

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION No.49/2025(WZ)**

Vasundhara Foundation

... Applicant

v/s

M/s. Shri Lalit Nagpal & Ors.

... Respondents



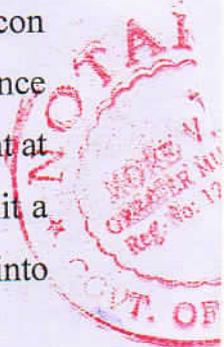
**Affidavit on behalf of Maharashtra Pollution Control Board  
i.e. Respondent No.3**

I, Rakesh Dafade, Aged -Adult, Occupation-Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Mumbai-III, 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 Affidavit in compliance of the Order dated 20/08/2025 passed by this Hon'ble NGT, wherein, the Hon'ble NGT has directed to mention about the siting criteria violated by the Respondent No.1, which has been raised by the Applicant in the present Application.
2. I say and submit that the Respondent-Board has granted 1<sup>st</sup> Consent to Operate dated 05/02/2011 to M/s Saket Infrastructure Ltd for their RMC Plant at CTS No. 74/1, 74/2, 74/5, 74/6, 80, 81, 82 and 83 of village Deonar, Govandi (East), Mumbai – 400 088, subject to certain terms and conditions, which was valid

upto 15/12/2013. A copy of the Consent to Operate dated 05/02/2011 is enclosed herewith as an **Annexure-I**.

3. I say and submit that M/s.Shri Lalit Nagpal (Licensor and Land Owner), M/s Saket Infrastructure Ltd. and M/s.Relcon Infraprojects Ltd. have entered into Tripartite Leave and Licence Agreement on 18/1/2014 for setting up and running RMC Plant at Village : Deonar, Tal: Kurla, Mumbai. I crave leave to submit a copy of the Tripartite Leave and Licence Agreement entered into on 18/i/2014.
4. I say and submit that accordingly, the Respondent Board has granted Renewal of Consent to Operate dated 12/03/2014 to M/s Saket Infrastructure Ltd., for operating Ready Mix Concrete Plant at Village Deonar, Govandi (East), Mumbai, with certain terms and conditions, which was valid upto 31/12/2016. A copy of the Renewal of Consent to Operate dated 12/03/2014 is enclosed herewith as an **Annexure-II**.
5. I say and submit that in the meantime the Leave and Licence Agreement was entered between M/s.Lalit Nagpal and M/s.Relcon Infraprojects Ltd. on 03/12/2014 for commissioning and operation of RMC Plant at the aforesaid site though the RMC Plant was operated by M/s.Saket Infrastructure Ltd., as mentioned in the para 4 above. Thereafter, M/s.Relcon Infraprojects Ltd. has took over the aforesaid RMC Plant, therefore, the Respondent Board has granted Consent to Establish dated 09/11/2017 to M/s.Relcon Infraprojects Ltd. (RMC Plant) at village Deonar, Govandi (E), Mumbai, which is valid upto the commissioning of the unit or 5 years, whichever is earlier.

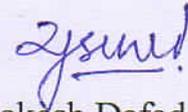


6. I say and submit that in view of the above, the aforesaid RMC Plant was in existence prior to the year, 2016.

7. Hence this submission.

Solemnly affirmed on this 6th day of November, 2025 at Mumbai.

For and on behalf of the Maharashtra Pollution Control Board,



( Rakesh Dafade )

Sub-Regional Officer, Mumbai-III



**BEFORE ME**  
*V. B. More*  
6/11/2025  
**VASANT B. MORE**  
Notary Gr. Mumbai  
7, Vijaya Sadan, Flat No. 304,  
Above Axis Bank,  
Sion West, Mumbai-400022

REGISTER Sr. No. 859/2025



## MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office, Mumbai

Phone :- (022)-22640346

Fax :- (022)-22640345

E-mail :- [romumbai@mpcb.gov.in](mailto:romumbai@mpcb.gov.in)Website :- <http://mpcb.gov.in>

Shri Chhatrapati Shivaji Maharaj Mandai,  
Municipal Market Building 4<sup>th</sup> Floor,  
Mata Ramabai Ambedkar Road,  
Mumbai-400 001

26/1984

Orange/S.S.1

Date: 5/Feb/2011

Consent No: MPCB/ROM/MU-2007-11/CC/CO/1033

Consent to operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008

[To be referred as Water Act, Air Act and HW (M&H) Rules respectively]

CONSENT is hereby granted to:

M/s. Saket InfraProjects Ltd.  
CTS. 74/1, 74/2, 74/5, 74/6, 74/7, 80,81,82,83 of Village RAJAN KULKARNI & ASSOCIATE  
Deonar, Govandi (W), Mumbai - 400 088

Located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of HW (M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions

1. The Consent to operate is granted for a period up to: 15.12.2013
2. The Consent is valid for the manufacture of:

Sr. No.	Product Name	Maximum Quantity	TOVE
1	Ready Mix Concrete	200	Brass/M

### 3. CONDITIONS UNDER WATER ACT:

- (i) The daily quantity of trade effluent from the factory shall be NIL.
- (ii) The daily quantity of sewage effluent from the factory shall not exceed 1.4 m<sup>3</sup>
- (iii) Sewage Effluent Treatment: The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards.

(1) Suspended Solids	Not to exceed	100	mg/l
(2) BOD 3 days 27° C	Not to exceed	100	mg/l



*[Handwritten signature]*



#### 6. Conditions for D.G. Set

- a. Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
- b. Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
- c. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 55 dB(A) during day time and 45 dB(A) during the night time. Day time is reckoned between 6 a.m. to 10 p.m and night time is reckoned between 10 p.m to 6 a.m.
- d. Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
- e. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
- f. A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
- g. D.G. Set shall be operated only in case of power failure.
- h. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.

#### 7. Standards for Stack Emissions:

(i) The applicant shall observe the following fuel pattern:-

Sr. No.	Type of Fuel	Quantity	UOM

(ii) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height in m

(iii) The applicant shall provide ports in the chimney(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted / displayed to facilitate identification.



*[Handwritten signature]*

(vi) Sewage Effluent Disposal: The treated domestic effluent shall be soaked in a soak pit, which shall be got cleaned periodically. Overflow, if any, shall be used on land for gardening / plantation only.

(vii) Non-Hazardous Solid Wastes:

Sl. No.	Type Of Waste	Quantity	UOM	Treatment	Disposal
---	---	---	---	---	---

(viii) Other Conditions: Industry should monitor effluent quality regularly.

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under

The daily water consumption for the following categories is as under:

(i)	Domestic	...	0.80	CMD
(ii)	Industrial Processing	...	0.00	CMD
(iii)	Industrial Cooling	...	0.00	CMD
(iv)	Agriculture/Gardening	...	10.00	CMD

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

5. CONDITIONS UNDER AIR ACT:

(i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

a. Control Equipment:

1. Industry shall provide dust collector of sufficient capacity to control the emissions.
2. Adequate Air pollution control devices & Water sprinklers for dust suppression
3. Metallic approach road to the plant
4. Tin covers/shed at material handling/loading section.
5. Compound wall of brick machinery/ tin sheet.
6. Adequate number of trees shall be provided across boundary of the units.
7. The industry should not cause any nuisance in surrounding area.
8. The industry should monitor ambient air quality regularly.

b. Standards for Emission (Ambient Air)

Particulate Matter PM <sub>10</sub>	Not to Exceed	100	µg/m <sup>3</sup>
Particulate Matter PM <sub>2.5</sub>	Not to Exceed	60	µg/m <sup>3</sup>
SO <sub>2</sub>	Not to Exceed	80	µg/m <sup>3</sup>
NO <sub>x</sub> (NO + NO <sub>2</sub> )	Not to Exceed	80	µg/m <sup>3</sup>

ATTESTED  
FILE



*[Handwritten Signature]*  
Page 2 of 6

(iv) The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.

(vi) Other Conditions:

- 1) The industry should not cause any nuisance in surrounding area
- 2) The industry should monitor stack emissions and ambient air quality regularly.

**8. CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDARY MOVEMENT) RULES, 2008:**

(i) The Industry shall handle hazardous wastes as specified below.

Sr. No.	Type Of Waste	Quantity	UOM	Disposal
---------	---------------	----------	-----	----------

(ii) Treatment: - NIL.

1. The authorization is hereby granted to operate a facility for collection, storage, transport & disposal of hazardous waste.
2. The industry should comply with the Hazardous Waste (M&H) Rules, 2003.
  - a. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipment, the production process connected to it shall be stopped.
  - b. Industry shall obtain registration from CPCB as a re-refiner of used oil having environmentally sound technology as per the provisions of Hazardous Waste (Management & Handling) Rules 1989 & Amendment Rules 2003 before commencement of production
  - c. The unit has to display and maintain the data online outside the factory main gate in Marathi & English both on a 6'x4' display board in the manner and the report of the compliance along with photograph shall be submitted to this office & concerned Regional Office/ Sub Regional Office.
  - d. It shall be ensured that the Hazardous waste is handled, managed & disposed of strictly in accordance with the Hazardous Waste (Management & Handling) Rules, 1989 as amended on 2003 and shown & submitted to the Board as & when asked for.

NOTA  
MORE  
GREATER  
REG. NO. 1  
OF M

RAJESH KULKARNI & ASSOCIATES

ATTESTED  
TRUE COPY



MPCB

*[Handwritten signature]*

Page 4 of 6

# MAHARASHTRA POLLUTION CONTROL BOARD

Sub-Regional Office-III

Annexure-II

Phone : (022)- 25505926

Fax : (022)- 25505928

Email : [Sromumbai3@mpcb.gov.in](mailto:Sromumbai3@mpcb.gov.in)

Website : <http://mpcb.gov.in>



Ratkar Chamber A wing, 216, 2<sup>nd</sup> floor, -Next Jain Mandir, Deonar Gaon Road, Govandi - 400 088, Mumbai- 400 088.

Green/S.S.I

Date: 12/March/2014

Consent No: MPCB/14/02369

Consent to Operate under Section 36 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 5 of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules 2008 [To be referred as Water Act, Air Act and HW (M&H) Rules respectively].

CONSENT is hereby granted to

M/s. Saket Infrastructure Ltd

CFS No. 74/1, 74/2, 74/3, 74/6, 74/7, 80 81 & 82 of Village Deonar, Govandi (East) Mumbai-400 088

Mumbai located in the area declared under the provisions of the Water Act, Air Act and Authorization under the provisions of HW(M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. The Consent to Operate is granted for a period up to: 31/12/2016.
2. The Consent is valid for the manufacture of -

Sr.No.	Profile Name	Maximum Quantity	Unit
1	Ready Mix Concrete	200	m <sup>3</sup> /Day

### 3. CONDITIONS UNDER WATER ACT:

- (i) The daily quantity of trade effluent from the factory shall not exceed 0.00M<sup>3</sup>.
- (ii) The daily quantity of sewage effluent from the factory shall not exceed 0.40M<sup>3</sup>.

(iii) Sewage Effluent Treatment: The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards.

- |                       |               |     |       |
|-----------------------|---------------|-----|-------|
| (1) Suspended Solids  | Not to exceed | 100 | mg/l. |
| (2) BOD 5 days 27o C. | Not to exceed | 100 | mg/l. |

(vi) Sewage Effluent Disposal: The treated domestic effluent shall be soaked in a soak pit, which shall be got cleaned periodically. Overflow, if any, shall be



used on land for gardening / plantation only excess if any shall be connected to MCGM sewer line.

(vii) Non-Hazardous Solid Wastes:

(viii)

Sr. No.	Type Of Waste	Quantity	UOM	Treatment	Disposal
1.	Residue Concrete of Washing	200.00	Kg/day	No	Landfill

(viii) Other Conditions: Industry should monitor effluent quality regularly.

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under

The daily water consumption for the following categories is as under:

- |   |     |           |
|---|-----|-----------|
| (i) Domestic purpose  | ... | 00.80 CMD |
| (ii) Water gets Polluted & Pollutants are Biodegradable             | ... | 50.00 CMD |
| (iii) Water gets Polluted. Pollutants are not Biodegradable & Toxic | ... | 0.00 CMD  |
| (iv) Industrial Cooling, spraying in mine pits or boiler feed       | ... | 0.00 CMD  |

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

5. CONDITIONS UNDER AIR ACT :

- (i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

a. Control Equipment:

- i. Industry shall provide dust collector of sufficient capacity to control the emissions from cement and fly-ash storage silos.
- ii. Adequate dust suppression system shall be provided to control the dust emissions from all the sources.
- iii. Water sprinkling arrangements shall be provided on the transit roads, material handling areas etc.
- iv. The unit shall ensure metallic approach roads within premises.
- v. The unit shall ensure provision of tin covers/ shed at material handling, loading and unloading sections.
- vi. Wind breaking wall of sufficient height shall be provided across boundary of the units.
- vii. Adequate number of trees shall be planted within premises.

b. Standards for Emission (Ambient Air -24 hrs. average):



Particulate Matter PM <sub>10</sub>	Not to Exceed	100 µg/m <sup>3</sup>
Particulate Matter PM <sub>2.5</sub>	Not to Exceed	50 µg/m <sup>3</sup>
SO <sub>2</sub>	Not to Exceed	80 µg/m <sup>3</sup>
NO <sub>x</sub>	Not to Exceed	80 µg/m <sup>3</sup>

6. Standards for Stack Emissions:

(i) The applicant shall observe the following fuel pattern:-

Sr. No.	Type of Fuel	Quantity	UOM
---- Nil ----			

(ii) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height in Mtrs.
---- Nil ----		

(iii) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.

(iv) The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.

(v) Other Conditions:

- 1) The industry should not cause any nuisance in surrounding area.
- 2) The industry should monitor stack emissions and ambient air quality Regularly.

7. CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDARY MOVEMENT) RULES, 2008:

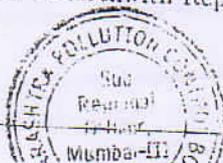
(i) The Industry shall handle hazardous wastes as specified below.

Sr. No.	Type of Waste	Quantity	UOM	Disposal
---- Nil ----				

(ii) Treatment: - Nil.

1. The industry should comply with the Hazardous Waste (M&H) Rules 2003.

a. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned



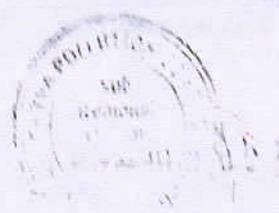
Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of lack of pollution control equipments, the production process concerned shall be stopped.

- b. Industry shall obtain registration from CPCB as a re-refiner of Used oil having environmentally sound technology as per the provisions of Hazardous Waste (Management & Handling) Rules 1989 & Amendment Rules 2003 before commencement of production.
- c. The unit has to display and maintain the data online outside the factory main gate in Marathi & English both on a 6'x4' display board in the manner and the report of the compliance along with photographs shall be submitted to this office & concerned Regional Office S.B. Sector Office.
- d. It shall be ensured that the Hazardous waste is handled, managed & disposed of strictly in accordance with the Hazardous Waste (Management & Handling) Rules, 1989 as amended on 2.03 and 28.04.03 & submitted to the Board as & when asked for.



**B. Industry shall comply with following additional conditions:**

- i. The applicant shall maintain good housekeeping and take adequate measures for control of pollution from all sources so as not to cause nuisance in surrounding area / inhabitants
- ii. The applicant shall bring minimum 33% of the available open land under tree coverage/ tree plantation.
- iii. Solid waste - The non hazardous solid waste arising in the factory premises sweepings, etc., be disposed off suitably so as not to cause any nuisance or pollution. The applicant shall take necessary permissions from concerned authority for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source which can operate all pollution control facilities installed by the applicant. In the absence of compliance with the terms and conditions of the consent. In the absence of the applicant shall stop, reduce or otherwise, control production as advised by the Board & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of flow, temperature or the mode of the effluent emissions or hazardous waste. The applicant shall maintain all control equipments provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples as well as samples of trade and sewage effluents, air emissions and hazardous waste. The Board staff at the terminal or designated points and shall pay to the applicant for the services rendered to the applicant.
- vii. The applicant shall make an application for renewal of the consent 30 days before the date of the expiry of the consent.
- viii. The firm shall submit to this office, the 30<sup>th</sup> day of September every year an Environmental Statement Report for the financial year ending 31<sup>st</sup> March of the prescribed Form V as per the provisions of rule 14 of the Environmental (Protection) (Second Amendment) Rules, 1997.
- ix. An inspection book shall be opened and made available to the Board during their visit to the applicant.
- x. The applicant shall install a separate electric meter, showing the consumption of energy for operation of domestic and industrial effluent treatment



- and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
- xi. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes / sewers down-stream of the terminal manholes. No effluent shall find its way other than in designed and provided collection System.
  - xii. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.

- 9. This consent is issued as per categorization of industries issued by CPCB vide the letter no. B-29012/1/2012/ESS/1540 dtd. 04.06.2012.
- 10. This consent should not be construed as exemption from obtaining necessary NOC from any other Government agencies as may deem fit necessary.
- 11. The Board reserves the right to cancel/revoke the consent.
- 12. The Capital investment of the industry is Rs. 47.00 Lacs.



For and on behalf of the  
Maharashtra Pollution Control Board

*(Signature)*  
(P.V. Patil)  
Sub-Regional officer, Mumbai-III

To,  
M/s. Sakot Infrastructure Ltd.  
CTS No.74/1,74/2,74/5,74/6,74/7,80,81,82  
of Village Deonar, Govandi (East)  
Mumbai-400 088

- Copy submitted to:
- 1. The Regional officer, M.P.C. Board, Mumbai
  - 2. Master File-2014

Received Consent fee of .

Sr. No.	Amount (Rs.)	DD No.	Date	Drawn On
1.	6000/-	400650	04/01/2014	Bharat Bank

