

# 216

SR. No. 1547/2023  
DATE. 07 APR 2023

Next Date:  
10/04/2023

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

**ORIGINAL APPLICATION NO. 59 / 2019 (WZ)**

BETWEEN

Sakharam Asaram Kale & Ors ..... Applicant

Versus

The Regional Officer MPCB & Ors ..... Respondent

**AFFIDAVIT BY RESPONDENT NO. 05**

**M/S. MODERN ROAD MAKERS PVT. LTD.**

**INDEX ON NEXT PAGE**



Filed by: **Mumbai, 07/April/2023**

A-202 Chandravijay, Phule Road, Opp. Bansuri Hotel,  
Mulund East, Mumbai - 400081, Maharashtra, India.  
7400116222 mahabal60@gmail.com

**Raghunath Mahabal** रघुनाथ भालचंद्र महाबळ  
BE (Mechanical), ME (Industrial Management) VJTI Mumbai  
Chartered Engineer, FIE, Arbitrator-IIE, LLM ADVOCATE

# 217

## INDEX

<b>Sr.</b>	<b>Ax.</b>	<b>Date</b>	<b>Particulars</b>	<b>Page</b>
1.		-	Contact Details of Parties	218
2.		-	Abbreviations used	220
3.		-	Diary of Events	221
4.		-	Affidavit by Respondent No. 05	226
5.	R1	2014/06/23	Environmental Clearance issued to NHAI	243
6.	R2	2015/01/29	Consent to Operate for all sites	250
7.	R3	2019/11/05	MPCB Interim Directions	278
8.	R4	2019/11/14	Hon'ble NGT Daily Order to direct MPCB to assess Environmental Compensation	287
9.	R5	2020/02/18	MPCB notice for the imposition of Environmental Compensation (Khed Unit Notice is enclosed as a specimen) Pg. No. 335-336	335
10.	R6	2022/05/06	Appeal to Appellant Authority (Khed Unit appeal is enclosed as a specimen)	<b>291-342</b>

## CONTACT DETAILS OF PARTIES

BETWEEN

..... APPLICANTS

1. **Sakharam Asaram Kale**  
Gut No.1, Plot No .6, At Post- Naregaon,  
Taluka & District- Aurangabad- 431001  
E-mail :  
Phone : 9545181555
2. **Prakash Ramchandra Achaare**  
At Post- Yermala, Taluka- Kallam,  
District- Osmanabad- 413525  
E-mail :  
Phone :

**VERSUS**

..... RESPONDENTS

1. **Regional Officer**  
Maharashtra Pollution Control Board  
Paryavaran Bhavan, Plot No. A-4/1,  
MIDC Chikhalthana, Near Dhoot Hospital,  
Jalna Road, Aurangabad- 431210  
E-mail : roaurangabad@mpcb.gov.in  
Phone : 02402993004
2. **National Highways Authority of India**  
G-5 & 6, Sector-10, Dwarka,  
New Delhi- 110075  
E-mail : memberadmin@nhai.org  
Phone : 01125074100
3. **National Highways Authority of India,**  
Regional Office-Maharashtra  
4<sup>th</sup> Floor, MTNL Telephone Exchange Bldg,  
Opp. CBD Belapur Railway Station, CBD-Belapur,  
Navi Mumbai- 400614  
E-mail : nhairomaharashtra@gmail.com  
Phone : 912227564100

4. **National Highways Authority of India**

Plot No. E-2, Jai Jalaram Nagar,  
Behind Shivdare College,  
Jule Solapur- 413004  
E-mail : solapur@nhai.org  
Phone : 02172303379

5. **Modern Road Makers Pvt. Ltd**

**Project Site At:** Gut No.261/263 & 264/2,  
Village - Alani / Khed, Taluka & District-Osmanabad  
Osmanabad - 413501

**Having Registered Office At-** Off No-11<sup>th</sup> Floor/ 110 1,  
Hiranandani Knowledge Park, Technology Street, Hill Side  
Avenue, Powai, Mumbai City- 400076

E-mail : grievances@irb.co.in  
Phone : 912266404200

## ABBREVIATIONS USED

Short	Full-form
EC	Environmental Clearance
NHAI	National Highway Authority of India
CTE	Consent to Establish
CTO	Consent to Operate
MPCB	Maharashtra Pollution Control Board
RO	MPCB Regional Officer
Pvt	Private
Ltd	Limited
MoEFCC	Ministry of Environment Forest and Climate Change
PM	Particulate matter
RMC	Ready Mix Concrete
NAAQ	National Ambient Air Quality
NGT	National Green Tribunal

## DIARY OF EVENTS

<b>Sr.</b>	<b>Date (y-m-d)</b>	<b>Activity / Particulars</b>
		<b>Site-1 (Khed)</b>
1.	2014/11/14	Consent to Establish (CTE)
2.	2015/01/29	Consent to Operate (CTO) valid up to 31/12/2015
3.	2016/02/23	Renewal of Consent to Operate granted for the validity period up to 31/12/2018
4.	2018/12/15	The Compliant made by Applicant
5.	2019/08/19	Application for Renewal of CTO
6.	2019/10/23	MPCB direction on the basis of the visit report of the Joint committee comprising a member of SEIAA & MPCB as per the Order passed by Hon'ble NGT in O.A. 59/2019.
7.	2019/10/31	MPCB letter to appear for personal hearing
8.	2019/11/04	Personal hearing by MPCB
9.	2019/11/05	Interim Orders issued by MPCB
10.	2019/11/20	Reply by Respondent industry to the interim directions along with compliance report
11.	2020/01/10	MPCB Site Visit Report
12.	2020/01/15	Present Status Report & Compliance Report as per NGT Order
13.	2020/02/18	MPCB Notice for Environmental Compensation
14.	2020/03/24	Representation submitted to MPCB by Appellant
15.	2022/05/06	Appeal to Appellant Authority

		<b>Site-2 (Murma)</b>
16.	2015/11/27	Consent to Establish (CTE)
17.	2016/10/14	Consent to Operate (CTO) valid up to 30/06/2016
18.	2019/05/07	Application for Renewal of CTO
19.	2019/08/24	A site visit by SRO MPCB Aurangabad
20.	2019/10/11	Joint Committee Inspection Report in OA No. 59/2019
21.	2019/10/24	Proposed directions issued by MPCB
22.	2019/11/04	Personal hearing by MPCB
23.	2019/11/05	Interim Orders issued by MPCB
24.	2019/11/14	NGT order in O.A. 59/2019 based on which MPCB to impose Environmental Compensation.
25.	2019/11/20	Reply by Respondent industry to the interim directions along with compliance report
26.	2019/11/28	Refusal of consent to operate by MPCB
27.	2020/01/14	Second Application for renewal of Consent to Operate
28.	2020/01/15	Report received from SRO MPCB Aurangabad
29.	2020/02/18	MPCB Notice for Environmental Compensation
30.	2020/03/05	Received MPCB notice for Environmental Compensation
31.	2020/03/24	Submission of Representation to Member Secretary MPCB
32.	2022/01/10	Letter to MPCB RO Aurangabad
33.	2022/05/06	Appeal to Appellant Authority

		<b>Site-3 (Sasewadi)</b>
34.	-	Consent to Establish (CTE)
35.	2015/04/07	Consent to Operate for Crushed Stone Metal and Stone Dust granted by MPCB for the validity period up to 31/03/2018
36.	2015/11/26	CTO for Ready mix concrete granted for the validity period up to 31/11/2023
37.	2015/11/27	Consent to Operate (CTO) valid up to 31/12/2017
38.	2016/02/23	Renewal of Consent to Operate granted for the validity period up to 31/12/2018
39.	2018/09/10	Consent to Operate for crushed stone metal, stone dust, hot mix and wet mix granted for the validity period up to 31/12/2019
40.	2019/10/23	MPCB direction is based on the visit report of the Joint Committee comprising the member of SEIAA & MPCB as per the Order passed by Hon'ble NGT in O.A. 59/2019.
41.	2019/10/31	MPCB letter for personal hearing
42.	2019/11/04	Personal hearing by MPCB
43.	2019/11/05	Interim Orders issued by MPCB
44.	2019/11/14	NGT order in O.A. 59/2019 based on which MPCB impos Environmental Compensation
45.	2019/11/20	Reply by Respondent industry to the interim directions along with compliance report
46.	2020/01/14	Application for Renewal of CTO
47.	2020/01/15	Report received from SRO MPCB Aurangabad
48.	2022/05/06	Personal hearing by MPCB

49.	2020/02/18	MPCB Notice for Environmental Compensation
50.	2020/03/24	Representation submitted to MPCB
51.	2022/05/06	Appeal to Appellant Authority
		<b>Site-4 (Talewadi)</b>
52.	2015/10/07	Consent to Establish (CTE)
53.	2015/11/20	Consent to Establish granted for the hot and wet mix plant
54.	2015/11/20	Consent to Establish granted for Crushed Stone Metal
55.	2016/04/25	Consent to Operate (CTO) valid up to 31/10/2020
56.	2019/10/23	MPCB Proposed directions u/s 33A of Water (Prevention and Control of Pollution) Act, 1974 and u/s 31 A of Air (Prevention and Control of Pollution) Act, 1981
57.	2019/11/04	Personal hearing by MPCB
58.	2019/11/05	Interim Orders issued by MPCB
59.	2019/11/20	Compliance Report by Industry
60.	2020/02/18	MPCB Notice for Environmental Compensation
61.	2020/03/24	Representation submitted to MPCB by Appellant
62.	2022/05/06	Appeal to Appellant Authority
		<b>Site-5 (Washi)</b>
63.	2014/11/14	Consent to Establish (CTE)
64.	2016/02/23	Consent to Operate (CTO) valid up to 30/09/2016
65.	2017/03/20	Consent to Operate granted for the validity period up to 30/09/2024

66.	2019/08/19	Application for renewal of Consent to Operate
67.	2019/10/23	MPCB direction based on visit report of the Joint committee comprising the member of SEIAA & MPCB as per the Order passed by Hon'ble NGT in O.A. 59/2019.
68.	2019/11/04	Personal hearing by MPCB
69.	2019/11/05	Interim Orders issued by MPCB
70.	2019/11/20	Reply by Appellant industry to the interim directions along with compliance report
71.	2020/02/18	MPCB issued an Environmental Compensation of Rs. 5,31,250. This notice is not received by the Respondent.
72.	2020/03/24	Submission of Representation to Member Secretary MPCB by industry
73.	2022/05/06	Appeal to Appellant Authority

## **MOST RESPECTFULLY SUBMITTED:**

**1.** I, Nileshkumar A. Pathak, am working as Liaison Manager with Respondent No. 5 Modern Road Makers, (hereafter referred to as the **Respondent**) have information from records and have perused the contents of the Original Application. I am authorized to file this affidavit for and on behalf of the respondent.

**2.** Respondent is engaged by the National Highways Authority of India (NHAI) for supplying crushed stone metals and operation of hot mix plants, wet mix, and ready-mix concrete at 5 locations Khed, Murma, Sasewadi, Talewadi, and Washi.

**3.** I deny all the allegations made by the Applicant. Those are false and incorrect. Nothing shall be construed as accepted simply because it was not responded to.

**4.** I am submitting this affidavit in reply on the basis of the information available at that moment. I crave leave to file the additional affidavit and rejoinder once the other respondents file their affidavit.

**5.** Respondent had valid 'Consent to Operate' (hereafter called CTO). The operation of the plant has been dismantled and discontinued after the validity of the CTO. **[Ax. R2 ■]**. The tabular details regarding the consent issued date and its validity period for each unit are already provided. After the expiry of the CTO, the application for the renewal of the CTO was filed for each unit on different dates, which is still pending at MPCB. However, since the expiry of the CTO, plants are non-operative and dismantled and infructuous.

**1.** The details of the 'Consent to Operate' and its validity for

each unit are as given below;

Unit Name	CTO Received	Validity of CTO	Non-operative from
Khed	23/02/2016	31/12/2018	05/11/2018
Sasewadi	23/02/2016	31/12/2018	12/02/2019
Washi	20/03/2017	30/03/2024	07/09/2019
Talewadi	25/04/2016	31/10/2020	27/02/2020
Murma	14/10/2016	30/06/2019	14/01/2019

**6.** The Respondent has piously implemented all the conditions of the 'Consent to Operate' and also those applicable to the Respondent as a vendor as per Environmental Clearance granted to NHAI [Ax. R1 ■] for rehabilitation and upgradation of the existing 2 lanes and 4 lanes of the Aurangabad section of NH 211 in Maharashtra along with C2O granted to Modern Road Makers Pvt. Ltd for the Osmanabad plant.

**7.** MPCB has imposed the Environmental Compensation to all five sites of the Respondent, as per the Hon'ble Tribunal direction dated 14/11/2019, without following '*the principle of natural justice*', i.e., without hearing the side of the Respondent against the imposed Environmental Compensation.

**8.** On 14/11/2019 Hon'ble Tribunal directed the MPCB to calculate the Environmental Compensation but does not mention or directed which method should be used. MPCB has calculated the compensation without determining whether there was environmental degradation of any parameters, to what degree, whether it exceeded the standards, OR whether it caused any harm or damage to the environment. [Ax. R4 ■]

## **Page 288 Para 5:**

*5. "The State Pollution Control Board (PCB) on the other hand had been directed to assess the Environmental Compensation against the 5 hot mix plants and also to take appropriate action in respect of the other non-compliances and to ensure that the deficiencies indicated in the report of the Committee were addressed. Action taken report was also called for from the State PCB."*

**9.** Through this direction Hon'ble Tribunal has not directed MPCB to bypass the statutory and legal provisions of the Water Act, Air Act or Environmental Protection Acts. In another word, it means that MPCB needs to check the nature of the violation and imposed Environmental Compensation on the basis of the scientific finding of the MPCB rather than simply using the mathematic ready-made formula of CPCB.

**10.** The directions given in the notice and affidavit are not speaking directions. The notice does not speak under which Act and which section or provision/s, this environmental compensation was imposed. **[Ax. R5 ■]**

## **Page 335 Para 3: (Specimen Notice for Khed Unit)**

*"In view of the above, you are hereby directed to pay an amount of Rs 5,81,250/- (Rs Five lacs eighty-one thousand two hundred fifty only) Environmental compensation assessed on "Polluter Payas" principal for air pollution control measures noncompliance and formula framed by CPCB for calculation of Environmental compensation. The Environmental compensation has been assessed on the record produced by Sub Regional Officer at Latur to comply with the order passed by the Hon'ble National Green Tribunal."*

**11.** Also, this notice does not show various parameters that were sampled as per the provisions of the Water (Prevention and Control of Pollution) Act 1974 and/or Air (Prevention and Control of Pollution) Act 1981, and/or Environment (Protection) Act 1986. It doesn't mention the parameters and stipulated standards against which the pollution or environmental damage has been found. The issued notice also does not clarify the qualitative ascertainment of damage, the degree of violation against the specified standards of various parameters and the quantified approximate environmental alleged damage caused due to it; and the cost of restoration.

**12.** More so, the environmental compensation has been assessed without taking cognizance of the submissions or replies made by the Respondent between a personal hearing dated 04/11/2019. It was informed to MPCB that the plant has not been working since after the expiry of the CTO. Each unit has closed its operation on a different date as mentioned in above mentioned table. The MPCB also kept aside the reply and compliance submitted by the Respondent on 20/11/2019 to the interim directions issued by the MPCB on 05/11/2019.

**[Ax. R3 ■]**

**13.** Aggrieved by the notice imposing Environmental Compensation, on 18/02/2020, the Respondent made a representation to the Member Secretary-MPCB on 24/03/2020 requesting the review, correct, proper reassessment, and recalculation of the Environmental Compensation for damage to the environment, on the basis of the lawful evidence sampling data to be collected as required.

**14.** After this submission also, no cognizance has been taken by the MPCB therefore Respondent filed an appeal on 06/05/2022 **[Ax. R6 ■]** to Hon'ble Appellant Authority as per

the provision of the Water (P&CP) Act 1974 and the Air (P&CP) Act 1981.

**15.** As such, thereafter, a formal first statutory appeal was filed by the Respondent, which is pending before Hon'ble 'Appellant Authority' under the Water/Air Acts.

## **ABOUT THE RESPONDENT AND LOCATION**

**16.** Modern Road Makers Pvt. Ltd. all units are located outside of the villages and near the road construction sites. The Respondent was engaged by the National Highways Authority of India (NHAI) for supplying crushed stone metals and operation hot mix plants, wet mix, and ready-mix concrete which has been granted combined 'Consent to Operate'. These units were not stand-alone separate commercial units. These were part of the NHAI road widening activity for which EC was granted. These plants were part of the road-widening activity. No separate EC or Consent is required for mixing concrete OR making hot-mix. Even then Respondent obtained the Consent to know the precautions which were followed. The Respondent's units were not in operation after the expiry of the valid period of the CTO for Crushed Stone Metal, Hot Mix, & Wet Mix, and Ready-Mix Concrete. The units were in operation till the validity of the CTO only. The operation of the plants has been stopped/discontinued due to the non-requirement of products at the project site. The application for the renewal of CTO was filed to MPCB, as and by way of abundant precaution, which is still pending. Those have become infructuous now anyways, as the plants were not operated after the expiry of Consents

**17.** Industry is located away from the habitation which is as per the Condition no. xxi imposed in the 'Environmental Clearance' for rehabilitation and up-gradation of the existing 2

lanes to 4 lanes of Yedshi to Aurangabad Section of NH-211 from km 00.000 to km 100.00" in the state of Maharashtra by M/s NHAII.

**18.** Activity is located on barren / No such more crop production land as per the 'Environmental Clearance' to avoid the adverse impact on the human population. There is no human settlement, no ecologically sensitive area, or flora/fauna getting affected by the plant.

**19.** The Respondent units were of the captive type of units which provide the material to NHAII and only NH -211 only.

## **WRONGFUL COMPUTATION OF THE ENVIRONMENTAL COMPENSATION**

**20.** The number of days considered for the calculation of Environmental Compensation does not have a valid reason. The plant was always compliant with environmental norms and consent conditions. There is no adverse report. The days of violation have not been counted. The dismantled and closed plant, which is not operative, can't be called to be violating.

**21.** MPCB has probably calculated Environmental Compensation based on the formula evolved by CPCB in OA 593/2017 Paryavaran Suraksha Samiti v/s UoI. The facts of this case are entirely different from that of the present case. The Guidelines evolved are to be applied OR used only when specifically documented pre-conditions are met. The above case was of the Municipal Corporation and damage to the environment by not providing the STPs. Here the allegations are of the nature of air pollution, which are totally different set of facts.

**2. Apart from the above, may please note that**

**environmental compensation for damage to the environment was not done by considering the following important points:**

- a) The Respondent industry was not a party to the above NGT Application. The cause of pollution and issues deliberated in that matter were quite different and not at all the same as in this present case.
- b) There is no provision incorporated in any Act, Rule, or Gazette Notification to en-masse apply such computation to all cases of violations.
- c) Such power of adjudication eventually imposing damages or Environmental Compensation is not vested with the CPCB / MPCB under the Act
- d) Such powers are not delegated to CPCB / MPCB by the Hon'ble Tribunal as well.
- e) Industry was not given Directions u/s. 5 in this matter by CPCB or MPCB, which were not followed or complied with.
- f) No personal hearing was granted to the industry after the calculation of the Environmental Compensation.
- g) The submissions made by the Respondent were not considered while calculating the Environmental Compensation.
- h) There was no violation as alleged, which could have been explained with facts and reports.
- i) The law evidence sample was not collected in accordance with the specific provision u/s 26 (2) of Air (Prevention and Control of Pollution) Act 1981 and u/s 21(2) of the Water (Prevention and Control of Pollution) Act 1974. Hon'ble

Tribunal has not asked to bypass or circumvent the provisions of the Water / Air Act in this regard.

- j) The alleged incremental pollution in Ambient Air Quality, due to the industry, was not monitored at the site OR even calculated.
- k) No stack emission checked or degree of violation against the prescribed standards is stated.
- l) There is no generation of industrial effluent and this is not considered while calculating the Environmental Compensation.
- m) The formula evolved by CPCB is case specific and is not the law or even the empirical truth that can be applied to all classes of industries.
- n) The formula has a major defect. It doesn't recognize or consider the quantitative or the degree of violation. The same formula comes to effect for computation of damage, which is totally indifferent to the pollutants, degree of violation, and potential of the pollutant to pollute or damage the environment. The uncertainty in sample grab collection and the variation in source or grab sample results are totally ignored.
- o) The marks given to industries for categorization or classification have been used as a factor for calculating the fine. It will be like marks given to the height or weight or colour of the person to compute the fine to be imposed for a PUC traffic violation. There is no scientific linkage of marks given for categorization, in determining the environmentally damaging potency of the alleged polluting parameter.

- p) Factors used in the formula have no study backup data as to how that links the Environmental Compensation or damage caused to the environment, even approximately. As such the formula is based on the random facts selected which have relevance but no mathematical truth in arriving at the Rupee value of Environmental Compensation.
- q) MPCB should not do the adjudication, particularly when MPCB is the beneficiary of the Environmental Compensation to be paid.
- r) No SCN was given to the industry after unilateral computation of environmental damage and sought the say of the industry on it.
- s) There is no damage to the environment pointed out in this present case which needs to be cured, treated, restored and/or the remediation cost associated with that.
- t) Allegation of violation is of YES / NO type, but the degree of violation is not considered in the formula at all.
- u) The data to be collected has to be representative, of the composite weighted sample over the period of time, as specified in the standard. e.g. AAQS are for a period of 24 hr. AAQ data as per the standard itself is for the area and not for the industry in particular. The random one-time measurement at a location can't be the basis to determine the contribution of pollution from industry.
- v) The source data variation itself is over 200 to 300%, whereas the action and compensation are being calculated on YES/NO results, without there being any computation with regards to the number of parameters that exceeded the standards, degree of exceeding of standards, which is totally incorrect and is an injustice to industry and

environment, both.

- w) There are a large number of environmental heads of pollution and associated standards with it. e.g., In AAQS, there are 12 criteria pollutants. In effluent discharge standards, there are say 6 criteria pollutants in discharge standards. The industry doesn't have gaseous emissions. What was measured was only Particulate Matter.
- x) Effluent, Hazardous waste and Noise pollution are not considered in the formula used by CPCB.
- y) There would be more than 12 AAQ, 2 Noise and 5 Effluent parameters that are stipulated as environmental standards. Even if the industry violates any one parameter, then its impact on the environment needs to be checked but this provision is not given in the used formula of CPCB.
- z) When Act has provided for some formal way of adjudication or prosecution, the same can't be bypassed by the MPCB.
- aa) The proper adjudication and determination of environmental compensation for damage to the environment can't be done away by following such ad-hoc unscientific formula.
- bb) The MPCB has published a circular dated 12/07/2022 regarding the 'penal fees'. The dues of fees, if any, for the past period, have to be calculated on this basis.

## **ALLEGATIONS AGAINST RESPONDENT NO. 5 MODERN ROAD MAKERS**

### **Allegation Page No. 10, Point a**

Violation of the Consent to operate (25/02/2016) Condition.

■ **REPLY:** The Respondent has not violated any of the conditions of the 'Consent to Operate'. **The inspection was done only when the plant operation had stopped and the plant was dismantled and shifted.** As such the plant was non-functional and non-operational at that time.

**Allegation Page No. 10, Point No. b**

Causing water and air pollution in the surrounding area.

■ **REPLY:** The plant was in an open area along the roadside. There was no air or water pollution caused by the plant, beyond permissible limits. There is no data submitted by the applicant to support their wild baseless allegation to show that there were violations.

**Allegation Page No. 11, Point No. c**

Not providing wind-breaking walls within the stone-crushing premises, it causes damage to the agricultural yields.

■ **REPLY:** Wind breaking wall was provided all along the boundary of the premises by the green net and teen sheet. The site visit and photo are from after the operations were closed. There is no data submitted by the applicant to support their wild baseless allegation.

**Allegation Page No. 11, Point No. d**

The industry has not provided the adequate height of stack at the hot mix plant and has not covered Material Transfer Point with the teen sheet.

■ **REPLY:** Adequate chimney was provided during the period of operation. The material was shifted in the covered trucks, except for the hot mix. This sticky material can't fly with the wind and being hot, can't be covered with the sheet. The dry material was covered with the sheets and water used to be sprinkled on it.

**Allegation Page No. 11, Point No. e**

ETP plant is not in operation, it causes water pollution in the surrounding area.

■ **REPLY:** No effluent was generated that left the premises. Sprinkled water was just sufficient to keep the mix wet.

**Allegation Page No. 11, Point No. f**

No water sprinklers are installed at RMC plants

■ **REPLY:** Water sprinklers were provided during the period of operation.

**Allegation Page No. 11, Point No. f**

No Tree plantation on the premises.

■ **REPLY:** Road building is a progressive moving activity. Plants were of temporary nature and the land was not owned by the Respondents. As such trees can't be planted on someone else's land. **NHAI on the contrary has planted more than 2,72,532 trees (ref: AiR 24/01/2022)**

**Allegation Page No. 11, Point No. g**

The granted Consent has already expired and the unit is operating without consent.

■ **REPLY:** The plants were operated as per the issued consent to operate by MPCB whereas it was operative only on a temporary basis. Now the plant is closed and dismantled.

**Allegation Page No. 11, Point No. h**

Respondent No. 2 to 5 has committed violations of the terms and conditions of Environment Clearance dated 23/06/2014 and Consent to operate dated 25/02/2016.

■ **REPLY:** Respondents have not violated the conditions of the 'Consent to Operate'. There is no data to substantiate that. MPCB Visit Report 10/01/2020 has categorically mentioned that the plant was closed during the visit and it was dismantled.

**Allegation Page No. 12, Point No. h**

Respondent No. 5 has not taken any effective steps to comply with said proposed directions dated 06/02/2019.

■ **REPLY:** These directions forthwith complied while the plant was operative. However, the plant itself was temporary and captive for the purpose. It stopped operations as soon as road construction moved beyond its serving reach of decided km.

### **Allegation Page No. 12, Point No.9**

Respondents No. 2,3 & 4 respectively have not ensured the development of a green belt along the project road to reduce dust and air pollution levels, the condition regarding cutting of minimum trees, providing rainwater harvesting along the project road, type of trees to be planted to control dust and noise pollution and to protect Dyanodaya Mahavidyalaya students from dust and noise pollution etc

**REPLY:** Many of the conditions are of the nature that can be complied with when the plant is on the land owned by the plant. Road building is a progressively moving activity. It moves further with the road site. The total project of the road building has the EC issued to the PP. The road-building contractor and his activities are covered under it. As already stated above massive tree plantation is done by the NHAI.

### **Allegation Page No. 14, Point No. a**

Respondent No. 5 has not operated its Crusher Plant and the Ready-Mix Plant (RMC) in a scientific manner.

■ **REPLY:** All the road-building construction activities were done in an environmentally conscious manner. Specific conditions imposed on the road-building contractor were complied with, as laid down in the 'Consent to Operate'.

### **Allegation Page No. 11, Point No. a**

No installation of pollution control equipment at the project site and also Respondent No. 5

■ **REPLY:** The plants were temporary and were on open land rented out on a temporary basis. The plant was finally dismantled along with all control equipment etc.

**22.** Respondent states that all the allegations are bald, and unsupported without any scientific data or report or measurement. As such those can't be relied upon. **The local social workers have their demands that are not met by us. These frivolous complaints are an outcome of that. The monitoring report annexed by the applicant is based on spot sampling and was not related to the emissions from the plant. Ambient Air Quality is resultant of the traffic on construction roads and not due to emissions from the RMC or hot mix plant. The applicant carried out the sampling for a single time from Highway, not from plant area, which cannot be considered the representative sampling or result for a whole week or month or year.**

**23.** The Show Cause Notice issued by MPCB was replied to. The directions issued by MPCB were forthwith complied, with by taking corrective action. The penalty imposed by MPCB is not acceptable on various grounds. Hence as provided in the Act, a statutory appeal has been filed by making payment of appeal fees. The same is pending before the 'Appellate Authority' and shall be dealt with in accordance with the Act.

24. In light of the above, Respondent say and submits that the application needs to be dismissed on the ground of non-maintainability and merit. The statutory Appeal is pending before the Appellant Authority. There is no reason to keep this OA pending. This OA may be disposed of as the final order of the Authority is anyways appealable.

AND for this act of kindness, as duty bound shall ever pray.

Place: Mumbai  
Date: 07/04/2023

*[Signature]* x  
**Deponent -Modern Road Makers  
Respondent No. 5**



### VERIFICATION & AFFIDAVIT

I Nileshkumar A. Pathak, age 53 years, resident of Pushpkunj Society, I.G. Marg, Nadiad, Gujarat do hereby verify that the contents of paras 1 to 23 are true to my personal knowledge and paras 1 to 23 are believed to be true on legal advice and that I have not suppressed any material fact. Further, the translation of it has been explained to me in brief. वरील अर्जाचा गोषवारा मला मराठीतून समजावून सांगतिला व मला समजला, व तो मी सांगतिल्यानुसार बरोबर आहे.

I have made the above affidavit on solemn affirmation and oath.

Place: Mumbai  
Date: 07/04/2023  
Identified by & signed before me:

*[Signature]* x  
**Modern Road Makers  
BEFORE ME DEPONENT**

*[Signature]*



**NARAYAN P. B. GAUSWAMI  
ADVOCATE & NOTARY  
REG. No. 760  
GOVT. OF GUJARAT - INDIA  
SR. No. N 1547/2019  
DATE:- 7 APR 2023**





ભારત સરકાર  
Government of India

[Redacted]

આધાર - સામુદાય સેવાઓ અધિકાર

*[Handwritten signature]*



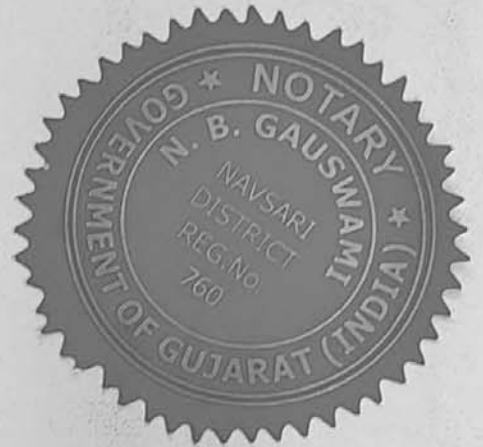
[Redacted]

1987 1800 220 1347

1800 220 1347

www.india.gov.in

Advocate R. B. Mahabal रघुनाथ भालचंद्र महाबळ  
BE(Mech), ME(Prod)VJTI, CE, FIE, LLM, IIE Arbitrator, [MAH/349/2012]  
Home: A-202, Chandravijay Society, Opp. Bansuri Hotel,  
Phule Road, Mulund East, Mumbai-400081, Maharashtra.  
Email: adv.rbmahabal@gmail.com Cell: 7400116222



BEFORE ME

*[Handwritten Signature]*

NARAYANPURI B. GAUSWAMI  
ADVOCATE & NOTARY  
REG. No: 760

GOVT. OF GUJARAT - INDIA

SR. No.

1547/2023

DATE:-

17 APR 2023



F.No.10-53/2012-IA.III  
Government of India  
Ministry of Environment & Forests  
(IA-III Section)

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi - 110 003,

Dated: 23<sup>rd</sup> June, 2014

To  
The Chief General Manager (LA),  
M/s National Highways Authority of India,  
G- 5&6, Sector - 10, Dwarka,  
New Delhi - 110075

Contact Person Details:  
Shri S.P. Sharma,  
Tel. No. 011-25074100, 25074200  
Fax No. 011-25093543

Subject: Environmental Clearance for rehabilitation and up-gradation of existing 2 lane to 4 lane of Yedshi to Aurangabad Section of NH-211 from km 100.000 to km 290.00 in the State of Maharashtra by M/s NHAI - Reg.

This has reference to your letter No: 1013/1/2k/GM(Env.)/401 dated 10.12.2013 and subsequent letter dated 24.02.2014 seeking prior Environmental Clearance under the Environment Impact Assessment Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification - 2006 and on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP, Public Hearing and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meeting held on 26<sup>th</sup> - 28<sup>th</sup> December, 2013.

2. It is inter-alia, noted that the proposal involves rehabilitation and up-gradation of existing 2 lane to 4 lane of Yedshi to Aurangabad Section of NH-211 from km 100.000 to km 290.00 in the State of Maharashtra. The project road Section of National Highway-211 starts from existing km 100.000 near Yedshi and ends at existing km 290.200 at Aurangabad and passes through Osmanabad, Beed, Jalna and Aurangabad Districts of the State of Maharashtra. The length of the project road is 190.200 km. The major settlement enroute are Chausala, Beed, Gevrai, Shahgard, Adul, Pachod, etc. The land use pattern on either side of 10 km of the project road is predominantly agriculture followed by habitation area. The project road does not pass through any ecological sensitive area/National Park/Sanctuaries etc. Pockets of reserved forest are located along the existing RoW between km 105.040 to km 105.750 (RHS), km 113.400 to km 113.460 (LHS), km 113.415 to km 113.700 (RHS), km 120.275 to km 120.350 (RHS), km 127.800 to km 127.811 (LHS), km 160.750 to km 161.200 (RHS), km 162.100 to km 162.350 (RHS), km 162.175 to km 162.225 (LHS) and at km 162.450 to km 162.500 (LHS) of

1

T.C.



NH-211. This project involve 3.384 ha diversion of reserved forest land. The proposed land acquisition is 825.00 ha. This includes 144.201 ha of Government land, 3.384 ha. of Forest land, 628.755 ha. of Private land and rest 48.66 ha. of other land. The existing Right of Way is generally 30 m. The proposed right of way is 60 m except at interchanges, toll plaza and other project facilities. There is proposal for 6 nos. of bypasses/realignments. The existing road has 5 nos. of Major bridges, 49 nos. of Minor bridges and 145 nos. of Culverts. It is proposed to retain with repair and widening 3 nos. of existing Major Bridges, 28 nos. of existing Minor Bridges, 139 nos. of culverts. Apart from these there will be provision of proposed 2 nos. of new Major Bridges, 29 nos. of new Minor Bridges and 63 nos. of new Culverts. All the new structures are proposed in the new bypasses/realignments. There is a proposal of 17 nos. Pedestrian/Cattle underpasses, 13 nos. of Vehicular Underpass, 6 nos. of Flyovers, 1 nos. ROBs and 28 nos. of Bus bays on either side of the road. The project road will have provision of 4 no. of Truck laybys, 2 nos. of Rest areas cum Wayside amenities, Toll Plazas at 3 locations, High mast light at 3 locations and start and end point of all bypasses, Street Light at 16 locations for 11.400 km, Service roads of 69.200 km. A total number of 34050 roadside trees fall with proposed ROW. Tree loss will be minimized by restricting tree cutting within formation width. Avenue plantation will be carried out as per IRC SP: 21: 2009 on available ROW apart from statutory requirements. Approximately 647.6 KL/Day water will be required for the project during construction stage for the entire project. To meet this requirement about 40 percent will be abstracted from Surface water source and rest from Ground water source with proper requisite permission from concerned department 1663 nos. of structures will be affected due to widening of this section. The NHAI shall compensate to the authorized owner as per NHAI Act, 1956. Approximately 9,89,087 cum of fly ash proposed to be used from Parli Thermal Power Plant depending upon their availability. The proposed safety measures will be provided as per IRC: 67 and 4-laning Manuals. The total estimated Project Civil Cost is approximately Rs. 1407.34 Crores, EMP cost is Rs. 10.62 crores and R & R Cost is Rs. 185.37 crores.

3. The above proposal was considered in the 115<sup>th</sup> EAC meeting held on 16<sup>th</sup> - 17<sup>th</sup> August, 2012 and finalized ToR including conduct of Public Hearing. Public hearing was conducted in four districts on 18.09.2013 at Jalna, on 27.09.2013 at Bccd, on 11.10.2013 at Aurangabad and on 22.10.2013 at Osmanabad. Major issues are compensation.

4. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environmental Clearance for the project. Accordingly, the Ministry hereby accords necessary Environmental Clearance for the above project as per the provisions of EIA Notification, 2006, subject to strict compliance of the terms and conditions as follows:

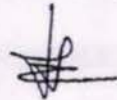
5. **SPECIFIC CONDITIONS:**

- (i) The proposal indicates the diversion of 3.384 ha forests land for which the proponent shall obtain the requisite FC. The proponent can execute the above project on the entire stretch located in non-forest land and while making application to get FC, the execution of work on non-forest



land shall not be cited as a reason for grant of FC and in case FC is declined, width of the portion of road falling in the forest land shall be maintained at its existing level, as per the undertaking submitted vide letter no.1013/1/2k/GM(Env)/27 dated 24.02.2014.

- (ii) It is indicated that 27380 nos. trees fall within the proposed RoW, however, bare minimum trees should be cut and information of the same should be provided. Necessary permission from competent authority shall be obtained for tree cutting. Necessary compensatory plantation shall be carried out and cost provision should be made for regular maintenance.
- (iii) Pedestrian crossing shall be provided at Khadethanpur village as assured by the PP during the Public hearing
- (iv) Rain water harvesting including oil and grease trap shall be provided. Water harvesting structures shall be located at every 500 mts along the road. Vertical drain type rainwater harvesting structures shall be set up to minimize surface runoff losses of rainwater.
- (v) R&R shall be as per the guidelines of NHAI/State/Central Government whichever is higher.
- (vi) IRC guidelines shall be followed for widening & up-gradation of road.
- (vii) The responses/commitments made during public hearing shall be complied with letter and spirit.
- (viii) All the recommendation of the EMP shall be complied with letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.
- (ix) Green belt development shall be undertaken as suggested in EMP.
- (x) The seismic nature of the area shall be taken into account while designing the project.
- (xi) The project proponent shall obtain necessary permission from the State Irrigation Department before drawing water from the river sources for the purpose of the proposed construction activity.
- (xii) Sidewalk shall be provided along the bridges.
- (xiii) The drain shall be at least 1 m. away from the toe of the embankment of the road adopting IRC guidelines.
- (xiv) Longitudinal drains shall be provided all along the project road to ensure proper drainage of the area. In addition, adequate number of



under passes and culverts to act as cross drainage structures shall also be provided.

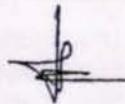
- (xv) The solid waste generated shall be used for rehabilitating the borrow areas.
- (xvi) For providing safety to the crossing animals and avoid road accidents speed breakers/rumbled strips shall be constructed at the identified locations of the animal movements. Enough hoardings and signages shall also be put up for the public and vehicles convenience.
- (xvii) Minimum of three times the number of trees to be cut shall be planted. It shall be ensured that the trees planted as a part of the afforestation shall be looked after by NHAI. Tree plantation shall be of the same species/local species and survival shall be monitored. Transplantation of trees shall be carried out wherever possible. The tree plantation shall be taken up on the extreme end of the road.
- (xviii) Necessary clearance from the State Government shall be obtained for extraction of sand from the rivers.
- (xix) Proper signage shall be installed at appropriate locations for the convenience of the traffic movement.
- (xx) The embankments/slopes and the slopes left after cutting shall be provided with vegetative turning to avoid soil erosion.
- (xxi) The hot mix plant shall be located at least 500 mts. Away from habitation and on the barren land to avoid its adverse impact on the human population.
- (xxii) Rehabilitation and payment of compensation to the project affected people (PAPs) shall be made as per the policy of the State Government.
- (xxiii) Noise barriers shall be provided at appropriate locations particularly in the areas where the alignment passes through inhabited areas so as to ensure that the noise levels do not exceed the prescribed standards.
- (xxiv) For road safety, IRC guidelines in respect of road signages, service roads, bus bays, inter-sections, pedestrians crossings, etc. shall be strictly adhered to.

6. **GENERAL CONDITIONS:**

- (i) Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.
- (ii) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.



- (iii) Borrow sites for each quarry sites for road construction material and dump sites must be identified keeping in view the following:
- (a) No excavation or dumping on private property is carried out without written consent of the owner.
  - (b) No excavation or dumping shall be allowed on wetlands, forest areas or other ecologically valuable or sensitive locations.
  - (c) Excavation work shall be done in close consultation with the Soil Conservation and Watershed Development Agencies working in the area, and
  - (d) Construction spoils including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they shall not leach into the ground water.
- (iv) The construction material shall be obtained only from approved quarries. In case new quarries are to be opened, specific approvals from the competent authority shall be obtained in this regard.
- (v) Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.
- (vi) Borrow pits and other scars created during the road construction shall be properly levelled and treated.
- (vii) Adequate financial provision must be made in the project to implement the aforesaid safeguards.
- (viii) The project proponent will set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
- (ix) Full support shall be extended to the officers of this Ministry/ Regional Office by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.
- (x) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry regarding the implementation of the stipulated conditions.
- (xi) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.




- (xii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (xiii) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
- (xiv) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- (xv) A copy of the clearance letter shall be marked to concerned Panchayat/ local NGO, if any, from whom any suggestion/representation has been made received while processing the proposal.
- (xvi) Safety provision such as bus bays, service roads intersection improvement etc., will be carried out by the project proponent. The project proponent shall provide adequate facilities as per IRC norms/ guidelines.
- (xvii) State Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days.

7. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 2006, including the amendments and rules made thereafter.

8. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

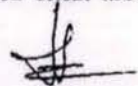
9. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional Office of this Ministry.

10. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

 6



11. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.
12. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.
13. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
14. The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of Clearance conditions and shall also be sent to the respective Regional Office of MoEF by e-mail.



(Lalit Kapur)  
Director (IA-III)

Copy to:

- (1) The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai - 400 032.
- (2) The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
- (3) The Chairman, Maharashtra Pollution Control Board, Mumbai.
- (4) The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No. 3, Ravishankar Nagar, Bhopal - 462016 (M.P.)
- (5) Guard File.
- (6) Monitoring Cell.



(Lalit Kapur)  
Director (IA-III)

0/c-

Issued by Referral  
25/6/19



## MAHARASHTRA POLLUTION CONTROL BOARD

Grams : PREPOLL

Tel. : (0240)2473462/63

Fax : (0240)2473461



Regional Office :

Paryavaran Bhavan, Plot No. A -4/1, MIDC,  
Chikalthana, Behind Dainik Lokpatra, Near  
Seth Nandlal Dhoot Hospital,  
Jalna Road, Aurangabad - 431210

RED/SSI. EIC No. AD-16151-14

Consent No. MPCB/ROA/LG/OSMD/E-25/98/O/C- 05/34/2015 Date:- 29/01/2015

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 Authorisation/Renewal of Authorisation under Rule 5 of the Hazardous Wastes (Management, Handling & Trans-boundry Movement) Rules, 2008. [To be referred as Water Act, Air Act and HW(MH&TM) Rules, respectively].

Consent is hereby granted to **M/s. Modern Road Makers Pvt. Ltd., Gat No. 264/1, 263, 264/2, At Khed, Tq. & Dist: Osmanabad.**

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

1. The Consent is granted for a period upto : **31/12/2015.**

(i) The validity of the authorisation granted under HW(M&H) Rules, 1989 and amendment Rules, 2003 will be upto above consent period after which the industry shall submit a fresh application for authorisation.

2. The Consent is valid for the manufacture of :

Sr.No.	Product	Maximum Quantity
1.	<b>Crushed Stone Metal</b>	<b>30000 Brass/Year</b>
2.	<b>Ready Mix Concrete</b>	<b>3000 MT/M</b>
3.	<b>Hot Mix &amp; Wet Mix</b>	<b>20000 MT/M (each)</b>

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 **0.4 M<sup>3</sup>**

iii) Trade Effluent :

Treatment : The applicant shall provide comprehensive treatment system consisting of primary/secondary and / or tertiary treatment as is warranted with reference to the effluent quality and operate and maintain the same continuously so as to achieve the quality of the effluent to the following standards :

1) pH	Between	--
2) Suspended Solids	Not to exceed	-- mg/l.
3) B.O.D. 3 days 27 °C	Not to exceed	-- mg/l.
4) C.O.D.	Not to exceed	-- mg/l.
5) Oil & Grease	Not to exceed	-- mg/l.
6) T.D.S.	Not to exceed	-- mg/l.
7) Chlorides	Not to exceed	-- mg/l.
8) Sulphates	Not to exceed	-- mg/l.

*(Handwritten signature and date)*  
28/1/15

T.C.

*(Handwritten signature)*

:2:

- iv) Trade Effluent Disposal : --
- v) Sewage Effluent Treatment : The applicant shall provide comprehensive treatment system as is warranted with reference to effluent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards :

Suspended Solids	Not to exceed	100 mg/l.
B.O.D. 3 days 27 °C	Not to exceed	100 mg/l.

- vi) Sewage Effluent Disposal : Treated domestic effluent shall be allowed to soak into pit, which shall be got cleaned periodically & overflow thereof shall be used on land for gardening within the premises.

- vii) Non-Hazardous Solid Waste :

Type of Waste	Quantity	Treatment	Disposal
---------------	----------	-----------	----------

- viii) Other Conditions : --

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) & Cess Amendment Act, 2003 and Rules made thereunder (if applicable). The industry falls in -- category of the Cess Act and the rules made thereunder.

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

a) Domestic	0.5	CMD.
b) Industrial Processing (for mixing)		
i) Generating Bio-degradable Waste )mixing)	2.0	CMD.
ii) Generating Non-bio-degradable Waste	--	CMD.
c) Industrial Cooling (for spraying)	3.0	CMD.
d) Gardening/Agriculture	--	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 :

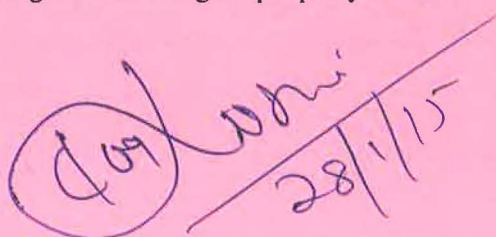
- i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to the generations and operate and maintain the same continuously so as to achieve the level of pollutants of the following standards :

Standards for Emission of Air Pollution :

i) SPM	Not to exceed	150 mg/N m <sup>3</sup>
ii) SO <sub>2</sub>	Not to exceed	kg/day.

Control Equipments : The Suspended Particulate Matter contribution value at a distance of 40 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. This unit must also adopt the following pollution control measures.

- 1) Dust containment cum suppression system for the equipment.
- 2) Construction of wind breaking walls.
- 3) Construction of the metalled roads within the premises.
- 4) Regular cleaning and wetting of the ground within the premises.
- 5) Growing of a green belt along the periphery.


  
 28/1/15

(I) 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 between 6 a.m. to 10 p.m. and night time is reckoned between 10 p.m. to 6 a.m.

ii) The applicant shall observe the following fuel pattern :

Sr.No.	Type of Fuel	Quantity
1.	White Coal	1500 MT/M
2.	Diesel	1780 Ltr/day

iii) The applicant shall erect the chimney/s of the following specifications :

Sr.No.	Chimney attached to	Ht. in Mtrs.
1.	Hot Mix Plant	21 mtr.
2.	D.G. Set (750 KVA, 1000 KVA & 200 KVA)	3.5 mtr. each above roof.

#### Conditions for D.G. Set :

- 1) Industry should provide acoustic enclosure to control of noise. The acoustic enclosure/acoustic treatment of the room should be designed for minimum 25 dB(A) insertion loss or for 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.
  - 2) 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.
  - 3) Installation of DG Set must be strictly in compliance with recommend actions of DG Set manufacturer.
  - 4) 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.
  - 5) The DG Set shall be operated only in case of power failure.
  - 6) The applicant should not cause any nuisance in the surrounding area due to operation of the DG Set.
- iv) The applicant shall provide ports in the chimney/s and facilities such as ladder, platform, etc. for monitoring the air emissions and same shall be opened for inspection to/and for use of the Board staff. The chimney/s vents attached to various sources of emission shall designated by numbers such as S-1, S-2, etc. and these shall be painted/displayed to facilitate identification.
- v) Whenever due to any accident or other unforeseen act or event, 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 equipments, the production process connected to it shall be stopped.
- vi) Other conditions :
- 1) The industry shall not cause any nuisance to the surrounding area.
  - 2) The industry shall monitor the stack and/or ambient air quality regularly.
  - 3) The site shall be located at about 1.0 km. away from Solapur-Dhule National Highway and about 3.0 km. away from village Khed.

28/1/15

4) As per the Board's circular No. BO/RO(P&P)/TB/B-779 dated 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair, Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

6. CONDITIONS UNDER HW (MH&TM) RULES, 2008 & AMENDMENT RULES :

i) The applicant shall handle hazardous waste as specified below :

Sr.No.	Waste Category No.	Type of Waste	Quantity
--------	--------------------	---------------	----------

The industry shall not generate any hazardous waste.

ii) Treatment :- --

ii) The authorisation is hereby granted to operate facility of collection, storage, transport and disposal of hazardous waste.

7. The applicant shall comply with the General Conditions as stipulated under Annexure-I enclosed.

8. The capital investment of the plant is **Rs. 8.04 Cr. Only.**

(P.M. Joshi)  
Regional Officer.

(When consent issuing authority is other than Member Secretary), state -

Name : P.M. Joshi.  
Designation : Regional Officer.  
Office Address : Regional Office,  
Maharashtra Pollution Control Board,  
Paryavaran Bhavan, Plot No. A-4/1,  
MIDC Area Chikalthana, Behind Daynik Lokpatra  
Near Seth Nandlal Dhoot Hospital, Jalna Road,  
Aurangabad-431 210.

To,

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

Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Consent fees of **Rs. 25100/-** received vide

D.D. No. **565279** dated **25/11/2014**

Drawn on **State Bank of India.**

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, **Latur.**

Copy to Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

# MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0240-2473461/62/63

Fax : 0240-2473462

Email : roaurangabad@mpcb.gov.  
in



Regional Office:

Paryavaran Bhavan, Plot No.A-4/1,MIDC  
Chikalthana, Behind Dainik Lokpatra, Near Seth  
Nandlal Dhoot Hospital Jalna Road,Aurangabad-  
431210

ORANGE/SSI

Date: 14/10/2016

Consent No: MPCB-16/1610000218

MPCB/ROA/ABD/E-25/98/E/O/C-735/519/2016

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 & Transboundry Movement) Rules 2008

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

CONSENT is hereby granted to

M/s. Modern Road Makers Pvt. Ltd.,  
Gat No. 172 & 174, Village Murma,  
Tq. Paithan,  
Dist: Aurangabad.

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: **30/06/2019**.

2)The Consent is valid for the manufacture of -

Sr. No.	Product Name	Maximum Quantity	UOM
1	Crushed Stone Metal	30000	Brass/A
2	Hot Mix	20000	MT/M
3	Wet Mix	20000	MT/M
4	Ready Mix Concrete	30000	MT/M

### 3) CONDITIONS UNDER WATER ACT:

- The daily quantity of trade effluent from the factory shall be Nil
- The daily quantity of sewage effluent from the factory shall not exceed 1.5 M3.
- Trade Effluent : Nil
- Treatment: Nil
- Trade Effluent Disposal: NA
- 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.

REGIONAL OFFICE M.P.C.B.  
AURANGABAD

(2) BOD 3 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.

(vii) **Non-Hazardous Solid Wastes:**

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

(viii) **Other Conditions:**

- 1) Industry should monitor effluent quality regularly.
- 2) The industry shall monitor the stack and ambient air quality regularly.
- 3) As per the board's circular no. BO/RO (P & P)/TB/B-779 dtd 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

**(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 ...  | 2.00 CMD |
| (ii) Water gets Polluted & Pollutants are Biodegradable, ...            | 0.00 CMD |
| (iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic ... | 3.00 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:**

1. *Industry shall provide dust collector of sufficient capacity to control the emissions.*

**b) The suspended particulate matter contribution value at a distance of 3 to 10 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. These units must also adopt the following pollution control measures.**

1. **Dust containment cum suppression system for the equipments.**
2. **Construction of wind breaking walls.**
3. **Construction of the metalled roads within the premises.**
4. **Regular cleaning and wetting of the ground within the premises.**
5. **Growing of a green belt along the periphery.**



6. *Water sprinkling arrangement shall be provided and operated continuously.*

*No stone crushing/hot mix activity will be allowed within 500 mtrs. From National Highway, 200 mtrs. From State Highway and 100 mtrs. From other roads such as major district road, other district road or village roads. Also crusher shall be located 500 mtrs. Away from human habitation.*

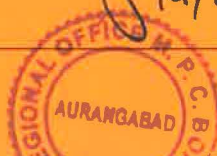
**c) Control Equipment for Hot Mix Plant:-**

1. *Drum mix machine shall be maintained with dust collector followed by scrubbing system of sufficient capacity to limit emissions.*
2. *Closed silo will be used for addition of cement in concrete making plant to avoid fugitive emission of particulate matter.*
3. *Water sprinkling arrangement at the vent (6 m height) is proposed for Hot Mix Plant before emitting flue gas through its vent with recirculation system so as to avoid particulate matter emission.*
4. *Closed silo will be used for addition of dust at Wet Mix Macadam Plant to avoid fugitive emission of particulate matter.*
5. *Construction of the metallic roads within the premises.*
6. *Regular cleaning and wetting of the ground within the premises.*
7. *Growing of a green belt along the periphery.*

**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.

*Dargu* 14/10



**Standards for Stack Emissions:**

- i) SPM --- Not to exceed 150µg/Nm<sup>3</sup>
- ii) SO<sub>2</sub> --- Not to exceed ---Kg/day

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

Sr. No.	Type Of Fuel	Quantity	UOM
1	LDO	280	Lit/Day.

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

Sr. No.	Chimney Attached To	Height in Mtrs.
1	Hot Mix Plant	11.
2	Scrubber	11
2	D.G. Set (750 KVA)	5 mtr.

- (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.

**(7) CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDRY MOVEMENT) RULES, 2008:**

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

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

**The industry shall not generate any hazardous waste**

(ii) Treatment: - NIL

- 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 equipments, 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 & Transboundary Movement) Rules 2008 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 & Transboundary Movement) Rules, 2008 and shown & submitted to the Board as & when asked for.

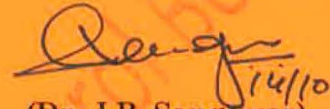
**(8) Industry shall comply with following additional conditions:**

- i. The applicant shall maintain good housekeeping and take adequate measures for control of pollution from all sources so as not to cause nuisance to surrounding area / inhabitants.
- ii. The applicant shall bring minimum 33% of the available open land under green coverage/ tree plantation.
- iii. Solid waste – The non hazardous solid waste arising in the factory premises, sweepings, etc., be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the applicant to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of discharge, temperature or the mode of the effluent / emissions or hazardous wastes or control equipment's provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous wastes to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- vii. **The applicant shall make an application for renewal of the consent at least 60 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, the Environmental Statement Report for the financial year ending 31<sup>st</sup> March in the prescribed Form-V as pre the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
- ix. An inspection book shall be opened and made available to the Board's officers 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 plants 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 shall not be construed any relaxation from obtaining necessary No Objection Certificate from other Government Agencies as may deemed fit necessary.
- 10) **The Capital investment of the industry is Rs. 845.50 Lakh Only.**
- 11) **The Board reserves the rights to add/amend/revoke any condition in this consent and the same shall be binding on the applicant .**

For and On Behalf of the  
Maharashtra Pollution Control Board,



(Dr. J.B. Sangewar)

Regional Officer, Aurangabad.

To,

**M/s. Modern Road Makers Pvt. Ltd.,  
Gat No. 172 & 174, Village Murma, Tq. Paithan,  
Dist: Aurangabad.**



Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, **Aurangabad.**

Copy to Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

Copy to Master file.

Received Consent fee of -

Sr. No.	Amount(Rs.)	DD. No.	Date	Drawn On
1	75100/-	688343	28/06/2016	S.B.I.

**MAHARASHTRA POLLUTION CONTROL BOARD**

Phone : 0240-2473461/62/63

Fax : 0240-2473462

Email : roaurangabad@mpcb.gov.in



Regional Office:

Paryavaran Bhavan, Plot No.A-4/1,MIDC Chikalthana, Behind Dainik Lokpatra, Near Seth Nandlal Dhoot Hospital Jalna Road,Aurangabad-431210

ORANGE/SSI

Date: 10/09/2018

Consent No. RO-AURANGABAD/CONSENT/ 1809000754

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 & Other Wastes (Management & Transboundary Movement) Rules 2016

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

.....  
 CONSENT is hereby granted to

M/s. Modern Road Makers Pvt. Ltd.,  
 Gat No. 85/1, Sasewadi Shivar,  
 Manjarsumba,  
 Tq. & Dist: Beed.

Located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of H&OW (M&TM) 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: 31/12/2019. *As per*

2)The Consent is valid for the manufacture of -

Sr. No.	Product Name	Maximum Quantity	UOM
1	Crushed Stone Metal	30000	Brass/A
2	Stone Dust	2000	Brass/A
3	Hot Mix	20000	MT/M
4	Wet Mix	20000	MT/M

**3) CONDITIONS UNDER WATER ACT:**

- The daily quantity of trade effluent from the factory shall be Nil
- The daily quantity of sewage effluent from the factory shall not exceed 1.9 M3.
- Trade Effluent : Nil
- Treatment: Nil
- Trade Effluent Disposal: NA
- 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 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.

(vii) **Non-Hazardous Solid Wastes:**

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

(viii) **Other Conditions:**

- 1) Industry should monitor effluent quality regularly.
- 2) The industry shall monitor the stack and ambient air quality regularly.
- 3) As per the board's circular no. BO/RO (P & P)/TB/B-779 dtd 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

**(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  | ... | 2.50 CMD |
| (ii) Water gets Polluted & Pollutants are Biodegradable             | ... | 0.00 CMD |
| (iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic | ... | 0.00 CMD |
| (iv) Industrial Cooling, spraying in mine pits or boiler feed       | ... | 3.00 CMD |
| (v) Gardening/Agriculture   |     | 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:**

1. *Industry shall provide dust collector of sufficient capacity to control the emissions.*

**b) The suspended particulate matter contribution value at a distance of 3 to 10 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. These units must also adopt the following pollution control measures.**

1. *Dust containment cum suppression system for the equipments.*
2. *Construction of wind breaking walls.*
3. *Construction of the metalled roads within the premises.*

4. *Regular cleaning and wetting of the ground within the premises.*
5. *Growing of a green belt along the periphery.*
6. *Water sprinkling arrangement shall be provided and operated continuously.*

*No stone crushing/hot mix activity will be allowed within 500 mtrs. From National Highway, 200 mtrs. From State Highway and 100 mtrs. From other roads such as major district road, other district road or village roads. Also crusher shall be located 500 mtrs. Away from human habitation.*

**c) Control Equipment for Hot Mix Plant:-**

1. *Drum mix machine shall be maintained with dust collector followed by scrubbing system of sufficient capacity to limit emissions.*
2. *Closed silo will be used for addition of cement in concrete making plant to avoid fugitive emission of particulate matter.*
3. *Water sprinkling arrangement at the vent (6 m height) is proposed for Hot Mix Plant before emitting flue gas through its vent with re-circulation system so as to avoid particulate matter emission.*
4. *Closed silo will be used for addition of dust at Wet Mix Macadam Plant to avoid fugitive emission of particulate matter.*
5. *Construction of the metallic roads within the premises.*
6. *Regular cleaning and wetting of the ground within the premises.*
7. *Growing of a green belt along the periphery.*

**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.

**Standards for Stack Emissions:**

- i) SPM --- Not to exceed 150µg/Nm<sup>3</sup>  
 ii) SO<sub>2</sub> --- Not to exceed ---Kg/day
- (i) **The applicant shall observe the following fuel pattern:-**

Sr. No.	Type Of Fuel	Quantity	UOM
1	LDO	280	Ltr/day

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

Sr. No.	Chimney Attached To	Height in Mtrs.
1	Scrubber	11

- (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.

**(7) CONDITIONS UNDER HAZARDOUS & OTHER WASTE (MANAGEMENT & TRANSBOUNDARY MOVEMENT) RULES, 2016:**

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

Sr. No.	Type Of Waste	Quantity	UOM	Disposal
<b>The industry shall not generate any hazardous waste</b>				

- (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 & Other Waste (M&TM) Rules, 2016.

- 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 equipments, 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 & Other Waste (Management & Transboundary Movement) Rules 2016 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 & Other Waste (Management & Transboundary Movement) Rules, 2016 and shown & submitted to the Board as & when asked for.

**(8) 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 to surrounding area / inhabitants.
- ii. The applicant shall bring minimum 33% of the available open land under green coverage/ tree plantation.
- iii. Solid waste – The non hazardous solid waste arising in the factory premises, sweepings, etc., be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the applicant to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of discharge, temperature or the mode of the effluent / emissions or hazardous wastes or control equipment's provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous wastes to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- vii. **The applicant shall make an application for renewal of the consent at least 60 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, the Environmental Statement Report for the financial year ending 31<sup>st</sup> March in the prescribed Form-V as pre the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
- ix. As inspection book shall be opened and made available to the Board's officers 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 plants 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 shall not be construed any relaxation from obtaining necessary No Objection Certificate from other Government Agencies as may deemed fit necessary.
  - 10) The Capital investment of the industry is Rs. 794.00 Lakh Only.
  - 11) The Board reserves the rights to add/amend/revoke any condition in this consent and the same shall be binding on the applicant .
  12. The applicant shall submit the Bank Guarantee of Rs. 50,000/- (Rupees Fifty Thousand Only) within a period of 15 days to be drawn in favour of Regional Officer, Maharashtra Pollution Control Board, Aurangabad which shall be valid for a period of one year towards O & M of pollution control systems.

For and On Behalf of the  
Maharashtra Pollution Control Board,



(A.D. Mohekar)

Regional Officer, Aurangabad.

To,

M/s. Modern Road Makers Pvt. Ltd.,  
Gat No. 85/1, Sasewadi Shivar, Manjarsumba,  
Tq. & Dist: Beed.



Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, Jalna.

Copy to Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

Copy to Master file.

**Received Consent fee of -**

Sr. No.	Amount(Rs.)	TXN No.	Date	Drawn On
1	25000/-	TXN1801000537	05/01/2018	-

# MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0240-2473461/62/63

Fax : 0240-2473462

Email : roaurangabad@mpcb.gov.  
in



Regional Office:

Paryavaran Bhavan, Plot No.A-4/1,MIDC  
Chikalthana, Behind Dainik Lokpatra, Near Seth  
Nandlal Dhoot Hospital Jalna Road,Aurangabad-  
431210

Red/SSI EIC No.AD-  
(Cat.No.R-73)

Date: 25/04/2016

Consent No: **MPCB-16/**

MPCB/ROA/BD/E-25/98/E/O/C- 521/407/2016

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 & Transboundry Movement) Rules 2008

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

CONSENT is hereby granted to

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

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: **31/10/2020**.

2)The Consent is valid for the manufacture of -

Sr. No.	Product Name	Maximum Quantity	UOM
1	Crushed Stone Metal	30000	Brass/A
2	Hot Mix Plant	20000	MT/M
3	Wet Mix	20000	MT/M
4	Ready Mix Concrete	3000	Brass/M

3) **CONDITIONS UNDER WATER ACT:**

- The daily quantity of trade effluent from the factory shall be Nil
- The daily quantity of sewage effluent from the factory shall not exceed 1.5 M3.
- Trade Effluent : Nil**
- Treatment: Nil**
- Trade Effluent Disposal: NA**
- 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.

Received  
Dated: 25/4/16

(2) BOD 3 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.

(vii) **Non-Hazardous Solid Wastes:**

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

(viii) **Other Conditions:**

- 1) Industry should monitor effluent quality regularly.
- 2) The industry shall monitor the stack and ambient air quality regularly.
- 3) As per the board's circular no. BO/RO (P & P)/TB/B-779 dtd 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

**(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 ...  | 2.00 CMD |
| (ii) Water gets Polluted & Pollutants are Biodegradable, ...            | 0.00 CMD |
| (iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic ... | 3.00 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:**

1. *Industry shall provide dust collector of sufficient capacity to control the emissions.*

**b) The suspended particulate matter contribution value at a distance of 3 to 10 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. These units must also adopt the following pollution control measures.**

1. **Dust containment cum suppression system for the equipments.**
2. **Construction of wind breaking walls.**
3. **Construction of the metalled roads within the premises.**
4. **Regular cleaning and wetting of the ground within the premises.**
5. **Growing of a green belt along the periphery.**

6. *Water sprinkling arrangement shall be provided and operated continuously.*

*No stone crushing/hot mix activity will be allowed within 500 mtrs. From National Highway, 200 mtrs. From State Highway and 100 mtrs. From other roads such as major district road, other district road or village roads. Also crusher shall be located 500 mtrs. Away from human habitation.*

**c) Control Equipment for Hot Mix Plant:-**

1. *Drum mix machine shall be maintained with dust collector followed by scrubbing system of sufficient capacity to limit emissions.*
2. *Closed silo will be used for addition of cement in concrete making plant to avoid fugitive emission of particulate matter.*
3. *Water sprinkling arrangement at the vent (6 m height) is proposed for Hot Mix Plant before emitting flue gas through its vent with re-circulation system so as to avoid particulate matter emission.*
4. *Closed silo will be used for addition of dust at Wet Mix Macadam Plant to avoid fugitive emission of particulate matter.*
5. *Construction of the metallic roads within the premises.*
6. *Regular cleaning and wetting of the ground within the premises.*
7. *Growing of a green belt along the periphery.*

**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 set 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.

**Standards for Stack Emissions:**

- i) SPM --- Not to exceed 150µg/Nm<sup>3</sup>
- ii) SO<sub>2</sub> --- Not to exceed ---Kg/day

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

Sr. No.	Type Of Fuel	Quantity	UOM
1	LDO	280	Lit/Day.

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

Sr. No.	Chimney Attached To	Height in Mtrs.
1	Hot Mix Plant	11.
2	Scrubber	11
2	D.G. Set (750 KVA)	5 mtr.

(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.

**(7) CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDRY MOVEMENT) RULES, 2008:**

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

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

**The industry shall not generate any hazardous waste**

(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 (MH&TM) Rules, 2008.

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 equipments, the production process connected to it shall be stopped.

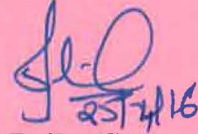
- b. Industry shall obtain registration from CPCB as a re-refiner of Used oil having environmentally sound technology as per the provisions of Hazardous Waste (Management, Handling & Transboundary Movement) Rules 2008 before commencement of production.
- c. The unit has to display and maintain the data 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 & Transboundary Movement) Rules, 2008 and shown & submitted to the Board as & when asked for.

**(8) 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 to surrounding area / inhabitants.
- ii. The applicant shall bring minimum 33% of the available open land under green coverage/ tree plantation.
- iii. Solid waste – The non hazardous solid waste arising in the factory premises, sweepings, etc., be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the applicant to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of discharge, temperature or the mode of the effluent / emissions or hazardous wastes or control equipment's provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous wastes to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- vii. **The applicant shall make an application for renewal of the consent at least 60 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, the Environmental Statement Report for the financial year ending 31<sup>st</sup> March in the prescribed Form-V as per the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
- ix. An inspection book shall be opened and made available to the Board's officers 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 plants 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 shall not be construed any relaxation from obtaining necessary No Objection Certificate from other Government Agencies as may deemed fit necessary.
- 10) **The Capital investment of the industry is Rs. 402.00 Lacks Only.**
- 11) **The Board reserves the rights to add/amend/revoke any condition in this consent and the same shall be binding on the applicant .**
- 12) **The applicant shall submit a Bank Guarantee of Rs. 5.0 Lacs within one month to be drawn in favour of Regional Officer, Maharashtra Pollution Control Board, Aurangabad towards O & M of pollution control devices which shall be valid for a period of one year.**

For and On Behalf of the  
Maharashtra Pollution Control Board,



(D.B. Patil)

Regional Officer, Aurangabad.

To,

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



Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, Jalna.

Copy to Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

Copy to Master file.

**Received Consent fee of -**

Sr. No.	Amount(Rs.)	DD. No.	Date	Drawn On
1	75100/-	250166	10/02/2016	SBI

# MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0240-2473461/62/63

Fax : 0240-2473462

Email : roaurangabad@mpcb.gov.in



Regional Office:

Paryavaran Bhavan, Plot No.A-4/1,MIDC Chikalthana, Behind Dainik Lokpatra, Near Seth Nandlal Dhoot Hospital Jalna Road,Aurangabad-431210

Orange/SSI EIC No.AD-  
Consent No: **MPCB-17/**

Date: 20/03/17

MPCB/ROA/LTR/E-25/98/E/C-1703001318

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 & Transboundry Movement) Rules 2008

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

CONSENT is hereby granted to

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

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: 30/09/2024.

2)The Consent is valid for the manufacture of -

Sr. No.	Product Name	Maximum Quantity	UOM
1	Crushed Stone Metal	30000.0	Brass/A.
2	Ready Mix Concrete	3000.0	MT/M
3	Hot Mix & Wet Mix	20000	MT/M

3) CONDITIONS UNDER WATER ACT:

- The daily quantity of trade effluent from the factory shall be Nil
- The daily quantity of sewage effluent from the factory shall not exceed 0.4 M3.
- Trade Effluent : Nil
- Treatment: Nil
- Trade Effluent Disposal: NA
- 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.

- Suspended Solids Not to exceed 100 mg/l.
- BOD 3 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.

(vii) **Non-Hazardous Solid Wastes:**

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

(viii) **Other Conditions:**

- 1) Industry should monitor effluent quality regularly.
- 2) The industry shall monitor the stack and ambient air quality regularly.
- 3) As per the board's circular no. BO/RO (P & P)/TB/B-779 dtd 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

**(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  | ... | 0.5 CMD  |
| (ii) Water gets Polluted & Pollutants are Biodegradable             | ... | 0.00 CMD |
| (iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic | ... | 0.00 CMD |
| (iv) Industrial Cooling, spraying in mine pits or boiler feed       | ... | 3.0 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.

*The suspended particulate matter contribution value at a distance of 3 to 10 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. These units must also adopt the following pollution control measures.*

1. Dust containment cum suppression system for the equipments.
2. Construction of wind breaking walls.
3. Construction of the metalled roads within the premises.
4. Regular cleaning and wetting of the ground within the premises.
5. Growing of a green belt along the periphery.
6. Water sprinkling arrangement shall be provided and operated continuously.

*No stone crushing activity will be allowed within 500 mtrs. From National Highway, 200 mtrs. From State Highway and 100 mtrs. From other roads such as major district road, other district road or village roads. Also crusher shall be located 500 mtrs. Away from human habitation.*

**c) Control Equipment for Hot Mix Plant:-**

1. *Drum mix machine shall be maintained with dust collector followed by scrubbing system of sufficient capacity to limit emissions.*
2. *Closed silo will be used for addition of cement in concrete making plant to avoid fugitive emission of particulate matter.*
3. *Water sprinkling arrangement at the vent (6 m height) is proposed for Hot Mix Plant before emitting flue gas through its vent with re-circulation system so as to avoid particulate matter emission.*
4. *Closed silo will be used for addition of dust at Wet Mix Macadam Plant to avoid fugitive emission of particulate matter.*
5. *Construction of the metallic roads within the premises.*
6. *Regular cleaning and wetting of the ground within the premises.*
7. *Growing of a green belt along the periphery.*

**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.

*Sangeeta*  
21/3

**Standards for Stack Emissions:**

- i) SPM --- Not to exceed 150µg/Nm<sup>3</sup>
- ii) SO<sub>2</sub> --- Not to exceed ---Kg/day

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

Sr. No.	Type Of Fuel	Quantity	UOM
1	White Coal	15.0	MT/M.
2	Diesel	1780.0	Lit/Day.

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

Sr. No.	Chimney Attached To	Height in Mtrs.
1	Hot Mix Plant	
2	DG Set-I (1000 KVA)	6.5
2	DG Set-II (750 KVA)	5.5
3	DG Set-III (200 KVA)	3.0

- (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.

**(7) CONDITIONS UNDER HAZARDOUS WASTE (MANAGEMENT, HANDLING & TRANSBOUNDRY MOVEMENT) RULES, 2016:**

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

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

**The industry shall not generate any hazardous waste**

(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 equipments, 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.

**(8) 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 to surrounding area / inhabitants.
- ii. The applicant shall bring minimum 33% of the available open land under green coverage/ tree plantation.
- iii. Solid waste – The non hazardous solid waste arising in the factory premises, sweepings, etc., be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the applicant to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of discharge, temperature or the mode of the effluent / emissions or hazardous wastes or control equipment's provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous wastes to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- vii. The applicant shall make an application for renewal of the consent at least 60 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, the Environmental Statement Report for the financial year ending 31<sup>st</sup> March in the prescribed Form-V as pre the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
- ix. As inspection book shall be opened and made available to the Board's officers 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 plants 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) The Capital investment of the industry is Rs. 804.00 Lacks. As per the declaration of the industry.

10) The Board reserves the rights to add/amend/revoke any condition in this consent and the same shall be binding on the applicant .

For and On Behalf of the  
 Maharashtra Pollution Control Board,



(Dr. J.B. Sangewar)

Regional Officer, Aurangabad

To,  
 M/s. Modern Road Makers Pvt,Ltd.  
 Gat.No.-89 At-Washi  
 Tal.-Washi, Dist.-Osmanabad.

Received Consent fee of -

Sr. No.	Amount(Rs.)	DD. No.	Date	Drawn On
1	100000/-	NEFT	26/10/2016	State Bank of India

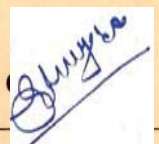
Copy forwarded to:

The Sub - Regional Officer, MPC Board, - Latur- information & follow-up.

Copy to:

Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

T.C.



# 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, Chikalhana,  
 Near Dhoot Hospital, Jalna Road,  
 Aurangabad - 431 210.

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

No. MPCB/ROA/ID/ /2019  
 To, 1911050004

Date : 05/11/2019

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

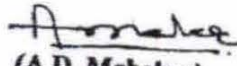
Sub:- **Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.**

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.

T.C.



# 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, Chikalhana,  
 Near Dhoot Hospital, Jalna Road,  
 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.

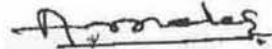
This refers to the Proposed Direction issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 04/11/2019. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings:

- 1) The project proponent shall install wind breaking wall at stone crushing plant before restart of said plant.
- 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 install two level tyre washing facility at entry & exit points for transit mixture vehicle at RMC plant before restart of said plant.
- 5) The project proponent shall install bag house at storage of cement & fly ash Silos at RMC plant before restart of said plant.
- 6) The project proponent shall install bag house at mixing section of cement, aggregate & sand at RMC plant before restart of said plant.
- 7) The project proponent shall install rooftop water sprinkling arrangement at the storage area of aggregate & sand at RMC plant before restart of said plant.
- 8) The project proponent shall carry out air quality monitoring twice in a week for 24 hours during the operational phase of RMC plant.

*Dear Sir,  
 Received on MPCB Portal  
 For your information & directives.*

- 9) 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.
- 10) The project proponent shall do the adequate plantation before restart of said plants.
- 11) 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.

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, Aurangabad 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

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.

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

No. MPCB/ROA/ID/ /2019

Date :- 05/11/2019

To,

1911050002

**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.**

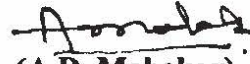
**Ref.:-** 1) Proposed Direction issued by this office vide letter No. MPCB/ROA/PD/1910230003/2019 dated 23/10/2019.  
 2) Personal hearing extended on 04/11/2019.

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.

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, Jalna 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

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.

**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.

  
(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, Jalna 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

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



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

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

No. MPCB/ROA/ID/ /2019

Date :- 05/11/2019

To,

1911050003

**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.



(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.

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 59/2019 (WZ)

Sakharam Asaram Kale & Anr.

Applicant(s)

Versus

The Regional Officer, MPCB & Ors.

Respondent(s)

Date of hearing: 14.11.2019

**CORAM: HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Nitin Lonkar and Ms. Sonali Suryawanshi, Advocates

For Respondent (s): Ms. Mansi Joshi, Advocate for Respondent No. 1.

**ORDER**

1. The applicant alleges violation of conditions of the Environmental Clearance by the Respondent No. 4 while undertaking rehabilitation and upgradation work connected with National Highway 211 from 100 kms to 290 Kms.
2. Report was called for from the Committee comprising of the Maharashtra Pollution Control Board (MPCB) and the State Level Environment Assessment Authority (SEIAA) vide order dated 03.09.2019. The committee had been directed to inspect the work in question and verify on the factual aspects and to submit a report.

3. On 17.10.2019, it had been brought to our notice that about 27,380 trees had already been felled illegally that required to be looked into. It had been noted that the Committee in its earlier report had noticed the inadequacy of plantation undertaken by the Respondent No. 4 and also the serious question with regard to survival rate of the plantations.
4. We, therefore, directed the Department of Forest, Government of Maharashtra to submit a separate report with regard to the allegations of felling of trees and the PCCF (HoFF), Maharashtra, had been directed to ensure that an effective report is filed after proper verification in the light of the conditions of the Environmental Clearance (EC), one of which would be to seek Forest Clearance (FC) wherever felling of trees in forest areas is involved.
5. The State Pollution Control Board (PCB) on the other hand had been directed to assess the Environmental Compensation against the 5 hot mix plants and also to take appropriate action in respect of the other non-compliances and to ensure that the deficiencies indicated in the report of the Committee were addressed. Action taken report was also called for from the State PCB.
6. The State PCB has filed its report *vide* email dated 13.11.2019 which indicates that interim directions had been issued under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 on 05.11.2019 to all the 5 hot mix units of

M/s. Modern Road Makers Pvt. Ltd. directing the units to operate only after compliance of the air pollution control system. It is stated that Environmental Compensation has been assessed against each of the units in terms of the guidelines of the Central Pollution Control Board (CPCB), details of which have been provided in a table which is reproduced below:

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, 264/4, 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-Georal 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: Aurangabad	73	Rs. 4,56,2508/-
	Total	401	Rs. 25,06,250/-"

7. The report, however, is silent as to whether the assessed Environmental Compensations have been recovered from the polluting units or not. It is also not clear as to how the period of violation has been calculated as such period should be relatable to

the actual period of violation. The State PCB shall file an affidavit explaining the above position before the next date.

8. As regards report from the Forest Department, Government of Maharashtra, is concerned, it appears that the PCCF (HoFF), Maharashtra had not been intimated of the direction and, therefore, it is assumed that report has not been filed by him as directed. Let a copy of the order dated 17.10.2019 and this order be transmitted to the PCCF (HoFF), Maharashtra for compliance.
9. The Applicant shall furnish a complete set of papers to facilitate him to complete the exercise.
10. List on 21.01.2020.

S. P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

14<sup>th</sup> November, 2019  
O.A. NO. 59/2019(WZ)  
avt

# 291

**Raghunath B. Mahabadi** रघुनाथ भालचंद्र महाबाळ  
B.E.(Mech.), M.E.(Indl. Management) VJTI Mumbai, FIE, CE, LL.M., Arbitrator

# AX-R6

**Advocate - High Court Mumbai & National Green Tribunal**

Flat Nos. A-201/202/203, B-201/202/203, 302, Chandravijay Hsg. Society,  
Opp. Bansuri Hotel, Mahatma Phule Road, Mulund East, Mumbai-400081.

Phone: 7400116222 Email: [adv.rbmahabal@gmail.com](mailto:adv.rbmahabal@gmail.com)



06/05/2022

To

**THE APPELLATE AUTHORITY**

CONSTITUTED UNDER THE PROVISIONS OF THE  
WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974  
& THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981  
C/o. The Principal Secretary,

**Environment Department, Government of Maharashtra**

15<sup>th</sup> Floor, New Administration Building,  
Madam Cama Road, Nariman Point, Mumbai-400032.

Respondent:

**Maharashtra Pollution Control Board** through The Member Secretary,  
3<sup>rd</sup> floor, Kalptaru Point, Sion East, Mumbai – 400022.

Subject: **Appeal against the imposition of Rs. 5,81,250/- as  
Environmental Compensation.**

Client: **M/s Modern Road Makers Pvt. Ltd. Gat No.264/1,263,264/2, At  
Village Khed, Tal. & Dist. Osmanabad.**

Sir,

1. I am concerned for my clients as above. As per the instructions received, I am filing an appeal against the imposition of **Rs. 5,81,250/-** as Environmental Compensation. Appeal fees of Rs.100/- have been paid on **04.03.2022** through Google pay (payment receipt enclosed).
2. This first statutory appeal as provided in the Act/s. The Appeal is required to be filed within a period of 30 days, from the date of communication of order, The formal date of the direction is 05.11.2019. But after the receipt of the notice immediately Appellant submitted the representation to the Respondent but till today the Appellant does not receive any information for a call for a hearing from the Respondent There is no delay in filing this appeal. We request you to kindly consider taking note of this and request you not to take any coercive action, without giving us an opportunity of hearing us. We shall be serving you the copy of the Appeal set by hand delivery.

Yours faithfully,



**Raghunath Mahabadi, Advocate**

Enclosure: Copy of the Appeal Fees paid.

Copy to: Regional Office and Sub-Regional Office, MPCB, Mumbai

T.C.

# 292

## BEFORE THE APPELLATE AUTHORITY

[CONSTITUTED UNDER WATER (PREVENTION AND CONTROL OF POLLUTION) ACT 1974 AND AIR (PREVENTION AND CONTROL OF POLLUTION) ACT 1981]

C/o. Environment Department, Maharashtra Government,  
Room No.217, Mantralay Annexe, First Floor,  
Madam Cama Road, Nariman Point, Mumbai-400032

APPEAL NO. \_\_\_\_\_ OF 2022

BETWEEN

Modern Road Makers Pvt. Ltd.

.....

Appellant

VERSUS

Maharashtra Pollution Control Board

.....

Respondent

**APPEAL UNDER S.28 OF WATER (PREVENTION & CONTROL OF POLLUTION) ACT 1974 AND S.31 OF AIR (PREVENTION & CONTROL OF POLLUTION) ACT 1981 AGAINST THE ORDER IMPOSING ENVIRONMENTAL COMPENSATION.**

**INDEX ON NEXT PAGE**

FILED BY:

Date: 06/05/2022

Place: Mumbai



A handwritten signature in blue ink, appearing to read "R.B. Mahabai".

**R.B.Mahabai रघुनाथ भालचंद्र महाबळ**

BE (Mechanical), ME (Industrial Management) VJTI-Mumbai, LLM (Mumbai)  
Chartered Engineer, Fellow of Indian Institution of Engineers, IIE Arbitrator  
ex-Govt. Environmental Laboratory Analyst, NABET Accredited EIA Consultant

**Advocate National Green Tribunal**  
Bombay High Court [Roll No.MAH/349/2012]

B - 202, Chandravijay Society, Opposite Bansuri Hotel,  
Phule Road, Mulund East, Mumbai 400081, Maharashtra  
mahabal60@gmail.com 7400116222 / 022-21631573

# 293

## INDEX

No.	Ax.	Date yy/mm/dd	Particulars	Page No.
1.	-	-	Abbreviations Used	3
2.	-	-	Contact details of all parties	4
3.	-	-	Synopsis	5
4.	-	-	List of sequential events	7
5.	-	-	<b>Memorandum of Appeal</b>	8
6.	<b>A</b>	2014/11/14	Consent to Establish	21
7.	<b>B</b>	2015/01/29	Consent to Operate	25
8.	<b>C</b>	2019/08/19	Application for renewal of Consent to Operate	29
9.	<b>D</b>	2019/11/05	Interim orders issued by the MPCB	39
10.	<b>E</b>	2020/01/15	Compliance report by Appellant	40
11.	<b>F</b>	2020/02/18	Notice for payment of Environmental Compensation	44
12.	-	-	Vakalatnama	46-46

**LIST OF ABBREVIATIONS USED**

<b>Short-form</b>	<b>Full-form</b>
<b>MRMPL</b>	Modern Road Makers Pvt. Ltd.
<b>BOT</b>	Build-Operate-Transfer
<b>NHAI</b>	National Highways Authority of India
<b>OA</b>	Original Application
<b>C2O</b>	Consent to Operate
<b>MPCB</b>	Maharashtra Pollution Control Board
<b>CPCB</b>	Central Pollution Control Board
<b>MoEF&amp;CC</b>	Ministry of Environment, Forest and Climate Change
<b>RO</b>	Regional Officer
<b>AAQMS</b>	Ambient Air Quality Monitoring System
<b>AAQ</b>	Ambient Air Quality
<b>SPM</b>	Suspended Particulate Matters
<b>RMC</b>	Ready Mixed Concrete

### **BETWEEN**

**Modern Road Makers Pvt. Ltd.**

..... **Appellant**

Gat No.264/1,263,264/2, At Village Khed,  
Tal. & Dist. Osmanabad

Name: Nileshkumar A. Pathak

Designation: Liaison Manager

Phone: 7767018267

Email: Nilesh.pathak@irb.co.in

### **VERSUS**

**Maharashtra Pollution Control Board,**

..... **Respondent**

3rd Floor, Kalpataru Point,  
Building, Sion (East), Mumbai- 400022

Name: Ashok A. Shingare

Designation: The Member Secretary

Phone: 022-24010706

Email: ms@mpcb.gov.in

# 296

## SYNOPSIS

1. M/s **Modern Road Makers Pvt. Ltd. (MRMPL–Appellant)** is engaged in Build-Operate-Transfer (**BOT**) principle by the National Highways Authority of India (**NHAI**) for supplying crushed stone metals and operation of hot mix plants, wet mix, and ready-mix concrete at Khed, Tal. Osmanabad since 29/01/2015.
2. The Appellant had valid consent to operate (hereafter called C2O) up to 31/12/2015 after which the operation of the plant has been discontinued [**Ax. B□**]. The application for the renewal of consent to operate was filed on 19/08/2019, which is still pending [**Ax. C□**] and now said the plant is not operational from 05.08.2019 and completely dismantled.
3. The Appellant has piously implemented all the conditions of the Environmental Clearance granted to NHAI for rehabilitation and up-gradation of existing 2 lanes and 4 lanes of Yedshi to Aurangabad section of NH 211 in Maharashtra along with C2O granted to Modern Road Makers Pvt. Ltd for the Osmanabad plant.
4. This present Appeal is filed against the Environmental Compensation calculated by Respondent under the Daily Order passed by Hon'ble National Green Tribunal on 17.10.2019 in **O.A. 59/2019 “Mr. Sakharam Asaram Kale & Anr. Vs. Regional Officer MPCB & Ors”**. This notice of environmental compensation of **Rs.5,81,250/-** (Five Lac Eighty-One Thousand Two Hundred Fifty Only) was issued on 18.02.2020 on the Appellant without any supporting data or documents.
5. Appellant has submitted his say to Respondent through Representation but even after continuous follow up of Appellant, Respondent has not replied on the submission and yet pending at

Respondent's level only.

6. Without consideration of the Appellant's submission and decision on it, Respondent continuously sent the notices to pay the amount of environmental compensation.
7. Appellant informed above facts to Hon'ble National Green Tribunal saying that Respondent has not provided the detailed calculation sheet with considered Formula, and references.
8. Hon'ble Tribunal noted the statement admitted by Appellant in its daily order dated 03.12.2021.
9. The Respondent has not submitted the copy of the calculation sheet and baseline data considered by the Respondent for the calculation of Environmental Compensation. Therefore, the Appellant filed an RTI for the concerned office of Respondent which was not answered. Finally, Appellant received the same information from Hon'ble NGT under the application of certified true copy.
10. Appellant went through all the pagers/documents submitted by Respondent to Hon'ble NGT Appellant submitting his objections or observations to Appellate Authority in this form of this appeal. All the Observations and grievances are addressed in the Memorandum of Appeal.

\* \* \*

**LIST OF SEQUENTIAL EVENTS**

<b>Date</b>	<b>Events</b>
2014/11/14	Consent to Establish granted by MPCB
2015/01/29	Consent to Operate granted by MPCB for the validity period up to 31/12/2015
2016/02/23	Renewal of Consent to Operate granted for the validity period up to 31/12/2018
2019/08/19	Application for renewal of Consent to Operate
2019/10/23	MPCB direction on the basis of visit report of the Joint committee comprising a member of SEIAA & MPCB as per the Order passed by Hon'ble NGT in O.A. 59/2019.
2019/10/31	MPCB letter to appear for personal hearing
2019/11/04	Personal hearing by MPCB
2019/11/05	Interim orders issued by the MPCB
2019/11/20	Reply by Appellant industry to the interim directions along with compliance report
2020/02/18	MPCB notice for Environmental Compensation of Rs. 5,81,250.
2020/03/24	Representation submitted to MPCB by Appellant

## MEMORANDUM OF APPEAL

### MOST RESPECTFULLY SUBMITTED

1. Maharashtra Pollution Control Board (MPCB), the Respondent in this present appeal, imposed environmental compensation of **Rs. 5,81,250** via notice dated 18/02/2020 on the Modern Road Makers Pvt. Ltd., the Appellant in this present appeal.
2. This notice was communicated by the Respondent under the garb of directions issued by the Hon'ble National Green Tribunal in "**Sakharam Asaram Kale & Ors. Vs. the Regional Office MPCB & Ors**". (O. A. 59/2019), where the applicant alleged non-compliance with the consent conditions and environmental clearance by the Appellant [Ax. F□].
3. This present Appeal is mainly against the illegal imposition of environmental compensation and the wrongful computation of it, without any law evidence sample OR data. The list of abbreviations used is given at the beginning of this document and the referred documents are annexed at the end of this document. Any other document which is required at the time of the hearing or before the hearing will be submitted as additional documents before this Hon'ble Appellate Authority.
4. The MPCB, while giving inadequate data, documents, and justification for imposing the environmental compensation stated that:

*" you (the Appellant in this case) are operating hot mix plant and you have not installed scrubbing system at Hot Mix Plant, not provided 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, not repaired the metallic road within premises and not done the adequate plantation in the premises and this noncompliance is observed from the recent visit dated **05.08.2019** of official of sub regional office at latur to your unit. So, till the issuance of directions vide ref. 2 (the interim directions issued by MPCB) dated **05.11.2019** total number of days violations are **93 days**.*

*In the above, you are hereby directed to pay an amount of*

*Rs. 5,81,250 environmental compensations assessed on 'Polluter Pays' principle for air pollution control measures non-compliance and formula framed by CPCB for calculation of environmental compensation. The environmental compensation has been assessed on the record produced by Sub Regional Officer at Latur to comply with the order passed by the Hon'ble National Green Tribunal."*

The justification given in the notice and affidavit is inadequate as the notice does not speak about under which Act and which section or provision/s, this environmental compensation was imposed, Also, it does not show various parameters that were sampled as per the provisions of the Water (Prevention and Control of Pollution) Act 1974, Air (Prevention and Control of Pollution) Act 1981, and Environment (Protection) Act 1986 and the parameters on which the pollution or environmental damage has been found. The issued notice also does not clarify the qualitative ascertainment of damage, degree of violation against the specified standards of various parameters and the quantified approximate environmental alleged damage caused due to it; and the cost of restoration.

5. More so, the environmental compensation has been assessed without taking cognizance of the submissions or reply made after a personal hearing by the Appellant where it was presented that the plant has not been working since January 2019. The Respondents also kept aside the reply by the Appellant to the interim directions issued on 05/11/2019 and the compliance report submitted along with it.
6. Therefore, the observation stated in the notice is unfounded especially when the Appellant has left no stone unturned in adopting all possible measures to strictly adhere to the existing pollution control norms and compliance and the consent conditions and Environmental Clearance issued by MoEF&CC to NHAI.
7. Aggrieved by this notice imposing environmental compensation, on 18/02/2020, the Appellant made a representation to the Member Secretary-MPCB on 24/03/2020
8. requesting the review, correct, do proper reassessment, and recalculation of the environmental compensation for damage to the environment, on the basis of the lawful evidence sampling data to be collected

9. However, no response has been received from the Respondent to date, leaving the Appellant with no option but to come with our grievance before this Hon'ble Appellate Authority, as and by way of this formal first statutory Appeal, for considering the facts and points of law, both. Meanwhile, we have submitted one additional letter to MPCB RO Aurangabad on 10.01.2022 regarding the clarification on the applicability of sections of the Water and Air Act used in the issued environmental compensation notice.
10. Respondent does not mention the applicable sections of the Water (Prevention and Control of Pollution) Act 1974 or the Air (Prevention and Control of Pollution) Act 1981 in the issued notice of environmental compensation. But considering the provision of the appeal u/s. 31 of the Air (Prevention & Control of Pollution) Act, 1981 and u/s 28 Water (Prevention & Control of Pollution) Act, 1974 this appeal is filed. This appeal is based on relevant important facts and various grounds as given in detail herein below, without prejudice to each other.

## **ABOUT THE APPELLANT AND LOCATION**

11. Modern Road Makers Pvt. Ltd. is located at Gat no. 264/1, 263, 264/2, at village Khed, Tal & Dist. Osmanabad. The Appellant was engaged by the National Highways Authority of India (NHAI) for supplying crushed stone metals and operation of hot mix plants, wet mix, and ready-mix concrete which has been granted combined consent to operate with the BOT (Built-Operate-Transfer) principle [Ax. B □]. The Appellant Industry is in operation at the said place from 29/01/2015 having valid C2O for Crushed Stone Metal, Hot Mix, & Wet Mix, Ready-Mix Concrete up to 31/12/2018, after which the operation of the plant has been stopped/discontinued due to non-requirement of products at the project site. The application for the renewal of C2O was filed on 19/08/2019, which is still pending.
12. Industry is located away from the habitation which is as per the Condition no. **xxi** imposed in the "Environmental Clearance for rehabilitation and up-gradation of existing 2 lanes to 4 lanes of Yedshi to Aurangabad Section of NH-211 from km 00.000 to km 100.00" in the state of Maharashtra by M/s NHAI Reg.
13. Activity is located on barren land as per the Environmental Clearance to avoid the adverse impact on the human population. There is no human settlement, ecologically

sensitive area, or flora/fauna getting affected by the plant.

## GROUNDS FOR APPEAL

14. The grounds of appeal are also stated in the Synopsis from Point No.6 to 10. Those are not being reproduced to simply avoid duplication. But all those are re-iterated and be treated as an integral part of the pleadings. Any documents, and case laws as may be necessary shall be submitted at the time of arguments.
15. The Appeal is mainly preferred aggrieved by the fact that the Respondents have calculated the environmental compensation without considering the facts on the ground and compliances made by the Appellants on the interim directions given by the Respondent.

## WRONGFUL COMPUTATION OF THE ENVIRONMENTAL COMPENSATION

16. As per the Order passed by Hon'ble National Green Tribunal in O.A. 59/2019 dated 14/11/2019 the Respondents imposed the Environmental Compensation without any supporting document.
17. In an **additional Affidavit dated 24/02/2020** filed before the Hon'ble National Green Tribunal by Respondent, the MPCB states that-

*"The field officer at Latur had visited units on 8/11/2019 and reported that the unit non-complies from 5.08.2019 till issuance of interim directions dated 05.11.2019 and the number of violations is **93 days**. The environment compensation was calculated on the basis of a number of violations of APCs. The officials have again revisited the unit on 10.01.2020 and reported that the unit was not in operation due to the non-requirement of products at the project site and confirm that plant does not comply since 05.08.2019. Therefore, Environmental Compensation has been calculated for 93 violation period as per the **CPCB guidelines**."*

18. Appellant submits that the plant was not functioning since January 2019. If the stone crusher, hot mix & wet mix plant, and RMC plant are not working, there are no emissions from it. There is no chance of any human settlement, ecologically

sensitive area, or flora/fauna getting affected by the plant during the mentioned nonoperating period. The same can be seen reemphasized in the **Additional Affidavit dated 30/09/2020** filed before the Hon'ble National Green Tribunal by Respondent. It states that:

*"During the visit plant machinery of stone crusher and hot mix plant found dismantled, RMC plant is in existence and the RMC plant is not in question..."*

Therefore, the Appellant does not understand how the period of 93 days was calculated, as the plant remained shut even during the claimed period, i.e., from 05.08.2019 to 05.11.2019.

19. Appellant also submits that the formula used by the Respondent has its own serious defects. The above stated **additional Affidavit dated 24/03/2020** further puts light on the formula used by the Respondents to calculate the Environmental Compensation. It states:

*"The Environment Compensation, PI- Pollution Index of Industrial Sector, N- No. of days of violation took place and R- A factor in Rupees for EC, S- factor for the scale of operation, LF- Location Factor*

**The details of the calculation as done by the MPCB towards 'Environmental Compensation' are as follows:**

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

*where;*

**PI** = 50 Pollution Index of Industrial Sector

**N** = 93 No. of days of violation took place

**R** = 250 A factor in Rupees for EC

**S** = 0.5 factor for the scale of operation

**LF** = 1.00 Location Factor

$$\text{Hence EC} = 50 \times 93 \times 250 \times 0.5 \times 1 = \text{Rs. 5,81,250/-}$$

20. Respondent says that MPCB has evaluated/ calculated the environmental compensation as per the formula framed by CPCB. MPCB has calculated environmental compensation based on the formula evolved by CPCB in **O.A. 593/2017 "Paryavaran Suraksha Samiti v/s Uoi"**. The above formula is stated to be accepted by NGT in that matter. However, the

same has not been approved and issued by formal statutory Gazette/Notified by MoEF&CC under the formal Rules under any of the environmental Acts OR issued as and by way of formal statutory binding directions to MPCB.

21. There is no similarity between the facts, circumstances, activity, location, nature of the product, type of emissions, pollutants, and its impact on surrounding environmental settings as well as category of the industry. As such the formula simply won't apply in the present case. This ought to have been considered by the MPCB before applying the formula ad-hoc, ad-valorem basis instead of modifying or applying it *mutatis mutandis* basis. MPCB is the technical board and as such this can't be blindly done by MPCB just because some oversimplified formula is available.
22. Respondent used the formula prescribed by CPCB which is not related to the same type of industry, pollution load, or calculation basis. Respondent used the formula which is prescribed by CPCB in its report under point no. **1.3 (page 3) i.e., Methodology for Assessing Environmental Compensation**. Whereas said formula is applicable to a, b & c type of case i.e.,
  - a) *Discharges in violation of consent conditions, mainly prescribed standards/consent limits.*
  - b) *Not complying with the directions issued, such as direction for closure due to no installation of OCEMS, non-adherence to the action plans submitted, etc.*
  - c) *Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.*

Type 'a' is not applicable in this case because Respondent has not produced the monitoring reports before Hon'ble Tribunal or service to Appellant. Also, this is not applicable to single-time monitoring activity. Type 'b' and 'c' are not related to this industrial activity therefore the applicability of 'b' and 'c' is also not possible.

Therefore, CPCB further submitted in its report:

*"After considering various factors including the policy implementation issues, Committee has come up with the following formula for levying the Environmental*

# 305

*Compensation in instances as mentioned at a, b and c including non-compliance of the environmental standards/violation of directions."*

23. CPCB in its report also recommended that;

*"To begin with, Environmental Compensation may be levied by CPCB only when CPCB has issued the directions under the Environment (Protection) Act, 1986".*

Whereas CPCB or even the Respondent never issued a direction to Appellant under the Environmental (Protection) Act, 1986.

24. The used formula has one more major defect. It doesn't recognize or consider the quantitative degree of violation, environmental settings, or potency of alleged pollution causing damage to the environment. The same formula every time shall give the same answer for computation of damage, which is totally indifferent to the pollutants, degree of violation, and potency of the pollutant to pollute or damage the environment. With the almost 50% uncertainty in grab sample collection (as against the composite sample over the 24-hr period), the variation in source or grab sample results is totally ignored. Most importantly no law evidence samples were ever collected as per s.21 of the Water Act or S.26 of the Air Act. It is a mandatory prescribed statutory requirement by Acts.

25. The marks given to industries for categorization or classification have been used as factors for calculating fine, for which there is no scientific basis at all. The potential of industry AND the actual pollution caused are two entirely different issues. The RED/LARGE industry with proper control can have ZERO violations whereas ORANGE/SSI can cause havoc by careless pollution. **It will be like marks/scores given to the height or weight or colour or caste of the person to compute the fine to be imposed for violation of PUC traffic signal violation.** There is no scientific linkage of marks given for categorization, in determining the environmentally damaging potency of the alleged polluting parameters, or the ascertainment of actual violation and its degree of violation. The sustaining capacity of the environment at that location, which is barren land, has no locus in this formula.

26. Factor used in the formula have no research or study backup data as to how that links the Environmental Compensation or damage caused to the environment, even approximately. As

such the formula is based on the random facts selected which have remote relevance but no mathematical truth in arriving at the Rupee value of Environmental Compensation.

## COMPLIANCES MADE BY THE APPELLANT

27. The second important ground for this appeal is no consideration of the on-ground facts and the compliances made by the Appellant. The following points were missed by the Respondent while calculating the amount of damage done to the environment.

- a. The law evidence sample was not collected in accordance with the specific provision u/s 26 (2) of Air (Prevention and Control of Pollution) Act 1981 and u/s 21(2) of the Water (Prevention and Control of Pollution) Act 1974.
- b. The alleged incremental pollution in Ambient Air Quality, due to the industry, was not monitored at the site OR even calculated.
- c. No stack emission checked or degree of violation against the prescribed standards is stated.
- d. Industrial effluent quantity is NIL therefore there is no cause of pollution due to industrial effluent.
- e. The data to be collected has to be representative of the **composite weighted sample over the period of time**, as specified in the standard. e.g., AAQS are for the period of 24 hr. AAQ data as per the standard itself is for the area and not for the industry in particular. **The random one-time measurement at a location can't be the basis to determine the contribution of pollution from industry.** The location was at the roadside where there was other traffic too. Further, AAQS are not at all the prescribed standards in the 'Consent to Operate'.
- f. The source data variation itself is over 200 to 300%, whereas the action and compensation are being calculated on YES/NO results, without there being any measurement, assessment, computation with regards to a number of parameters that exceeded the standards, degree of exceeding of standards, which is totally incorrect and is an injustice to industry and environment, both.
- g. There are a large number of environmental heads of pollution and associated standards with it. e.g., in AAQS

there are 12 criteria pollutants. In effluent discharge standards, there are at least 6 criteria pollutants in discharge standards. The industry doesn't have gaseous emissions. What was measured was only Particulate Matter concentration in AAQ and not the emissions from the plant. Violation alleged is only in the case of SPM. However, the fact is ignored that the road leading to the industry is unpaved, under construction and SPM from that traffic is the main source of SPM in that area. This fact is not disclosed or rather suppressed in the factual report by MPCB.

h. Effluent, Hazardous waste, and Noise pollution are not there in the industry. Air emissions are there, which is in the form of Particulate Matter only. There were no emissions of SO<sub>2</sub>, NO<sub>x</sub>, HC, CO etc. monitored.

28. The Respondent also did not take cognizance of the reply and the compliance report submitted by the Appellant. It gave interim directions to be followed by the Respondents on 05/11/2019. The Appellant submitted a compliance report on 20/11/2019 which was not considered by the Respondent in calculating and imposing environmental compensation. Here are reproducing the points raised by the Respondent and the reply submitted by the Appellant:

a. **The project proponent, as assured during the personal hearing, shall not operate the stone crusher and RMC plant henceforth**

**Reply:** The operation of stone crushers and RMC plants has been discontinued completely.

b. **The project proponent shall install a scrubbing system at Hot Mix Plant before the restart of said plant**

**Reply:** The hot mix plant is provided with a heavy-duty baghouse, which is designed to control emission/ pollution generated during plant operation.

c. **The project proponent shall install a water sprinkling arrangement at the vent for Hot Mix Plant before emitting flue gas with a recirculation system so as to avoid the emission of the particulate matter before the restart of said plant.**

**Reply:** Water sprinkling is available at the plant.

- d. **The project proponent shall repair the metallic road within premises before the restart of said plant.**

**Reply:** All the approach roads are continuously maintained.

- e. **The project proponent shall do the adequate plantation before the restart of said plants.**

**Reply:** Plantation in plant premises done.

- f. **The project proponent shall submit a Bank Guarantee of Rs. 1 Lakh towards the compliance of the above direction within 15 days period.**

**Reply:** We will operate only the hot mix plant partially when required. So, it is requested to exempt Bank Guarantee.

29. In light of all the above important points that have been overlooked while arriving at the calculations of the environmental compensation, it is absolutely necessary that exercise of environmental compliance and associated damage to the environment has to be done before fastening such a huge amount of compensation.
30. Polluters should certainly pay for the pollution done. But the proper determination must be done before imposing such a penalty or cost of environmental compensation. Whether we have defaulted on environmental emission standards, which parameters, and to what extent also must be determined. Even assuming but without admitting any violation, the same approximate formula can't be applied merely because there was a violation on a count for a parameter within the degree of tolerance or uncertainty.
31. Needless to state, the cost of determination also will be borne by the industry, but this essential step of determination can't be dispensed with.

## **JURISDICTION**

32. This Hon'ble Appellate Authority has the jurisdiction to entertain this present appeal u/s. 31 of the Air (Prevention & Control of Pollution) Act, 1981 and u/s. 28 of Water (Prevention & Control of Pollution) Act, 1974.

## APPEAL FEES

33. Rs.100 has been paid as Appeal Fees through Google pay and the receipt of the same is enclosed for ready reference.

## LIMITATION

34. The Respondents issued the notice imposing Environmental Compensation on 18/02/2020. This notice was received by the Appellant on 25/02/2020 based on it the Appellant submit a representation to the Member Secretary, MPCB on 24/03/2020. However, no action is taken on this representation by the Respondents giving rise to cause of action for the present appeal. The reply from the Respondent has not been received. Further Appellant submitted an additional letter to Respondent on 10.01.2022 regarding the clarification on which provision or section of the Act (either Water or Air Act) was used by Respondent at the time of issuing the environmental compensation notice to Appellant. Therefore, considering the delay by Respondent to reply to the submitted representation of the Appellant as a continuous cause and additional letter submitted to Respondent as a fresh cause of action there is no question of limitation of the time-barred. Therefore, this appeal has been filed well within the stipulated statutory period of 30 days and as such, there is no delay.
35. Hon'ble Supreme Court has extended the limitation period for all the matters with effect from March 2020 to February 2022. Further, since Respondent MPCB has never responded even to the basic legitimate demand to issue the formal order OR direction by mentioning the Act and Section of the Act so as to file the Appeal under appropriate provisions of the Act.

## PRAYER

36. Considering all the facts above, it is hereby prayed that the Hon'ble Appellate Authority be pleased to:
- A. Quash and set aside the order passed by Respondent which is arbitrary, without basis or power under the Act
  - B. Quash and set aside earlier calculations that neither have legal sanction nor technical soundness, basis, or established correlation.

# 310

- C. **Keep the order for depositing the amount in abeyance/pending**, till the fresh report is considered ascertaining the environmental damage if any, and compensation towards that.
- D. **Carry out the inspection of the industry afresh and scientifically assess the damage to the environment, if any, due to non-compliance on the part of the industry.**
- E. Take the fresh **law evidence samples** as may be necessary along with the micrometeorological survey for determination of wind direction and velocity.
- F. Assess the possible damage to the environment by at least actual identification of the recipient bodies, ecological systems, persons, or flora/fauna as the case may be.
- G. Assess the determination of damage to the environment.
- H. Direct the adjudication of the penalty to be done by the civil adjudicating authority provided under the statutes.
- I. If the industry has violated any law, the action may be taken in accordance with the Act and Rules framed thereunder.
- J. If there is the issue of relief, compensation, or restoration of damages, the industry is ready and willing to do it forthwith and/or deposit the Bank Guarantee till this is done as established.
- K. Any other order as deemed fit to meet the ends of justice meet.

AND for your this act of kindness, we shall ever pray as duty-bound.

Place: Mumbai  
Date: 06/05/2022



APPELLANT

# 311

## VERIFICATION

I, Nileshkumar A Pathak, aged about 52 years, authorized signatory of Modern Road Makers Pvt. Ltd., the Appellant herein, do hereby verify that the contents of paras above are believed to be true and correct and that I have not suppressed any material fact.

Place: Mumbai  
Date: 06/05/2022

  
APPELLANT

## AFFIDAVIT

I, Nileshkumar A Pathak, aged about 52 years, resident of Nadiad, Gujrat do hereby state on solemn affirmation and oath that whatever I have stated above is true and correct.

Place: Mumbai  
Date: 06/05/2022

  
APPELLANT

Identified and filed by:

# 312 Ax. A

## MAHARASHTRA POLLUTION CONTROL BOARD

Grams : PREPOLL

Tel. : (0240)2473462/63

Fax : (0240) 2473461



### Regional Office :

Paryavaran Bhavan, Plot No. A -4/1, MIDC,  
Chikalthana, Behind Dainik Lokpatra, Near  
Seth Nandlal Dhoot Hospital,  
Jalna Road, Aurangabad - 431210

### RED/SSI. EIC No. AD-

Consent No. MPCB/ROA/LG/GSMD/E-25/98/E/C- 270/1032

Date:- 14/11/2014

Consent to **Establish** under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorisation/Renewal of Authorisation under Rule 5 of the Hazardous Wastes (Management, Handling & Trans-boundry Movement) Rules, 2008. [To be referred as Water Act, Air Act and HW(MH&TM) Rules, respectively].

Consent is hereby granted to **M/s. Modern Road Makers Pvt. Ltd., Gat No. 264/1, At Khed, Tq. & Dist: Osmanabad.**

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

1. The Consent is granted for a period upto : **Commissioning of Unit or for 5 years whichever is earlier.**

(i) The validity of the authorisation granted under HW(M&H) Rules, 1989 and amendment Rules, 2003 will be upto above consent period after which the industry shall submit a fresh application for authorisation.

2. The Consent is valid for the manufacture of :

Sr.No.	Product	Maximum Quantity
1.	<b>Crushed Stone Metal</b>	<b>30000 Brass/Year</b>
2.	<b>Ready Mix Concrete</b>	<b>3000 MT/M</b>
3.	<b>Hot Mix &amp; Wet Mix</b>	<b>20000 MT/M (each)</b>

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 **0.4 M<sup>3</sup>**

iii) Trade Effluent :

Treatment : The applicant shall provide comprehensive treatment system consisting of primary/secondary and / or tertiary treatment as is warranted with reference to the effluent quality and operate and maintain the same continuously so as to achieve the quality of the effluent to the following standards :

	Between	--
1) pH	Between	--
2) Suspended Solids	Not to exceed	-- mg/l.
3) B.O.D. 3 days 27 °C	Not to exceed	-- mg/l.
4) C.O.D.	Not to exceed	-- mg/l.
5) Oil & Grease	Not to exceed	-- mg/l.
6) T.D.S.	Not to exceed	-- mg/l.
7) Chlorides	Not to exceed	-- mg/l.
8) Sulphates	Not to exceed	-- mg/l.



*(Signature)*  
14/11/14

T.C.

*(Signature)*

: 2 :

- iv) Trade Effluent Disposal : --
- v) Sewage Effluent Treatment : The applicant shall provide comprehensive treatment system as is warranted with reference to effluent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards :

Suspended Solids	Not to exceed	100 mg/l.
B.O.D. 3 days 27 °C	Not to exceed	100 mg/l.

- vi) Sewage Effluent Disposal : Treated domestic effluent shall be allowed to soak into pit, which shall be got cleaned periodically & overflow thereof shall be used on land for gardening within the premises.
- vii) Non-Hazardous Solid Waste :
- | Type of Waste | Quantity | Treatment | Disposal |
|---------------|----------|-----------|----------|
| --            | --       | --        | --       |
- viii) Other Conditions : --

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) & Cess Amendment Act, 2003 and Rules made thereunder (if applicable). The industry falls in -- category of the Cess Act and the rules made thereunder.

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

a) Domestic	<b>0.5</b>	CMD.
b) Industrial Processing (for mixing)		
i) Generating Bio-degradable Waste	<b>2.0</b>	CMD.
ii) Generating Non-bio-degradable Waste	--	CMD.
c) Industrial Cooling (for spraying)	<b>3.0</b>	CMD.
d) Gardening/Agriculture	--	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 :**

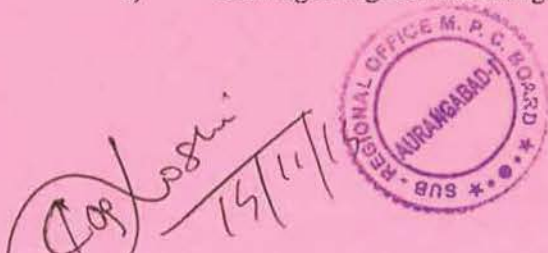
- i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to the generation and operate and maintain the same continuously so as to achieve the level of pollutants of the following standards :

Standards for Emission of Air Pollution :

i) SPM	Not to exceed	150 mg/N m <sup>3</sup>
ii) SO <sub>2</sub>	Not to exceed	kg/day.

Control Equipments : The Suspended Particulate Matter contribution value at a distance of 40 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. This unit must also adopt the following pollution control measures.

- 1) Dust containment cum suppression system for the equipment.
- 2) Construction of wind breaking walls.
- 3) Construction of the metalled roads within the premises.
- 4) Regular cleaning and wetting of the ground within the premises.
- 5) Growing of a green belt along the periphery.



: 3 :

(I) 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 between 6 a.m. to 10 p.m. and night time is reckoned between 10 p.m. to 6 a.m.

ii) The applicant shall observe the following fuel pattern :

Sr.No.	Type of Fuel	Quantity
1.	White Coal	1500 MT/M
2.	Diesel	1780 Ltr/day

iii) The applicant shall erect the chimney/s of the following specifications :

Sr.No.	Chimney attached to	Ht. in Mtrs.
1.	Hot Mix Plant	21 mtr.
2.	D.G. Set (750 KVA, 1000 KVA & 200 KVA)	3.5 mtr. each above roof.

**Conditions for D.G. Set :**

- 1) Industry should provide acoustic enclosure to control of noise. The acoustic enclosure/acoustic treatment of the room should be designed for minimum 25 dB(A) insertion loss or for 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.
  - 2) 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.
  - 3) Installation of DG Set must be strictly in compliance with recommend actions of DG Set manufacturer.
  - 4) 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.
  - 5) The DG Set shall be operated only in case of power failure.
  - 6) The applicant should not cause any nuisance in the surrounding area due to operation of the DG Set.
- iv) The applicant shall provide ports in the chimney/s and facilities such as ladder, platform, etc. for monitoring the air emissions and same shall be opened for inspection to/and for use of the Board staff. The chimney/s vents attached to various sources of emission shall designated by numbers such as S-1, S-2, etc. and these shall be painted/displayed to facilitate identification.
- v) Whenever due to any accident or other unforeseen act or event, 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 equipments, the production process connected to it shall be stopped.
- vi) Other conditions :
- 1) The industry shall not cause any nuisance to the surrounding area.
  - 2) The industry shall monitor the stack and/or ambient air quality regularly.
  - 3) The site shall be located at about 1.0 km. away from Solapur-Dhule National Highway and about 3.0 km. away from village Khed.

*(Signature)*  
15/11/15



: 4 :

4) As per the Board's circular No. BO/RO(P&P)/TB/B-779 dated 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair, Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

6. CONDITIONS UNDER HW (MH&TM) RULES, 2008 & AMENDMENT RULES :

i) The applicant shall handle hazardous waste as specified below :

Sr.No.	Waste Category No.	Type of Waste	Quantity
--------	--------------------	---------------	----------

The industry shall not generate any hazardous waste.

ii) Treatment :-

ii) The authorisation is hereby granted to operate facility of collection, storage, transport and disposal of hazardous waste.

7. The applicant shall comply with the General Conditions as stipulated under Annexure-I enclosed.

8. The applicant shall obtain the Consent to Operate before starting of commercial production.

9. The capital investment of the plant is **Rs. 8.04 Cr. Only.**

(P.M. Joshi)  
Regional Officer.

(When consent issuing authority is other than Member Secretary), state -

Name	:	P.M. Joshi.
Designation	:	Regional Officer.
Office Address	:	Regional Office, Maharashtra Pollution Control Board, Paryavaran Bhavan, Plot No. A-4/1, MIDC Area Chikalthana, Behind Daynik Lokpatra Near Seth Nandlal Dhoot Hospital, Jalna Road, Aurangabad-431 210.

To,

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

Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Consent fees of **Rs. 15100 + 15100 15100/-** received vide

D.D. No. **564413, 564412, 564414** dated 3/9/2014

Drawn on **State Bank of India (all).**

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, **Latur.**

Copy to Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

T.C.

## MAHARASHTRA POLLUTION CONTROL BOARD

Grams : PREPOLL

Tel. : (0240)2473462/63

Fax : (0240) 2473461



**Regional Office :**

Paryavaran Bhavan, Plot No. A -4/1, MIDC,  
Chikalathana, Behind Dainik Lokpatra, Near  
Seth Nandlal Dhoot Hospital,  
Jalna Road, Aurangabad - 431210

**RED/SSI. EIC No. AD-16151-14**

Consent No. MPCB/ROA/LG/OSMD/E-25/98/O/C- 05/34/2015 Date:- 29/01/2015

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 Authorisation/Renewal of Authorisation under Rule 5 of the Hazardous Wastes (Management, Handling & Trans-boundry Movement) Rules, 2008. [To be referred as Water Act, Air Act and HW(MH&TM) Rules, respectively].

Consent is hereby granted to **M/s. Modern Road Makers Pvt. Ltd., Gat No. 264/1, 263, 264/2, At Khed, Tq. & Dist: Osmanabad.**

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

1. The Consent is granted for a period upto : **31/12/2015.**
  - (i) The validity of the authorisation granted under HW(M&H) Rules, 1989 and amendment Rules, 2003 will be upto above consent period after which the industry shall submit a fresh application for authorisation.

2. The Consent is valid for the manufacture of :

Sr.No.	Product	Maximum Quantity
1.	<b>Crushed Stone Metal</b>	<b>30000 Brass/Year</b>
2.	<b>Ready Mix Concrete</b>	<b>3000 MT/M</b>
3.	<b>Hot Mix &amp; Wet Mix</b>	<b>20000 MT/M (each)</b>

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 **0.4 M<sup>3</sup>**

- iii) **Trade Effluent :**

**Treatment :** The applicant shall provide comprehensive treatment system consisting of primary/secondary and / or tertiary treatment as is warranted with reference to the effluent quality and operate and maintain the same continuously so as to achieve the quality of the effluent to the following standards :

1) pH	Between	--
2) Suspended Solids	Not to exceed	-- mg/l.
3) B.O.D. 3 days 27 °C	Not to exceed	-- mg/l.
4) C.O.D.	Not to exceed	-- mg/l.
5) Oil & Grease	Not to exceed	-- mg/l.
6) T.D.S.	Not to exceed	-- mg/l.
7) Chlorides	Not to exceed	-- mg/l.
8) Sulphates	Not to exceed	-- mg/l.

*(Handwritten signature)*  
28/1/15

T.C.

*(Handwritten signature)*

: 2 :

- iv) Trade Effluent Disposal : --
- v) Sewage Effluent Treatment : The applicant shall provide comprehensive treatment system as is warranted with reference to effluent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards :
 

Suspended Solids	Not to exceed	100 mg/l.
B.O.D. 3 days 27 °C	Not to exceed	100 mg/l.
- vi) Sewage Effluent Disposal : Treated domestic effluent shall be allowed to soak into pit, which shall be got cleaned periodically & overflow thereof shall be used on land for gardening within the premises.
- vii) Non-Hazardous Solid Waste :
 

Type of Waste	Quantity	Treatment	Disposal
--	--	--	--
- viii) Other Conditions : --

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) & Cess Amendment Act, 2003 and Rules made thereunder (if applicable). The industry falls in -- category of the Cess Act and the rules made thereunder.

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

a) Domestic	<b>0.5</b>	CMD.
b) Industrial Processing (for mixing)		
i) Generating Bio-degradable Waste (mixing)	<b>2.0</b>	CMD.
ii) Generating Non-bio-degradable Waste	--	CMD.
c) Industrial Cooling (for spraying)	<b>3.0</b>	CMD.
d) Gardening/Agriculture	--	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 :

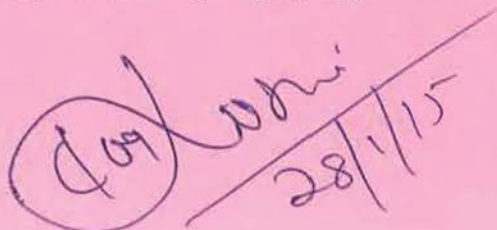
- i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to the generations and operate and maintain the same continuously so as to achieve the level of pollutants of the following standards :

Standards for Emission of Air Pollution :

i) SPM	Not to exceed	150 mg/N m <sup>3</sup>
ii) SO <sub>2</sub>	Not to exceed	kg/day.

Control Equipments : The Suspended Particulate Matter contribution value at a distance of 40 meters from unit shall be less than 600 microgram/Nm<sup>3</sup>. This unit must also adopt the following pollution control measures.

- 1) Dust containment cum suppression system for the equipment.
- 2) Construction of wind breaking walls.
- 3) Construction of the metalled roads within the premises.
- 4) Regular cleaning and wetting of the ground within the premises.
- 5) Growing of a green belt along the periphery.


  
 (409) [Signature]
   
 28/1/15

: 3 :

(I) 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 between 6 a.m. to 10 p.m. and night time is reckoned between 10 p.m. to 6 a.m.

ii) The applicant shall observe the following fuel pattern :

Sr.No.	Type of Fuel	Quantity
1.	White Coal	1500 MT/M
2.	Diesel	1780 Ltr/day

iii) The applicant shall erect the chimney/s of the following specifications :

Sr.No.	Chimney attached to	Ht. in Mtrs.
1.	Hot Mix Plant	21 mtr.
2.	D.G. Set (750 KVA, 1000 KVA & 200 KVA)	3.5 mtr. each above roof.

#### Conditions for D.G. Set :

- i) Industry should provide acoustic enclosure to control of noise. The acoustic enclosure/acoustic treatment of the room should be designed for minimum 25 dB(A) insertion loss or for 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.
  - 2) 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.
  - 3) Installation of DG Set must be strictly in compliance with recommend actions of DG Set manufacturer.
  - 4) 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.
  - 5) The DG Set shall be operated only in case of power failure.
  - 6) The applicant should not cause any nuisance in the surrounding area due to operation of the DG Set.
- iv) The applicant shall provide ports in the chimney/s and facilities such as ladder, platform, etc. for monitoring the air emissions and same shall be opened for inspection to/and for use of the Board staff. The chimney/s vents attached to various sources of emission shall designated by numbers such as S-1, S-2, etc. and these shall be painted/displayed to facilitate identification.
- v) Whenever due to any accident or other unforeseen act or event, 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 equipments, the production process connected to it shall be stopped.
- vi) Other conditions :
- 1) The industry shall not cause any nuisance to the surrounding area.
  - 2) The industry shall monitor the stack and/or ambient air quality regularly.
  - 3) The site shall be located at about 1.0 km. away from Solapur-Dhule National Highway and about 3.0 km. away from village Khed.

Q.04  
28/1/15

: 4 :

4) As per the Board's circular No. BO/RO(P&P)/TB/B-779 dated 06/07/2006, the indigenous varieties of trees like Bel, Shisham, Amla, Mango, Khair, Hingan, Palash, Champa, Bakul, Vad, Biba, Pimpal, Neem, Chivel, etc. shall be planted over 33% of the available open land.

6. CONDITIONS UNDER HW (MH&TM) RULES, 2008 & AMENDMENT RULES :

i) The applicant shall handle hazardous waste as specified below :

Sr.No.	Waste Category No.	Type of Waste	Quantity
--------	--------------------	---------------	----------

The industry shall not generate any hazardous waste.

ii) Treatment :-

--

ii) The authorisation is hereby granted to operate facility of collection, storage, transport and disposal of hazardous waste.

7. The applicant shall comply with the General Conditions as stipulated under Annexure-I enclosed.

8. The capital investment of the plant is **Rs. 8.04 Cr. Only.**

(P.M. Joshi)  
Regional Officer.

(When consent issuing authority is other than Member Secretary), state -

Name : P.M. Joshi.  
Designation : Regional Officer.  
Office Address : Regional Office,  
Maharashtra Pollution Control Board,  
Paryavaran Bhavan, Plot No. A-4/1,  
MIDC Area, Chikalthana, Behind Daynik Lokpatra  
Near Seth Nandlal Dhoot Hospital, Jalna Road,  
Aurangabad-431 210.

To,

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

Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Consent fees of **Rs. 25100/-** received vide

D.D. No. **565279** dated **25/11/2014**

Drawn on **State Bank of India.**

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, **Latur.**

Copy to Cess Wing/Statistical Wing/Air Wing/HWMH Wing, MPCB, Mumbai.

T.C.

*[Handwritten signature]*



# Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

320  
Ax. C

## Application for Consent/ Authorisation

Sir,  
I/We hereby apply for\*

1. Consent to Establish/Operate/Renewal of consent under section 25 and 26 of the Water (Prevention & Control of Pollution) Act, 1974 as amended.
2. Consent to Establish/Operate/Renewal of consent under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended.
3. Authorization/renewal of authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 in connection with my/our/existing/proposed/alterd/ additional manufacturing/processing activity from the premises as per the details given below.

### Consent Information

**UAN No:**  
MPCB-CONSENT-0000078708

**Application submitted on:**  
19-08-2019

### Industry Information

**Consent To:**  
Renewal (Normal)

**IIN No.:**  
0

**Submit to:**  
SRO - Latur

**Type of Institution:**  
Industry

**Industry Type:**  
O37 Hot mix plants

**Category:**  
Orange

**Scale:**  
S.S.I

**EC Reqd.**  
No

**EC Obtained**  
No

**EC Ref. No.**  
-

**Whether construction-buildup area is more than 20,000 sq.mtr.(Existing Expansion Unit)**

No

### General Information

1. Name, designation, office address with Telephone/Fax numbers, e-mail of the Applicant Occupier/Industry/Institution / Local Body.

**Name**  
ajay p deshmkh

**Address**  
sr no 89 at washi tq. washi dist osmanabad

**Designation**  
director

**Taluka**  
washi

**Area**  
osmanabad

**District**  
Osmanabad

**Telephone**  
7767809257

**Fax**  
NA

**Email**

**Pan Number**

T.C.

*(Handwritten signature)*

2. (a) Name and location of the industrial unit/premises for which the application is made (Give revenue Survey Number/Plot number name of Taluka and District, also telephone and fax number)

**Industry name**

Modern Road Makers Pvt Ltd

**Location of Unit**

Gat No. 264,263 At, Khed

**Survey number/Plot Number**

Gat No. 264,263 At, Khed

**Taluka**

OSMANABAD

**District**

Osmanabad

(b) Details of the planning permission obtained from the local body/Town and Country Planning authority/Metropolitan Development authority/ designated Authority.

**Planning permission**

Gram Panchyat, Khed

**Planning Authority**

Gram Panchyat, Khed

Name of the local body under whose jurisdiction the unit is located and Name of the licence issuing authority

**Name of Local Body**

Gram Panchyat, Khed

**Name of the licence issuing authority**

Gram Panchyat, Khed

3. Names, addresses with Telephone and Fax Number of Managing Director / Managing Partner and officer responsible for matters connected with pollution control and/or Hazardous waste disposal.

**Name of Managing Director**

Girish S. Gadikar

**Telephone number**

7767809257

**Fax number**

0

**Officer responsible for day to day business**

7

4. (a.) Are you registered Industrial unit ?

No

**Registration number**

270291203308

**Date of registration**

Sep 1, 2014

5. Gross capital investment of the unit without depreciation till the date of application (Cost of building, land, plant and machinery). (To be supported by an affidavit/undertaking on Rs.20/- stamp paper, annual report or certificate from a Chartered Accountant for proposed unit(s), give estimated figure)

**Gross capital (in Lakh)**

804.00

**\* Verified**

CA Certificate

**\* Terms**

1

**\* Consent Fee**

25000.00

6. If the site is located near sea-shore/river bank/other water bodies/Highway, Indicate the crow fly distance and the name of the water body, if any.

**Distance From**

SH/NH

**Distance(Km)**

3.00

**\* Name**

--NA--

River

0.00

--NA--

Human Habitation

0.00

--NA--

Religious Place

0.00

--NA--

Historical Place

0.00

--NA--

Creek/Sea

0.00

--NA--

6b. Enter Latitude and Longitude details of site

**Latitude****Longitude**

7. Does the location satisfy the Requirements Under relevant Central/State Govt. Notification such as Coastal Regulation Zone, Notification on Ecologically Fragile Area, Industrial Location policy, etc. If so, give details.

Location	Approved Industry Area	Sensitive Area	If Yes, Name Of Area	Industry Location with Reference to CRZ
0	No	No	0	A1

8. If the site is situated in notified industrial estate,

		Details
(a) Whether effluent collection, treatment and disposal system has been provided by the authority.	No	0
(b) Will the applicant utilize the system, if provided.	No	0
(c) If not provided, details of proposed arrangement.	0	

9.

(a) Total plot area (in square meter)	(b) Built up area and (in square meter)	(c) Area available for the use of treated sewage/ trade effluent for gardening/irrigation. (in square meter)
18000	5000	13000

10. Month and year of commissioning of the Unit.

2014-09-01

11. Number of workers and office staff

Workers	staff	Hrs. of shift	Weekly off
25	3	8	SUNDAY

12.

(a) Do you have a residential colony Within the premises in respect of Which the present application is Made ?	No	0	
(b) If yes, please state population staying			
Number of person staying	Water consumption	Sewage generation	Whether is STP provided?
0	0	0	No
(c) Indicate its location and distance with reference to plant site.			
Number of person staying	Water consumption		
0	0		

13. List of products and by-products Manufactured in tonnes/month, Kl/month or numbers/month with their types i.e.Dyes, drugs etc. (Give figures corresponding to maximum installed production capacity)

**Products Name and Quantity**

Product Name	UOM	Product Name	Existing	Consented	Proposed Revision	Total	Remarks
OTHERS	MT/M	Hot Mix	0	10000	0	10000	0
OTHERS	MT/M	Ready Mix Concrete	0	3000	0	3000	0



Treatment unit	Size (mxm)	Retention time (hr)
0	0	0

21. Present treatment of trade effluent (Give sizes/capacities of treatment units) (A schematic diagram of the treatment scheme with Inlet/outlet characteristics of each unit operation/process is to be provided. Include details of residue Management system (ETP sludges)

**Capacity of ETP (m3/day)**

0

Treatment unit	Size (mxm)	Retention time (hr)
0	0	0

22.

**(i) Are sewage and trade effluents mixed together?**

No

**If yes, state at which stage-Whether before, intermittently or after treatment.**

0

23. Capacity of treated effluent sump, Guard Pond if any.

**Capacity of treated effluent sump (m3)** 0

**Effluent sump/Guard pond details** No 0

**If yes, state at which stage-Whether before, intermittently or after treatment.** No 0

24. Mode of disposal of treated effluent With respective quantity, m3/day

<b>(i) into stream/river (name of river)</b> 0	<b>(ii) into creek/estuary (name of Creek/estuary)</b> 0
<b>(iii) into sea</b> 0	<b>(iv) into drain/sewer (owner of sewer)</b> 0
<b>(v) On land for irrigation on owned land/ase land. Specify cropped area.</b> 0	<b>(vi) Connected to CETP</b> 0
<b>(vii) Quantity of treated effluent reused/ recycled, m3/day Provide a location map of disposal arrangement indicating the outler(s) for sampling. Treated effluent reused / recycled (m3/day)</b> 0	

25. (a) Quality of untreated/treated effluents (Specify pH and concentration of SS, BOD,COD and specific pollutants relevant to the industry. TDS to be reported for disposal on land or into stream/river.

**Untreated Effluent**

<b>pH</b>	0
<b>SS (mg/l)</b>	0
<b>BOD (mg/l)</b>	0
<b>COD (mg/l)</b>	0
<b>TDS (mg/l)</b>	0

Specific pollutant if any	Name	Value
1	1	0

SS (mg/l) 0

BOD (mg/l) 0

COD (mg/l) 0

TDS (mg/l) 0

<b>Specific pollutant if any</b>	<b>Name</b>	<b>Value</b>
1	0	0

(b) Enclose a copy of the latest report of analysis from the laboratory approved by State Board/ Committee/Central Board/Central Government in the Ministry of Environment expected characteristics of the untreated/treated effluent

0

26. Fuel consumption

<b>Fuel Type</b>	<b>UOM</b>	<b>Fuel Consumption TPD/LKD</b>	<b>Calorific value</b>
Briquettes	MT/M	1500	0
<b>Ash content</b>	<b>Sulphur content</b>	<b>Quantity</b>	<b>Other (specify)</b>
0	0	1	0

27. (a) Details of stack (process & fuel stacks: D. G. )

<b>(a) Stack number(s)</b>	<b>(b) Stack attached to</b>	<b>(c) Capacity</b>	<b>(d) Fuel Type</b>
1	chimny	1	Diesel
<b>(e) Fuel quantity (Kg/hr.)</b>	<b>(f) Material of construction</b>	<b>(g) Shape (round/rectangular)</b>	<b>(h) Height, m (above ground level)</b>
150	MS	ROUND	10
<b>(i) Diameter/Size, in meters</b>	<b>(j) Gas quantity, Nm<sup>3</sup>/hr.</b>	<b>(k) Gas temperature °C</b>	<b>(l) Exit gas velocity, m/sec.</b>
0.5	0	0	0
<b>(m) Control equipment preceding the stack</b>	<b>(n) Nature of pollutants likely to present in stack gases such as Cl<sub>2</sub>, Nox, Sox TPM etc.</b>	<b>(o) Emissions control system provided</b>	<b>(p) In case of D.G. Set power generation capacity in KVA</b>
0	0	0	0

27. (B) Whether any release of odoriferous compounds such as Mercaptans, Phorate etc. Are coming out from any storages or process house.

0

28. Do you have adequate facility for collection of samples of emissions in the form of port holes, platform, ladder/etc. As per Central Board Publication "Emission regulations Part-III" ( December, 1985 )

<b>Port hole</b>	No	<b>Details</b>	0
<b>Platform</b>	No	<b>Details</b>	0
<b>Ladder</b>	No	<b>Details</b>	0

29. Quality of treated flue gas emissions and process emissions. Quantity of treated flue gas emissions and process emissions.

<b>Sr. No</b>	<b>Stack attached to</b>	<b>Parameter</b>	<b>Concentration mg/Nm<sup>3</sup></b>	<b>flow (Nm<sup>3</sup>/hr)</b>
1	0	0	0	0

(Specify concentration of criteria pollutants and industry/process-specific pollutants stack-wise. Enclose a copy of the latest report of analysis from the laboratory approved by State Board/Central Board/Central Government in the Ministry of Environment & Forests. For proposed unit furnish expected characteristics of the emissions..

0

#### Part - D: Hazardous Waste aspect

30. Information about Hazardous Waste Management as defined in Hazardous Waste (Management & Handling ) Rules, 1989 as amended in Jan.,2000. Type/Category of Waste as per

##### Waste (Annually) Schedule I

<b>Cat No</b>	<b>Type</b>	<b>Qty</b>	<b>UOM</b>
NA		0	--NA--
<b>Max</b>	<b>Method of collection</b>	<b>Method of reception</b>	<b>Method of storage</b>
	NA	NA	NA
<b>Method of transport</b>	<b>Method of treatment</b>	<b>Method of disposal</b>	
NA	NA	NA	

##### Waste (Annually) Schedule II

31. Details about use of hazardous waste

<b>Name of hazardous waste/Spent chemical</b>	<b>Quantity used/month</b>	<b>Party from whom purchased</b>	<b>Party to whom sold</b>
NA	0	0	0

32.

a. Details about technical capability and equipments available with the applicant to handle the Hazardous Waste

0

b. Characteristics of hazardous waste(s) Specify concentration of relevant pollutants. Enclose a copy of the latest report of analysis from the laboratory approved by State Board/Central Board/Central Govt. in the ministry of Environment & Forests. For proposed units furnish expected characteristics

0

33.

Copy of format of manifest/record Keeping practiced by the applicant.

0

34.

Details of self-monitoring (source and environment system)

0

35.

Are you using any imported hazardous waste. If yes, give details.

0

36.

Copy of actual user Registration/certificate obtained from State Pollution Control Board/Ministry of Environment & Forests, Government of India, for use of hazardous waste.

37.

**Present treatment of hazardous waste, if any (give type and capacity of treatment units)**

0

38. Quantity of hazardous waste disposal

**(i) Within factory**

0

**(ii) Outside the factory (specify location and enclose copies of agreement.)**

0

**(iii) Through sale (enclosed documentary proof and copies of agreement.)**

0

**(iv) Outside state/Union Territory, if yes particulars of (1 & 3 ) above.**

0

**(v) Other (Specify)**

0

**Part - E: Additional information**

39.

**a. Do you have any proposals to upgrade the present system for treatment and disposal of effluent/emissions and/or hazardous waste.**

0

**b. If yes, give the details with time- schedule for the implementation and approximate expenditure to be incurred on it.**

0

40.

**Capital and recurring (O & M) expenditure on various aspect of environment protection such as effluent, emission, hazardous waste, solid waste, tree- plantation, monitoring, data acquisition etc. (give figures separately for items implemented/to be implemented).**

0

41.

**To which of the pollution control equipment, separate meters for recording consumption of electric energy are installed :**

0

42.

**Which of the pollution control items are connected to D.G. Set (captive power source) to ensure their running in the event of normal power failure**

0

43. Nature, quantity and method of disposal of non- hazardous solid waste generated separately from the process of manufacture and waste treatment. (Give details of area/capacity available in applicant's land)

Type	Quantity	UOM	Treatment	Disposal	Other Details
0	0	--NA--	0	0	0

0  
 (ii) Is the unit an isolated storage as defined under the MSIHC Rules ?

0

(iii) Indicate status of compliance of Rules 5,7,10,11,12,13 and 18 of the MSIHC Rules.

0

(iv) Has approval of site been obtained from the concerned authority?

0

(v) Has the unit prepared an off-site Emergency Plan? Is it updated ?

0

(vi) Has information on imports of Chemicals been provided to the concerned authority?

0

(vii) Does the unit possess a policy under the PLI Act?

0

45. Brief details of tree plantation/green\* belt development within applicant's premises ( In hectors )

<b>Open Space Availability</b>	<b>Plantation Done On</b>	<b>Number of Trees Planted</b>
1000 Square meter	500 Square meter(50 %)	200

46.

**Information of schemes for waste Minimization, resource recovery and recycling - Implemented and to be implemented, separately.**

0

47.

**(a) The applicant shall indicate whether Industry comes under Public Hearing, if so, the relevant documents such as EIA, EMP, Risk Analysis etc. shall be submitted, if so, the relevant documents enclosed shall be indicated accordingly.**

0

**(b) Any other additional information that the applicants desires to give**

0

**(c) Whether Environmental Statement submitted ? If submitted, give date of submission.**

0

48.

**I/We further declare that the information furnished above is correct to the best of my/our knowledge.**

49.

**I/We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and/or disposal of effluent, emission, hazardous wastes etc. In quality and quantity; a fresh application for Consent/Authorization shall be made and until the grant of fresh Consent/Authorization no change shall be made.**

50.

**I/We indertake to furnish any other information within one month of its being called by the Board**

**Yours faithfully**

**Signature : Giresh S Gadikar**

**Name : Giresh S Gadikar**

## Additional Information

### Air Pollution

Sr No.	Air Pollution Source	Pollutants	APCS Provided	Remark
1	Screen & Jaw	SPM	screen is covered by tin sheet & Water sprinkler	NA

<b>Separate EM Provided</b>	No	<b>Other Emission Sources</b>	na
<b>Measures Proposed</b>	NA	<b>Foul Smell Coming Out</b>	No
<b>Air Sampling Facility Details</b>	na		

### D.G. Set Details

Description	Capacity(KVA)	Remarks
1	750	NA
2	2000	NA
3	1000	NA

### Hazardous Waste Generation

Hazardous Waste	Quantity	UOM	Treatment	Disposal	Other Details
-----------------	----------	-----	-----------	----------	---------------

### CHWTSDF Details

Member of CHWTSDF	CHWTSDF Name	Remarks
-------------------	--------------	---------

### Cess Details

Cess Applicable	Cess Paid	If Yes, UpTo
No	No	Jan 1 1900 12:00:00:000AM

### Legal Actions

Legal Action Taken	Legal Record Of Company	Legal Action Details	Remarks
No			

### 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, Chikalhana,  
Near Dhoot Hospital, Jalna Road,  
Aurangabad - 431 210.

**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.

Date :- 05/11/2019

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.

T.C.

# 331

## Ax. E

ANNEXURE A

-97-

**MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICE, LATUR**

Tel. No. 02382-252672



Dev Towers, Opp. Tehsil Office,  
Plot No. RL - 2045, Barshi Road,  
Latur-413512

No. MPCB/SROND/TB- 14

Dtd. 15/01/2020

To,  
The Regional Officer,  
Regional Office, M. P. C. Board,  
Aurangabad.

Sub- Present status report & compliance report as per NGT order dated 14.11.2019 in O A No 59/2019 in respect of M/s. Modern Road Makers Pvt. Ltd. Gat No 263, 264/1, 264/2, At Khed, Tal and Dist. Osmanabad.

Ref: 1. Visit paid on 10-01-2020 in accordance to Interim directions issued vide number MPCB/ROA/ID/1911050004/2019 dated 05-11-2019.  
2. NGT order dated 14.11.2019 in OA No 59/2019  
3. Field officer visit to unit dated 10-01-2020

Sir,

With reference to above subject matter submitting herewith the report of M/s. Modern Road Makers Pvt. Ltd. gat no 263, 264/1, 264/2 at Khed, Tal and Dist Osmanabad, as below-

- 1) During visit dated 10-01-2020 Stone crusher, Hot Mix and RMC plant was not found in operation. Industry official reported that plants are not operational due to non-requirement of product at dedicated project site and hence the interim directions noncompliance is still there as it is.
- 2) During visit the operational status of Plants as per the record produced by unit representative is re-verified also discussed with the representative and learnt that the plant is non-complied since 05-08-2019 to till the issuance of Interim direction to unit on 05-11-2019 i.e. 93 days are the violating days for calculation of Environmental compensation.
- 3) The Environmental Compensation calculated is Rs 5,81,250/- and is on the basis of formula:-  $EC = PI \times N \times R \times S \times LF$

(PI = 50 as all the units falls in Orange category as per CPCB categorization, N = 93 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)

(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)



TRUE COPY

T.C.

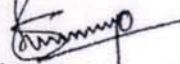
*[Handwritten signature]*

98  


4) The instructions are given as per Interim directions to not to start the plant before fulfilment of Interim directions.

D/a - Visit report copy

Yours Faithfully



Sub Regional Officer,  
M. P. C. Board, Latur.

Copy submitted for information to-  
Joint Director (APC), MP C Board, Mumbai.



T.C.



MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICE, LATUR



Dev Towers, Opp. Tahsil Office,  
Plot No. RL - 2045, Barshi Road.  
Latur-413512

INSPECTION REPORT

Name of Industry: M/s. Modern Road Makers Pvt Ltd.  
Cpt No. 264/1, 263, 264/2, At Khed  
Tal and Dist - Osmanabad.

Date of Visit : 10-01-2020.

Industry Officials: Mr. Nilkanth Jathar, Plant Incharge

Observations : Visit paid in accordance to Intellm direction

Nide number MPCB/ROB/ID/1911050004/2019 dated  
05-11-2019, following & NWT OA No. 59/2019,  
following observation were as made.

1) During visit stone crusher, Hot mix plant and  
RMC plant was not found in operation. Industry  
official reported that plants are not operational  
due to non-requirement of product at dedicated  
project site and the Intellm direction noncompliance  
is still there as it is.

2) During visit the operational status of plants as  
per record produced by unit representative is re-  
verified also discussed with the representative and  
learned that the plant is non-complied since 05-08-  
2019 to till the issuance of Intellm direction  
to unit on 05-11-2019 i.e. 93 days are the  
violating days for calculation of Environmental  
Compensation.

3) The Environmental Compensation calculated is  
Rs. 5,81,250/- and is on the basis of formula

P.T.O.



$EC = PI \times N \times R \times S \times LF$  which is given by RO office, Bulangabad and calculated as below.

(PI = 50 as all the units falls in Orange category as per CPCB categorization, N = 93 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 (approx) from municipal boundary of the city/town.

(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)

4) The instructions are given as per Interim Direction to not to start the plant before fulfillment of Interim Direction.

5) This visit report has been made in presence of Mr. Nilkanth Jathar

*(Signature)*

(Nilkanth Jathar)  
Plant Incharge

*(Signature)*

(Darsewad N.P.)  
Field officer,  
M.P.C.B. SRO, Latur



Ax. F

119

## MAHARASHTRA POLLUTION CONTROL BOARD

Tel.No. (0240) 2473462  
Fax No. (0240) 2473461



Regional Office, Paryavaran Bhavan,  
A-4/1, MIDC Area, Chikalthana,  
Behind Daynik Lokpatra, Near Seth  
Nandlal Dhoot Hospital, Jalna Road,  
Aurangabad-431 210.

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

No. MPCB/ROA/DIREC/399/2020

Date:- 18/02/2020

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

## NOTICE

Sub:- Environmental compensation by invoking the 'Polluter Pays' principal for air pollution control measures noncompliance reg...

- Ref:- 1) Order dated 14/11/2019 passed by the Hon'ble National Green Tribunal, in O.A. No. 59/2019.  
2) Interim Directions issued by this office vide letter No MPCB/ROA/ID/1911050004/2019 Dt- 05.11.2019.  
3) Report received from Sub-Regional Officer, MPCB, Latur dated-15.01.2020.  
4) Approval received from Authorities for issuance of notice over telephone & SMS dated-18.02.2020.

The Hon'ble National Green Tribunal, Principal Bench, New Delhi has passed an order on 14/11/2019 in O.A. No. 59/2019 filed by Sakharam Asaram Kale & Others v/s. The Regional Officer, M P C Board & Others for the reason of non-compliance of the Consent conditions issued by the M P C Board & Environmental Clearance issued by MoEF & CC.

Now, it is to inform you that the Sub-Regional Officer of the Board at Latur reported vide above reference (3) that you are operating hot mix plant and you have not installed scrubbing system at Hot Mix Plant, not provided 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, not repaired the metallic road within premises and not done the adequate plantation in the premises and this noncompliance is observed from the recent visit dated-05.08.2019 of official of Sub Regional Office at Latur to your unit. So till the issuance of directions vide ref. 2) dated-05.11.2019 total number of days violations are 93 days.

In view of above you are hereby directed to pay an amount of Rs 5,81,250/- (Rs Five lacs eighty one thousand two hundred fifty only) **Environmental compensation** assessed on 'Polluter Pays' principal for air pollution control measures noncompliance and formula framed by CPCB for calculation of Environmental compensation. The Environmental compensation has been assessed on the record produced by Sub Regional Officer at Latur to comply with the order passed by the Hon'ble National Green Tribunal.

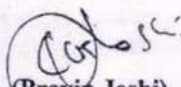
1-



T.C.

*[Handwritten signature]*

The Environmental compensation of Rs 5,81,250/- may kindly be deposited in favor of Regional Officer, M P C Board, and Aurangabad at the earliest.

  
(Pravin Joshi)  
Regional Officer-Aurangabad.

Copy submitted to :-

1. The Joint Director (APC), MPCB, Mumbai.

Copy to :

1. The Sub-Regional Officer, MPCB, Latur- for information and necessary follow-up.

### Summary of Environmental Compensation:

Sr.	Unit	Number of days of Violation	Environmental Compensation in Rs.
1	M/s. Modern Road Makers Pvt., Ltd. Gat No. 264/1, 263, 264/4, At <b>Khed</b> , Tal. & Dist: Osmanabad	93	Rs. 5,81,250
2	M/s. Modern Road Makers Pvt. Ltd. Gat No. 89, At Washi, Tal. <b>Washi</b> , Dist: Osmanabad	85	Rs. 5,31,250
3	M/s. Modern Road Makers Pvt. Ltd. Gat No. 85/1, Sr. No. 87, At <b>Sasewadishivar</b> , Manjarsumba, Tal. & Dist: Beed	89	Rs. 5,56,250
4	M/s. Modern Road Makers Pvt. Ltd. Sr No. 243, At <b>Talewadi</b> , Tal- Georal Dist-Beed	61	Rs. 3,81,250
5	M/s. Modern Road Makers Pvt. Ltd. Gat No. 172 & 174, At village <b>Muruma</b> , Tal- Paithan  Dist: Aurangabad	73	Rs. 4,56,2508
	<b>Total</b>	401	<b>Rs. 25,06,250</b>

**Note: This summary is not part of the MPCB Notice. It is prepared by the R-5 to show the Environmental Compensation amount.**



T.C.



# 337

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE, PUNE

## VAKALATNAMA

**ORIGINAL APPLICATION NO. 59/2019 (WZ)**

BETWEEN

**Mr. Sakharam Asaram Kale** ..... **Applicant**

VERSUS

**The Regional Officer, MPCB & Ors.** ..... **Respondent/s**

We have appointed Adv. Raghunath Mahabal a/w Adv. Sachin Gore, to represent us. us before any Authority, Board and to submit any formal legal documents (Applications, Reply, Rejoinder, I.A., M.A.) and sign as necessary, wherever required on our behalf.

**R.B.Mahabal रघुनाथ भालचंद्र महाबळ**

BE (Mechanical), ME (Industrial Management) VJTI-Mumbai, LLM (Mumbai)  
Chartered Engineer, Fellow of Indian Institution of Engineers, IIE Arbitrator  
ex-Govt. Environmental Laboratory Analyst, NABET Accredited EIA Consultant

**ADVOCATE NATIONAL GREEN TRIBUNAL  
Bombay High Court [Roll No.MAH/349/2012]**

B - 202, Chandravijay Society, Opposite Bansuri Hotel,  
Phule Road, Mulund East, Mumbai 400081, Maharashtra  
mahabal60@gmail.com 7400116222 / 022-21631573

Date: 20.11.2020

Place: Pune



Accepted, **ADVOCATE**

*Nilesh Pathak* ×

Nilesh Pathak,  
Modern Raod Makers,

**RESPONDENT (R-5)**

338

**Raghunath B. Mahabal** राधाथ भालचंद्र महाबळ

B.E.(Mech.), M.E.(Indl. Management) VJTI Mumbai, FIE, CE, LL.M., Arbitrator IIE

**Advocate - High Court Mumbai & National Green Tribunal**

Flat Nos. A-201/202/203, B-201/202/203, 302, Chandravijay Hsg. Society,  
Opp. Bansuri Hotel, Mahatma Phule Road, Mulund East, Mumbai-400081.

Phone: 7400116222 Email: adv.rbmahabal@gmail.com

06/05/2022

*Pawade*  
9/5/22  
आवक सिपीक  
पर्यावरण विभाग  
मन्त्रालय, मुंबई

To

**THE APPELLATE AUTHORITY**

CONSTITUTED UNDER THE PROVISIONS OF THE  
WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974  
& THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981  
C/o. The Principal Secretary,

**Environment Department, Government of Maharashtra**

15<sup>th</sup> Floor, New Administration Building,  
Madam Cama Road, Nariman Point, Mumbai-400032.

Respondent:

**Maharashtra Pollution Control Board** through The Member Secretary,  
3<sup>rd</sup> floor, Kalptaru Point, Sion East, Mumbai - 400022.

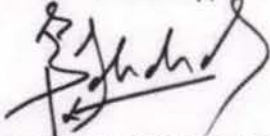
Subject: **Appeal against the imposition of Rs. 5,81,250/- as  
Environmental Compensation.**

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

Sir,

1. I am concerned for my clients as above. As per the instructions received, I am filing an appeal against the imposition of **Rs. 5,81,250/-** as Environmental Compensation. Appeal fees of Rs.100/- have been paid on **04.03.2022** through Google pay (payment receipt enclosed).
2. This first statutory appeal as provided in the Act/s. The Appeal is required to be filed within a period of 30 days, from the date of communication of order, The formal date of the direction is 05.11.2019. But after the receipt of the notice immediately Appellant submitted the representation to the Respondent but till today the Appellant does not receive any information for a call for a hearing from the Respondent There is no delay in filing this appeal. We request you to kindly consider taking note of this and request you not to take any coercive action, without giving us an opportunity of hearing us. We shall be serving you the copy of the Appeal set by hand delivery.

Yours faithfully,

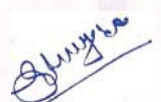


**Raghunath Mahabal, Advocate**

Enclosure: Copy of the Appeal Fees paid.

Copy to: Regional Office and Sub-Regional Office, MPCB, Mumbai

T.C.



o/c

# 339

**Raghunath B. Mahabal रघुनाथ भालचंद्र महाबळ**

B.E.(Mech.), M.E.(Indl. Management) VJTI Mumbai, FIE, CE, LL.M., Arbitrator IIE

**Advocate - High Court Mumbai & National Green Tribunal**

Flat Nos. A-201/202/203, B-201/202/203, 302, Chandravijay Hsg. Society,  
Opp. Bansuri Hotel, Mahatma Phule Road, Mulund East, Mumbai-400081.

Phone: 7400116222 Email: adv.rbmahabal@gmail.com

06/05/2022

To

**THE APPELLATE AUTHORITY**

CONSTITUTED UNDER THE PROVISIONS OF THE  
WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974  
& THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981  
C/o. The Principal Secretary,

**Environment Department, Government of Maharashtra**

15<sup>th</sup> Floor, New Administration Building,  
Madam Cama Road, Nariman Point, Mumbai-400032.

Respondent:

**Maharashtra Pollution Control Board** through The Member Secretary,  
3<sup>rd</sup> floor, Kalptaru Point, Sion East, Mumbai - 400022.

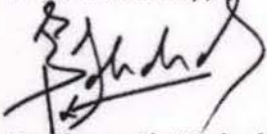
Subject: **Appeal against the imposition of Rs. 3,81,250/- as  
Environmental Compensation.**

Client: M/s Modern Road Makers Pvt. Ltd. Gat No.243, At Village  
Talewadi, Tal. Georai & Dist. Beed.

Sir,

1. I am concerned for my clients as above. As per the instructions received, I am filing an appeal against the imposition of **Rs. 3,81,250/-** as Environmental Compensation. Appeal fees of Rs.100/- have been paid on **04.03.2022** through Google pay (payment receipt enclosed).
2. This first statutory appeal as provided in the Act/s. The Appeal is required to be filed within a period of 30 days, from the date of communication of order, The formal date of the direction is 05.11.2019. But after the receipt of the notice immediately Appellant submitted the representation to the Respondent but till today the Appellant does not receive any information for a call for a hearing from the Respondent There is no delay in filing this appeal. We request you to kindly consider taking note of this and request you not to take any coercive action, without giving us an opportunity of hearing us. We shall be serving you the copy of the Appeal set by hand delivery.

Yours faithfully,



**Raghunath Mahabal, Advocate**

Enclosure: Copy of the Appeal Fees paid.

Copy to: Regional Office and Sub-Regional Office, MPCB, Mumbai

*Paresh*  
9/5/22  
आवक लिपिक  
पर्यावरण विभाग  
मंत्रालय, मुंबई

# 340

**Raghunath B. Mahabal रघुनाथ भालचंद्र महाबळ**

B.E.(Mech.), M.E.(Indl. Management) VJTI Mumbai, FIE, CE, LL.M., Arbitrator IIE

**Advocate - High Court Mumbai & National Green Tribunal**  
Flat Nos. A-201/202/203, B-201/202/203, 302, Chandravijay Hsg. Society,  
Opp. Bansuri Hotel, Mahatma Phule Road, Mulund East, Mumbai-400081.  
Phone: 7400116222 Email: adv.rbmahabal@gmail.com

06/05/2022

To

**THE APPELLATE AUTHORITY**

CONSTITUTED UNDER THE PROVISIONS OF THE  
WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974  
& THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981  
C/o. The Principal Secretary,

**Environment Department, Government of Maharashtra**

15<sup>th</sup> Floor, New Administration Building,  
Madam Cama Road, Nariman Point, Mumbai-400032.

Respondent:

**Maharashtra Pollution Control Board** through The Member Secretary,  
3<sup>rd</sup> floor, Kalptaru Point, Sion East, Mumbai - 400022.

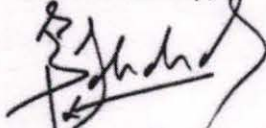
Subject: **Appeal against the imposition of Rs. 5,31,250/- as Environmental Compensation.**

Client: M/s Modern Road Makers Pvt. Ltd. Gat No. 89, At Village Washi,  
Tal. Washi & Dist. Osmanabad.

Sir,

1. I am concerned for my clients as above. As per the instructions received, I am filing an appeal against the imposition of **Rs. 5,31,250/-** as Environmental Compensation. Appeal fees of Rs.100/- have been paid on **04.03.2022** through Google pay (payment receipt enclosed).
2. This first statutory appeal as provided in the Act/s. The Appeal is required to be filed within a period of 30 days, from the date of communication of order, The formal date of the direction is 05.11.2019. But after the receipt of the notice immediately Appellant submitted the representation to the Respondent but till today the Appellant does not receive any information for a call for a hearing from the Respondent There is no delay in filing this appeal. We request you to kindly consider taking note of this and request you not to take any coercive action, without giving us an opportunity of hearing us. We shall be serving you the copy of the Appeal set by hand delivery.

Yours faithfully,



**Raghunath Mahabal, Advocate**

Enclosure: Copy of the Appeal Fees paid.

Copy to: Regional Office and Sub-Regional Office, MPCB, Mumbai

*Handwritten signature and date: 9/5/22*  
आयक विपीक  
पर्यावरण विभाग  
म्हाराय, मुंबई

# 341

**Raghunath B. Mahabal रघुनाथ भालचंद्र महाबळ**

B.E.(Mech.), M.E.(Indl. Management) VJTI Mumbai, FIE, CE, LL.M., Arbitrator IIE

**Advocate - High Court Mumbai & National Green Tribunal**

Flat Nos. A-201/202/203, B-201/202/203, 302, Chandravijay Hsg. Society,  
Opp. Bansuri Hotel, Mahatma Phule Road, Mulund East, Mumbai-400081.

Phone: 7400116222 Email: adv.rbmahabal@gmail.com

06/05/2022

To

**THE APPELLATE AUTHORITY**

CONSTITUTED UNDER THE PROVISIONS OF THE  
WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974  
& THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981  
C/o. The Principal Secretary,

**Environment Department, Government of Maharashtra**

15<sup>th</sup> Floor, New Administration Building,  
Madam Cama Road, Nariman Point, Mumbai-400032.

*Talwade*  
9/5/22  
आंबिक लिपीक  
पर्यावरण विभाग  
मंत्रालय, मुंबई

Respondent:

**Maharashtra Pollution Control Board** through The Member Secretary,  
3<sup>rd</sup> floor, Kalptaru Point, Sion East, Mumbai - 400022.

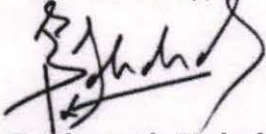
Subject: **Appeal against the imposition of Rs. 5,56,250/- as Environmental Compensation.**

Client: M/s Modern Road Makers Pvt. Ltd. Gat No.85/1Sr no.87, At  
Village, Sasewadi, Tal. & Dist. Beed.

Sir,

1. I am concerned for my clients as above. As per the instructions received, I am filing an appeal against the imposition of **Rs. 5,56,250/-** as Environmental Compensation. Appeal fees of Rs.100/- have been paid on **04.03.2022** through Google pay (payment receipt enclosed).
2. This first statutory appeal as provided in the Act/s. The Appeal is required to be filed within a period of 30 days, from the date of communication of order, The formal date of the direction is 05.11.2019. But after the receipt of the notice immediately Appellant submitted the representation to the Respondent but till today the Appellant does not receive any information for a call for a hearing from the Respondent There is no delay in filing this appeal. We request you to kindly consider taking note of this and request you not to take any coercive action, without giving us an opportunity of hearing us. We shall be serving you the copy of the Appeal set by hand delivery.

Yours faithfully,



**Raghunath Mahabal, Advocate**

Enclosure: Copy of the Appeal Fees paid.

Copy to: Regional Office and Sub-Regional Office, MPCB, Mumbai

# 342

**Raghunath B. Mahabal रघुनाथ भालचंद्र महाबळ**

B.E.(Mech.), M.E.(Incl. Management) VJTI Mumbai, FIE, CE, LL.M., Arbitrator IIE

**Advocate - High Court Mumbai & National Green Tribunal**

Flat Nos. A-201/202/203, B-201/202/203, 302, Chandravijay Hsg. Society,  
Opp. Bansuri Hotel, Mahatma Phule Road, Mulund East, Mumbai-400081.

Phone: 7400116222 Email: adv.rbmahabal@gmail.com

06/05/2022

To

**THE APPELLATE AUTHORITY**

CONSTITUTED UNDER THE PROVISIONS OF THE  
WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974  
& THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981  
C/o. The Principal Secretary,

**Environment Department, Government of Maharashtra**

15<sup>th</sup> Floor, New Administration Building,  
Madam Cama Road, Nariman Point, Mumbai-400032.

*Tavade*  
9/5/22  
आयक विपोक  
पर्यावरण विभाग  
मंत्रालय, मुंबई

Respondent:

**Maharashtra Pollution Control Board** through The Member Secretary,  
3<sup>rd</sup> floor, Kalptaru Point, Sion East, Mumbai - 400022.

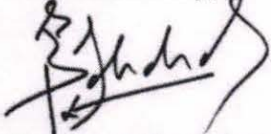
Subject: **Appeal against the imposition of Rs. 4,56,250/- as Environmental Compensation.**

Client: M/s Modern Road Makers Pvt. Ltd. Gat No.172 & 174, At Village Murma, Tal. Paithan & Dist. Aurangabad.

Sir,

1. I am concerned for my clients as above. As per the instructions received, I am filing an appeal against the imposition of **Rs. 4,56,250/-** as Environmental Compensation. Appeal fees of Rs.100/- have been paid on **04.03.2022** through Google pay (payment receipt enclosed).
2. This first statutory appeal as provided in the Act/s. The Appeal is required to be filed within a period of 30 days, from the date of communication of order, The formal date of the direction is 05.11.2019. But after the receipt of the notice immediately Appellant submitted the representation to the Respondent but till today the Appellant does not receive any information for a call for a hearing from the Respondent There is no delay in filing this appeal. We request you to kindly consider taking note of this and request you not to take any coercive action, without giving us an opportunity of hearing us. We shall be serving you the copy of the Appeal set by hand delivery.

Yours faithfully,



**Raghunath Mahabal, Advocate**

Enclosure: Copy of the Appeal Fees paid.

Copy to: Regional Office and Sub-Regional Office, MPCB, Mumbai

T.C.



## Proof of Service



raghunath mahabal &lt;adv.rbmahabal@gmail.com&gt;

### NGT: OA 59/2019 "Sakharam Asaram Kale Vs. MPCB": Circulation of the Affidavit in Reply

1 message

raghunath mahabal &lt;adv.rbmahabal@gmail.com&gt;

7 April 2023 at 18:34

To: nitinlonkar@gmail.com, roaurangabad@mpcb.gov.in, mpcbaurangabad@mpcb.gov.in, adv.manasi.joshi@outlook.com, ms@mpcb.gov.in, memberadmin@nhai.org, romumbai@nhai.org, solapur@nhai.org, srolatur@mpcb.gov.in, sroaurangabad1@mpcb.gov.in, sroaurangabad2@mpcb.gov.in, nhairomaharashtra@gmail.com, "Principal Secretary Environment Dept. Govt. of Maharashtra" <psec.env@maharashtra.gov.in>  
Cc: Nilesh.Pathak@irb.co.in, Raghunath Mahabal <mahabal60@gmail.com>, dhananjay.joshi@irb.co.in, Jayant Dangare <jayant.dangare@irb.co.in>, Rahul Joshi <rahul.joshi@irb.co.in>, grievances@irb.co.in, ssgore2005@gmail.com

SIR,

This is an email copy for circulation of Affidavit in reply by Respondent No. 5.

Advocate for Respondent No.5, ( MODERN ROAD MAKERS PVT. LTD.)

= Raghunath Mahabal, Advocate +91-74-0011-6222 [adv.](mailto:adv.rbmahabal@gmail.com)[rbmahabal@gmail.com](mailto:rbmahabal@gmail.com) =

B-202 Chandravijay, Phule Road, Mulund East, Mumbai-400081

Adv. Sumedha Marathe | Adv. Ashlesha Gondhalekar | Adv. Antima Bazaz New Delhi |



OA 59\_2019 (WZ) R5 Modern Road Makers final wt Ax..pdf

24302K