



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION No. 112 OF 2025 (WZ)**

Sameer Khale

.... Applicants

Versus

M/s Abhay Stone Metal & Ors.

.... Respondents

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

I, Navanath S. Awatade, aged adult, occupation – Service, the Sub Regional Officer of the Maharashtra Pollution Control Board at Pune-II Region, having office address at 2<sup>rd</sup> 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 Abhay Stone Metal is operating Stone Crusher Unit at Gat No.471/1 of village Muktaiwadi, Taluka Mulshi, District Pune, which falls in No Development Zone (NDZ) as per Notification dated 11/12/2018 issued by the Urban Development Department, Government of Maharashtra.

- (2) I am filing this affidavit in compliance of the Order dated 18/09/2025 passed by this Hon'ble NGT.
- (3) I say and submit that the Respondent-MPCB has granted Consent to Establish to Respondent No.1-M/s. Abhay Stone Metal on 04/10/2023, for a period upto Commissioning of the unit or upto 5 years, whichever is earlier. A copy of the Consent to Establish dated 04/10/2023 is enclosed to the Application at Page Nos.46 to 54 as an Annexure-VI colly.
- (4) I say and submit that the Respondent-MPCB has granted Consent to Operate to M/s Abhay Stone Metal on 24/03/2024, subject to certain terms & conditions, which is valid up to 31/01/2028. A copy of the Consent to Operate dated 24/03/2024 is enclosed to the Application at Page Nos.55 to 62 as an Annexure-VI colly.
- (5) I say and submit that the Respondent-MPCB has issued a letter dated 17/11/2025 to the Pune Metro Regional Development Authority (PMRDA) requesting to provide a types of industries, who are permitted to operate/prohibited in No-Development Zones in PMRDA area.
- (6) I say and submit that in order to verify the present status, the officials of the Respondent- MPCB at Pune II visited the site of the aforesaid unit on 18/11/2025 and observed as follows:





- I. The Original Land bearing Gat no. 471/1, 473 Mouje Mukaiwadi, Tal. Mulshi, Dist. Pune is in the ownership of Shri. Jitendra Kishan Pawale.
- II. The Tahsildar Mulshi has granted permission for Stone Quarry and leveling of land vide letter Dtd. 12/12/2023 to Shri. Raju Appa Chavan- Crusher Owner.
- III. The Tahsildar Mulshi Pune has granted temporary NA order to the applicant Shri Raju Appa Chavan (Crusher Owner) vide letter Dtd. 11/09/2025.
- IV. The Hon'ble Collector, Pune has granted trading of Quarry Material and Stone Aggregates vide letter Dtd. 26/09/2025.
- V. BG imposed of Rs. 50000/-, submitted on 22.03.2024, valid upto 18.03.2029.
- VI. The stone crusher has not made arrangements of water sprinkling at Raw material unloading area.
- VII. Not covered Vertical Shaft Impact with metal sheet.
- VIII. Regular cleaning on internal road not carried out.
- IX. Huge quantity of fine dust stored in stone crusher premises causing dust emission due to vehicle movement & along with wind flow.
- X. Provided water sprinkling at Chute primary jaw crusher, screening area, internal premises & fine material conveyor belt.
- XI. The stone crusher has got natural wind breaking wall at one side, in the form of an adjacent hill. Provided

a wind breaking walls/metal sheet fencing at other sides.

XII. The stone crusher has planted tree plantation in stone crusher premises along the boundary wall.

XIII. Provided 01 bore well inside the stone crusher premises, not produced CGWA NOC. A copy of the visit Report along with photographs dated 18/11/2025 is enclosed herewith and marked as an **Annexure-I**

(7) I say and submit that on the basis of non-compliance observed during the aforesaid visit, the Respondent-MPCB has issued Closure Directions to the Respondent No.1-Industry on 21/11/2025. A copy of the Closure Direction dated 21/11/2025 is enclosed herewith and marked as an **Annexure-II**.

(8) Hence this Affidavit.

Solemnly affirmed on this 08<sup>th</sup> day of December, 2025 at Pune.

I know the affiant

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

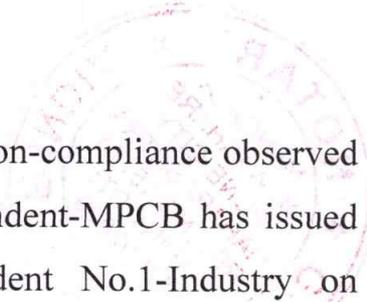
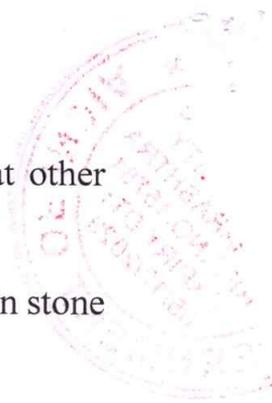
ADVOCATE

(Navanath S. Awatade)  
Sub-Regional Officer,  
MPCB, Pune-II

**BEFORE ME**

**MANGALA N. WAKHARE**  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA

**08 DEC 2025**



**MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICER PUNE 2**

Phone No. 25811 222  
Fax No. 25811 029  
Email ID – [sropune2@mpcb.gov.in](mailto:sropune2@mpcb.gov.in)



Jog Center, 3rd floor  
Wakadewadi Mumbai-Pune,  
Road Pune – 411003

**-: Visit Report :-**

Dtd. 18.11.2025

**Name & address of Project** : M/s. Abhay Stone Metal  
Gat No. 471/1, Mukaiwadi, Pirangut,  
Tal - Mulshi, Dist. Pune

**Mail ID** : [abhaystonemetal@gmail.com](mailto:abhaystonemetal@gmail.com)

**Consent person** : Akshay Chavan (Owner)

**Contact no.** : 99708 25555

**Observations:**

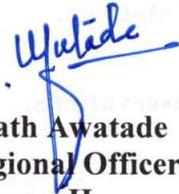
Visit is carried out in compliance of Hon'ble NGT order dtd. 18.09.2025 in the matter of O.A. no. 114 of 2025 (WZ) Sameer Khale (Applicant) Versus M/s Abhay Stone Metal & Ors. (Respondents) observations are as follows:

1. This is Stone Crusher & found in operation.
2. Consent to Establish granted by the Board vide no. Format1.0/RO/UAN No.0000176183 /CE/ 2310000273 Date: 04/10/2023.
3. Consent to 1st Operate granted by the Board vide no. - Format1.0/RO/UAN No.0000194413/ CO/2403002547 Date: 24/03/2024, which is valid upto 31/01/2028
4. The Original Land bearing gat no. 471/1, 473 Mouje. Mukaiwadi, Tal. Mulshi, Dist. Pune is in the ownership of Shri. Jitendra Kishan Pawale.
5. The Tahsildar Mulshi has granted the permission for Stone Quarry and leveling of land vide letter Dtd. 12/12/2023 to Shri. Raju Appa Chavan- Crusher Owner
6. The Tahshildar Mulshi Pune has granted temporary NA order to the applicant Shri Raju Appa Chavan (Crusher Owner) vide letter Dtd. 11/09/2025
7. The Hon'ble Collector, Pune has granted trading of Quarry Material and Stone Aggregates vide letter Dtd. 26/09/2025.
8. BG imposed of Rs. 50000/-, submitted on 22.03.2024, valid upto 18.03.2029.
9. The stone crusher has not made arrangements of water sprinkling at Raw material unloading area.

10. Not covered Vertical Shaft Impact with metal sheet.
11. Regular cleaning on internal road not carried out.
12. Huge quantity of fine dust stored in stone crusher premises causing dust emission due to vehicle movement & along with wind flow.
13. Provided water sprinkling at Chute primary jaw crusher, screening area, internal premises & fine material conveyor belt.
14. The stone crusher has got natural wind breaking wall at one side, in the form of an adjacent hill. Provided a wind breaking walls/metal sheet fencing at other sides.
15. The stone crusher has planted tree plantation in stone crusher premises along the boundary wall.
16. Provided 01 bore well inside the stone crusher premises, not produced CGWA NOC.



**Sushma Kumbhar**  
**Field Officer**  
**Sub Regional Office**  
**Pune - II**



**Navanath Awatade**  
**Sub Regional Officer**  
**Pune- II**



 GPS Map  
Camera Lite

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude  
18.483592°

Longitude  
73.6838627°

Local 01:20:05 PM  
GMT 07:50:05 AM

Altitude 656 meters  
Tuesday, 18.11.2025



 GPS Map  
Camera Lite

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude

18.4824943°

Local 01:20:01 PM

GMT 07:50:01 AM

Longitude

73.6833491°

Altitude 668 meters

Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude

18.4830218°

Longitude

73.68357454°

Local 01:18:45 PM

GMT 07:48:45 AM

Altitude 656 meters

Tuesday, 18.11.2025



 GPS Map  
Camera Lite

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude  
18.48264963°

Longitude  
73.68340021°

Local 01:19:31 PM  
GMT 07:49:31 AM

Altitude 656 meters  
Tuesday, 18.11.2025



 GPS Map  
Camera Lite

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude  
18.48280044°

Longitude  
73.68343687°

Local 01:19:11 PM  
GMT 07:49:11 AM

Altitude 656 meters  
Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude  
**18.483301°**

Longitude  
**73.68393521°**

Local 01:17:55 PM  
GMT 07:47:55 AM

Altitude 656 meters  
Tuesday, 18.11.2025



FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 🇮🇳

Latitude

18.48341995°

Longitude

73.68400434°

Local 01:17:38 PM

GMT 07:47:38 AM

Altitude 654 meters

Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 

Latitude  
**18.48333557°**

Longitude  
**73.68409335°**

Local 01:16:47 PM  
GMT 07:46:47 AM

Altitude 654 meters  
Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

Gat no, 734, Temghar-Lavasa Rd, Gadewadi, Urawade, Maharashtra  
412115, India 

Latitude

18.48316718°

Longitude

73.68385288°

Local 01:18:13 PM

GMT 07:48:13 AM

Altitude 656 meters

Tuesday, 18.11.2025



FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 🇮🇳

Latitude

18.4833601°

Local 01:16:09 PM

GMT 07:46:09 AM

Longitude

73.68407835°

Altitude 654 meters

Tuesday, 18.11.2025



 GPS Map  
Camera Lite

FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 

Latitude

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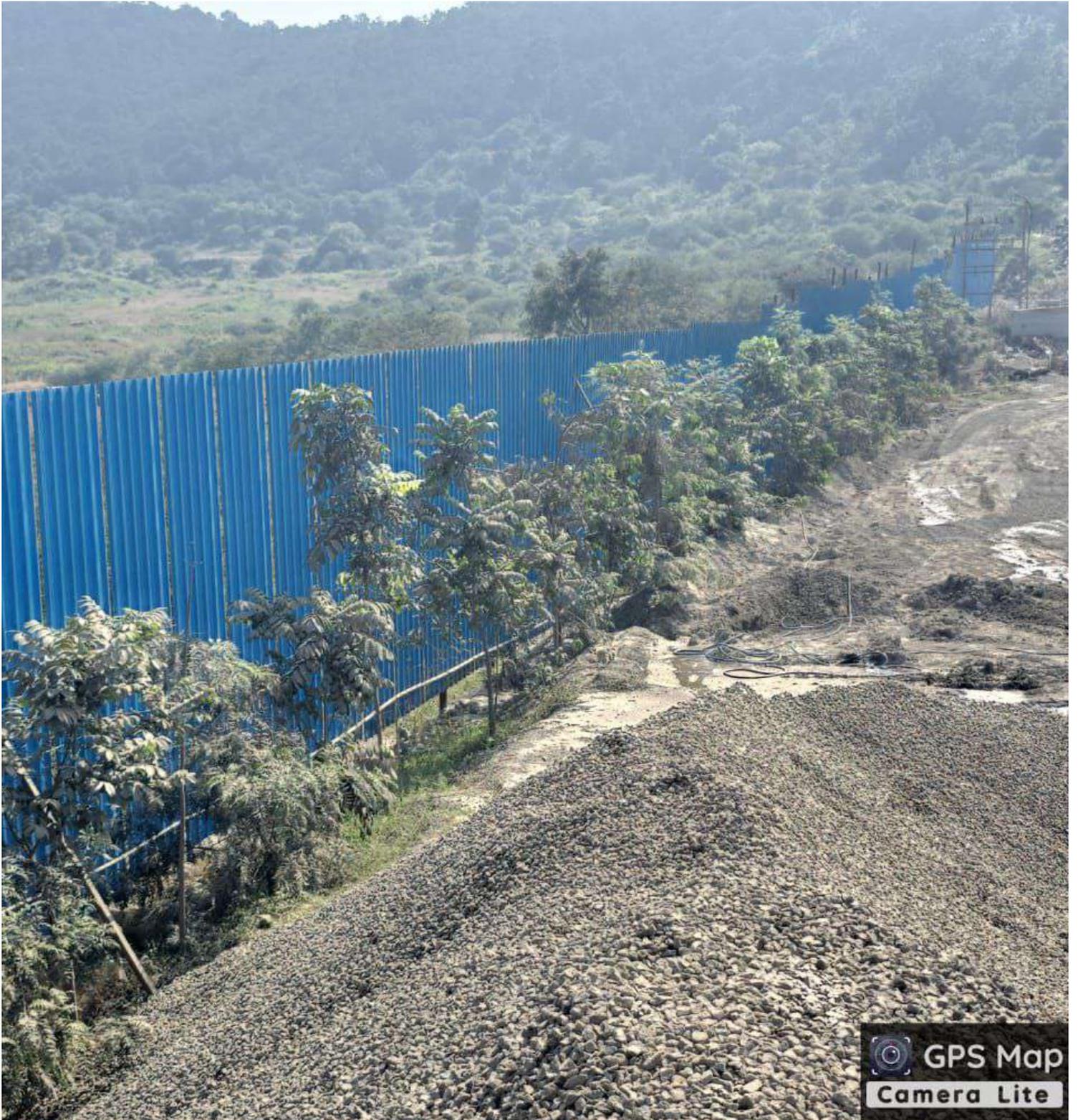
GMT 07:45:58 AM

Longitude

73.68407762°

Altitude 654 meters

Tuesday, 18.11.2025



 GPS Map  
Camera Lite

FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 

Latitude

18.4833431°

Local 01:16:38 PM

GMT 07:46:38 AM

Longitude

73.68410117°

Altitude 654 meters

Tuesday, 18.11.2025



FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 🇮🇳

Latitude

18.48336774°

Longitude

73.68408765°

Local 01:15:42 PM

GMT 07:45:42 AM

Altitude 654 meters

Tuesday, 18.11.2025



FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 🇮🇳

Latitude

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Longitude

73.68395533°

Local 01:14:10 PM

GMT 07:44:10 AM

Altitude 654 meters

Tuesday, 18.11.2025



FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 🇮🇳

Latitude

18.4836877°

Local 01:04:56 PM

GMT 07:34:56 AM

Longitude

73.68395984°

Altitude 654 meters

Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 

Latitude  
18.48337162°

Longitude  
73.68407583°

Local 01:15:51 PM  
GMT 07:45:51 AM

Altitude 654 meters  
Tuesday, 18.11.2025



FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 🇮🇳

Latitude

18.48368708°

Local 12:56:35 PM

GMT 07:26:35 AM

Longitude

73.6839597°

Altitude 654 meters

Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 

Latitude

18.48368753°

Local 12:56:39 PM

GMT 07:26:39 AM

Longitude

73.68395981°

Altitude 654 meters

Tuesday, 18.11.2025



 **GPS Map**  
**Camera Lite**

FMMM+WQ7, Mukaiwadi Rd, Pirangut, Urawade, Maharashtra 412115,  
India 

Latitude

18.4843232°

Longitude

73.68388611°

Local 12:53:50 PM

GMT 07:23:50 AM

Altitude 649 meters

Tuesday, 18.11.2025

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

Phone No. 020-25811694  
Fax No. 020-25811701  
e-mail : [ropune@mpcb.gov.in](mailto:ropune@mpcb.gov.in)  
visit us : [www.mpcb.gov.in](http://www.mpcb.gov.in)



"Your Service is our Duty"

Jog Centre, 3<sup>rd</sup> Floor,  
Wakdewadi,  
Old-Pune Mumbai Road,  
Pune- 411003

MPCB/CD/ 2511210001

Date: 21/11/2025

To,  
**M/s. Abhay Stone Metal,**  
**Gat No. 471/1,473 Mukaiwadi, Pirangut,**  
**Tal. Mulshi, Dist. Pune.**

Sub: - 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.

- Ref:** 1) Consent to Operate granted by the Board vide no. Format1.0/RO/UAN No.0000194413/ CO/2403002547 Date: 24/03/2024, which is valid upto 31/01/2028
- 2) Legal matter case is filled before Hon'ble NGT vide OA No. 114/2025 (WZ) Sameer Khale (Applicant) V.s Kumbare Stone Crusher and Ors.
- 3) Visit of Board Official on 18/11/2025 in compliance of Hon'ble NGT order Dtd. 18/09/2025
- 4) Legal Action proposal submitted by Sub Regional Officer, Pune-II vide no. MPCB-LEGAL-ACTION-191125025, Dtd. 20/11/2025
- 5) Approval to the legal proposal received from the Board's Competent Authority on 21/11/2025.

**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, on 09/01/2023, subject to certain terms and conditions.

**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, so as to achieve the consented standards.

**AND WHEREAS**, in order to verify the compliance of the proposed directions the Board Officials at Pune-II visited the site in question on 18/11/2025 and accordingly Sub Regional Officer, Pune-II submitted legal action proposal vide above reference (5) with following non-compliances,

- (1) You have not made the arrangement of water sprinkling at Raw Material unloading area.
- (2) You have not covered vertical shaft impact with metal sheets.
- (3) You have not carried out the regular cleaning within the premises, due to which fine dust accumulated and causing dust emission due to vehicle movement and along with wind flow.
- (4) The Stone Crusher Activities are not allowed in Agriculture and No Development Zone as specified in the Notification issued by UD Dept, GoM Dtd. 11/12/2018.

...2...

*[Handwritten Signature]*

: 2 :

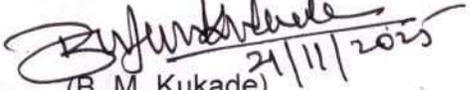
- (5) You have not upgraded / provided the air pollution control system as per the Board's circular no. MPCB/JD(APC)/Stone Crusher/TB-3/B-0215, Dtd. 10/01/2024 regarding Environmental Guidelines for the Stone Crusher Units issued by Central Pollution Control Board in the Month July, 2023.

**AND WHEREAS**, you have failed to comply with the consent conditions and also failed to provide adequate pollution control devices and thereby, causing water and air pollution into the environment.

**NOW THEREFORE**, in view of the above non-compliances, you are hereby directed to stop your manufacturing activities forthwith, failing which the Board will have no option than to initiate appropriate legal action under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

This is issued with the approval of the Competent Authority of the Board.

For and on behalf of  
Maharashtra Pollution Control Board

  
(B. M. Kukade)  
Regional Officer,  
M. P. C. Board Pune

Copy submitted for favor of information to:-

- The Member Secretary, MPCB, Mumbai.

Copy forwarded to:-

1. Joint Director (APC), MPCB, Mumbai.
2. Law Officer (P & L Div), MPCB, Mumbai.

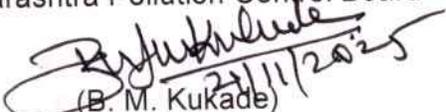
Copy forwarded with compliments for necessary action to:

- (1) Executive Engineer, MSEDCL Office Mulshi Division, Pune :- He is directed to disconnect the electricity supply of above unit immediately and communicate accordingly.
- (2) Grampanchayat Mukaiwadi-Pirangut Village Tal. Mulshi, Dist. Pune :- He is directed to disconnect the water supply of above unit immediately and communicate accordingly.

Copy to Sub Regional Office, Pune-II -

He is directed to serve the directions to addressee and competent authorities and submit acknowledgement copy to this office timely & submit further compliance report of same.

For and on behalf of  
Maharashtra Pollution Control Board

  
(B. M. Kukade)  
Regional Officer,  
M. P. C. Board, Pune