

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

ORIGINAL APPLICATION No.201 of 2023(WZ)

**IN THE MATTER OF
CHARAN BHATT**

... **APPLICANT**

Versus

**WETLAND DIVISION, MoEF & CC
& OTHERS**

... **RESPONDENTS**

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PUNE

DATE : 06/06/2025



ADVOCATE FOR RESPONDENT NO. 20

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH, PUNE

AT PUNE

ORIGINAL APPLICATION NO. 201 OF 2023 (WZ)

Charan Bhatt

... Applicant

Versus

Wetland Divison, MoEF & CC & Ors

... Respondents

**REPLY ON BEHALF OF
RESPONDENT NO. 20 TO THE
REPORT DATED 22.10.2024**

MAY IT PLEASE THE HON'BLE TRIBUNAL

**THE RESPONDENT NO. 20 MOST RESPECTFULLY SUBMITS
THAT :-**

1. The present Reply is being filed on behalf of this Respondent to the report filed dated 22th October 2024. The Applicant reserves its right to file a detailed reply at a later stage if required.
2. The Respondent submits that this Hon'ble Tribunal vide its order dated 15th January 2024 constituted a Joint Committee constituting one member each of the Member Secretary, State Wetland Authority, the District Collector, Palghar, Member Secretary, State Wetland Conservation Committee, Additional

Principal Chief Conservator of Forests and Maharashtra Coastal Zone Management Authority (MCZMA).

3. The Joint Committee visited the sites on 4th April 2024, but there was no prior notice given to this Respondent nor served with copy of the Application.
4. The Respondent submits that as per the provisions of the Section 19 of National Green Tribunal Act, 2010- The Respondent should have been served the application and duly heard in the matter before issuance of any such order by the Hon'ble Tribunal.
5. The Respondent further submits that the Joint Committee conducted site visit on 4th April 2024. The Joint Committee did not make any communication to the Respondent to be present while conducting the site visit. This is a gross violation of principle of Natural Justice. This Respondent was denied fair chance of making him heard or represent himself before the Joint Committee. As per Joint Committee Report dated 22.10.2024 (**Page No. 460 and 461 of Paper Book**) it can be clearly depicted that this Respondent was not present while conducting the site visit.
6. In this report (**Page No. 444 and 475 of Paper Book**), Although the Joint Committee has not recommended any action to be taken against this Respondent, the MPCB (Respondent No.7) goes beyond that and issued a closure order dated 19th December 2024 to this Respondent. The Respondent No.7 without any prior notice or opportunity of being heard issued the said notice. Copy of the order

of closure dated 19th December 2024 is annexed hereto and marked as **ANNEXURE – R-1**.

7. The Hon'ble High Court of Bombay vide order dated 12th April 2022 in Writ Petition No. 4365 of 2022 and 303 of 2018 has taken a decision directing Vasai Virar City Municipal Corporation to grant the permission in village Sasunavghar since the same is not wetland as earmarked in the said brief document prepared by Collector Palghar . (**Page No. 447 of Paper Book**)
8. The Respondent No.7 has not verified that the land at Sasunavghar is a wetland or not. The Respondent submits that various development permissions have been granted to it and that it is not a wetland. Even the Respondent No.7 has granted the Consent to Operate to the Respondent and thus passing of the order is a breach of principles of natural justice.
9. It is further submitted by this Respondent that the present Respondent has valid permissions or consents to conduct, manage or run the operations of the activities (business) of this Respondent.
10. The Respondent submits that the Respondent has executed Leave and Licence Agreement in respect of the lands bearing Survey No.194/A, Village Sasunavghar, Taluka Vasai, District Palghar. The Respondent has applied for Consent to Operate for operating Ready Mix Concrete (RMC) plant dated 4th October 2024 from the Respondent No.7, which is pending with the Respondent No.7. Copy of the application for grant of Consent to Operate dated 4th October 2024 are annexed hereto and marked as **ANNEXURE – R-2**.

11. The Respondent to its shock and surprise upon receipt of the order addressed a detailed reply to the Respondent No.7 on 17th January 2025. Copy of the reply dated 17th January 2025 is annexed hereto and marked as **ANNEXURE – R-3**.
12. The Respondent is being stopped from conducting business, despite having all permissions which is making their life miserable, as some workers are daily wagers, and it becomes impossible for them to maintain the family. The Respondent are entitled to conduct its business and guaranteed their right under Article 19(1) (g) of the Constitution of India. Hence, it is prayed to this Tribunal that the present application be allowed.
13. The Respondent submits that in the matter of *Deepak Nitrite Ltd Vs State of Gujarat and Others* (Civil Appeals No. 1521 of 2001 with Nos. 1522-28 of 2001), the Hon'ble Supreme Court of India has held that '*Compensation/damages can be awarded under, only if damage has been caused to the environment by the person concerned, to say that mere violation of the law in not observing the norms would result in damage/degradation of environment is not correct. There must be a finding that such damage has in fact resulted.*' The Respondent further submits that the Joint Committee report nowhere observes that the Respondent is polluting the environment and action shall be taken against the Respondent. The Hon'ble Tribunal has also not passed any direction against the Respondent.
14. The Respondent states that this Respondent be discharged from the present proceedings against this Respondent as the

Respondent has all valid permissions obtained from statutory bodies.

15. The Respondent No.7, therefore, prays that the Respondent No.7 be discharged from the proceedings, the MPCB be directed to consider revocation of closure. The Hon'ble Tribunal has ample powers to pass such directions under Rule 24 of the NGT Practice and Procedure Rules, 2011.

Date: 6/06/2025

Pune

A handwritten signature in blue ink, appearing to read 'S. S. Sawani', with a horizontal line underneath.

Advocate for Respondent for No.20



BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE, AT PUNE
ORIGINAL APPLICATION No.201 of 2024

IN THE MATTER OF
CHARAN BHATT ... **APPLICANT**

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A F F I D A V I T

MAY IT PLEASE THE HON'BLE TRIBUNAL

I, Mr.Navjot Singh, adult, Occu.: business, having office at Survey No.194/A, Sasunavghar, Taluka Vasai, District Palghar, do hereby state on solemn affirmation as under: -

I am the Authorised Signatory of the Respondent No.20 (M/s.NAHAR READYMIX) and responsible for day to day administration of my business. As such, I have gone through the reply thereto being filed today. I find that the contents therein are true and correct to the best of my knowledge and belief and which may be treated as part and parcel of the present affidavit.

WHATEVER STATED ABOVE is true and correct to the best of my knowledge and belief. In witness whereof I have signed hereunder at Thane on 06th day of June 2025.



Navjot Singh

DEPONENT

BEFORE ME
Sunil Tyagi
BUNIL TYAGI
ADVOCATE & NOTARY
(Govt. Of India)
06 JUN 2025



BUNIL TYAGI B.COM, LL.B
Advocate & Notary Govt. Of India
B/78, Shanti Shopping Centre, Opp. Rly. Stn.,
Mira Road (E), Thane-401107,
Mob. 9892291875

BUNIL TYAGI (Notary Govt. of India)
NOTARIA. REGISTER
BR. No. 607 *Sunil Tyagi* 06/06/25

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 th Floor, Office Complex Bldg.,
Website: http://mpcb.gov.in		Near Mulund Check Naka,
E-mail Id: rothane@mpcb.gov.in		Wagle Estate, Thane-400 604.
No. MPCB/ROT/CD/ 2412190001		Date: 19/12/2024

To,
M/s. Nahar Readymix,
Survey No. 194/A, Vill. Sasunavghar,
Tal. Vasai, Dist- Palghar.



Your Service is Our Duty

Sub:- Closure Directions under section 33A of the Water (P & CP) Act, 1974 & under section 31A of the Air (P. & C.P.) Act, 1981 and read with Hazardous & Other Wastes (M & T M) Rules, 2016.

- Ref:-**
- 1) Hon'ble NGT vide order 23/10/2024 in O.A. 201/2023.
 - 2) Visit of Boards official dtd. 13/11/2024.
 - 3) Action proposal submitted by Sub- Regional Officer, Thane-II vide Legal Unique No. MPCB-LEGAL_ACTIONS- 251124011.
 - 4) Approval for closure received from HQ dtd. 19/12/2024.

WHEREAS, you are operating your industry in Water & Air pollution prevention area declared under Water (P&CP) Act, 1974 Air (P&CP) Act, 1981.

AND WHEREAS, it is obligatory on your part to obtain Consent to operate to your industry to discharge sewage and trade effluent in water pollution prevention area subject to certain terms and conditions more precisely under the provisions of 26 of the Water (P&CP) Act, 1974 and section 21 of the Air (P&CP) Act, 1981 and the Hazardous & Other Wastes (Management Handling & Trans boundary Movement) Rules, 2016, however you have failed to obtain valid Consent from the Board.

AND WHEREAS, it was also obligatory on your part to provide adequate and efficient pollution control devices and take adequate measures to control air & water pollution from all sources so as to achieve the standards prescribed in the Environment (Protection) Act 1986.

AND WHEREAS, Charan Bhatt has filed a complaint before Hon'ble NGT regarding violation of Wetland rules at Village Sasunavghar. Joint committee has submitted report dated 22/10/2024 and observed dumping of the debris/construction waste at Sasunavghar village. And Hon'ble NGT vide order 23/10/2024 in O.A. 201/2023 directed MPCB to act on report of Joint Committee and ensure compliance accordingly, Board officials of Sub Regional Office, Thane-II has visited your RMC plant on 13/11/2024 and has reported following non-compliances:

- 1) The location of the unit is in the stretch of coastal wetland Natural Intertidal Mudflats as per wetland atlas referred by Joint Committee.
- 2) You are operating RMC activity without obtaining consent to establish and provision of adequate pollution control system.

: 2 :

AND WHEREAS, this amounts to blatant violation of environmental norms which shows your gross negligence attitude towards pollution control.

NOW THEREFORE, in the exercise of the powers conferred u/s 33A of Water (Prevention & Control of Pollution) Act 1974, and 31A of Air (Prevention & Control of Pollution) Act, 1981. I, Regional Officer, MPCB, Thane hereby directed to close down your RMC activities, immediately. Please note that competent authorities are hereby directed to disconnect your electricity and water supply.

In case of your failure to comply these directions, further suitable action which may be deem fit, as per the provisions of the Environmental Act's will be initiated against your unit, which may please be noted.

This is issued with the approval of competent authority of Board.



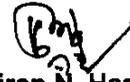
(Kiran N. Hasabnis)
Regional Officer, Thane

Copy submitted to:

1. Member Secretary, M. P. C. Board, Mumbai.
2. Assistant Secretary (Technical), M. P. C. Board, Sion, Mumbai.

Copy to:

1. The Executive Engineer, Maharashtra State Electricity Distribution Co Ltd. Tal. Vasai, Dist. Palghar - He is directed to disconnect electric supply, of above-mentioned industry immediately from receipt of these directions (Excluding single phase supply towards domestic and security purpose) and report compliance accordingly.
2. The Executive Engineer, Water Supply, Vasai Virar City Municipal Corporation, Tal. Vasai, Dist. Palghar - He is directed to disconnect water supply, of above-mentioned industry immediately from receipt of these directions and report compliance accordingly.
3. Sub- Regional Officer, Thane-II, MPC Board, Thane.
- You are directed to serve these directions to the unit and ensure the compliance of the directions & submit ATR within 48-hrs.



(Kiran N. Hasabnis)
Regional Officer, Thane





1303

Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

Application for Consent/ Authorisation**ANNEXURE-R-2**

Sir,
I/We hereby apply for*

1. Consent to Establish/Operate/Renewal of consent under section 25 and 26 of the Water (Prevention & Control of Pollution) Act, 1974 as amended.
2. Consent to Establish/Operate/Renewal of consent under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended.
3. Authorization/renewal of authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 in connection with my/our/existing/proposed/altered/ additional manufacturing/processing activity from the premises as per the details given below.

Consent Information

UAN No:
MPCB-CONSENT-0000222769

Application submitted on:
04-10-2024

Industry Information

Consent To:
Establish (New)

IIN No.:

Submit to:
SRO - Thane II

Type of institution:
Industry

Industry Type:
G37 Ready mix cement concrete

Category:
Green

Scale:
M.S.I

Location of industry/activity/etc:
Local Body

Name of Local Body:
VVCMC

EC Reqd.
No

Whether construction-buildup area is more than 20,000 sq.mtr.(Existing Expansion Unit)
No

General Information

1. Name, designation, office address with Telephone/Fax numbers, e-mail of the Applicant Occupier/Industry/Institution / Local Body.

Name
Navjot Singh

Address
S. No. 194 A, Sasunavghar, Naigoan East,Vasai-Virar City (Municipal Corporation),Palghar

Designation
Partner

Taluka
Vasai

Area
Sasunavghar

District
Palghar

Telephone
9820137516

Fax

Email
naharreadymix@gmail.com

Pin Number
1304
EHCP52680P

2. (a) Name and location of the industrial unit/premises for which the application is made (Give revenue Survey Number/Plot number name of Taluka and District, also telephone and fax number)

Industry name

M/s. Nahar Readymix

Location of Unit

S. No. 194/A, Sasunavghar, Naigoan East

Survey number/Plot Number

194/A

Taluka

Vasai

District

Palghar

(b) Details of the planning permission obtained from the local body/Town and Country Planning authority/Metropolitan Development authority/ designated Authority.

Planning permission

Planning Authority

Name of the local body under whose jurisdiction the unit is located and Name of the licence issuing authority

Name of Local Body

Name of the licence issuing authority

Sanction plan/ Approved layout Plan/Commencement Certificate

3. Names,addresses with Telephone and Fax Number of Managing Director / Managing Partner and officer responsible for matters connected with pollution control and/or Hazardous waste disposal.

Name of Managing Director

Navjot Singh

Telephone number

9820137516

Fax number

0

Officer responsible for day to day business

Navjot Singh

4. (a.) Are you registered Industrial unit ?

No

Registration number

0

Date of registration

Jul 24, 2024

5. Gross capital investment of the unit without depreciation till the date of application (Cost of building, land, plant and machinery). (To be supported by an affidavit/undertaking on Rs.20/- stamp paper, annual report or certificate from a Chartered Accountant for proposed unit(s), give estimated figure)

Gross capital (in Lakh)

299.55

*** Verified**

*** Terms**

1

*** Consent Fee**

15000.00

6. If the site is located near sea-shore/river bank/other water bodies/Highway, Indicate the crow fly distance and the name of the water body, if any.

Distance From

Distance(Km)

*** Name**

SH/NH

0.00

--NA--

River

0.00

--NA--

Human Habitation

0.00

--NA--

Religious Place

0.00

--NA--

Historical Place

0.00

--NA--

Creek/Sea

0.00

--NA--

6b. Enter Latitude and Longitude details of site

Latitude

Longitude

7. Does the location satisfy the Requirements Under relevant Central/State Govt. Notification such as Coastal Regulation Zone. Notification on Ecologically Fragile Area, Industrial Location policy, etc. If so, give details.

Location	Approved Industry Area	Sensitive Area	If Yes, Name Of Area	Industry Location with Reference to CRZ
	No	No		

8. If the site is situated in notified industrial estate,

Details

- (a) Whether effluent collection, treatment and disposal system has been provided by the authority. No
- (b) Will the applicant utilize the system, if provided. No
- (c) If not provided, details of proposed arrangement.

9.

(a) Total plot area (in square meter)	(b) Built up area and (in square meter)	(c) Area available for the use of treated sewage/ trade effluent for gardening/irrigation. (in square meter)
5422	5422	0

10. Month and year of commissioning of the Unit.

2024-11-02

11. Number of workers and office staff

Workers	staff	Hrs. of shift	Weekly off
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12.

(a) Do you have a residential colony Within the premises in respect of Which the present application is Made ? No

(b) If yes, please state population staying
 Number of person staying Water consumption Sewage generation Whether is STP provided?
 No

(c) Indicate its location and distance with reference to plant site.
 Number of person staying Water consumption

13. List of products and by-products Manufactured in tonnes/month, Kl/month or numbers/month with their types i.e.Dyes, drugs etc. (Give figures corresponding to maximum installed production capacity)

Products Name and Quantity

Product Name	UOM	Product Name	Existing	Consented	Proposed Revision	Total	Remarks
RMC	m3/month	Readymix Concrete	0	5000	0	5000	NA

Products Name and Quantity

Product Name	UOM	Quantity	Remarks
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14. List of raw materials and process chemicals with annual consumption corresponding to above stated production figures, in tonnes/month or kl/month or numbers/month.

Name of Raw Material	UOM	Quantity	Hazardous Waste	Hazardous Chemicals	Remarks
Cement	MT/M	1800	No	No	NA
20mm Aggregate	MT/M	250	No	No	NA
10mm Aggregate	MT/M	1500	No	No	NA
Wash Sand	MT/M	800	No	No	NA
Crusher Sand	MT/M	4000	No	No	NA
Admixture	MT/M	25	No	No	NA
Micro Silica	MT/M	100	No	No	NA

15. Description of process of manufacture for each of the products showing input, output, quality and quantity of solid, liquid and gaseous wastes, if any from each unit process.

Part B : Waste Water aspects

16. Water consumption for different uses (m3/day)

Purpose	Consumption	Effluent Generation	Treatment	Remarks	Disposal	Remarks
Domestic Pourpose	1.5	0.8	Septic Tank & Soak Pit	NA	Others	NA
Water gets Polluted & Pollutants are Biodegradable	0	0	--NA--	NA	--NA--	NA
Water gets Polluted, Pollutants are not Biodegradable & Toxic	0	0	--NA--	NA	--NA--	NA
Industrial Cooling, spraying in mine pits or boiler feed	0	0	--NA--	NA	--NA--	NA
Others	0					

17. Source of water supply, Name of authority granting permission if applicable and quantity permitted.

Source of water supply	Name of authority granting permission	Quantity permitted
-------------------------------	--	---------------------------

18. Quantity of waste water (effluent) generated (m3/day)

Domastic Process	Boiler Blowdown DM Plants/Softening	Industrial Washing	Cooling water blowdown Tail race discharge from
-------------------------	--	---------------------------	--

19. Water budget calculations accounting for difference between water consumption and effluent generated.

20. Present treatment of sewage/canteen effluent (Give sizes/capacities of treatment units).

Capacity of STP (m³/day)

Treatment unit	Size (mxm)	Retention time (hr)
-----------------------	-------------------	----------------------------

21. Present treatment of trade effluent (Give sizes/capacities of treatment units) (A schematic diagram of the treatment scheme with inlet/outlet characteristics of each unit operation/process is to be provided. Include details of residue Management system (ETP sludges)

Capacity of ETP (m³/day)

Treatment unit	Size (mxm)	Retention time (hr)
-----------------------	-------------------	----------------------------

22.

(i) Are sewage and trade effluents mixed together?

No

If yes, state at which stage-Whether before, intermittently or after treatment.

23. Capacity of treated effluent sump, Guard Pond if any.

Capacity of treated effluent sump (m³)

Effluent sump/Guard pond details No

If yes, state at which stage-Whether before, intermittently or after treatment. No

24. Mode of disposal of treated effluent With respective quantity, m³/day

(i) into stream/river (name of river)

(ii) into creek/estuary (name of Creek/estuary)

(iii) into sea

(iv) into drain/sewer (owner of sewer)

(v) On land for irrigation on owned land/ase land. Specify cropped area.

(vi) Connected to CETP

(vii) Quantity of treated effluent reused/ recycled, m³/day Provide a location map of disposal arrangement indicating the outler(s) for sampling. Treated effluent reused / recycled (m³/day)

Mode of disposal types Recycle

Mode of disposal types other (if any)

25. (a) Quality of untreated/treated effluents (Specify pH and concentration of SS, BOD,COD and specific pollutants relevant to the industry. TDS to be reported for disposal on land or into stream/river.

Untreated Effluent

pH 0

SS (mg/l) 0

BOD (mg/l) 0

COD (mg/l) 0

TDS (mg/l) 0

Specific pollutant if any	Name	Value
----------------------------------	-------------	--------------

1	0	0
---	---	---

Treated Effluent

pH	0
SS (mg/l)	0
BOD (mg/l)	0
COD (mg/l)	0
TDS (mg/l)	0

Specific pollutant if any	Name	Value
1	0	0

(b) Enclose a copy of the latest report of analysis from the laboratory approved by State Board/ Committee/Central Board/Central Government in the Ministry of Environment expected characteristics of the untreated/treated effluent

26. Fuel consumption

Fuel Type	UOM	Fuel Consumption TPD/LKD	Calorific value
Diesel	Ltr/Hr	150	0
Ash content	Sulphur content	Quantity	Other (specify)
0	0	1	0

27. (a) Details of stack (process & fuel stacks: D. G.)

(a) Stack number(s)	(b) Stack attached to	(c) Capacity	(d) Fuel Type
1	DG Set	350	Diesel
(e) Fuel quantity (Kg/hr.)	(f) Material of construction	(g) Shape (round/rectangular)	(h) Height, m (above ground level)
150		Rectangular	3.5
(i) Diameter/Size, in meters	(j) Gas quantity, Nm³/hr.	(k) Gas temperature °C	(l) Exit gas velocity, m/sec.
0	0	0	0
(m) Control equipment preceding the stack	(n) Nature of pollutants likely to present in stack gases such as Cl₂, Nox, Sox TPM etc.	(o) Emissions control system provided	(p) In case of D.G. Set power generation capacity in KVA
Stack	SPM	0	350 KVA

27. (B) Whether any release of odoriferous compounds such as Mercaptans, Phorate etc. Are coming out from any storages or process house.

28. Do you have adequate facility for collection of samples of emissions in the form of port holes, platform, ladder etc. As per Central Board Publication "Emission regulations Part-III" (December, 1985)

Port hole	No	Details
Platform	No	Details
Ladder	No	Details

29. Quality of treated flue gas emissions and process emissions. Quantity of treated flue gas emissions and process emissions.

Sr. No	Stack attached to	Parameter	Concentration mg/Nm³	flow (Nm³/hr)
1				

1309
(Specify concentration of criteria pollutants and industry/process-specific pollutants stack-wise. Enclose a copy of the latest report of analysis from the laboratory approved by State Board/Central Board/Central Government in the Ministry of Environment & Forests. For proposed unit furnish expected characteristics of the emissions..

Part - D: Hazardous Waste aspect

30 Information about Hazardous Waste Management as defined in Hazardous Waste (Management & Handling) Rules, 1989 as amended in Jan.,2000. Type/Category of Waste as per

Waste (Annually) Schedule I

Cat No	Type	Qty	UOM
NA		0	--NA--
Max	Method of collection	Method of reception	Method of storage
	NA	NA	NA
Method of transport	Method of treatment	Method of disposal	
NA	NA	NA	

Waste (Annually) Schedule II

31. Details about use of hazardous waste

Name of hazardous waste/Spent chemical	Quantity used/month	Party from whom purchased	Party to whom sold
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32.

a. Details about technical capability and equipments available with the applicant to handle the Hazardous Waste

b. Characteristics of hazardous waste(s) Specify concentration of relevant pollutants. Enclose a copy of the latest report of analysis from the laboratory approved by State Board/Central Board/Central Govt. in the ministry of Environment & Forests. For proposed units furnish expected characteristics

33.

Copy of format of manifest/record Keeping practiced by the applicant.

34.

Details of self-monitoring (source and environment system)

35.

Are you using any imported hazardous waste. If yes, give details.

36.

Copy of actual user Registration/certificate obtained from State Pollution Control Board/Ministry of Environment & Forests, Government of India, for use of hazardous waste.

37.

Present treatment of hazardous waste, if any (give type and capacity of treatment units)

38. Quantity of hazardous waste disposal

(i) Within factory

(ii) Outside the factory (specify location and enclose copies of agreement.)

(iii) Through sale (enclosed documentary proof and copies of agreement.)

(iv) Outside state/Union Territory, if yes particulars of (1 & 3) above.

(v) Other (Specify)

Part - E: Additional information

39.

a. Do you have any proposals to upgrade the present system for treatment and disposal of effluent/emissions and/or hazardous waste.

b. If yes, give the details with time- schedule for the implementation and approximate expenditure to be incurred on it.

40.

Capital and recurring (O & M) expenditure on various aspect of environment protection such as effluent, emission, hazardous waste, solid waste, tree- plantation, monitoring, data acquisition etc. (give figures separately for items implemented/to be implemented).

41.

To which of the pollution control equipment, separate meters for recording consumption of electric energy are installed ?

42.

Which of the pollution control items are connected to D.G. Set (captive power source) to ensure their running in the event of normal power failure

43. Nature, quantity and method of disposal of non- hazardous solid waste generated separately from the process of manufacture and waste treatment. (Give details of area/capacity available in applicant's land)

Type	Quantity	UOM	Treatment	Disposal	Other Details
NA	0	--NA--	NA	NA	NA

44. Hazardous Chemicals - Give details of Chemicals and quantities handled and Stored.

(i) Is the unit a Major Accident Hazard unit as per Mfg.Storage Import Hazardous Chemicals Rules ?

(ii) Is the unit an isolated storage as defined under the MSIHC Rules ?

(iii) Indicate status of compliance of Rules 5,7,10,11,12,13 and 18 of the MSIHC Rules.

(iv) Has approval of site been obtained from the concerned authority?

(v) Has the unit prepared an off-site Emergency Plan? Is it updated ?

(vi) Has information on imports of Chemicals been provided to the concerned authority?

(vii) Does the unit possess a policy under the PLI Act?

45. Brief details of tree plantation/green belt development within applicant's premises (in hectares)

Open Space Availability	Plantation Done On	Number of Trees Planted
Square meter	Square meter(%)	

46.

Information of schemes for waste Minimization, resource recovery and recycling - implemented and to be implemented, separately.

NA

47.

(a) The applicant shall indicate whether Industry comes under Public Hearing, if so, the relevant documents such as EIA, EMP, Risk Analysis etc. shall be submitted, if so, the relevant documents enclosed shall be indicated accordingly.

(b) Any other additional information that the applicants desires to give

(c) Whether Environmental Statement submitted ? If submitted, give date of submission.

48.

I/We further declare that the information furnished above is correct to the best of my/our knowledge.

49.

I/We hereby submit that in case of any change from what is stated in this application in respect of raw materials, products, process of manufacture and treatment and/or disposal of effluent, emission, hazardous wastes etc. In quality and quantity; a fresh application for Consent/Authorization shall be made and until the grant of fresh Consent/Authorization no change shall be made.

50.

I/We undertake to furnish any other information within one month of its being called by the Board

Yours faithfully

Signature : Navjot Singh

Name : Navjot Singh

Designation : Partner

Additional Information

Air Pollution

Sr No.	Air Pollution Source	Pollutants	APCS Provided	Remark
1	NA	0	NA	NA

Separate EM Provided No **Other Emission Sources** NA

Measures Proposed NA **Foul Smell Coming Out** No

Air Sampling Facility Details NA

D.G. Set Details

Description	Capacity(KVA)	Remarks
1 DG Set	350	NA

Hazardous Waste Generation

Hazardous Waste	Quantity	UOM	Treatment	Disposal	Other Details
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CHWTSDF Details

<i>Member of CHWTSDF</i>	<i>CHWTSDF Name</i>	<i>Remarks</i>

Cess Details

<i>Cess Applicable</i>	<i>Cess Paid</i>	<i>If Yes, UpTo</i>
No	No	Jan 1 1900 12:00:00:000AM

Legal Actions

<i>Legal Action Taken</i>	<i>Legal Record Of Company</i>	<i>Legal Action Details</i>	<i>Remarks</i>
No			

Bank Guarantee Applicable:

No

Annexure





NAHAR READYMIX

(RMC DIVISION)

Office Add : Flat No. 1405, 14th Floor, Hibiscus Heights Ramdev Park Road,
Next to Ramdev Park, Mira Road East, Thane - 401 107.

nar.rmc@gmail.com

NR/MPCB/24-25/002

ANNEXURE-R-3

Date: 17.01.2025

To,

Regional Office

Maharashtra Pollution Control Board (MPCB),
Above Gopalashram Hotel, Check Naka,
Plot No. P 30, 5th Floor, Office Complex Building,
Wagle Industrial Estate, Thane (West), Thane - 400 604.

Subject: Request for Intervention Regarding Unjust Closure Notice Issued to Our Factory by MPCB Thane Office wide Notice No. MPCB/ROT/CD/2412190001 dated 19.12.2024

Respected Sir,

We, **NAHAR READYMIX**, located at Survey No 194/A, village Sasuvnagar Tal: Vasai Dist: Palghar are writing this letter to seek your kind intervention regarding the closure notice issued to our factory by the MPCB Thane Office.

We would like to bring to your attention that our factory has always complied with the norms and regulations set forth by the Maharashtra Pollution Control Board (MPCB). Despite our adherence to legal and environmental guidelines, we have received a closure notice which we believe has been issued without proper investigation and consideration of facts.

Furthermore, in Closure notice 5 major points have been flagged as major concerned which are as follows: -

1. The location of the unit is in the stretch of coastal wetland Natural Intertidal Mudflats as per wetland atlas referred by joint committee.
2. You are operating RMC activity without obtaining consent to establish and provision of adequate pollution control system.

However, considering that

Point No. 1 Location of the Plant WETLAND ISSUE

forms the crux of the issue, we have prepared a detailed response after reviewing the current legal position, particularly regarding the alleged wetland in Village Sasunavghar, Taluka Vasai, District Palghar. Our detailed submission is as follows: -

In Closure Notice dated 19.12.2024, they have referred to an order dated 22.10.2024 passed by the Hon'ble National Green Tribunal, Pune, regarding the alleged illegal dumping of debris and construction waste at Sasunavghar Village. We have meticulously reviewed all records pertaining to OA No. 201/2023, filed by Mr. Charan Bhatt, which includes multiple allegations against various government authorities. Prior to submitting this response, we also consulted an advocate representing one of the respondents in the said matter. From our inquiry, we understand that OA No. 201/2023 was last listed before the Hon'ble NGT on 23rd October 2024. The records indicate that, to date, no adverse orders have been passed by the NGT, Pune, against any party. In fact, through an order dated 15th January 2024, the Hon'ble NGT constituted a Joint Committee to ascertain the veracity of the allegations made by the applicant, Mr. Charan Bhatt. The relevant portion of the order dated 15.01.2024 is as follows

A) Para No. 13

We also deem it appropriate to constitute a Joint Committee comprising one member each of the Member Secretary, State Wetland Authority, the District Collector, Palghar, Member Secretary, State Wetland Conservation Committee, Additional Principal Chief Conservator of Forests and Maharashtra Coastal Zone Management Authority (MCZMA), the MCZMA being the nodal agency of the Committee, with a direction that the



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Committee shall visit the site in question in presence of the applicant after issuing notice to him about the date of visit and shall submit a report with respect to veracity of the averments made in the present Original Application,

whether any dumping is being done in the area and whether illegal construction is being done there, if any and if yes, who are the persons who are doing these activities and any action taken by the Government Authorities in this regard, the measures to be suggested, compensation to be levied from the violators and the measures for restoration of the area.

B) Para 14

The report of the Joint Committee shall be submitted before us by the MCZMA within eight weeks from the date of uploading of this order, by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF

- Subsequently, the matter was listed on three to four occasions, during which extensions were granted under various pretexts for the submission of the Joint Committee Report.
- On the most recent occasion, i.e., 23.10.2024, it was brought to the attention of all parties that the Joint Committee had submitted its report on 22.10.2024. Respondents No. 3 and 4 requested additional time to file their responses, indicating their intent to submit affidavits-in-reply based on the findings of the Joint Committee Report. Moreover, the State Pollution Control Board to act on each of the contents of the Joint Committee Report and to show the compliance of environmental rules and further ensure that there should not be any violation as recorded by the Joint Committee in its report.
- We believe that your esteemed office has received a copy of the Joint Committee Report and has reviewed it carefully. In the said report, on pages 473 to 475, there is a letter dated 15.07.2024 issued by the Deputy Director, Town Planning Department, Vasai Virar Municipal Corporation, addressed to Mr. Abhay Pimparkar, Director, Environment & Climate Change Department, Government of Maharashtra, Maharashtra Coastal Zone Management Authority, Mantralaya.
- Upon perusal of the aforementioned letter from the VVCMC, it is explicitly stated that there is no wetland in Village Sasunavghar. (Details are attached)
- Regarding the issue of wetlands, we would like to present the complete historical context as follows:
 - It is respectfully submitted that the land where our unit is situated has been classified as paddy land for several decades. A few years ago, this land was duly converted to non-agricultural (N.A.) land by the competent authority. According to Section 2(G) of the Wetland (Prevention and Conservation) Rules, 2017, paddy land is specifically excluded from the definition of wetlands. Furthermore, the applicant's land is not included in the "Brief Document" prepared by the **District Collector, Palghar**, which was submitted to the **Hon'ble High Court**. Based on this document, several orders have been passed, and multiple development permissions have subsequently been granted by your esteemed office.
 - Also, **Hon'ble High Court** order in a writ petition 4365 of 2022 on the basis of the "Brief Document" prepared by the **District Collector, Palghar**.
- It is important to note that said OA No. 201/2023 is still pending and kept for further consideration. Hence during the pendency of the matter taking any high-handed action would be unjust and unwarranted. There is every possibility that OA No. 201 would be dismissed owing to false allegation.
- Our Plant not located at Wetland Area at all. Entire Sasunavghar Village is not part of the "Brief Document" prepared by the District Collector, Palghar, which was submitted before the Hon'ble High Court.
- Furthermore, based on this Brief Document, a series of orders have been passed, and various Development Permissions have been subsequently granted by VVCMC.
- It is pertinent to note that Judgements passed on the basis of Brief Document submitted in 2020 has not been challenged.



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- Our Plant's land has been classified as paddy land for several decades. In fact, our land has been was subsequently converted to Non-Agricultural (NA) use on a temporary basis in 2008 and later, in 2022, it was converted to Permanent Non-Agricultural (NA) status by the competent authority. Hence there is no scope left to even think that our unit is placed on the Wetland.

Point No. 2 RMC activity without obtaining consent:

We had already apply for MPCB permission on dated 04/10/2024 having UAN No: MPCB-CONSENT-0000222769, our plant setup is under process but we have not started any production from plant.

In light of the above facts, we humbly request you to Intervene and Review the matter personally to ensure a fair evaluation of our compliance status and Revoke the Closure Notice issued by the Thane Office based on unjust assumptions and without proper investigation. Also, provide us with an opportunity for a personal hearing to present our case with all supporting documents and clarifications.

The sudden issuance of the closure notice has caused severe disruption to our operations, impacting business commitments of **Govt infrastructure work** and employment for our **workforce**.

In conclusion, we submit this appeal with the utmost respect and sincerity, requesting your kind indulgence to recall Closure Notice. We are confident that your esteemed office, known for its fairness and pragmatism, will consider this request favourably. We sincerely urge you to support us in resolving this issue at the earliest, enabling us to resume normal operations without further delays.

We have enclosed copies of all relevant documents, including the Joint Committee Report, District Collector's letter, and other supporting records, for your reference.

We look forward to your kind support and positive response in this matter, we assure you of our commitment to comply with all regulations and maintain environmental standards.

Thanking you,

Yours faithfully,

For NAHAR READYMIX

FOR NAHAR READYMIX

Navjot Singh

PARTNER

Partner

20-01-2025
 प्रादेशिक कार्यालय
 म.प्र.नि.मं.ठाणे
 कार्यालयीन संकुल इमारत,
 प.वा मजला, मुलुंड चेकनाक्या जवळ,
 वागळे इस्टेट, ठाणे (प)-४००६०४

