

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE, BENCH, PUNE  
ORIGINAL APPLICATION No.191/2024(WZ)**

P.V.Patel

--- Applicant

v/s

State of Maharashtra & Anr

---Respondents

**WITH**

**ORIGINAL APPLICATION No.207/2023 (WZ)**

The Corner Co-op Housing Society Ltd

--- Applicant

Vs

MPCB & Anr

---Respondents

**Additional Affidavit on behalf of Respondent-Maharashtra  
Pollution Control Board.**

I, Shakil Shaikh, Aged -Adult, Occupation-Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Mumbai-IV, having Office address at Kalpataru Point, 2<sup>nd</sup> Floor, Sion-Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under :

- 1) I am filing this Additional Affidavit in compliance of the Order dated 02/04/2025 passed by this Hon'ble NGT,

wherein, the Hon'ble NGT directed MPCB to indicate on what basis violations have been committed for the aforesaid period and as to how even if the amount of EDC would be directed to be levied, could it be levied from the project proponents when same is not found at the site in question. The details are as under :-

(I) **The details of EDC Calculation:**

In compliance of this Hon'ble NGT order dated 26/11/2024, the Respondent-Board had assessed the environment compensation against M/s.N.N. Enterprises (RMC Plant) (i.e. Project Proponent) located at S.No.92/1, 92/2,92/3 & 92/4, CTS No.1490, village Eksar North, Opp Link Road, Borivli (West), Mumbai, for the violation period (from 31/08/2021 to 12/11/2021 and between 03/04/2023 to 28/6/2024) to the tune of Rs.39,37,500/- (Thirty Nine Lakhs, Thirty Seven Thousand and Five Hundred Rupees only) . The details of the calculation of past violation period are as follows:

a) **Violation period from 31/08/2021 to 12/11/2021:-**

The officials of the Respondent -Board at Mumbai-IV have visited the site of the aforesaid RMC plant on 31/08/2021. During the visit, it was observed that the Conveyor belts were partially covered, vacuum cleaner was not

provided and failed to submit Bank Guarantee. In view of the said non-compliances, the Respondent-Board had issued Proposed directions to M/s.N.N.Enterprises on 30/09/2021. A copy of the Proposed Directions dated 30/09/2021 is annexed herewith as an **Exhibit-'I'**.

- b) In order to verify the compliance of the directions, the official of the Respondent-Board at Mumbai visited the aforesaid site of RMC plant on 12/11/2021 and observed that the said RMC plant had complied i.e. they had provided Conveyor belt fully covered with tin sheets, Dust collection system, Silos covered with green nets, Water Sprinkling System, Fogger system. Two level of tyre washing system were provided for transit mixture vehicle. All Air Pollution Control systems were found in operation and submitted Bank Guarantee as per Consent conditions. A copy of the visit report dated 12/11/2021 is annexed herewith as an **Exhibit-'II'**.

c) **Violation period -03/04/2023 to 28/06/2024:**

The official of the Respondent-Board visited the above RMC plant on 03/04/2023 and observed that the said RMC plant was sending RMC to other private parties in addition to Metro works.



Production quantities were exceeding the consented quantity. Two level tyre washing system needed upgradation. The conveyor belt was fully covered with sheets but broken at various places. RMC plant was disposing mud & debris outside their premises. On the basis of said non-compliances, the Respondent Board has issued Proposed Directions vide letter dated 13/6/2023. Thereafter, in order verify the compliance, the Official of the Respondent Board at Mumbai visited to the above site on 31/10/2023 and 3/11/2023. On the basis of non-compliances observed during the said visits, the Respondent Board has issued Proposed Directions vide letter dated 10/11/2023 and directed M/s.N.N. Enterprises to remain present for the personal hearing. A copy of the Proposed Directions dated 10/11/2023 is annexed to the Report dated 25/07/2024 filed by the Respondent Board as an Annexure-III.

Further on the basis of personal hearing held on 01/12/2023, the Respondent-Board had issued directions to M/s.N.N.Enterprises vide letter dated 01/12/2023, which is annexed to the Report dated 25/07/2024 filed by the Respondent Board as an Annexure-IV.

d) **RMC Plant found non-operational:**

During the visit of the official of the Respondent-Board at Mumbai on 28/06/2024, the said RMC plant was found non-operational (Plant permanently shut down).

The period of violations observed by the Respondent -Board during their visit to RMC plant was from 31/08/2021 to 12/11/2021 and between 03/04/2023 to 28/06/2024.

e) **Formula for assessment of Environment Compensation:**

As per methodology of Central Pollution Control Board approved by the Hon'ble NGT in Original Application No.593/2017 filed by Paryavaran Suraksha Samiti Vs Union of India & Ors dated 28/09/2019, the Environment Compensation was calculated as per below formula:

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

EC is Environmental Compensation in ₹

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

Basis:

PI= 30 (Green category industry- as per earlier categorization)

N= 525 days {Period calculated - 31/08/2021 to 12/11/2021 (73 days) + period 03/04/2023 to 28/06/2024 (452 days)}

R= 250 (Rupee factor)

S= 0.5 (small scale industry)

LF= 2 (population above 10 million)

EC= 30 x 525 x 250 x 0.50 x 2= 39,37,500/-

Environment Compensation = Rs.39,37,500/-  
(Thirty nine lakhs , Thirty Seven Thousand and Five hundred rupees only).



## (II) Violation of Consent Conditions:

The Respondent Board had granted Consent to Operate to M/S.N.N. Enterprises on 10/06/2021 for manufacture of ready-mix concrete (Captive Purpose for Metro Project only), which was valid upto 31/05/2024. A Copy of the Consent to Operate dated 10/06/2021 is annexed to the Report dated 25/07/2024 filed by the Respondent Board as an Annexure-II.

The violations of consent conditions observed by the Official of Respondent Board Mumbai during visits on 31/10/2023 and 03/11/2023 are as under :-

- i. The Project Proponent (PP) had not provided water sprinkling system along the periphery of

the premises and aggregate storage area, but water sprinkling is done manually.

- ii. The PP had provided single dust collector to 4 Nos. of silo which seems inadequate.
- iii. Single dust collector to four silo's needs damper proof mechanism to avoid leakage of vacuum.
- iv. The sand and stone aggregate transfer hopper found open without the provision of APC system thereby dust emissions observed in nearby vicinity.
- v. The PP has not provided dust collector mechanism at transfer point, so dust emission observed. PP has not provided dust collection mechanism to Mixing section as well.
- vi. Dust found accumulated in front side of raw material storage area (Indicating no periodic cleaning).
- vii. The sedimentation tank was full of waste-water. PP has not provided proper drainage system to channelize waste-water from batch mixing section to sedimentation tank, waste-water spillages seen under mining plant.
- viii. Concrete Muck /sludge found stored at site. Disposal records were not available at the time of the visit.
- ix. Overall housekeeping needs to be improved to control dust emission.



### III. Site Details of M/s.N.N. Enterprises :

As per the MCGM report vide No. P-5030/2020/ (1490)/ R/CWard/Eksar-N dated 16/09/2020, the details of the plot are as under :-

1. The said site is located on plot bearing CTS no. 1490, of village Eksar North, Link Road, Borivali (West), Mumbai.
2. Shri Prabhakar Kashinath Mhatre, Shri Suresh Kashinath Mhatre and Shri Taramati Vasudev Vaze have ownership of the aforesaid plot. They have executed registered Leave and License Agreement dtd.27/02/2020 with M/s N.N. Enterprises having partners Mr. Afghan Babu Khan and Manzoor Babu Khan.
3. The Official of the Respondent Board at Mumbai visited the said site recently on 16/04/2025 and observed that the PP has dismantled RMC plant from the said location. Only G.I sheet barricading observed all the periphery of empty plot. During visit no any representative from RMC plant was present. A copy of the visit report dated 16/04/2025 alongwith Geotagged photographs are enclosed as an **Exhibit-'III'**.

- 2) I say and submit that in order to ascertain the present address of M/s.N.N. Enterprises, the Respondent Board has issued

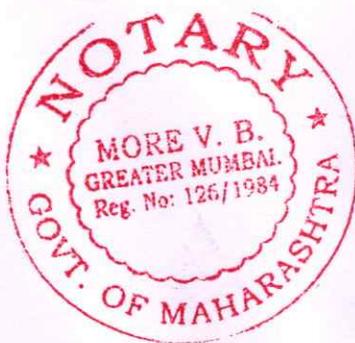
letters dated 22/4/2025 to MCGM and Metro Authority, requesting to communicate Registered Office Address of M/s.N.N. Enterprises for further necessary action. Copies of the letters dated 22/4/2025 addressed to MCGM and Metro Authority are annexed herewith as an **Exhibit-IV** collectively.

Solemnly affirmed on this 25<sup>th</sup> day of April, 2025 at Mumbai.

For and on behalf of Maharashtra  
Pollution Control Board,

*Shakil Shaikh*  
25/04/25

( Shakil Shaikh )  
Sub Regional Officer-Mumbai-IV



BEFORE ME  
*Vasant B. More*  
25/4/2025  
**VASANT B. MORE**  
Notary Gr. Mumbai  
7, Vijaya Sadan, Flat No. 304,  
Above Axis Bank,  
Sion West, Mumbai-400022

REGISTER Sr. No 325/2025



**MAHARASHTRA POLLUTION CONTROL BOARD****Regional Office, Mumbai**

Phone : (022) - 24016239

Fax : (022) - 24015269

Email : romumbai@mpcb.gov.in

Visit At : <http://mpcb.gov.in>Regional Office, Mumbai,  
Kalpataru Point, 1<sup>st</sup> Floor, Sion Circle,  
Sion (E), Mumbai- 400 022

No: MPCB/ROM/PD/TB - 2109300001

Date: 30/09/2021

To,  
✓ M/s. N.N. Enterprises  
Survey No. 92/1, 92/2, 92/3 & 92/4, CTS No. 1490 of village Eksar North, Opp ink Road, Borivali (W), Mumbai 400103

**Sub:** Proposed directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 31A of the Air (Prevention & Control of Pollution) Act, 1981

**Ref:** 1. Consent to operate granted by Board on 10/06/2021 valid up to 31/05/2024  
2. Complaint received against you RMC Plant regarding air pollution.  
3.. Board Officials visited on 28/06/2021.

...

**WHEREAS**, the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 is applicable to the State of Maharashtra as declared in Official Gazette. AND, the area where your unit is situated, falls under the said declared area.

**WHEREAS**, Board has granted consent to Operate to your unit with certain terms & conditions therein.

**AND WHEREAS**, complaint was received against your RMC Plant & accordingly Board officials of this office visited your unit vide reference 1 above & reported following non-compliance;

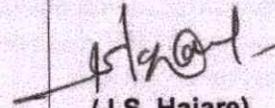
1. You have not provided adequate air pollution control system as per consent conditions & Conveyor belt not fully covered.
2. You have not submitted Bank Guarantee of Rs. 5,00,000/- as per consent conditions.

**NOW THEREFORE**, in exercise of the power confirmed by the Board upon me u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 following proposed direction are issued against your unit as to –

- 1) Why your existing activity shall not be closed down?
- 2) Why the competent authorities shall not be directed to disconnect water & electricity supply for closing down manufacturing activity.
- 3) Why legal action shall not be initiated against your industry for violations of above Consent conditions

You are hereby directed to submit your reply within seven days from the receipt of these directions, failure to this, it will be assumed that you have nothing to say, and closure directions will be confirmed & competent authorities will be directed to disconnect your water & electricity supply to stop your activities, which may please be noted.

**FOR & ON THE BEHALF OF MPC BOARD**



(J.S. Hajare)

I/c Regional Officer, Mumbai

**Copy submitted to:-**

1. Asst. Secretary (Tech.), MPC Board, Sion, Mumbai – for information.

**Copy to:**

- 1) Sub Regional Officer, MPC Board, Mumbai -IV  
- He is directed to serve copy of direction to industry, take necessary follow-up towards compliance of the direction and submit Action taken report.
- 2) Master File.

**M/s. N.N. Enterprises**

**Survey No. 92/1, 92/2, 92/3 & 92/4, CTS No. 1490 of village Eksar North, Opp ink Road, Borivali (W), Mumbai 400103**



# MAHARASHTRA POLLUTION CONTROL BOARD

## Sub Regional Office, Mumbai-4

Phone :- (022)-24015269  
 Fax :- (022)-24016239  
 e-mail :- sromumbai4@mpcb.gov.in  
 Website :- http://mpcb.gov.in



Kalpataru Point, 1<sup>st</sup> Floor,  
 Sion Circle, In front of Cine Planate,  
 Theater, Shiv (East), Mumbai-22.

### Visit Report

Date | 2/11/2021

Name of Industry / Firm:	M/S No No Enterprises Survey No. 92/1, 92/2, 92/3 & 92/4 CTS No. 1490, Village Ekas North, Opp Link Road, Borivali (E), Mumbai
Consent / Authorization status:	Consent valid up to 31/05/2024 (Captive purpose for metro project only)
Email ID	nn-readymix@gmail.com
Industry representative	Shri Anas Khan (plant in charge)
Effluent status	D.E.- 2000cm <sup>3</sup> I.E. 2000cm <sup>3</sup>

### APC System Details:- Following observations are observed during visit at site.

Condition	Present status
In house measures,	provided
All material transfer points should be covered.	All material transfer points covered.
The dust containment system shall be provided incorporating either of the following.	Dust collection system provided as APC system
Barricading all around the periphery of the plot boundary of height minimum 20 feet or 5 feet above free fall air emission area, whichever is higher with tin sheets. Same may extend above with nelson clothing whenever required.	Barricading all around the periphery of the plot boundary of height twenty feet provided.

MAHARASHTRA POLLUTION CONTROL BOARD  
Sub Regional Office Mumbai



Water sprinkling/Chemical dust stabilizing agent spraying system along the periphery inside the premises of RMC	Water sprinkling system provided & in operation, during visit
Internal work area shall be, cement concreted/Asphalted.	Internal work area cement concreted.
Daily cleaning / Removal of dust accumulation inside the plant (dry/wet) shall be carry out, with industrial vacuum cleaner.	Industrial vacuum cleaner provided for daily cleaning & removal of dust, during visit at site.
Two level tyre washing facility shall be provided at entry and exit points, for transit mixture vehicle.	Two level tyre washing facility provided at entry & exit points for transit mixture vehicles.
Raw material storage & handling.	provided.
Storage silos of cement & fly-ash shall be equipped with adequate capacity of dust Collection system such as multi- cyclone followed by bag house assembly.	Dust collection system only provided as APC systems.
Handling of Cement, sand, fly ash and aggregates shall be carried out with mechanical closed system only.	Carried out only mechanically closed system only.
Manual operations shall be permitted only in a closed shed, equipped with dust control system at the loading point as well as roof top secondary dust control system.	Roof top secondary dust control system not observed. All performed silos are closed at top & silos at top covered with green net.
All Conveyer belts of Sand, aggregate shall be covered with tin sheets and at transfer points dust collection system to be installed to avoid secondary fugitive emissions.	All conveyer belts of sand, aggregate covered with tin sheets (photo copy uploaded).
Mixing section of cement, aggregate & sand shall be equipped with adequate capacity dust collection system, such as multy-cyclone followed by bag house, so as to limit dust emissions	Dust collection system provided as APC system only.
Storage area of sand & aggregate shall be equipped with roof top water sprinkler system.	Roof top water sprinkler system provided to storage area of sand & aggregate.

The air pollution control devices shall be operated regularly.	During visit, the air pollution control devices found in operation.
Alternative power supply system should cover both the production and Air pollution control system	Alternative power supply system not provided.
Whether treatment provided to effluent generated?	Washing sedimentation tank provided for treatment of effluents.
Disposal of effluent generated	Generated effluent reused in process & used for washing, flushing purposes.
Sludge disposal details	Debris disposed to vacant, viz area at desulphing area for fuel up purposes.
Whether fogger system provided?	Fogger system provided.

#### Observations:-

- Visit in respect with checking compliance of reply submitted to P.O. issued dated 30/09/2021 & SCN issued dated 01/07/2021.
- During visit, Rme plant found in operation. (aptive purpose)
- AS per SCN issued dated 01/07/2021
- ① P.P. submitted Bank Guarantee of Rs. Five Lakh as per consent condition. Bank Guarantee Number - 107 which is valid up to 31/05/2024.
- AS per Proposed Directions issued dated 30/09/2021.
- ① - Conveyer belt fully covered, during visit, also for air pollution control, Rme plant provided Dust collection system, also for covered with green nets, water sprinkling system & fogger system provided & found in operation. Two level tyre washing system provided.
- ② Bank Guarantee of Rs. Five Lakh submitted by P.P. as per consent condition as mentioned above.

PT/1-

→ AS per SEN issued dated 01/07/2021 & PD issued, P.P. replied to above directions dated 22/10/2021.

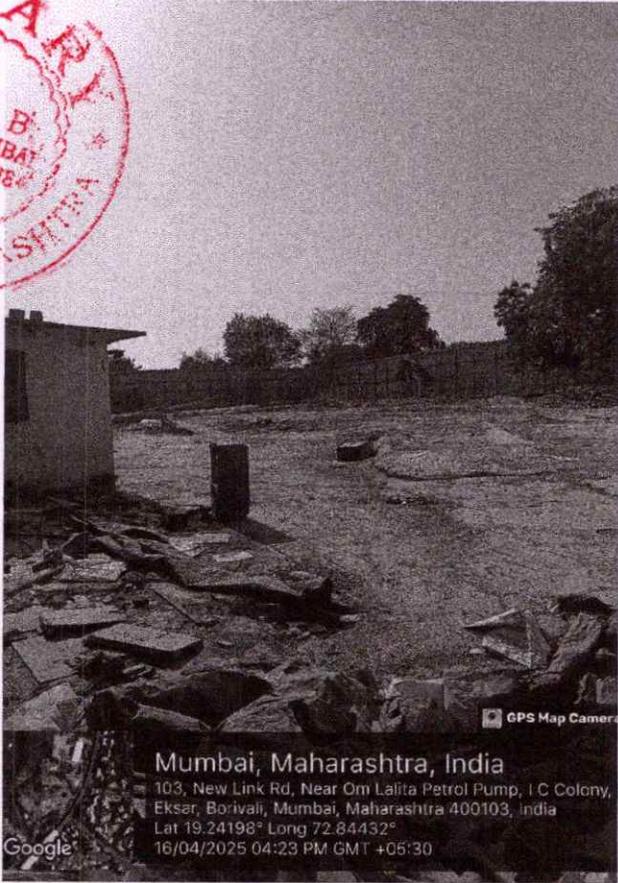
→ Rme plant shall take precaution not to cause air pollution & nuisance in surrounding area.



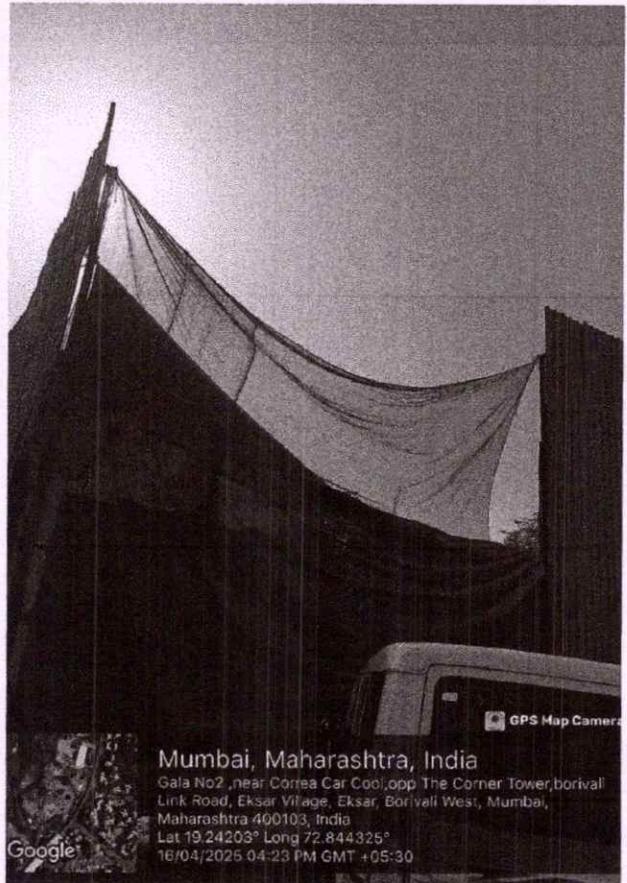
~~Signature~~  
(Shri. Anas Khan)  
Plant. Incharge

Subhode  
(Sov. Baswade)  
FO-MPCB


  
 A.P.
   
 V. B.
   
 MUMBAI
   
 26/1984
   
 MAHARASHTRA



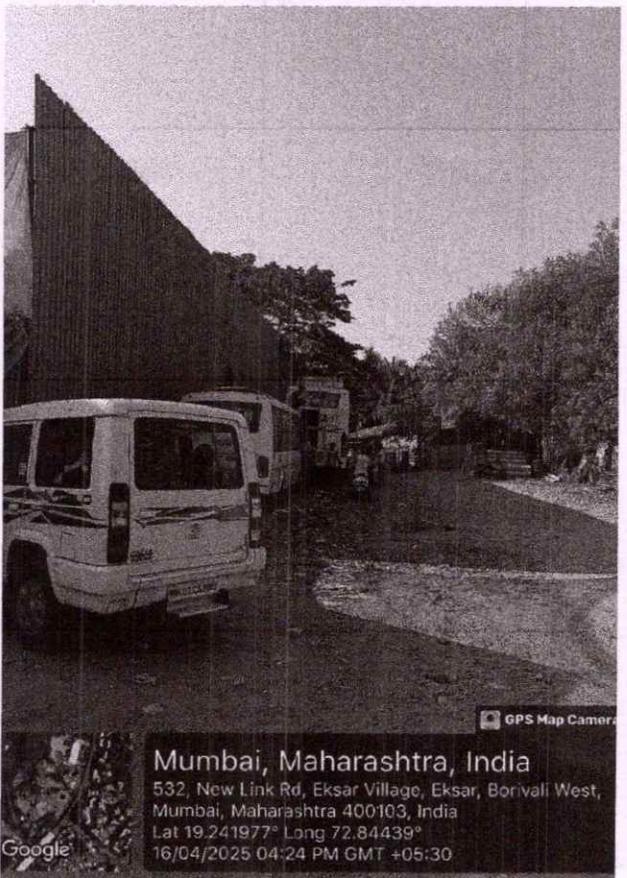
GPS Map Camera
   
**Mumbai, Maharashtra, India**
  
 103, New Link Rd, Near Om Lalita Petrol Pump, I C Colony, Eksar, Borivali, Mumbai, Maharashtra 400103, India
   
 Lat 19.24198° Long 72.84432°
   
 16/04/2025 04:23 PM GMT +05:30



GPS Map Camera
   
**Mumbai, Maharashtra, India**
  
 Gala No2 ,near Correa Car Cool,opp The Corner Tower,borivali Link Road, Eksar Village, Eksar, Borivali West, Mumbai, Maharashtra 400103, India
   
 Lat 19.24203° Long 72.844325°
   
 16/04/2025 04:23 PM GMT +05:30



GPS Map Camera
   
**Mumbai, Maharashtra, India**
  
 Gala No2 ,near Correa Car Cool,opp The Corner Tower,borivali Link Road, Eksar Village, Eksar, Borivali West, Mumbai, Maharashtra 400103, India
   
 Lat 19.24201° Long 72.84435°
   
 16/04/2025 04:24 PM GMT +05:30



GPS Map Camera
   
**Mumbai, Maharashtra, India**
  
 532, New Link Rd, Eksar Village, Eksar, Borivali West, Mumbai, Maharashtra 400103, India
   
 Lat 19.241977° Long 72.84439°
   
 16/04/2025 04:24 PM GMT +05:30

# Maharashtra Pollution Control Board

## Sub-Regional Office, Mumbai-IV

Phone No. 24015269 / 24016239  
Visit us at : <http://mpcb.gov.in>  
Email : sromumbai4@mpcb.gov.in



"Your Service is our Duty"

Kalpataru Point 2<sup>nd</sup> floor,  
Sion Matunga Scheme Road No. 8,  
Infront of Sion Circle, Sion (E),  
Mumbai - 400 022.

No./MPCB/SROM-IV/ 599

Date 22 /04 / 2025

To,  
Director Planning,  
Mumbai Metropolitan Region  
Development Authority  
New Administrative Building,  
E Block BKC, Bandra Kurla Complex,  
Bandra East, Mumbai, Maharashtra  
400051

**Sub** : Compliance of order dated 02/04/2025 passed by the Hon'ble National Green Tribunal, WZ, Pune in Original Application No.207/2023(WZ).

**Ref** : 1. Hon'ble NGT (WZ) order dtd. 02/04/2025.  
2. Stop work order issued by Assistant Commissioner, R/North Ward, MCGM, dtd.23/03/2024  
3. MPC Board's Letter to the RMC unit levying EDC (Environmental Damage Cost) dtd. 13/01/2025

Sir,

The Corner Co-Operative Housing Society Ltd, Devki Nagar, Borivli (W) Mumbai through its members has made a complaint against Ready Mix Cement (RMC) Plant of M/s. M/s.N.N. Enterprises located at S.No.92/1, 92/2,92/3 & 92/4, CTS No.1490, village Eksar North, Opp Link Road, Borivli (West), Mumbai, wherein it was complained that " The said Society are facing huge noise and air pollution emanating from aforesaid RMC, which has created health problem for the local residents. The said RMC plant is working day and night because of which dust particles fly around". Vide order dtd. 02/12/2023 in OA No. 207/2023 (WZ), Hon'ble NGT,WZ Pune has directed Maharashtra Pollution Control Board to submit report with respect to the truthfulness of complaint."

In compliance of the Hon'ble NGT order dtd.02/12/2023, Board has submitted present status of RMC plant vide affidavits dtd. 25.07.2024. Further vide order dtd. 26/11/2024 Hon'ble NGT directed MPCB to calculate period of past violations and EDC to be levied from RMC plant of M/s.N.N. Enterprises & 28.01.2025 to the Hon'ble NGT in the matter O.A. No.207/2023. Accordingly, Board has calculated EDC and submitted affidavit to Hon'ble NGT on 27/01/2025. Also submitted that, M/s.N.N. Enterprises has permanently closed RMC plant and dismantle.

The Hon'ble NGT vide order dtd 2/4/2025 directed MPCB to file additional affidavit on the following point "MPCB as to submit how even if the amount of EDC would be directed to be levied, could it be levied from the Project Proponent when the same is not found at the site in question. This aspect shall also be clarified in the affidavit to be filed by MPCB."

The M/s.N.N. Enterprises installed and operated RMC plant at S.No.92/1, 92/2,92/3 & 92/4, CTS No.1490, village Eksar North, Opp Link Road, Borivli (West), Mumbai to supply Ready Mix Concrete to Metro project on link road (metro line 2A) and MCGM has accorded permission to said RMC. Presently, M/s.N.N. Enterprises has dismantled entire plant and machineries from the said location. MPC Board is finding it intractable to ascertain the present address of M/s.N.N. Enterprises, and to serve the letter for levying the EDC.

Being a planning Authority for Metro line 2A, you are requested to communicate the present address of M/s.N.N. Enterprises to the MPC Board for onwards submission to Hon'ble National Green Tribunal, Western Zone, Pune.

DA: 1. Hon'ble NGT order in OA No. 207/2023.



(Shakil Shaikh)

Sub-Regional Officer, Mumbai-IV

Copy Submitted to:-Regional Officer, MPCB, Mumbai.



# Maharashtra Pollution Control Board

## Sub-Regional Office, Mumbai-IV

Phone No. 24015269 / 24016239  
 Visit us at : <http://mpcb.gov.in>  
 Email : [sromumbai4@mpcb.gov.in](mailto:sromumbai4@mpcb.gov.in)



"Your Service is our Duty"

Kalpataru Point 2<sup>nd</sup> floor,  
 Sion Matunga Scheme Road No. 8,  
 Infront of Sion Circle, Sion (E),  
 Mumbai – 400 022.

No./MPCB/SROM-IV/ 598

Date 22 /04 / 2025

✓ To,  
 Assistant Commissioner, R/N ward  
 Municipal Corporation of Greater Mumbai  
 921/7, Dahidar Village, Rustomjee Colony,  
 Rnagnath Kesarkar Raod, Dahisar (W),  
 Mumbai-400068.

**Sub** : Compliance of order dated 02/04/2025 passed by the Hon'ble National Green Tribunal, WZ, Pune in Original Application No.207/2023(WZ).

**Ref** : 1.Hon'ble NGT (WZ) order dtd. 02/04/2025.  
 2. Approval letter of MCGM for said RMC plant vide dtd. 08/01/2021  
 3.Stop work order issued by Assistant Commissioner, R/North Ward, MCGM, dtd.23/03/2024  
 4. MPC Board's Letter to the RMC unit levying EDC (Environmental Damage Cost) dtd. 13/01/2025

Sir,

The Corner Co-Operative Housing Society Ltd, Devki Nagar, Borivali (W) Mumbai through its members has made a complaint against Ready Mix Cement (RMC) Plant of M/s. M/s.N.N. Enterprises located at S.No.92/1, 92/2,92/3 & 92/4, CTS No.1490, village Eksar North, Opp Link Road, Borivli (West), Mumbai, wherein it was complained that " The said Society are facing huge noise and air pollution emanating from aforesaid RMC, which has created health problem for the local residents. The said RMC plant is working day and night because of which dust particles fly around". Vide order dtd. 02/12/2023 in OA No. 207/2023 (WZ), Hon'ble NGT,WZ Pune has directed Maharashtra Pollution Control Board to submit report with respect to the truthfulness of complaint."

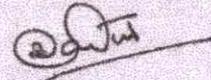
In compliance of the Hon'ble NGT order dtd.02/12/2023, Board has submitted present status of RMC plant vide affidavits dtd. 25.07.2024. Further vide order dtd. 26/11/2024 Hon'ble NGT directed MPCB to calculate period of past violations and EDC to be levied from RMC plant of M/s.N.N. Enterprises & 28.01.2025 to the Hon'ble NGT in the matter O.A. No.207/2023. Accordingly, Board has calculated EDC and submitted affidavit to Hon'ble NGT on 27/01/2025.Also submitted that, M/s.N.N. Enterprises has permanently closed RMC plant and dismantle.

The Hon'ble NGT vide order dtd 2/4/2025 directed MPCB to file additional affidavit on the following point "MPCB as to submit how even if the amount of EDC would be directed to be levied, could it be levied from the Project Proponent when the same is not found at the site in question. This aspect shall also be clarified in the affidavit to be filed by MPCB."

The M/s.N.N. Enterprises installed and operated RMC plant at S.No.92/1, 92/2,92/3 & 92/4, CTS No.1490, village Eksar North, Opp Link Road, Borivli (West), Mumbai to supply Ready Mix Concrete to Metro project on link road (metro line 2A) and MCGM has accorded permission to said RMC. Presently, M/s.N.N. Enterprises has dismantled entire plant and machineries from the said location. MPC Board is finding it intractable to ascertain the present address of M/s.N.N. Enterprises, and to serve the letter for levying the EDC.

MCGM being a planning Authority for the said area, you are requested to communicate the present address of M/s.N.N. Enterprises to the MPC Board for onwards submission to Hon'ble National Green Tribunal, Western Zone, Pune.

DA: 1. Hon'ble NGT order in OA No. 207/2023.



(Shakil Shaikh)  
Sub-Regional Officer, Mumbai-IV

Copy Submitted to:-Regional Officer, MPCB, Mumbai.

