

## JOINT COMMITTEE REPORT IN THE HON'BLE NATIONAL GREEN TRIBUNAL (NGT) MATTER IN O.A. NO. 08 OF 2023 (WZ), MR. SUDAM GOVINDRAO JADHAV VS KALYAN TOLL INFRASTRUCTURE LTD & ORS.

### 1.0 Background

Hon'ble NGT vide dated 01/02/2023 passed order in the matter of OA no. 08 of 2023(WZ), Mr. Sudam Govindrao Jadhav Vs Kalyan Toll Infrastructure Ltd & Ors. The matter relates to Kalyan Toll Infrastructure Ltd. is running Hot Mix Plant and RMC plant at Gat No. 141 in the same location, emitting a huge quantity of ash, dust and hazardous small pollutants causing damage to the crops of the Applicant.

Hon'ble NGT directed vide Order dated 01/02/2023 (copy of Hon'ble NGT Order, dated 01/02/2023 is given at Annexure-I) and has constituted committee comprising one Member each from:-

1. The District Magistrate.
2. The Maharashtra Pollution Control Board (MPCB); and
3. District Agriculture Officer.

Relevant section of the order is reproduced as below: -

*"14. The Committee is directed to visit the site and submit an action taken report in the light of the averments made in the application, within a period of one month."*

### 2.0 Approach.

Maharashtra Pollution Control Board (MPCB) being the nodal agency, Sub Regional Officer, Parbhani had put up Office Note before Hon'ble District Magistrate, Parbhani for nominating competent Officer as member of Joint Committee. Accordingly, The District Magistrate, Parbhani nominated Tahsildar, Manwat, Dist. Parbhani in the Joint committee. Sub-Regional Officer, MPCB, Parbhani communicated with District Superintendent Agriculture Officer, Parbhani vide Letter No. No. MPCB/SRO-P-26/23 dtd. 10/02/2023 to nominate competent official in committee, Accordingly, District Superintendent Agriculture Officer, Parbhani vide Letter No. 443/23 dtd. 14/02/2023 nominated Mr. S. T. Pathan, Taluka Agriculture Officer, Selu, Dist. Parbhani. Accordingly, Sub Regional Officer, MPCB, Parbhani, vide letter no. MPCB/SRO-P-26/23 dtd. 15/02/2023 (copy given as Annexure-II A) communicated to Tahsildar, Manwat, Dist. Parbhani and Taluka Agriculture Officer, Selu, Dist. Parbhani and informed that Site Visit by joint committee has been scheduled on 17/02/2022 at 10:00 a.m. But, due to unavailability of Tahsildar, Manwat,

due to another official work, site visit was rescheduled on 22/02/2022, accordingly, Sub Regional Officer, MPCB, Parbhani, vide letter no. MPCB/SRO-P-38 dtd. 20/02/2023 (copy given as Annexure-II B) communicated to Tahsildar, Manwat, Dist. Parbhani and Taluka Agriculture Officer, Selu, Dist. Parbhani. Since, Taluka Agriculture Officer, Selu- Mr. S. T. Pathan was on leave, District Superintendent Agriculture Officer, Parbhani vide Letter No. 556/23 dtd. 22/02/2023 nominated Mr. Govind Kolhe, Technical Officer, Sub Divisional Agriculture Office, Parbhani as representative of District Agriculture Officer in the committee.

The joint committee met on site on 22<sup>nd</sup> February 2022 to deliberate the issues mentioned in the Hon'ble NGT order and way forward for compliance of the aforesaid order.

### **3.0 Site Visit**

In compliance with the direction dated 01/02/2023, the site visit was conducted by joint committee **on 22<sup>nd</sup> February 2023**. Committee comprised of Mrs. Pratiksha Bhute, Tahsildar-Manwat, Mr. Shripad Kulkarni, Sub Regional Officer MPCB, Mr. Govind Kolhe, Technical Officer, Sub Divisional Agriculture Office, Parbhani. Committee visited project site of Industry M/s Kalyan Toll Infrastructure Ltd., Gat No. 141, Adgaon Darade, Tal. Selu, Dist. Parbhani and Agriculture land of Petitioner Mr. Sudam Govindrao Jadhav located at Gat No. 142.

It may be noted that during visit of committee it was observed that Hot mix plant of M/s Kalyan Toll Infrastructure Ltd. is located at Gat No. 141 and Ready Mix Concrete Plant is located at Gat No. 143. Agriculture land of Mr. Sudam Govindrao Jadhav is located at Gat No. 142. Both Hot Mix and RMC plant was not in operation. Project proponent reported that, the allotted work of road construction has been completed and dismantling work of machinery of Hot mix and RMC plant has been started.

### **Observations found during committee visit at Hot Mix and Ready-Mix Concrete Plant are as follows:**

1. Land at Gat No. 141, where Hot mix plant situated is owned by Mr. Sopan Baburao Khandare and others.
2. No rent agreement for the land produced during visit.
3. Industry has not obtained No objection certificate from the Gram Panchayat, Adgaon Darade, Tal. Selu. Dist. Parbhani, for establishment of Hot mix plant at Gat No. 141.
4. Capacity of Hot mix Plant is 160 TPH & capacity of RMC plant is 240 m<sup>3</sup>/day.
5. Hot Mix and Ready Mix Concrete plants were not found in operation during visit., as per information provided by the local people plant is not operation since 19/02/2023.
6. Metallic road provided in site premises but not to approach road.
7. Industry has not provided barricading all around the periphery of the plot boundary of

height of minimum 20 feet or 5 feet above free fall air emission area.

8. Industry has not provided Water sprinkling/Chemical dust stabilizing agent spraying system along the periphery inside the premises of RMC.
9. Industry has not provided adequate tree plantation along the periphery inside boundary of the RMC premises having foliage of the trees adequately covering area upto about 20 feet height.
10. Internal work area is not cement concreted/Asphalted.
11. There is no provision of two-level type washing facility at entry and exit points for transit mixture vehicle.
12. There is no provision of mechanical closed system for handling of cement, sand, fly ash and aggregates.
13. Mixing section of cement, aggregate & sand found equipped with dust collection system, i.e. multi-cyclone followed by bag house, followed by stack of 7.0 meter height.
14. Storage area of sand & aggregates not found equipped with roof top water sprinkler system.
15. Cement house with tin sheet provided. Cement silo not provided to RMC plant.

**Observations found during committee visit at Agriculture Land of Mr. Sudam Govind Jadhav, Gat No. 142, are as follows:**

1. Sugar cane has been harvested from area of 1.1 and remaining of sugar cane found in the farm.
2. The wheat crop was found on 0.40 Ha and in the stage of grain maturity.
3. Summer soyabean found in 0.8 Ha, appeared to be in the vegetative to flowering stage and the crop was beginning to be watered with water sprinkler.
4. Onion seed production found on 1.60 Ha. and was seen from bud to flower stage and - it was irrigated through drip irrigation.
5. On perusal of revenue records 7/12, it is seen that banana, soybean, *mug* (green gram beans) and *Harbhara* (chickpea) crops have been recorded for the year 2017 to 2020 on the said group number 142. Also, from 2020 to 2022, soybeans, Harbhara (chickpea) and cotton crops are recorded.

**4.0. Action Taken Report by Maharashtra Pollution Control Board:**

1. PP had obtained consent to establish from Maharashtra Pollution control Board for Hot mix and RMC plant at Gat No. 143, Adgaon Darade, Tal Selu, Dist. Parbhani vide RO-AURANGABAD/CONSENT/2201001188 dtd. 27/01/2022. (Copy of Consent to Establish given at Annexure-III)

2. PP has obtained NOC from Grampanchayat Office, Adgaon Darade, Tal Selu Dist. Parbhani for establishment of Hot mix & RMC Plant at Gat No. 143, 154 and 149 (Copy of Grampanchayat NOC given at Annexure-IV).
3. PP erected Hot mix at Gat No. 141 and RMC plant at Gat No. 143, Adgaon Darade, Tal Selu, Dist. Parbhani
4. With respect to complaint made by Mr. Sudam Govindrao Jadhav dtd. 20/06/2022 and 04/10/2022 MPC Board Official visited the project site as well as farm of complainant Mr. Sudam Govind Jadhav on 07/10/2022 (Visit Report enclosed as Annexure-V). Observations found during visit are as follows-
  - a. Hot mix plant has been installed at Gut No. 141 & RMC plant at Gut No. 143.
  - b. Production activity started from March-2022 without obtaining valid consent to operate from the Board. Mobile crusher found at site which was not in operation.
  - c. Following non compliances observed during visit-
    - i. Metallic road not provided in the premises and approach road.
    - ii. Recirculation system not provided at the vent of Hot Mix Plant.
    - iii. Regular cleaning and wetting of ground not found.
    - iv. Inadequate tree plantation observed.
    - v. Unit name & address with project details not installed at site.
    - vi. Water sprinkling system not provided at RMC plant.
    - vii. Concrete Road not provided in the RMC plant area.
    - viii. Transit Mixture vehicle washing system not provided at entry and exist point.
    - ix. Compound wall /wind breaking wall not provided.
  - d. Due to above non compliances there is possibility of dust particulate may reach to farms of Mr. Sudam Govindrao Jadhav with the wind.
  - e. Sugarcane and Soyabean crop found at complainant's agricultural field, due to rainy season deposition of dust not found on the crop in the complainant's farm.
5. With respect to complaint of Mr. Sudam Govind Jadhav, SRO Parbhani Office had sent letter to Taluka Agriculture Officer, Selu, Dist. Parbhani vide Letter dtd. 04/10/2022 and 17/10/2022 (Copy of Letter at Annexure-VI) regarding assessment and reporting of damage caused to crop yield due to pollution from the industry located at gat No. 141. Replying to above mentioned letter, Taluka Agriculture Officer, Selu, Dist. Parbhani responded vide letter dtd. 21/10/2022 (Copy of Letter at Annexure-VII) that, as the Farmer- Mr. Jadhav has already harvested the soyabean from the farm and Hot Mix Plant was not in operation it is not possible to assess exact damage caused to the crop. But, concluded that, if there is

deposition of dust on crop, due to decrease in rate of photosynthesis, there is possibility of decrease in crop yield.

6. Regional Officer, MPCB, Aurangabad issued proposed direction to industry vide letter No. MPCB/ROA/PD/221021002/2022, dtd. 21/10/2022 (Copy of Proposed Direction given at Annexure-VIII), for following non compliances.
  - a. You have obtained consent to establish for hot mix plant & RMC Plant and started production since March 2022
  - b. You have started Production activity without obtaining consent to operate from the Board.
  - c. You have not provided metallic road in the premises and approach road.
  - d. You have not provided recirculation system at vent of Hot Mix Plant.
  - e. You have not provided regular cleaning and wetting of ground in the premises.
  - f. You have not carried out plantation on 33% available plot area as per Board Circular.
  - g. You have not provided display board for name of your unit.
  - h. You have not provided water sprinkling system for RMC Plant.
  - i. You have not provided concrete road in RMC Plant area.
  - j. You have not provided transit mixture vehicle washing system at entry and exit point.
  - k. You have not provided compound wall/wind breaking wall to your unit.
7. Vide Proposed direction dtd. 21/10/2022 industry was asked to - 1) Why your industry shall not be directed to close down it's activity forthwith? 2) Why the competent Authority shall not be directed to disconnect water /electricity supply of you unit? and directed to submit reply if any within 7 days and attend personal hearing on 23/10/2022 before Regional Officer, MPCB, Aurangabad.
8. After that Personal Hearing extended to Project Proponent before Regional Officer, Aurangabad on 23/10/2022 and Interim directions issued vide letter No. MPCB/ROA/ID/22111700052/2022, dtd. 17/11/2022 (Copy of Interim Direction given at Annexure-IX) and directed to comply the following: -
  - a. You shall stop production activity voluntarily till consent not obtained for hot mix and RMC Plant and stone crusher.
  - b. You shall provide metallic road in the premises.
  - c. You shall provide recirculation system at vent of Hot Mix Plant.
  - d. You shall provide regular cleaning and wetting of ground in the premises.
  - e. You shall develop green belt on 33% available plot area as per Board Circular.
  - f. You shall provide display board at entrance of your unit.
  - g. You shall provide water sprinkling system for RMC Plant.

- h. You shall provide concrete road in RMC Plant area.
  - i. You shall provide washing system at entry and exit point for transit mixture vehicle.
  - j. You shall provide compound wall/wind breaking wall to your unit.
  - k. You shall submit the Bank Guarantee of Rs. 2,00,000/- (Rs. Two Lacs only) towards compliance of above directions within a period of seven days.
9. Industry has not submitted reply/compliance of proposed directions dtd. 21/10/2022 and Interim direction dtd. 17/11/2022.
10. As per interim direction dtd. 17/11/2022 point no. 1., M/s Kalyan Toll Infrastructure Ltd. Applied for consent to operate vide application No. MPCB-CONSENT-0000154601 dtd. 26/12/2022 for Hot mix & RMC Plant at Gut No. 141 & 143, Adgaon Darade, Tal. Selu, Dist. Parbhani.
11. Board Official visited to project site for inspection and observations found in the inspection are as follows (Copy of visit report at Annexure-X)-
- a. Project Proponent has installed Hot mix Plant of 160 TPH capacity & RMC plant of 240 m<sup>3</sup>/day capacity has been installed and as reported by Project Authority operation of the plant started from March-2022.
  - b. Metallic road provided in site premises but not to approach road.
  - c. Bag Filter provided as air pollution control system for hot mix plant.
  - d. Compound wall of adequate height not provided at hot mix plant.
  - e. Unit name board installed at site.
  - f. Cleaning and wetting of ground found during visit.
  - g. Plantation provided which is inadequate.
  - h. Water spray system provided at Hot mix plant and RMC plant.
  - i. Hopper type RMC plant of capacity 240 m<sup>3</sup> installed. Mechanical cement feeding system provided.
  - j. Cement house with tin sheet provided. Cement silo does not provide to RMC plant.
  - k. Concrete road not provided in premises of RMC plant.
  - l. Transit Mixture Vehicle washing system not provided.
  - m. Roof top water system not provided for dust suppression.
  - n. Project authority not used electricity supply from MSEDCL for Hot mix plant and RMC plant operation. DG of capacity 380 KVA with acoustic enclosures used for Hot mix plant operation and 128 KVA with acoustic enclosures used for RMC plant operation.
  - o. Project authority reported that electricity supply having only for storeroom & site office work.

12. Show Cause Notice for refusal of consent was issued by Regional Officer, MPC Board, Aurangabad vide letter no. MPCB/ROA/SCN/2301180006/2023, dtd. 18/01/2023 (Copy of Show Cause Notice at Annexure-XI) and directed to submit/ upload reply on following non compliances-
  - a. You have not replied to the notice issued by the Board.
  - b. You have not uploaded photographs of installed air pollution control systems.
  - c. You are operating hot mix plant & RMC without obtaining consent to operate from the Board.
  - d. You have not provided approach road/metallic road.
  - e. You have not constructed concrete road at RMC Plant.
  - f. You have not planted adequate no. of trees.
  - g. You have not provided vehicle washing system.
  - h. You have not replied to scrutiny letter issued by the Sub-Regional Officer, Parbhani.
  - i. You have not paid the consent fees and penalty charges.
  - j. You have not submitted the Bank Guarantee of Rs. 2,00,000/- as per Interim Directions issued dtd. 17/11/2022.
13. Industry has not submitted Bank Guarantee as per Interim Directions issued dtd. 17/11/2022. Industry has uploaded reply to the show cause notice dtd. 18/01/2023 on MPCB Portal mentioning Industry has made compliance against the show cause notice.
14. Consent to operate issued by Regional Officer, MPC Board, Aurangabad to M/s Kalyan Toll Infrastructure Ltd. vide No. RO/UAN No.0000154601/CO/2301001590 dtd. 18/01/2023 for Hot mix & RMC Plant at Gut No. 141 & 143, Adgaon Darade, Tal. Selu, Dist. Parbhani (Copy of Consent to operate at Annexure-XII).

## 5.0 Conclusions

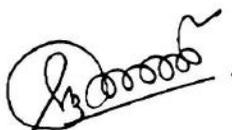
- i. The project Proponent has obtained consent to establish from Maharashtra Pollution Control Board for Hot Mix Plant and Ready-Mix Concrete (RMC) plant at Gat No. 143. Project Proponent installed Hot Mix Plant at Gat No. 141, without consent of MPC Board and No Objection Certificate from Local Body-Gram Panchayat of Adgaon Darade, Tal. Selu, Dist. Parbhani.
- ii. Project Proponent failed to install necessary pollution control system as per MPCB consent condition and started production from March-2022 without obtaining consent to operate from MPC Board. On the basis of non-

compliances committed by the Industry MPC Board taken legal action against the industry and issued proposed direction, Interim Direction and show cause for refusal of consent to operate. Industry has not responded to proposed direction as well as Interim direction issued by the MPC Board till date.

- iii. On perusal of revenue records 7/12, it is seen that banana, soybean, *mug* (Green Gram Beans) and *Harbhara* (chickpea) crops have been recorded for the year 2017 to 2020 on the said group number 142. Also, from 2020 to 2022, soybeans, *Harbhara* (chickpea) and cotton crops are recorded.
- iv. In absence of adequate pollution control system pollutants released from man-made projects (such as Hot Mix Plant, RMC) may have impact on the crop conditions present in the vicinity. Damage to agricultural crops due to such project may vary depending on the stage of crop growth as well as the type of crop. There is no existing guidelines by the Agriculture Department regarding what should be the appropriate government-approved method for determining the level of damages in accordance with the complaint raised by the farmer in this case. Therefore, it is not possible to determine the extent of crop damage due to the pollution caused by the hot mix plant.



Pratiksha Bhute  
Tahsildar Manwat,  
Dist. Parbhani



Shripad Kulkarni  
Sub Regional Officer,  
MPCB, Parbhani



Govind Kolhe  
Technical Officer, Sub  
Divisional Agriculture  
Office, Parbhani

## ANNEXURE-I

Item No. 1

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

(By Video Conferencing)

Original Application No. 08/2023(WZ)

Mr. Sudam Govindrao Jadhav

.....Applicant

Versus

Kalyan Toll Infrastructure Ltd &amp; Ors.

....Respondent(s)

Date of hearing: 01.02.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL  
MEMBER HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Mr. Asim Sarode, Advocate

**ORDER**

1. From the side of Applicant, learned Counsel Mr. Asim Sarode has appeared.
2. The submission is that the Applicant is having a farm at Gat No. 142 at Village Aadgaon Darade, Tal. Selu, District- Parbhani, where-in he cultivates crop of sugarcane, soya bean, banana, chilly, grams and onions etc. The Respondent No. 1/Kalyan Toll Infrastructure Ltd. is running Hot Mix Plant and RMC plant at Gat No. 141 in the same location, emitting a huge quantity of ash, dust and hazardous small pollutants causing damage to the crops of the Applicant. The said plant is being run with the consent of Respondent No. 2/MPCB. Because of the pollution from plant, respiratory problems have arisen to the people nearby. The dust created during production of 'asphalt' is having adverse impact on the yield from the agriculture, because of that, the Applicant is unable to produce export quality crops. The assessment of damage to the

crop is made to the tune of Rs. 31,65,000/- and it is said that the same happened between the year 2017 and 2022.

3. The Applicant had made various complaints to the MPCB, pursuant to which, visit was made by the Officer of MPCB on 07.10.2022 of the industry of Respondent No. 1, located at Gat No. 143, though it was not found in operation at that point of time but the Respondent No. 1 has not obtained Consent to Operate. On 21.10.2022, the MPCB had issued notice under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981 against the Respondent No. 1 for non-compliances but no further action was taken.

4. In this backdrop, the prayer is made that the Respondent No. 1's industry should be directed to be shut down, considering the constant air pollution, causing health hazardous to the Applicant and his family members; the Respondent No. 2 be directed to review and set aside the 'Consent to Establish'; the Respondent No. 4/Tehsildar, Selu and Respondent No. 5/Taluka Agriculture Officer, Salu be directed to make assessment of the damages caused to the agricultural produce of the Applicant; and Respondent No. 1 be directed to compensate the Applicant for whatever losses, caused to him.

5. During argument, it was enquired from the learned Counsel for the Applicant as to why Form No. II has not been filled for claiming personal compensation from the Respondent No. 1 and also the Court fees has not been paid. To this, the learned Counsel for the Applicant has replied that a rough estimate has been made at the end of the Applicant for loss to the tune of Rs. 31,65,000/- but he has prayed that actual loss caused may be got ascertained through the Respondent Nos. 4 & 5 and thereafter he would pay the Court fees there-on.

6. We are not in agreement with the learned Counsel for the Applicant in regard to the relief claimed with respect to the personal compensation because the admissible Court fees is required to be paid on the amount of Rs. 31,65,000/- before entertaining the prayers for being considered by us and that if any amount is got calculated, which is less than that or more than that, the Court fees may be accordingly chargeable. The learned Counsel for the Applicant says that he will seek instruction in this regard from the Applicant as to whether the said relief may be pressed or not.

7. With respect to other matter, particularly, the arising of pollution out of the Respondent No. 1's industry, there appears to be *prima facie* case of environmental pollution made out, therefore, we deem it proper to admit this application.

8. Registry is directed to issue Notice to the Respondents, returnable within 04(four) weeks.

9. Applicant is directed to provide copy of the application and relevant documents to the Respondents within a week.

10. Respondents are directed to submit their reply within 04(four) weeks providing copies of the same to the other parties in advance.

11. Applicant is also directed to take necessary steps for service upon the Respondents by both ways and also through available e-mail.

12. In the meantime, we deem it just and proper to constitute a Committee comprising one Member each from :-

- (i) The District Magistrate;
- (ii) The Maharashtra Pollution Control Board (MPCB); and
- (iii) District Agriculture Officer.

13. The Maharashtra Pollution Control Board (MPCB) shall be the nodal agency for coordination and logistic support.

14. The Committee is directed to visit the site and submit an action taken report in the light of the averments made in the application, within a period of one month.

15. The report in the matter be filed by the Committee by e-mail at [ngt-pune@gov.in](mailto:ngt-pune@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

16. Applicant is directed to supply the required documents and copy of the application to the Members of the Committee within three days from today.

17. A copy of this order be communicated to the above-mentioned Committee forth-with for compliance.

Put up this matter on 21.03.2023

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 01, 2023  
Original Application No. 08/2023(WZ)  
P.Kr

**MAHARASHTRA POLLUTION CONTROL**

Tel. No. 02452 226687  
 Visit us at : <http://mpcb.gov.in>  
 Email : sroparbhani@mpcb.gov.in



**Sub Regional Office :**  
 Dev Krupa Building, 1<sup>st</sup> Floor,  
 Nandakheda Road, Rangnath  
 Maharaj Nagar, Parbhani 431401

"Your Service is our Duty"

No. MPCB/SRO-P-30

Date: 15/02/2023

To,

- 1) **Tahasildar,**  
Tahsil Office, Manwat, Dist. Parbhani
- 2) **Taluka Agriculture Officer,**  
Selu, Dist. Parbhani

**Sub:-** Constitution of Committee in compliance of Hon'ble NGT (Western Zone Bench), Pune, Order dtd. 01.02.2023 in O. A. No. 08/2023.

- Ref: -** 1. Hon'ble NGT order dtd. 01.02.2023 in O. A. No. 08/2023(WZ) in the matter of Mr. Sudam Govindrao Jadhav Vs Kalyan Toll Infrastructure Ltd. & Ors.  
 2. Office Note approved by The District Collector, Parbhani.  
 3. Letter by this office to Dist. Agriculture Officer, Parbhani No. MPCB/SRO-26/23, dtd. 10/02/2023.  
 4. E-mail of Law Officer, MPCB dtd. 13/02/2023  
 5. Letter by District Superintendent Agriculture Officer, Parbhani No. 443/23 dtd. 14/02/2023.

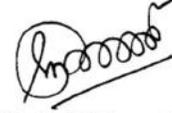
With reference to above subject, Hon'ble NGT passed an order dtd. 01.02.2023, in O.A. No 8 of 2023 filed by Mr Sudam Govindrao Jadhav Vs Kalyan Toll Infrastructure Ltd. and Others. The Applicant has contended that M/s Kalyan Toll Infrastructure Ltd. is running hot mix plant and RMC Plant at Gat No. 141, Adgaon Darade, Tal. Selu, Dist. Parbhani and emitting a huge quantity of ash, dust and hazardous small pollutants causing damage to the crops of the Applicant. The Hon'ble NGT has directed the committee comprising one Member each from District Magistrate, Maharashtra Pollution Control Board and District Agriculture Officer.

In compliance of Hon'ble NGT directions, a committee comprising following members has been constituted:

1. Tahsildar, Manwat, Dist. Parbhani
2. Sub-Regional Officer, MPCB, Parbhani
3. Taluka Agriculture Officer, Selu

As per order of Hon'ble NGT, the committee need to visit the site and submit an ATR in the light of averments made in the application within a period of one month from date of Hon'ble NGT order.

You are requested to join site visit by the committee, scheduled on 17/02/2023 at 10:00 a.m. at M/s Kalyan Toll Infrastructure Ltd., Gat No. 141, Adgaon Darade, Tal. Selu, Dist. Parbhani. Order of Hon'ble NGT enclosed herewith for ready reference.



(S. R. Kulkarni)  
Sub-Regional Officer, Parbhani.

**Copy submitted to:-**

1. The District Magistrate, Parbhani
2. Principal Scientific Officer, MPCB, Mumbai
3. Law Officer, (P & L Division), MPCB, Mumbai.
4. Regional Officer, MPCB, Aurangabad
5. District Superintendent Agriculture Officer, Parbhani

**MAHARASHTRA POLLUTION CONTROL**

Tel. No. 02452 226687  
Visit us at : <http://mpcb.gov.in>  
Email : sroparbhani@mpcb.gov.in



**Sub Regional Office :**  
Dev Krupa Building, 1<sup>st</sup> Floor,  
Nandakheda Road, Rangnath  
Maharaj Nagar, Parbhani 431401

"Your Service is our Duty"

No. MPCB/SRO-P-38

Date: 20/02/2023.

To,

- 1) **Tahasildar,**  
Tahsil Office, Manwat, Dist. Parbhani
- 2) **Taluka Agriculture Officer,**  
Selu, Dist. Parbhani

**Sub:-** Constitution of Committee in compliance of Hon'ble NGT (Western Zone Bench), Pune, Order dtd. 01.02.2023 in O. A. No. 08/2023.

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  3. Letter by this office to Dist. Agriculture Officer, Parbhani No. MPCB/SRO-26/23, dtd. 10/02/2023.
  4. E-mail of Law Officer, MPCB dtd. 13/02/2023
  5. Letter by District Superintendent Agriculture Officer, Parbhani No. 443/23 dtd. 14/02/2023.
  6. E-mail dated 17-02-2023 from Tahsildar Manwat.

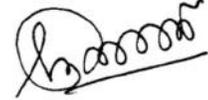
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In compliance of Hon'ble NGT directions, a committee comprising following members has been constituted:

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2. Sub-Regional Officer, MPCB, Parbhani
3. Taluka Agriculture Officer, Selu

As per order of Hon'ble NGT, the committee need to visit the site and submit an ATR in the light of averments made in the application within a period of one month from date of Hon'ble NGT order.

Visit of above-mentioned committee was scheduled on 17.02.2023, but due to unavailability of Tahsildar, Manwat, rescheduled on 22/02/2023 at 10:30 a.m. at M/s Kalyan Toll Infrastructure Ltd., Gat No. 141, Adgaon Darade, Tal. Selu, Dist. Parbhani. You are requested to present during the visit of the committee. Order of Hon'ble NGT enclosed herewith for ready reference.



(S. R. Kulkarni)  
Sub-Regional Officer, Parbhani.

**Copy submitted to:-**

1. The District Magistrate, Parbhani
2. Principal Scientific Officer, MPCB, Mumbai
3. Law Officer, (P & L Division), MPCB, Mumbai.
4. Regional Officer, MPCB, Aurangabad
5. District Superintendent Agriculture Officer, Parbhani

## MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0240-2473461/62/63

Fax : 0240-2473462

Email : roaurangabad@mpcb.gov.in



"Your Service is our Duty"

Regional Office:

Paryavaran Bhavan, Plot No.A-4/1,MIDC  
Chikalthana, Behind Dainik Lokpatra, Near Seth  
Nandlal Dhoot Hospital Jalna Road,Aurangabad-  
431210

Orange/SSI /UAN No. 0000123608

Date: 27/01/2022

Consent No. RO-AURANGABAD/CONSENT/22-01001188

Consent to Establish under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 5 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016.

[To be referred as Water Act, Air Act and H&OW (M&TM) Rules respectively].

CONSENT is hereby granted to

M/s. Kalyan Toll Infrastructure Ltd.  
Gut No. 143, Adgaon Darade,  
Tq. Selu, Dist. Parbhani

Located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of H&OW (M&TM) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1) The Consent to Establish is granted for a period up to: Commissioning of the unit or for 5 years whichever is earlier.

2) The Consent is valid for the manufacture of -

Sr. No.	Product Name	Maximum Quantity	UOM
1	HOT MIX (Asphalt/Bitumen)	1500	MT/Day
2	Ready Mix Concrete	240	m3/day

### 3) CONDITIONS UNDER WATER ACT:

- (i) The daily quantity of trade effluent from the factory shall be Nil  
(ii) The daily quantity of sewage effluent from the factory shall not exceed 0.5 M3.

(iii) Trade Effluent : Nil.

(iv) Treatment: Nil.

(v) Trade Effluent Disposal: N.A.

(vi) Sewage Effluent Treatment: The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate



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MPCB-CONSENT- 0000122967

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and maintain the same continuously so as to achieve the quality of treated effluent to the following standards.

- |                       |               |     |       |
|-----------------------|---------------|-----|-------|
| (1) Suspended Solids  | Not to exceed | 100 | mg/l. |
| (2) BOD 3 days 27o C. | Not to exceed | 100 | mg/l. |

(vi) **Sewage Effluent Disposal:** The treated domestic effluent shall be soaked in a soak pit, which shall be got cleaned periodically. Overflow, if any, shall be used on land for gardening / plantation only.

(vii) **Non-Hazardous Solid Wastes:**

Sr. No.	Type Of Waste	Quantity	UOM	Treatment	Disposal
---------	---------------	----------	-----	-----------	----------

(viii) **Other Conditions:** Industry should monitor effluent quality regularly.

**4) The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under**

The daily water consumption for the following categories is as under:

- |   |     |      |     |
|---|-----|------|-----|
| (i) Domestic purpose  | ... | 0.70 | CMD |
| (ii) Water gets Polluted & Pollutants are Biodegradable             | ... | 0.00 | CMD |
| (iii) Water gets Polluted, Pollutants are not Biodegradable & Toxic | ... | 0.00 | CMD |
| (iv) Industrial Cooling, spraying in mine pits or boiler feed       | ... | 1.50 | CMD |
| (v) Agriculture/Gardening   |     | 0.50 | CMD |

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

**5) CONDITIONS UNDER AIR ACT:**

- (i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

**A) Control Equipment :** Air pollution control equipments of adequate capacity shall be provided to limit the emissions.

**a) Control Equipment for Hot Mix Plant:-**

1. Drum mix machine shall be maintained with dust collector followed by scrubbing system of sufficient capacity to limit emissions.
2. Closed silo will be used for addition of cement in concrete making plant to avoid fugitive emission of particulate matter.
3. Water sprinkling arrangement at the vent (6 m height) is proposed for Hot Mix Plant before emitting flue gas through its vent with re-circulation system so as to avoid particulate matter emission.
4. Closed silo will be used for addition of dust at Wet Mix Macadam Plant to avoid fugitive emission of particulate matter.
5. Construction of the metallic roads within the premises.
6. Regular cleaning and wetting of the ground within the premises.
7. Growing of a green belt along the periphery.

**b.) Standards for Stack Emissions:**

- |                         |               |                        |
|-------------------------|---------------|------------------------|
| i) SPM ---              | Not to exceed | 150 mg/Nm <sup>3</sup> |
| ii) SO <sub>2</sub> --- | Not to exceed | --- Kg/day             |

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*Handwritten date: 25/11/2022*

(i) The applicant shall observe the following fuel pattern:-

Sr. No.	Type Of Fuel	Quantity	UOM
1	Diesel	25	Ltr/Hrs

(ii) The applicant shall erect the chimney(s) of the following specifications:-

Sr. No.	Chimney Attached To	Height in Mtrs.
1	Hotmix drum	7

(iii) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.

(iv) The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.

(vi) Other Conditions:

- 1) The industry should not cause any nuisance in surrounding area.
- 2) The industry should monitor stack emissions and ambient air quality Regularly.
- 3) The applicant shall plant minimum three varieties of trees such as Eucalyptus, Su Babul etc. and the density of same not less than 1000 trees per acre over 33% of the available open land.

#### 6. CONDITIONS UNDER HAZARDOUS & OTHER WASTE (MANAGEMENT & TRANSBOUNDRY MOVEMENT) RULES, 2016:

(i) The Industry shall handle hazardous wastes as specified below.

Sr. No.	Type Of Waste	Quantity	UOM	Disposal
The industry shall not generate any hazardous waste				

(ii) Treatment: - NIL

a. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipment's, the production process connected to it shall be stopped.

b. Industry shall obtain registration from CPCB as a re-refiner of Used oil having environmentally sound technology as per the provisions of Hazardous & Other Waste (Management & Transboundary Movement) Rules 2016 before commencement of production.

c. The unit has to display and maintain the data online outside the factory main gate in Marathi & English both on a 6'x4' display board in the manner and the report of the compliance along with photograph shall be



*Handwritten signature and date:*  
25/1/2022

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submitted to this office & concerned Regional Office/ Sub Regional Office.

- d. It shall be ensured that the Hazardous waste is handled, managed & disposed of strictly in accordance with the Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016 and shown & submitted to the Board as & when asked for.

**7. Industry shall comply with following additional conditions:**

- i. The applicant shall maintain good housekeeping and take adequate measures for control of pollution from all sources so as not to cause nuisance to surrounding area / inhabitants.
- ii. The applicant shall bring minimum 33% of the available open land under green coverage/ tree plantation.
- iii. Solid waste – The non hazardous solid waste arising in the factory premises, sweepings, etc., be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the applicant to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of discharge, temperature or the mode of the effluent / emissions or hazardous wastes or control equipment's provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous wastes to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- vii. **The applicant shall not start any commercial production before obtaining the valid consent to operate from the Board.**
- viii. The firm shall submit to this office, the 30<sup>th</sup> day of September every year, the Environmental Statement Report for the financial year ending 31<sup>st</sup> March in the prescribed Form-V as per the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
- ix. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
- x. The applicant shall install a separate electric meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
- xi. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes / sewers down- stream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
- xii. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.

MPCB-CONSENT No. 9000/22967



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*409/2021*  
*25/1/2021*

8. This Consent shall not be construed any relaxation from obtaining necessary No Objection Certificate from other Government Agencies as may deemed fit necessary.
9. **The Capital investment of the industry is Rs. 347.08 Lakh Only**
10. **The Board reserves the right to revoke, change or alter the terms and conditions of this Consent.**

For and On Behalf of the  
Maharashtra Pollution Control Board,



(P.M. Joshi)  
Regional Officer, Aurangabad.

To,  
M/s. Kalyan Toll Infrastructure Ltd.  
Gut No. 143, Adgaon Darade,  
Tq. Selu, Dist. Parbhani

Copy submitted to :-

1. The Member Secretary, MPCB, Mumbai.

Copy f.w.cs. to :-

1. The Chief Accounts Officer, MPCB, Mumbai.

Copy forwarded to :-

1. The Sub-Regional Officer, MPCB, Parbhani.

Copy to Master file.

Received Consent fee of -

Sr. No.	Amount(Rs.)	TXN No.	Date	Drawn On
1	15000/-	TXN2110002344	26-10-2021	-

MPCB-CONSENT- 0000122967

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**ग्राम पंचायत कार्यालय - आडगाव दराडे**  
**ता.सेलू, जि परभणी.**



दिनांक : 15/07/2020

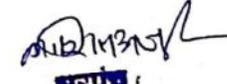
**ना - हरकत प्रमाणपत्र**

प्रमाणपत्र देण्यात येते की, मे.कल्याण टोल इन्फ्रास्ट्रक्चर लि. यांना ग्रामपंचायत कार्यालय, आडगाव दराडे ता. सेलू, जि.परभणी हद्दीतील खाजगी शेतजमीन गट नं. १४३, १५४, १४९ मधील क्षेत्र जमिन मालकाच्या संमतीने जमिन भाडेपट्टा करारनामा करून मे कल्याण टोल इन्फ्रास्ट्रक्चर लि. या कंपनीस गट क्र. १४३, १५४, १४९ या शेतजमिनीत खडी क्रेशर प्लॅट, डांबर प्लॅट, सिमेंट कॉंक्रीट प्लॅट वे ब्रीज, डिझेल पंप, एम.एस.इ.बी कनेक्शन इत्यादी प्रकल्प व त्या संबंधीत इतर मशिनरी साहित्य यांची उभारणी करून चालू अथवा कार्यान्वित करणे तसेच विविध प्रकारची खडी साठा करणे, वाळू साठा करणे, लेबर कॅंप, लेबर निवास्थान व रस्त्याच्या बांधकामासाठी लागणारे साहित्य वाहने मशिनरी उभी करणे यासाठी ग्रामपंचायत कार्यालय आडगाव दराडे या कार्यालयाची कोणतीही हरकत नाही.

सदरील ना-हरकत प्रमाणपत्र ग्रामपंचायत कार्यालय आडगाव दराडे ता.सेलू जि.परभणी मासिक बैठक दि. 25/06/2020 व ठराव क्र. 06 अन्वये देण्यात येत आहे.

करिता "ना-हरकत प्रमाणपत्र" देण्यात येत आहे.

  
 ग्रामसचिव  
 शा. पं. कार्यालय, आडगाव (द)  
 ता. सेलू, जि परभणी

  
 सरपंच  
 ग्रामपंचायत कार्यालय  
 आडगाव दराडे  
 ता. सेलू, जि. परभणी

**GRAM PANCHAYAT OFFICE- ADGAON DARADE**  
**TAL. SELU, DIST. PARBHANI**

---

Date- 15/07/2020

**NO OBJECTION CERTIFICATE**

Certificate is given that Kalyan Toll Infrastructure Ltd. entered into a land lease agreement with the consent of the land owners of Agricultural Land Gat No. 143,154,149 Gram Panchayat Adgaon Darade, Tal. Selu, Dist. Parbhani. Hence, Gram Panchayat Office Adgaon Darade has no objection for constructing and operating stone crusher plant, asphalt plant, cement concrete plant, Way Bridge, diesel pump, M.S.E.B connection etc. project and other related machinery also stockpiling of various types of gravel, stockpiling of sand, labor camps, labor shelters and materials, vehicles, machineries needed for road construction by Kalyan Toll Infrastructure Ltd. in this agricultural land at Gat No. 143.

The said No Objection Certificate is given under Resolution No. 06 in monthly meeting dated 25/06/2020 of Gram Panchayat Office Adgaon Darade Tal. Selu, Dist. Parbhani.

A No Objection Certificate is being issued for this purpose.

Sd/-  
Gram Sevak  
Gram Panchayat, office, Adgaon  
Tal. Selu, Dist. Parbhani

Sd/-  
Sarpanch  
Panchayat Adgaon  
Tal. Selu, Dist. Parbhani

**Note:** This translation is not made word to word. If any ambiguity or incorrectness found, original letter in Marathi may please be referred.

**MAHARASHTRA POLLUTION CONTROL BOARD**  
**SUB-REGIONAL OFFICE, PARBHANI**



First Floor, Devkrupa Building,  
 Rangnath Maharaj Nagar,  
 Nandkheda Road, Parbhani.

VISIT REPORT

**Name of Industry:** M/s. Kalyan Toll Infrastructure Ltd.  
 Plot No. 143, Adgaon Darade,  
 Tal. Selu Dist. Parbhani

**Date of Visit :** 07-10-2022

**Industry Officials:** Mr. Animesh Sable  
 Site Incharge

**Observations:**

Visit given in accordance with complaint received from Mr. Sudam Grounds Jadhav, farmer adjacent to Hot mix plant, according to visit verified observation are made as under.

- 1) During visit abovementioned unit found located at Plot No. 143, Adgaon Darade, Tal. Selu Dist. Parbhani & found not in operation/in activity industry authority reported that plant activity stopped ~~due~~ due to <sup>RMC</sup> plant operated last 02 days before & Hot mix plant operated last 07 days before also reported that plant Hot mix & RMC operational/started from March, 2022.
- 2) Project proponent not procure consent to operate of above mentioned unit, this office record having consent to establish dated 27/01/2022 for product i) Hot mix - 1500 MT/day ii) Ready Mix Concrete - 240 m<sup>3</sup>/day with capital investment of Rs 347.08 Lakh.

P.T.O.

- 3) Unit having Batch type Hot mix plant of capacity 160 TPH with stack height of max, LDO used approx. 110-150 lit/day.
- 4) Bag Filter ~~prova~~ provided for control of dust emission.
- 5) Water Spray System provided at Hot mix plant for mixing section/feeding section ~~used~~ at the time of stone get ready.
- 6) metallic road not provided in the premises.
- 7) Recirculation System not provided at the vent (6 m height) of Hot mix plant.
- 8) Adequate green belt not developed around periphery.
- 9) Water Sprinkling System not provided at AMC plant.
- 10) Roof top water Spray system not provided for dust suppression.
- 11) Hopper type RMC plant having mechanical feeding system.
- 12) Regular cleaning & wetting of ground not done industry authority reported that water spray tanker ~~operat~~ used for water spray at the time of Hot mix plant in operation only.
- 13) Dust emission/fugitive emission occurred at the time of vehicular movement in the premises for material loading & unloading

.... next Page....

- 14) Metallic road not provided approach to road side.
- 15) Unit name & address with owner details & project details not installed at site.
- 16) Concrete road not provided in the RMC plant area premisses.
- 17) Tramsold mixture vehicle washing system i.e. two level washing at entry & exist point not provided by project authority.
- 18) Fencing wall provided around the site premisses however found broken at some place.
- 19) Sugarcane & Soyabean ~~found~~ crop found in the field of Mr. Sudam Jadhav @ 15 Acre ~~on~~ land belongs of ~~found~~ Jadhav family.
- 20) Hot mix plant operator reported that dust emission / fugitive emission occurred & pass away to Mr. Sudam Jadhav field @ with at or at the time of plant operational.
- 21) ~~This was~~ ~~report~~ During visit disposition of dust particle not found on the leaf of crops present in Mr. Sudam Jadhav fields, ~~due~~ due to rainy season.

P.T.O.

- 22) Industry authority reported that they have ~~33~~ 33 Km road work from Jintur to Selu (Water filter point) among that approx 20 Km work completed with DBM (Dense Bitumin material) remaining 13 Km work is in progress, Road work completion period upto Dec-2022.
- 23) Stone crusher (mobile) found at site ~~base~~ which is not found in operation, industry authority reported that stone crusher (mobile) ~~stopped~~ stopped operating from last 02 month as sufficient quantity of stone metal.
- 24) This visit report has been made in presence of Mr Avinash Sable, Supervisor
- 25) After intimation given to Mr. Mahesh Bhalakale ~~General~~ General Manager not attend visit and ~~not~~ not kept any relevant document at site for verification.
- 26) Mr. Avinash Sable, Supervisor is deny to sign on visit report.

(Avinash Sable)  
Supervisor.

<sup>32</sup>  
(Sudam Jadhav)  
Complainant / Farmer

D. Dasewad  
(Dasewad N. P.)  
Field officer,  
M. P. C. B. SRO, Palbhani

## महाराष्ट्र प्रदूषण नियंत्रण मंडळ

दुरध्वनी ०२४५२ - २२६६८७  
sroparbhani@mpcb.gov.in  
Web:www.mpcb.gov.in



"आपली सेवा आमचे कर्तव्य"

उप प्रादेशिक कार्यालय,  
पहिला मजला, रंगनाथ महाराज नगर,  
नांदखेडा रोड, परभणी ४३१४०१

जा कं. म.प्र.नि.मं/उप्राकाप/११६/२०२२

दिनांक :- ०४/१०/२०२२

प्रति,  
तालुका कृषिअधिकारी,  
तालुका कृषि कार्यालय, सेलु,  
ता. सेलु, जि. परभणी.

विषय :- मौजे आडगाव दराडे, ता. सेलु येथील गट क्रं. १४१ मधील डांबर प्लॉटमुळे शेतीची व पिकांची नुकसान होत असले बाबत.

संदर्भ :- श्री सुदाम गोविंदराव जाधव, यांची लेखी तक्रार दि. ०४/१०/२०२२.

महोदय,

उपरोक्त संदर्भिय विषयान्वये आपणास कळविण्यात येते की, श्री सुदाम गोविंदराव जाधव, यांचा तक्रार अर्ज या कार्यालयास प्राप्त झाला आहे. सदर अर्जात मौजे आडगांव दराडे येथील गट नं. १४१ मध्ये डांबर प्लॉट असून त्यामुळे तेथील धुळीमुळे श्वसनास त्रास तसेच त्यांच्या शेतीचे अतोनात नुकसान झाले आहे असे नमुद केले आहे तक्रार अर्जाची छायांकित प्रत सोबत जोडत आहे. अर्जात नमुद शेतपिकाच्या नुकसानीबाबत अंदाजे रक्कम दिलेली आहे. सबब आपणास यापत्राद्वारे विनंती करण्यात येते की, अर्जदाराच्या गट नं. १४२ मधील शेतातील पिकांचे सन २०२० ते २०२२ व २०२२ ते २०२३ या कालावधीतील झालेल्या नुकसानीची चौकशी करण्यात यावी.

तरी उपरोक्त नमुद बाबतीत आपल्या विभागाचा स्वयंस्पष्ट अहवाल या कार्यालयास उलटटपाली देण्यात येवुन त्याची एक प्रत अर्जदारास देण्यात यावी ही विनंती.

सहपत्र :- वरील प्रमाणे

आपला विश्वास,

उप प्रादेशिक अधिकारी,  
म.प्र.नि.मंडळ, परभणी.

प्रत माहितीस्तव सविनय सादर :-

१. मा. जिल्हाधिकारी, जिल्हाधिकारी कार्यालय, परभणी.
२. मा. पोलिस अधिक्षक, जिल्हा पोलिस अधिक्षक कार्यालय, परभणी.
३. प्रादेशिक आधिकारी, म.प्र.नि. मंडळ, औरंगाबाद
४. मा. उपजिल्हाधिकारी, उप विभागीय कार्यालय, सेलु
५. मा. तहसिलदार, तहसिल कार्यालय, सेलु
६. श्री सुदाम गोविंदराव जाधव, सेलु, जि. परभणी.

# 131 महाराष्ट्र प्रदूषण नियंत्रण मंडळ

दुरध्वनी ०२४५२ - २२६६८७  
sroparbhani@mpcb.gov.in  
Web:www.mpcb.gov.in



"आपली सेवा आमचे कर्तव्य"

उप प्रादेशिक कार्यालय,  
पहिला मजला, रंगनाथ महाराज नगर,  
नांदखेडा रोड, परभणी ४३१४०१

जा.कं.म.प्र.नि.मं/उप्राकाप/१२७/२०२२

दिनांक :- १७/१०/२०२२

## स्मरणपत्र

प्रति,  
तालुका कृषि अधिकारी,  
तालुका कृषि कार्यालय, सेलू  
ता. सेलू जि. परभणी.

विषय :- मौजे आडगाव दराडे, ता. सेलू येथील गट क्रं. १४१ मधील डांबर प्लॉटमुळे शेतीची व पिकांची नुकसान होत असले बाबत.

संदर्भ :- १) या कार्यालयाचे पत्र दि. ०४/१०/२०२२.

२) श्री सुदाम गोविंदराव जाधव, सेलू, जि. परभणी यांचे निवेदन दि. ०४/१०/२०२२.

### महोदय,

उपरोक्त संदर्भिय विषयान्वये आपणास कळविण्यात येते की, संदर्भ क्र. ०१ नुसार या कार्यालयाने श्री सुदाम गोविंदराव जाधव, यांचा तक्रार अर्जानुसार या कार्यालयाने आपणास आपल्या विभागाच्या अहवालाबद्दल कळविले आहे. या पत्राद्वारे आपणास पुनश्च कळविण्यात येते कि, श्री सुदाम गोविंदराव जाधव, यांचा तक्रार अर्जात मौजे आडगाव दराडे येथील गट नं. १४१ मध्ये डांबर प्लॉट असून त्यामुळे तेथील धुळीमुळे श्वसनास त्रास तसेच त्यांच्या शेतीचे अतोनात नुकसान झाले आहे असे नमुद केले आहे तक्रार अर्जाची छायांकित प्रत सोबत जोडत आहे. अर्जात नमुद शेतपिकाच्या नुकसानीबाबत अंदाजे रक्कम दिलेली आहे. सबब अर्जदाराच्या गट नं. १४२ मधील शेतातील पिकांचे सन २०२० ते २०२२ व २०२२ ते २०२३ या कालावधीतील झालेल्या नुकसानीची चौकशी करण्यात यावी व आपल्या विभागाचा स्वयंस्पष्ट अहवाल या कार्यालयास उलटटपाली देण्यात येवुन त्याची एक प्रत अर्जदारास देण्यात यावी ही विनंती.

सहपत्र :- वरील प्रमाणे

आपला विश्वासु,

उप प्रादेशिक अधिकारी,  
म.प्र.नि.मंडळ, परभणी.

प्रत माहितीस्तव सविनय सादर :-

१. मा. जिल्हाधिकारी, जिल्हाधिकारी कार्यालय, परभणी.
२. मा. पोलिस अधिक्षक, जिल्हा पोलिस अधिक्षक कार्यालय, परभणी.
३. प्रादेशिक आधिकारी, म.प्र.नि. मंडळ, औरंगाबाद
४. मा. उपजिल्हाधिकारी, उप विभागीय कार्यालय, सेलू
५. मा. तहसिलदार, तहसिल कार्यालय, सेलू
६. श्री सुदाम गोविंदराव जाधव, सेलू, जि. परभणी.

**MAHARASHTRA POLLUTION CONTROL BOARD**

Tel. No. 02452 226687  
Visit us at : <http://mpcb.gov.in>  
Email : sroparbhani@mpcb.gov.in



Sub Regional Office :  
Dev Krupa Building, 1<sup>st</sup> Floor,  
Nandakheda Road, Rangnath  
Maharaj Nagar, Parbhani 431401

“Your Service is our Duty”

No. MPCB/SRO-P-116/2022

Date: 04/10/2022

To,  
Taluka Agriculture Officer,  
Taluka Agriculture Office,  
Selu Tal. Selu Dist. Parbhani.

Sub:- Regarding agricultural and crops damage causing due to the Asphalt Plant at Gat No. 141 at village Adgaon Tal. Selu, Dist. Parbhani

Ref: - Complaint of Mr. Shri Sudam Govindrao Jadhav, Selu, Distt. Parbhani dt. 04/10/2022.

With reference to above subject, you are hereby informed that as per reference this office received complaint of Mr. Sudam Govindrao Jadhav. In the complaint it has been mentioned that an asphalt plant is located at Gat No. 141, Mouje Adgaon Darade and the dust from that plant has caused respiratory problems as well as causing severe damage to his agricultural crop. Copy of complaint has been enclosed with this letter. The applicant gave an approximate estimate of the loss of a particular crop. You are requested to investigate the damage caused during the period 2020 to 2022 and 2022 to 2023 to the crops in the agricultural fields in Gat No. 142 and send the self-explanatory report of your department to this office along with a copy to be given to the applicant.

Enc.: As above

-sd-

(S. R. Kulkarni)

Sub-Regional Officer, Parbhani.

Copy submitted to:-

1. The District Magistrate, Parbhani
2. The District Superintendent of Police, Parbhani
3. Regional Officer, MPCB, Aurangabad
4. Deputy Collector, Sub Divisional Officer, Selu, Dist. Parbhani
5. Tahsildar, Tahsil Offic, Selu, Dist. Parbhani
6. Shri Sudam Govindrao Jadhav, Selu, Distt. Parbhani

# MAHARASHTRA POLLUTION CONTROL BOARD

Tel. No. 02452 226687  
 Visit us at : <http://mpcb.gov.in>  
 Email : sroparbhani@mpcb.gov.in



Sub Regional Office :  
 Dev Krupa Building, 1<sup>st</sup> Floor,  
 Nandakheda Road, Rangnath  
 Maharaj Nagar, Parbhani 431401

“Your Service is our Duty”

No. MPCB/SRO-P-127/2022

Date: 17/10/2022

## REMINDER

To,  
 Taluka Agriculture Officer,  
 Taluka Agriculture Office,  
 Selu Tal. Selu Dist. Parbhani.

Sub:- Regarding agricultural and crops damage causing due to the Asphalt  
 Plant at Gat No. 141 at village Adgaon Tal. Selu, Dist. Parbhani

Ref: - 1. Letter of this office dt. 04/10/2022.  
 2. Complaint of Mr. Shri Sudam Govindrao Jadhav, Selu, Distt.  
 Parbhani dt. 04/10/2022.

With reference to above subject, you are hereby informed that as per reference no. 01, this office has communicated you about the report of your department with respect to complaint of Mr. Sudam Govindrao Jadhav. Through this letter, you are once again informed that Mr. Sudam Govindrao Jadhav in his complaint mentioned that an asphalt plant is located at Gat No. 141, Mouje Adgaon Darade and the dust from that plant has caused respiratory problems as well as causing severe damage to his agricultural crop. Copy of complaint has been enclosed with this letter. The applicant gave an approximate estimate of the loss of a particular crop. You are requested to investigate the damage caused during the period 2020 to 2022 and 2022 to 2023 to the crops in the agricultural fields in Gat No. 142 and send the self-explanatory report of your department to this office along with a copy to be given to the applicant. Enc.: As above

-sd-

(S. R. Kulkarni)  
 Sub-Regional Officer, Parbhani.

Copy submitted to:-

1. The District Magistrate, Parbhani
2. The District Superintendent of Police, Parbhani
3. Regional Officer, MPCB, Aurangabad
4. Deputy Collector, Sub Divisional Officer, Selu, Dist. Parbhani
5. Tahsildar, Tahsil Offic, Selu, Dist. Parbhani
6. Shri Sudam Govindrao Jadhav, Selu, Distt. Parbhani

## ANNEXURE-VII A

जाक्र/ताकृअ/नु.अ./1168/2022  
कार्यालय: तालुका कृषि अधिकारी, सेलू  
दिनांक : २१/१०/२०२२

प्रति,

मा.उपप्रादेशीक अधिकारी,  
म.प्र.नि.मं. परभणी

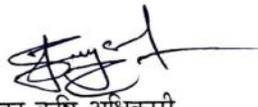
**विषय :** मौजे आडगाव दराडे ता.सेलू येथील गट क्र.१४१ मधील डांबर प्लांटमुळे शेतपिकाची नुकसानीचा अहवाल सादर करणे बाबत..

- संदर्भ :** १. महाराष्ट्र प्रदुषण नियंत्रण मंडळ, उपप्रादेशीक कार्यालय, परभणी यांचे पत्र जाक्र/मप्रनिमं/उप्राकाप/१२७/२०२२ दि. १७/१०/२०२२  
२. मा.तहसिलदार, सेलू यांचे पत्र जाक्र२०२२/गौख/तक्रार/कावी दि.२०/१०/२०२२  
३. मंडळ कृषि अधिकारी, चिकलठाणा यांचा अहवाल जाक्र/मंकृअचि/त.आ./०९/२०२२ दि. २१/१०/२०२२

उपरोक्त संदर्भीय विषयान्वये महाराष्ट्र प्रदुषण नियंत्रण मंडळ, उपप्रादेशीक कार्यालय, परभणी व मा.तहसिलदार, सेलू यांनी अर्जदार श्री.सुदाम गोविंदराव जाधव रा.आडगाव दराडे ता.सेलू यांच्या तक्रार अर्जानुसार गट क्र.१४२ मध्ये डांबर प्लांट मुळे पिकावर होणाऱ्या नुकसानीचा अहवाल सादर करण्याचे सुचित केले होते. त्याप्रमाणे दि.२१/१०/२०२२ रोजी प्रत्यक्ष जायमोक्याची पाहणी केली असता गट क्र.१४१ वर डांबर प्लांट आढळून आला व गट क्र.१४२ मधील जमिन ही अर्जदाराच्या कुटुंब सदस्याच्या नावे आहे. सदर जमिनीमध्ये १.२० हे. ऊस व ४.०० हे. सोयाबीन पिक आढळून आले. सोयाबीन पिकाची कापणी झाल्यामुळे व डांबर प्लांट आज रोजी बंद असल्यामुळे पिकाचे किती प्रमाणात नुकसान झाले आहे याचा निष्कर्ष काढता आला नाही. शेतकऱ्याच्या म्हणण्यानुसार डांबर प्लांटची मोठ्या प्रमाणात धुळ निर्माण होऊन पिकावर त्याचे थर जमा होतात. जर असे होत असेल तर धुळीचे थर जमा झाल्यामुळे त्याचा परीणाम प्रकाशसंश्लेषणावर होऊन पिकाच्या उत्पन्नात बऱ्याच प्रमाणात घट होऊ शकते.

करीता माहिती व पुढील कार्यवाहीस्तव सविनय सादर.

सोबत : पंचनामा

  
ता.ता. तालुका कृषि अधिकारी  
सेलू जि.परभणी

प्रत,

मा.तहसिलदार, सेलू यांना माहितीस्तव सविनय सादर.

— २० —  
ता.ता. तालुका कृषि अधिकारी  
सेलू जि.परभणी

## ANNEXURE-VII B

### ENGLISH TRANSLATION

Ja.kr./takrua/nu.a./1168/2022  
Office: Taluka Agriculture Officer, Selu  
Date: 29/10/2

To,  
Sub Regional Officer,  
M. P. C. B. Parbhani

Sub: Regarding submission of report of agricultural and crops damage due to the Asphalt  
Plant at Gat No. 141 at village Adgaon Tal. Selu, Dist. Parbhani 141

Ref : 1. Letter from Maharashtra Pollution Control Board, Sub Regional Office,  
Parbhani dtd. 17/10/2022  
2. Hon. Letter from Tehsildar, Selu dated 20/10/2022  
3. Report of Circle Agriculture Officer, Chikalthana dtd. 21/10/2022

With reference to above subject, Sub-Regional Office, Maharashtra Pollution Control Board, Parbhani and Hon. Tehsildar, Selu the applicant Shri.Sudam Govindrao Jadhav Res. of Adgaon Darade T.Selu. In 142, it was instructed to submit a report on crop damage caused by Asphalt plant. Accordingly, during the physical inspection of the land on 21/10/2022, it was observed that, asphalt plant was found on group no.141 and the land in gat no.142 is on the name of the applicant's family member. On said land sugarcane on 1.20 ha. and 4.00 ha. Soybean crops were found. Due to the fact that soyabean crop has been harvested from the field and the asphalt plant was not operational today, it was not possible to determine the extent of damage to the crop. According to the farmer, a large amount of dust is generated from the asphalt plant and it falls on the crop. If this is the case, dust accumulation can result in reduced photosynthesis and crop yield.

For kind information and further needful.

Enclosed: Panchnama

-Sd-  
Taluka Agriculture Officer  
Selu Dist. parbhani

Copy:  
Hon. Tehsildar, Selu submitted for kind information.

-Sd-  
Taluka Agriculture Officer  
Selu District Parbhani

## MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0240-2473461/62/63

Fax : 0240-2473462



Regional Office:

Paryavaran Bhavan, Plot No.A-4/1,MIDC  
Chikalthana, Behind Dainik Lokpatra, Near Seth  
Nandlal Dhoot Hospital Jalna Road,Aurangabad-  
431210

Email : roaurangabad@mpcb.gov.in

**By FAX/R.P.A.D./HAND DELIVERY:**

No. MPCB/ROA/PD/2210210002/2022

Date:- 21/10/2022

To,  
M/s.Kalyan Toll Infrastructure Ltd.,  
Gut No. 143, Adgaon Darade,  
Tal Selu, Dist. Parbnahi,

**Sub :- Proposed 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 Establish granted by the Board on 27.01.2027  
2) complaint lodged by Mr. Sudam Govindrao Jadhav, vide letter dtd. 04.10.2022  
3) Board Official visited on 07/10/2022.  
4) Report submitted to this office on 10.10.2022.

WHEREAS, your industry is located in the "Pollution Prevention Area" under the Water (Prevention & Control of Pollution) Act, 1974, under the Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 and followed by further amendments made therein from time to time.

AND WHEREAS, the Board has granted Consent to Establish to your unit under Section 25 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 5 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 and amendments thereof. And it is an obligatory on your part to provide pollution control system as it warranted and to operate and maintain the same continuously and effectively to achieve the standards prescribed in the Consent.

AND WHEREAS, the Board Official visited your industry to check compliance of consent conditions on 07.10.2022 and reported vide reference 4 above is as under.

1. You have obtained consent to establish for hot mix plant & RMC plant and started production since March 2022.
2. You have started production activity without obtaining consent to operate from the Board.
3. You have not provided Metallic road in the premises and approach to road.
4. You have not provided recirculation system at the vent of Hot Mix Plant.
5. You have not provided regular cleaning and wetting of ground in the premises.
6. You have not carried out 33% of available plot area tree planation as per Board circular.
7. You have not provided display Board at entrance of your unit. .2

:2:

8. You have not provided Water sprinkling system for RMC plant.
9. You have not provided Concrete road in the RMC plant area.
10. You have not provided transit Mixture vehicle washing system at entry and exist point.
11. You have not provided Compound wall /wind breaking wall to your unit

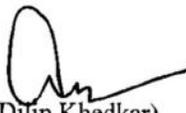
AND WHEREAS, from the record of this office and the observations made during the visit, I came to the conclusion that you are not complying with the Consent conditions and the provisions of Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 thereby causing grave injury to the environment.

NOW THEREFORE, in exercise of the powers conferred upon me under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981, I, Dilip Khedkar, Regional Officer of the Board at Aurangabad hereby issue directions as under :

12. Why your industry shall not be directed to close down its activity forthwith?
2. Why the competent authority shall not be directed to disconnect water/electricity supply of your unit?

You are directed to submit your reply if any within 7 days and attend Personal Hearing along with all documents and photographs of compliance on /10/2022 at . Failing which it will be assume that you have no any say in the matter and necessary action as deem fit in your case as per the provisions of various environmental enactments will be initiated against you, which may please be noted.

FOR & ON BEHALF OF THE BOARD,



(Dilip Khedkar)

Regional Officer-Aurangabad

Copy submitted to :-

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

Copy for information and necessary follow-up action to :

1. The Sub-Regional Officer, MPCB, Parbhani: for information and to report the compliance accordingly.

Copy to Master File, MPCB, Aurangabad.

## MAHARASHTRA POLLUTION CONTROL BOARD

Tel.No. (0240) 2473462  
Fax No. (0240) 2473461



Regional Office, Paryavaran Bhavan,  
A-4/1, MIDC Area, Chikalthana,  
Behind Daynik Lokpatra, Near Seth  
Nandlal Dhoot Hospital, Jalna Road,  
Aurangabad-431 210.

**By R.P.A.D./FAX/HAND DELIVERY:**

No. MPCB/ROA/ID/22/1170005/2022

Date :- 17/11/2022

To,  
M/s.Kalyan Toll Infrastructure Ltd.,  
Gut No. 143, Adgaon Darade,  
Tal Selu, Dist. Parbnahi,

**Sub:- Interim Directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981.**

Ref.:-1) Proposed Directions issued by this office vide letter Dtd. 09/10/2022  
2) Personal hearing extended on 23.10.2022.

This refers to Proposed Directions issued by this office vide letter referred above (1) and subsequent to the personal hearing extended on 23.10.2022. As agreed by your representative during the personal hearing, you are hereby directed to comply with the followings :

1. You shall stop production activity voluntarily till consent not obtained for hot mix plant & RMC plant and Stone crusher.
2. You shall provide Metallic road in the premises.
3. You shall provide recirculation system at the vent of Hot Mix Plant.
4. You shall provide regular cleaning and wetting of ground in the premises.
5. You shall develop green belt 33% of available plot area as per Board circular.
6. You shall provide display Board at entrance of your unit.
7. You shall provide Water sprinkling system for RMC plant.
8. You have not provided Concrete road in the RMC plant area.
9. You shall provide washing system at entry and exist point for transit Mixture vehicle.
10. You shall provide Compound wall /wind breaking wall.
11. You shall submit the Bank Guarantee of **Rs. 2,00,000/- (Rupees Two Lacs Only)** towards compliance of above directions within a period of seven days, to be drawn in favour of Regional Officer, Maharashtra Pollution Control Board, Aurangabad, which shall be valid for a period of one year towards compliance of above directions.

In case, you fail to comply with the above directions, the Board will have no any option rather than to issue Closure Directions with disconnection of electricity and water supply of your unit, which may please be noted.

Dilip Khedkar

Regional Officer-Aurangabad.

Copy submitted to :-  
The Joint Director (APC), MPCB Mumbai.  
Copy to :  
The Sub-Regional Officer, MPCB Parbnahi.  
- for information and necessary follow-up action.  
Copy to : Master File

MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICE, PARBHANIFirst Floor, Devkrupa Building,  
Rangnath Maharaj Nagar,  
Nandkheda Road, Parbhani.VISIT REPORT

Name of Industry: M/s. Kalyan Toll Infrastructure Ltd.  
Gut No. 141, 143, Adgaon Dazade  
Date of Visit : Tal. Selu Dist. Parbhani  
Industry Officials: 17-01-2023  
Observations: Mr. Avinash Bhanudas Sabale  
Site Incharge.

Visit given in accordance with application made by project proponent for consent to first operate for Hot mix plant (Asphalt/Bitumen) & AMC plant ~~is~~ observation are made as under.

1) During visit above mentioned project Hot mix plant & AMC plant found located at gut no. 141 and 143, Adgaon Dazade Tal. Selu Dist. Parbhani as reported by project authority. Instructed to submit clearcut Tech Nakasha (~~map~~ layout) for verification of installation of Hot mix plant & AMC plant.

2) As per site verification with local farmer of land owner Mr. Soman Bapurao Khandare P.T.O.

Hot mix plant erected/installed in gut No. 141, Adgaon Dazade and RMC plant erected/installed in Gut No. 143, Adgaon Dazade Tal. Selu Dist. Parbhani

- 3) Project authority having consent to establish issued by MPCB dated 27-01-2022 for COU ~~at Hot mix plant~~ for product i) Hot mix (Asphalt/Bitumen) ii) Ready Mix concrete at gut No. 143, Adgaon Dazade Tal. Selu Dist. Parbhani. However project authority installed Hot mix plant at gut No. 141, Adgaon Dazade Tal. Selu Dist. Parbhani.
- 4) Project authority reported that Hot mix plant & RMC plant operational started from March-2022.
- 5) Project authority erected Hot mix plant of capacity 160 TPH with stack height 07 mtrs LDO used approx 110-160 lit/day.
- 6) RMC plant of capacity 240 m<sup>3</sup>/day erected at site in gut No. 143, Adgaon Dazade.
- 7) Bag filter provided for control of dust emission in Hot mix plant.
- 8) Water spray system provided at Hot mix plant for mixing section/feeding section at the time of Stone just feeding.

- 9) Metallic road provided in premises not provided to approach road side.
- 10) Compound wall of adequate height of meter from the ground not provided to Hot mix plant.
- 11) Concrete road not provided in the RMC plant premises.
- 12) Regular cleaning & wetting of the ground found during visit.
- 13) Transit mixture vehicle washing not provided.
- 14) Roof top water spray system not provided for dust suppression.
- 15) This project site ~~site~~ is dedicated for road construction work of from Tintur to Sel (Water filter point) i.e. 00.00 to 33.074 Km.
- 16) Hopper type RMC plant having mechanical feeding system with cement house of finished.
- 17) D.G. set of capacity 380 KVA with acoustic enclosure found at site, project authority reported that D.G. set used for Hot mix plant ~~&~~ & D.G. set of capacity 128 KVA with acoustic enclosure found at site project authority reported that 380 KVA DG set used for Hot mix plant (operation) ~~etc~~ 128 KVA used for RMC plant operation. electricity supply having only for office shed & store room.

- 18) Project authority install limit name out site.
- 19) Plantation provided around periphery of site, which is inadequate
- 20) This visit report has been made in presence of Mr. Anirash Sabale, Site Incharge.
- 21) Project site located ~~opposite~~ more than 0.1 (one) Km from cities 0.5 Km from habitation, 0.2 Km from NH/SH, 0.5 Km from school/college & temple also more than 0.1 Km from Hospital, court & tourist spot.



(Anirash B. Sabale)  
Site Incharge

Kalyan Toll Integ. Ltd.  
Badgaon Dargade



(D. D. Desai N.P.)

Field Officer,  
M.P. C.B.S.R.O., Parbhani

**MAHARASHTRA POLLUTION CONTROL BOARD**

Tel.No. (0240) 2993004



Regional Office, Paryavaran Bhavan,  
A-4/1, MIDC Area, Chikalthana,  
Behind Daynik Lokpatra, Near Seth  
Nandlal Dhoot Hospital, Jalna Road,  
Aurangabad-431 210.

**RPAD / HAND DELIVERY:**

MPCB/ROA/SCN/ 2301180006 /2023

Date :- 18/01/2023

To,  
M/s. Kalyan Toll Infrastructure Ltd.,  
Gut No. 141, 143, Adgaon Darade,  
Tq.Selu, Dist Parbhani.

**Sub :- Show Cause Notice** for refusal of Consent under Clause B of Sub-section (4) of Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016.

**Ref:-** 1.Your application for grant of consent to establish vide UAN No. MPCB-  
CONSENT - -0000154601.  
2.Interim Directions issued by the Board vide dtd. 17.11.2022.  
3.Scrutiny letter issued by the Sub Regional Officer, Aurangabad on 17.01.2023.  
4 Visit of Board Officials to your industry on 17.01.2023  
5. Processed application submitted by SRO Parbhani to this office.

WHEREAS, your unit is located in the "Pollution Prevention Area" under the Water (Prevention & Control of Pollution) Act, 1974, under the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 followed by further amendments made therein from time to time. And it is obligatory on your part to obtain Consent of the Board and to provide adequate water and air pollution control systems to control the pollution from your activity.

AND WHEREAS, the Sub Regional Officer, Parbhani has processed your application and issued the Scrutiny letter vide above reference for not submitted documents/detail such as -PAN Card copy of Industry , NOC from local body for proposed industry, Detail layout plan of factory premises, Requisite fees in the form of demand draft along with delay charges, penalty, Location plan /site map showing surrounding village/human habitation,town ,river,sea shore, road etc., not replied to scrutiny letter til, Local body NOC for gat no 141, 143, Aadgaon Darade, Tal. Selu Dist. Parbhani, layout or Toch Nakasha for ready reference, CA certificate for FY 2021-2022, photographs of pollution control system , previous legal action reply with application.

AND WHEREAS, the Board Officials has visited your industry on 17.01.2023 with reference to your consent application and reported the following non compliances-

- 1.You have not replied to the notice issued by the Board.
2. You have not uploaded photographs of installed air pollution control systems.

3. You are operating hot mix & RMC plant without obtaining consent to operate from the Board.
4. You have provided compound wall to RMC plant which is inadequate in height.
5. You have not provided approach road/metallic road.
6. You have not constructed concrete road at RMC plant.
7. You have not planted adequate no. of trees.
8. You have not provided vehicle washing system.
9. You have not replied to scrutiny letter issued by the Sub\_Regional Officer, Parbhani.
10. You have not paid the consent fees and penalty charges.
11. You have not submitted the Bank Guarantee of Rs. 2,00,000/- as per Interim Directions issued vide above reference (2).

NOW THEREFORE, you are directed to Show Cause as to why your Consent application shall not be refused under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016.

You are hereby directed to submit/upload your reply to aforesaid points to the Web Portal within 7 days from the date of issue of this notice. failing which, it will be assumed that you have nothing to say in this regard and further stringent action will be initiated against your industry. After issuance of refusal directions, you have to close down your activity, which may please be noted.



( Dilip Khedkar )

Regional Officer-Aurangabad.

Copy for information and necessary follow-up action to :

1. The Sub-Regional Officer, MPCB, Parbhani -For information and submission of present status of the industry.

# MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 0240 - 2473462  
 Fax: 0240 - 2473461  
 Website: <http://mpcb.gov.in>  
 Email: roaurangabad@mpcb.gov.in



Paryavaran Bhavan, A - 4/1, MIDC Area , Chikalthana, Near Seth Nandlal Dhoot Hospital, Jalna Road , Aurangabad - 431 210

**ORANGE/S.S.I (O37)**  
**No:- Format1.0/RO/UAN**  
**No.0000154601/CO/2301001590**

**Date: 18/01/2023**

To,  
 M/s. Kalyan Toll Infrastructure Ltd.  
 Gut No. 141, 143, Adgaon Darade ,  
 Tq.Selu,Dist:-Parbhani.



Your Service is Our Duty

**Sub: Grant of Consent to Operate**

Your application No.MPCB-CONSENT-0000154601 Dated 30.11.2022

For: Grant of 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 & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. The consent to operate is granted for a period up to 31/03/2026
2. The capital investment of the project is Rs.3.4708 Crs. (As per C.A Certificate submitted by industry )
3. Consent is valid for the manufacture of:

Sr No	Product	Maximum Quantity	UOM
Products			
1	HOT MIX (Asphalt/Bitumen)	1500	MT/Day
2	Ready Mix Concrete	240	m3/day

4. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	0.5	As per Schedule-I	Partly recycle CMD & partly gardening CMD
2.	Domestic effluent	0.5	As per Schedule-I	Soaked in soak pit

5. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	0	0	1	As per Schedule -II

6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
NA					

7. Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
NA					

8. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
10. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)



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Signed by: Dilip Kondiba Khedkar  
Regional Officer  
For and on behalf of  
Maharashtra Pollution Control Board  
raurangabad@mpcb.gov.in  
2023-01-18 18:34:06 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	15000.00	MPCB-DR-16089	26/12/2022	DD
2	15000.00	TXN2301002920	18/01/2023	Online Payment
3	37500.00	TXN2301002919	18/01/2023	Online Payment

**Copy to:**

1. Sub-Regional Officer, MPCB, Parbhani
  - They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai



**SCHEDULE-I****Terms & conditions for compliance of Water Pollution Control:**

1. A) As per your application, you have provided Effluent Treatment Plant (ETP) of designed capacity of 0.00 CMD consisting of Primary (Collection tank, Neutralization tank) for the treatment of 0.5 CMD of trade effluent.
- B) The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent:

Sr.No	Parameters	Limiting concentration not to exceed in mg/l, except for pH
(1)	pH	6.0 -8.5
(2)	BOD (3 days 27°C)	30
(3)	COD	250
(4)	TSS	100
(5)	Oil & Grease	10
(6)	Chloride	600
(7)	Sulphate	1000

- C) The industry shall recycle the treated effluents in the process again. In no case, sewage shall find its way for gardening / outside factory premises.
2. A) As per your application, you have provided Septic Tank followed by Soak pit for the treatment of 0.5 CMD of sewage.
- B) The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	Suspended Solids	Not to exceed	50
2	BOD 3 days 27°C	Not to exceed	100

- C) The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way for gardening / outside factory premises.
3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

<b>Sr. No.</b>	<b>Purpose for water consumed</b>	<b>Water consumption quantity (CMD)</b>
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	0.70
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	1.50
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0.1

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.



**SCHEDULE-II****Terms & conditions for compliance of Air Pollution Control:**

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
1	Hot Mix Plant	Scrubber	7.00	Diesel 25 Ltr/Hr	-	TPM	-
						SO2	-

The industry shall comply the following Control Equipment for Hot Mix Plant:- 1. Drum mix machine shall be maintained with dust collector followed by scrubbing system of sufficient capacity to limit emissions. 2. Closed silo will be used for addition of

- The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
- The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
- The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
- The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:



## 5. Control Equipment:

**a. In-house measures :-**

1. All material transfer points should be covered.
2. The dust containment system shall be provided incorporating either of the following:
  - i) Barricading all around the periphery of the plot boundary of height minimum 20 feet or 5 feet above free fall air emission area. Whichever is height with tin sheets same may extend above with netlon clothing whenever required.
  - ii) Water sprinkling/Chemical dust stabilizing agent spraying system along the periphery inside the premises of RMC.
  - iii) Tree plantation along the periphery inside boundary of the RMC premises having minimum width of 5 meters, on all sides. The foliage of the trees shall adequately cover area upto about 20m height.
3. Internal work area shall be, cement concreted/Asphalted
4. Daily cleaning / Removal of dust accumulation inside the plant (dry/wet) shall be carry out with industrial vacuum cleaner.
5. Two level type washing facility shall be provided at entry and exit points, for transit mixture vehicle.

**b. Raw material storage & handling:-**

1. Storage silos of cement & fly-ash shall be adequate capacity of dust Collection system such as multi - cyclone followed by bag house assembly.
2. Handling of Cement, sand, fly ash and aggregates shall be carried out with mechanical closed system only.
3. Manual operations shall be permitted only in a closed shed, equipped with dust control system at the loading point as well as roof top secondary dust control system.
4. All Conveyor belts of Sand, aggregate shall be covered with tin sheets and at points dust collection system to be installed to avoid secondary fugitive emissions.
5. Mixing section of cement, aggregate & sand shall be equipped with adequate capacity dust collection system, such as multi-cyclone followed by bag houses, so as to limit dust emissions.
6. Storage area of sand & aggregates shall be equipped with roof top water sprinkler system.
7. The production plant shall be interlocked with air pollution control system.
8. Alternative power supply system should cover both the production and Air Pollution control system.
9. Industry shall provide treatment facility industrial effluent.
10. Industry shall provide disposal facility for treated effluent.
11. Industry shall provide disposal facility for solid waste.
12. Industry shall provide proper exhaust system in the premises.

**c. Ambient air quality as a distance of 10 mtr form source or the plant boundary whichever is nearer, shall meet the following standards**

Particulate Matter PM 10	Not to Exceed	100 ug/m <sup>3</sup>
Particulate Matter PM 2.5	Not to Exceed	60 ug/m <sup>3</sup>

**SCHEDULE-III****Details of Bank Guarantees:**

<b>Sr. No</b>	<b>Consent (C2E/C2O/C2R)</b>	<b>Amt of BG Imposed</b>	<b>Submission Period</b>	<b>Purpose of BG</b>	<b>Compliance Period</b>	<b>Validity Date</b>
1	C2O	Rs.1.0 Lakh	15 Days	Compliance of Consent Conditions and Operation & Maintenance of Pollution Control Systems	Continuous	30.06.2026

**BG Forfeiture History**

<b>Srno.</b>	<b>Consent (C2E/C2O/C2R)</b>	<b>Amount of BG Imposed</b>	<b>Submission Period</b>	<b>Purpose of BG</b>	<b>Amount of BG Forfeiture</b>	<b>Reason of BG Forfeiture</b>
NA						

**BG Return details**

<b>Srno.</b>	<b>Consent (C2E/C2O/C2R)</b>	<b>BG Imposed</b>	<b>Purpose of BG</b>	<b>Amount of BG Returned</b>
NA				



**SCHEDULE-IV****General Conditions:**

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
  - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
  - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
  - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
  - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
  - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
  - f) D.G. Set shall be operated only in case of power failure.
  - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
  - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding upon you.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
11. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.

13. You shall operate OCEMS installed for source emission round 'O' clock and transmit data online to CPCB and MPCB server. You shall also monitor effluent quality, stack emissions and ambient air quality monthly/quarterly. You shall conduct Dioxin Furan monitoring by third party NABL Accredited agency once in year and submit report to Sub Regional Officer.
14. You shall ensure collection, and segregation of BMW regularly to treat and dispose Off within 48 hrs from generation.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. You shall not Rent, Lend, Sell, Transfer or Close Down the facility or otherwise transport the Bio Medical waste for any other purpose without obtaining prior written permission of the MPC Board.
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
24. You shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the facility premises.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.

28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. You should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly. You shall conduct Dioxin Furan monitoring by third party NABL Accredited agency once in every year and submit report to Sub Regional Officer.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
34. You shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
35. You shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website ([www.mpcb.gov.in](http://www.mpcb.gov.in)).
36. You shall create the Environmental Cell by appointing an Environmental Engineer and Chemist for looking after day-to-day activities related to compliance of CCA.
37. You should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 , Bio Medical Waste Management Rules,2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year in Form-IV by 30th June of every year
38. You should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 , Bio Medical Waste Management Rules,2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year in Form-IV by 30th June of every year

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This certificate is digitally & electronically signed.

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