

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
Original Application No.201/2023 (WZ)**

Charan Ravindra Bhatt

... Applicant

v/s

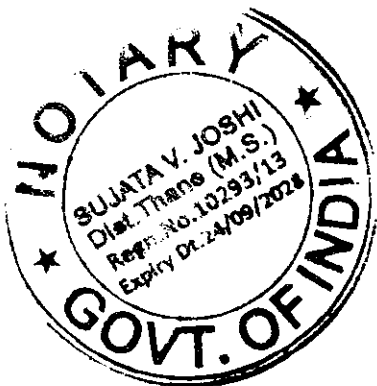
Wetland Division, MoEF & CC & Ors.

... Respondents

**Affidavit on behalf of the Maharashtra Pollution Control  
Board i.e. Respondent No.7.**

I, Anand Katole, Aged-Adult, Occupation-Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Thane-II, having office at Plot No.P-30, 5<sup>th</sup> Floor, Office Complex Building, Wagle Industrial Estate, Mulund Checknaka, Thane (West)-400 604, do hereby solemnly affirm and state as under:-

1. I am filing this Affidavit in compliance of the order dated 23/10/2024 passed by the Hon'ble NGT, WZ, Pune.
2. I say and submit that the Applicant has filed the present Application in respect of destruction of mangroves/wetland at Village: Sasunavghar, Tal: Vasai Dist: Palghar.
3. I say and submit that the Respondent No.7-MPCB has issued Consents to 12 RMC Plants located at Village: Sasunavghar, Tal: Vasai Dist: Palghar, subject to certain terms and conditions on the basis of NOC granted by the

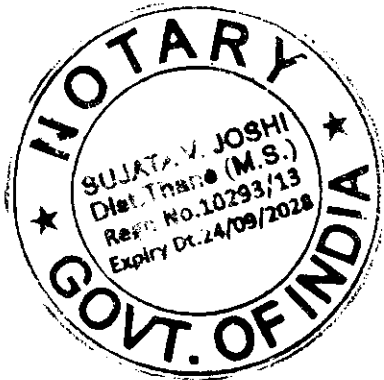


concerned Local Body. I crave leave to submit copies of the consents as and when directed by this Hon'ble NGT.

4. I say and submit that on the basis of Joint Committee Report dated 22/10/2024 and other non-compliances observed by the officials of the Respondent No.7-MPCB during their visit on 13/11/2024 to the said RMC Plants at the aforesaid site, Respondent No.7-MPCB has issued directions of closure to the said RMC plants. At present the electricity supply of the said RMC Plants is disconnected. A list of RMC Plants alongwith a sample copy of the closure directions is enclosed herewith and marked as an **Annexure-I**.

5. I say and submit that in the interest of natural justice, the Respondent No.7-MPCB has extended personal hearing on 14/01/2025 to the aforesaid RMC Plants. During the course of hearing, it was decided that RMC plant owners shall submit NOC from the Wetland Authority regarding as to whether their Plants falls in wetland stretch. It was further decided that RMC Plants shall comply with the Guidelines dated 27/11/2024 for Ready Mix Plant for siting criteria of RMC Plants in MMR area.

6. I say and submit that pursuant to the Order dated 23/10/2024, the Hon'ble NGT has directed the State Pollution Control Board to act on each of the contents of the Joint Committee Report. In this regard, I humbly say and



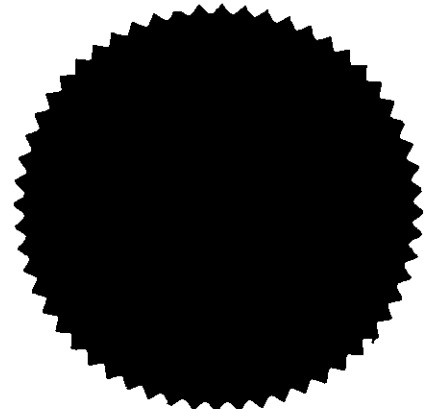
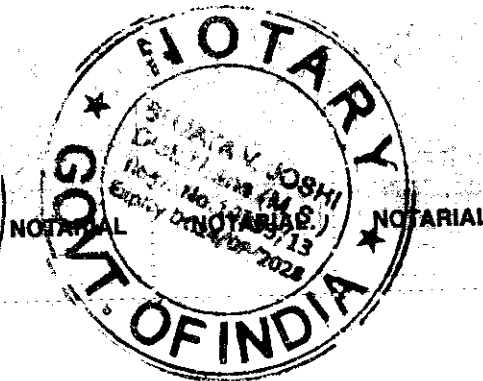
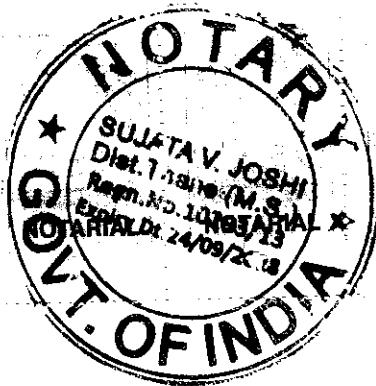
submit that the concerned Authorities should deal with the non-compliances mentioned in the Joint Committee Report and submit their compliances accordingly.

Solemnly affirmed on this 17<sup>th</sup> day of January, 2025 at Thane

For and on behalf of Maharashtra Pollution Control Board

*(Signature)*  
(Anand Katole)

Sub-Regional Officer, Thane-II



BEFORE ME  
NOTARY



*(Signature)*  
SUJATA V. JOSHI  
ADVOCATE & NOTARY

101/102, Vishal Bldg, Station Road,  
Kalwa (W), Thane-400 605.


NOTED & REGISTERED  
Sr. No. 660/2025

17 JAN 2025

**Status of Closure order issued to RMC Plants of Sasunavghar Area, Tal-  
Vasai, Dist – Palghar.**

Sr No	Name of RMC Plant	Closure Order date
1	M/s Nahar Readymix S. No. 194/A, Sasunavghar, Tal – Vasai, Dist – Palghar.	19.12.2024
2	M/s Skymix Concrete, S. No. 98/97, Sasunavghar, Tal – Vasai, Dist – Palghar	19.12.2024
3	M/s Vrittiraj RMC Plant S. No. 113, Sasunavghar, Tal – Vasai, Dist - Palghar	19.12.2024
4	M/s Naresh Enterprises S. No. 110/1, Sasunavghar, Tal – Vasai, Dist – Palghar.	11.12.2024
5	M/s Skycrete Infra LLP (Convoke Infra LLP) S. NO. 113, Sasunavghar, Tal – Vasai, Dist – Palghar.	30.12.2024
6	M/s Bucon Readymix S. No. 105/4, 106/3, Sasinavghar, Tal- Vasai, Dist – Palghar.	19.12.2204
7	M/s Om JVM InfraProjects Pvt Ltd S. No. 115, Sasunavghar, Tal – Vasai, Dist - palghar	10.12.2024
8	M/s Oasis Infra S. No. 108/1/2, Sasunavghar, Tal – Vasai, Dist - Palghar	30.12.2024
9	M/s Landmark Corporation Pvt Ltd, S. No. 106, Sasunavghar, Tal – Vasai, Dist - Palghar	18.12.2024
10	M/s Rathore Bhagyajeet & Company, S. No. 104, Sasunavghar, Tal – Vasai, Dist – Palghar	30.12.2024
11	M/s A. S. Infratech S. No. 108/1/1 & 108/1/2, Sasunavghar, Tal – Vasai, Dist – Palghar	26.12.2024
12	M/s Excellence Readymix LLP, S. No. 113/3, Sasunavghar, Tal – Vasai, Dist – Palghar	30.12.2024

# MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 <sup>th</sup> Floor, Office Complex Bldg.,
Website: <a href="http://mpcb.gov.in">http://mpcb.gov.in</a>		Near Mulund Check Naka,
E-mail Id: rothane@mpcb.gov.in		Wagle Estate, Thane-400 604.
No. MPCB/ROT/CD/2412190002		Date: 19/12/2024

To,  
**M/s. Skymix Concrete,**  
 (Formerly known as M/s. Skyway Infraprojects Pvt Ltd)  
 S. No. 98/97, W.E. Highway,  
 Near Ashok Layed workshop, Vill. Sasunavghar,  
 Tal. Vasai, Dist. Palghar



Your Service is Our Duty

**Sub:-** Closure Directions under section 33A of the Water (P & CP) Act, 1974 & under section 31A of the Air (P. & C.P.) Act, 1981 and read with Hazardous & Other Wastes (M & T M) Rules, 2016.

**Ref: -1)** Consent to operate granted by Board dtd. 30/03/2019.  
**2)** Interim Direction issued dtd. 15/05/2024.  
**3)** Hon'ble NGT vide order 23/10/2024 in O.A. 201/2023.  
**4)** Visit of Boards official dtd. 13/11/2024.  
**5)** Action proposal submitted by Sub- Regional Officer, Thane-II vide Legal Unique No. MPCB-LEGAL\_ACTIONS- 010321021.  
**6)** Approval for closure received from HQ dtd. 19/12/2024.

**WHEREAS,** you are operating your industry in Water & Air pollution prevention area declared under Water (P&CP) Act, 1974 Air (P&CP) Act, 1981.

**AND WHEREAS,** the Board had granted the conditional 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 under Rule 6 of the Hazardous & Other Wastes (Management & Transboundry Movement) Rules, 2016. **AND WHEREAS,** it is obligatory on your part to comply with the same.

**AND WHEREAS,** it was also obligatory on your part to provide adequate and efficient pollution control devices and take adequate measures to control air & water pollution from all sources so as to achieve the standards prescribed in the Environment (Protection) Act 1986.

**AND WHEREAS,** previously interim direction was issued on 15/05/2024 for non-compliance as below:

- 1) You shall provide industrial vacuum cleaner & CAAQMS station within 15-days.
- 2) You shall install sedimentation tank & make it operational within 15-days.
- 3) You shall strictly comply with consent conditions.
- 4) You shall submit Bank Guarantee of Rs. 50,000/- against compliance of these direction within 15-days.

**AND WHEREAS**, Charan Bhatt has filed complaint before Hon'ble NGT regarding violation of Wetland rules at Village Sasunavghar. Joint committee has submitted report dated 22/10/2024 and observed dumping of the debris/construction waste at Sasunavghar village. And Hon'ble NGT vide order 23/10/2024 in O.A. 201/2023 directed MPCB to act on report of Joint Committee and ensure compliance accordingly, Board officials of Sub Regional Office, Thane-II has visited your RMC plant on 13/11/2024 and has reported following non-compliances:

- 1) The location of the unit is in the stretch of coastal wetland Natural Intertidal Mudflats as per wetland atlas referred by Joint Committee.
- 2) Solid waste/ debris is lying in factory premises which leads to dust emissions in premises and outside the premises.
- 3) You have not provided fogger system.
- 4) You have not provided industrial vacuum cleaner.
- 5) You have not applied for amendment of consent from conversion of Green to Orange category.

**AND WHEREAS**, it is observed that in spite of giving a considerable time period and opportunities for improvement in environmental infrastructure, you have failed to comply with the direction given by the Board.

**AND WHEREAS**, this amounts to blatant violation of environmental norms which shows your gross negligence attitude towards pollution control.

**NOW THEREFORE**, in the exercise of the powers conferred u/s 33A of Water (Prevention & Control of Pollution) Act 1974, and 31A of Air (Prevention & Control of Pollution) Act, 1981. I, Regional Officer, MPCB, Thane hereby directed to close down your RMC activities, immediately. Please note that competent authorities are hereby directed to disconnect your electricity and water supply.

In case of your failure to comply these directions, further suitable action which may be deem fit, as per the provisions of the Environmental Act's will be initiated against your unit, which may please be noted.

This is issued with the approval of competent authority of Board.

  
(Kiran N. Hasabnis)  
Regional Officer, Thane

**Copy submitted to:**

1. Member Secretary, M. P. C. Board, Mumbai.
2. Assistant Secretary (Technical), M. P. C. Board, Sion, Mumbai.

**Copy to:**

1. The Executive Engineer, Maharashtra State Electricity Distribution Co Ltd. Tal. Vasai, Dist. Palghar - He is directed to disconnect electric supply, of above-mentioned industry immediately from receipt of these directions (Excluding single phase supply towards domestic and security purpose) and report compliance accordingly.
2. The Executive Engineer, Water Supply, Vasai Virar City Municipal Corporation, Tal. Vasai, Dist. Palghar - He is directed to disconnect water supply, of above-mentioned industry immediately from receipt of these directions and report compliance accordingly.
3. Sub- Regional Officer, Thane-II, MPC Board, Thane.  
- You are directed to serve these directions to the unit and ensure the compliance of the directions & submit ATR within 48-hrs.

  
(Kiran N. Hasabnis)  
Regional Officer, Thane