

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 58 OF 2025 (WZ)**

Suyog Kelkar

..... Applicant

Versus

**Maharashtra Pollution Control Board
& Ors.**

..... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF
MAHARASHTRA POLLUTION CONTROL BOARD
I.E. RESPONDENT NO. 1.**

I, Kartikeya Langote, aged about 54 years, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Pune-I, having office address at 2nd Floor, Jog Centre, Wakdewadi, Pune – 411003, do hereby state on solemn affirmation as under –

- 1) I say and submit that the Applicant has filed this application alleging that Respondent No. 2 M/s Ashtech Pvt.Ltd., a Ready Mix Cement (RMC) Plant, which is causing fugitive emissions and cement dust from vehicular movement to settle in the applicant's terrace and inside the house, leading to ailments such as Asthma and Chronic Obstruction Pulmonary Disease (COPD).



- 2) I say and submit that in compliance of the Order passed by this Hon'ble NGT dated 11/06/2025, the MPCB Board has submitted the Report dated 19/06 /2025, which was taken on record by this Hon'ble NGT.
- 3) I am filing this affidavit in compliance of the Order dated 20/06/2025 passed by this Hon'ble NGT.
- 4) I say and submit that in compliance of the Hon'ble NGT Order dtd.20/06/2025, the MPCB issued Directions under Section 133 of Cr.P.C. vide letter dated 24/06/2025 to the Sub – Divisional Magistrate, Sub Division Pune, Tal Haveli, Dist – Pune for sealing the unit of Respondent No.2-M/s,Ashtech Pvt.Ltd. A copy of the Direction dated 24/06/2025 is attached as **Annexure I**.
- 5) I say and submit that in order to verify the present status, the official of the Respondent Board at SRO Pune I visited to the site on 17/07/2025 and observed as follows: -
- I. During the visit RMC plant was not in operation.
 - II. MSEDCL Pune has disconnected the Electricity supply of M/s. Ashtech India Pvt.Ltd. PP has shown a letter from Assistance Engineer MSEDCL Pune dtd. 9/7/2024 mentioning the electricity supply disconnected from 09/07/2024.A copy of the Visit Report along with Photographs dated 17/07/2025 and MSEDCL Disconnection letter dated 09/07/2024 is attached as **Annexure-II Colly**.



6) I say and submit that Respondent Board has also send a reminder to the Sub-Divisional Magistrate, Pune through e-mail dated 24/7/2025. for submission of report. A copy of the e-mail dated 24/7/2025 is attached as an **Annexure-III**.

7) Hence this Affidavit.

Solemnly affirmed on this 29th day of July, 2025 at Pune.

I know the affiant

For and on behalf of Maharashtra
Pollution Control Board i.e.
Respondent No.1

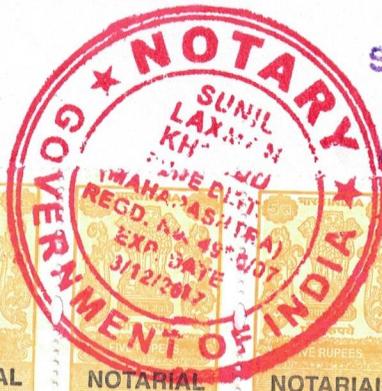
Langote
29/7/25.

ADVOCATE

(Kartikeya Langote)
Sub - Regional Officer Pune I,



BEFORE ME
[Signature]
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

29 JUL 2025



 <p>LIFE Lifestyle for Environment</p> <p>Tel. No. 9423632901 SRO Off: 9422742901</p> <p>E-mail: ropune@mpcb.gov.in</p> <p>Visit us at: www.mpcb.gov.in</p>	<p>MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICE, PUNE</p>  <p>“Your Service Is Our Duty”</p>	 <p>Jog Center, Building, 3rd Floor, Wakadewadi, Mumbai-Pune Highway, Pune- 411003, Maharashtra</p>
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MPCB Pune /FTS NO

250624-FTS-0002

Date: 24/06/2025

To,
The Sub- Divisional Magistrate,
Sub Division, Pune
Tal- Haveli, Dist- Pune

Sub: Directions u/s 133 of Criminal Procedure Code against
M/s. M/s. Ashtech I Pvt Ltd located at S.No. 25/1, industrial shed
no 1, behind Jotiba Mandir, Wadgaon bk, Tal- Haveli, Dis-Pune.

Ref: 1) Closure Directions u/s 33A of the Water (Prevention & Control
of Pollution) Act, 1974 and u/s 31A of the Air (Prevention &
Control of Pollution) Act, 1981 dtd.24/6/2024.
2) Original Application No.58/2025(WZ) Suyog Kelkar
V/s Maharashtra Pollution Control Board & Ors.
Respondent
3) Visit of Board official to the unit on 17/6/2025.

WHEREAS, the Maharashtra Pollution Control Board has issued
Directions of closure under Section 33 A of the Water (Prevention & Control of
Pollution) Act, 1974 & Section 31 A of the Air (Prevention & Control of
Pollution) Act, 1981 to M/s. Ashtech I Pvt Ltd located at S.No. 25/1, industrial
shed no 1, behind Jotiba Mandir, Wadgaon bk, Tal- Haveli, Dis- Pune, vide
above reference letter no. (1).

AND WHEREAS, the officials of the Board has visited the above unit
and observed that said unit found in operation & engaged in manufacturing
activities of ready Mix Concrete Plant (RMC) operated on D.G. set. The unit
had failed to provide air pollution control system.

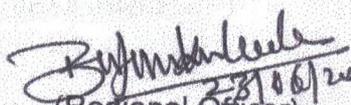
: 2 :

25/6/25
आवक जाबक लिपिक
उपविभागीय अधिकारी हवेली
उपविभाग पुणे यांचे कार्यालय

AND WHEREAS, The Applicant has filed the OA No.58/2025(WZ) alleging that Respondent No. 2 – M/s Ashtech Private Limited Ready-Mix Cement (RMC) Plant, which is causing fugitive emission and cement dust from vehicular movement to settle in the applicant's terrace and inside the house, leading to ailments such as asthma and Chronic Obstruction Pulmonary Disease (COPD).

In view of the above unit is still operating in spite of the issuance of directions of closure thereby violating the said directions. Maharashtra Pollution Control Board does not have the authority to seal the unit.

You are requested to take appropriate action under Section 133 of Criminal Procedure Code against M/s. Ashtech I Pvt Ltd located at S.No. 25/1, industrial shed no 1, behind Jotiba Mandir, Wadgaon bk, Tal- Haveli, Dis- Pune, for sealing the unit in order to avoid further serious situation.

o/c 
(Regional Officer)
MPCB, Pune. 28/06/2025

Copy to:

- 1) Law Officer MPCB HQ, Mumbai.
- 2) JD(APC) MPCB, Mumbai.
- 3) Sub Regional Officer, MPCB, Pune-1.

MAHARASHTRA POLLUTION CONTROL BOARD SUB-REGIONAL OFFICE – PUNE-I

Ph. 020-25811694
Fax. 020-25811029



Jog Center Bldg.
2nd floor, Wakdewadi,
Old Mumbai – Pune Highway,
Pune 411003

Visit Report

Name & Address of Industry :- M/s.Ashtech India Pvt.Ltd-RMC Plant
Sr. No.25/1,Dangat Patil Industrial Estate Near
Versatile School, Behind Jotiba Mandir, Wadgaon
Bk, Tal- Haveli, Dist-Pune.

Date of Visit :- 17/7/2025.

Industry Officials :- Mr. Nilesh Bhokare(Plant In charge).

Consent Status :- Consent to Operate dated 11/04/2022 was valid up to
31/03/2025 for READY MIX CONCRETE
3000m3/month (for Commercial Purpose Only).

Observations :-

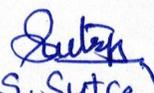
Board has issued Proposed Direction dated 08/05/2024 followed by Closure Directions vide letter dated 24/06/2024 to M/s. Ashtech Pvt. Ltd.

The case is filled in Hon'ble NGT OA No. 58 of 2025 (WZ) by Suyog Kelkar Applicant Versus Maharashtra Pollution Control Board & Ors Respondent. The Applicant has filed the Present Application alleging Respondent No. 2 M/s. Ashtech Private Limited.

Accordingly, as per instructions of Sub- Regional Officer, Pune-1, visited to M/s. Ashtech Pvt. Ltd. on 17/7/2025 along with Shri. Bhoi Field Officer, during visit it is observed that-

- 1) RMC plant not found in operation.
- 2) Electricity supply found disconnected. PP has shown a letter from Assistance Engineer MSEDCL Pune dtd. 9/7/2024 mentioning the electricity supply disconnected from 9/7/2024.


(S. J. Bhoi)
F.O.
SRO, Pune-1


(J. S. Surce)
field officer
SRO Pune-1



 GPS Map Camera



Pune, Maharashtra, India

Frc7+8px, Anand Nagar, Pune, Maharashtra
411051, India

Lat 18.470498° Long 73.814232°
17/07/2025 11:13 AM GMT +05:30





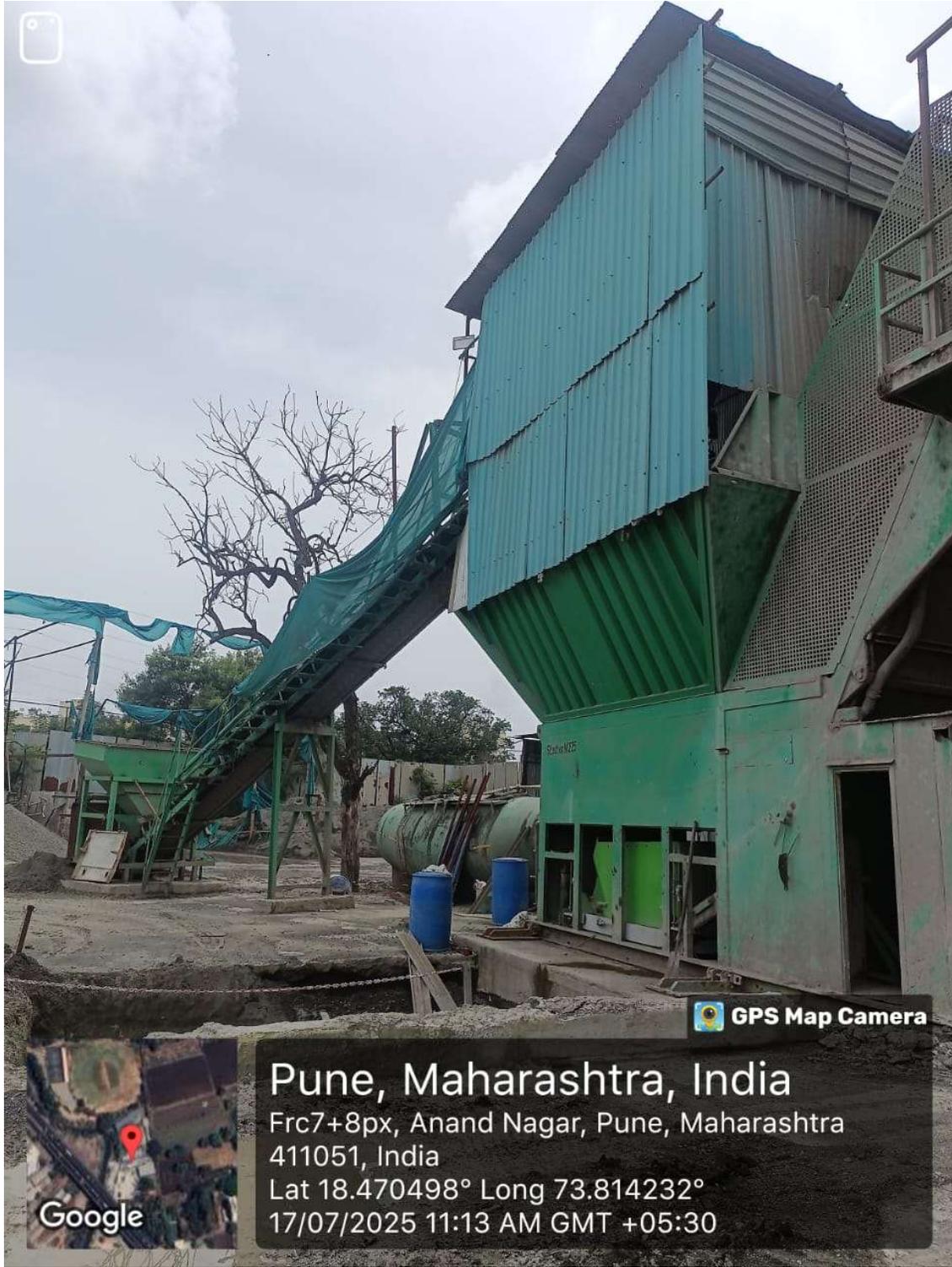
GPS Map Camera



Pune, Maharashtra, India

Frc7+8px, Anand Nagar, Pune, Maharashtra
411051, India

Lat 18.470505° Long 73.814385°
17/07/2025 11:13 AM GMT +05:30



 **GPS Map Camera**



Pune, Maharashtra, India
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411051, India
Lat 18.470498° Long 73.814232°
17/07/2025 11:13 AM GMT +05:30



GPS Map Camera

Pune, Maharashtra, India

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411051, India

Lat 18.470486° Long 73.814212°

17/07/2025 11:13 AM GMT +05:30



17/06/2024 | Wadgaon | 104

Date 09/07/2024

प्रति

मं. Ashtech Pvt Ltd

सर्व नं. २५/१, इंडस्ट्रियल शेड नं १,

जोतिबा मंदिर मार्ग, वडगाव बु. पुणे ४१.

विषय - महाराष्ट्र प्रदूषण नियामक मंडळ यांच्या सूचनेनुसार विदुत पुरवठा खंडित करणेबाबत.

संदर्भ - MPCB/ROP/CD/2406240002 Dated - 24/06/2024

वरील विषयास अनुसरून आपणास कळविण्यात येते कि महाराष्ट्र प्रदूषण नियामक मंडळ यांच्या सूचनेनुसार आपण प्रदूषण कमी करण्यास उपाययोजना करून घ्यात कमी पडल्याचे वरील शासकीय विभागाने महावितरण कंपनीस कळविले आहे आणि आपला विदुत पुरवठा खंडित करण्यास सांगितले असून त्यानुसार आपला विदुत पुरवठा आज दिनांक ०९/०७/२०२४ खंडित केलेला असून आपणास काही शंका असल्यास वडगाव उपविभाग महावितरण शी संपर्क साधावा.

माहितीस्तव सादर.


Atish S. Ingle
Assistant Engineer
MSEDCL/Wadgaon Section, Pune



Outlook

Directions u/s 133 of Criminal Procedure Code against M/s. Ashtech I Pvt. Ltd at S. No. 25/1, Industrial Shed No. 1, behind Jotiba Mandir Wadgaon Bk. Tal. Haveli, Dist. Pune

From RO Pune <ropune@mpcb.gov.in>

Date Thu 24-07-2025 16:14

To sdohaveli-mh@gov.in <sdohaveli-mh@gov.in>

Cc SRO Pune 1 <sropune1@mpcb.gov.in>; Legal Retainer Pune 2 <legalretainerpune2@mpcb.gov.in>

3 attachments (908 KB)

msedcl ashtech.pdf; F861174E7F3C4436968E9BAE8D69DFA5.pdf; SDO Haveli Ashtech.pdf;

Sir,

Requested to take appropriate action under section 133 of Criminal Procedure Code against M/s. Ashtech I Pvt. Ltd. located at S. No. 25/1, Industrial Shed No. 1, behind Jotiba Mandir Wadgaon Bk. Tal. Haveli, Dist. Pune for sealing of the unit in order to avoid further serious situation.

With Regards,

(B.M.Kukade)

Regional Officer,

M. P. C Board Pune.

From: RO Pune <ropune@mpcb.gov.in>

Sent: 24 July 2025 16:11

To: sdohaveli-mh@gov.in <sdohaveli-mh@gov.in>

Cc: SRO Pune 1 <sropune1@mpcb.gov.in>; Legal Retainer Pune 2 <legalretainerpune2@mpcb.gov.in>

Subject: Disconnection of electricity supply of M/s. Ashtech Pvt. Ltd., Wadgaon Bk, Pune

Sir,

Requested to take appropriate action under section 133 of Criminal Procedure Code against M/s. Ashtech I Pvt. Ltd. located at S. No. 25/1, Industrial Shed No. 1, behind Jotiba Mandir Wadgaon Bk. Tal. Haveli, Dist. Pune for sealing of the unit in order to avoid further serious situation.

With Regards,

(B.M.Kukade)

Regional Officer,

M. P. C Board Pune.

From: RO Pune

Sent: 20 March 2025 17:31

To: eerastapeth@gmail.com <eerastapeth@gmail.com>; SRO Pune 1 <sropune1@mpcb.gov.in>

Cc: SRO Pune <sropune@mpcb.gov.in>

Subject: Disconnection of electricity supply of M/s. Ashtech Pvt. Ltd., Wadgaon Bk, Pune

Please find the both the attachment i.e. closure directions and disconnection letter and submit report accordingly.

With Regards,

(J.S.Salunkhe)

Regional Officer,

M. P. C Board Pune.