan, Dt-Aurangabad who had served material for the construction of National Highway No 211. The all 5 Nos of unit have been directed to operate the units only after compliance of air pollution control system only. The copies of said Interim Directions dated-05.11.2019 is enclosed and marked as Annexure "A" (Page No 1-9).

It is also submitted that as per the information/visit report submitted by respective Sub Regional Offices the calculation of Environmental Compensation of each unit as per the No of days of noncompliance observed is made and marked as Annexure "B" (Page No 10).

Date- 11.11.2019


(Anil D. Mohekar)
Regional Officer, Aurangabad

NATIONAL GREEN TRIBUNAL
PUNE
FILED

Date 13-11-19

177

Annexure - "A"

MAHARASHTRA POLLUTION CONTROL BOARD

Tel. : (0240) 2473461 / 62 / 63
Email : roaurangabad@mpcb.gov.in
sroaurangabad1@mpcb.gov.in



Regional Office :
Paryavaran Bhavan,
Plot No. A - 4/1, MIDC, Chikalthana,
Near Dhoot Hospital, Jalna Road,
Aurangabad - 431 210.

Date :- 05/11/2019

By R.P.A.D./FAX/HAND DELIVERY:

No. MPCB/ROA/ID/ /2019

To,

1911050004
M/s. Modern Road Makers Pvt. Ltd.,
Gat No. 264/1, 263, 264/2, At Khed,
Tq. & Dist: Osmanabad.

Sub:- Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Ref:- 1) Proposed Direction issued by this office vide letter No. MPCB/ROA/PD/1910230005/2019 dated 23/10/2019.
2) Personal hearing extended on 04/11/2019.

This refers to the Proposed Direction issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 04/11/2019. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings:

- 1) The project proponent as assured during personal hearing shall not operate Stone Crusher and RMC plant henceforth.
- 2) The project proponent shall install scrubbing system at Hot Mix Plant before restart of said plant.
- 3) The project proponent shall install water sprinkling arrangement at the vent for Hot Mix Plant before emitting flue gas with recirculation system so as to avoid emission of particulate matter before restart of said plant.
- 4) The project proponent shall repair the metallic road within premises before restart of said plant.
- 5) The project proponent shall do the adequate plantation before restart of said plant.
- 6) The project proponent shall submit Bank Guarantee of Rs. 1 Lakhs towards the compliance of above directions within 15 days period.

In case, you fail to comply with the above directions, the Board will have no any other option than to issue Closure Directions with disconnection of electricity and water supply of your unit, which may be noted.


(A.D. Mohekar)

Regional Officer-Aurangabad.

Copy submitted to :-

1. The Joint Director (APC), MPCB, Mumbai.
2. The Sr. Law Officer (P & L Div), MPCB, Mumbai.

Copy for information and necessary follow-up action to :

1. The Sub-Regional Officer, MPCB, Latur shall verify the operation status of above plant and as per number of days of non-compliance observed & calculate Environmental compensation and submit the office note of the same within 4 days period for onward submission for approval.

Copy to Master File, MPCB, Aurangabad.

MAHARASHTRA POLLUTION CONTROL BOARD

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Paryavaran Bhavan,
Plot No. A - 4/1, MIDC, Chikalthana,
Near Dhoot Hospital, Jalna Road,
Aurangabad - 431 210.

By R.P.A.D./FAX/HAND DELIVERY:

No. MPCB/ROA/ID/ /2019

To,

1911050003

Date :- 05/11/2019

M/s. Modern Road Makers Pvt. Ltd.,
Gat No. 89, At Washi, Tq. Washi,
Dist: Osmanabad.

Sub:- Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Ref:- 1) Proposed Direction issued by this office vide letter No. MPCB/ROA/PD/1910230006/2019 dated 23/10/2019.
2) Personal hearing extended on 04/11/2019.

This refers to the Proposed Direction issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 04/11/2019. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings:

- 1) The project proponent shall install two level tyre washing facility at entry & exit points for transit mixture vehicle at RMC plant before restart of said plant.
- 2) The project proponent shall install bag house at storage of cement & fly ash Silos at RMC plant before restart of said plant.
- 3) The project proponent shall install bag house at mixing section of cement, aggregate & sand at RMC plant before restart of said plant.
- 4) The project proponent shall install rooftop water sprinkling arrangement at the storage area of aggregate & sand at RMC plant before restart of said plant.
- 5) The project proponent shall carry out air quality monitoring twice in a week for 24 hours during the operational phase.
- 6) The project proponent shall dispose the solid waste stored which was generated from transit mixture washing, muck (debris/sludge) in the premises as per consent condition before restart of said plant.
- 7) The project proponent shall do the adequate plantation before restart of said plant.
- 8) The project proponent shall submit Bank Guarantee of Rs. 1 Lakhs towards the compliance of above directions within 15 days period.

In case, you fail to comply with the above directions, the Board will have no any other option than to issue Closure Directions with disconnection of electricity and water supply of your unit, which may be noted.


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Aurangabad - 431 210.

By R.P.A.D./FAX/HAND DELIVERY:

No. MPCB/ROA/ID/ /2019

To,

1911050002

Date :- 05/11/2019

M/s. Modern Road Makers Pvt. Ltd.,
Gat No. 85/1, Sr No 87, At Sasewadishivar, Manjarsumba,
Tq. & Dist: Beed.

Sub:- Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

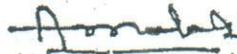
Ref:- 1) Proposed Direction issued by this office vide letter No. MPCB/ROA/PD/1910230003/2019 dated 23/10/2019.
2) Personal hearing extended on 04/11/2019.

This refers to the Proposed Direction issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 04/11/2019. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings:

- 1) The project proponent shall cover conveyor belt by tin sheet of stone crusher before restart of said plant.
- 2) The project proponent shall install wind breaking wall at stone crushing plant before restart of said plant.
- 3) The project proponent shall repair the metallic road within premises before restart of stone crusher plant.
- 4) The project proponent shall install scrubbing system at Hot Mix Plant before restart of said plant.
- 5) The project proponent shall repair the metallic road within premises before restart of hot mix plant before restart of said plant.
- 6) The project proponent shall install water sprinkling arrangement at the vent for Hot Mix Plant before emitting flue gas with recirculation system so as to avoid emission of particulate matter before restart of said plant.
- 7) The project proponent shall install two level tyre washing facility at entry & exit points for transit mixture vehicle at RMC plant before restart of said plant.
- 8) The project proponent shall install bag house at storage of cement & fly ash Silos at RMC plant before restart of said plant.
- 9) The project proponent shall install bag house at mixing section of cement, aggregate & sand at RMC plant before restart of said plant.

- 10) The project proponent shall install rooftop water sprinkling arrangement at the storage area of aggregate & sand at RMC plant before restart of said plant.
- 11) The project proponent shall carry out air quality monitoring twice in a week for 24 hours during the operational phase of RMC plant.
- 12) The project proponent shall do the adequate plantation before restart of said plants.
- 13) The project proponent shall submit Bank Guarantee of Rs. 2 Lakhs towards the compliance of above directions within 15 days period.

In case, you fail to comply with the above directions, the Board will have no any other option than to issue Closure Directions with disconnection of electricity and water supply of your unit, which may be noted.



(A.D. Mohekar)

Regional Officer-Aurangabad.

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Copy to Master File, MPCB, Aurangabad.

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Aurangabad - 431 210.

By R.P.A.D./FAX/HAND DELIVERY:

No. MPCB/ROA/ID/ /2019

Date :- 05/11/2019

To,

1911050005

M/s. Modern Road Makers Pvt. Ltd.,
Sr No 243, At Talewadi, Tq-Georai
Dist: Beed.

Sub:- Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Ref:- 1) Proposed Direction issued by this office vide letter No.
MPCB/ROA/PD/1910230004/2019 dated 23/10/2019.
2) Personal hearing extended on 04/11/2019.

This refers to the Proposed Direction issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 04/11/2019. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings:

- 1) The project proponent shall cover conveyor belt by tin sheet of stone crusher before restart of said plant.
- 2) The project proponent shall install wind breaking wall at stone crushing plant before restart of said plant.
- 3) The project proponent shall repair the metallic road within premises before restart of stone crusher plant.
- 4) The project proponent shall install scrubbing system at Hot Mix Plant before restart of said plant.
- 5) The project proponent shall install closed silos for addition of cement concrete making plant to avoid fugitive emission of particulate matter at RMC plant before restart of said plant.
- 6) The project proponent shall install water sprinkling arrangement at the vent for Hot Mix Plant before emitting flue gas with recirculation system so as to avoid emission of particulate matter before restart of said plant.
- 7) The project proponent shall repair the metallic road within premises before restart of hot mix plant before restart of said plant.
- 8) The project proponent shall install two level tyre washing facility at entry & exit points for transit mixture vehicle at RMC plant before restart of said plant.

- 9) The project proponent shall install bag house at storage of cement & fly ash Silos at RMC plant before restart of said plant.
- 10) The project proponent shall install bag house at mixing section of cement, aggregate & sand at RMC plant before restart of said plant.
- 11) The project proponent shall install rooftop water sprinkling arrangement at the storage area of aggregate & sand at RMC plant before restart of said plant.
- 12) The project proponent shall carry out air quality monitoring twice in a week for 24 hours during the operational phase of RMC plant.
- 13) The project proponent shall do the adequate plantation before restart of said plants.
- 14) The project proponent shall submit Bank Guarantee of Rs. 2 Lakhs towards the compliance of above directions within 15 days period.

In case, you fail to comply with the above directions, the Board will have no any other option than to issue Closure Directions with disconnection of electricity and water supply of your unit, which may be noted.


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 Aurangabad - 431 210.

By R.P.A.D./FAX/HAND DELIVERY:

No. MPCB/ROA/ID/ /2019
 1911050001

Date :- 05/11/2019

To,

M/s. Modern Road Makers Pvt. Ltd.,
 Gat No 172 & 174, At Village Muruma, Tq-Paithan,
 Dist: Aurangabd.

Sub:- Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.

Ref.:- 1) Proposed Direction issued by this office vide letter No. MPCB/ROA/PD/1910240001/2019 dated 24/10/2019.
 2) Personal hearing extended on 04/11/2019.

This refers to the Proposed Direction issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 04/11/2019. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings:

- 1) The project proponent shall install wind breaking wall at stone crushing plant before restart of said plant.
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Environmental Compensation Details

The Environmental Compensation calculated on the basis of following formula:-

$$EC = PI \times N \times R \times S \times LF$$

Whereas,

EC = Environmental Compensation

PI = Pollution Index of Industrial Sector

N = Number of days of violation took place

R = A factor in Rupees for EC

S = Factor for scale of operation

LF = Location factor

Note:-

PI = 50 as all the units falls in Orange category as per CFCB categorization

N = Number of days violation

R = Rs 250

S = 0.5 as all units are small scale

LF = 1.00 as the units are located more than 10 km from municipal boundary of the city / town

Sr. No	Name of the Unit	Number of Days of Violation	Environmental Compensation in Rs.
1.	M/s. Modern Road Makers Pvt. Ltd. Gat No. 264/1, 263, 264/2, At Khed, Tq. & Dist: Osmanabad	93	Rs 5,81,250/-
2.	M/s. Modern Road Makers Pvt. Ltd. Gat No. 89, At Washi, Tq. Washi, Dist: Osmanabad.	85	Rs. 5,31,250/-
3.	M/s. Modern Road Makers Pvt. Ltd. Gat No. 85/1, Sr No 87, At Sasewadishivar, Manjarsumba, Tq. & Dist: Beed.	89	Rs. 5,56,250/-
4.	M/s. Modern Road Makers Pvt. Ltd., Sr No 243, At Talewadi, Tal-Georai Dist-Beed.	61	Rs. 3,81,250/-
5.	M/s. Modern Road Makers Pvt. Ltd. Gat No 172 & 174, At Village Muruma, Tal-Paithan Dist: Aurangabd.	73	Rs. 4,56,250/-
	Total	401	Rs. 25,06,250/-

Date-11 / 11 /2019


(Anil D Mohekar)
Regional Officer, Aurangabad