

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONAL BENCH AT PUNE

Original Application No. 68 of 2026

IN

L.A. No. 209 of 2026 (WZ)

Mr. Raj Kashinath Mhatre Applicants

V/s

MPCB & Ors. ... Respondent



AFFIDAVIT IN REPLY ON BEHALF OF BMC

I, Amol Thorat, working as Asstt. Engineer (i/c) with the Respondent BMC having my office at 'S' Ward Municipal Office, LBS Marg, Near Mangatram Petrol Pump, Bhandup (W), Mumbai 400 078, do hereby state on solemn affirmation as under :-

1. It was notice that there were several violations of air pollution mitigation guideline issued pursuant to the Hon'ble High Court's direction in PIL No. 03 of 2023. Accordingly, a stop work notice u/s 354-A of the MMC Act, dated 08.01.2026 was issued directing the owner / developer and contractor M/s Vikhroli Business Centre Pvt Ltd. to immediately stop construction activity and comply with the prescribed environmental safeguards. The stop work notice dated 08.01.2026 issued u/No. ACS/OD/1397/Gen./B&F is marked as **Exhibit A**.

2. By the aforesaid notice, it was informed to cure / rectify the deficiencies (a) uncovered construction material, (b) absence of water fogging and sprinkling arrangement, (c) lack of vehicle tyre-washing facility, (d) inadequate green cloth screening, (e) poorly maintained access road and (f) inadequate perimeter barricading. The Developer was directed to rectify the above deficiencies within three days failing which action under the MMC Act and MRTP Act

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including site sealing, prosecution and/ or registration of an FIR was proposed.

3. Accordingly, the Municipal Corporation has taken cognizance of the complaint and have initiated appropriate action for compliance of the environmental safeguards.

Solemnly affirmed at Mumbai)

This 4 day of June 2026)

4 JUN 2026

Identified by me

Advocate for the Respondent BMC

Before me AEIB RAJ S'ILC

BEFORE ME

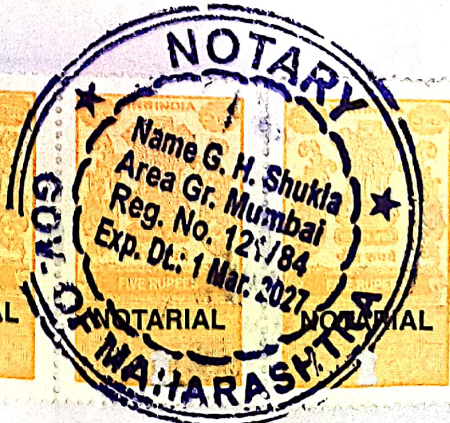
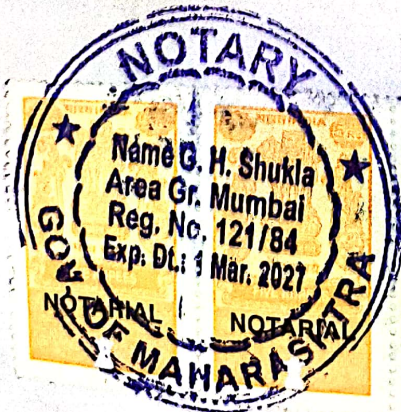
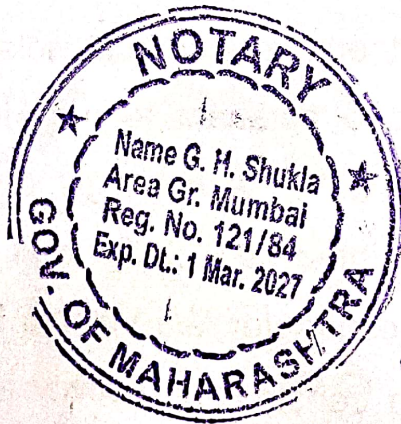
G. H. SHUKLA
NOTARY GREATER MUMBAI
Jagdamba Bhavan, Ground Floor
mpatrao Kadam Marg, Lower Park
MUMBAI - 400 013.

- 4 JUN 2026

NOTED & REGISTERED

Sr. No. 91736 Page No. 53

Book No. 88 Date 4 JUN 2026



BRIHANMUMBAI MUNICIPAL CORPORATION

Office of the Assistant commissioner 'S' Ward

Office of the Asstt. Commissioner, 'S' Ward office Bldg, near Mangalram,

Petrol Pump, L. B. S. Marg, Bhandup (W), Mumbai. - 400 078

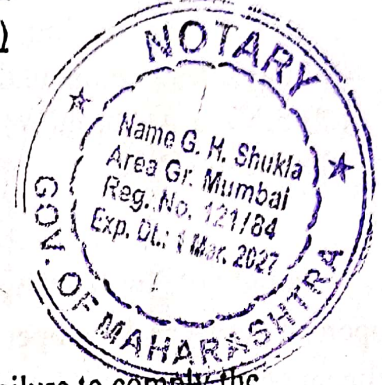
No.ACS/OD/ 1397- /Gen/B&F/ dtd. 8/11/2026

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Exhibit A

STOP WORK NOTICE

(u/s 354(A) of MMC Act)



G. H. Shukla

Sr. Mumbai

No. 121/84

Exp. Dt. 1 Mar. 2027

To,

All Owner/Developer/Contractor,

Vikhroli Business Park city Pvt. Ltd

CTS No. 110/A, 110/11 to 37, 112 E/1

L.B.S Road, Vikhroli (E) 83

Sub:- To stop ongoing demolition / construction work for failure to comply the guidelines issued to mitigate the air pollution.

Ref:- 1) Hon'ble High Court PIL No. 03 / 2023

2) Guidelines dtd. 25.10.2023 under no. MGC/F/1102 & HE/DP/229/Gen 2024-25 issued by Hon'ble Municipal Commissioner for Air Pollution Mitigation.

Your attention is invited to the site visit of this office staff & direction / Guidelines given for Mitigation of Air Pollution under no. MGC/F/1102 dtd. 25.10.2023 & CHE/DP/229/Gen 2024-25 issued by Hon'ble Municipal Commissioner .

During the site visit of this office staff on dated 8/11/2026, it is observed that, in spite of instructions / guidelines of Hon'ble Municipal Commissioner you have not complied the requirements which are mentioned below: -

1. Building Construction Material not covered with Tarpaulin sheet/green cloth
2. Water fogging & Sprinkling arrangement is not available on site.
3. Vehicle Tyre washing arrangement not seen on site
4. Building is not covered with Green cloth.
5. Access road is not clean & maintain.
6. Metal sheet / Tin sheets are not installed around periphery of site or plot w/r.
- 7.
- 8.

Failure to comply the above requirements compels to issue the 'STOP WORK NOTICE'.

As such this notice is issued to stop the ongoing work with immediate effect till compliance / fulfilment of the requirements mentioned above within next 03 days, failing which action deem fit as per MMC Act, MRTTP will be initiated including sealing of site under reference. Further FIR will be register against developer/ owner for serious lapses which may please be noted.



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Copy to,

E.E.(B.P.)E.S.-II

Nr. Raj Legacy Building,
Old Paper Mill compound,
L.B.S.Marg, Vikhroli(W),
Mumbai-400 083

OR

E.E.(MHADA)B.P.Cell

Ground floor, MHADA,
Grihanirman Bhavan,
Kalanagar, Bandra(E),
Mumbai-400 051.

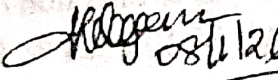
OR

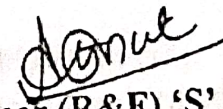
E.E.(SRA)

SRA Office, 5th floor,
Administrative Building,
Anant kanekar marg,
Bandra(E), Mumbai- 400 051

In light of Hon'ble High Court order in PIL No. 03 / 2023, the concern project proponent / owner / developer is hereby instructed to stop the work on site under reference. Being approving authority, you are hereby informed to instruct the concern project proponent / owner / developer to comply the requisitions in circular guidelines dated 25.10.2023 and take necessary action as per law against the defaulters at your end as well and inform the undersigned accordingly.

Compliance of Air Pollution Mitigation guidelines is also the responsibility of execution / approving authority which may be noted please.


08/11/26
KARTIK KALYAN
Sr. Project Director
9445265267


Assistant Engineer (B&F) 'S' ward '10

O/C

