

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

ORIGINAL APPLICATION No. 08 OF 2025 (WZ)

**Hirwai Paryavaran Sangh, through its
President Shri Vijaykumar Jethe**

.... Applicant

Versus

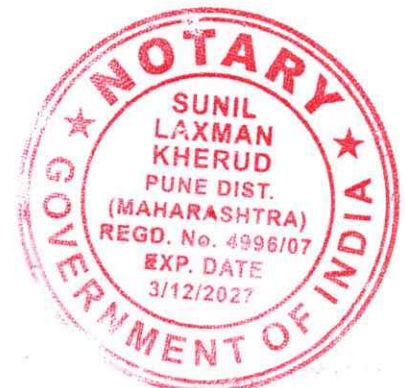
M/s Atul Stone Crusher & Ors.

.... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e. RESPONDENT NO. 2.**

I, Babasaheb Kukade, aged adult years, occupation – Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Pune II Region, having office address at 2rd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

(1) I say and submit that the present Application is filed by the Applicant alleging that Respondent No.1-M/s. Atul Stone Crusher is causing water, air and noise pollution due to their stone crushing and mining activities at Gat No.2307, Mhalunge Padwal, Tal: Ambegaon, Dist: Pune.



- (2) I say submit that I am filing this Affidavit on behalf of the Maharashtra Pollution Control Board in compliance of the Order dated 17/01/2025 passed by this Hon'ble NGT.
- (3) I say and submit that the Respondent MPCB has granted Consent to Operate to the Respondent No.1- Stone Crusher on 11/01/2023, subject to certain terms and conditions, which is valid upto 30/11/2027, which is annexed to the Original Application as an Annexure-“I”.
- (4) I say and submit that in order to verify the compliance, the official of the Respondent-MPCB visited the site of Respondent No.1 on 04/03/2025 and observed as follows:
- I. During visit stone crusher unit found in operation.
 - II. PP is engaged in manufacture of stone metal and Crush Sand.
 - III. For domestic effluent PP has provided septic tank
 - IV. Unit has got two number of Jaw, one VSI, and two number of screens.
 - V. PP has not provided cover arrangement for conveyor belt.
 - VI. Tin sheet cover arrangement provided to Screens.
 - VII. PP has made an arrangement of water sprinkling at raw material unloading, chute primary jaw crusher.
 - VIII. Water spraying at only two point provided for conveyor belt and not provided at all points.



- IX. Wind breaking wall not provided. Tree planation not done adequately.
- X. PP is using bore well water as well as quarry water.
- XI. There is stone quarry adjacent to the unit. Quarry found in operation.
- XII. Regular cleaning and wetting of ground in premises not provided
- XIII. Kachha Murum Road provided in premises.
- XIV. Production details not maintained at site.



A Copy of Visit Report along with Photographs dated 04/03/2025 is attached as **Annexure-I**.

- (5) I say and submit that Respondent MPCB on the basis of Complaint received from Vijay Kumar Jethe, dated 31/10/2023, has issued the Show Cause Notice on 29/12/2023 to Respondent No.1, which is annexed to the Original Application as an Annexure-“F”.
- (6) I say and submit the Respondent No.1 has failed to submit reply to the Show Cause Notice dtd.29/12/2023. Therefore, the Respondent- MPCB has issued Proposed Directions to the Respondent No.1 on 11/03/2025 under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, and Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 on the basis of non-compliances observed during the visit of Board Official on 04/03/2025 and non-compliance of consent conditions and directed them to respond within

seven days. Further action will be initiated by the Respondent-Board in accordance with the law. A copy of the Proposed Directions dated 11/03/2025 is enclosed herewith and marked as an **Annexure - II**.

(7) Hence this Affidavit.

Solemnly affirmed on this 18th day of March, 2025 at Pune.

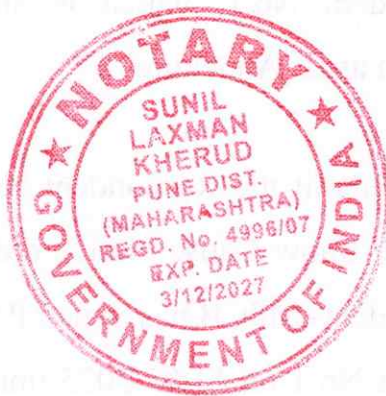
I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 2.

ADVOCATE

Babasaheb Kukade

(Babasaheb Kukade)
Sub-Regional Officer,
MPCB, Pune-II



BEFORE ME

Sunil Laxman Kherud
SUNIL LAXMAN KHERUD
NOTARY GOVT. OF INDIA
Regd. No. 4996/07
Noted & Register No.



SUNIL LAXMAN KHERUD
NOTARY GOVT. OF INDIA
B/3, MANIRATAN SOCIETY,
ARYANESHWAR, PUNE-411009

18 MAR 2025

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Annexure-I
MAHARASHTRA POLLUTION CONTROL BOARD
SUB-REGIONAL OFFICE – Pune II.

Phone No. 9422742901
Fax No. 020-25811707
Email ID – sropune2@mpcb.gov.in



Jog Center 2nd floor,
Wakdedwadi, Pune -Mumbai
Road, Pune- 411003.

-: Visit Report :-

1) Name & address : M/s. Atul Stone Crusher,

Gat No. 2307, Mahalunge Padwal,

Tal. Ambegaon, Dist. Pune.

2) Date of Visit : 04/03/2025

3) Contact Person (Tel/Mob/E-mail): Atul Karale.

9860204935 (karalegroup@gmail.com)


4) Consent Status: Consent to Operate valid up to 30/11/2027

5) Observation :

1. Visit was made to stone crusher unit in context to matter before Hon'ble NGT vide O.A Number 08 of 2025 –Hirwai Paryavaran Sangh through its president Shri. Vijaykumar Jethe Vs M/s Atul Stone Crusher.
2. During visit stone crusher unit found in operation.
3. PP is engaged in manufacture of stone metal and Crush Sand
4. For domestic effluent PP has provided septic tank.
5. Unit has got two number of Jaw, one VSI, and two number of screens.
6. Cover arrangement not provided to Jaw Crusher and VSI.
7. PP has not provided cover arrangement for conveyor belt.
8. Tin sheet cover arrangement provided to Screens.
9. PP has made an arrangement of water sprinkling at Raw material unloading, Chute primary jaw crusher.
10. Water spraying at only two point provided for conveyor belt and not provided at all points.
11. Wind breaking wall not provided. Tree plantation not done adequately.
12. PP is using bore well water as well as quarry water.
13. There is stone quarry adjacent to unit. Quarry found in operation.
14. Regular cleaning and wetting of ground in premises not provided
15. Kachha Murum Road provided in premises.

(Page 2 of 2)

16. Details about Bank Guarantee submission, EC Copy, NOC from forest department, Gaun Khanij Department Permission for quarry details were not available at site.
17. Production details not maintained at site.


04/03/2025
Sandeep M. Motegaonkar
Field Officer
SRO-Pune-II

Photographs



 GPS Map Camera



Pune, Maharashtra, India

Alandi Markal Road, Ambegaon, Pune, Maharashtra
410515, India

Lat 19.097502, Long 73.891252

03/04/2025 11:41 AM GMT+05:30

Note : Captured by GPS Map Camera





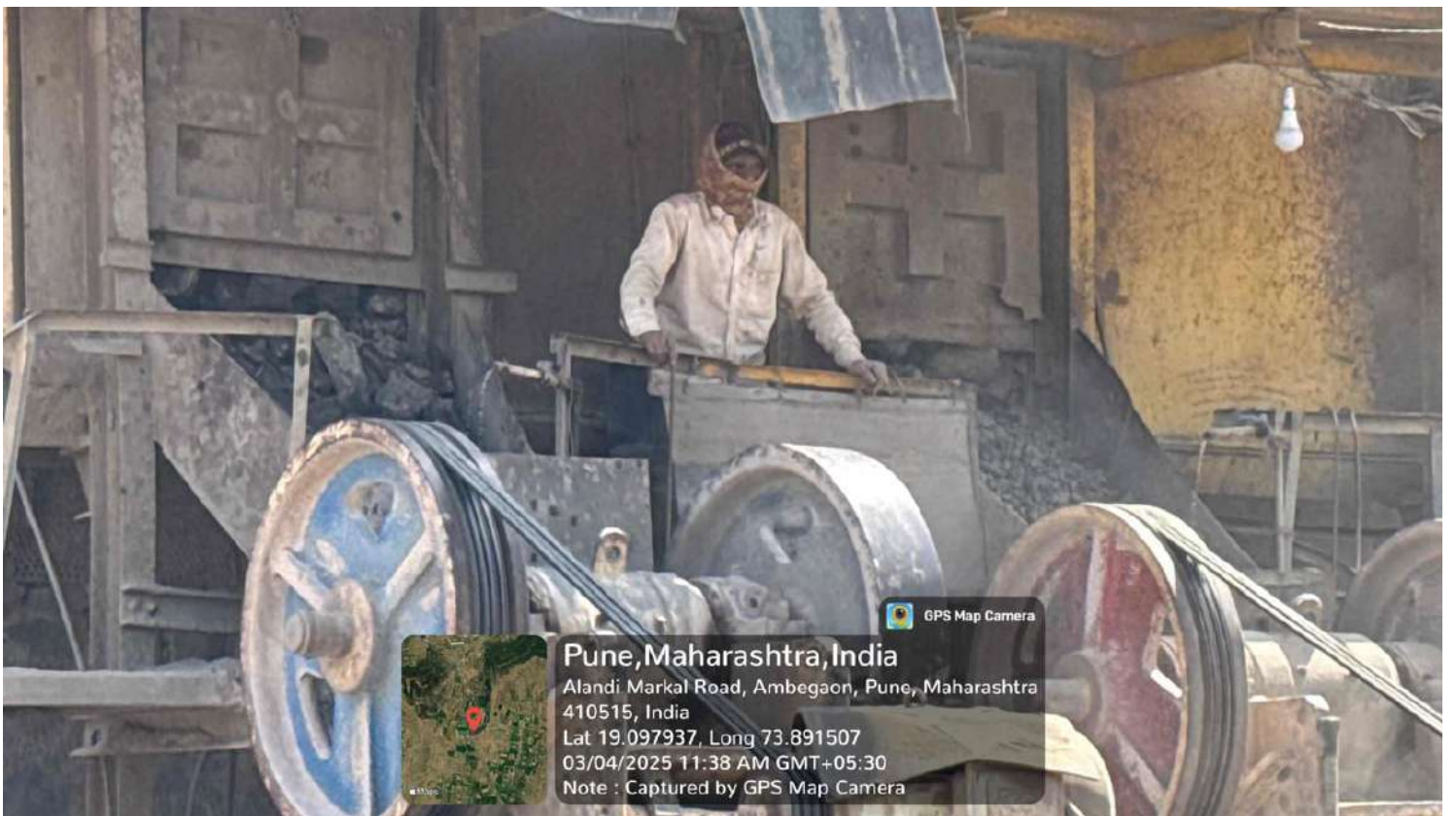


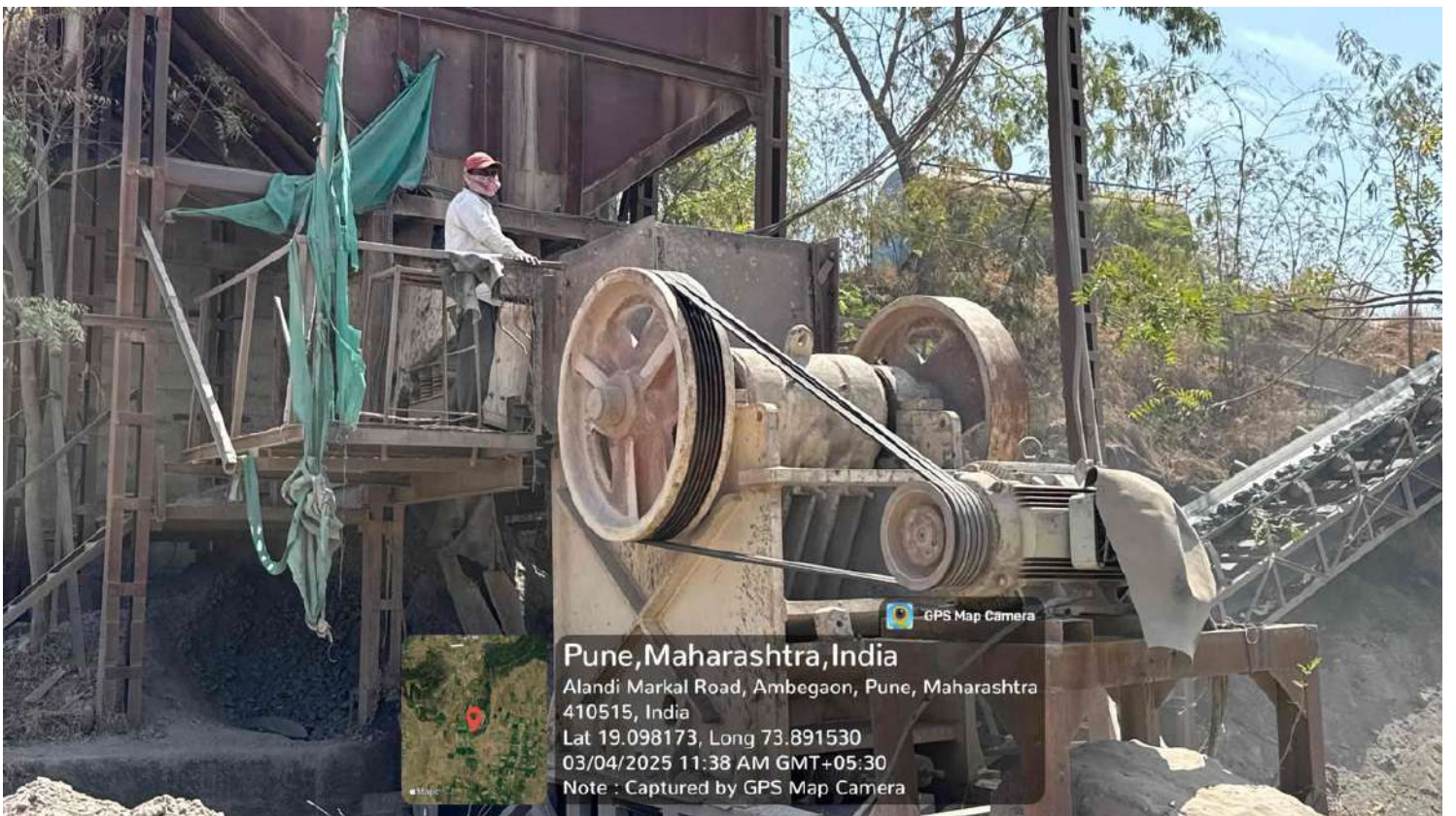
GPS Map Camera

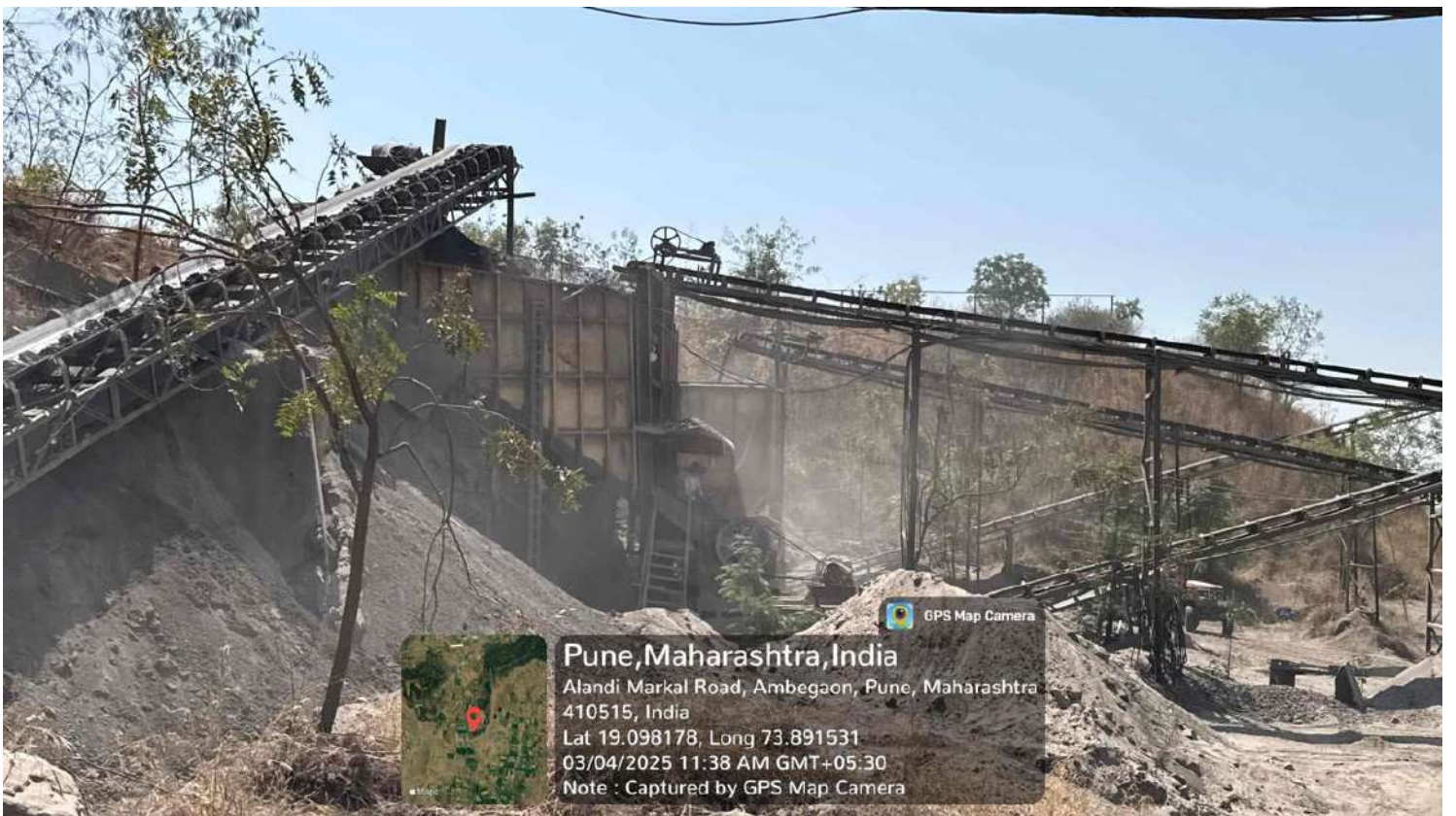


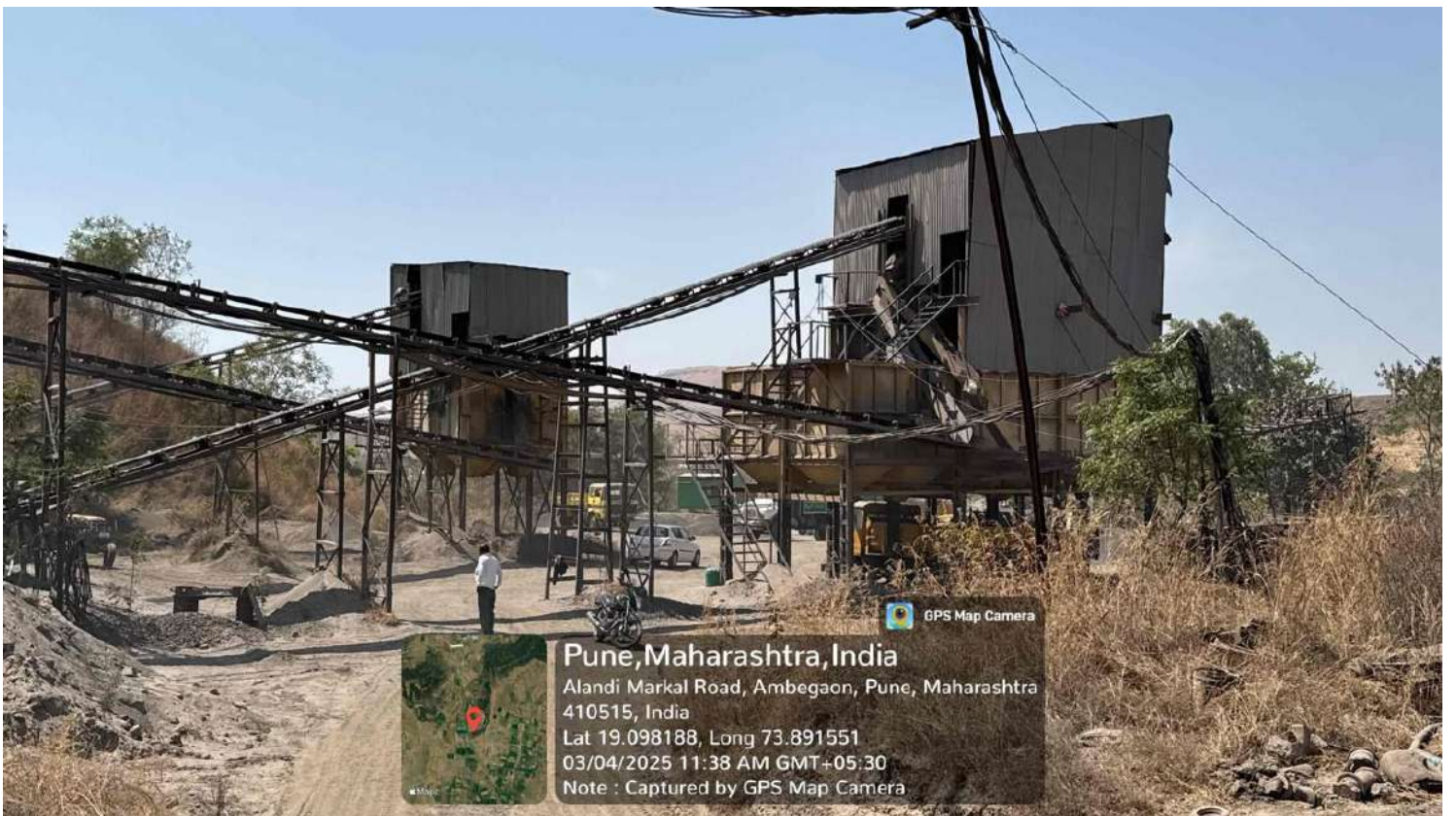
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410515, India
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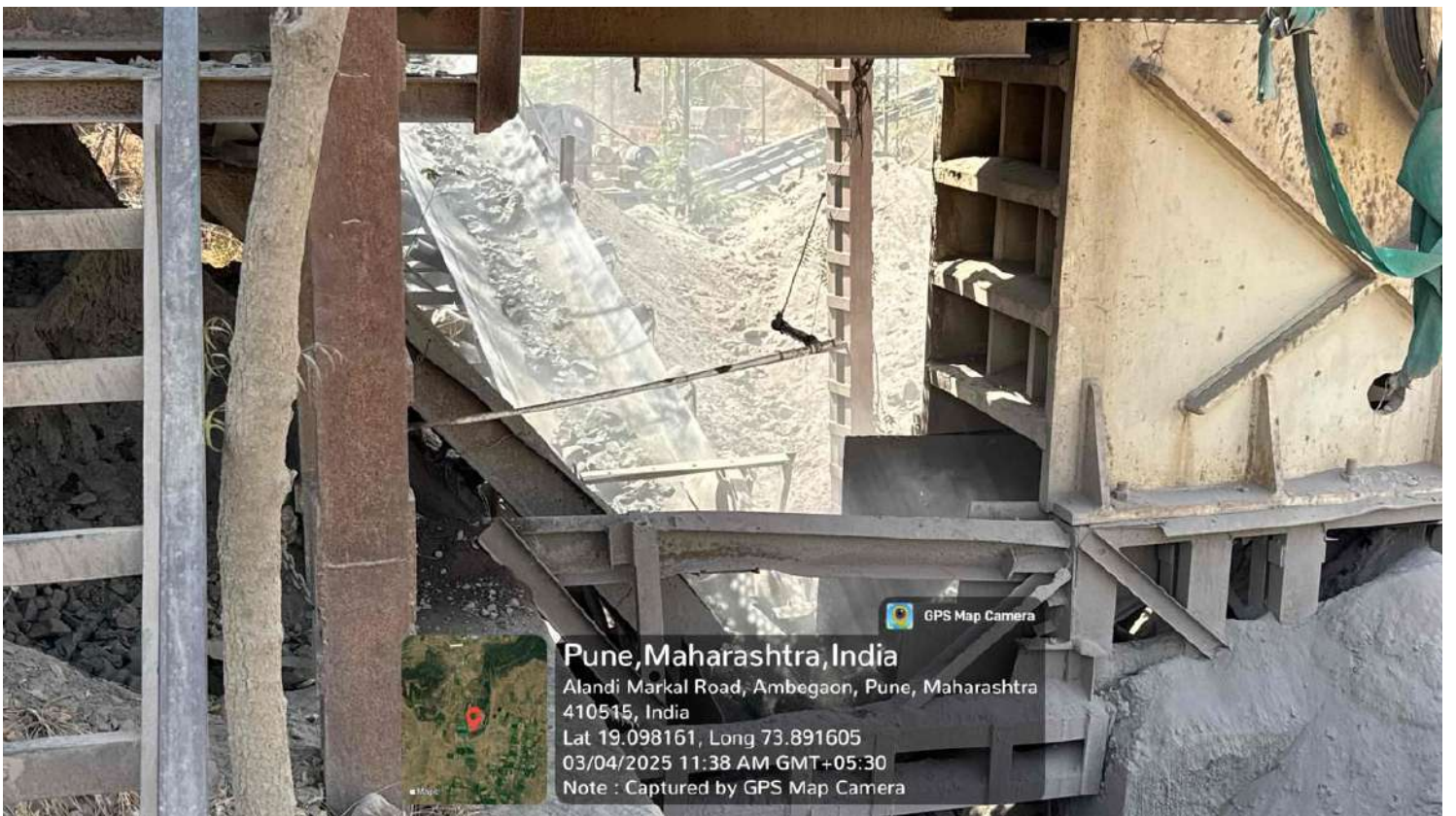




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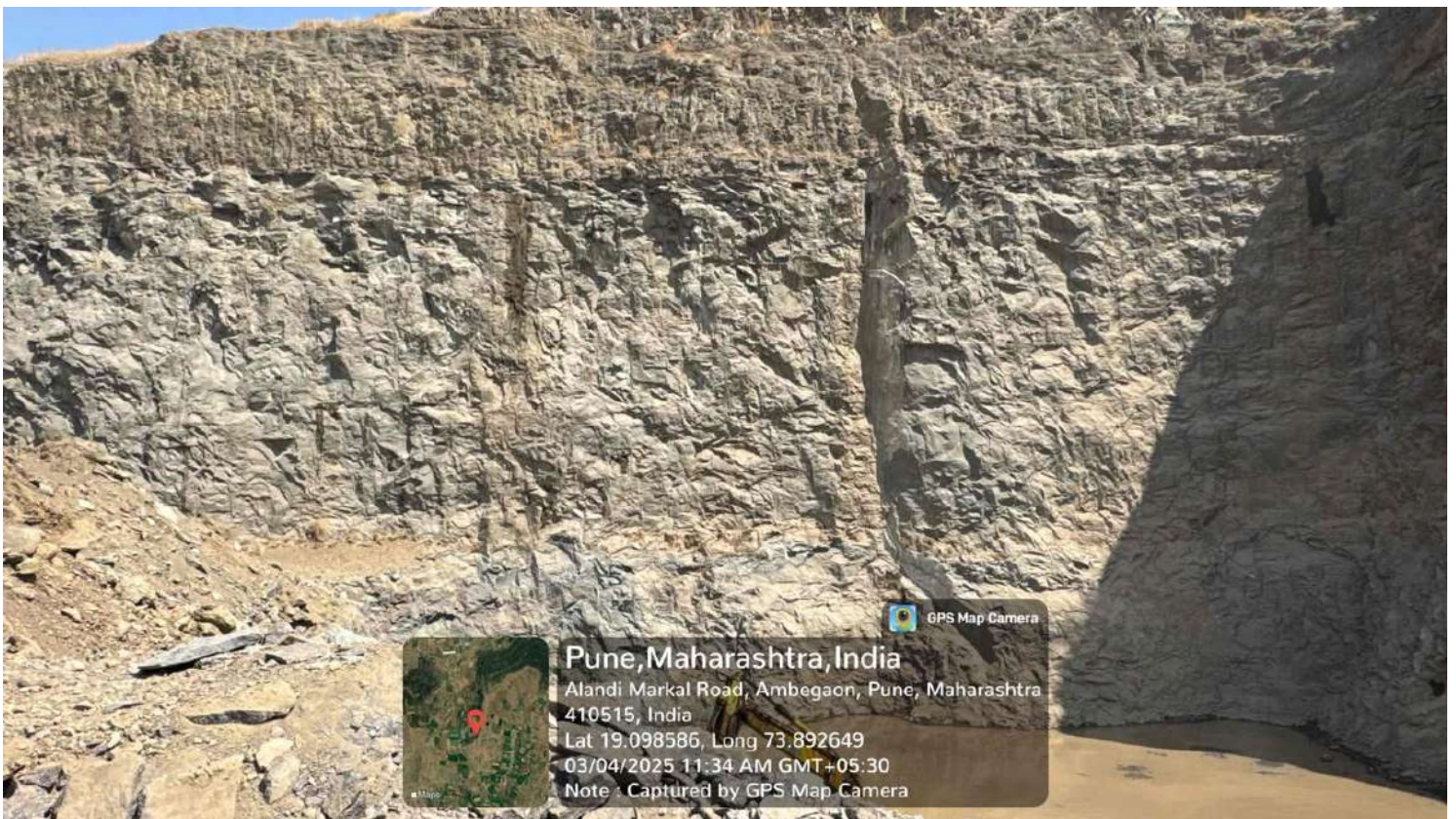


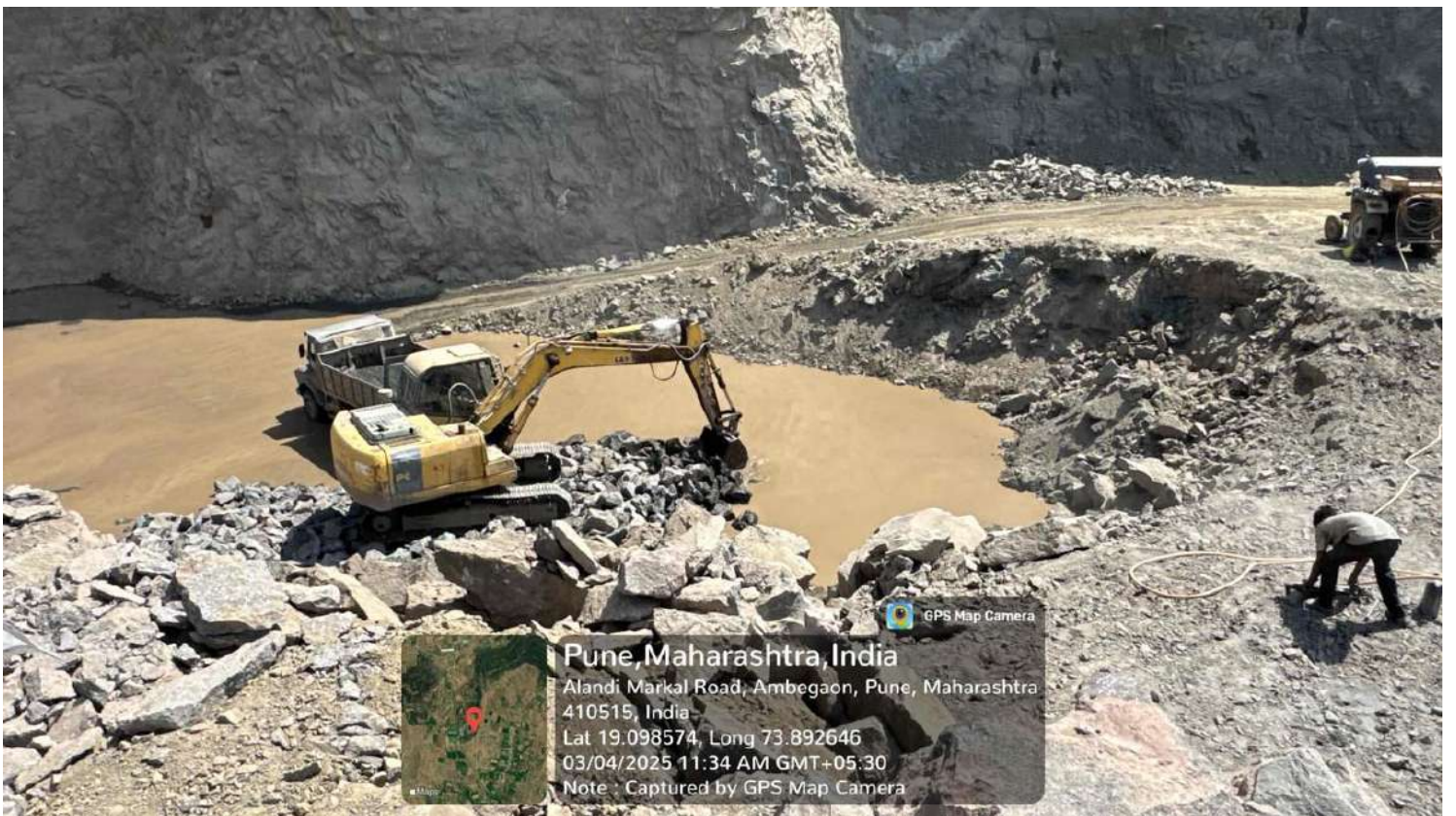


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410515, India
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03/04/2025 11:38 AM GMT+05:30
Note : Captured by GPS Map Camera







**MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694
Fax No. 020-25811701
e-mail : ropune@mpcb.gov.in
visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
Wakdevadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/PD/ 2503110005

Date: 11/03/2025

To,

M/s. Atul Stone Crusher,
Gat No. 2307, Mahalunge Padwal,
Tal. Abegaon, Dist. Pune.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and 31A of Air (Prevention & Control of Pollution) Act.1974.

Ref: 1) Consent to Operate granted by the Board vide no. Format1.0/RO/UAN No.0000147373/CR/2301001046, Dtd. 11/01/2023
2) Complaint received from the Chairman, Paryawaran Samiti, Maharashtra State, Pune vide letter Dtd. 30/10/2023
3) Show Cause Notice issued by the Board vide letter Dtd. 29/12/2023
4) Application filed before Hon'ble NGT vide OA No. 08/2025
5) Proposal submitted by SRO Pune-II vide no. MPCB-LEGAL-ACTIONS - 051223037 Dtd. 11/03/2025

WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, subject to certain terms and conditions.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control devices and comply with the consent conditions so as to achieve the standards prescribed by the Board in its consent.

AND WHEREAS, the officials of the Board has visited to your industry to check the compliance of consent condition and investigate the compliant and accordingly Sub Regional Officer, Pune-II submittled the legal action proposal vide referance (5) above and therein following non-compliances reported,

- 1) You have not provided cover to conveyer belts to avoid the dust emissions from your activity.
- 2) You have not provided adequate water spraying arrangment at the Conveyer bvelts and jaw crusher.
- 3) You have not provided tin fencing, tree plantation along with the periphery of the crusher unit.
- 4) You have not carried out regualr claning and wetting of the ground premises.

AND WHEREAS, you not complied with the Show Cause Notice for Refusal of Cosnent for above non-compliances.

J.

..2..

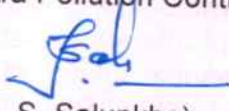
AND WHEREAS it has been observed that you have failed to comply with the conditions stipulated in the Consent granted by the Board and thereby discharging untreated / partially treated effluent and air emissions into the environment and thereby causing water and air pollution into the environment.

NOW THEREFORE, in view of the above non-compliance, you are hereby directed to show cause as to:

1. Why your consent shall not be revoked.
2. Why your existing bank guarantee shall not be forfeited ?
3. Why you shall not be directed to closedown industry forthwith?
4. Why the competent authorities shall not be directed to disconnect Water / electricity supply of industry/unit?

You are hereby given an opportunity to **respond within 7 days** from the issuance of these directions, failing which, MPCB will initiate legal action against your unit without giving any further notice in accordance with the provisions of the Water (prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, which please note.

For and on behalf of
Maharashtra Pollution Control Board


(J. S. Salunkhe)
Regional Officer,
M. P. C. Board Pune

Copy Submitted for information to

1. Joint Director (APC), M.P.C. Board, Mumbai.
2. Law Officer, M.P.C. Board, Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Pune-II :- You shall submit the compliance report of this directions within time.

