BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN REGION BENCH AT PUNE
ORIGINAL APPLICATION NO. 33 OF 2024 (WZ)

Hormuz Salt Works
Through, Mr. Anmol Garodia (Authorized Representative)

In the matter of

Madhura Tawde ... Petitioner
Vs.
State of Maharashtra and Ors. ... Respondents

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Advocate for the Respondent No. 09

(1)

BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN REGION BENCH AT PUNE
ORIGINAL APPLICATION NO. 33 OF 2024 (WZ)

Madhura Rajesh Tawde)...**Applicant**

Vs

1. **State of Maharashtra**)
   Through Secretary, Environment and Climate)
   Change Department, Mantralaya, Mumbai- 400032)
2. **Maharashtra Coastal Zone Management Authority**)
   Environment & Climate Change Department,)
   15th Floor, New Administrative Building, Mantralaya,)
   Mumbai – 400 032.)
3. **State Environmental Impact Assessment Authority**)
   2nd Floor, Annexe Building, Mantralaya, Mumbai-400032)
4. **Dy. Salt Commissioner, Mumbai**)
   4th Floor, Exchange Building, SS Ram Gulam Marg,)
   Ballard Estate, Fort, Mumbai, Maharashtra 400001)
5. **Central Pollution Control Board**)
6. **Maharashtra Pollution Control Board**)
   Kalpataru Point, 3rd and 4th floor, Opp. PVR Cinema,)
   Sion Circle, Mumbai -400 022)
7. **Municipal Corporation of Greater Mumbai**)
   Through Commissioner,)
   Mahapalika Marg, Mumbai)
8. **Regional Officer**)



(2)

MPCB, Kalpataru Point, 3rd and 4th floor,)
Opp. PVR Cinema, Sion Circle, Mumbai -400 022)

9. **Hormuz Salt Works**)
Through its Representative Mr. Anmol M. Garodia)
Shanti Nagar, Salt Pan Road, Near Madina)
Masjid, Wadala(E), Mumbai 400 037)...**Respondents**

THE RESPONDENT NO. 9 MOST RESPECTFULLY SUBMITS AS UNDER:

1. The Respondent No. 9 , Hormuz Salt works, has been manufacturing and producing salt at the address mentioned above. The land set out in the address mentioned above is salt pan land spread across more than 100 acres. The same spans across CS Nos. 144 and 145. The *Jamin Kharda* (equivalent to revenue records of the salt pan lands) mentions the usage of these lands as being for the production and manufacture of salt.

2. The above land initially was a marsh. The same was assigned to Mr. Nanabhai Hormasji Bhiwandiwala, in parts, over a period of time, through different Government Resolutions (GRs) from 1913 to 1915. A license No. 37 dated 10th February 1914 issued under the Bombay Salt Act 1890 was issued to Mr. Nanabhai Hormasji Bhiwandiwala, permitting him to produce and manufacture salt on / from the above lands. The marshy land was reclaimed at a very significant cost entirely borne by Mr. Bhiwandiwala personally. Salt pans, as existing today, were constructed thereon. These salt pans also had a bund at their periphery, in order to protect them from sea water and assist in salt harvestation. None of this cost was reimbursed by either the Salt Department or the Collector of Bombay.

EMAIL BY MADHURA TAWDE

3. One Madhura Tawde (the Applicant), an activist, addressed an email dated 19th June 2021 to the NGT. The said email *inter alia* complained that construction debris was being deposited upon the existing bund on the salt pan land. The same was detrimental to the environment. Hereto annexed and marked as **Exhibit 1** is a copy of the email dated 19th June 2021.

4. The Research Coordinator (National Green Tribunal) by letter dated 6th October 2021 *inter alia* stated that the email filed by Madhura Tawde ought to be considered by the National Green Tribunal in light of the issues raised therein. Hereto annexed and marked as **Exhibit 2** is a copy of the letter dated 06th October 2021.

5. The Hon'ble National Green Tribunal, Principal Bench, New Delhi ('**NGT-Delhi**') by its order dated 15th December 2021 registered the email dated 19th June 2021 as addressed by Madhura Tawde as Original Application No.343 of 2021 (hereinafter referred to as "**OA**"). The NGT Delhi, by the above order, constituted a six member committee comprising of the Respondent Nos. 2 to 6 herein and the Central Pollution Control Board (hereinafter collectively referred to as " **the Joint Committee**"). The Joint Committee was directed to issue a factual and action taken report as regards the OA registered as above.

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MEETINGS AND REPORT OF THE JOINT COMMITTEE

6. The first meeting of the Joint Committee was convened on 11th March 2022. The above minutes recorded that Shri Garodia (the authorised

representative of the Respondent No. 9) had permitted the construction of a bund on the periphery of the above salt pan lands out of C&D waste. The minutes further recorded that the above had been done to prevent sea water from entering the salt pan lands. The minutes directed Respondent Nos. 2 and 4 to take remedial measures in respect of the bund referred to above. Hereto annexed and marked as **Exhibit 3** is a copy of the minutes of the meeting dated 11th Match 2022.

7. The Joint Committee prepared a Progress Report on 19th April 2022. The same reiterated what was stated in the Minutes of the Meeting held on 11th March 2022. The above progress report was filed with the NGT Delhi. Hereto annexed and marked as **Exhibit 4** is a copy of the Progress Report dated 19th April 2022.

8. The Joint Committee held a second meeting on 25th May 2022. In the course of the above meeting the Respondent Nos. 2 and 4 were *inter alia* directed: (i) to provide correspondence between the Respondent No. 9 and Respondent No.2 regarding the construction of the bund; and (ii) action taken against the Respondent No. 9 for repairing and augmenting the existing bund using C&D waste. Hereto annexed and marked as **Exhibit 5** is a copy of the minutes of the meeting dated 25.05.2022.

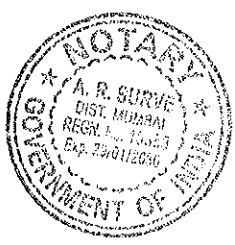
9. The Respondent No. 4 by its letter dated 25th August 2022 inter alia recorded that: (i) the Respondent No. 9 had not applied for any permission to repair the bund in question; (ii) there were no permissions required for maintenance of a bund. Consequently there was no correspondence between the Respondent No. 9 and the Respondent No. 2 in respect of the same. Hereto annexed and marked as **Exhibit 6** is a copy of the letter dated 25th August 2022.

10. The Joint Committee prepared a further Progress Report as of September 2022. The progress report inter alia recorded that: (i) the original bund had been damaged in 2021 by cyclone Taukte; (ii) the repair thereof with C&D waste was not permitted in CRZ- 1 A zone (in which the salt pan lands fall). Based on the above the progress report *inter alia* recommended that: (i) the Respondent No. 9 ought to remove the C&D waste in the "**existing bund**"; (ii) the Respondent No.4 to ensure that no C&D waste was dumped on the land in question in future; (iii) The Respondent No. 6 may take appropriate action in respect of the above violation. Hereto annexed and marked as **Exhibit 7** is a copy of the progress report of September 2022.

11. The Respondent No. 4 issued a report dated 26th September 2022 on similar lines. It would be pertinent to note that both the Reports of the Joint Committee and Respondent No. 4 state that the removal of the C&D waste dumped by the Respondent No. 9 was restricted to the "**existing bund**" which was "**repaired and augmented**" by the Respondent No. 9 .

12. The **NGT** Delhi by its order dated 28th September 2022 in O.A. 343 of 2021 *inter alia* accepted the recommendation of the Joint Committee as regards the removal of the C&D waste from the existing bund. This Hon'ble Tribunal also called upon the Respondent No.1 to remain present at the next date of matter. Hereto annexed and marked as **Exhibit 8** is a copy of the order dated 28th September 2022.

13. On 18th April 2023, the Respondent No. 3, in furtherance of the above order dated 28th September 2022, inter alia constituted a Technical Committee to "estimate the quantity of C&D waste" in and around the



Respondent No. 9 's salt pan. Hereto annexed and marked as **Exhibit 9** is a copy of the order dated 18th April 2023.

14. Correspondence ensued between the Respondent No. 9 and the Respondent Nos. 1 and 2 by letters dated 29th October 2022, 18th November 2022 and 23rd December 2022. The Respondent No. 9 craves leave to refer to and rely upon the same.

15. The Superintendent of Salt by his letter dated 27th February 2023 to the Respondent No.2 recorded that the existing bund on the periphery of the salt pan land in question had suffered substantial damage. The above was on account of the high tide on 21st and 22nd February 2023. Hereto annexed and marked as **Exhibit 10** is a copy of the letter dated 27th February 2023.

NGT ORDER DATED 15TH MARCH 2023

16. The matter came up for hearing before NGT Delhi. The NGT Delhi, by its Order dated 15th March 2023 inter alia held that: (i) The C&D waste had not yet been removed; (ii) The action taken was inadequate and not in accordance with the directions earlier given; (iii) The officers concerned were to be held accountable for their inaction/ negligence. It is pertinent that the above order came to be passed at a stage when the Respondent No. 9 was not yet a party to OA 343 of 2024. Hereto annexed and marked as **Exhibit 11** is a copy of the order dated 15th March 2023.

REMOVAL OF C&D WASTE BY RESPONDENT NO. 9 AND IMPEDIMENTS FACED

17. The Superintendent of Salt by its letter dated 16th March 2023 informed the Respondent No. 9 of the order dated 15th March 2023 passed by the NGT Delhi. The Respondent No. 9 was directed to remove the C&D waste in question within 7 days from the date of receipt of its letter. Failure to remove the same would result in institution of criminal proceedings against the Respondent No. 9 . Hereto annexed and marked as **Exhibit 12** is a copy of the letter dated 16th March 2023.

18. The Respondent No. 9 addressed its letter dated 27th April 2023 to the Respondent No. 2. The Respondent No. 9 requested for 6 months to remove the C&D waste from its existing bund and replace the same with "mitti" and "permissible items". Hereto annexed and marked as **Exhibit 13** is a copy of the letter dated 27th April 2023.

Problems In Disposing Off The C&D Waste And Registration Of FIRs Against The Respondent No. 9

19. Correspondence ensued between Respondent Nos. 6, 2, the Respondent No. 9 and entities dealing in the disposal of the C&D waste. The Respondent No. 9 , by the above correspondence sought permission to dispose the C&D waste on the existing bund. The Respondent No. 9 craves leave to refer to and rely upon the correspondence dated 06th June 2023, 12th June 2023, 14th June 2023 and 15th June 2023.

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20. Godrej Constructions by its email dated 19th June 2023 refused to process the C&D waste on the ground that the same was not pure C&D waste. According to Godrej Constructions the same included concrete and other debris. Hereto annexed and marked as **Exhibit 14** is a copy of the email dated 19th June 2023.

21. The Navi-Mumbai Municipal Corporation (**'NMMC'**) agreed to dispose some of the C&D waste on the existing bund. Accordingly, the

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Respondent No. 9 transported 255 MT of C&D waste to NMMC for scientific disposal.

22. Thereafter, with the advent of the monsoon season it was not possible to undertake the removal of the C and D waste from the existing bund. The Respondent No. 9 addressed letters dated 19th June 2023 and 21st June 2023 to the Respondent No. 2. The Respondent No. 9 , by the above letters recorded the difficulties being faced by it in removing the C&D waste from the existing bunds in course of the monsoon in detail. Hereto annexed and marked as **Exhibit 15** are copies of the letters dated 19th June 2023 and 21st June 2023.

23. The Respondent No.2 registered an FIR dated 04th August 2023 against the Respondent No. 9 . The FIR records that the FIR had been registered against the Respondent No. 9 as the Respondent No. 9 had not disposed of the C&D waste within the timelines stipulated. It is pertinent that the above FIR had been filed though the Respondent No. 9 had already taken steps to remove the C&D waste from the existing bund. The Respondent No. 9 was helpless if the C&D waste disposal agencies refused to accept the C&D waste from the existing bund. The Respondent No. 9 was constrained to file Criminal Writ Petition 311 of 2024 seeking the quashing of the above FIR. Hereto annexed and marked as **Exhibit 16** is a copy of the FIR dated 04th August 2023.

24. The Respondent No.2 filed its report dated 12th October 2023, with the NGT Delhi. The above report inter alia sets out the work done by the Respondent No. 9 to remove the C&D waste from the existing bund. Hereto annexed and marked as **Exhibit 17** is a copy of the report dated 12th October 2023.

25. The Respondent No. 9 by its letter dated 18th October 2023 informed the Respondent No. 2 of the fact that grass measuring approximately 5 ft in height had grown on the existing bund. The same was hampering the Respondent No. 9 in disposing the C&D waste from the existing bund.

(9)

Further, the Hon'ble Bombay High Court had restricted the movement of debris in the city of Mumbai. The above constituted a further factor impeding the removal of the C&D waste from the bund. Hereto annexed and marked as **Exhibit 18** is a copy of the letter dated 18th October 2023.

26. The Respondent No. 9 addressed a letter dated 27th November 2023 to the Respondent No. 2. The Respondent No. 9 , by the said letter, informed the Respondent No.2 that it would replace the C&D waste on the existing bunds with "yellow mitti" and "murum". Hereto annexed and marked as **Exhibit 19** is a copy of the letter dated 27th November 2023.

27. The NGT Delhi in its order dated 09th January 2024 was pleased to transfer: (i) the Original Application No. 343 of 2021; (ii) original records and (iii) complete set of papers to the Western Zone Bench at Pune i.e. this Hon'ble Tribunal, citing lack of territorial jurisdiction. Hereto annexed and marked as **Exhibit 20** is a copy of the order dated 09th January 2024.

28. Pursuant to the receipt of the OA No. 343 of 2021 by this Hon'ble Tribunal, this Hon'ble Tribunal by its order dated 15th March 2023 renumbered the same as OA No. 33 of 2024. The compliance report was numbered as MA No.1 of 2024 (WZ). This MA is pending consideration before this Hon'ble Tribunal. Hereto annexed and marked as **Exhibit 21** are copies of the orders dated 15th March 2023.

29. The Respondent No. 9 , though it was doing its best to comply with the orders of the NGT Delhi, it faced various practical difficulties as set out above. Despite all the practical difficulties being faced by the Respondent No. 9 which had been communicated to the Respondent No. 2, the Respondent No. 4 filed a fresh FIR against the Respondent No. 9 for non-compliance of the order of the NGT Delhi. Hereto annexed and marked **Exhibit 22** is a copy of the FIR dated 06th June 2024.

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30. Despite all the practical difficulties encountered by the Respondent No. 9 and despite the FIRs being registered by Respondent Nos. 2 and 4, the Respondent No. 9 lifted, transported and processed- 1411.84 MT of the C&D waste from the existing bund. The Respondent No. 9 by its letter dated 07th March 2024 informed the Respondent No.2 about the same. Hereto annexed and marked as **Exhibit 23** is a copy of the letter dated 07th March 2024.

31. The Respondent No. 9 by its letter dated 09th March 2024 to the Respondent No.2 reiterated what it had stated in its letter dated 07th March 2024. In addition the Respondent No. 9 also annexed photographs to substantiate its contentions. Hereto annexed and marked as **Exhibit 24** is a copy of the letter dated 09th March 2024 along with photographs appended thereto.

32. The NMMC issued a certificate dated 02nd April 2024 to the Respondent No. 9 . The certificate certified that the Respondent No. 9 had given to the NMMC 1432.447 MT of the C&D waste for scientific disposal. Hereto annexed and marked as **Exhibit 25** is a copy of the certificate dated 02nd April 2024.

33. In addition to the above, the Respondent No. 9 transported to the NMMC a further 355 MT of the C&D waste from its existing bund for scientific disposal. The NMMC has yet not issued a certificate in respect of the same. However, the same can be seen from the lorry receipts in the possession of the Respondent No. 9 . The above lorry receipts show that the C&D waste was transported from the salt pans to the NMMC C&D waste processing facilities. Hereto annexed and marked as **Exhibit 26** are copies of the lorry receipts.

34. The Respondent No. 9 , in this manner, removed 1787.447 MT of the C&D waste from the existing bund at the cost of Rs. 18,65,000/-.

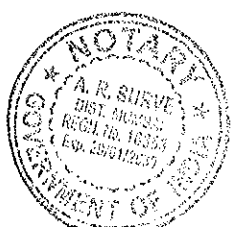
35. The Respondent No. 9 by its letter dated 02nd May 2024 informed the Respondent No. 3 about its compliance with the order of the NGT Delhi.

(11)

ORDER OF THE PRINCIPAL SECRETARY, ENVIRONMENT AND CC DEPARTMENT, GOVERNMENT OF MAHARASHTRA

36. The Respondent No. 1 passed an order dated 12th August 2024 (hereinafter called the "Impugned Order"). The above Impugned Order provided that the NGT Delhi, by its order dated 15th March 2023, had called for holding the officers liable for non-compliance of its orders accountable. In connection with the above, the Respondent No.1 carried out a site visit on 18th April 2023 and a follow up site visit on 18th March 2024. The Respondent No.1 alleged that the site visit revealed the existence of C&D waste. It is pertinent that the C&D waste was not on the existing bund but beyond the existing bund as set out herein subsequently in detail. However, the Respondent No. 1 treated the above as non-compliance of the order of the NGT Delhi dated 15th March 2023. The Respondent No.1 in light of the above directed that the salt pans used by the Respondent No. 9 ought to be closed with immediate effect and its water and electricity connections ought to be disconnected. The above order was completely erroneous as set out hereinbelow in detail because it resulted in taking punitive action against the Respondent No. 9 after the Respondent No. 9 had complied with the order of NGT Delhi. Hereto annexed and marked as **Exhibit 27** is a copy of the Impugned Order dated 12th August 2024 as passed by Respondent No.1.

37. The Respondent No.3 by its letter dated 12th August 2024 directed the Respondent No. 2 to ensure the closure of the Respondent No. 9 's operations till the C&D waste was completely removed. Hereto annexed and marked as **Exhibit 28** is a copy of the letter dated 12th August 2024.



38. The stance of the Respondents that the order of the NGT Delhi directing the Respondent No. 9 to remove the C&D waste from its existing bund had not been complied was erroneous. The same was based on the department's perception as regards the quantum of the C&D waste on the existing bund. It is pertinent that the department's perception with respect to the quantum was incorrect. The same is borne by the differing stances of the Respondent from time to time as regards the prevailing quantity of the C&D waste on the Respondent No. 9 's existing bund. The same can be seen from the correspondence below:

(a) Respondent No 7 (MCGM) had addressed a letter dated 15th March 2023 to Respondent No.4 (Salt Department). The same alleged that there were 15,62,160 MT of C&D waste upon the Respondent No. 9 's salt pan lands. The above quantification was arrived at by assuming a density of 2.83 kg/ m^3 which had no basis in fact. Hereto annexed and marked as **Exhibit 29** is a copy of the letter dated 15th March 2023.

(b) The fact that the above quantification was erroneous is clear from the very next letter dated 26th April 2023 addressed to the Respondent No. 9 . The above letter estimates the quantum of the C&D waste on the salt pan lands at 100,000 MT. Hereto annexed and marked **Exhibit 30** is a copy of the letter dated 26th April 2023.

(c) The Technical Committee constituted on 18th April 2023 as set out above filed its first report dated June 2023. The report alleged to have adopted the core test examination method and time series images from google earth and satellite images to estimate the C&D waste on the periphery of the Respondent No. 9 's salt pan lands. Based on the above methodology the report estimated the C&D waste at 23,085.0532 MT. It is

pertinent that this report assumed the density of the C&D waste at 2.2 kg/ m^3. Hereto annexed and marked as **Exhibit 31** is a copy of the report dated June 2023.

(d) The Respondent No. 9 by its letter dated 30th June 2023 to the Respondent No.1 set out its objections as regards the authenticity of the various calculations set out in the above report. The Respondent No. 9 inter alia pointed out that whilst computing the amount of the C&D waste the Technical Committee had taken into account the entire length of the existing bund amounting to 1139.71 Mts. The above was incorrect on account of the fact that the Respondent No. 9 had repaired and augmented only 746 mtrs of the existing bund. Further, as set out above the Technical Committee had assumed a density of 2.2 kg/ m^3. The same was a deviation from the density of 2.83 kg/ m^3. as contained in the Respondent No. 6's letter dated 30th June 2023. It is pertinent that no basis was supplied for the assumption of density of C&D waste of either 2.2 kg/ m^3 or 2.83 kg/ m^3.

(e) The matter was placed before this Hon'ble Tribunal on 29th August 2024. This Hon'ble Tribunal, by its order dated 29th August 2024 directed the parties to comply with the various directions as recorded therein. This Hon'ble Tribunal also noted the Respondent No. 7's then contention that there was 1 lakh MT of C&D waste at the Respondent No. 9 's site. Hereto annexed and marked as **Exhibit 32** is a copy of the order dated 29th August 2024.

(f) This Hon'ble Tribunal by its order dated 19th November 2024 noted that there was a discrepancy in the quantity of the C&D waste noted by the Respondent No. 7 in its letter dated 10th February 2023 (15,62,160 MT); its letter dated 24th April 2023



(1 lakh MT); the Technical Committee's report (23,084 MT). Hereto annexed and marked as **Exhibit 33** is a copy of the order dated 19th November 2024.

(g) This Hon'ble Tribunal by its order dated 23rd January 2025 inter alia directed that the Respondent No. 9 be impleaded in OA No. 33 of 2024. Hereto annexed and marked as **Exhibit 34** is a copy of the Order dated 23rd January 2025.

I.A. 60 of 2025 FILED BY THE RESPONDENT NO. 9 AND THEIR IMPLEADMENT

(h) The Respondent No. 9 , upon being impleaded, filed I.A bearing No. 60 of 2025 on 8th February 2025. The Respondent No. 9, by the above IA, *inter alia* sought (i) intervention in the said O.A. 33 of 2024 (which had already been granted as set out above); (ii) passing of directions that the NGT Orders dated 28th September 2022 and 15th March 2023 regarding removal of C&D waste used for bunding have been duly complied with by the Respondent No. 9 and (iii) quashing and setting aside the Impugned Order dated 12th August 2024 passed by the Respondent No. 1.

SECOND TECHNICAL COMMITTEE REPORT

39. The Technical Committee pursuant to site inspection on 1st April 2025 filed its second Technical Committee Report on 7th April 2025 (hereinafter referred to as "**the Second Technical Committee Report**"). In the said Report, it is *inter alia* stated that:

(i) A total of 9 pits were excavated on the site up to the original strata to determine the levels of the filled C&D waste along the entire length of the existing bund/road within the premises.

(iv) Apart from this, a huge heap of C&D waste is dumped on the left side entrance of the Salt Pan land.

Hereto annexed and marked **Exhibit 35** is a copy of the Second Technical Committee Report.

(v) **Exhibit 36** Copy of NGT Order dated 21st July 2925

40. The Respondent No. 9 has also filed its Reply dated 21st May 2025 in response to the Second Technical Committee Report. Hereto annexed and marked **Exhibit 37** is a copy of the reply dated 22nd May 2025.

41. The Respondent No. 4 (MPCB), pursuant to Order of the Hon'ble NGT dated 8th April 2025 filed a further affidavit dated 11th June 2025. The Respondent No. 4, *inter alia* clarified that no C&D waste was seen in Pit Nos. 1 to 7 (corresponding to the existing bund). The Respondent No. 4 further clarified that some mixed C&D waste was found between Pit Nos. 8 to 9 (corresponding to the existing road – beyond the existing bund). The Respondent No. 4 clarified that the C&D waste in Pit Nos. 8 and 9 had been in existence prior to the C&D Waste Management Rules, 2016. Hereto annexed and marked **Exhibit 38** is a copy of the further affidavit filed by the Respondent No. 4.

42. The matter came up for hearing on 13th June 2025. At the above hearing, this Hon'ble Tribunal passed an order dated 13th June 2025. The above order *inter alia* held that the reliefs sought by the Respondent No. 9 in IA No. 60 of 2025 could only be sought by filing a separate Original Application upon which the requisite court fees were paid. Hereto annexed and marked **Exhibit 39** is a copy of the order dated 13th June 2025.

REMOVAL OF WASTE LYING AT THE ENTRANCE

43. The Respondent No. 9 further states that with respect to the alleged huge heap of waste lying at the entrance of the salt pans, an application for clearance of the same is made to the Respondent No. 7 BMC. Th

Respondent No. 9 has also sent several reminder letters to the Respondent No. 7 BMC for the purposes of liftin the waste lying at the entrance of the salt pans. Hereto annexed as **Exhibit 40, 41, 42 and 43** are copies of the letters/application dated 9th April 2025, 21st April 2025, 8th May 2025 and 22nd July 2025 sent by the Respondent No. 9 to the Respondent No. 7 BMC.

44. The Respondent No. 7 BMC has duly acted upon the said application and has lifted approximately 60,000 kgs on 24th August 2025. As a result, the waste lying at the entrance of the salt pan has been completely removed, which is evident from the photographs annexed below. The Respondent No.9 has paid a sum of Rs. 85,500/- to the Respondent No. 7 for lifting the waste lying at the entrance for which the Respondent No. 7 BMC has issued a receipt dated 21st August 2025. The Respondent No. 9 has addressed a letter date 28th August 2025 to the Respondent No. 6 MPCB inter alia stating that they have removed the waste lying at the entrance of the salt pan and have duly complied with the orders of the Hon'ble NGT. The Respondent No. 9 has duly attached all the receipts and challans, weight bridge slips and the latest photographs evidencing the complete removal of C&D waste from the site. Hereto annexed as **Exhibit "44"** is a copy of the said letter (along with annexures) dated 28th August 2025 addressed by the Respondent No. 9 to the Respondent No. 6 MPCB. Hereto annexed as **Exhibit "45"** is a copy of the screenshot of the status of the application of the Respondent No. 9 with the Respondent No. 7.

NOTARY A. R. SURVE DIST. MUMBAI REGN. No. 16353 Exp. 29/01/2030 GOVERNMENT OF INDIA

45. Pursuant to the order dated 13th June 2025, the Respondent No. 9 has preferred original application bearing reference no.2704138007472025 against the present respondents for reliefs mentioned therein.

46. In the facts and circumstances stated above, the Respondent No. 9 states that the Joint Committee by its progress report dated September 2022 recommended to this Hon'ble Tribunal that the "*... C&D waste*

NOTARY GOVERNMENT

(17)

annexed as **Exhibit "45"** is a copy of the screenshot of the status of the application of the Respondent No. 9 with the Respondent No. 7.

45. Pursuant to the order dated 13th June 2025, the Respondent No. 9 has preferred original application bearing reference no.2704138007472025 against the present respondents for reliefs mentioned therein.

46. In the facts and circumstances stated above, the Respondent No. 9 states that the Joint Committee by its progress report dated September 2022 recommended to this Hon'ble Tribunal that the "*...C&D waste / debris for carrying out repairing & augmentation works of* ***existing bund***..." (emphasis supplied) be removed by the Respondent No. 9 . This Hon'ble Tribunal, by its order dated 28th September 2022 *inter alia* held that "*the recommendations in the report to remove unauthorised dumping of waste, removing illegal encroachments and restoration of the area have to be accepted*". In other words this Hon'ble Tribunal directed this Respondent No. 9 to remove the C&D waste / debris used in the repairing and augmentation works of the **existing bund**. The Respondent No. 9 was not able to immediately take steps in the matter on account of the fact that no entity was willing to dispose of the C&D waste as was prevalent on the existing bund. Further, the intervening monsoon hampered the process of transportation of the C&D waste from the existing bund. This resulted in this Hon'ble Tribunal, by its order dated 15th March 2023 expressing its displeasure with the delay. This Hon'ble Tribunal held that the officers of the Department be held accountable for inaction / negligence in ensuring compliance of its orders. The Respondent No. 9 , thereafter, as set out above, removed 1,787.44 MT of C&D waste from the existing bund and transported the same to NMMC for scientific disposal as detailed herein. The Respondent No. 9 by its letters dated 7th March 2024 and 9th March 2024 informed the

Respondent No. 2 of the fact that it had complied with the orders of this Hon'ble Tribunal. The Respondent No. 9 also provided photographic evidence in this regard. The Respondent No. 9 by its letter dated 2nd May 2024 also informed the Respondent No. 3 of its compliance with the order of this Hon'ble Tribunal. Despite all the above, the Respondent No. 1, by its order dated 12th August 2024 alleged that the C&D waste had not been removed as directed. The Respondent No. 1 consequently directed that the Respondent No. 9 's operations be closed and electricity and water be denied to it till such time as the C&D waste in question was removed. This Respondent No. 9 thus, had to suffer the closure of its business and the disconnection of its water and electricity connections after complying with the order of this Hon'ble Tribunal. This above resulted in a gross miscarriage of justice as regards the Respondent No. 9 . The Technical Committee filed its second report dated April 2025. The above report categorically held that: (i) a total of 9 pits were excavated on the site up to the original strata to determine the levels of the filled C&D waste along the entire length of the existing bund/road; (ii) pit Nos. 1 to 7 (which correspond to the **existing bund**) showed no signs of the C&D waste as it was filled up with fresh soil; (iii) pit nos. 8 and 9 (which correspond to the road **beyond the existing bund**) was found to contain some C&D waste; (iv) the C&D waste found on the road was deemed (by examining detailed Google Earth images) to be prior to 2015 i.e. prior to the C&D Waste Management Rules, 2016. The Respondent No. 9 therefore submits that it has complied with the orders and directions of this Hon'ble Tribunal in that it has cleared the existing bund of C&D waste. The Respondent No. 9 further submits that given the fact that no C&D waste has been found on the existing bund it is now not necessary to go into the question of estimating the quantum of C&D waste on the existing bund.

(19)

CONSEQUENCES OF SHUTTING DOWN THE SALT WORKS

(i) The Respondent No. 9 employs approximately 125 persons to work the salt pans and manufacture salt. The closure of the salt pans and the consequent financial implications have made it difficult for the Respondent No. 9 to keep all 125 persons on its pay roll. The closure of the salt pans despite compliance of the order of this Hon'ble Tribunal has affected the livelihood of the families of the 200 persons employed by the Respondent No. 9 .

(ii) Given the closure of the Respondent No. 9 's business and consequent lack of manpower, a lot of miscreants illegally enter into the salt works and create a nuisance by drinking alcohol and playing loud music. .

47. In such circumstances, the Respondent No. 9 is entitled to a declaration by this Hon'ble Tribunal that they have duly complied with the orders of this Hon'ble Tribunal dated 28th September 2022 and 15th March 2023 regarding removal of C&D waste used for repair and augmentation of the existing bund. The Respondent No. 9 is also entitled to have the Impugned Order passed by the Respondent No. 1 quashed and set aside as the same was passed after the Respondent No. 9 had complied with the orders dated 28th September 2022 and 15th March 2023

48. The Respondent No. 9 will rely upon the documents a list whereof is hereto annexed.

49. The Respondent No. 9 therefore prays that this Hon'ble Tribunal be pleased to hold that the orders of this Hon'ble Tribunal dated 28th September 2022 and 15th March 2023 in O.A. 33 of 2024 (originally O.A. 343 of 2021), directing the Respondent No. 9 , to remove the

C&D waste used for repair and augmentation of the existing bund situated in CS. No. 145 of the Respondent No. 9 's salt pan lands have been duly complied with by the Respondent No. 9.

Date: - 1 SEP 2025

Place:

Respondent No. 9

Advocate for the Respondent No. 9

VERIFICATION

I, Mr. Ahmed M. Garodia Age 31 years, Adult, Indian Inhabitant, the owner of the Respondent No. 9 abovenamed, having office Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala(E), Mumbai 400 037 do hereby solemnly affirm and state that whatever stated in the foregoing paragraphs of the Affidavit is true to my own knowledge and belief and I believe the same to be true.

Date: - 1 SEP 2025

Place:

NOTED & REGISTERED
Reg. No. 21876
Page No. 75
Date. - 1 SEP 2025

Deponent

BEFORE ME
A. R. SURVE
ADVOCATE & NOTARY
GOVT. OF INDIA
REG. No. 16353

Advocate for the Respondent No. 9

NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Seen Original
PAN / Aadhar / Election Card / Driving License / Card - Passport / POA
Bearing No. 9527 7678 3131
Dated: - 1 SEP 2025

6/6/2021 Email

Exh-1

(21)

Public Grievance

Email

2638/4P/2021
19/6/21

Fwd: Coastal mafia , encroachment's at Dharavi area , mumbai city

From : ngt admn <ngt.admn@gmail.com> Sat, Jun 19, 2021 12:37 PM
9 attachments

Subject : Fwd: Coastal mafia , encroachment's at Dharavi area , mumbai city

To : Public Grievance <publicgrievance-ngt@gov.in>

---------- Forwarded message ---------
From: **Madhura Tawde** <madhuratawde774@gmail.com>
Date: Sat, Jun 19, 2021 at 12:23 PM
Subject: Coastal mafia , encroachment's at Dharavi area , mumbai city
To: <letters@thehindu.co.in>, <ngt.admn@gmail.com>, feedback@indianexpress.com <feedback@indianexpress.com>, <adityathackeray@me.com>, info@timesnow.tv <info@timesnow.tv>

Respected sir / Madam ,

This is Madhura Tawde , Activist and president (Jivdaya Animal and environment welfare org.)
I'm approaching you regarding this issue which is happening in mumbai city near coastal road at Wadala to mahul , very close to chembur to CST freeway . (Dharavi section)

The coastal area comes under the ownership of collector mumbai city . There have been illegal encroachments going on at eastern express freeway near the Dharavi area.

I sent a letter to Chief Minister of Maharashtra Shri uddhav thackerey ji . regarding this issue . on 15 march 2021 . even sent a letter to municipal commissioner of mumbai on 17 march 2021. I got a reply from BMC after 3 months that the plot belongs to the deputy collector and the deputy collector will take the necessary action or demolition.

From our NGO , I sent a letter to the deputy collector (Encroachment , Dharvavi section) at old jakat Ghar , Sahid Bhagat Singh Marg. Fort , Mumbai 00001. on 18th june after getting a reply from BMC.

They are adding debrie on the salt pan and made a small island out of it and even started encroachment out of it . Even adding sand on the mangroves which are soo much important for Mumbai City . Mangroves are getting destroyed in such illegal mishaps.

The ecologically sensitive areas that lie between high and low tide line, and are very much essential for maintaining the ecosystems, are covered under CRZ-I.
The areas up to the shoreline of the coast are notified under CRZ-II. Unauthorised structures are not allowed here under coastal regulation zone issued under environment protection act 1986.

Smt. M. Tawde.

(22)

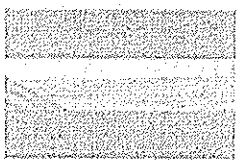
if we see the past , the terrorist attack which happened in mumbai on November 2008 , terrorist entered into our city through coastal lines, its very important that we take care of our coastal areas in every aspect and such illegal encroachments should be avoided and ensured by necessary actions . its a high time that we take care of such ecological sensitive area .

an attaching pictures of area which is under CRZ , the illegal encroachments happening.

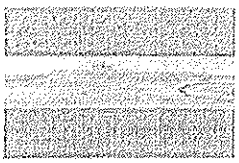
Madhura Rajesh Tavde
Activist & President
Jivdaya Animal and environment welfare org.
9833163409 .

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Regards,

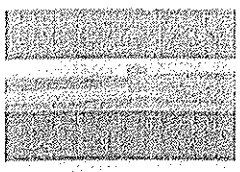
Administration Section,
National Green Tribunal
Principal Bench
Faridkot House,
Copernicus Marg,
New Delhi-110001



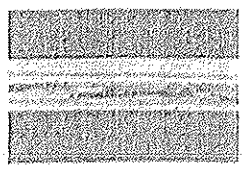
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562 KB



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563 KB

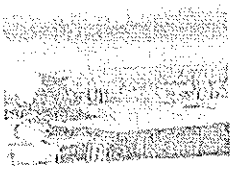


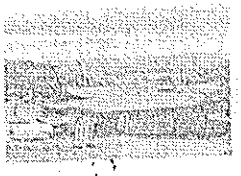
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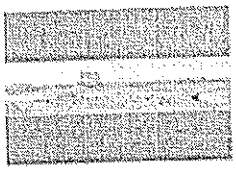
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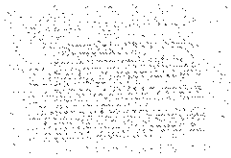
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Screenshot_20210619-120312.jpg
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2 MB

Sunil M. Gadiya.

Exh-2 (24)

Observations of Research Coordinator as per Rule 9, Form 4 of NGT Act, 2010
Letter Petition (Regn No.2633/LP/2021)
Dated 19.06.2021()
Diary No. 2627 to 2636/LP/2021
Dated 18.6.21 to 22.6.2021

S. no.	Issue raised	Significance	Suggested solutions
1	Illegal encroachments going on the coastal area in Mumbai city near coastal road at Wadala to Mahul, very close to Chembur to CST freeway (Dharavi Section). comes under the ownership of collector Mumbai city. They are adding debris on the salt pan and made a small island out of it and even started encroachment out of it. Even adding sand on the mangroves which are getting destroyed in such illegal mishaps. The ecological sensitive areas lie between high & low tide line are covered under CRZ-I. The areas up to the shoreline of the coast are notified under CRZ-II. Unauthorised structure are not allowed under CRZ.	Mangroves are special class of trees which grow in estuaries and intertidal regions along the creeks and coasts. Mangrove forests are among the most productive ecosystem on earth and serve many important functions including water filtration, prevention of coastal erosion, carbon storage, and timber and biodiversity protection. They play extremely important role as windbreaks in coasts which protect coasts during cyclones and tsunamis. Because of dense root systems the mangroves trap sediments which help in stabilizing coastlines and prevent erosion from waves and storms. Mangroves are also the nursery grounds for several fish species and other marine fauna. Therefore, mangroves work as system that keeps coastal zones healthy and vibrant. It is because of these extremely important roles that mangroves play it is incumbent upon everyone concerned to conserve and protect the mangroves. Other than Sunderbans and Andaman & Nicobar Islands there are few locations in our country where mangroves thrive and Kachchh Coastline is one such location. Following matter has been issued by Tribunal on the similar matter of CRZ violation and damage to mangroves in Maharashtra. 1. IN CHAMBER BY CIRCULATION (By Video Conferencing) Review Application No. 10/2020 (WZ) IN Original Application No. 45/2015 (WZ) dated 21.06.202, Maharashtra. 1. By means of	Application may be considered in view of direction of Tribunal for protection of Mangroves and CRZ violation.

Dwd. M. Vadia.

filing this application, the review applicant has challenged the order dated 28.08.2020 passed by this Tribunal in OA No. 48/2015 (WZ) Vanashakti & Ors. v. State of Maharashtra & Ors. on the ground that prevention of fishermen from carrying out fishing activities and violation committed by Respondent No. 7 in the original application for having commenced works without the mandatory CRZ Clearance and the Environmental Clearance (EC) have not been considered by this Tribunal while disposing of the original application. 2. The original application was filed with the prayer to restrain Respondent No. 7 from constructing a multipurpose terminal near the Kinaipani Creek and from carrying out any dredging activity, including broadening and deepening the mouth of the creek as no CRZ Clearance and EC have been granted to Respondent No. 7. **The application further sought restoration of the illegality committed by the respondents by destructing ecology and mangroves in CRZ areas to its original position** and to allow the fishers to carry out their fishing activities in the region which was restrained by an order dated 07.02.2015. The issues raised in this review application are that the Tribunal failed to consider the environmental damage caused by respondent no. 7 and failed to consider the environmental damage on account of reclamation and part operation of multi-purpose terminal without the mandatory CRZ Clearance under CRZ Notification, 2011 and prior EC under EIA Notification, 2006. 3. We have gone through the

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contents mentioned in the application and also the relevant paragraphs of the judgment which makes **it clear that the matter of mangroves has been dealt with by this Tribunal on the basis of PIL No. 87/2006, Bombay Environmental Action Group v. State of Maharashtra, disposed of by the High court of Bombay and further the orders passed by the Court in Writ Petition No. 2208/2004 and Writ Petition No. 2741/2004 in which several guidelines have been issued to be applicable in the entire State of Maharashtra and aPIL was filed before the Hon'ble Supreme Court in which the guidelines for protection of mangroves have been issued.** The matter was considered on the basis of the fact that no lease deed was in operation thus there was no consent to operate and remote sensing imageries for identification of structures was taken and was available with NRSC, Hyderabad. The Goa Port Authority and the Maharashtra Maritime Board has submitted the report that there was no damage to the environment and for calculation of any damage to environment a report from NEERI was called for which was accepted and on that basis the order was passed with the following facts: "63. On the basis of the averment made by both the parties and on the basis of the records available, we may summarise the facts as follows:- a) Report submitted by CSIR, National Environmental Engineering Research Institute is confirmed and accepted. b) As per report of NEERI, there is no environmental damage. Thus, liability cannot be fastened for

Smt. M. Gadia.

(27)

payment of environmental compensation under Environmental Act. c) Report and version submitted by Respondent No. 1, Captain of Ports, Government of Goa with the facts that (a) Respondent No. 1 has not given any permission to carry out any dredging activity/activities in and around any portion of the river or at the mouth of the river Tiracol or the port in question and (b) there are no dredging activities going on in and around any portion of the river or at the mouth of the river Tiracol or the port in question from the time of filing of the present application conclusively is accepted. Since, there is no dredging by any authority within the territorial jurisdiction of Port at Goa, thus, no inference can be drawn that Maharashtra Government has passed any order for dredging within the territory of Ports of Goa or with regard to damage of mangroves within the area of Goa. i) As per Maharashtra Minor Ports Navigational (Maintenance of Navigational Channel) Rule, 2000, the Maharashtra Government had notified the Navigational Channel in Tiracol creek vide Notification dated 06.05.2015. j) As per report submitted by Respondent No. 1- Captain of Ports, Government of Goa that there was no dredging and as per report submitted by Maharashtra Maritime Board (MMB), there is no construction work by the Respondent No. 7 and there was no permission by the Respondent No. 5 for any construction and it is not proved that there is any construction and further it has not been proved by any cogent evidence that either Respondent No. 5- Maharashtra

Bnd. M. Vadian

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Maritime Board has constructed anything or permitted to construct by Respondent No. 7 and it is also not proved by any cogent evidence that any construction was raised by Respondent No. 7, thus, liability cannot be fastened on the Maharashtra Maritime Board- Respondent No. 5 or to the Respondent No. 7. k) Anything done in exercise of Sovereign power by the Government of India or State in the safety and security of the State in a situation like terrorist attack in Bombay cannot be inferred without any proof that there was any environmental damage. Thus, there is no question to proceed for environmental compensation. Accordingly, relief as prayed in the applications as mentioned above are not maintainable." 4 4. Accordingly, we do not find any reason to interfere in the order impugned. The grounds as taken in the review application are not tenable. The review application has no substance and deserves to be dismissed.Accordingly, the Review Application is dismissed.

Pratima

Pratima

PratimaAkolkar
Research Co-ordinator (NGT)
06.10.2021

Justice D. K. Gadia

Exh- 3 (29)

Annexure-2

MINUTES OF THE FIRST MEETING OF JOINT COMMITTEE CONSTITUTED IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS.

The Hon'ble NGT in the aforesaid matter vide order dated 15/12/2021 constituted a six-member joint committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, MPCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. The nodal agency for coordination and compliance will be the MPCB and the MCZMA. Grievance in the application is about remedial action against the damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Also, the applicant mentioned that unauthorized structures have been constructed which are against CRZ Regulations issued under Environment (Protection) Act, 1986. Copy of the said order dated 12/01/2022 of Hon'ble NGT is given at **Annexure-I**. The operative directions of the Hon'ble NGT to the aforesaid joint committee in brief are as follows;

i. To undertake site visit and interact with the stakeholders;
ii. To plan and execute remedial measures in accordance with law;

In compliance with aforesaid order of the Hon'ble NGT, the six-member joint committee has been constituted by MPCB comprising of following officials.

1. Maharashtra Coastal Zone Management Authority	Member
2. Representative from CPCB, Regional Office, Pune	Member
3. Member of SEIAA, Maharashtra	Member
4. Municipal Commissioner, MCGM or his representative	Member
5. District Collector, Mumbai Suburban District or his representative	Member
6. Regional Officer, MPCB, Mumbai	Member
Convener	

First meeting of the joint committee was convened on 11/03/2022 at M West Ward-MCGM, Chembur, Mumbai. List of participants present in the aforesaid joint committee meeting is given in at **Annexure – II.**

Representative from MPCB, Mumbai welcomed all the members of the joint committee and invitee participants. He briefed about the issue of unauthorised disposal of debris at near Costal road at Wadala to Mahul, closed to Chembur to CST freeway, regarding constitution of joint committee for compliance of the order dated 15/12/2021 passed by the Hon'ble National Green Tribunal, New Delhi in

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Original Application No. 343/2021 (PB) and also about the operative directions of the Hon'ble NGT to the joint committee.

Representative from CPCB, Pune deliberated about identification of exact location of alleged dumping of debris on salt pan/mangrove areas as mentioned in the Hon'ble NGT order of tracking from the public grievance database of MCGM/MPCB/MCZMA about the aforesaid alleged issues or similar issues. He mentioned about the requirement of recent CRZ maps prepared by MCZMA and mapping of mangroves prepared by Maharashtra Remote Sensing Application Centre (MRSAC) for the aforesaid alleged areas. Further, he deliberated about the C&D waste generation and its present management practice in Mumbai City. He put forward before the joint committee to have an initial reconnaissance survey of the alleged areas to delineate and to gather the preliminary information about the issue of dumping of debris in salt pans and mangrove areas.

Representative from MCZMA mentioned about availability of latest CRZ maps of Mumbai City and Suburban, which are published recently in 2021. He mentioned about need to involve the stakeholders for deliberation of issues and also compliance of Hon'ble NGT order dated 15/12/2021.

Meeting concluded with vote of thanks to the dais.

After the detailed deliberation, joint committee along with officials of MCGM visited the alleged areas near costal road at Wadala to Mahul, close to Chembur to CST freeway. It is observed that near coastal road, adjacent to Chembur to CST freeway, wide area of salt pan exists and it is within the jurisdiction of F-North Ward of MCGM, Mumbai. The joint committee interacted with the personnel working at salt pan and gathered that the said salt pan is a private land situated at C.S.no. 144 & 145, owned by Shri Garodia and it has been spread over about 100 to 110 acres. Also, the joint committee observed that at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (land belonging to Govt.). The joint committee observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread but the owner of slat pan i.e. Shri Garodia has constructed a huge bandh (app. 5 feet height & 10 feet width, made of C&D waste) between the dense mangrove area and salt pans. He informed to the joint committee that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining his consent. He further informed to the joint committee that such bandh has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bandh the intrusion of creek water causes flooding and also significantly affects the quality of salt in the salt pans.

Shri. D. P. Garodia

(30)

As informed by the owner of slat pan, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing of slat.

The joint committee after reconnaissance survey, Interaction with the owner of salt pan and detailed deliberation, it was felt to prudent to have interaction with the stakeholder i.e. The Slat Pan Department, Mumbai to deliberate about ownership status of salt pan, status & issue of dumping of C&D waste near the mangrove areas and action taken therefor for the earlier noticed violations if any.

Decisions:
After detailed discussions, following decisions were taken by the joint committee;

i. MCGM to submit the status of C&D waste w.r.t. ward wise daily/monthly generation quantity, present scientific management practices including mechanism for collection, handling, transportation, processing and disposal/utilisation of processed C&D waste in Mumbai City.
ii. MCZMA to provide CRZ maps of the alleged areas located at C.S. no. 144, 145 and 117.
iii. MPCB to coordinate with MRSAC for getting the mangrove maps of the alleged areas located at C.S. no. 144, 145 and 117.
iv. MPCB to coordinate and request the stakeholder i.e. representative from Salt Pan Department, Mumbai to make it convent to attend the second joint committee meeting followed by site inspection for deliberation of Issues.
v. Based on the reconnaissance survey and subsequent collection, compilation & vetting of information through the concerned agencies/stakeholders and as per the applicable Notifications /Rules /Bye-laws, the joint committee may plan and execute remedial measures in accordance with Law by the way of formulating time bound action plans for restoration of the site/environment.

*****

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(32)

Name	Department	Signature	Mb. No
1)			
2) Gajanan Bellale Assistant Commissioner F/N Ward		Sdxx 11.3.2022	8424046715
3) Sanjay Sandanshiv Scientist Grade-II & Addl. Secretary (Technical) Environment & Climate Change Department, Mantralay		Sdxx 11.3.2022	9004653933
4) Mahendra Ubale Asst. Commissioner M. East Mumbai Municipal Corporation		Sdxx 11.3.2022	7506985715
5) Sanjay Bhosale Regional Office, Mumbai		Sdxx 11.3.2022	9220926241
6) Nishchal C. Scientist - D CPCB, RO Pune		Sdxx 11.3.2022	9722017220
7) Rupesh Mahale, Project Officer, PCMA		Sdxx 11.3.2022	8369231439
8) Deepak Ramdhandra Madane		Sdxx	9920061453

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नाव	विभाग	सही	मो. नं
दीपक नामदेव मोरे	इ.के.व्य (एम/पू)		9920061433
T G Yadav	उप अभि-9 गा.मु.के.म		9987586095
D. V. Mhatre	वरि. अ- 3 म.न.पा. म.मु.नि. मंडळ, मुंबई-1		9422933577
म. गो. इंगळे	सह.अ. उपआयुक्त शु-पू		9867803810
दत्तात्रेय तु. पंडित	स.अ.(एकत्रित) एफ/उ	उपायुक्त मनपा	9667054194
सुरेश ल. सरोदे	कार्यालयीन अधिक्षक (एकत्रित) एम/प.		9930260411
वैभव शेडगे	सहा. आयु (एकत्रित) मिळ		8291206044
V. P. more			9167144031
Avanti mayekar	A.C. M/W Naib Tahasildar Tahasil kurla (Collector office) Bandra		9702757625

Asstt. Municipal Commr.

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9) T.G. Yadav		Sdxx	
10) D.V. Mhatre		Sdxx	94239 [illegible]
11) M.N. Igave		Sdxx	98648038[illegible]0
12) Anil T. Pandit		Sdxx	986705194
13) Suresh B. Sagar	Executive Engineer		9930260[illegible]5
14) Vaibhav Godse		Sdxx	8291206025
15) V.p. Mote	A.C. M/W.	Sdxx	9167494003
16) Avanti Mayekar	Naib Tahsildar Tahsil Kurla (Collector Office Bandra)		

Vaibhav M. Godse

(35)

Annexure-3

MINUTES OF THE SECOND MEETING OF JOINT COMMITTEE CONSTITUTED IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS. Dated 25/5/2022

Second meeting of the joint committee was held on 25/05/2022 at F/N Ward Office, Malunga, Mumbai to discuss on the progress of decisions taken during previous meeting of the joint committee. List of participants present in the aforesaid joint committee meeting is given at **Annexure-I.**

Representative from MPCB, Mumbai welcomed all the members of the joint committee and invitee participants from Salt Pan Department, Mumbai. He briefed about the decisions taken during previous meeting of the joint committee.

The joint committee members deliberated about the issue of unauthorised disposal of debris at near Costal road at Wadala to Mahul, closed to Chembur to CST freeway. Also, about the status of ownership of alleged land at C. S. no. 117, 144 & 145, where unauthorized disposal of debris observed during the previous joint committee visit and unauthorised encroachment by slum dwellers. Subsequently, it was decided to collect various records/documents from Salt Pan Department about the status of ownership of alleged land at C.S. no. 117, 144 & 145 along with PR card.

Decisions:

After detailed discussions, following decisions were taken by the joint committee;

i. MPCB to pursue with Slat Pan Department, Mumbai for submission of following:
   a. chronology of events w.r.t. petition filed by the Slat Pan Department, Mumbai before the Hon'ble Court(s) against the occupier of salt pan and its present thereof; (including copies of orders, reply affidavits filed etc.);
   b. copies of letter if any; addressed by the occupier of slat pan to the Salt Pan Department, Mumbai for seeking permission to dump C&D waste for the reported repair/maintenance of bandh along the periphery of slat pan;
   c. copies of reply if any; by the Salt Pan Department, Mumbai addressed to the occupier of the salt pan for giving consent/permission to utilize/dump C&D waste at the alleged C.S. no(s).
   d. copies of action taken if any; against the occupier of the salt pan, if no consent/permission has granted by the Salt Pan Department, Mumbai for utilization of C&D waste for augmenting the existing bandh;

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e. copies of various communication/correspondence letters from Dy. Superintend of Salt, Wadala; Dy. Salt Commissioner, Mumbai; Superintend of Salt addressed to various agencies for dumping of C&D waste in the aforesaid alleged areas.

f. copies of public grievance(s) received, and action taken report submitted in the aforesaid alleged issues of dumping of C&D waste.

g. copy of layout of the salt pan works at C.S. no. 117, 144 & 145;

ii. It was requested that the Slat Pan Department, Mumbai may positively send the aforesaid compiled information to MPCB on or before 10/06/2022 for compilation of information, report preparation, deliberation of the joint committee and for compliance of the aforesaid Hon'ble NGT order. Further, it was decided that in view of non-submission of aforesaid documents by the Slat Pan Department, Mumbai, the joint committee may finalize the report and convey the status to Hon'ble NGT.

Meeting ended with vote of thanks.

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Ex 4-4 (39)

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi
Original Application No. 343/2021

Madhura Rajesh Tawde — Applicant

Versus

State of Maharashtra — Respondent(s)

Index

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2	Annexure 1 : A copy of Hon'ble NGT Order dated 15/12/2021	2
3	Annexure 2 : Name and Signature of Joint Committee Members	2
4	Annexure B : Photographs of Location of Salt pan.	4

(Sanjay R. Bhosale)
Regional Officer, Mumbai

Place : Mumbai
Dated : 19/04/2022

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PROGRESS REPORT OF THE JOINT COMMITTEE IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS.

Grievance in the application is about remedial action against the damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Also, the applicant mentioned that unauthorized structures have been constructed which are against CRZ Regulations issued under Environment (Protection) Act, 1986. The Hon'ble NGT in the aforesaid matter vide order dated 15/12/2021 constituted a six-member joint committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, MPCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. The nodal agency for coordination and compliance will be the MPCB and the MCZMA. Directions of the Hon'ble NGT to the aforesaid joint committee in brief are as follows;

i. To undertake site visit and interact with the stakeholders;
ii. To plan and execute remedial measures in accordance with law;

In compliance with aforesaid order of the Hon'ble NGT, the six-member joint committee has been constituted by MPCB comprising of following officials.

Maharashtra Coastal Zone Management Authority	Member
Representative from CPCB, Regional Office, Pune	Member
Member of SEIAA, Maharashtra	Member
Municipal Commissioner, MCGM or his representative	Member
District Collector, Mumbai Suburban District or his representative	Member
Regional Officer, MPCB, Mumbai	Member Convener

First meeting of the joint committee was convened on 11/03/2022 at M West Ward, MCGM, Chembur, Mumbai. Joint committee deliberated about alleged dumping of debris on salt pan/mangrove areas as mentioned in the Hon'ble NGT order, status of C&D waste generation and its present management practice in Mumbai City and CRZ maps of the area under reference. Also, deliberated about to have an interaction with

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the concerned stakeholder i.e. The Slat Pan Department, Mumbai to deliberate about status & issue of dumping of C&D waste near the mangrove areas and action taken therefor for the earlier noticed violations if any; Thereafter the joint committee carried-out reconnaissance survey of the alleged areas on 11/03/2022 to delineate and to gather the preliminary information about the issue of dumping of debris in salt pans and mangrove areas. Following are decisions in brief taken during the said joint committee meeting:

i. MCGM to submit the status of C&D waste w.r.t. ward wise daily/monthly generation quantity, present scientific management practices including mechanism for collection, handling, transportation, processing and disposal/utilisation of processed C&D waste in Mumbai City.
ii. MCZMA to provide CRZ maps of the alleged areas located at C.S. no. 144, 145 and 117.
iii. MPCB to coordinate with MRSAC for getting the mangrove maps of the alleged areas.
iv. MPCB to coordinate and request the stakeholder i.e. representative from Salt Pan Department, Mumbai.
v. Joint committee to plan and execute remedial measures in accordance with Law by the way of formulating time bound action plans for restoration of the site/environment.

Details of the aforesaid decisions/activities/ are given in the minutes of meeting of the joint committee at Annexure-A for kind ready reference.

Accordingly, the concerned agencies as given above, were requested by the nodal agency i.e. MPCB during March & April, 2022 to submit desired information to the joint committee for further deliberation and way forward for compliance of Hon'ble NGT order.

After the detailed deliberation, joint committee along with officials of MCGM visited the alleged areas near costal road at Wadala to Mahul, close to Chembur to CST freeway. It is observed that near coastal road, adjacent to Chembur to CST freeway; wide area of salt pan exists and it is within the jurisdiction of F-North Ward of MCGM, Mumbai. The joint committee interacted with the personnel working at salt pan and gathered

Smt. M. Wadia

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that the said salt pan is a private land situated at C.S.no. 144 & 145, owned by Shri Garodia and it has been spread over about 100 to 110 acres. Also, the joint committee observed that at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (land belonging to Govt.).

The joint committee observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread but the owner of slat pan i.e. Shri Garodia has constructed a huge bandh (app. 5 feet height & 10 feet width, made of C&D waste) between the dense mangrove area and salt pans. He informed to the joint committee that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining his consent. He further informed to the joint committee that such bandh has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bandh the intrusion of creek water causes flooding and also significantly affects the quality of salt in the salt pans.

As informed by the owner of slat pan, total seven bore-wells have been installed in the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing of slat. Some of the photographs taken during reconnaissance survey of the joint committee is given at Annexure-B for kind ready reference.

It is humbly submitted that collection of desired information from the concerned agencies and engagement of stakeholder(s) for way forward and compliance of Hon'ble NGT order as per the decisions taken by the joint committee in its first meeting are in progress. Further, considering the quantum of works to be completed, as above and given at Annexure-A, the Hon'ble NGT may kindly grant extension of time period of three months to the joint committee for submitting its report in compliance with aforesaid order dated 15/12/2021.

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Dr. D.M. Gadi

Exh-5 (41)

MINUTES OF THE SECOND MEETING OF JOINT COMMITTEE CONSTITUTED IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS. Dated 25/5/2022

Second meeting of the joint committee was held on 26/05/2022 at F/N Ward Office, Matunga, Mumbai to discuss on the progress of decisions taken during previous meeting of the joint committee. List of participants present in the aforesaid joint committee meeting is given at Annexure-I.

Representative from MPCB, Mumbai welcomed all the members of the joint committee and invitee participants from Salt Pan Department, Mumbai. He briefed about the decisions taken during previous meeting of the joint committee.

The joint committee members deliberated about the issue of unauthorised disposal of debris at near Costal road at Wadala to Mahul, closed to Chembur to CST freeway. Also, about the status of ownership of alleged land at C. S. no. 117, 144 & 145, where unauthorized disposal of debris observed during the previous joint committee visit and unauthorised encroachment by slum dwellers. Subsequently, it was decided to collect various records/documents from Salt Pan Department about the status of ownership of alleged land at C.S. no. 117, 144 & 145 along with PR card.

Decisions:

After detailed discussions, following decisions were taken by the joint committee;

i. MPCB to pursue with Slat Pan Department, Mumbai for submission of following:
   a. chronology of events w.r.t. petition filed by the Slat Pan Department, Mumbai before the Hon'ble Court(s) against the occupier of salt pan and its present thereof; (including copies of orders, reply affidavits filed etc.);
   b. copies of letter if any; addressed by the occupier of slat pan to the Salt Pan Department, Mumbai for seeking permission to dump C&D waste for the reported repair/maintenance of bandh along the periphery of slat pan;
   c. copies of reply if any; by the Salt Pan Department, Mumbai addressed to the occupier of the salt pan for giving consent/permission to utilize/dump C&D waste at the alleged C.S. no(s).
   d. copies of action taken if any; against the occupier of the salt pan, if no consent/permission has granted by the Salt Pan Department, Mumbai for utilization of C&D waste for augmenting the existing bandh;

Anmol M. Wardlaw.

Anmol M. Gadkar.

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f. copies of various communications/letters from the Dy. Salt Commissioner of Salt, Wadala; Dy. Salt Commissioner, Mumbai addressed to various agencies for dumping of C&D waste in the aforesaid alleged areas.

f. copies of public grievance(s) received, and action taken report submitted in aforesaid alleged issues of dumping of C&D waste

g. copy of layout of the salt pan works at C.S. no. 117, 144 & 145

ii. It was requested that the Slat Pan Department, Mumbai may positively submit the aforesaid compiled information to MPCB on or before 10/06/2021 for compilation of information, report preparation, deliberation of the joint committee and for compliance of the aforesaid Hon'ble NGT order. Further, it was decided that in view of non-submission of aforesaid documents by the Slat Pan Department, Mumbai, the joint committee may finalize the report and convey the status to Hon'ble NGT.

Meeting ended with vote of thanks.

*****

Smt. M. Gandhi

Smt. M. Gandhi

Exh-6 (45)

Annexure-4

भारत सरकार
GOVERNMENT OF INDIA
उपनमक आयुक्त कार्यालय
Office of the Deputy Salt Commissioner
एक्सचेंज बिल्डींग, चौथी मंजील Exchange Building, 4th floor
सर शिवसागर रामगुलाम मार्ग Sir Shivsagar Ramgulam Marg
बेलार्ड इस्टेट, मुंबई - 400001 Ballard Estate, MUMBAI - 400001

Email: cssltcom.mum@nic.in
Phone: 022-20825206
022-20822192

BY EMAIL / SPEED POST

C. No D-11030/1/Land/2008/II/ 4400 Date: 25/08/2022

To

The Regional Officer,
Maharashtra Pollution Control Board,
Kalpataru Point, 1st Floor, Sion Crucial,
Opp. Cineplanet Cinema, Sion (East),
Mumbai – 400022.

Sub:- Damage to the environment due to destruction of mangroves by dumping debris on salt pan lands at Wadala – Hormoz salt works – Reg.

Sir,

Please refer to your letter No. MPCB/ROM/TB-1367 dated 03.06.2022 on the above subject.

The information desired by your above referred letter is as below:-

i) **Status of ownership** of land bearing CS No. 117, 144 & 145 of Salt Pan Division, Wadala : It is informed that lands bearing CS No. 144 & 145 under Hormoz salt works are owned by Government of India. Property cards of these CS Nos. are available online and the same can be downloaded.

ii) Status of Litigation or petition with regard to salt pan lands against occupier : In case CS No. 144 & 145 of Salt Pan Division, Wadala, no litigation in any court is pending. But an eviction proceedings against the salt manufacturers under provisions of Public Premises Act 1971 is pending before the Estate Officer of this Department since year 2013.

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iii) **Permission taken by salt manufacturer of Hormoz salt works for dumping of debris** : No permission has been taken by the salt manufacturer for repair **or maintenance of the** salt work outer bund However, it is informed **that** permi**ssion is not** required for regular repair or maintenance of the outer embankment of salt works.

iv) **Copies of letters addressed to salt manufacturer by Salt Department regarding repair or maintenance of the outer embankment / bund** : No permission given and hence no letter is issued by this office in this regard.

v) **Copies of letters addressed to salt manufacturer or other agencies by Deputy** Superintendent of Salt, Wadala or **Superintendent of Salt, Bhandup regarding repair or maintenance of the outer embankment / bund** : No communication or letter has been issued by Deputy Superintendent of Salt, Wadala or Superintendent of Salt, Bhandup in this regard.

vi) **Copies of letters issued with regard to public grievances on this subject** : A complaint from shri Stalin D. was received on this subject and he was given reply vide this office letter dated 27.04.2022 **(Annexure No. 1).**

vii) **A copy of layout plan of Hormoz salt works (CS No. 144 & 145)** : A copy of the layout plan is enclosed herewith at Annexure No. 2.

Yours faithfully.

(C. Raghu)
Deputy Salt Commissioner
Mumbai

Copy for information to:-
1) The Superintendent of Salt, Bhandup.
2) The Deputy Superintendent of Salt, Wadala.

Exh - 7 (47)

REPORT OF THE JOINT COMMITTEE IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS.

1.0 Background

Grievance in the Original Application No. 343 of 2021 (PB), titled Madhura Rajesh Tawade v/s State of Maharashtra Ors., as per order dated 15/12/2021 of the Hon'ble NGT is about seeking remedial action against the damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Also, the applicant mentioned that unauthorized structures have been constructed which are against CRZ Regulations issued under Environment (Protection) Act, 1986.

Hon'ble NGT directed vide order dated 15/12/2021 (copy of Hon'ble NGT order, dated 15/12/2021 is given at Annexure-1) and relevant order is reproduced as below:

"2 In view of above, we find it necessary to require a factual and action taken report from a six-member joint committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, MPCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. State PCB and CZMA will be the nodal agency for coordination and compliance. The joint Committee may hold its first sitting preferably within two weeks, undertake visit to the site, interact with the stakeholders and plan and execute remedial measures in accordance with law. An action taken report may be furnished within two months by email at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 07.03.2022."

In compliance to the aforesaid order of the Hon'ble NGT, MPCB vide letter dated 24/02/2022 issued a committee constitution order comprising of following officials.

Bmd. M. Gadia

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Maharashtra Coastal Zone Management Authority — Member
Representative from CPCB, Regional Office, Pune — Member
Member of SEIAA, Maharashtra — Member
Municipal Commissioner, MCGM or his representative — Member
District Collector, Mumbai Suburban District or his representative — Member
Regional Officer, MPCB-Mumbai — Member Convener

2.0 Approach

In order to comply with the aforesaid Hon'ble NGT Order, the Central Pollution Control Board (CPCB) vide email dated 12/01/2022 communicated the nominee details to the nodal agency i.e. MPCB and also requested to provide background information, details of the Original Application, other relevant information for reference & deliberation in the aforesaid matter. Upon receipt of nominee details, first meeting of the joint committee was convened on 11/03/2022 at M West Ward-MCGM, Chembur, Mumbai. Copy of first minutes of the joint committee meeting dated 11/03/2022 is given at Annexure-2. The joint committee deliberated about alleged dumping of debris on salt pan/mangrove areas as mentioned in the Hon'ble NGT order, status of C&D waste generation and its present management practice in Mumbai City and CRZ maps of the area under reference. Also, deliberated to have an interaction with the concerned stakeholder i.e. The Slat Pan Department, Mumbai to deliberate about status & issue of dumping of C&D waste near the mangrove areas and action taken thereafter for the earlier noticed violations if any; Thereafter the joint committee carried out reconnaissance survey of the alleged areas on 11/03/2022 to delineate and to gather the preliminary information about the issue of dumping of debris in salt pans and mangrove areas. The following joint committee members were present during the inspection:

i. Shri S. B. Sandanshiv, Under Secretary – Environment, Govt. of Maharashtra
ii. Shri Nishchal C., Scientist 'D', CPCB, Regional Directorate, Pune
iii. Shri Sanjay R. Bhosale, Regional Officer, MPCB-Mumbai
iv. Shri Gajanan Bellale, Assistant Commissioner, F/N Ward, MCGM, Mumbai
v. Shri Vishvas Mote, Assistant Commissioner, M/W Ward MCGM Mumbai
vi. Ms. Avanti Mayekar, Naib Tehsildar, Thasildar Office Kurla (Mumbai) Representative of Collector Bandra, Mumbai

Shri Tanaji Yadav, Sub-Regional Officer-I, MPCB-Mumbai and Shri Rupesh Mahale, Project Officer, MCZMA accompanied the joint committee during the inspection visit.

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officials of Municipal Corporation Greater Mumbai (MCGM), were present and provided the visit coordination.

The concerned agencies viz. Office of the Dy. Salt Commissioner, MCGM & MCZMA were requested by the nodal agency i.e. MPCB during March & April, 2022 for submission of desired information for way forward & in compliance of Hon'ble NGT order dated 15/12/2021. Meanwhile, joint committee submitted the progress report to the Hon'ble NGT through the nodal agency (MPCB) on 06/05/2022, titled as "Progress report of the joint committee in compliance of the order dated 15/12/2021 passed by the Hon'ble NGT (PB), in OA. no. 343/2021, Madhura Rajesh Tawade vs State of Maharashtra Ors.".

The joint committee convened its second meeting on 25/05/2022 F/N Ward Office, Matunga, Mumbai to discuss on the progress of decisions taken during previous meeting of the joint committee. Copy of second minutes of the joint committee meeting dated 25/05/2022 is given at Annexure-3. Thereafter, the concerned agency viz. Salt Pan Department, was requested by the nodal agency i.e. MPCB during June, July & August, 2022 for submission of desired information for way forward & in compliance of Hon'ble NGT order dated 15/12/2021. Accordingly, Office of the Dy. Salt Commissioner, Mumbai submitted the information to MPCB vide letter dated 25/08/2022 (Copy of letter of Office of the Dy. Salt Commissioner, Mumbai dated 25/08/2022 is given at Annexure-4).

3.0 Observations and findings

This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.

i. The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.

Anand. M. Londhe.

ii. As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 105 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).

iii As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.

iv. It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the salt mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.

v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair

Smt. M. Gadkari

or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.

vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.

vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019. The approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at https://mczma.gov.in/sites/default/files/CZMP%20MH%2076.pdf

viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove

Amd. M. Gaedia

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buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further S.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulated & permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless carrying out repairing & augmentation works of existing bund (by dumping unnecessary C&D waste & debris), falling within 50 m mangrove buffer zone without any permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

ix. As informed by the operator of slat pan/salt manufacturer, total seven bore wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.

x. Some of the photographs taken during the joint committee inspection are at **Annexure-7** for kind ready reference.

4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-I A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of

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outer bunds of slat works/pan, which is falling within the 50 m mangrove buffer zone as per the superimposed map of the area under reference

Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the local town and country planning regulations as applicable from time to time and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

5.0 Recommendations

(a) For violations of provisions of CRZ Notification, 2019

In view of the aforesaid violations of:

i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A, by operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate

(b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.

(c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.
Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc.

(d) Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators.

(S. B. Sandanshiv),
Under Secretary –
Environment, Govt. of
Maharashtra

(Nishchal C.),
Scientist 'D', CPCB,
Regional Directorate,
Pune

(Pankaj Joshi),
Member, SEIAA

(Gajanan Bellale),
Assistant Commissioner,
F/N Ward, MCGM, Mumbai

(Avanti Mayekar), Naib
Tehsildar, Representative
of Collector's Office –
Bandra, Mumbai

(Sanjay R. Bhosale),
Regional Officer, MPCB-
Mumbai

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Exh-8 (56)

Item No. 07 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

Original Application No. 343/2021

Madhura Rajesh Tawde — Applicant

Versus

State of Maharashtra — Respondent

Date of hearing: 28.09.2022

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: None

Respondent(s): Mr. Mukesh Verma, Advocate for MPCB & MCZMA

ORDER

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

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3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations.

"3.0 Observations and findings

This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.

i. *The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.*

ii *As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick, masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra)*

iii *As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.*

iv. *It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were*

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produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.

v. *As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.*

vi. *Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.*

vii. *Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The approved CZMP of the area under reference is given at* ***Annexure-5*** *for kind reference and the copy of the same is available at https://mczma.gov.in/sites/default/files/CZMP%/020MH%2076.01*

viii. *The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at* ***Annexure-6*** *for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it*

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It is observed that the existing bund (along the periphery of slat pan of C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

ix *As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.*

x *Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.*

4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-III as per the CRZ Notification, 2019. Further, as per s. no. (viii) of section 5.1.2; CRZ I B The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan of C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

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Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-1 A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove buffer zone as per the superimposed map of the area under reference.

Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the

Bund. M. Vaidya.

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local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

5.0 Recommendations

(a) For violations of provisions of CRZ Notification, 2019 In view of the aforesaid violations of:

i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.

(b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.

(c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

(d) Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported

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through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."

4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

Justice A. M. Khanwilkar

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Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date.

List for further consideration on 02.01.2023.

A copy of this order be forwarded to CPCB, NCZMA, MPCB, Principal Secretary, Environment, Maharashtra, Commissioner, Municipal Corporation, Greater Mumbai and Collector, Bandra by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 28, 2022
Original Application No. 343/2021
DV

Annexure – I: Technical Committee Constitution

Exh-9 (64)

GOVERNMENT OF MAHARASHTRA

Phone No - 022-22029XX
E-mail - dir1.env-mh@gov.in

No. MPCB/BMW-2022/CR-83/TC-4
Department of Environment and Climate Change-1
Block, New Administrative Building, Madam Kama
Road, Hutatma Rajguru Chowk, Mantralaya
Mumbai-32
Date: 18/04/2023

OFFICE ORDER

Subject: Constitution of Technical Committee for the compliance of Hon'ble NGT order dated 28/9/2022 and 15/3/2023 in the O A No. 343/2021.

Hon'ble NGT in its order dated 15/3/2022 in the OA No. 343/2021 has directed Principal Secretary, Environment &CC to ensure remedial measures are taken within three months by removing encroachments, lifting all C & D Waste for its appropriate processing and revival of all damaged mangrove plantation at the subject site of Wadala Salt Pan area & around and file the report to Hon'ble NGT before 30/6/2023

In view of the above, a Technical Committee is hereby constituted as below to estimate the quantity of C & D waste dumps in and around the salt pan area as mentioned in the Hon'ble NGT order.

01	Mr. Aad Sharma, Metro Waste Handling Pvt. Ltd.	Member
02	Executive Engineer, MCGM	Member
03	Mr. Shridhar Pandya, Consultant	Member
04	City Survey and Land Record Officer, Collector Office	Member
05	Mr. D. A. Patil, Consultant	Member
06	Regional Officer, MPCB, Mumbai	Member Convenor

RO, MPCB, Mumbai shall make necessary logistic arrangement for site visit / arrangement for meeting etc

(Pravin C. Darade)
Principal Secretary, Env&CC Dept

Copy for information and necessary action to:
1) Member Secretary, MPCB
2) Regional Officer (BMW), MPCB Mumbai
3) Regional Officer, MPCB, Mumbai

Exh-10 (65)

Government of India,
Office of the Deputy Superintendent of Salt
Wadala
Office at The Superintendent of Salt premises
BHANDUP (East), MUMBAI - 400042.

C. No. 9(1) Land/2023/Wdl/37-38 Date-27/02/2023

To,
The Deputy Salt Commissioner
Mumbai -400001.

Subject: Report on damage done by the high tide dated 21 & 22.02.2023 in Messrs Hormoz Salt Works area under Wadala Salt Factory – Reg.

Sir,

It is to inform you that there was a very high tide in sea on 21 & 22.02.2023. The sea water of high tide broken the outer bund of the salt works from one side, intruded in the salt works and submerged it. It also decreased degree of the brine in the salt works. Due to this there is a substantial loss in salt production as well as quality of salt for time being.

A letter received from the salt manufacturer in this regard is enclosed herewith for your information and record. I visited the salt works on 25.02.2023 and saw the position. A photograph taken from the site is also enclosed herewith to realize the situation. Here it is worth mention that the salt works could only be saved from total submersion due to its protection by the bund under dispute in NGT case 343/2021 (Madhura Rajesh Tawade V/s Government of Maharashtra)

This is for your kind information in the matter.

Enclosures – As above.

Yours faithfully,

(S N Pandey)
Deputy Superintendent of Salt
Wadala

Copy submitted to
The Superintendent of Salt, Bhandup for information please.

copy to Messrs. Hormoz Salt Works, Wadala with reference to his letter dated 22.02.2023.

Bond. M. Wadia

Bond. M. Wadia

Exh - 11

(66)

Court No. 1

Item No. 04

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(BY HYBRID MODE)

Original Application No. 343/2021

Madhura Rajesh Tawde — Applicant

Versus

State of Maharashtra — Respondent(s)

Date of hearing: 15.03.2023

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Applicant: Ms. Madhura Tawde, Applicant in Person

Respondent(s): Mr. Pravin Dasade, Principal Secretary, Environment & Climate Change & Mr. Abhey Pimpkar, Director, Environment & Climate Change with Mr. Mukesh Verma, Advocate MCZMA & MPCB

ORDER

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

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The matter was last considered on 28.09.2022 in the light of report of the Committee dated 26.09.2022. Finding serious violations of CRZ Notification, 2019 by illegal encroachments, dumping of C&D waste and damage to the mangroves, the Tribunal directed the State Coastal Zone Management Authority to prepare a time bound action plan for remedial action to remove unauthorized dumping of waste, encroachments and restoration of mangroves. Action was also directed to be taken by Salt Commissioner, Mumbai to be overseen by Principal Secretary, Environment Department, Maharashtra and NCZMA.

Relevant extracts from order of the Tribunal are reproduced below:-

"4. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

"3.0 Observations and findings

This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.

i. The alleged areas as per Hon'ble NGT order i.e. area near coastal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F North / M-West Ward of MCGM, Mumbai.

ii. As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).

iii. As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormuz Salt

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Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.

iv. *It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.*

v. *As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.*

vi. *Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.*

vii. *Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The*

Shri. M. Garodia.

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approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at https://dcfmoef.gov.in/sites/default/files/CZMP_70_20MH_27072021.pdf

iii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-III as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019, salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

iv. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.

v. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt

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manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-I A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove

Sd/- dd. Goelia

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buffer zone as per the superimposed map of the area under reference.

Whereas the C.S. no. 144 is being encroached by three dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of salt pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. [illegible] actions to Govt. of Maharashtra, is also being encroached by three dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures, is permitted w.e.f. subject to the local town and country planning regulations, as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

... Recommendations

... For violations of provisions of CRZ Notification, 2019 in view of the aforesaid violations of:

i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.

(ii) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) of C. S. no. 144 & C. S. no. 117, which is a CRZ II area, so as to ensure the restoration of the aforesaid area to its original condition.

(iii) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

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(d) *Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."*

4. *We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.*

5. *The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."*

5. In pursuance of above, status report has been filed by the joint Committee on 13.02.2023 giving status of action as follows:-

Sr No	*Organization*	*Directions Issued*	*Status of Action*
1	*MCGM*	*a) MCGM to immediately take*	*The MCGM vide letter dated 29.12.2022 submitted its reply which states that,*

(13)

necessary action of removal of encroachments/ illegal constructions on subject land, for which ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner. b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. MCGM should sent C&D waste from the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within MCGM area. c) Action taken report be submitted to the Department at the earliest.	a) The said plots ownership is with Salt Commissioner. The said plot given to M/s Haimor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner/ occupier / tenant of the land, by deploying security guard or by constructing protection wall along the periphery of the land. MCGM may help to remove or to process the C & D waste materials from the said location if the land and land were made available by owner of the land. Also as the ownership of land pertains to salt commissioner, MCGM is not authorized to remove the structure from the land of salt Commissioner. In view of above, MCGM may help to remove the authorized structure if salt commissioner takes leadership for removing the same. MCGM has submitted also an additional reply in the matter. Pertaining to removal / processing of C&D waste, the reply of MCGM states as follows: The recommendation of the Committee for the removal of unauthorized C& waste dumped at the Salt pan plot is as following. "Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ - IA. The operator of salt pan / salt manufacturer under the supervision of officer of Dy. Salt Commissioner, Mumbai and F/N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate". However its seems that above mentioned recommendation may not have been considered, as intended by committee as, the C&D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&D material has to be done by the operator of salt pan / salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee. Furthermore it is to be informed that currently there are two nos of C&D waste processing Plants operational in and in the vicinity of Mumbai viz.

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			M/s Godrej Construction ltd at Vikhroli (E), Mumbai Capacity300mt/day M/s Metro waste Handling pvt. Ltd. at Shilphata, TMC Capacity 300mt/day. BMC has also proposed to set up 02 Nos of C&D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The rendering for the same is under progress. In addition to this, BMC has approved designated unloading sites for disposal of C&D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites. Copies of MCGM replies are attached as Annexure III DELIBERATIONS: After taking note of abovementioned reply of MCGM, Principal Secretary, Env&CC Department during the meeting pointed out that the specific directions has been issued by the Hon'ble NGT. The said directions of Hon'ble NGT are as follows: "MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste" The Principal Secretary, Env&CC Department during the meeting instructed MCGM officials to comply with Hon'ble NGT order since the directions of Hon'ble NGT are specific and clear to MCGM. MCGM officials during the meeting stated that the matter would be deliberated with Senior Officials of MCGM and accordingly, further line of action would be taken in the matter. Principal Secretary, Env&CC Department once again directed that it is mandatory for the MCGM to comply with the above stated order of the Hon'ble NGT.
2	District Collector, Mumbai City and Suburban	Office of District Collectors to hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of	**REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:** The Office of Deputy Collector (Encroachment), old custom House, Fort, Mumbai vide letter dated 6.2.2023 submitted the status of action taken. The said report states as follows:

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	Maharashtra on or before 10th November, 2022. Action taken report be submitted to the Department at the earliest.	» Plan for removal of encroachment on subject Govt land bearing CS No. 117 (pt) was staged on 10.1.2023 by the office of Deputy Collector (Encroachment). Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station. Photographs of the said land are attached with the report. Display board is put on site warning for action against the illegal constructions on the land. Moreover, 3 pakka and 3 kaccha illegal constructions which could not be removed on 10.1.2023, were removed on 6.2.2023. Photographs of the same are attached with the report. » On CS No. 117(pt), Annexure has been issued on 8.7.2010 pertaining to Slum Rehabilitation Scheme of Aman Sagar Sahakari Housing Society. » On North side of CS No. 117(pt), at Shantinagar, there is construction of SamajMandir built using the fund from Local MLA shri Captain Tamil Selvan. Regarding confirmation about the said construction, office of Superintendent, Land Records and District Planning Officer, Mumbai has been asked. Copy of reply of Salt Department is attached as Annexure IV **DELIBERATIONS:** Principal Secretary, Env&CC Department noted the action taken by the Office of District Collector, Mumbai city. He instructed that adequate measures need to be taken by the office of District Collector to protect the Govt land from encroachments in future.
Office of Salt Commissioner	a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioner should take	**REPLY OF OFFICE OF SALT DEPT:** Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that: The office has issued letter No. S-1101(30) Salt/34/543036 dated 29.10.2022 (Annexure No 1) to the salt manufactures of Hormaz salt works under CS No., 144 & 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (Annexure No.2) has been given by the salt manufacturers of the salt works. The salt manufacturers have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C & D waste materials during night hours in salt pan lands with motive to grab / encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.

Amd. M. Vadra

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		notices to salt salt pan operators / salt manufactures for the same. e) Action taken report be submitted to the Department at the earliest.	It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Harmoz salt works bearing CS No. 144 & 145 which is adjacent to land bearing CS No. 117. We are not auware of any initiative / action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT. Copy of reply of office of Deputy Collector, Mumbai city t is attached as Annexure V **DELIBERATIONS:** Principal Secretary, Env&CC Department noted the reply and instructed Salt Department to provide all necessary assistant to MCGM and District Collector office in order to comply with directions of the Hon'ble NGT. He pointed out that as per Hon'ble NGT order, "The Salt Commissioner, Mumbai has also to take necessary action in the matter" Therefore, it is mandatory for the office of the Salt Commissioner Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to comply with the order of Hon'ble NGT. Further, Salt Department need to come with practical measures to prevent encroachment and dumping on the land in future.

6. From the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of inter-departmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction/negligence.

7. The ACS, Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove

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plantation. Let the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by e-mail at judicial-ordogoyan preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If any further direction is found necessary, he may place the matter before the Bench.

Subject to above, the Application is disposed of.

A copy of this order be forwarded to Chief Secretary, Maharashtra, Sole Commissioner, Mumbai, MCZMA and NCZMA by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 15, 2023
Original Application No. 343/2021
AS

Exh - 12 (78)

Office of the Superintendent of Salt
Mumbai 400 042 Mumbai 400 001

No. D-11030(7)Wdl/2022-23/

To,

1) Shri Muralilal N. Garodia,
Sheela Apartment, 4th Floor,
Off Bhulabhai Desai Road,
MUMBAI – 400026.

2) Shri Byram Rohinton Dhalla,
Putla Mansion, Darabsha Road,
Off Napeansea Road,
MUMBAI – 400026.

(Through the Deputy Superintendent of Salt, Wadala)

Sir,

Sub : OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) before Principal Bench of National Green Tribunal, New Delhi - Removal of C&D waste dumped in CS No. 144 pt. of Salt Pan Division – Reg.

Please refer to the letter No. S-11011(30)Salt/84/5430-5436 dated 29.10.20222 of the Deputy Salt Commissioner, Mumbai addressed to you on the above subject.

It is being insisted by the Environment Department that the C&D debris dumped in Hormoz salt works should be removed forthwith.

The hearing of OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) was held on 15.03.2023 before the Hon'ble Principal Bench of the National Green Tribunal, New Delhi and this office and other concerned were directed to attend the hearing through VC. During the hearing, the Hon'ble NGT expressed strong view about non-removal of C&D waste from Hormoz salt works and directed all concerned to remove the same immediately as per order dated 28.09.20222. A copy of order dated 28.09.2022 of the Hon'ble NGT in OA No

Page 1 of 2

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Superintendent of Salt.
Bhandup

1) Copy for kind information to the Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.

2) Copy submitted to the Salt Commissioner, Jaipur for kind information.

3) Copy submitted to the Deputy Salt Commissioner, Mumbai for kind information

4) Copy to the Deputy Superintendent of Salt, Wadala for information and necessary action. He may hand over the letter to the concerned and ensure removal of C&D waste by the salt manufacturers within the time period as stated above. If they fail to do so, he may file FIR against them.

Smt. M. Vaidya

Exh-13

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Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

To,

The Deputy Salt Commissioner,
Exchange Building ,
Ballard Estate ,
Mumbai .

Dated -27/04/23

Sub – Removal of C&D Waste used for protective Bund (embankment) fortification from C.S.No.145 .

Madam ,

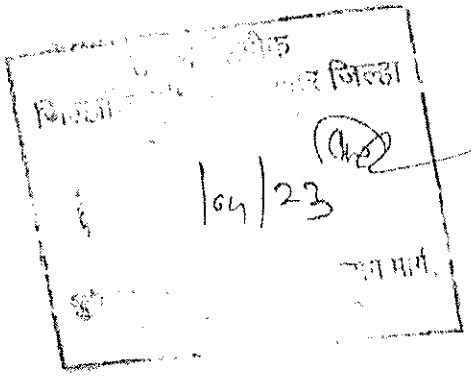
Please refer to your letter No. C. No.S-11011(30)Salt/84/5430, dated 29/10/2022 addressed to us.

As per your directions in the letter we are willing to remove the C&D Waste used by us in 2021 to strengthen and fortify our existing embankment in view of the rising sea tide levels owing to changes in weather patterns.

The removal of the said C&D waste would be a lengthy process, more over it requires NOC from MCGM to use permissible site to dump the removed C & D waste. Besides this, the salt manufacturing season is ongoing and the monsoons are impending during which period no activity in the salt pan lands can be carried out. We therefore request you to provide us with six months time to take up and complete this work. We also request you provide us with all the necessary permissions and guidance from all concerned parties involved in the removal and disposal of this waste to complete this activity in a compliant manner.

We want to ensure that our efforts and compliance will close this matter completely from all angles.

प्रेषक लिपिक Time 13:36 PM.
DESPATCH CLERK
उप नमक आयुक्त कार्यालय
O/o Dy. Salt Commissioner
मुंबई/Mumbai



Subject to Mumbai Jurisdiction
HORMOZ SALT WORKS
MFG OF: INDUSTRIAL KITCHEN & IODIZED SALT
Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037
T: Off.: 022-23513327 / 98200 86081 / 99209 97200

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We will lift the waste and revert the embankment dimensions to the status quo ante to the enhancement work we carried out in 2021, subject to receiving all necessary permissions clearances, NOC's.

On lifting of this waste we would request you to issue a letter of satisfactory compliance to the points raised by you in your above-mentioned letter.

Madam, we will remove the waste from the bund and simultaneously put WEEP and other permissible items to repair and strength the existing bund to save our salt works and the salt stock present there from any damage likely to be caused by next ensuing tide. Since this is an extremely expensive process and we seek whatever support and relief the Department can give us to enable economical continuity of our business, it would be better if a personal hearing is given to us to explain the entire process of removing C & D waste from the bund and simultaneously repair and strengthen it .

Yours Faithfully

Hormoz Salt Works

B. A. Dalal

1. Principal Secretary, Environment and Climate Change Department, 2nd Floor, Room No. 217, Annex Building, Mantralaya, Mumbai
2. Municipal Corporation of Greater Mumbai, Mahapalika Marg, Fort, Mumbai
3. District Collector, Mumbai City, Old Customs House, Mumbai City

Dinesh M. Gandhi

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

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4. Superintendent of Salt Bhandup ,with ref. to this letter No. C. No.D-11030(7)WDL/2022/227, dated 16/03/2023 .
5. Deputy Superintendent of Salt Wadala, office at Bhandup
6. Asst.Engineer(SWM),F/N Ward , ref.No.A.E/S.W.M/1666

Received the letter for the Supdt. of Salt, Bhandup & the Dy. Supdt. of Salt, Wadala.

27/04/2023

(S. N. PANDEY)

Dy. Supdt. of Salt, Wadala.

(स.क.व्य.)
२८ APR 2023
/(स.क.व्य.)

(अ.आ.)

Exh-14
(83)

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

To,

The Deputy Superintendent of Salt,
(Wadala)
Exchange Building ,
Ballard Estate ,
Mumbai .

Dated -19/06/23

Sub Removal of C&D Waste used for protective Bund (embankment) fortification from C.S.No.145 .

Sir ,

Today we had called four dumper vehicles to lift and transport the bund C & D Waste and to send it to the NNMC recycling plant. The bund has become weak due to plying of loaded dumper on the bund and has slid from one side due to which the drivers are not ready to take there dumper on the bund . We also like to mention that as per NMMC Plant this Bund waste is a of mixture of many different kinds of materials like soil, brick peace, POP powder, pieces of tiles, plastics Gypsum and many other waste in this C&D waste so NMMC is unloading vehicle in there dumping LandFill site. So we are finding it difficult to lift the same , so we request you to provide us some time.

Yours Sincerely

Garodia M S

Mr. Murarilal N.Garodia

21/06/23

M. N. Garodia

Exh-15

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Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

Off.: 022-23513327 / 98200 86081 / 99209 97280

Ranjeet Kumar Gupta whatsapp Photo

To,
The Deputy Superintendent of Salt,
(Wadala)
Exchange Building ,
Ballard Estate ,
Mumbai .

Dated -19/06/23

Sub – Removal of C&D Waste used for protective Bund (embankment) fortification from C.S.No.145 .

Sir ,

Today we had called four dumper vehicles to lift and transport the bund C & D Waste and to send it to the NNMC recycling plant. The bund has become weak due to plying of loaded dumper on the bund and has slid from one side due to which the drivers are not ready to take there dumper on the bund . We also like to mention that as per NMMC Plant this Bund waste is a of mixture of many different kinds of materials like soil, brick peace, POP powder, pieces of tiles, plastics Gypsum and many other waste in this C&D waste so NMMC is unloading vehicle in there dumping LandFill site. So we are finding it difficult to lift the same , so we request you to provide us some time.

Yours Sincerely

Garodia M.N

Mr. Murarilal N.Garodia

21/06/23

Murl. M. Garodia

(85)

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

To,
The Deputy Superintendent of Salt,
(Wadala)
Exchange Building ,
Ballard Estate ,
Mumbai .

Dated -21/06/23

Sub – Removal of C&D Waste used for protective Bund (embankment) fortification from C.S.No.145 .

Dear Sir ,

This is with reference to the MCGM letter No AE/SWM 4174 F/N Dated 06/06/2023 where in names of the processing and recycling plants are provided, we had approached the "Godrej C&D Waste Processing Plant" for the disposal and processing of our C&D waste but as per the report (enclosed) by them it is a mix of all types of construction debris .Then we also contacted "NMMC C&D Waste plant" they have accepted to take our C&D Waste but as per the feedback from the drivers of the dumpers going to NMMC Plant, this Bund waste is a of mixture of many different kinds of materials like soil, brick peace, POP powder, pieces of tiles, plastics Gypsum and many other waste in this C&D waste so NMMC is unloading vehicle in their dumping LandFill site. According to this our C&D waste in this form cannot be recycled or processed so now we request you to give us permission to dump this waste at the designated dumping site or land fill and not process or recycle as this material as it is not concrete waste but a mixture of everything.

I would also like to mention that only one set of hydraulic excavator and few dumpers can we used at one time as there is path way for only a single dumper to move around and due to continuous movement of the loaded dumpers the bund it sinking and sliding , we are repairing the bund and disposing the waste simultaneously , kindly provide sufficient time for the same .

Yours Sincerely

Mr. Murarilal N.Garodia

Encl. Repost of Godrej C & D waste processing plant

Copy To
Deputy Salt commissioner

Received
22/06/23
Murarilal N. Garodia

86

Gmail

Anmol Garodia <anmol.garodia7@gmail.com>

FW: Construction debris

2 messages

Byram Dhalla <byramdhalla@bddhalla.com> 19 June 2023 at 17:
To: Anmol Garodia <anmol.garodia7@gmail.com>

This the most I could get from Godrej

Thanks & regards

Byram

From: MEHERNOSH POONIWALA [mailto:pmn@godrej.com]
Sent: 19 June 2023 04:58 PM
To: Byram Dhalla <byramdhalla@bddhalla.com>
Subject: Construction debris

Classification: Public

Dear Mr. Byram

As per site visit done by my team. The waste available is a mix of all construction debris. Our recycling plant is capable of only processing Concrete waste(debris). So we will not be able to process your Copstruction debris.

Regards,

Meherrnosh N. Pooniwala

Associate Vice President & Head Construction Materials
Godrej Construction

"The information in this message and any files transmitted with it are confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by anyone else is unauthorised. If you are not the intended recipient, you are notified that any disclosure, copying, or distribution of the message, or any action or omission taken by you in reliance on it, is strictly prohibited and may be unlawful. Please contact the sender immediately if you have received this message in error and promptly destroy the original communication." "The information in this message and any files transmitted with it are confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by anyone else is unauthorised. If you are not the intended recipient, you are notified that any disclosure, copying, or distribution of the message, or any action or omission taken by you in reliance on it, is strictly prohibited and may be unlawful. Please contact the sender immediately if you have received this message in error and promptly destroy the original communication."

87

Byram Dhalla <byramdhalla@bddhalla.com>
To: MEHERNOSH POONIWALA <pmn@godrej.com>
Cc: Anmol Garodia <anmol.garodia7@gmail.com>

19 June 2023 at 17:0

Dear Sir,

Many thanks for the note clarifying the reason behind Godrej's inability to process the C&D waste lying at our site.

Thanks & regards

Byram R. Dhalla

(Quoted text hidden)

Anmol M. Garodia.

Exh-16 (88)

FORM-1 A

I.I.F.-I

पहिली खबर
FIRST INFORMATION REPORT

फौजदारी प्रक्रिया संहितेच्या कलम 154 अन्वये (Under Section 154 Cr. P.C.)

1. राज्य State महाराष्ट्र जिल्हा District मुंबई पोलीस ठाणे Police Station वरळी पहिली खबर क्र. FIR No. 144 वर्ष Year 2023 दिनांक Date 05/08/23

2. (i) अधिनियम Act शापविधी कलमे Sections 188, 34.
   (ii) अधिनियम Act ..... कलमे Sections .....
   (iii) इतर अधिनियम व कलमे Other Acts and Sections .....

3. (a) अपराधाची घटना : वार ....., तारीख पासून मार्च 2020 ते मार्च 2022 वेळ ....., तारीख पर्यंत ..... वेळ .....
   Occurrence of offence : Day Date from Time Date to Time
   घेळेचा अवधी (प्रहर) (योग्य ठिकाणी ✓ अशी खूण करा. Tick applicable portion)
   (1) 00.00 ते 03.00 (2) 03.00 ते 06.00 (3) 06.00 ते 09.00 (4) 09.00 ते 12.00 (5) 12.00 ते 15.00
   (6) 15.00 ते 18.00 (7) 18.00 ते 21.00 (8) 21.00 ते 24.00 (9) 06.00 ते 18.00 (10) 18.00 ते 06.00
   (b) पो. ठा. ला माहिती मिळाल्याची तारीख 05-08-23, वेळ 15:00
   Information received at P.S. Date Time
   (c) गुन्हा दाखल झाल्याचा सर्वसाधारण रोजनिशी नोंद क्र. 58/205 तारीख 05/08/2023 वेळ 20:15
   General Diary Reference : Entry No. Date Time

4. माहितीचा प्रकार Type of Information : तोंडी लेखी / तोंडी Written / Oral .....

5. गुन्हा घडल्याचे ठिकाण (a) पोलीस ठाण्यापासून अंतर व दिशा 4 कि.मी. चौकी / बीट / दूरक्षेत्र नाव व क्र. वरळी नाका
   Place of Occurrence : (a) Direction and distance from P.S. Chouki/Beat/O.P. Name and No.
   (b) गुन्हा घडल्याचे ठिकाणाचे नाव सी.जे.एच. ठिकाणाचे नंबर सी.जे.एच. क्र. वार्ड 144, 145 रस्त्याचे नाव .....
   Address of Occurrence Name No. if any Ward Name of road
   जवळचे ओळख चिन्ह / ठिकाण ....., गाव ....., पोस्ट ....., तालुका ....., जिल्हा ..... राज्य .....
   Nearest identifiable Place Village Post Taluka Distt. State
   (c) पोलीस ठाणेचे हद्दीबाहेर असल्यास त्या पो. स्टे. चे नाव ....., तालुका ....., जिल्हा ..... राज्य .....
   In case, outside the limit of this Police Station Taluka Distt. State

6. तक्रारदार / खबर देणाराचे नाव व पत्ता Complainant / Informant : Permanent Address.
   (a) नाव Name श्री रंजीत कुमार (b) वडीलाचे / पतीचे नाव श्री देवजी प्रसाद
   Father's / Husband's Name
   (c) जन्म तारीख व वय ..... 57 वर्षे (d) राष्ट्रीयत्व भारतीय फोन नं. 9016233
   Date of Birth & Age Nationality Phone No.
   (e) पारपत्र क्रमांक ..... दिल्याचा दिनांक ..... दिल्याचे ठिकाण ..... (f) व्यवसाय शेती
   Passport No Date of Issue Place of Issue Occupation
   (g) धर्म Religion ..... वर्ण Caste ..... जन्मजात Sub-Caste .....
   खरी खबर लिहून घेतली : M.S. विभाग/मार्ग/पो. ठाणे दिनांक, मुलुंक चेक नं. 3131 फोन ..... सोबत
   Address : Ward House/Name No. Phone/M. No. Bag No. Card No
   रस्त्याचे नाव 1/5/212 जवळचे परिसराचे ठिकाण [illegible] गाव मुलुंक पोस्ट मुलुंक
   Road Nearest identifiable place Village Post P. Stn
   तालुका ..... जिल्हा ..... राज्य ..... सध्याचा पत्ता .....
   Taluka Distt. State Present Address

   दाणे अंमलदार
   खरा फोनीय ग्राह्य

7. माहिती असलेल्या आरोपीचे संपूर्ण नाव व पत्ता (आवश्यक असल्यास स्वतंत्र कागद जोडावा.) (संशयीताचे वर्णन प. ठ. रिपोर्टच्या पाठी 1B वर लक्षात घेऊन तपासीक अंमलदाराच्या प्रथम खबरीला व सं. अधिकाऱ्या यांच्या फाईलला जोडावे.)
   Details Name & Address of known Accused (Attach separate sheet, if necessary.) (If suspect particular of physical feature write on form 1-B of attach FIR 1-B to case diary.)
   1) [illegible]
   2) [illegible]

K.M. Gadia

89

પત્રક

તા. 04-08-2

[illegible] શ્રી રમેશ કુમાર
[illegible] શ્રી ધીરજલાલ પ્રભાદાસ) વય 57 વર્ષ, ધંધો
[illegible] રહેવાસી ફ્લેટ નં. [illegible] બિલ્ડિંગ [illegible]
[illegible] ફ્લેટ નં. [illegible] બેઝ સ્ટ્રક્ચર, [illegible] રોડ, [illegible]
[illegible] મોજે [illegible] (2) મુંબઈ [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

આપનો

[illegible]
(રમેશ [illegible])
[illegible]
[illegible]
[illegible]

[illegible]
[illegible]
[illegible]

(90)

जबाब

दिनांक 04/08/23

श्री रंजीत कुमार (वडीलांचे नाव – श्री बैदयनाथ प्रसाद) वय 57 वर्षे, धंदा – नोकरी (डेप्युटी सुप्रीटेंडंट, मिठ विभाग, मुंबई) रा. ठी. मिठ विभागाची बिल्डींग, गुलूड गेस्ट हाउस, मिठागर रोड सहदेव पाटकर चौक, मुलूंड पुर्व, मुंबई मो कं 7016293380

मी वरीलप्रमाणे असुन वर नमुद पत्यावर मागील एक महिन्यांपासुन राहावयास आहे. मी मिठ विभागामध्ये डेप्युटी सुप्रीटेंडंट या पदावर मागील चार वर्षांपासुन काम करतो. यापुर्वी मी गुजरात येथ कामाच्या ठिकाणी राहावायास होतो. माझी बदली झाल्यामुळे दिनांक 15/05/2023 रोजी माझी भांडुप सर्कल येथे बदली दर्शविली. तेव्हापासुन मी मुंबई येथे राहावयास आहे. माझे मुळ गाव भवानी भंडार, केअर ऑफ बैदयनाथ प्रसाद, बख्तीयारपुर बाजार, बख्तीयारपुर, जिल्हा पटणा, राज्य बिहार पिन कोड 803212 येथे राहावयास आहे.

दिनांक 19/05/23 रोजी मी वडाळा सॉल्ट फॅक्टरीचा चार्ज घेतला. वडाळा सॉल्ट फॅक्टरी या कार्यालयाच्या कार्यक्षेत्रात सी एस नं 144, 145 या जमिनीचा समावेश होतो. दिनांक 08/06/2023 रोजी मिटींग घेण्यात आली. त्या मिटींगमध्ये सी. एस. नं 144, 145 यावर मिठ उत्पादकांनी सी आर झेड नोटीफिकेशन 2019 अन्वये सीआरझेड वन ए चे उल्लंघन करुन सी ॲन्ड डी वेस्ट टाकल त्यांनी सि ॲन्ड डी वेस्ट काढले नाही तर त्यांचेविरोधात कायदेशीर तकार करणेबाबत आदेशीत झाल सदर प्रकरणाची हकिकत पुढीलप्रमाणे–

दिनांक 10 /02/1914 रोजी सी. एस. नं 144, 145 ही मिठ विभागाची जमिन मिठ उत्पादन करणेकरीता नानाभाई हॉर्मोन्सजी भिवंडीवाला यांना ग्राउंड रेंट करार करुन देण्यात आली आह दिनांक 24/05/2000 रोजी नानाभाई भिवंडीवाला यांनी नमुद जमिन श्री मुरारीलाल एन गरोडीय आणि श्री बायराम रोंहिगटंन ढल्ला यांना नमुद जमिन मिठ उत्पादन करणेकरीता ग्राउंड रेट करारावर देण्यात आली. नमुद जमिनीवर तयार होणारे मिठाचे उत्पादन, त्यांची क्वालीटी, यावर देखरेख करण हे काम मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोंहिगटंन ढल्ला हे करत आहेत.

मधुरा राजेश तावडे यांनी महाराष्ट्र राज्य यांचेविरोधात नॅशनल ग्रीन ट्रिब्युनल कोर्ट येथे अर्ज केला होता. त्या अर्जामध्ये असे म्हटले आहे की, सी. एस नं 144, 145 आणि 117 येथे काही लोकांनी मिठागाराच्या जमीनीवर दलदलीत जमिनीवर सी ॲंड डी वेस्ट टाकले आहे. त्यामुळे मिठ विभागाच्या जमिनीवरील मॅंग्रुजच्या झाडांना हानी पोहोचली आहे. मॅंग्रुव्हजची झाडे मुबईच्या वातावरणासाठी महत्वाची आहे. असे असले तरी मिठ विभागाच्या दलदलीच्या जमीनीवर सी ॲंड डी वेस्ट टाकल्यामुळे मॅंग्रुव्हच्या झाडांना हानी पोहोचली आहे. त्यांची ही कृती पर्यावरण सुरक्षा कायदा 1986 च्या अंतर्गत सीआरझेड रेग्युलेशच्या विरोधात आहे.

मधुरा तावडे यांनी केलेल्या अर्जावर मा. ट्रिब्युनल कोर्टाने नमुद प्रकरणाची माहिती घेण्यासाठी सहा सदस्यांची एक कमिटी बनविण्यात आली. नमुद कमीटीने चौकशी अंती त्यांचा

Kamal. M. Gadia

(१)

अहवाल दिला आहे की, सी. एस नं 144, 145 या जमिनीवर समुद्राचे पाणी मिठ बनते त्या जमिनीवर येउ नये म्हणुन येथे सी ॲन्ड वेस्ट चा वापर करुन एक बांध बांधण्यात आला आहे.

नमुद बांध बांधण्याकरीता मिठ विभागाची परवानगी घेण्यात आली आहे किंवा कसे याबाबत मिठ विभागाला मा. ट्रिब्युनल कोर्टाने विचारणा केली. त्यावर मिठ विभागाने मा. ट्रिब्युनल कोर्टाला कळविले की, सन 2022 मध्ये श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन ढल्ला यांना नमुद मिठ विभागाच्या जागेवर सी ॲन्ड वेस्ट, रेती पुर्व परवानगी न घेता टाकली. त्यामुळे मिठ विभागाच्या वतीने नोटीस देण्यात आली होती. नमुद नोटीसीला श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन ढल्ला यांनी उत्तर दिले नाही. तरीच सी ॲन्ड डी वेस्ट उचलणेकरीता कायम परवानगी मिठ विभागाच्या वतीने देण्यात आली नसल्याचे सांगितले.

तरीच मा ट्रिब्युनल न्यायालयाने दिनांक 28/09/2022 रोजी दोन महिन्यांच्या आतमध्ये मिठ विभागाने डेप्युटी सॉल्ट कमिशनर आणि एफ(एन)/एम (डब्ल्यु) वॉर्ड , मुंबई महानगरपालिकेने यांच्या पर्यवेक्षणाखाली सी. एस. नं 144, 145 येथे बांधण्यात आलेले सी ॲन्ड डी वेस्ट उचलण्यात यावे असे आदेशीत केले. नमुद नोटीफिकेशनच्या अनुषंगाने जा. क्रं C.No S 11011 (30) Salt/86 दिनांक 29/10/2022 अन्वये मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन ढल्ला यांना सी आर झेड नोटीफिकेशन 2019 बाबत माहिती देउन त्यांनी सी ॲन्ड डी वापरुन नविन बंधारा काढण्यास यावा असे कळविले. सी आर झेड नोटीफिकेशन 2019 अन्वये सीआरझेड १ अंतर्गत भरतीचे वृक्ष असतील त्या परिसरात 50 मिटर अंतराच्या आतमध्ये कोणत्याही प्रकारचे बांधकाम सी ॲन्ड डी वर्क करणेस मनाई करण्यात आली.

माझी नियुक्ती वडाळा सॉल्ट फॅक्टरीमध्ये झालेनंतर दिनांक 29/05/23 रोजी डेप्युटी सॉल्ट कमिशनर, मुंबई या ठिकाणी नियुक्ती झाली. त्यानंतर मला वरीलबाबत माहिती मिळाली. तसेच मा न्यायालयाने पुन्हा आदेश देउन सी ॲन्ड डी वेस्ट काढुन घेणेबाबत आदेश दिला. म्हणुन मी मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन ढल्ला यांना जा क्रं C.No 0-11030 (1) land/2008/II 2486-2494 दिनांक 29/05/2023 रोजी नोटीस दिली.. त्यामध्ये ७ दिवसांच्या आतमध्ये सी. एस. नं 144, 145 मध्ये बांधण्यात आलेले सी ॲन्ड डी वेस्ट काढुन टाकणेस सांगितले. त्यावेळी मिठ उत्पादकांनी सी ॲड डी प्रोसेसींग करीता कोणत्या युनिटमध्ये प्रोसेसिंग करण्यात येणार आहे अशी विचारणा मिठ विभागालाकेली. त्यावेळी मी मिठ विभागाच्या वतीने स्वत: तसेच तिन प्रोसेसींग प्लांटमध्ये घेउन गेलो. त्यामधील नवी मुंबई महानगरपालीकेचे तुर्भे येथील प्रोसेसींग युनिटमध्ये सी ॲन्ड डी वेस्ट उचलल्यानंतर प्रोसेसिंगकरीता घेउन जाण्यास मिठ उत्पादक तयार झाले त्यानुसार मिठ उत्पादकाने दिनांक 14/06/2023 पासुन नवी मुंबई महानगरपालीकेने तेथील प्रोसेसींग युनिटमध्ये सी एस नं 144 व 145 यावर टाकलेले सी ॲन्ड डी वेस्ट उचलण्यास सुरुवात केली.

परंतु सी ॲन्ड डी वेस्ट उचलण्याकरीता मी वारंवार त्यांच्याकडे पाठपुरावा केला. मिठ उत्पादक सी ॲन्ड डी वेस्ट उचलणेकरीता मुददाम टाळाटाळ करत असलेबाबत लक्षात

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आहे. दिनांक 14/06/2023 ते अदयापपर्यंत जेवढे सी ॲन्ड डी वेस्ट उचलणे आवश्यक त्याप्रमाणात मिठ उत्पादक सी ॲन्ड डी वेस्ट उचलत नाहीत.

तरी सी आर झेड नोटीफिकेशन 2019 अन्वये सीआरझेड वन ए अंतर्गत मॅंग्रव्ह वृक्ष असलेल्या त्या परिसरात 50 मिटर अंतराच्या आतमध्ये कोणत्याही प्रकारचे बांध बांधणे सी ॲन्ड डी वर्क करण्यास मनाई करण्यात आली. सदर आदेशाची अवज्ञा करुन मिठ उत्पादक यांनी वडाळा पोलीस ठाणे हद्दीतील सी एस नं 144 आणि 145 यावर मार्च 2020 ते मार्च 2022 कालावधीत सी ॲन्ड डी वेस्टचा वापर करुन बांध बांधला. म्हणुन त्यांना मिठ विभागाच्या वतीने मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटंन ढल्ला यांना मिठ विभागाच्या वतीने जा कं C.No D - 11030 (7) wdl/2022/226/27 दिनांक 16/03/2023, जा कं C.No D - 11030 (1) land/2008/II 2486-2494 दिनांक 29/05/2023, जा कं C.No D - 11030 (1) land/2008/II 2485-2685 दिनांक 08/06/2023, जा कं C.No D - 11030 (1) land/2008/II 2800 दिनांक 14/06/2023 अन्वये नोटीस काढली. परंतु तरीदेखील मिठ उत्पादकांनी सी ॲन्ड डी वेस्ट तात्काळ न काढुन अवज्ञा केली. म्हणुन माझी मिठ उत्पादक श्री मुरारीलाल एन गरोडीया रा. ठी. शिला अपार्टमेंट, चौथा माळा, भुलाबाई देसाई रोड, मुंबई 26 आणि श्री भायराम रोहिंग्टन ढल्ला रा. ठी. पुतळा मॅन्शन, दराबशा रोड, नेपन्शीया रोड, मुंबई 400026 यांच्या विरोधात सरकारतर्फे कायदेशीर तकार आहे.

माझा जबाब मराठीत टंकलीखीत केला असुन तो मी वाचुन बघितला असता माझे सांगणेप्रमाणे बरोबर व खरा आहे.

समक्ष

(सविता वाहुळे)
सहायक पोलीस निरीक्षक
वडाळा पोलीस ठाणे, मुंबई

Ranjeet Kumar

Bhushan M. Gavali

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फिर्यादी/खबरीने नमूद करण्यास उशीर झाल्याची कारणे
Reasons for delay in reporting by the complainant/informant

घटनेच्या संबंधातील मालमत्तेचा तपशील (आवश्यकतेनुसार जादा कॉलम जोडावा) सोबतच्या कोऱ्या पानावर तपशील लिहावा
Particulars of properties stolen and involved (Attach necessary Proforma) write down details on blank back page

(ब) चोरीस गेलेल्या / अंतर्भूत मालमत्तेचे एकूण मूल्य
Total Value of properties stolen / involved

(क) परत मिळालेली मालमत्ता (Recovered Properties)

संबंधित अन्य / आकस्मिक मृत्यू अकस्मात मृत्यूचा गुन्हा क्रमांक
Connected / Accidental Death Case No., if any

थोडक्यात एकत्रित माहितीचा तपशील (आवश्यक असल्यास स्वतंत्र कागद जोडावा) सोबतच्या कोऱ्या पानावर तपशील लिहावा.
Brief information brief contents (Attach separate sheet, if required) Detail write down back blank page

केलेली कार्यवाही :- 1. वरील विवेचनावरून कलम ..... 2 मध्ये नमूद कलमाप्रमाणे गुन्हा दाखल करून तपासात घेतला, तपास करण्याचे आदेश दिले व

Action taken :- Since the above information reveals Commission of offence (s) u/s as mentioned at Item No. 2

1. Registered the case and took up the Investigation or Directed (Name of I.O.) ..... Rank..... No
to take up the Investigation or

(2) Refused Investigation due to ..... (3) Transferred to P.S .....
District ..... on point of jurisdiction.

फिर्यादीचा / फिर्यादीचे जबाब वाचून पाहिले. फिर्याद वरील लिहिली असल्याचे वाचून / वाचून / ऐकून बरोबर आहे असे त्यांनी सांगितल्याने त्याने खाली सही व त्यांचा ठसा घेतला असून फिर्याद त्यांना देण्यात आली.

F.I.R. read over to the Complainant/informant, admitted to be correctly recorded and a copy given to the Complainant.

फिर्यादीची सही व ठसा
Signature and Thumb impression of the Complainant / Informant.

पोलीस ठाणे प्रभारी अधिकाऱ्याची सही.
Signature of Officer In-charge, Police Station
संपूर्ण नाव Name
पदनाम Rank
नेमणूक Posting
Code No. of I. O.

वरील गुन्ह्याचा तपास केला.
Case Investigated

निकाल / सद्यस्थिती
Result and true of submitted to the Court

प्रत : 2. फिर्यादी, 3. पोलीस अधीक्षक (संगणक), 4.तपासिक अंमलदार, 5. स्वत्र प्रत.
Copy to: 2. Complainant, 3. Supdt. of Police (Computer), 4. Inv. Officer, 5. Office Copy.

(See heading section 2 of First Information Report)

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FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

1. State: Maharashtra, District: Mumbai, Police Station; Wadala, FIR No. 144, Year: 2023 Date; 04/08/2022

2. (i) Act: Indian Penal Code Sections: 188, 34

(ii) Act:

(iii) Other Acts and Sections:

3. (a) Occurrence of offence: Day, Date from March 2020 to March 2022

(1) 00.00 to 03.00 (2) 03.00 to 06.00 (3) 06.00 to 09.00

(4) 09.00 to 12.00 (5) 12.00 to 15.00 (6) 15.00 to 18.00

(7) 18.00 to 21.00 (8) 21.00 to 24.00 (9) 06.00 to 18.00

(10) 18.00 to 06.00

(b) Information received at P.S. 04.08.23 Time: 19.00 hrs.

(c) General Diary Reference No. 48/23 Date: 04/08/2023 Time: 20.15 hrs.

4. Type of Information: personally Written/Oral:

5. Place of occurrence (a) Direction and distance from P.S. Towards south 04 KM, Beat No. 03

(b) Address of occurrence Name: Salt Pan Department,

No. if any: C.S. No. 144, 145, Ward Name of Ward

Nearest identifiable place: Village Post Taluka Dist State

Smt. M. Gadia.

Smt. M. Gadia

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(c) In case outside the limit of this police station

6. Complainant/Informant: Permanent Address

(a) Name: Mr. Ranjit Kumar (b) Father's Name: Baidyanath Prasad

(c) Date of Birth & Age: 57 yrs (d) Nationality: Indian

Mh No. 701629380)

(e) Passport No. Date of issue Place of Issue Occ; Service

(g) Religion: Caste Sub-Caste

(h) Address: Salt department building, Mulund Guest House, Mithagar Road, Sahdev Patkar Chowk, Mulund East, Mumbai

Details Name & Address of known Accused(Attach separate sheet, if necessary) (If suspect particular of physical feature write on form 1-B of attach FIR 1-B to case diary)

1) Muralilal N. Garodiya, R/at- Sheela Apartment, Fourth Floor, Bhulabhai Desai Road, Mumbai- 26

2. Bhayram Robington Dhalla, R/at- Putala Mansion, Darabsha Road, Nepiyancy Road, Mumbai- 26

B.N.D. M. Gandia

B.N.D. M. Gandia

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Statement Dated 04-08-23

The statement of the complainant namely Mr. Ranjit Kumar (Father's Name - Shri Vaidaynath Prasad, Age 57 Years, Occupation; Service (Deputy Superintendent, Salt Department, Mumbai) R/o- Salt Department Building, Mulund Guest House, Mithagar Road Sahdev Patkar Chowk, Mulund East, Mumbai has been typed on computer and it should be consider as First Information Report.

Before

Sdxx

(Savita Wahule)

Asst. Police Inspector

Wadala Police Station, Mumbai

Ranjeet Kumar

Rnjt. M. Gadiar

Rnjt. M. Gadiar.

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Reasons for delay in reporting by the complainant/informant: After enquiry of the complaint application.

Particulars of properties stolen and involved (Attach necessary proforma) write down details on back blank page.

(a) Total value of properties stolen/involved.

(b) Recovered properties.

Unnatural/Accidental Death Case No. if any

D. M. Gadia

D. M. Gadia

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12. First Information brief contents (Attach separate sheet if required) Detail writ down back blank page.

At the date, time and place mentioned above, the accused, Salt Producer which names mentioned in Column No. 07, under the CRZ Notification 2019, the construction of any kind at C.S. No. 144, 145 of Salt Division land where there are mangroves under CRZ(A) is prohibited but they contempt of said order and from March 2020 to March 2022 during this period they used C & D Waste on said land and constructed dam there and committed breach of the notices issued by Salt Division, hence offence has been lodged.

13. Action Taken: Since the above information reveals commission of offence u/s. as mentioned at Item No. 2:

(1) registered the case and took up the investigation or Directed (Name of I.O. API Savita Vahule, Rank..... No. to take up the investigation or.

(2) Refused investigation due to ..... (3) transferred to P.S. ..... District ..... on point of jurisdiction.

F.I.R. read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/ informant free of cost.

Amol M. Gaudia.

Amol M. Gaudia.

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12. Signature & Thumb impression of the complainant/ informant

Signature of Officer In-charge, police Station
Name: Savita Vahule
Rank: API, Wadala P.S.

13. Date and time of submitted to the Court Posting:

Copy to. 2. Complainant, 3. Supdt. Of Police (Computer), 4. Inv. Officer. 5. Office Copy

Attachment to Item 7 of First Information report

Asstd. M. Go. A...

Asstd. M. Vandia...

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Statement Dated 04/08/23

I, Mr. Ranjit Kumar (Father's Name - Shri Vaidaynath Prasad, Age 57 Years, Occupation; Service (Deputy Superintendent, Salt Department, Mumbai) R/o- Salt Department Building, Mulund Guest House, Mithagar Road Sahdev Patkar Chowk, Mulund East, Mumbai, Mb. No. 7018293380,

I am as above and residing at above mentioned address for last one month. I am working as Deputy Superintendent in Salt Department since last four years. Earlier I was staying at work place in Gujarat, due to my transfer shown transfer to Bhandup Circle on 15/05/2023. Since then I am staying in Mumbai. My native village is Bhawani Bhandar, Care of Vaidayanath Prasad, Bakhtiyarpur Bazar, Bakhtiyarpur, District Patna, State Bihar Pin Code 803212.

On 19/05/23 I took charge of Wadala Salt Factory and C.S. No. 144, 145 is included in the office area of Wadala Salt Factory. Meeting was held on 08/06/2023. In that meeting C. S. No. 144, 145, the salt producers have dumped C&D waste in violation of CRZ One A under CRZ Notification 2019 and if they do not remove the C&D waste, legal action was ordered against them. The facts of the case are as follows-

Kind. M. Gandian

Kind. M. Gandian

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On 10/02/1914 the land bearing C. S. No. 144, 145 of Salt ...mission has been given to Nanabhai Hormonesji Bhiwandiwala on ground rent agreement for salt production. On 24/05/2000 Nanabhai Bhiwandiwala has given said land to Mr. Murarilal N Garodia and Mr. Byram Rohigton Dhalla on ground rent agreement for salt production. Monitoring the production, quality of salt produced on said land is being done by salt manufacturers Mr. Murarilal N. Garodia and Mr. Bairam Rohigton Dhalla.

Madhura Rajesh Tawde had filed an application in the National Green Tribunal Court against the State of Maharashtra In that application it is stated that C.S. No. 144, 145 and 117, some people have dumped C&D waste on marshy land on the salt factory land. Due to this, the mangroves trees on the land of Salt department have been damaged. Mangroves trees are important to Mumbai's environment. However, the mangroves trees have been damaged by dumping of waste on the land of Salt Department, C & D. Their action is against the CRZ Regulations under the Environment Protection Act, 1986.

On the application made by Madhura Tawde the Hon'ble Tribunal Court constituted a six-member committee to inquire into the said case and after due inquiry by the said Committee,

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they have given their report that a dam has been constructed using sea and waste to prevent sea water from getting into the land where it becomes salt at C.S. No. 144, 145.

The permission of the salt department has been taken for constructing said dam or how to ask the salt department. The Tribunal asked. The salt department informed to the court that, in the year 2022 Mr. Murarilal N Garodia and Mr. Byram Rohigton Dhalla C & Waste sand dumped on the site of said land without prior permission. At that time a notice was given on behalf of the salt department. Mr. Murarilal N. Garodia and Mr. Byram Rohigton Dhalla did not reply to the said notice. It is also said that permission for lifting C&D waste has not been given by the salt department

Also the Hon'ble Tribunal passed order on 28/09/2022 that within a period of two months under the supervision of Deputy Salt Commissioner of Salt Department and F(N)/M(W) Ward, Mumbai Municipal Corporation, the C & D Waste constructed at C.S. No. 144, 145 should be lifted. Regarding the said notification according to C No S11011 (30) Salt/84 dated 29/10/2022 salt manufacturers Mr. Murarilal N Garodia and Mr. Byram Rohigaham Balla, has informed regarding the CRZ Notification

M. Garodia

M. Garodia

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2019, and informed that the dam prepared using C&D should be removed. According to the CRZ Notification 2019, construction of any kind of C&D work within a distance of 50 meters in the area where there are mangrove trees under Sea A is prohibited.

I was posted as Deputy Salt Commissioner, Mumbai on 29/05/23 after my appointment at Wadala Salt Factory. After that I got the above information. Also, the court again ordered the removal of C&D waste. That said, I issued notice to the salt producers Mr. Murarilal N Garodia and Mr. Byram Rohigtan Dhalla vide C. No. D 11030 (1) land/2008/11 2486-2494 dated 29/05/2023. In which I informed them that within __days C and D Waste constructed in C.S. No. 144, 145 should be removed. At that time, the salt manufacturers asked the salt department that in which unit should the processing be done for C&D processing. At that time, on behalf of the salt department, I took over two or three processing units. Among them, after picking up the C&D waste in Navi Mumbai Municipal Corporation's processor unit at Turbhe, the salt producers were unable to take it for processing. Accordingly, from 14/06/2023, the salt manufacturer started picking up the C&D waste dumped on C.S. No. 144 and 145 in Navi Mumbai Municipal Corporation's processing unit at Turbhe.

K. M. Gardia

K. M. Gardia

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But after repeatedly following up with them to pick up C&D waste, I noticed that the salt manufacturers were deliberately avoiding picking up C&D waste. From 14/06/2023 till date, C&D waste is not picked up by salt producers to the extent of that quantity.

However, under the CRZ Notification 2019, no construction of any type of dam within 60 meters of the area where there are mangrove trees under CRZ One A, C & D work was prohibited. By disobeying the said order, the salt manufacturers constructed a dam on C.S No. 144 and 145 in Wadala Police Station jurisdiction during March 2020 to March 2022 using C&D Waste. Therefore, on behalf of the salt department, I have issued notice to Mr. Murarilal N Garodia and Mr. Byram Rohigtan Dhalla salt manufacturers, on behalf of the salt department vide C.No D-11030 (7) wdl/2022/226/27 dated 16/03/2023, vide C.No D-11030 (1) land/2008/11 2486-2494 dated 29/05/2023, C.No. D-11030 (1) land/2008/11 2485-2685 dated 08/06/2023, Notice issued vide C.No D 11030 (1) land/2008/11 2800 dated 14/06/2023. But still the producers 'disobeyed' the C&D waste by not removing it immediately. Therefore, I have a complaint against salt manufacturer Mr. Murarilal N Garodia R/of- Sheela

M. N. Garodia.
M. Garodia.

(10C)

...partment, Fourth Floor, Bhulabai Desai Road, Mumbai 26 and

... Narayanan Rohington Dhalla R/o- Putala Mansion, Darabshe

...d, Nepanshea Road, Mumbai 400026.

My statement was typed in Marathi and when I read it, it is

... and correct as per my say.

Before

Sd/xx

... Wahule)

... Police Inspector

Wadala Police Station, Mumbai

Dhl. M. Gandhra.

Dhl. M. Gandhra

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Statement Dated 04/08/23

The statement of the complainant namely Pratap Dagduya Jagtap, Age 51 years, Occupation: Service, Deputy Regional Officer, Maharashtra Pollution Control Board, Mumbai 1), R/at- Rutu Estate, Flat No.301, B.No. B-2, Ghodbandar Road, Pathali Pada, Thane West has been typed on computer and it should be consider as First Information Report.

Before

Sdxx	Sdxx
(Savita Wahule)	(Pratap Jagtap)
Asst. Police Inspector	Deputy Regional Officer
Wadala Police Station, Mumbai	M.P.C. Board, Mumbai

Smt. M. Gavdia.

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Statement Dated 04/08/23

The statement of the complainant namely Mr. Ranjit Kumar (Father's Name - Shri Vaidaynath Prasad, Age 57 Years, Occupation; Service (Deputy Superintendent, Salt Department, Mumbai) R/o- Salt Department Building, Mulund Guest House, Mithagar Road Sahdev Patkar Chowk, Mulund East, Mumbai has been typed on computer and it should be consider as First Information Report.

Before

Sd/-

(Savita Wahule)

Asst. Police Inspector

Mulund Police Station, Mumbai

Ranjit M. Gondia

Ranjit M. Gondia

Exh-17

(108)

Email :

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

ORIGINAL APPLICATION No. 343/2021

IN THE MATTER OF

MADHURA RAJESH TAWDE

VERSUS

STATE OF MAHARASHTRA

REPORT IN COMPLIANCE WITH THE ORDER DATED 15/03/2023 PASSED BY THE HON'BLE NGT, NEW DELHI.

Background: - That one Madhura Rajesh Tawade filed OA No. 343/2021 before the Hon'ble National Green Tribunal, New Delhi praying therein for remedial action against damage to the Environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to Chhatrapati Shivaji Maharaj Terminus freeway by adding C&D debris on the salt pan, making island out of it and encroaching the same, affecting the Mangroves which are important for Mumbai city stating that the said actions are against CRZ Regulations issued under Environment (Protection) Act, 1986. In the above-stated application, the Hon'ble NGT, New Delhi has passed Orders dated 28.09.2022 and 15.03.2023. As per the Order dated 28.09.2022, it has been ordered in para 5 as below:

"5. *The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/ encroached area and plan to set up C&D processing plants and other associated actions within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.*

It is to mention that the Salt Department (Govt. of India) is not a party to the above said Original Application. However, in order to comply with the Orders of the Hon'ble NGT, New Delhi, the Salt Department (Govt. of India) has taken necessary actions from time to time and also submitted its report to the Principal Secretary, Environment and Climate Change Department, Govt. of Maharashtra on 23.06.2023.

In compliance with the Hon'ble NGT's Orders dated 28.09.2022 & 15.03.2023 and pursuant to the mail dated 12.09.2023 received from the Hon'ble NGT (judicial-ngt@gov.in), it is

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humbly submitted that, the Office of Dy. Salt Commissioner, Mumbai has taken the following actions: -

Sr. No.	SUBJECT MATTER/ISSUES ON THE SALT PAN LAND	ACTION TAKEN
1	Removal of encroachment in CS No. 144 & 145 of Salt Pan Division under Hormoz Salt Works	1. The demolition drive was conducted by O/o-Dy. Salt Commissioner, Mumbai on 02.06.2022 and about 60 illegal unauthorized structures were demolished. Further, a compound wall has been constructed along encroachment prone boundary of CS No. 144 pt. so as to prevent further encroachments in CS No. 144. The above-stated report is enclosed with this report as Annexure No. 1 2. Another demolition drive was conducted by the Salt department on 20.04.2023 subsequent to the Hon'ble NGT Order. The Deputy Superintendent of Salt, Wadala's report on demolition drive along with the coloured photographs is annexed hereto as Annexure No. 2
2.	Removal of temporary huts used as labour sheds in CS No. 145 of Salt Pan Division under Hormoz Salt Works	All the temporary labour rest sheds made of tarpaulin sheets have been removed in June, 2023 as all the labours have moved to their native places due to closure of salt manufacturing season. Photographs of the said removal are enclosed hereto as Annexure No. 3
3.	Removal of C&D waste used by the Salt Manufacturers for strengthening of outer embankments in CS No. 145 of Salt Pan Division under Hormoz Salt Works	1. The Dy. Salt Commissioner, Mumbai directed the Salt Manufacturers of Hormoz Salt Works to remove C&D waste dumped in Salt Pan Lands immediately and also to remove unauthorized structures in the land, enclosed herewith as Annexure No. 4 2. On failure of the Salt Manufacturers to remove the C&D waste, the Dy. Superintendent of Salt, Wadala filed Police Complaint on 27.03.2023 against the Salt Manufacturers, enclosed as Annexure No. 5 3. The Principal Secretary, Environment, Forest & Climate Change Department of Government of Maharashtra after visiting the site on 18.04.2023 along with Salt Dept Officials and officers from other concerned Department (Annexure No. 6), vide his letter dated 20.04.2023 (Annexure No. 7) issued following directions: a. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris / C&D waste on the salt pan site and remove the existing C&D waste from the site. b. Salt Pan Department should increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste. c. Complaint to be filed u/s 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of

27/06/23

Dnd. N. Gadia

(10)

Salt, Deputy Superintendent of Salt & Salt Pan Operators.

d. It is the joint responsibly of the MCGM and Salt Department to remove C&D waste from the site. Deputy Salt Commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machinery for removal of the C&D waste.

4. Dy. Salt Commissioner, Mumbai replied to the Principal Secretary vide letter dated 24.04.2023 and requested to relook the directions issued vide letter dated 20.04.2023 in view of Municipal Solid Wastes (Management and Handling) Rules, 2000, Construction and Demolition Waste Management Rules 2016 and MCGM Circular on SOP for C&D waste Management dated 28.09.2018 **(Annexure No. 8)**

5. The Director, MCZMA vide letter dated 25.04.2023 **(Annexure No. 9)** ordered that the Salt Department has to carry out its responsibilities as per Hon'ble NGT order dated 28.09.2022 & dated 15.03.2023 and if any grievance is there, Salt Department may seek review of the said orders. The BMC vide his letter dated 24.04.2023 provided the financial responsibility of Rs.14.25 Cr upon Salt dept. for lifting, transporting and processing the C&D waste with help of M/s Metro Waste Handling Pvt. Ltd and threatened that in compliance shall result in legal action against Salt Dept. **(Annexure No. 9A)**

6. After receiving letter dated 27.04.2023 from Salt Manufacturers of Hormoz Salt Works (Annexure No. 10), the Dy. Salt Commissioner, Mumbai vide his letter dated 01.05.2023 (Annexure No. 10A) apprised the Principal Secretary, Environment, Govt. of Maharashtra about the offer of the Salt Manufactures to remove the C&D Waste at his own cost.

7. Additional Secretary, DPIIT, Shri Rajeev Singh Thakur vide DO Letter dated 16.05.2023 (Annexure No. 11) addressed to the Principal Secretary requested to relook the directions issued vide Director, MCZMA dated 20.04.2023 and BMC's letter dated 24.04.2023 **(Annexure No. 9 and 9A)**

8. The Deputy Salt Commissioner, Mumbai vide letter dated 29.05.2023 directed the Salt Manufacturers to remove C&D waste from salt pan land within 10 days' time-period. The copy of the letter dated 29.05.2023 annexed hereto as Annexure No. 12

9. The Deputy Salt Commissioner, Mumbai vide letter dated 01.06.2023 requested the Executive Engineer (SWM), Zone-II,

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MCGM to co-operate with the Salt Manufacturers in removal and disposal of C&D waste from Hormoz Salt Works as per the Hon'ble NGT's Order dated 28.09.2022 and also asked the Local Officer for co-ordination. The copy of the letter dated 01.06.2023 is annexed hereto as Annexure No. 13

10. After receiving details of C&D waste processing units from MCGM on 07.06.2023(Annexure No. 14), the Dy. Salt Commissioner, Mumbai immediately asked Salt Manufacturers to start removing C&D waste before 12.06.2023. The Salt manufacturer was also informed that if they failed to remove the waste, the MCGM would start removing C&D waste and the cost would be recovered from the Salt Manufactures. The copy of Dy. Salt Commissioner, Mumbai's letter dated 08-06-2023 is enclosed as Annexure No. 14A

11. In order to expedite the process, the Deputy Superintendent of Salt, Wadala personally accompanied the Salt Manufacturers to Godrej C&D waste processing facilities and Navi Mumbai Municipal Corporations for allowing their sites for disposal of C&D Waste Unit. Godrej C&D Waste Processing collected samples from CS No. 145. The permission for C&D disposal at Navi-Mumbai Municipal Corporation (NMMC) site was obtained by the Deputy Superintendent of Salt, Wadala from the Commissioner, NMMC at about 7:00 PM on 13.06.2023.

12. The Salt Manufacturers started removal of C&D waste from Hormoz Salt Works *w.e.f.* 14.06.2023 and our officers and watch & ward staff were regularly monitoring the work of removal of C&D waste from CS No. 145 of Salt Pan Division. As it was observed that the debris removal work was going on at a slow pace, the Superintendent of Salt, Mumbai directed the Salt Manufacturers to expedite the removal of C&D debris from the site by deploying sufficient machineries and man-power before the approach of monsoon. The copy of Dy. Salt Commissioner, Mumbai's letter dated 14-06-2023 is enclosed as Annexure No. 15

13. Till 21.06.2023, 20 loads of dumpers of C&D waste were removed by the Salt Manufacturers from CS No. 145 of Salt Pan Division.

14. Shri Munarilal N. Garodia, the Salt Manufacturer informed vide his letter dated 21.06.2023 that as per the report of Godrej C&D Waste Processing Plant, the C&D debris dumped in CS No. 145 was mix of all types of waste and hence could not be processed; and also, NMMC was dumping the C&D waste at their land filling sites. Hence, it had been requested by Shri Garodia to allow him to dump the C&D waste at designated land fill site or dumping sites. It had also been requested by him to allow sufficient time for removal as only one dumper & only one hydraulic excavator could be moved/used at a time

M. Garodia

N. M. Garodia

(112)

		The copy of Shri Murarilal N. Garodia's letter dated 21-06-2023 is enclosed here as Annexure No. 16 15. In view of very slow pace of removal of C&D waste by the Salt Manufacture from CS No. 145, the Deputy Superintendent of Salt, Wadala filed Police complaint against the Salt Manufacturers at Wadala Police Station on 22.06.2023. The Police Officer reserved the case for enquiry and for subsequent register of the FIR, if deem fit.
4.	Present Status Report by the Factory Officer, Wadala in removal of C&D waste dumped on the C.S. No.144 &145 of Salt Pan Division, Hormoz Salt Works.	As per the report of Deputy Superintendent of Salt, Wadala, there is no lifting, transporting and processing of C&D waste from the bunds of M/s Hormoz Salt Works since 22.06.2023. In the last week of June 2023, the Salt Manufacturers approached the NMMC, Vashi to obtain permission for processing of further quantity of C&D waste but by the time, they got permission for processing of further quantity of C&D waste, the monsoon started and due to incessant raining, lifting & transporting process was halted. During monsoon season, the soil becomes muddy and there is risk of heavy vehicles getting stuck. The lifting and transporting process can be resumed after Monsoon is over. The FIR against the Salt Manufacturers as stated-above has been registered by the Wadala Police Station and a copy of FIR is enclosed as Annexure No. 17 with this Compliance Report.

Yours Faithfully,

12-10-23

(Mohita)
Deputy Salt Commissioner,
Mumbai.

Murl. M. Garodia

TRUE COPY

Subject to Mumbai Jurisdiction

Exh - 18 (113)

HORMOZ SALT WORKS
MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT
Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037
✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

Date 18/12/2013

To,
The Deputy Superintendent of Salt
Thane Circle,
Mumbai

Sub: Lease of Hormoz Salt Works.

With reference to your letter dated 18/12/2013 bearing No. MH/WOL/2013/255, we would like to inform you that due to rainy season we have five feet of grass, there are puddles here & there in which the loaded lorries are plying we the hydraulic Excavator is getting submerged in water during rainy season. We are in the process of getting the grass removed. The rainy work is in progress. We are also laying soil & transporting as soon as the weather issues are solved.

Thanking you,

Yours faithfully,

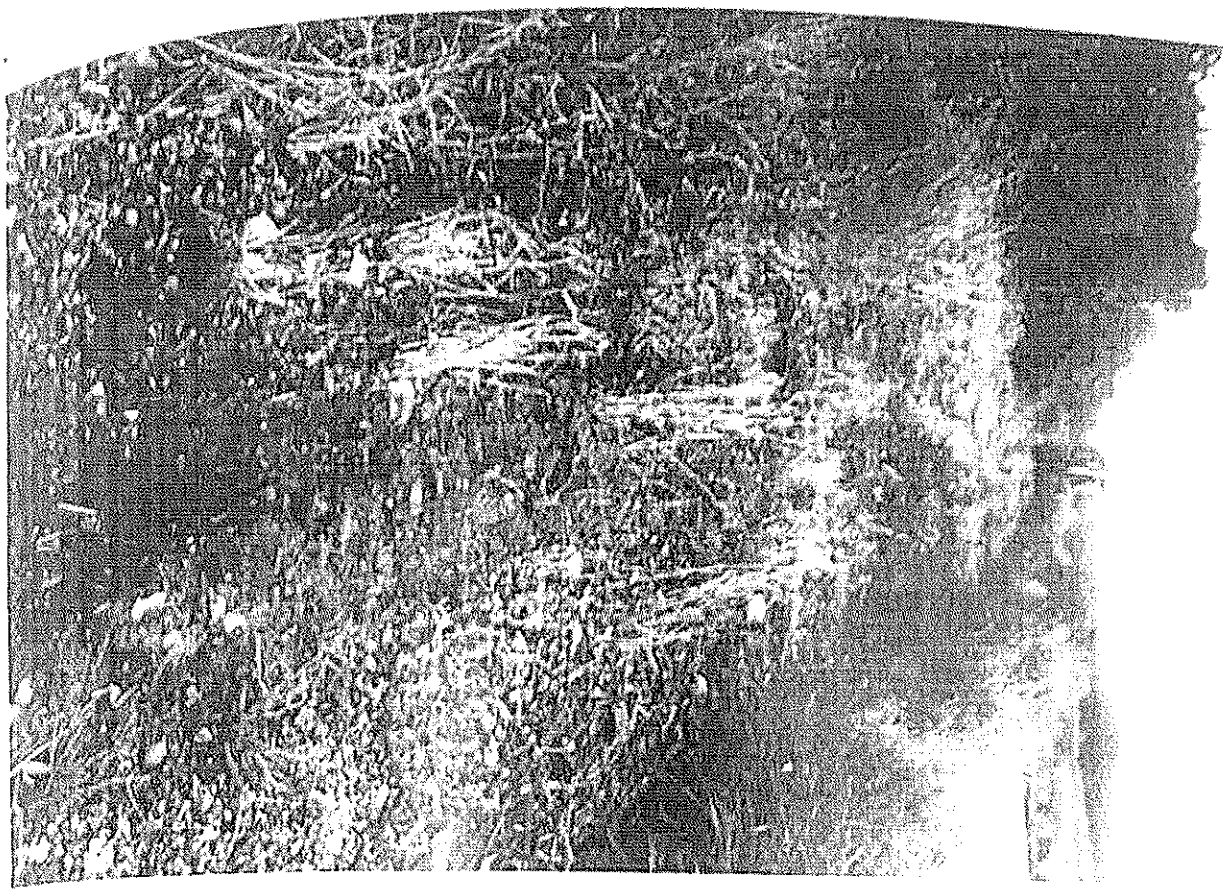
For HORMOZ SALT WORKS

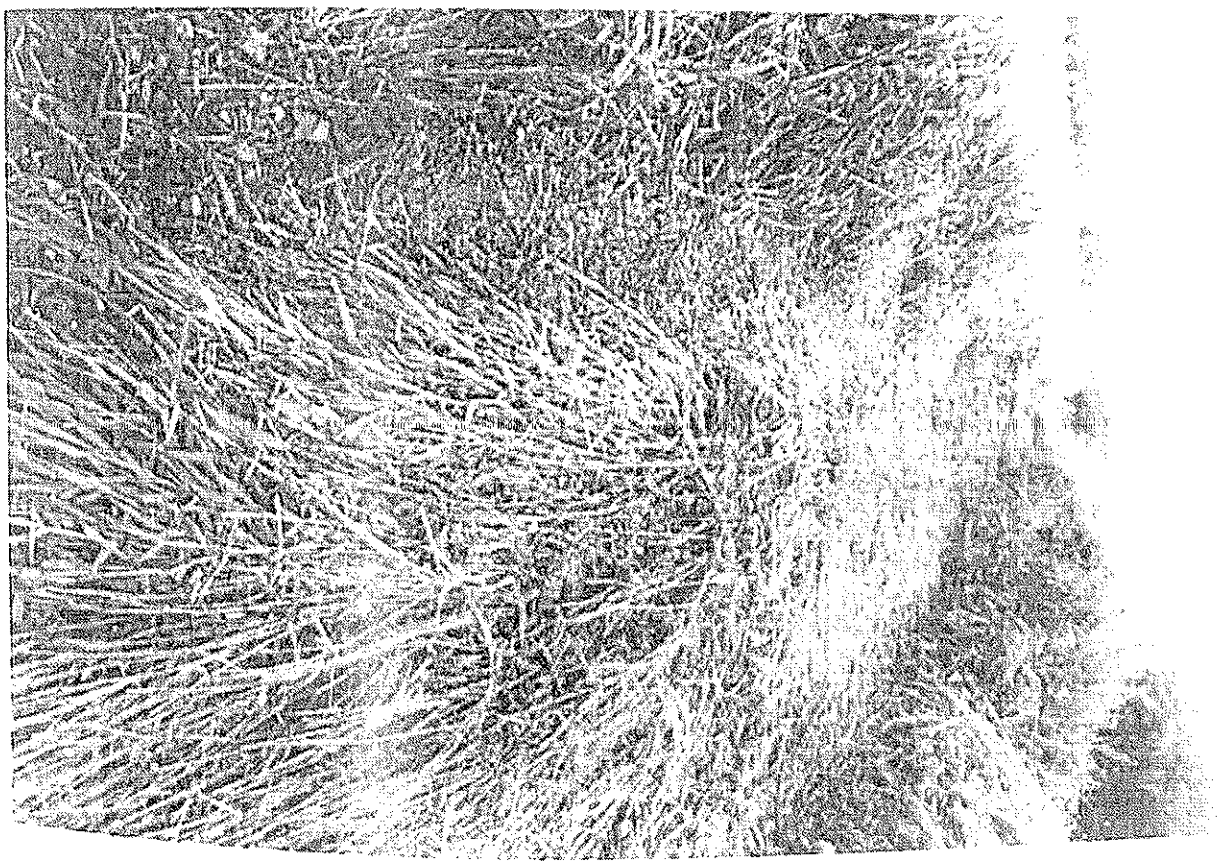
Partner

Received
18/12/2013
Dy. Superintendent of Salt
Thane Circle.

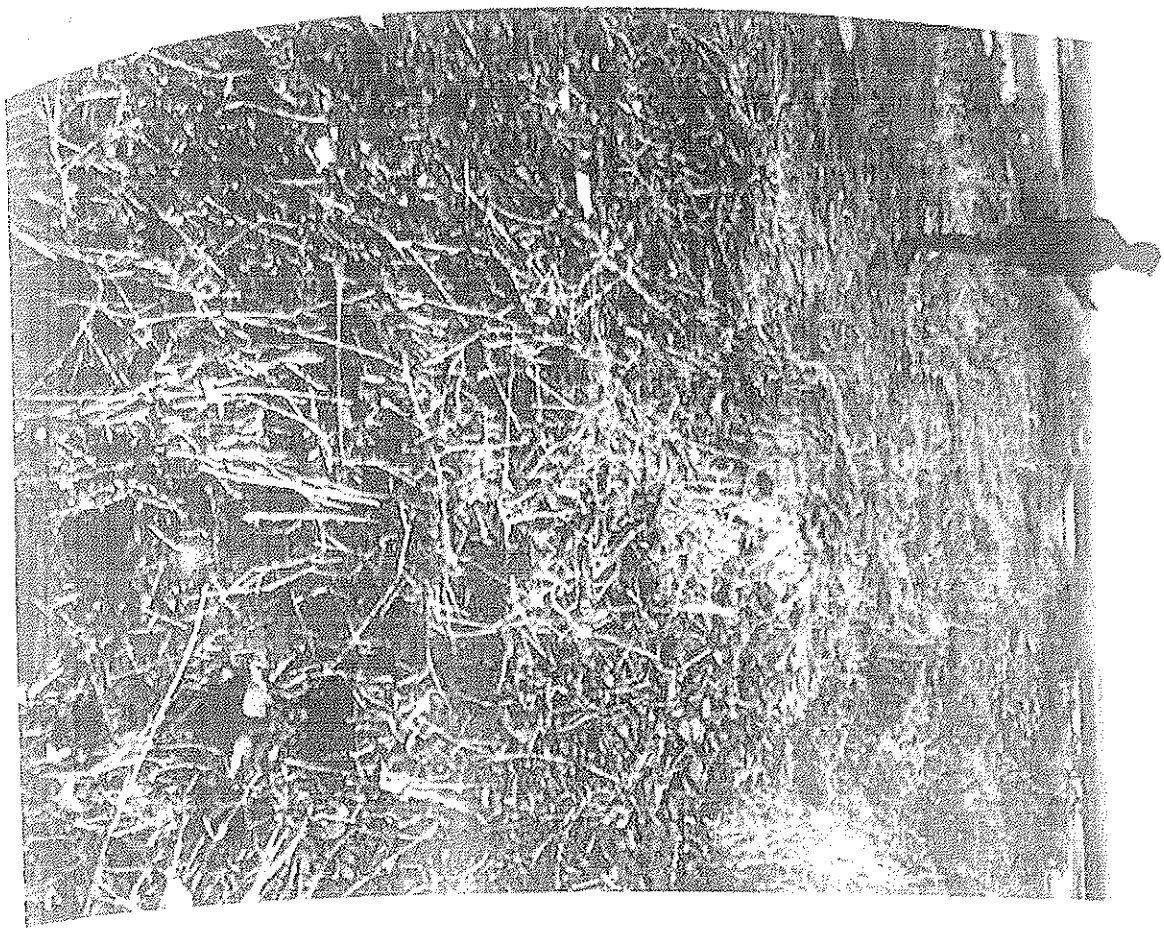
Dawood M. Gadiwan

(114)





(115)



Bernd. M. Gaedke.

Bernd. M. Gaedke.

Exh- 19

(116)

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

To,

Date-27/11/23

The Deputy Salt Commissioner,
Mumbai.

Subject- Lifting and transportation of C& D waste from the bund- Reg.

Sir,

We have received your letter C. No.11030/13/ Land/ 2008/III/5046 dated 23.11.2023 on the subject cited above. It is to inform you that that process of lifting and transporting C & D waste from the bund is going on but we are facing severe and several hurdles in the process. Moreover, the Salt manufacturing season has started so we need to maintain the height of the bund to a certain level to stop the tide water from entering into the salt works, as we do not use sea water for manufacturing of salt , we are using "yellow mitti ", "murum" for maintaining the required bund level so the process is slow. We want to draw your kind attention towards NGT order dated 28.09.2022 in case no 343/2021 which is equally applicable to CS no. 117. But it is found that no any C & D material is removed and scientifically processed from that area by the BMC or any other concerned authority whereas the Salt department and the other concerned are severally suppressing me in the name of NGT order. It shows double standard of the involved authorities in the matter. So please put this fact before the NGT and the other concerned. We would like to bring to your notice that your two watch & ward employees are miscreants, goons and extortionist, and as per our knowledge they were involved in the encroachment during lockdown period which was demolished on 02.06.2022 taken by the Salt department. So it is requested not to put such type of persons at our Salt manufacturing site. We have given undertaking to the Salt department to remove the C & D waste at our bund and highly committed to lifting and transportation of C & D Waste at the please co operate with us.

Hormoz Salt Works
For HORMOZ SALT WORKS
Partner

Copy submitted for information to-

1) The Superintendent of Salt, Bhandup
2) The Deputy Superintendent of Salt, Wadala / Trombay with reference to his letter no. 2(1) Estt / XII/ 2020/1192 - 1196 Dated 25.11.2023

DISPATCH CLERK

Asif. M. Gadia

Asif. M. Gadia

Exh-20 (117)

Item No.05 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No.03/2024
In
Original Application No. 343/2021

Madhura Rajesh Tawde Applicant

Versus

State of Maharashtra Respondent

Date of hearing: 09.01.2024

CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

ORDER

1. This Original Application involves the issue of damage to environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it, encroaching the same and affecting the mangroves.

2. The Tribunal by order dated 15.03.2023, after noting the violations of CRZ Notification, 2019 by illegal encroachments, dumping of C&D waste and damage to mangroves and after considering the report of the joint Committee dated 13.02.2023, had disposed of the OA with the following observations/directions: -

> *"6. From the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of interdepartmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction/negligence.*

Amrd. M. Gadia

Amrd. M. Gadia

(118)

7. The ACS, Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of dumaged mangrove plantation. Let the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If any further direction is found necessary, he may place the matter before the Bench."

3. The report in pursuance to the direction of the Tribunal by Deputy Salt Commissioner, Mumbai has been received and, on that basis, this MA has been registered.

4. Since, the matter relates to the Western Zone Bench, Pune, therefore, the MA along with the original record and complete set of paper is transferred to the Western Zone Bench, Pune for further consideration.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

January 09, 2024
M.A. No. 03/2024 In
Original Application No. 343/2021
SN

Anmol M. Gadia.

Anmol M. Gadia.

Exh-21

(119)

Item No. 04 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(BY HYBRID MODE)

Original Application No. 343/2021

Madhura Rajesh Tawde Applicant

Versus

State of Maharashtra Respondent(s)

Date of hearing: 15.03.2023

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Applicant(s): Ms. Madhura Tawde, Applicant in Person

Respondent(s): Mr. Pravin Dasade, Principal Secretary, Environment & Climate Change & Mr. Abhey Pimpkar, Director, Environment & Climate Change with Mr. Mukesh Verma, Advocate MCZMA & MPCB

ORDER

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

Bhd. P. Gadkar

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3. The matter was last considered on 28.09.2022 in the light of report of joint Committee dated 26.09.2022. Finding serious violations of CRZ Notification, 2019 by illegal encroachments, dumping of C&D waste and damage to the mangroves, the Tribunal directed the State Coastal Zone Management Authority to prepare a time bound action plan for remedial action to remove unauthorized dumping of waste, encroachments and restoration of mangroves. Action was also directed to be taken by Salt Commissioner, Mumbai to be overseen by Principal Secretary, Environment Department, Maharashtra and NCZMA.

4. Relevant extracts from order of the Tribunal are reproduced below:-

"

3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

"3.0 Observations and findings

This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.

i. The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.

ii. As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).

iii. As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt

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Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.

iv. *It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.*

v. *As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.*

vi. *Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.*

vii. *Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The*

Amul. M. Gadkari

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approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at https://mczma.ciop.in/sites/default/files/CZMP%20MH%2076.01

viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mongrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

ix. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/ harvesting slat.

x. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt

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manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-I A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove

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buffer zone as per the superimposed map of the area under reference.

Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

5.0 Recommendations

(a) For violations of provisions of CRZ Notification, 2019 In view of the aforesaid violations of:

i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.

(b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.

(c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

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(d) *Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."*

4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at judicial-nat@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

5. In pursuance of above, status report has been filed by the joint Committee on 13.02.2023 giving status of action as follows:-

Sr No	*Organization*	*Directions Issued*	*Status of Action*
1	*MCGM*	*a) MCGM to immediately take*	*The MCGM vide letter dated 29.12.2022 submitted its reply which states that:*

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		necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner. b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. MCGM should sent C&D waste from the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within MCGM area. c) Action taken report be submitted to the Department at the earliest.	The said plots ownership is with Salt Commissioner. The said plot given to M/s Harmor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner/ occupier / tenant of the land, by deploying security guard or by constructing protection wall along the periphery of the land. MCGM may help to remove or to process the C & D waste materials from the said location if the fund and land were made available by owner of the land. Also as the ownership of land pertains to salt commissioner, MCGM is not authorized to remove the structure from the land of salt Commissioner. In view of above, MCGM may help to remove the authorized structure if salt commissioner takes leadership for removing the same. MCGM has submitted also an additional reply in the matter. Pertaining to removal / processing of C&D waste, the reply of MCGM states as follows: The recommendation of the Committee for the removal of unauthorized C&. waste dumped at the Salt pan plot is as following. "Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ – IA. The operator of salt pan / salt manufacturer under the supervision of officer of Dy. Salt Commissioner, Mumbai and F/N/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate". However its seems that above mentioned recommendation may not have been considered, as intended by committee as, the C&D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&D material has to be done by the operator of salt pan / salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee. Furthermore it is to be informed that currently there are two nos of C&D waste processing Plants operational in and in the vicinity of Mumbai viz.

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			M/s Godrej Construction ltd at Vikhroli (E), Mumbai Capacity300mt/day M/s Metro waste Handling pvt. Ltd. at Shilphata, TMC Capacity 300mt/day. BMC has also proposed to set up 02 Nos of C&D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The tendering for the same is under progress. In addition to this BMC has approved designated unloading sites for disposal of C&D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites. Copies of MCGM replies are attached as Annexure III DELIBERATIONS: After taking note of abovementioned reply of MCGM, Principal Secretary, Env&CC Department during the meeting pointed out that the specific directions has been issued by the Hon'ble NGT. The said directions of Hon'ble NGT are as follows: "MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste" The Principal Secretary, Env&CC Department during the meeting instructed MCGM officials to comply with Hon'ble NGT order since the directions of Hon'ble NGT are specific and clear to MCGM. MCGM officials during the meeting stated that the matter would be deliberated with Senior Officials of MCGM and accordingly, further line of action would be taken in the matter. Principal Secretary, Env&CC Department once again directed that it is mandatory for the MCGM to comply with the above stated order of the Hon'ble NGT.
2	District Collector, Mumbai City and Suburban	Office of District Collectors to hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of	**REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:** The Office of Deputy Collector (Encroachment), old custom House, Fort, Mumbai vide letter dated 6.2.2023 submitted the status of action taken. The said report states as follows:

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		Maharashtra on or before 10th November, 2022 Action taken report be submitted to the Department at the earliest.	• Plan for removal of encroachment on subject Govt land bearing CS No. 117 (pt) was staged on 10.1.2023 by the office of Deputy Collector (Encroachment). Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station. Photographs of the said land are attached with the report. Display board is put on site warning for action against the illegal constructions on the land. Moreover, 3 pukka and 3 kaccha illegal constructions which could not be removed on 10.1.2023, were removed on 6.2.2023. Photographs of the same are attached with the report. • On CS No. 117(pt), Annexure has been issued on 8.7.2010 pertaining to Slum Rehabilitation Scheme of Aman Sagar Sahakari Housing Society. • On North side of CS No. 117(pt), at Shantinagar, there is construction of SamajMandir built using the fund from Local MLA shri Captain Tamil Selvan. Regarding confirmation about the said construction, office of Superintendent Land Records and District Planning Officer, Mumbai has been asked. Copy of reply of Salt Department is attached as Annexure IV **DELIBERATIONS:** Principal Secretary, Env&CC Department noted the action taken by the Office of District Collector, Mumbai City. He instructed that adequate measures need to be taken by the office of District Collector to protect the Govt land from encroachments in future.
3	Office of Salt Commissioner	a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land. b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioner should issue	**REPLY OF OFFICE OF SALT DEPT:** Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that: The office has issued letter No. S-11011(50) Salt/84/5430-36 dated 29.10.2022 (Annexure No.1) to the salt manufactures of Hormoz salt works under CS No., 144 & 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (Annexure No.2) has been given by the salt manufacturers of the salt works. The salt manufacturers have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C & D waste materials during night hours in salt pan lands with motive to grab / encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.

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		notices to salt salt pan operators / salt manufactures for the same. c) Action taken report be submitted to the Department at the earliest.	It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Hormoz salt works bearing CS No. 144 & 145 which is adjacent to land bearing CS No. 117. We are not aware of any initiative / action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT. Copy of reply of office of Deputy Collector, Mumbai city I is attached as Annexure V **DELIBERATIONS:** Principal Secretary, Env&CC Department noted the reply and instructed Salt Department to provide all necessary assistant to MCGM and District Collector office in order to comply with directions of the Hon'ble NGT. He pointed out that as per Hon'ble NGT order, "The Salt Commissioner, Mumbai has also to take necessary action in the matter" Therefore, it is mandatory for the office of the Salt Commissioner Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to comply with the order of Hon'ble NGT. Further, Salt Department need to come with practical measures to prevent encroachment and dumping on the land in future.

6. From the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of inter-departmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction/negligence.

7. The ACS, Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove

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plantation. Let the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If any further direction is found necessary, he may place the matter before the Bench.

Subject to above, the Application is disposed of.

A copy of this order be forwarded to Chief Secretary, Maharashtra, Salt Commissioner, Mumbai, MCZMA and NCZMA by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 15, 2023
Original Application No. 343/2021
AB

Exh-22 (131)

1Q23(1A) N.C.R.B.
I.I.F.-I 040

प्रथम खबर
FIRST INFORMATION REPORT
फौजदारी प्रक्रिया संहिता कलम १५४ अन्वये (Under Section 154 Cr. P.C.)

1. राज्य State ... जिल्हा District ... पोलीस ठाणे Police Station ... प्रथम खबर क्र. FIR No. 88 ... वर्ष Year 2024 ... दिनांक Date 06-06-24

2. (i) अधिनियम Act ... कलमे Sections 268, 188, 34

(ii) अधिनियम Act ... कलमे Sections ...

(iii) इतर अधिनियम व कलमे Other Acts and Sections ...

3. (a) अपराधाची घटना : वार Occurence of offence : Day ... तारीख पासून Date from 05-06-2024 वेळ Time ... तारीख पर्यंत Date to ... वेळ Time ...

(b) वेळेचा अंदाज (झुकर) (योग्य ठिकाणी अशी खूण करा. Tick applicable portion)
(1) 00.00 ते 03.00 (2) 03.00 ते 06.00 (3) 06.00 ते 09.00 (4) 09.00 ते 12.00 (5) 12.00 ते 15.00
(6) 15.00 ते 18.00 (7) 18.00 ते 21.00 (8) 21.00 ते 24.00 (9) 06.00 ते 18.00 (10) 18.00 ते 06.00

(b) पो. ठा. ला माहिती मिळाल्याची Information received at P. S. तारीख Date 06/06/2024 Time ...

(c) गुन्हा दाखल झाल्याचा सर्वसाधारण रोजनिशी नोंद क्र. General Diary Reference : Entry No. 25 | 24 तारीख Date 06/06/2024 वेळ Time 18:50

4. माहितीचा प्रकार Type of information : लेखी / तोंडी Written / Oral लेखी वरून वाचून दाखवली

5. गुन्हा घडल्याचे ठिकाण (a) पोलीस ठाण्यापासून अंतर व दिशा Place of Occurence : (a) Direction and distance from P.S. 5 किमी पश्चिम (b) चौकी/बीट/दूरक्षेत्र नाव व क्र. Chouki/Beat/O.P. Name and No. 03

(b) गुन्हा घडल्याचे ठिकाणाचे नाव Address of Occurence Name ... ठिकाणाचे शेतर ... वार्ड Ward ... गल्ली ... रस्त्याचे नाव Name of road ...

जवळचे ओळखू चिन्ह/ठिकाण Nearest Adentifiable Place ... गाव Village ... पोस्ट Post ... तालुका Taluka ... जिल्हा Dist. ... राज्य State ...

(c) पोलीस ठाण्याचे हद्दीबाहेर असल्यास त्या पो. स्टे. चे नाव In case outside the limit of this Police Station ... तालुका Taluka ... जिल्हा Dist. ... राज्य State ...

6. तक्रारदार / खबर देणाऱ्याचे नाव व पत्ता Complainant/Informant : Permanent Address

(a) नाव Name ... (b) वडिलांचे / पतीचे नाव Father's / Husbands Name ...

(c) जन्मतारीख व वय Date of Birth & Age ... (d) राष्ट्रीयत्व Nationality ... फोन नं. Phone No. 9819064582

(e) पारपत्र क्रमांक Passport No. ... दिल्याचा दिनांक Date of Issue ... दिल्याचे ठिकाण Place of Issue ... (f) व्यवसाय Occupation ...

(g) धर्म Religion ... जात Caste ... पोटजात Sub-Caste ...

(h) पत्ता : गल्ली/रस्ता नं. Address : Ward ... घर/गाव नंबर House/Name No. ... फोन/मो. नंबर Phone/M. No. ... पॅन नं. Pan No. ... ओटर्स नं. Card No. ...

रस्त्याचे नाव Road ... जवळचे प्रसिद्ध ठिकाण Nearest identifiable place ... गाव Village ... पोस्ट Post ... पो.स्टे P. Stn. ...

तालुका Taluka ... जिल्हा Dist. ... राज्य State ... सध्याचा पत्ता Present Address ...

7. माहिती असलेल्या आरोपीचे संपूर्ण नाव व पत्ता (आवश्यक असल्यास स्वतंत्र कागद जोडावा) (संशयिताचे वर्णन प्र. ख. रिपोर्टच्या फॉर्म I B वर वेगळ्या शिटवर लेखन तपशिलाच्या अंतर्गतच्या प्रश्न रकान्यात व स. अभियोक्ता यांचा कार्यालय जोडावे).
Details Name & Address of known Accused (Attach separate sheet, if necessary) (If suspect particular of physical feature write on Form I-B of attach FIR I-B to case diary).

1) ...

2) ...

...

B.M. Gadlia M. Gadlia

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FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

1. State: Maharashtra, District: Mumbai, Police Station; Wadala,

FIR No. 88, Year: 2024 Date; 06-06-24

2. (i) Act: Indian Penal Code Sections: 268, 188, 34

(ii) Act:

(iii) Other Acts and Sections:

3. (a) Occurrence of offence: Day, Date from 09-05-2024 and before it.

(1) 00.00 to 03.00 (2) 03.00 to 06.00 (3) 06.00 to 09.00

(4) 09.00 to 12.00 (5) 12.00 to 15.00 (6) 15.00 to 18.00

(7) 18.00 to 21.00 (8) 21.00 to 24.00 (9) 06.00 to 18.00

(10) 18.00 to 06.00

(b) Information received at P.S. 09-05-2024 Time:

(c) General Diary Reference No. 25/24 Date: 06-06-24 Time: 18.50 hrs.

4. Type of Information: Written/Oral: As per complaint

5. Place of occurrence (a) Direction and distance from P.S. Towards south 03 KM, Beat No. 03

(b) Address of occurrence Name: Salt Pan Department, No. if any: C.S. No. 144, 145, Near Mahul Toll Plaza, Wadala East, Mumbai.

Amd. M. Gandia

Amd. M. Gandia

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Ward Name of Ward

Nearest identifiable place: Village Post Taluka Dist State

(c) In case outside the limit of this police station

6. Complainant/Informant: Permanent Address

(a) Name: Mr. Pratap Jagtap (b) Father's Name: Dagduba Jagtap

(c) Date of Birth & Age: 51 yrs (d) Nationality: Indian

Mb. No. 9819042582

(e) Passport No. Date of issue Place of Issue Occ; Service

(g) Religion: Caste Sub-Caste

(h) Address: Rutu Estate, Flat No.301, B.No. B-2, Ghodbandar Road, Pathali Pada, Thane West.

7. Details Name & Address of known Accused(Attach separate sheet, if necessary) (If suspect particular of physical feature write on form 1-B of attach FIR I-B to case diary)

1) Murallilal N. Garodiya,

2) Bhayram Rohington Dhalla,

Murl. N. Garodiya.

Murl. N. Garodiya

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प्रतिज्ञापत्र

मी, निलेश दिलीप नाईक, प्रताप दगडूजी जगताप (पी.), धंदा : नोकरी (पोलीस उपनिरीक्षक आधिकारी, महाराष्ट्र पोलीस दल), मुंबई, राहणार ए-बी-सी-डी इमारत, फ्लॅट नं. 301, सी.डी.ए., घोडबंदर रोड, पाचवली पाडा, ठाणे पश्चिम, असे शपथेवर लेखी जबाबदारीने देतो की, वरील माहिती माझ्या व्यक्तिगत माहितीनुसार खरी आहे.

सत्यापक

(कविता वाईकर)
सहायक पोलीस निरीक्षक
पडताळणी कक्ष, ठाणे, मुंबई

(प्रतापराव जगताप)
पो.उप.निरीक्षक
ठाणे पडताळणी कक्ष

ठा.पो.उप.
07 JUN 2024
ठा.पो.नि. (पडताळणी)

Dinesh M. Gandhi

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Statement Dated 06-06-2024

The statement of the complainant namely Pratap Dagduya Jagtap, Age 51 years, Occupation: Service, Deputy Regional Officer, Maharashtra Pollution Control Board, Mumbai 1), R/at- Ruru Estate, Flat No.301, B.No. B-2, Ghodbundar Road, Pathali Pada, Thane West has been typed on computer and it should be consider as First Information Report.

Before

Sdxx

(Savita Wahule)

Asst. Police Inspektor

Wadala Police Station, Mumbai

Sdxx

(Pratap Jagtap)

Deputy Regional Officer

M.P.C. Board, Mumbai

Smt. M. Gadia

Smt. M. Gadia.

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दिनांक ०६/०६/२४

जबाब

श्री प्रताप दगडुबा जगताप हि/५१ वर्षे, धंदा नोकरी (उप प्रादेशीक अधिकारी, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, मुंबई १), रा. ठी. रुतु इस्टेट, फलॅट नं ३०१, वि. नं बी २, घोडबंदर रोड, पायली पाडा, ठाणे पश्चिम. मो.कं ९८१९०४२५८२.

मी वरीलप्रमाणे असुन वर नमुद पत्यावर कुंटूबासह राहावयास आहे. मी महाराष्ट्र प्रदुषण नियंत्रण मंडळ, मुंबई येथे उप प्रादेशीक अधिकारी या पदावर दिनांक ०५/०७/२०२३ रोजीपासुन कार्यरत आहे. पर्यावरण विभाग महाराष्ट्र राज्य हे सी आर झेडचे व्यवस्थापन पाहते. जर उल्लंघन झाले असेल तर महाराष्ट्र प्रदुषण नियंत्रण मंडळाला सी आर झेडचे उल्लंघन करणा-यांवर कायदेशीर कारवाई करण्यात बाबत निर्देश देतात. नमुद कायदेशीर कारवाई करण्याबाबतचे काम महाराष्ट्र प्रदुषण नियंत्रण मंडळ, मुंबई यांच्याकडुन केले जाते.

वडाळा पुर्व येथे सी.एस. कं. १४४ व १४५ येथे मिठ विभागाची जमिन असुन नमुद जमिन मिठ उत्पादनासाठी नानाभाई हॉर्मोझ भिंवडीवाला यांना करार तत्वावर देण्यात आली आहे. श्री नानाभाई भिंवडीवाला यांनी नमुद जमिन श्री मुरालीलाल एन गरोडीया आणि भायराम रोहिटन ढल्ला यांना मिठ उत्पादन करण्याकरीता करार करुन देण्यात आली आहे. सदयस्थितीत नमुद जमिनीवर मिठाचे उत्पादन श्री मुरालीलाल एन गरोडीया आणि श्री भायराम रोहिटन ढल्ला हे करत आहेत.

उपरोक्त जमिनीवर नमुद मिठ उत्पादकांनी भिठागाराच्या दलदलीच्या जमिनीवर सी ॲंड डी वेस्ट टाकले असलेबाबत मधुरा राजेश तावडे यांनी राष्ट्रिय हरीत लवाद येथे O.A.342/2021 अन्वये दाखल केले असुन मिठ उत्पादकांच्या कृतीमुळे तिवरांच्या झाडांना हानी पोहोचली आहे. त्यांची ही कृती पर्यावरण सुरक्षा कायदा, १९८६ चा अंतर्गत सी आर झेड नियमाच्या विरोधात आहे. सदर अर्जाच्या अनुषंगाने राष्ट्रिय हरीत लवादाने स्थापन केलेल्या कमिटीने दिनांक ०३/०५/२०२३ रोजी स्थळ पाहणी केली असुन सी एस कं १४४ व १४५ या जमिनीवर समुद्राचे पाणी मीठ बनते त्या जमिनीवर येउ नये म्हणुन सी ॲन्ड वेस्टचा वापर करुन बांध घालण्यात आल्याचे निदर्शनास आले. सदर बांध टाकण्याकरीता मीठ उत्पादकांनी मिठ विभागाची किंवा अन्य कोणत्याही सरकारी कार्यालयाकडुन परवानगी घेतलेली नाही.

सी आर झेड अधिसुचना २०११ व २०१९ अन्वये सीआरझेड - I (ए) अंतर्गत मॅंग्रोज (खारफुटीचे) वृक्ष आतील त्या परिसरात ५० मिटर अंतराच्या आतमध्ये कोणत्याही प्रकारचे बांध बांधणे सी ॲंड डेब्रीयल टाकण्यास मनाई आलेली आहेत. जनहित याचिका कं ८७/२००६ अन्वये मा. उच्च न्यायालय, मुंबई यांनी दिनांक १७/०९/२०१८ च्या आदेशान्वये खारफुटीच्या झाडांची कत्तल व नाश करण्यास मनाई असुन खारफुटी क्षेत्रात कचरा, धनकचरा, दगडविटांचे तुकडे टकाण्यास निर्बंध आहेत. तसेच खारफुटीपासुन ५० मिटर क्षेत्र हे राखीव ठेवायचे असुन सदर ठिकाणी कुठलेही बांधकाम करण्यास प्रतिबंध आहे.

सदर सर्वे १४४ व १४५ वडाळा पुर्व मुंबई हे क्षेत्र सी आर झेड I (ए) अंतर्गत येत आहे. सदर क्षेत्रावरील टाकलेले सी ॲंड वेस्ट पुर्णपणे काढुन त्याची शास्त्रोक्त पध्दतीने विल्हेवाट लावण्याकरीता मिठ विभाग, मुंबई यांनी त्यांचे पत्र दिनांक २९/०५/२३ अन्वये श्री मुरालीलाल एन गरोडीया आणि भायराम रोहिंग्टन ढल्ला यांना

D.M. Gaikwad

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...लेल्याचा आरोपही त्यांनी सदर जागेवरील सी ॲंड डी वेस्ट पूर्णपणे काढून टाकले नसल्याचे दिसल्याने दिनांक ०८/०३/२०२४ रोजीच्या पत्रान्वये कळविले आहे.

सदर पत्रानुसार मा. राष्ट्रीय हरित लवाद, पुणे येथे M.A. No. 03/2024 दाखल झाले असून त्यानुसार पर्यावरण व वातावरणीय विभाग, महाराष्ट्र शासन मुंबई, महाराष्ट्र प्रदूषण नियंत्रण मंडळ मुंबई महानगरपालीकेकडून अधिकारी यांनी दिनांक १८/०४/२०२४ रोजी पाहणी व तपासणी केली असता सर्वे क्रं १४४ व १४५ या मिठागारांच्या जमिनीवर मोठया प्रमाणात सी ॲंड डी वेस्ट भराव घालुन वरुन माती टाकुन रस्ता बनविल्याचे दिसुन आले आहे. सदर क्षेत्रात कामगारांसाठी निवास करुन झोपड्या उभ्या केल्या असल्याचे दिसुन आले. तसेच सात कृपनलीकेच्या सहायाने जमिनीखालील पाण्याचा उपसा जलशक्ती मंत्रालय, नवी दिल्ली यांची परवानगी न घेता करत असल्याचे निदर्शनास आले आहे.

दिनांक ०९/०५/२०२४ रोजी नमुद ठिकाणी मी स्वत: दोन पंचासमक्ष स्थळ पाहणी केली असता सी एस क्रं १४५ या जमिनीवर समुद्राचे पाणी मीठ क्षेत्रावर येउ नये म्हणुन सी ॲंड डी वेस्टचा वापर करुन त्यावर मुरुम माती टाकुण मोठे चारचाकी वाहन जाईल अशा प्रकारचा रस्ता खारफुटीच्या झाडापासुन ५० मिटर क्षेत्रामध्ये आहे. संपुर्ण बांध /रस्त्याची अंदाजे लांबी १.७ किमी असुन पाहणीदरम्यान जागोजागी मुरुम मातीच्या खाली बांधाच्या बाजुन सी ॲंड डी वेस्ट असल्याचे निदर्शनास आले. दिनांक १८/०३/२०२४ रोजीच्या पाहणीनंतर १०० मिटर एवढया लांबीचा बांध/रस्ता पुढे बांधण्यात आला आहे. पाहणीदरम्यान मीठ उत्पादकांनी सात बोअरवेल मधुन पाण्याचा उपसा करत असल्याचे निदर्शनास आले आहे. सदर बोअरवेलला मिटर बसविण्यात आले नसुन सदर पाणी उपसण्याकरीता जलशक्ती मंत्रालय, दिल्ली यांची पुर्व परवानगी घेतलेली दिसुन आली नाही. तसेच सर्वे क्रं १४५ सी आर झेड १ क्षेत्रात कामगारांना निवा-यासाठी झोपडया उभ्या केल्याचे निदर्शनास आले आहे.

तरी दिनांक ०९/०५/२०२४ रोजीपुर्वी मिठ विभागाच्या वडाळा पुर्व येथे सी.एस. क्रं. १४४ व १४५, माहुल टोलनाक्याजवळ येथील जमिन मिठ उत्पादक श्री मुरारीलाल एन गरोडीया व रॉबिन्टन ढल्ला यांना मिठ उत्पादनाकरीता दिली होती. सी आर झेड अधिसुचना २०११ व २०१९ अन्वये सीआरझेड - I (ए) अंतर्गत मॅंग्रोज (खारफुटीचे) वृक्ष असतील त्या परिसरात ५० मिटर अंतराच्या आतमध्ये कोणत्याही प्रकारचे बांध बांधण्यास, सी ॲंड डी मटेरीयल टाकण्यास मनाई करण्यात आलेली आहेत.परंतु तरीदेखील मिठ उत्पादकांनी नमुद मिठ विभागाच्या जमिनीवर मोठया प्रमाणात सी ॲंड डी वेस्टचा भराव घालुन वरुन माती टाकुन रस्ता बनविल्याचे दिसुन आले आहे. सदर क्षेत्रात कामगारासाठी निवारा म्हणुन झोपड्यादेखील उभ्या केल्या असल्याचे दिसुन आले आहे. तसेच सात कृपनलीकेच्या सहायाने जमिनीखालील पाण्याचा उपसा, जलशक्ती मंत्रालय, नवी दिल्ली यांची परवानगी न घेता करत असल्याचे निदर्शनास आले आहे. तसेच मा. राष्ट्रिय हरीत लवाद यांनी दिलेल्या आदेशानुसार सी ॲंन्ड डी वेस्टचा भराव उचलण्यासंबधी मिठ उत्पादकांना मा. पर्यावरण संचालक व वातावरणीय विभाग आणि सदस्य सचिव, महाराष्ट्र सागरी किनारा क्षेत्र व्यवस्थापन प्राधिकरण यांनी नोटीस अदा केली आहे परंतु तरीदेखील त्यांनी अदयापपर्यंत सी ॲंड डी वेस्टचा भराव काही प्रमाणात उचलला असुन सी ॲंड डी वेस्ट अदयापपर्यंत पुर्णपणे उचलले नाही. परंतु नव्याने खारफुटीच्या झाडाला लागुन ५० मीटर लांबीचा नवीन बांध बांधला असुन संपुर्ण बांध /रस्त्याची अंदाजे लांबी १.७ किमी असुन पाहणीदरम्यान जागोजागी मुरुम मातीच्या खाली बांधाच्या बाजुन सी ॲंड डी वेस्ट टाकले आहे. त्यांच्या या कृतीमुळे आजुबाजूस राहणा-या जनतेच्या आरोग्याला नुकसान होत

...

सहा.पो.नि. (गुन्हे)

09 JUN 2024

D. M. Gadia

D. M. Gadia

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अपरिहार्य आहे तसेच मा. पर्यावरण संचालक व वातावरणीय विभाग आणि सदस्य सचिव, महाराष्ट्र राज्य किनारा क्षेत्र व्यवस्थापन प्राधिकरण यांनी दिलेल्या नोटीसीचे उल्लंघन केले म्हणुन माझी श्री पुरीलाल एन पंजवानी आणि श्री सोहिटण ढल्ला यांच्या विरोधात कायदेशीर तकार आहे.

माझा जबाब मराठीत टंकलीखीत केला असुन तो मी वाचुन दर्शिताला असता माझे सांगणेप्रमाणे योग्यरित्या आहे.

समक्ष

(सविता वाहुळे)
सहायक पोलीस निरीक्षक
वडाळा पोलीस ठाणे, मुंबई

(ताप जगवाणी)
उप-प्रादेशीक अधिकारी,
म.न.नि. मंडळ, मुंबई -१.

स्व.भो.आ. पो.नि. के.नि.(गुन्हे)
07 JUN 2024

Smt. M. Gadia.

Smt. M. Gadia

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Property (if any) in respect of the Cognizable Offence(s)

चोरीस गेलेल्या / सापडून आलेल्या मालाचा (असल्यास) तपशील (गुन्ह्याच्या संबंधात घडलेल्या)

Details of properties stolen or involved (Attach separate sheet, if required) Detail write down back blank page.

11. चोरीस गेलेल्या / सापडून आलेल्या मालाची एकूण किंमत
Total value of properties stolen and involved

परत केलेल्या मालाची माहिती (Recovered Properties)

12. मयत इसम / अपघाती मृत्यू अकस्मात रजिस्टर नंबर (असल्यास)
(Unnatural/Accidental Death Case No., if any

13. थोडक्यात हकिगत (अजामीनपात्र अपराधास संबंधीत कलम समाविष्ट करावे)
Action taken — Since the above information reveals Commission of offence (s) u/s. as mentioned at Item No. 2 :

(1) Registered case and took up the investigation or Directed (Name of I. O.) ..... Rank ..... No. .....

to take up the Investigation or

(2) Refused Investigation due to ..... (3) Transferred to P. S. .....

District ..... on point of jurisdiction.

14. फिर्यादीची सही व ठसा
Signature and Thumb impression of the Complainant/Informant

15. फिर्याद दाखल केल्याची तारीख व वेळ
Date and time of submitted to the Court

पोलीस ठाणे प्रभारी अधिकाऱ्याची सही.
Signature of Officer Incharge, Police Station

संपूर्ण नाव Name .....

पदनाम Rank .....

नेमणूक Posting .....

Coding No. of I. O. .....

प्रत, 2. फिर्यादी, 3. पोलीस अधीक्षक (संगणक), 4. हस्तीय अभिलेखा, 5. कार्यालय प्रत.
Copy to, 2. Complainant, 3. Supdt. of Police (Computer), 4. Inv. Officer, 5. Office Copy.

(See rule 154 (1) of Bombay Police Manual, Vol. III)

(a) Form I-A

07 JUN 2004

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8. Reasons for delay in reporting by the complainant/informant:

After enquiry of the complaint application.

9. Particulars of properties stolen and involved (Attach necessary proforma) write down details on back blank page.

10. (a) Total value of properties stolen/involved.

(b) Recovered properties.

11. Unnatural/Accidental Death Case No. If any

Smt. M. Gadia

Smt. M. Gadia

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12. First Information brief contents (Attach separate sheet if required) Detail writ down back blank page.

At the date, time and place mentioned above, the accused, Salt Producer which names mentioned in Column No. 07, under the CRZ Notification 2011 and 2019, the construction of any kind of C&D material within 50 meters of the area on land bearing C.S. No. 144 and 145 where there are mangroves under CRZ(A) is prohibited but they constructed road, huts have also been erected as shelter for the workers in the said area, underground water is being pumped with the help of seven wells without taking the permission and committed breach of the order given by the National Green Tribunal, Director of Environment and Member Secretary, Department of Environment, Maharashtra Coastal Zone Management Authority and till now they have partially lifted the C&D waste and not fully lifted the C&D waste till now and a new dam of 50 meter length has been constructed adjacent to the mangrove tree and the approximate length of the entire dam/road is 1.7 km. Due to their actions, the health of the people living around is become dangerous and also it is inevitable.

Dnyd. M. Gadiya.

Dnyd. M. Gadiya.

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13. Action Taken: Since the above information reveals commission of offence u/s. as mentioned at Item No. 2:

(1) registered the case and took up the Investigation or Directed (Name of I.O. ..... No. to take up the Investigation or.

(2) Refused investigation due to ..... (3) transferred to P.S. ....., District ..... on point of jurisdiction.

F.I.R. read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/ informant free of cost.

Pratap Joglap

D.R.O. M.P.C. Board, Mumbai

14. Signature & Thumb impression
Of the complainant/ informant

Signature of Officer In-charge, police Station
Name: Savita Valhule
Rank: API, Wadala P.S.

15. Date and time of submitted to the Court: Posting

Copy to: 2. Complainant, 3. Supdt. Of Police (Computer), 4. Inv. Officer, 5. Office Copy

Attachment to item 7 of First Information report

(143)

Statement Dated 06/06/24

I, Pratap Dagduya Jagtap, Age 51 years, Occupation: Service, Deputy Regional Officer, Maharashtra Pollution Control Board, Mumbai 1), R/at- Rutu Estate, Flat No.301, B.No. B-2, Ghodbandar Road, Pathali Pada, Thane West, Mb. No. 9819042582.

I am residing at above mentioned address. I am working as Deputy Regional Officer in Maharashtra Pollution Control Board Mumbai from 05/07/2023. The Environment Department of State of Maharashtra looks after the management of CRZ. If there is a violation, the Maharashtra Pollution Control Board will be instructed to take legal action against the violators and the action will be taken from the office of Maharashtra Pollution Control Board Mumbai.

The land bearing C.S No. 144 and 145 at Wadala East owned by Salt Department and the said land has been given to Nanabhai Hongonj Bhindiwala on contract basis for salt production. Mr. Nanabhai Bhindiwala has been given a contract for salt production in said land to Mr. Muralilal N. Garodia and Bhayram Rohington Dhalla, currently salt production is being done on said land by Mr. Muralilal N. Garodia and Bhayram Rohington Dhalla.

Smt. M. Garodia

Smt. M. Garodia

(144)

Madhura Rajesh Tawde has filed O.A.342/2021 before the National Green Tribunal regarding the dumping of C&D Waste by the said salt producers on the land of the salt factory and the action of the salt producers has caused damage to the mangroves trees. Their action is against CRZ rules under Environment Protection Act 1986. The committee constituted by National Green Tribunal in accordance with said application has inspected the site on 03/05/2023 and it was pointed out that the dam was maintained using sea ad waste to prevent the sea water from becoming salt on the land C.S. No. 144 & 145. The salt producers have not taken permission from the Salt Department or any other government office to construct the said dam.

Under the CRZ Notification 2011 and 2019, construction of any type of dam material is prohibited within 50 meters of the CRZ (A) where there are mangroves trees. In Public Interest Litigation No. 87/2006 according to the order of the High Court, Bombay dated 17/09/2018, the destroy and cutting of mangrove trees is prohibited and the dumping of waste, solid waste, pieces of bricks in the mangrove area is prohibited. Also, an area of 50 meters from the mangrove should be kept straight and any construction is prohibited at that place.

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The said S.No. 144 and 145 Wadala East Mumbai comes under CRZ (A). Salt Department, Mumbai vide their letter dated 29/05/23 to Mr. Muralilal N. Garodia and Bhayram Rohington Dhalla informed them for complete removal and scientific disposal of C&D waste dumped at said land and despite being informed, they have not completely removed the C&D waste from the said place and Department vide letter dated 08/03/2024 has informed.

Pursuant to the said incident M.A. No. 03/2024 has been filed before the National Green Tribunal Western Zone, Pune and accordingly, the senior officer of Department of Environment and Atmospheric Change, Government of Maharashtra, Mumbai, Maharashtra Pollution Control Board, Mumbra Mumbai Municipal Corporation visited the site on 18/04/2024 at 10.00 am and it has been seen that a large amount of the land of survey number and it was seen that mangroves trees have been erected in the said area to provide shelter for the workers. Also, it has been noticed that underground water extraction is being done with the help of seven borewells without taking the permission of the Ministry of Hydro Power, New Delhi.

Smt. M. Garodia.

Smt. M. Garodia

(146)

On 09/05/2024, when I personally Inspected the site before two Panchas, on the land of C.S No. 145, so that the sea water does not come on the salt area, using C&D waste, a big four wheeler vehicle will pass on it, there is a road in the area of 50 meters from the mangrove tree. The approximate length of the entire dam/ road is 1.7 km and during the inspection it was observed that there is C&D waste on the side of the dam under the porous soil at places. After inspection dated 18/03/2024 a 100 meter long dam/road has been constructed further. During the inspection, it was observed that the salt producers were pumping water from seven borewells. The said bore well has not been metered and prior permission of the Ministry of Hydro Power, Delhi is not seen to be taken for pumping the surface water. Also, it has been observed that huts have been erected to shelter the workers in at Survey No. 145 of CRZ 1 area.

However, before 09/05/2024, on land bearing C.S. No. 144 and 145at Wadala East of Salt Division, near Mahul Toll plaza was given to Mr. Murarilal N. Garodia and Rohigton Dhalla, salt manufacturers, for production of salt. Under the CRZ Notification 2011 and 2019, the construction of any kind of C&D material within 50 meters of the area where there are mangroves under

Smt. M. Gandia

Smt. M. Gandia

(47)

CRZ(A) is prohibited. But still it has been seen that the salt producers have filled the land of said salt division with a large amount of C&D waste and then put soil on top of it to form road. It has been seen that huts have also been erected as shelter for the workers in the said area. Also, it has been noticed that underground water is being pumped with the help of seven wells without taking the permission of the Ministry of Hydro Power, New Delhi. Also according to the order given by the National Green Tribunal, Director of Environment and Member Secretary, Department of Environment, Maharashtra Coastal Zone Management Authority has given notice but till now they have partially lifted the C&D waste and not fully lifted the C&D waste till now. But a new dam of 50 meter length has been constructed adjacent to the mangrove tree and the approximate length of the entire dam/road is 1.7 km. Due to their actions, the health of the people living around is become dangerous and also it is inevitable. So I have a legal complaint against Mr. Muralilal N. Garodia and Bhayram Rohington Dhalla as Director of Environment and Department of Environment and Member Secretary, Maharashtra Coastal Zone.

Smt. M. Garodia

Smt. M. Garodia

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My statement was typed in Marathi and when I read it, it is true and correct as per my say.

Before

Sdxx

(Savita Wahule)

Asst. Police Inspector

Wadala Police Station, Mumbai

Sdxx

(Pratap Jagtap)

Deputy Regional Officer

M.P.C. Board, Mumbai

Sd/-M. Gandia

Sd/-M. Gandia

Exh-23 (149)

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037
Off.: 022-23513327 / 98200 86081 / 99209 97280

Date – 07/03/2024

To,
Deputy Salt Commissioner
Exchange Building
Fort
Mumbai

Sub – Lifting ,Transporting, & Processing of C&D Waste at Bunds of Hormuz Salt Works.

Dear Sir,

In compliance of NGT order in original application no 343/2021, we would like to inform that we have completed the process of lifting ,transporting and processing the C&D Waste from our bunds . We have processed the C&D Waste at the Turbhe Recycling Plant situated at Navi Mumbai as this recycling plant was one among the three names recommended by the MCGM to us . We have paid the processing charges for the same. We have in whole complied to the NGT Order of lifting, transporting & recycling the waste. We have simultaneously used "Murrum" & "Mitti" to fortify our bunds to prevent sea water from entering inside our salt works as we do not use sea water in our salt manufacturing process. Mention below is detailed list of C&D Waste disposed along with date vehicle number and the weight of each truck load.

Sr.No	Date	Vehicle Load (MT)	Vehicle Number
1	14-06-2023	30.33	MH01DR6162
2	14-06-2023	34.59	MH03DV8284
3	16-06-2023	26.08	MH03CV8684
4	16-06-2023	23.32	MH03CP8284
5	17-06-2023	24.6	MH03CP8284
6	19-06-2023	25.86	MH03CP8284
7	20-06-2023	24	MH03CP8284
8	20-06-2023	18.62	MH01DR5137
9	20-06-2023	20.76	MH01DR6162
10	21-06-2023	23.98	MH01DR6162
11	03-11-2023	31.78	MH03DV8284

(150)

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

Off.: 022-23513327 / 98200 86081 / 99209 97280

12	03-11-2023	23.38	MH03CV8684
13	04-11-2023	27.1	MH01DR6162
14	06-11-2023	22.38	MH01DR6162
15	20-11-2023	21.34	MH03CP8284
16	20-11-2023	21.84	MH03CV8684
17	20-11-2023	19.94	MH01DR6162
18	21-11-2023	22.96	MH03CP8284
19	22-11-2023	22.96	MH01DR5137
20	23-11-2023	21.9	MH01DR6162
21	27-11-2023	21.02	MH03CV8684
22	28-11-2023	24.48	MH01DR6162
23	28-11-2023	20.2	MH03CP8284
24	28-11-2023	21.5	MH03CV8684
25	29-11-2023	21.98	MH01DR6162
26	30-11-2023	22.06	MH03CP8284
27	30-11-2023	21.2	MH01DR6162
28	01-12-2023	20.98	MH03CV8684
29	01-12-2023	23.28	MH01DR6162
30	01-12-2023	18.66	MH03CP8284
31	02-12-2023	21.12	MH03CV8684
32	02-12-2023	23.78	MH01DR6162
33	18-01-2024	23.32	MH01DR6162
34	23-01-2024	27.28	MH01DR6162

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

Off.: 022-23513327 / 98200 86081 / 99209 97280

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35	24-01-2024	25.28	MH03CP8284
36	24-01-2024	24.46	MH03EG3379
37	24-01-2024	26.98	MH01DR5137
38	24-01-2024	23.98	MH01DR6162
39	24-01-2024	30.13	MH03DV8284
40	29-01-2024	22.38	MH01DR6162
41	30-01-2024	24.4	MH03EG3379
42	30-01-2024	26.78	MH03CP8284
43	30-01-2024	23.96	MH03CV8684
44	01-02-2024	22.68	MH03CV8684
45	01-02-2024	26.8	MH03CP8284
46	01-02-2024	27.36	MH03EG3379
47	01-02-2024	25.1	MH01DR5137
48	28-02-2024	24.24	MH03CP8284
49	29-02-2024	25.9	MH03CP8284
50	29-02-2024	26.9	MH03EG3379
51	29-02-2024	23.75	MH01DR6162
52	29 02-2024	23.86	MH03CV8684
53	01-03-2024	23.3	MH03CP8284
54	01-03-2024	24.3	MH03CV8684
55	02-03-2024	29.2	MH01DR6162
56	04-03-2024	25.500	MH03CP8284
57	04-03-2024	27.54	MH03EG3379
58	05-03-2024	28.480	MH03CP8284

Unmol. N. Gadkar.

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Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

Sir we would like you to take note of the above mentioned details .We would also request you to visit the bund and provide us your compliance certificate in the NGT Case.

Copy to

1)Superintendent of Salt ,Wadala

2)Deputy Superintendent of Wadala, Bhandup.

Exh-24 (153)

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037
✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

To,
Deputy Salt Commissioner
Exchange Building
Fort
Mumbai.

Date -09/03/2024

Sub – Lifting , Transporting & Processing C&D Waste
dumped for preparation of bunds of salt pan land in Wadala.

Reference – Your letter C.N.D- 11303/13/LAND/2008/III/812-21
Date 08/03/2024 on the above subject.

Dear Sir,

We hereby acknowledge receipt of your above mentioned letter.

On going through what has been stated therein, it seems that there is some gap in communication & and also complete awareness of the current position at the site.

At present, almost entire C & D waste dumped at the outer bund of our salt works has been removed. What little is noticed in the pictures of the site taken today (enclosed herewith), is what may have fallen off trucks transporting the material out of our site, or has fallen off the scoop of the excavator at the time of lifting and dumping into the trucks.

Our intention to fully comply with the direction of the Honourable NGT to remove it in its entirety remains unchanged and this final clean-up is ongoing.

You are requested to visit our salt works as your visit will enable you to be convinced of our compliance and also enable us to get a compliance certificate in NGT matter 343/2021. It will also help to understand first-hand what your observations are in order to complete the work to your satisfaction.

Yours faithfully

Hormuz Salt Works

Photos of Bund enclosed

भारत सरकार
मीठा आयुक्त कार्यालय,
भांडुप (पूर्व),
मुंबई - ४०० ०४२.

Subject to Mumbai Jurisdiction

(154)

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037
✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

Copy for information

1)The Deputy Municipal Commissioner (SWM),BMC HO, Annexe Building , 3rd Floor, Mahapalika Marg, Mumbai -400001 – emailed

2)The Director (Environment),Environment & Climate Change Department,15th Floor, New Administrative Building, Mantralaya ,Mumbai- 400032 – emailed

3) The Principal Secretary ,Environment & Climate Change Department,15th floor, New Administrative Building, Madam Cama Road , Hutatma Rajguru Chowk , Mantralaya – emailed

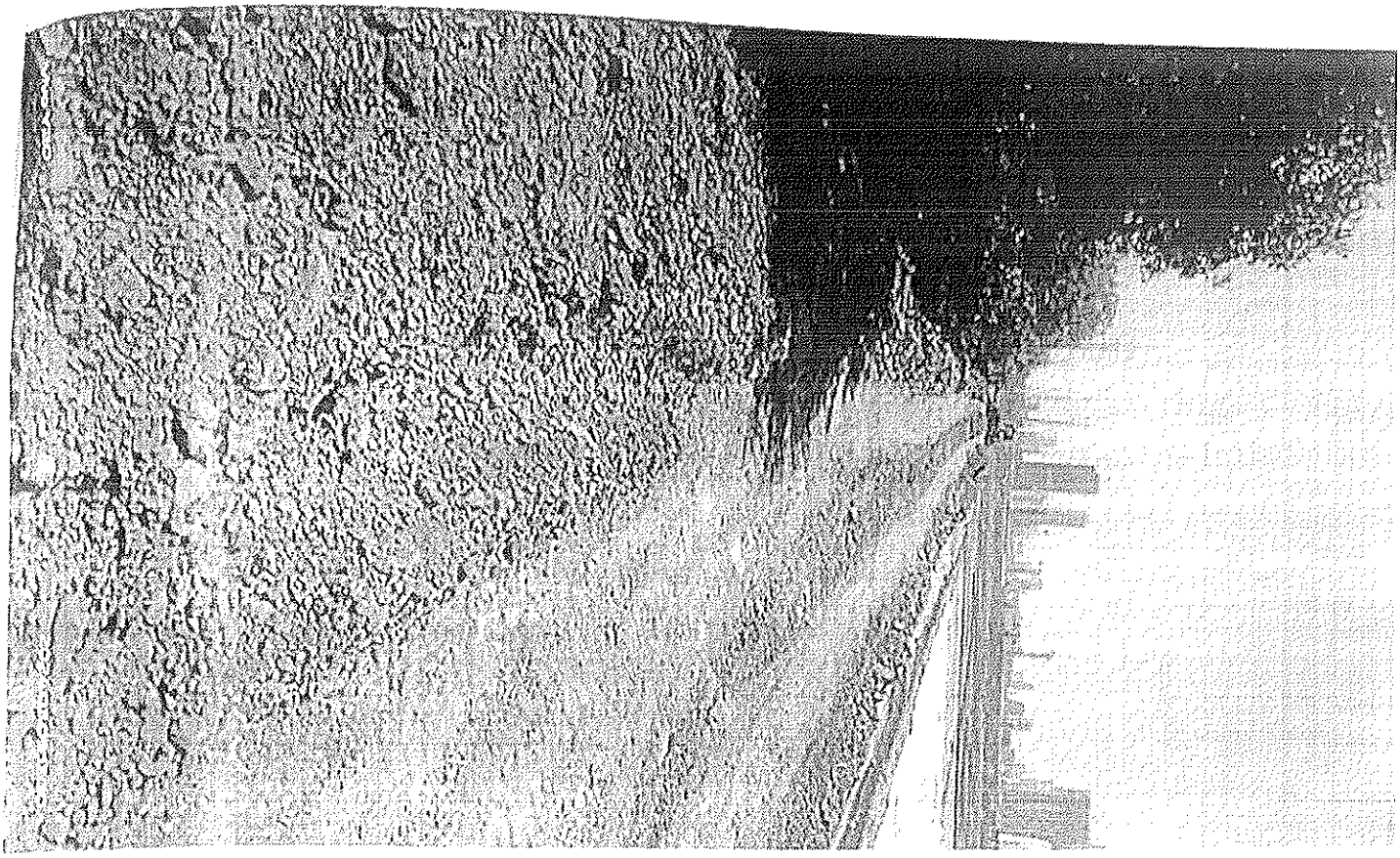
4) The Executive Engineer (SWM),Zone – II MCGM 3RD Floor F/North Ward Office,Matunga (W),Mumbai -400019 - emailed

5) The Superintendent of Salt ,Bhandup

6) The Deputy Superintendent of Salt ,Wadala

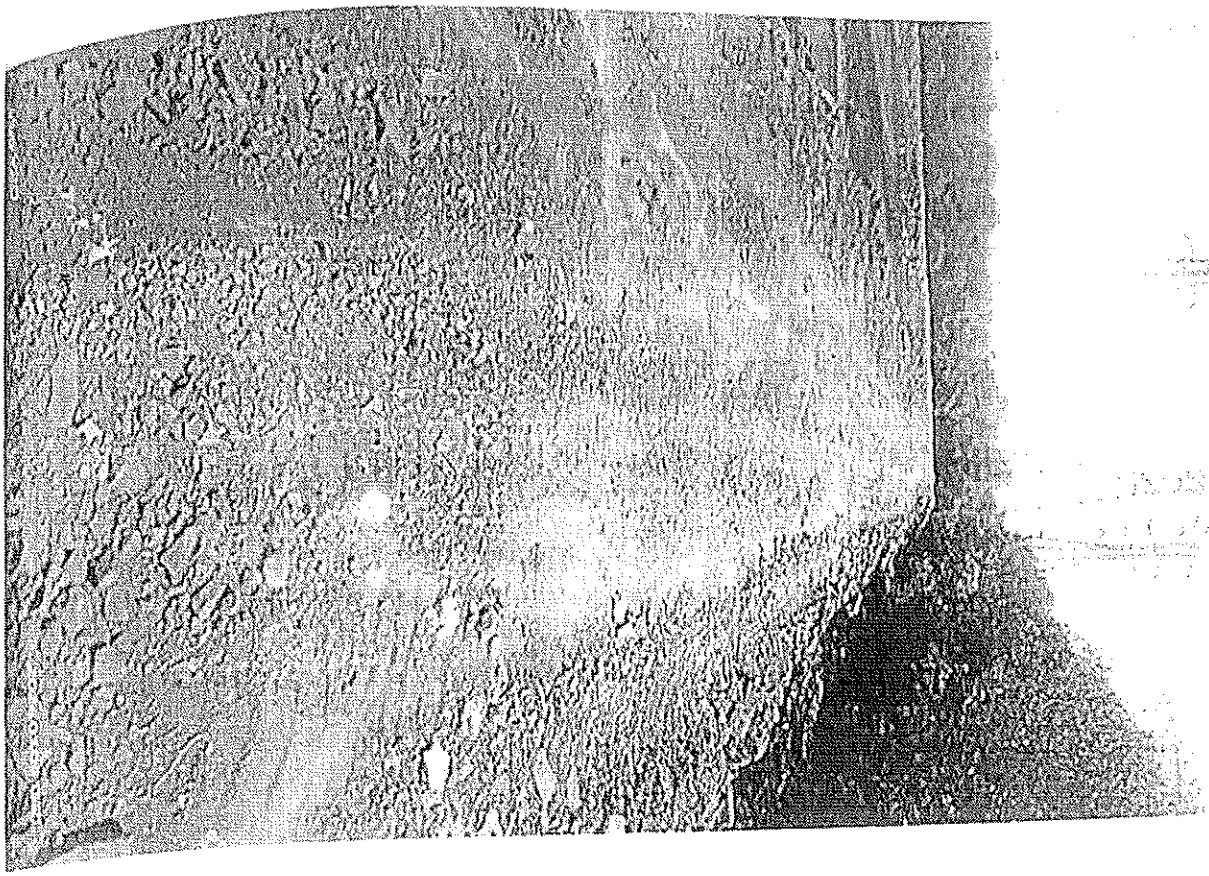
Ahmed. M. Kadiani

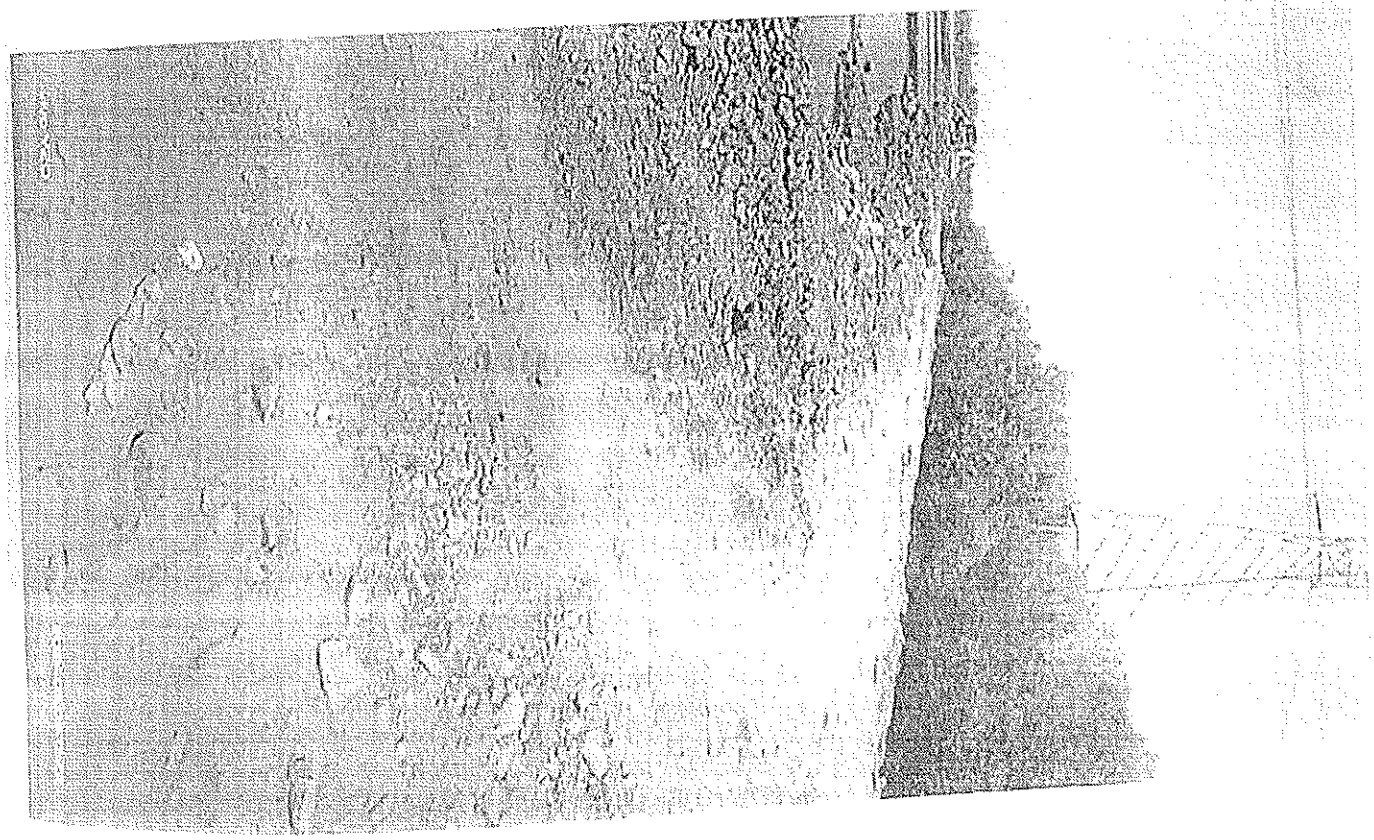
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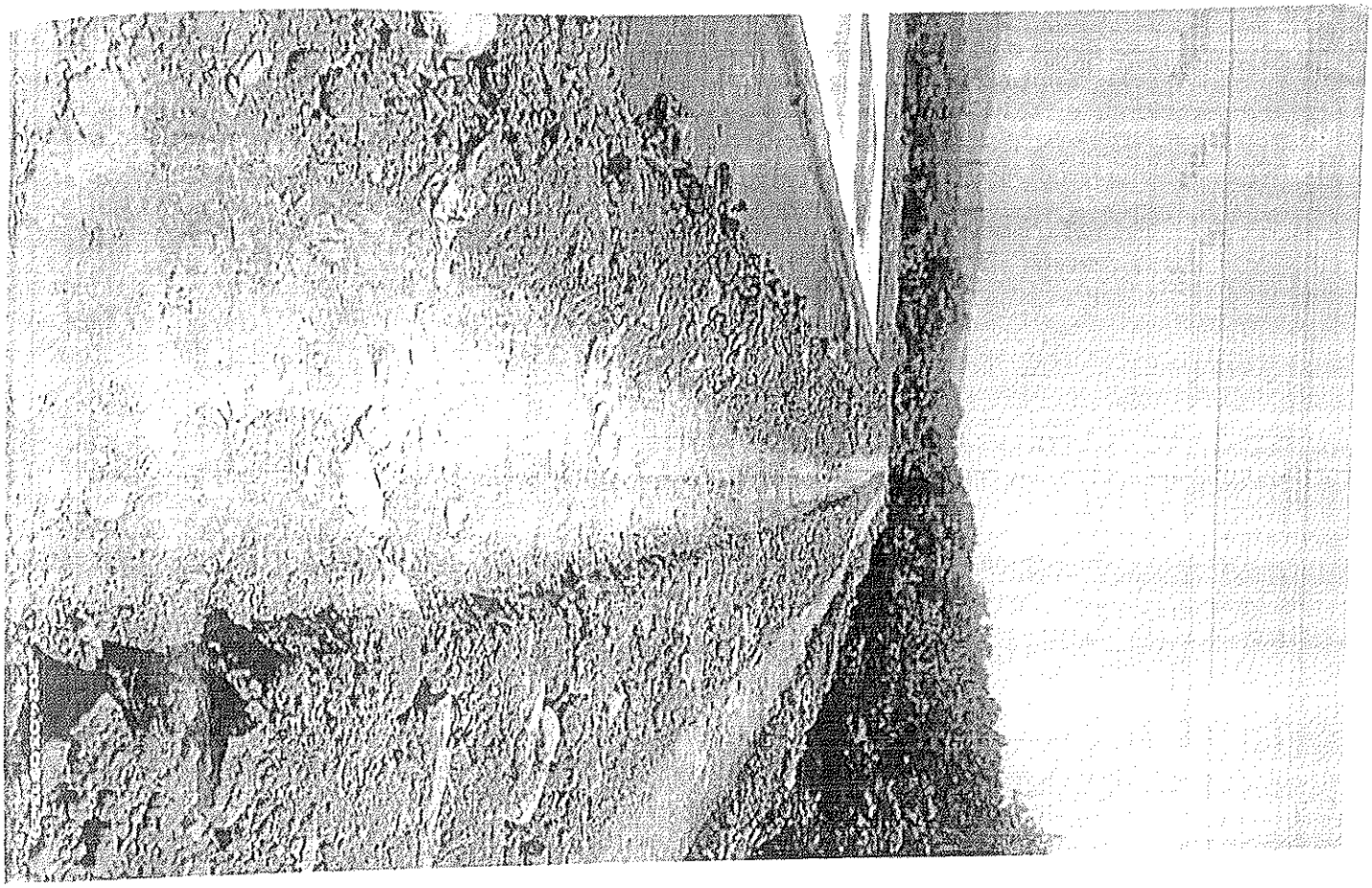
156





Arnold M. Gardner

157





Donald M. Lo...

Exh-25 (158)

नवी मुंबई महानगरपालिका
प्लॉट नं १ व २, गोवर्धनी चौक, सेक्टर १५ए, सी.बी.डी., बेलापूर, नवी मुंबई ४०० ६१४
दूरध्वनी क्र : २७५६ ७००१
फैक्स : २७५६ ७००२

Navi Mumbai Municipal Corporation
Plot No. १ & २, Covardhani Chowk, Sec. १५A,C.B.D.,Belapur, Navi Mumbai – ४०० ६१४
Tel. No. : २७५६ ७००१
Fax No. : २७५६ ७००२

No:/NMMC/EE(Env.)/ 79 /2024
Date :- 02 / 09/2024.

To Whom so Ever It May Concern

This is to certify that, the Waste contaning 1432.447 M.T. C&D waste Received at C&D Waste Processing Plant of Navi Mumbai Municipal Corporation for recycle by M/s Hormoz Salt Works. Indraprastha Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai-400037).

Executive Engineer (Environment)
Navi Mumbai Municipal Corporation

Kamal M. Gadia.

Kamal M. Gadia

Exh-26 (159)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Delivery_Note :

Serial_No :369633

Supplier_Name :C & D

Vehicle_No :MH03 CP8284

Product :C & D WASTE MATERIAL

Miscellenous :

Gross_Wt :	29820 Kg.	Date	:14/08/2024	15:51:28
Tare_Wt :	10745 Kg.	Date	:14/08/2024	16:41:30
Net_Wt :	19075 Kg.	Remarks	:M/S HORMOZ SALT WORKS	

Dmd. M. Gandhi

(160)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No :393154 Delivery_Note :

Vehicle_No :MH03 CP5264 Supplier_Name :C & D

Miscellaneous : Product :C & D WASTE MATERIAL

Gross_Wt	31320 Kg	Date	25/10/2024	16:59:28
Tare_Wt	10720 Kg	Date	25/10/2024	17:13:48
Net_Wt	20600 Kg	Remarks		

(161)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No : 1303163 Delivery_Note :

Vehicle_No : MH03 CV6894 Supplier_Name : C & D

Miscellenous : Product : C & D WASTE MATERIAL

Gross_Wt :	32320 Kg.	Date :	25/10/2024	16:52:14
Tare_Wt :	11400 Kg.	Date :	25/10/2024	17:12:34
Net_Wt :	20920 Kg.	Remarks :		

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NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No 383152

Vehicle_No MH03 EG3775

Miscellenous

Gross_Wt 33780 Kg

Tare_Wt 11560 Kg.

Net_Wt 22220 Kg.

Delivery_Note

Supplier_Name C & D

Product C & D WASTE MATERIAL

Date 25/10/2024 16:51:05

Date 25/10/2024 17:11:15

Remarks

Amol. U. Gadhe

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No	:388291	Delivery_Note	
Vehicle_No	:MH01 DA6162	Supplier_Name	:C & D
Miscellenous	:M/S HORMOZ SALT WORK	Product	:C & D WASTE MATERIAL

Gross_Wt	40600 Kg.	Date	14/10/2024	15:34:07
Tare_Wt	12620 Kg.	Date	14/10/2024	15:49:27
Net_Wt	27980 Kg.	Remarks		

991

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(164)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No :389266

Vehicle_No :MH03 EG3379

Miscellaneous :M/S HORMOZ SALT WORKS

Gross_Wt 39140 Kg Date :14/10/2024 16:03:40

Tare_Wt 11760 Kg. Date :14/10/2024 16:23:10

Net_Wt 27380 Kg. Remarks

Delivery_Note :

Supplier_Name :C & D

Product :C & D WASTE MATERIAL

(165)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No :388279

Vehicle_No :MH03 CP8284 Delivery_Note

Miscellaneous :M/S NORMOZ SALT WORKS Supplier_Name :C & D

Gross_Wt 31980 Kg. Product C & D WASTE MATERIAL

Tare_Wt 10920 Kg. Date 14/10/2024 16:01:56

Net_Wt 21060 Kg. Date 14/10/2024 16:17:16

Remarks

(166)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Delivery_Note

Serial_No 369278

Supplier_Name C & D

Vehicle_No MH03 CV8684

Product C & D WASTE MATERIAL

Miscellenous M/S HORMOZ SALT WORKS

		Date	14/10/2024	13:59:51
Gross_Wt	30700 Kg	Date	14/10/2024	16:15:01
Tare_Wt	11440 Kg			
Net_Wt	19260 Kg	Remarks		

Kamothe

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No	:394142	Delivery_Note	
Vehicle_No	:MH03 CV9684	Supplier_Name	:C & D
Miscellenous	:M/S HORMOZ SALT WORK	Product	C & D WASTE MATERIAL

Gross_Wt :	33340 Kg.	Date	:28/10/2024	15:55:15
Tare_Wt :	11460 Kg.	Date	:28/10/2024	16:12:35
Net_Wt :	21880 Kg.	Remarks		

[illegible] AS PER DRIVER'S STATEMENT
OUR RESPONSIBILITY CEASES ONCE THE VEHICLE LEAVES THE WEIGH BRIDGE.

Operator's Signature

995

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(168)

NAVI MUMBAI MUNICIPAL CORPORATION

LANDFILL SITE, TURBHE,NAVI MUMBAI

Serial_No :304141 Delivery_Note

Vehicle_No MH03 EG3079 Supplier_Name C & D

Miscellenous M/S HORMOZ SALT WORK Product C & D WASTE MATERIAL

Gross_Wt	35340 Kg.	Date	28/10/2024	15:53:05
Tare_Wt	11640 Kg.	Date	28/10/2024	16:10:23
Net_Wt	23700 Kg.	Remarks		

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No	:394154	Delivery_Note		
Vehicle_No	:MH03 DV8284	Supplier_Name	:C & D	
Miscellenous	:M/S HORMOZ SALT WORK	Product	C & D WASTE MATERIAL	
Gross_Wt	40780 Kg	Date	:28/10/2024	16:09:11
Tare_Wt	14580 Kg	Date	:28/10/2024	16:23:21
Net_Wt	26200 Kg	Remarks		

Shri. M. Gadia.

997

16a

(170)

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No :387458 Delivery_Note

Vehicle_No MH03 EG3379 Supplier_Name :MERCHANT

Miscellenous :M/S HORMOZ SALT WORK Product

Gross_Wt	31990 Kg	Date	06/11/2024	15:31:54
Tare_Wt	11570 Kg	Date	06/11/2024	15:44:34
Net_Wt	20320 Kg.	Remarks		

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No	:397159	Delivery_Note	:
Vehicle_No	:MH01 DR5137	Supplier_Name	:MERCHANT
Miscellenous	:M/S HORMOZ SALT WORK	Product	:

Gross_Wt	37340 Kg.	Date	:06/11/2024	15:34:13
Tare_Wt	12280 Kg.	Date	:06/11/2024	15:46:33
Net_Wt	25060 Kg.	Remarks		

Anand M. Gadia.

999

(172)

NAVI MUMBAI MUNCIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No :337538 Delivery_Note :

Vehicle_No :MH47 AS4262 Supplier_Name :MERCHANT

Miscellenous :M/S HORMOZ SALT WORK Product

Gross_Wt	31800 Kg.	Date	07/11/2024	16:29:09
Tare_Wt	11760 Kg.	Date	07/11/2024	16:42:29
Net_Wt	20040 Kg.	Remarks		

NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No	:397537	Delivery_Note	:
Vehicle_No	:MH03 CY3634	Supplier_Name	:MERCHANT
Miscellenous	:M/S HORMOZ SALT WORK	Product	:

Gross_Wt	: 31740 Kg.	Date	:07/11/2024	16:25:15
Tare_Wt	: 11280 Kg.	Date	:07/11/2024	16:39:25
Net_Wt	: 20460 Kg.	Remarks	:	

1001

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NAVI MUMBAI MUNICIPAL CORPORATION

LAND FILL SITE, TURBHE,NAVI MUMBAI

Serial_No :357536 Delivery_Note

Vehicle_No MH03 CP8204 Supplier_Name MERCHANT

Miscellenous M/S HORMOZ SALT WORK Product

Gross_Wt 31400 Kg. Date 07/11/2024 16:27:19

Tare_Wt 10980 Kg. Date 07/11/2024 16:40:39

Net_Wt 20420 Kg. Remarks

Exh-27

(175)

ORDER

SUB: Regarding compliance of Order dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Ref: Proposed Directions dated 8th April, 2024 under Section 5 of the Environment (Protection) Act, 1986 issued by the Director, Env&CC and MS, MCZMA

Background of the matter:

The matter of Original Application No. 343/2021 was filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, (NGT) Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST Seawey by addicting debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2 The Hon'ble NGT, New Delhi had passed order dated 28.9.2022 and 15th March, 2023 wherein certain directions were issued to MCGM and Salt Commissioner. It was directed to lift and process the C&D / debris waste from the site. For compliance of Hon'ble NGT order, 4 review meetings were conducted under the chairmanship of Principal Secretary, Environment &CC on 18th October, 2022, 16th January, 2023 27th March, 2023 and 8th June, 2023 with officials of MCGM, Salt Commissioner and District Collector, Mumbai City. Necessary directions were issued to MCGM, Salt Commissioner and District Collector, Mumbai City for compliance of Hon'ble NGT order.

3 A site visit was also carried out on 18th April, 2023 and status report is also submitted before Hon'ble NGT in June, 2023. Subsequently, 5th review meeting was also conducted on 13th October, 2023 in the mater.

4 Presently, Miscellaneous Application bearing M.A. No. 3/2024 has been filed in the matter based on the report submitted by the Deputy Salt Commissioner, Mumbai. Hence, now the matter is transferred to Western Zone, Pune bench of Hon'ble NGT.

5 A follow up site visit was carried out on 18th March, 2024 along with all concerned officers for ensuring compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in subject matter. During the site visit, the balance left over C&D waste covered with murum is observed along the mangroves. At 4 locations platforms were created using C&D waste and murum. Widening of bund along the site is being developed without permission, which is in violation of CRZ norms. It was decided that the Regional officer, MPCB, should immediate file FIR against the operators of the Hormoz Salt works for violation of the C&D waste rules, pollution norms, CRZ norms, Hon'ble High Court order dated 17th Sep, 2018 in PIL 3/2005 with respect to conservation & protection of mangroves. Office of Deputy Salt Commissioner to ensure that leftover C&D waste & bitumens within 50 m mangrove buffer zone should be removed immediately and action taken report to be submitted to Env&CC Dept.

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6. Further, it was decided that the Environment &CC shall issue direction under section 5 to salt operators & office of deputy salt commissioner directing them to remove the balance C&D waste immediately, failing which this office has option but to initiate stringent action under Environment (protection) Act, 1986 and issue the closure for salt manufacturing on the subject site.

Proposed Section 5 Directions:

7. Accordingly, Proposed Directions under Section 5 of the Environment (Protection) Act, 1986 was issued to Shree Muralilal N. Garodia and Shri Byram Rohinton Dhalla, M/s Harmoz Salt Works. It was directed to submit your say and submit the action taken report within 15 days with respect to removal of C&D waste / debris from the subject site of Harmoz Salt works on land bearing CS No. 144 & 145, Wadala. Failing which this office has no option but to initiate further stringent action under Environment (protection) Act, 1986 against you and issue the closure of the site and its salt manufacturing activities on the subject site.

Reply of M/s Harmoz Salt works:

8. M/s Harmoz Salt works under the signature of Shri Murarilar Garodia vide letter dated 2.5.2024 submitted its reply on proposed directions. The said reply mentions the present status which is reproduced as follows:

"12. By our letters dated 7th March, 2024 (Annexure 13) and 9th March, 2024 (Annexure 14) addressed to the Deputy Salt Commissioner, Mumbai, we have stated that in compliance of NGT orders in Original Application No 343 of 2021, we have completed the process of lifting, transporting and processing the C&D waste from out bunds by processing 58 truckloads of C&D waste at the Turbhe Recycling Plan situated at Navi Mumbai. A Certificate to this effect was received by us from NMMC on 2nd April 2024(Annexure 15). We have incurred a total cost of Rs. 14,50,000/- in lifting and transporting the C&D waste from the site to the treatment plant/ landfill

13. We say that as per the order of the NGT dated 28th September 2022, the concerned authorities were directed to remove illegal encroachments in CS No. 117 and 144. Whilst the encroachments in CS No. 144 were removed pro-actively, no action seems to be taken for the removal of CS 117. The same would also be evident from the Report of the Deputy Salt Commissioner dated 12th October 2023 (annexure 6 above). CS 117 does not form a part of Harmoz Salt works. We respectfully state that this selective implementation of NGT orders by the concerned authorities shows that we are specifically targeted and harassed and the encroachers on CS No. 117 have gone scot free

14. We say that bunding is essential for the protection of our salt works as proper bunding prevents the tidal waters from entering the salt works. We have removed the C&D waste in the bunds and replaced it using permissible material (murum / yellow mitti), which was duly informed to the Deputy salt commissioner vide letter dated 27th November, 2023 (Annexure 16 and 7th March 2024 (Annexure 13 herein). Repairing, and fortifying of the outer and inner bunds of salt works is a necessary practice to keep our salt works in proper and manufacturing condition

15. Vide our undertaking dated 27th April 2023 (Annexure I above), we had inter alia requested six months to remove the C&D waste from the bunds situated at CS 145. Due to the monsoon season, the lifting and transporting of C&D waste could effectively

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only commence in November 2023. We have accordingly complied with the undertaking by lifting and transporting the C&D waste from out salt pans. You are requested to kindly note the same"

Reply of office of Deputy Salt Commissioner:

9 The office of Deputy Salt Commissioner vide letter dated 30.5.2024 replied in the matter. As stated in the said reply:

Efforts have been made to implement the directives of the Hon'ble NGT, as evidenced by our Action taken report (ATR). Despite persistent efforts, the Salt Manufactures had partially removed C&D waste before the monsoon last year, resulting in an FIR (C.R. No. 144) being lodged against them on 4.8.2023.

Immediate eviction of the Salt Manufacturers from the Salt Works is restricted by the Hon'ble High Court injunction dated 04.07.2003. Proceedings under PPA 1971 are underway, and DPHT has been requested to appoint an estate officer at the earliest. Once appointed, eviction will proceed in accordance with the law.

Regrettably, despite numerous attempts to communicate and solicit support from the Municipal Corporation of Greater Mumbai (MCGM) and other relevant authorities, little assistance has been received. This lack of cooperation has posed significant challenges to our efforts to fully resolve the issue in a timely and effective manner.

It's crucial to clarify that the Salt Department has never granted permission, either explicitly or implicitly, to the Salt Manufacturers to dump C&D waste in the Salt Works. On the contrary, Salt Dept diligently followed NGT directives, as demonstrated by our timely actions and adherence to due process Responsibility for this issue lies jointly with stakeholders, including the Municipal Corporation Greater Mumbai and the Ministry of Environment.

Salt Dept reaffirm our commitment to upholding environmental standards and cooperating with relevant authorities. We categorically deny any allegations of non-compliance regarding C&D waste removal. We are dedicated to fulfilling our responsibilities diligently and effectively, and we stand ready to assist in resolving this issue comprehensively.

Regarding the management and disposal of C&D waste, it is clearly stipulated in the Construction & Demolition Waste Management Rules, 2016, as well as reinforced by the Supreme Court Judgment vide Special Leave Petition (SLP) 2018, that the responsibility for proper waste management lies with the waste generators, the Municipal Corporation of Greater Mumbai (MCGM), and the Salt Manufacturers.

Kamal M. Gaekwad

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11. The office of Deputy salt commissioner vide letter dated 28.5.2024 informed to Shri Amrutlal N. Garodia and Shri Byram Rohinton Dhalla, M/s Hormoz Salt Works that during the visit on 16th May, 2024, it was observed that C&D has not been adequately removed from the site. Consequently, it was duly instructed to expedite the removal process with proper care. Office of Deputy Salt commission instructed to take prompt action in accordance with directions of Hon'ble NGT orders. Compliance with these directions is essential to ensure environmental sustainability. Appropriate actions will be initiated, if necessary, in accordance with relevant legal provisions and regulatory frameworks.

Hearing granted to parties:

11. On receipt of the reply from the M/s Harmoz Salt works, hearing was granted on 31st May, 2024 to Harmoz Salt works and Officials from Deputy Salt Commissioner, Mumbai.

During the hearing, both the parties presented their say in the matter. It was directed to submit their final written submissions in the matter.

Written Submissions of Hormoz Salt Works:

12. The Hormuz Salt Works vide letter 3.6.2024 submitted its reply which is as follows:

- Harmuz Salt Works has been associated with the manufacturing and production of salt since more than hundred years. The land of Hormuz salt works was given to Mr Nanabhai Hormasji Bhiwandiwala by the Collector of Bombay in year 1913 for salt manufacturing, due to a severe shortage of salt in the country. The land allocated for development was situated at Wadala and was marshy land which was assigned to him over a period of time, through different Government Resolutions (GR) from 1913 to 1915. It was given on the basis of Ground Rent which was to be collected by the Salt Department. A license was given for the activity of manufacturing of salt.
- The marshy land was reclaimed at a very significant cost entirely born by Mr. Bhiwandiwala personally. Salt pans were constructed thereon. None of this cost was reimbursed by either the salt Dept or the Collector of Bombay.
- During the monsoon period, i.e. from end of June 2023 to October 2023, no work of lifting the C& D waste could be undertaken. During monsoon, the soil becomes muddy and there is a risk of heavy vehicles getting stuck.
- Further there was growth of grass as high as 5 ft. There were may potholes due to which it was not possible for the loaded dumpers to move. The undersigned had to get the grass removed and the road repaired to recommence the lifting and transporting work.
- Beside this, in oct 2023, the movement of debris and construction material on roads of the city was restricted by the Hon'ble High Court due to air quality control measures undertaken by them. Thus, further work for lifting and processing of the C&D waste could recommence only on 3rd November 2023.
- Despite being well aware of the difficulties faced, the Deputy Superintendent of Salt works, Mumbai on 4th August 2023 filed an FIR u/s 188 and 34 of the IPC. In the said FIR, it is admitted by the complainant that the salt manufactures have started picking up the C&D waste from the stie from 14th June 2023, however, the desired quantity is not being lifted.

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- It would be pertinent to point out that such FIR was registered on 4th August 2023 during the peak of monsoon season, when admittedly no lifting and transportation works of C&D waste can be carried out.
- The allegations in the FIR are baseless and a criminal WP No. 311 of 2024 has been filed in the Hon'ble Bombay High Court seeking for quashing of the said FIR.
- In the salt pans, there is path way for only a single dumper to move around. Only one hydraulic excavator and few dumpers can be used at one time
- The bund became weak due to the plying of loaded dumper and slid from one side due to which drivers were not ready to take dumper on the bund.
- Due to continuous movement of the loaded dupers, the bund was sinking and sliding. The undersigned had to repair the bund and dispose the waste simultaneously, which delayed the entrie process.
- The hydraulic excavator,machine used by the undersigned was damaged and it took considerable time to get the same repaired.
- During and post the lockdown, some local goons from the nearby area started encroaching on CS 144 and constructed huts illegally on the said land. The said encroachers were removed and the huts built by them were demolished by the authorities upon complaints lodged by the undersigned. However, all the C&D waste as well as other debris were not lifted by the authorities and the same was kept lying on the same land. The C&D waste lying on CS 144 is a result of demolition of encroaching structures. It would indeed be unreasonable for the concerned authorities to expect the undersigned to remove the said debris from CS 144, more particularly when the undersigned themselves are victims of the said encroachment.
- Previously, by letter dated 7th June 2023 addressed to the Senior Inspector of Truck Terminal Police Station, Wadala, the undersigned, had stated that some unknown persons have, without any permission dumped 4-5 vehicles of debris and /or C&D waste on CS No. 144, and had requested the said officer to take necessary action.
- Till date, numerous attempts have been made by the miscreants and local elements to encroach upon the said land and dump the C&D waste therein, which is evident from letters dated 6th January 2024 and 29th January 2024.
- By letters dated 7th March 2024, 9th March 2024 and 2nd May 2024 addressed to the Deputy Salt Commissioner, Mumbai undersigned have stated that in compliance of NGT orders in Original Application No. 343 of 2021, they have completed the process of lifting, transporting and processing the C&D waste from their bunds by processing 58 truckloads of C&D waste at the Turbhe Recycling Plant situated at Navi Mumbai. A certificate to this effect was received from NMMC on 2nd April 2024. The undersigned has incurred a total cost of R. 14,50,000 in lifting and transporting the C&D waste from the site to the treatment plant/ landfill. However, the undersigned has received no response from the concerned authorities regarding compliance. On the contrary, the said authorities are still insisting on removal of C&D waste without considering the aforesaid letters.
- Bunding is essential for the protection of our salt works as proper bunding prevents the tidal waters from entering the salt works. The undersigned has removed the C&D waste in the bunds and replaced it using permissible material (murum /yellow mitti), which was duly informed to the Deputy salt commissioner vide letter dated 27th November 2023 and 7th March 2024. Repairing and fortifying of the outer and inner bunds of salt

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works is a necessary practice to keep the salt works in proper and manufacturing condition. The undersigned humbly states that:

- Prior in time, a bund of lower height made of 'mitti' was always in existence. For several years, the mud or 'mitti' used for this bund was taken from the adjoining lands as there were no mangroves there. Over the years, the mangroves have grown on the outside of the outer bunds, due to which mitti from these lands could not be used.
- The height of this bund had to be increased due to rising sea levels to prevent sea water from entering the salt pan lands. As per reports, sea levels in Mumbai and Konkan region have witnessed 3.7 mm rise every year between 2006 and 2018. Belses this the sea water in Mumbai is polluted and cannot be used for salt manufacture.
- This increase in sea level required the construction of heightened bunds which were (inadvertently) made using C&D waste material.
- After receipt of the NGT orders, the undersigned has duly complied with the same and removed the C&D waste from the bunds.
- The undersigned has replaced the C&D waste with permissible natural material such as 'murum' and 'mitti' to maintain the height of the bund.
- The undersigned states that removing C&D waste and putting 'murum' and 'mitti' in the existing bunds does not amount to construction of a new bund; not only amounts to repairing and fortifying the existing bunds, for which no permission of any authority would be required. The fact that no permission is required for maintaining the bunds is evident from the following letters:
    I. Letter dated 14th March 2024 of the Deputy Salt Commissioner addressed to Under Secretary, MCZMA. In the said letter, it is also stated that Hormoz salt works has been carrying out repair works of the existing bunds since more than 100 years.
    II. Letter dated 22nd Feb 2022 addressed by the Salt Commissioner to State Pollution Control Board stating that no permission is required for repair or maintenance of salt works
- Vide our undertaking dated 27th April 2023, the undersigned had inter alia required six months to remove the C&D waste from the bunds situated at CS 145. Due to the monsoon, the lifting and transporting of C&D waste could effectively only commence in November 2023. The undersigned has accordingly complied with the undertaking by lifting and transporting the C&D waste from salt pans.

Deliberations:

13. The replies & submissions of the Hormuz salt work and Deputy Salt Commissioner were noted. It was noted that C&D waste was dumped at the site of M/s Hormoz salt Works which was not removed completely despite repeated instructions. Dumping was observed almost spilling over mangroves area, causing its degradation.

14. Despite repeated instructions through Salt Pan Department, the C&D waste dumping on the site is not completely removed. During the site visit on 18th April, 2023 &18th March, 2024, the balance left over C&D waste covered with murum is observed along the mangroves. At 4 locations platforms were created using C&D waste and murum. Widening of bund along the site is being developed without permission, which is in violation of CRZ norms.

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15. It is clear that despite directions, M/s Hormoz salt Works has failed to remove the C&D waste completely from the site and from 50 m mangroves buffer zone area, which is a clear violations of Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006 as well CRZ Notification, 2011/2019. Illegal dumping of C&D waste is blatant violation of C&D waste management Rules, 2016. The illegal dumping of C&D waste lead to fugitive dust emission and unhealthy environmental conditions causing Air pollution & ground water contamination. In addition to this, it is also a violation of Hon'ble NGT orders dated 28.9.2022 and 15.3.2023 in Original Application No. 343/2021. The Maharashtra Pollution Control (MPCB) has filed the FIR under Environment (protection) Act, 1986 in the Wadala Police Station reporting about the violations caused by Shri Murarilal Garodia and Shri Byram Rohinton Dhalla.

16. Hence, considering the aforementioned facts, it was observed that the Environment &CC Department shall issue direction under section 5 to M/s Hormoz Salt Works & directing to remove the balance C&D waste immediately, failing which this office has no option but to initiate stringent action under Environment (protection) Act, 1986 and till that time, issue the closure for salt manufacturing on the subject site. Office of Deputy Salt Commissioner shall ensure the removal of C&D waste from the site.

DECISION:

In view of the above, after detailed discussion and deliberation, it was decided that, till the time, C&D waste is completely removed from the subject site by the M/s Hormoz Salt Works, the subject site of Hormuz Salt works should be closed with immediately effect. Electricity and water connection should be disconnected at the site forthwith. To that effect, directions under Section 5 of E(P) Act, 1986 shall be issued to M/s Hormoz Salt Works for closure of site. Maharashtra Pollution Control (MPCB) shall ensure that the site is closed till the C&D waste is completely removed from the subject site.

The Deputy Salt Commissioner, Fort, Mumbai is hereby directed to ensure that the site of M/s Hormoz Salt Works is closed till C&D waste is completely removed from the site by the M/s Hormoz Salt Works. Office of Deputy Salt Commissioner shall install the CCTC cameras for monitoring of the site and should strictly intervene and initiate necessary urgent actionable steps against salt operators for protection of their land by pursing the matter at Court & engaging Sr Counsels.

(Pravin Darade)
Principal Secretary, Environment & CC Dept, GoM

Exh-28 (183)

GOVERNMENT OF MAHARASHTRA

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No. MCZMAP 2024/ CR 09 / TC - 4
Office of the -
Maharashtra Coastal Zone Management Authority,
Environment & Climate Change Department,
15th floor, New Administrative Building,
Mantralaya, Mumbai- 400 032.
Date: 12.8.2024

To,
Deputy Salt Commissioner
Office of Salt commissioner,
Belard Estate, Mumbai.

SUB: Directions under Section 5 of the Environment (Protection) Act, 1986 read with CRZ Notification, 2019

Ref:
1) Proposed Directions dated 8th April, 2024 under Section 5 of the Environment (Protection) Act, 1986 issued by the Director, Env&CC and MS, MCZMA
2) Your instructions dated 28.5.2023 to M/s Harmoz Salt Works
3) Your reply dated 30.5.2024 to this office
4) Hearing granted on 31.5. 2024 to Harmoz Salt works and Officials from Deputy Salt Commissioner, Mumbai.

WHEREAS, an Original Application No. 343/2021 has been filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, (NGT) Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2. WHEREAS, the Hon'ble NGT, New Delhi had passed order dated 28.9.2022 and 15th March, 2023 wherein certain directions were issued for lifting and processing of the C&D / debris waste from the site. For compliance of Hon'ble NGT order, four (4) review meetings were conducted under the chairmanship of Principal Secretary, Environment &CC on 18th October, 2022, 16th January, 2023 27th March, 2023 and 8th June, 2023 with officials of MCGM, Salt Commissioner and District Collector, Mumbai City.

3. WHEREAS, time to time, office of the Deputy Salt Commissioner has issued directions were issued to you for removal of the unauthorized debris/C&D waste from the Harmonz Salt Works, Wadala, Mumbai. WHEREAS, Now, this office is in receipt of communication dated

S.D.M. Gardian

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8.8.2024 from Superintendent of Salt, Regional office, Mumbai stating that the factory officer, Wadala has reported that C&D waste is not being lifted properly from the outer bunds of the Salt Works. It seems that despite issuing various warnings and even filing FIR bearing No. 144/2023 against the Shree Muralilal N. Garodia, Shri Byram Rohinton Dhalla, M/s Hormoz Salt Works, the C&D waste is not being removed properly from the salt pan lands as per instructions of the Hon'ble NGT in the subject matter. M/s Hormoz Salt works has been instructed that C&D waste must be completely removed from the salt works as the same is endangering mangroves along the periphery of the Salt works, which may cause harm to environment.

4. WHEREAS, you were given proposed directions dated 8th April, 2024 to ensure that C&D waste at the subject site is removed by the Hormoz Salt works. Action taken report be submitted within 15 days. Failing which this office has no option but to further initiate stringent action under Environment (protection) Act, 1986 and issue the closure for the subject site and its salt manufacturing activities on the subject site.

5. WHEREAS, on receipt of replies received from Hormoz Salt works and Officials from Deputy Salt Commissioner, Mumbai, hearing was granted to you on 31st May, 2024. (Copy of the order passed on the hearing granted is attached herewith).

6. WHEREAS, despite repeated instructions through Salt Pan Department, the C&D waste dumping on the site is not completely removed. During the site visit on 18th April, 2023 &18th March, 2024, the balance left over C&D waste covered with murum is observed along the mangroves. At 4 locations platforms were created using C&D waste and murum. Widening of bund along the site is being developed without permission, which is in violation of CRZ norms.

7. WHEREAS, in view of the aforementioned facts and written submissions/ replies from M/s Hormoz Salt works and Office of Dy Salt Commissioner, this office came to following conclusions:

i. In spite of the steps taken for implementation by you, the status of compliance is that C&D waste is only partially removed. It is clear that despite directions, M/s Hormoz salt Works has failed to remove the C&D waste completely from the site and from 50 m mangroves buffer zone area, which is a clear violations of Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006 as well CRZ Notification, 2011/2019.

ii. Illegal dumping of C&D waste is blatant violation of C&D waste management Rules, 2016.

iii. Illegal dumping of C&D waste lead to fugitive dust emission and unhealthy environmental conditions causing Air pollution & ground water contamination. Maharashtra Pollution Control (MPCB) has filed the FIR under Environment (protection) Act, 1986 in the Wadala Police Station reporting about the violations caused by Shri Murarilal Garodia and Shri Byram Rohinton Dhalla.

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iv. It is also a violation of Hon'ble NGT orders dated 28.9.2022 and 15.3.2023 in Original Application No. 343/2021.

8. WHEREAS, taking into consideration above facts, this office after detailed discussion and deliberation, decided that, till the time, C&D waste is completely removed from the subject site by the M/s Hormoz Salt Works, the subject site of Hormuz Salt works should be closed with immediately effect. Electricity and water connection should be disconnected at the site forthwith. To that effect, directions under Section 5 of E (P) Act, 1986 shall be issued to M/s Hormoz Salt Works for closure of site. Maharashtra Pollution Control (MPCB) shall ensure that the site is closed till the C&D waste is completely removed from the subject site. The Deputy Salt Commissioner, Fort, Mumbai is hereby directed to ensure that the site of M/s Hormoz Salt Works is closed till C&D waste is completely removed from the site by the M/s Hormoz Salt Works. Office of Deputy Salt Commissioner shall install the CCTC cameras for monitoring of the site and should strictly intervene and initiate necessary urgent actionable steps against salt operators for protection of their land by pursing the matter at Court & engaging Sr. Counsels.

9. THEREFORE, in the light of above, the following directions under Section 5 of Environment (Protection) Act, 1986 are issued against you:

a) You shall ensure that the site of M/s Hormoz Salt Works is closed till C&D waste is completely removed from the site by the M/s Hormoz Salt Works.
b) You shall install the CCTC cameras for monitoring of the site
c) You shall strictly intervene and initiate necessary urgent actionable steps against salt operators for protection of their land by pursing the matter at Court & engaging Sr. Counsels.

(Abhay Pimparkar)
Director, Env&CC Dept and Member Secretary, MCZMA

Copy for information and implementation:

- Member Secretary, Maharashtra Pollution Control Board: The MPCB shall ensure that the site is closed till the C&D waste is completely removed from the subject site and further ensure that electricity and water connection is disconnected at the site forthwith.

Amd. M. Gadica

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GOVERNMENT OF MAHARASHTRA

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No. MCZMAF 2024/ CR 69 / TC - 4
Office of the -
Maharashtra Coastal Zone Management Authority,
Environment & Climate Change Department,
15th floor, New Administrative Building,
Mantralaya, Mumbai- 400 032.
Date: 12.8.2024

To,
Shree Muralilal N. Garodia
Shri Byram Rohinton Dhalla
M/s Hormoz Salt Works,
Shanti Nagar, Salt Pan Road,
Near Madina Masjid,
Wadala, Mumbai.

SUB: Directions under Section 5 of the Environment (Protection) Act, 1986 read with CRZ Notification, 2019

Ref:
1) Proposed Directions dated 8th April, 2024 under Section 5 of the Environment (Protection) Act, 1986 issued by the Director, Env&CC and MS, MCZMA
2) Reply dated 2.5.2024 on proposed directions from M/s Harmoz Salt works under the signature of Shri Murarilar Garodia
3) Hearing granted on 31st May, 2024 to Harmoz Salt works and Officials from Deputy Salt Commissioner, Mumbai.
4) Written Submission dated 3.6.2024 from Hormuz Salt Works

WHEREAS, an Original Application No. 343/2021 has been filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, (NGT) Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2. WHEREAS, the Hon'ble NGT, New Delhi had passed order dated 28.9.2022 and 15th March, 2023 wherein certain directions were issued for lifting and processing of the C&D / debris waste from the site. For compliance of Hon'ble NGT order, four (4) review meetings were conducted under the chairmanship of Principal Secretary, Environment &CC on 18th October, 2022, 16th January, 2023 27th March, 2023 and 8th June, 2023 with officials of MCGM, Salt Commissioner and District Collector, Mumbai City.

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3. WHEREAS, time to time, office of the Deputy Salt Commissioner has issued directions were issued to you for removal of the unauthorized debris/C&D waste from the Hormoz Salt Works, Wadala, Mumbai. WHEREAS, Now, this office is in receipt of communication dated 8.8.2024 from Superintendent of Salt, Regional office, Mumbai stating that the factory officer, Wadala has reported that C&D waste is not being lifted properly from the outer bunds of the Salt Works. It seems that despite issuing various warnings and even filing FIR bearing No. 144/2023 against the Shree Muralilal N. Garodia, Shri Byram Rohinton Dhalla, M/s Hormoz Salt Works, the C&D waste is not being removed properly from the salt pan lands as per instructions of the Hon'ble NGT in the subject matter. M/s Hormoz Salt works has been instructed that C&D waste must be completely removed from the salt works as the same is endangering mangroves along the periphery of the Salt works, which may cause harm to environment.

4. WHEREAS, you were given the Proposed Directions dated 8th April, 2024 under Section 5 of the Environment (protection) Act, 1986 to submit your say and submit the action taken report within 15 days with respect to removal of C&D waste / debris from the subject site of Hormoz Salt works on land bearing CS No. 144 & 145, Wadala. Failing which this office has no option but to initiate further stringent action under Environment (protection) Act, 1986 against you and issue the closure of the site and its salt manufacturing activities on the subject site.

5. WHEREAS, on receipt of replies received from Harmoz Salt works and Officials from Deputy Salt Commissioner, Mumbai, hearing was granted to you on 31st May, 2024. WHREAS, Harmoz Salt works submitted its reply on 3.6.2024 in the matter (Copy of the order passed on the hearing granted is attached herewith).

6. WHEREAS, despite repeated instructions through Salt Pan Department, the C&D waste dumping on the site is not completely removed. During the site visit on 18th April, 2023 &18th March, 2024, the balance left over C&D waste covered with murum is observed along the mangroves. At 4 locations platforms were created using C&D waste and murum. Widening of bund along the site is being developed without permission, which is in violation of CRZ norms.

7. WHREAS, in view of the aforementioned facts and written submissions/ replies from M/s Harmoz Salt works and Office of Dy Salt Commissioner, this office came to following conclusions:

i. In spite of the steps taken for implementation by you, the status of compliance is that C&D waste is only partially removed. It is clear that despite directions, M/s Hormoz salt Works has failed to remove the C&D waste completely from the site and from 50 m mangroves buffer zone area, which is a clear violations of Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006 as well CRZ Notification, 2011/2019.

ii. Illegal dumping of C&D waste is blatant violation of C&D waste management Rules, 2016.

iii. Illegal dumping of C&D waste lead to fugitive dust emission and unhealthy environmental conditions causing Air pollution & ground water contamination.

Smt. M. Garodia

Smt. M. Garodia

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Maharashtra Pollution Control (MPCB) has filed the FIR under Environment (protection) Act, 1986 in the Wadala Police Station reporting about the violations caused by Shri Moorarilal Gawadia and Shri Byram Robinton Dhalla.

8. It is also a violation of Hon'ble NGT orders dated 28.9.2022 and 15.3.2023 in Original Application No. 343/2021.

8 WHEREAS, taking into consideration above facts, this office after detailed discussion and deliberation, decided that, till the time, C&D waste is completely removed from the subject site by the M/s Hormoz Salt Works, the subject site of Hormuz Salt works should be closed with immediately effect. Electricity and water connection should be disconnected at the site forthwith. To that effect, directions under Section 5 of E (P) Act, 1986 shall be issued to M/s Hormoz Salt Works for closure of site. Maharashtra Pollution Control (MPCB) shall ensure that the site is closed till the C&D waste is completely removed from the subject site. The Deputy Salt Commissioner, Fort, Mumbai is hereby directed to ensure that the site of M/s Hormoz Salt Works is closed till C&D waste is completely removed from the site by the M/s Hormoz Salt Works. Office of Deputy Salt Commissioner shall install the CCTC cameras for monitoring of the site and should strictly intervene and initiate necessary urgent actionable steps against salt operators for protection of their land by pursing the matter at Court & engaging Sr. Counsels.

9. THEREFORE, in the light of above, the following directions under Section 5 of Environment (Protection) Act, 1986 are issued against you:

a) You shall take immediate steps to close down your site of M/s Hormoz Salt works till the time, Construction and Demolition Waste is completely removed from your site. For that concrete action plan should be implemented.
b) You shall submit the progress report to office of Dy Salt Commissioner reporting about the removal of C&D waste and restoration of the site.
c) You shall ensure the compliance of above directions in time bound manner.

(Abhay Pimparkar)
Director, Env&CC Dept and Member Secretary, MCZMA

Copy for information and implementation:

- Member Secretary, Maharashtra Pollution Control Board: The MPCB shall ensure that the site is closed till the C&D waste is completely removed from the subject site and further ensure that electricity and water connection should be disconnected at the site forthwith.

Exh - 29

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BRIHANMUMBAI MAHANAGARPALIKA

No. D.M.C./ /(S.W.M.) Dt.

Office of D.M.C. (SWM),
BMC H.O., Annexe Building,
3rd Floor, Mahapalika Marg,
Mumbai – 400 001

To,
The Salt Commissioner
Lavan Bhawan, 2-A,
Lavan Marg, Jhalana Doongri,
Jaipur – 302004 (Rajasthan).

SUB: Compliance of Order dated 28.09.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

REF: Minutes of Joint Meeting Held on 18th October,2022 Under the chairmanship of Secretary, environment & climate change, GOM

An Original Application No. 343/2021 was filed by Smt. Madhura Rajesh Tawade versus State of Maharashtra. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

The Hon'ble NGT has passed an order dated 28.09.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF / OCR support PDF and in the form of image PDF."

Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date

List for further consideration on 02.01.2023"

Kamal M. Vaidya

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After detailed discussion and deliberation in the meeting held on 18.10.2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai following directions issued to BMC, Salt Commissioner and Mumbai City Collector and accordingly reply of BMC given as below:

Sr. No.	Points	Answer by the BMC
1	Hon'ble NGT order need to be brought to the notice of Municipal Commissioner Municipal Corporation of Greater Mumbai (MCGM) for necessary action in the matter. Ward offices of F/N and M/W to act in coordination along with office of Salt Commissioner to remove the encroachments on the subject land.	As per prevailing policy of MCGM (BRIHANMUMBAI MUNICIPAL CORPORATION) BMC, the action on unauthorized work on land belonging to special planning authority such as SRA, MHADA, MMRDA, Collector, Salt Commissioner etc. shall be taken by concerned authority and logistic support required for such action (i.e. man and machinery as per availability) shall be provided by BMC to concern authority on prior intimation. In this case, Hon'ble NGT has directed BMC (ward offices of F/N & M/W) and Salt Commissioner to act in co-ordination to remove the encroachment on the said land. As such, a demolition action schedule shall be arranged by Salt Commissioner department and necessary correspondence be made with Police department for protection during demolition action and intimate a copy to concern BMC Administrative office, so that necessary arrangements of man and machinery etc. will be made available.
2	BMC need to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. BMC should send C&D waste from the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the BMC for Mumbai City and necessary charges for waste processing shall be borne by BMC as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within BMC area.	NGT in its order dated 28.09.2022 has explicitly mentioned that the recommendation of the committee appointed as per its order dated 15.12.2022 have to be accepted. The recommendation of the committee for the removal of unauthorized C&D waste dumped at the Salt pan plot is as following. *"Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan / salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate."* *However its seems that of this recommendation may not have been considered,as intended by committee as, the C&D waste material dumped at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of*

Sunil M. Gadiya

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office of Dy. Salt Commissioner, Mumbai and Administrative wards F(N)/M(W) of BMC. Therefore the necessary arrangement required for removal of C&D material has to be done by the operator of salt pan/ salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee.

Furthermore it is to be informed that currently there are two Nos of C&D waste processing Plants operational in and in the vicinity of Mumbai viz.

1. M/s Godrej Construction ltd at Vikhroli (E), Mumbai Capacity- 300mt/day.
2. M/s Metrro waste Handling pvt. Ltd. at shilphata, TMC Capacity- 300mt/day.

BMC has also proposed to set up 02 Nos of C&D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. LOI for the same is already issued.

In addition to this BMC has approved designated unloading sites for disposal of C&D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites.

As per the meetings held in the chamber of AMC(W.S) on 15.06.2021. The Construction & Demolition waste available on the land of Dy. Salt Commissioner is 5,52,000 brass approx (i.e. 5,52,000 x 2.83 = 1562160 MT approx) processing cost required is 15,62,160 x Rs. 1600/MT = Rs. 249.95 CR (approx) which may vary depending upon qty of C&D waste.

1562160/1200 = 3.56 years, time required for total processing the C&D waste lying at the above stated site.

The NGT, Principal Bench mentioned in the order dated 28.09.2022, that recommendation (as per above) in the report regarding to remove unauthorized dumping of waste have to be accepted.

The main thrust of the orders are directives given to operator of Salt Pan/ Salt manufacturer for removal of existing C & D waste deputed by them under supervision of BMC.

Asst. M. Gadia.

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In view of the above, the protection of the land is the responsibility of the owner/ occupier of the land. In this case the Salt Commissioner is the owner of the land, hence to remove the debris lying on the salt commissioner land. If funds are made available by Salt commissioner, BMC will help to remove the same.

Thanking You.

13.03.2023
Assistant Engineer
(S.W.M)F/North

13/3/2023
Executive Engineer
(S.W.M)Z-II

9/3/2023
Dy.Ch Eng
(S.W.M) Op.)/c

Chief Engineer(S.W.M)

DMC (S.W.M)

Copy for necessary action to:
1. Deputy Salt Commissioner.
2. The Superintendent of Salt, Bhandup.
3. The Deputy Superintendent of Salt, Wadala.

Copy for information to:
1. The Director, Environment and Climate Change Dept. and MS, MCZMA.

Kamal M. Kadian

Exh-30
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BRIHANMUMBAI MAHANAGARPALIKA

No. A.E./S.W.M./ 1666 /F/North Dt. 26/04/2023

Office of Asst. Engineer (SWM),
F/North Ward Office Building,
3rd Floor, 96 Bhau daji Marg,
Mumbai – 400 019

NOTICE

To,
Mrunalal N Garodia
Sheela Apartments 4th Floor,
Mahalaxmi Mandir Road,
Off Bhulabhi Desai Road,
Mumbai- 400 026 .

SUB: To implement the Order of NGT dated 28.09.2022 & 15.03.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

REF: NGT Case No. 343/2021 & Directions dated 15.03.2023

Sir,

This is with subject & reference to the above, NGT has ordered to lift & process the C&D waste laying for repining & augmentation of existing bund, falling within 50 mtr Mangrove buffer zone-i.e. CRZ-I A. The operator of salt pan / salt manufacturer shall dispose the C&D waste in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.

Brihanmumbai Municipal Corporation has contractor M/s Metro Waste Handling Pvt. Ltd., for processing the C&D waste. M/s Metro waste handling pvt. Ltd., has shown interest in lifting, transporting & disposal / processing of C&D waste dumped at Salt Pan road, Wadala in the joint meeting held on 18.04.2023 at MPCB office, at the rate of Rs. 1425/- per M.T for lifting, transporting & disposal / processing of C&D waste. The quantity of approximately 1,00,000 M.Tonn is lying at bund & in the salt pan area. Rs. 1425 x 1,00,000 = Rs.14.25 Cr. are required to process the C&D waste. NGT order is attached herewith (1 to 19)

You are hereby requested to dispose the C&D waste at the plant of M/s Metro Waste Handling Pvt. Ltd., or at Navi Mumbai, otherwise BMC will initiate the legal action against you please.

26.04.2023
A.E. (S.W.M) F/North

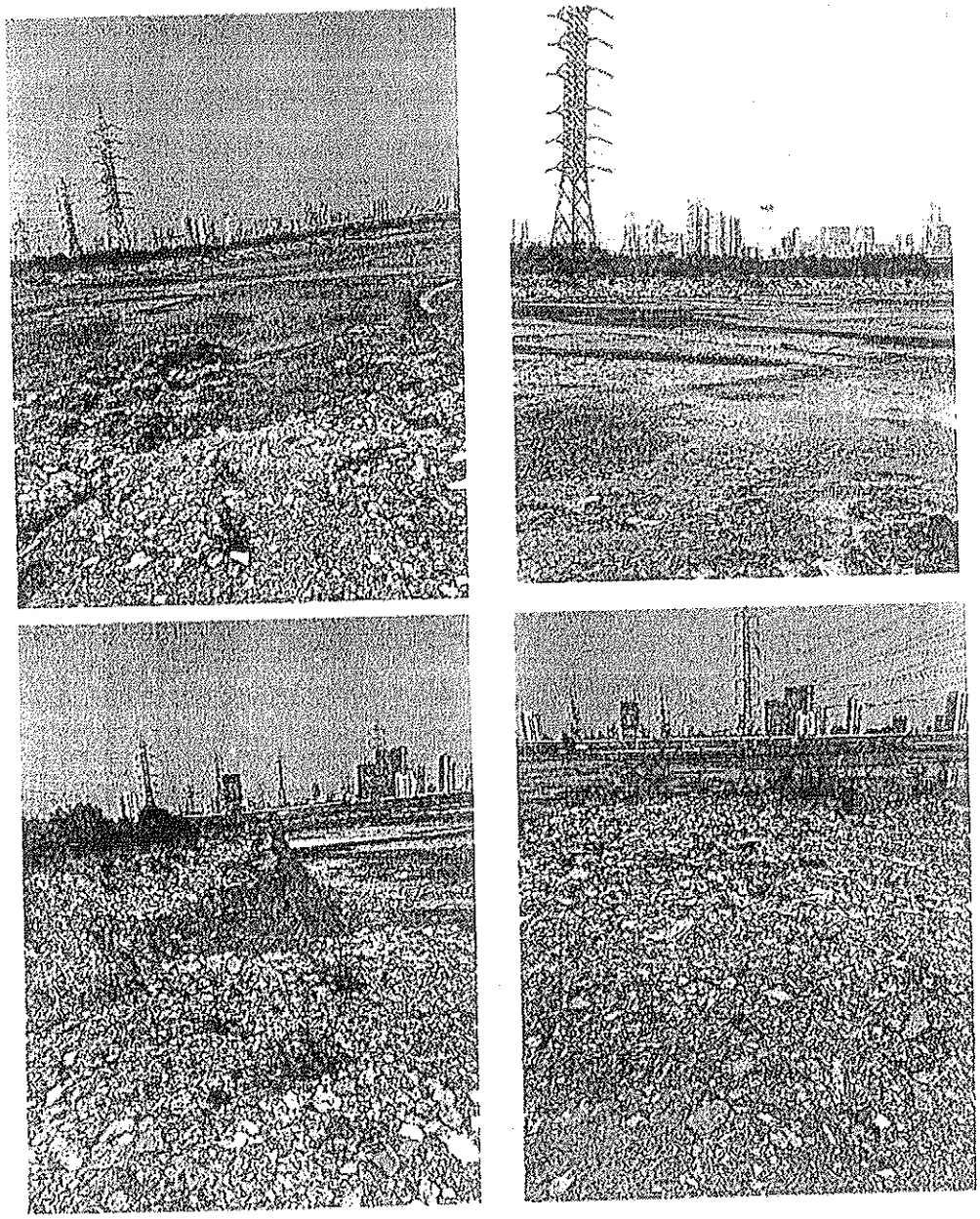
26/4/2023
E.E. (S.W.M) Z-II

Exh-31 (194)

REPORT OF TECHNICAL COMMITTEE

ON WASTE ESTIMATION OF SALT PAN SITE AT WADALA

IN COMPLIANCE OF THE ORDER OF HON'BLE NGT DT. 15/03/2023 IN THE MATTER OF NGT OA NO 949/2021



JUNE 2023

A.M. Wadia

A.M. Wadia

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1. Introduction:
2. Approach and Methodology:
3. Site Investigations:
4. Site Investigation
5. Site Surve Details
6. Conclusion:

Annexure – I: Technical Committee Constitution

Annexure – II: Minutes of the Meeting of Technical Committee

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Wadala Salt Pan Site: Waste dumping estimation

1. Introduction:

The Government of Maharashtra, Department of Environment and Climate Change constituted a technical committee with respect to the compliance of Hon'ble NGT orders dt. 15.03.2023 in the OA no. 343/2021. The committee was constituted (copy attached as Annexure – I) to estimate the quantity of C&D waste dumped in and around the salt pan area as mentioned in the above referred Hon'ble NGT order.

2. Approach and Methodology:

Accordingly, the committee had its first meeting at the MPCB office, Sion in the chamber of Regional Officer, Mumbai, Kalpataru Point, Sion Circle East on 26th April 2023. The minutes of the said meeting are attached as Annexure – II. In the said meeting it was decided to conduct the core test examination for the estimation of the depth of the C & D waste dumped on the periphery of the salt pan site. The MCGM was asked to provide the necessary support for the said investigation. It was also delved to refer the time series images of the Google Earth and satellite images to observe any notable changes in in and around the salt pan works.

3. Site Investigations:

A. Time series Google Images and Satellite data analysis

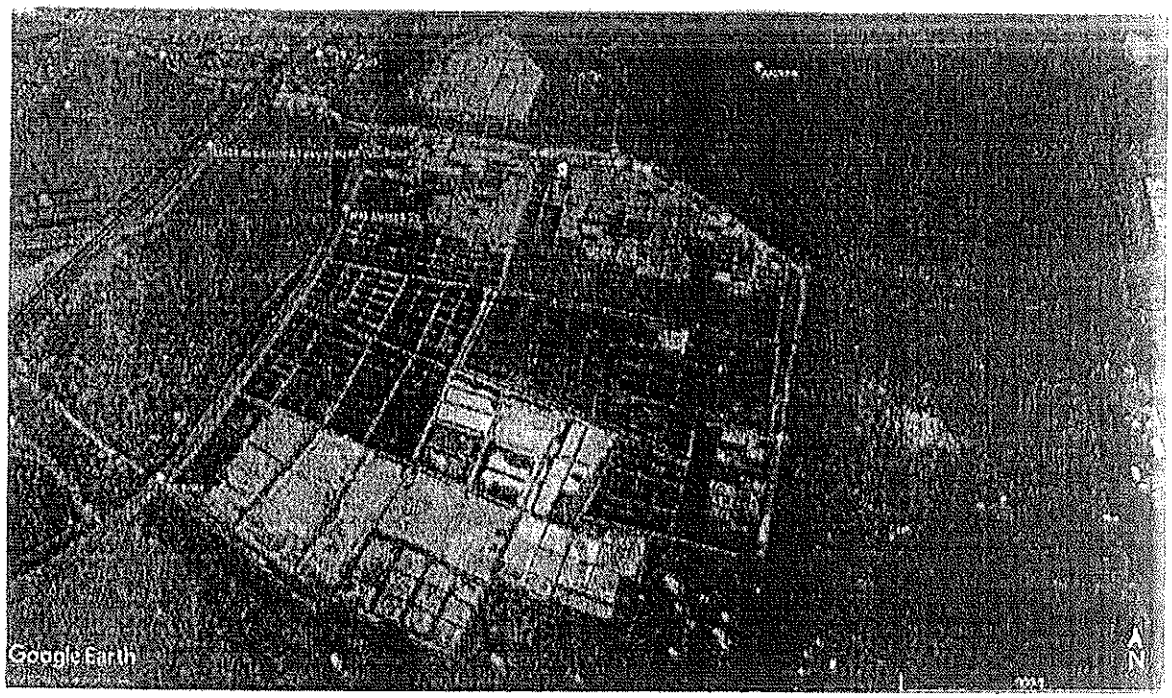
To understand the site geography, the desk assessment of the site was done based on the time series images from the Google Earth. The assessment and details of the google images with visible changes are given below.

Kunal M. Gadia

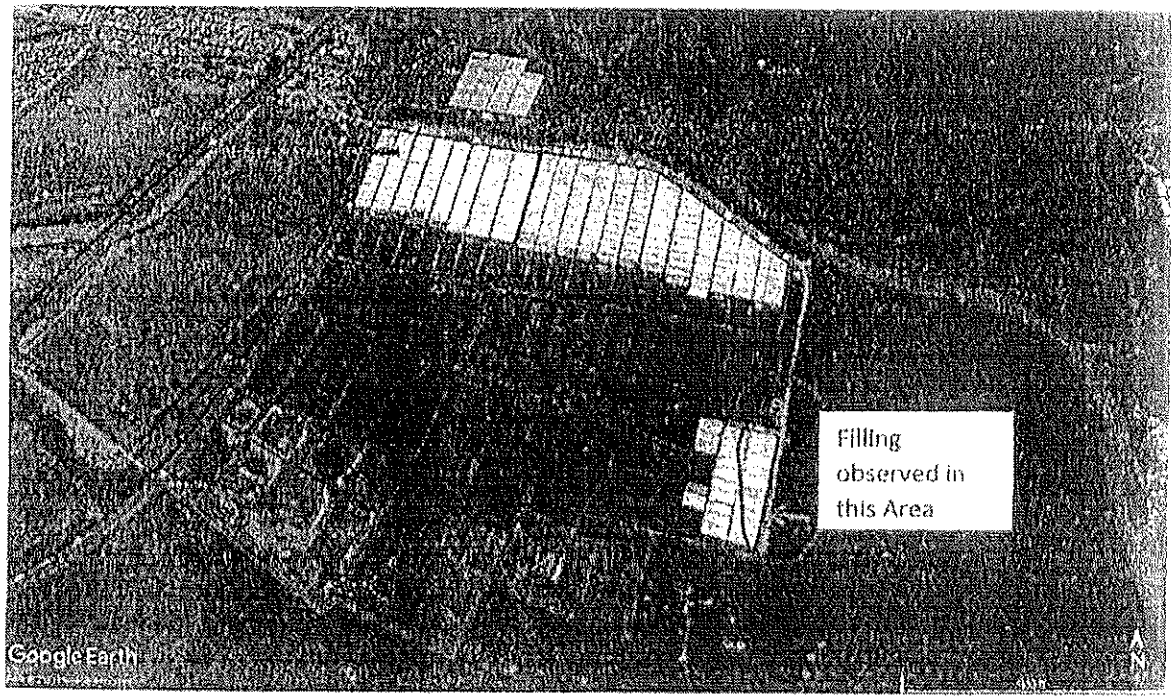
Kunal M. Gadia

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Nov 2016



March 2018

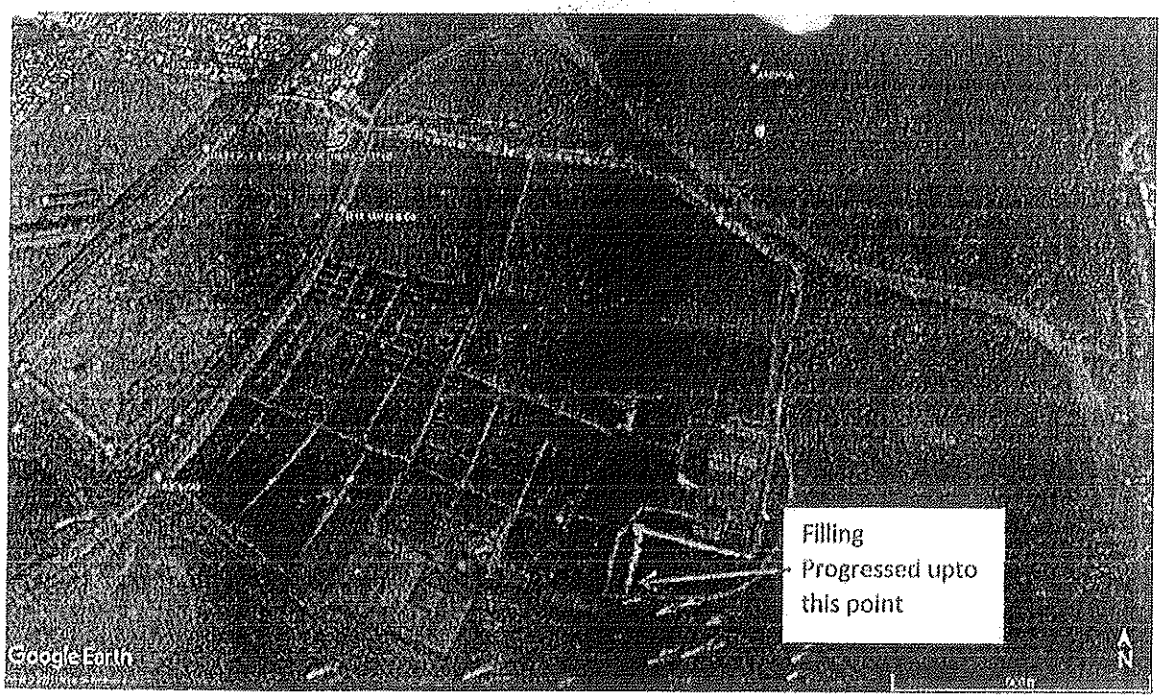


Brad. M. Gardiner

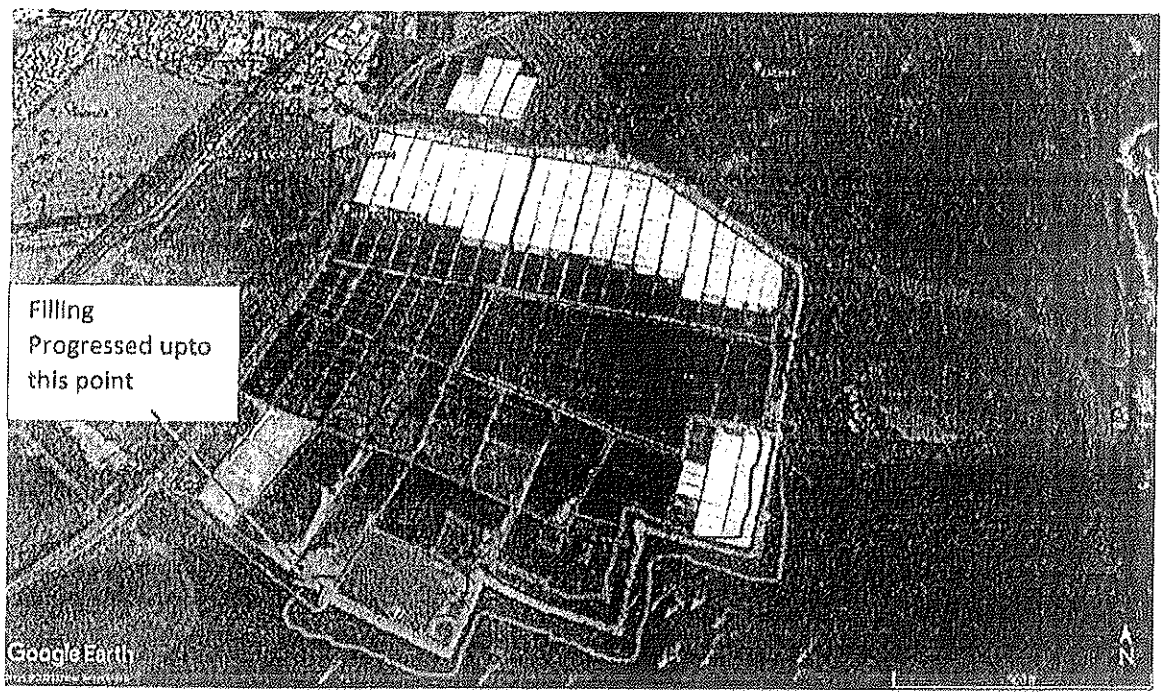
Brad. M. Gardiner

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Dec - 2021



March 2022

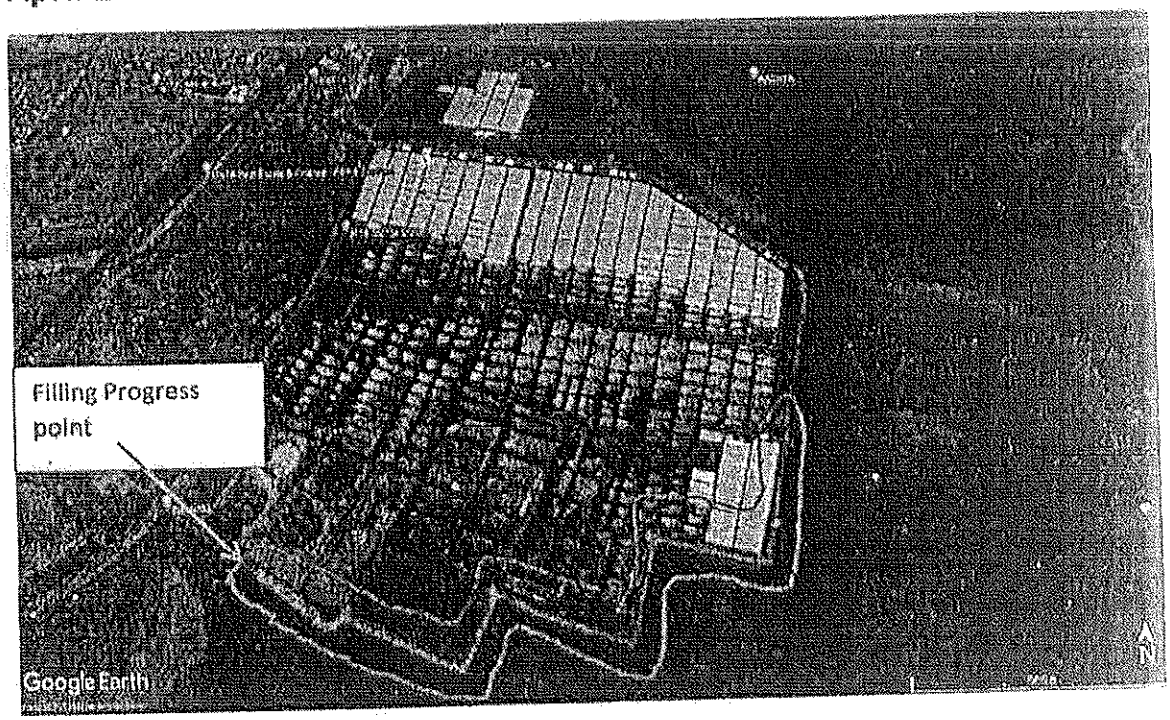


A.M. Gadia

A.M. Gadia

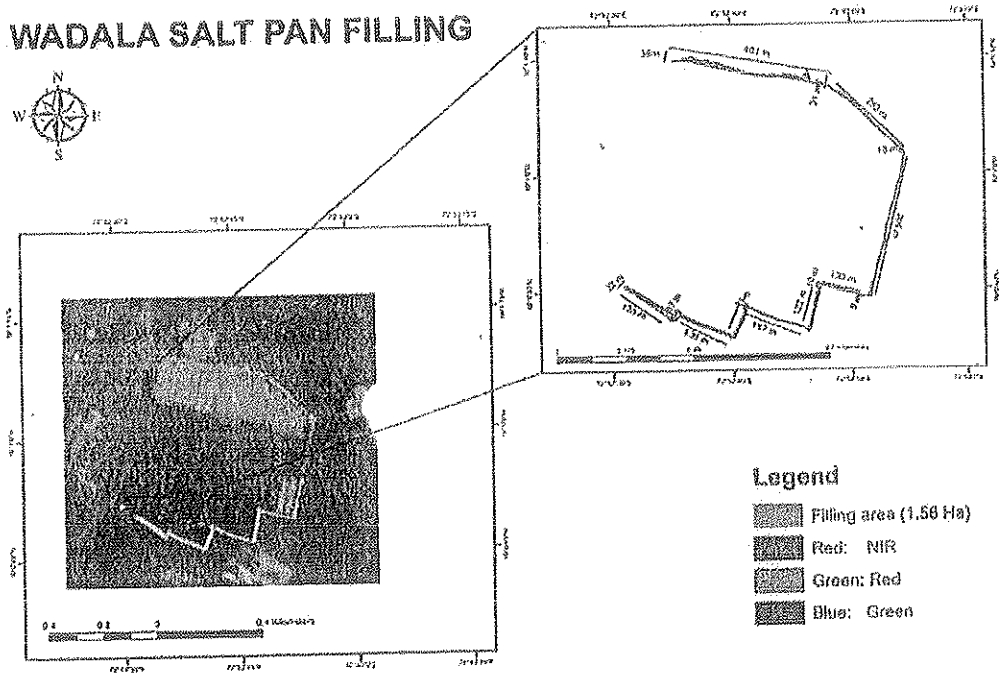
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April 2022



B. **Satellite Image Analysis:**
To further assess the exact development, a satellite image analysis was carried out to find the exact extent of the debris dumping. The satellite image of Sentinel 2, having a resolution 10 m, was used for the analysis and interpreted based on the land use classification. The images analysis and interpretation is given below:

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Sensor	Sentinel-2
Spectral bands	NIR bands, Red Band, Green Band, blue Band
Swath	290 km
Ground Resolution	10 meter
Radiometric Resolution	12 Bits
Revisit Capability	10 days

The image was analysed and interpreted using GIS tool and the extent of the stretch of filled up area is distinctively identified and measured. The same is shown in the figure above.

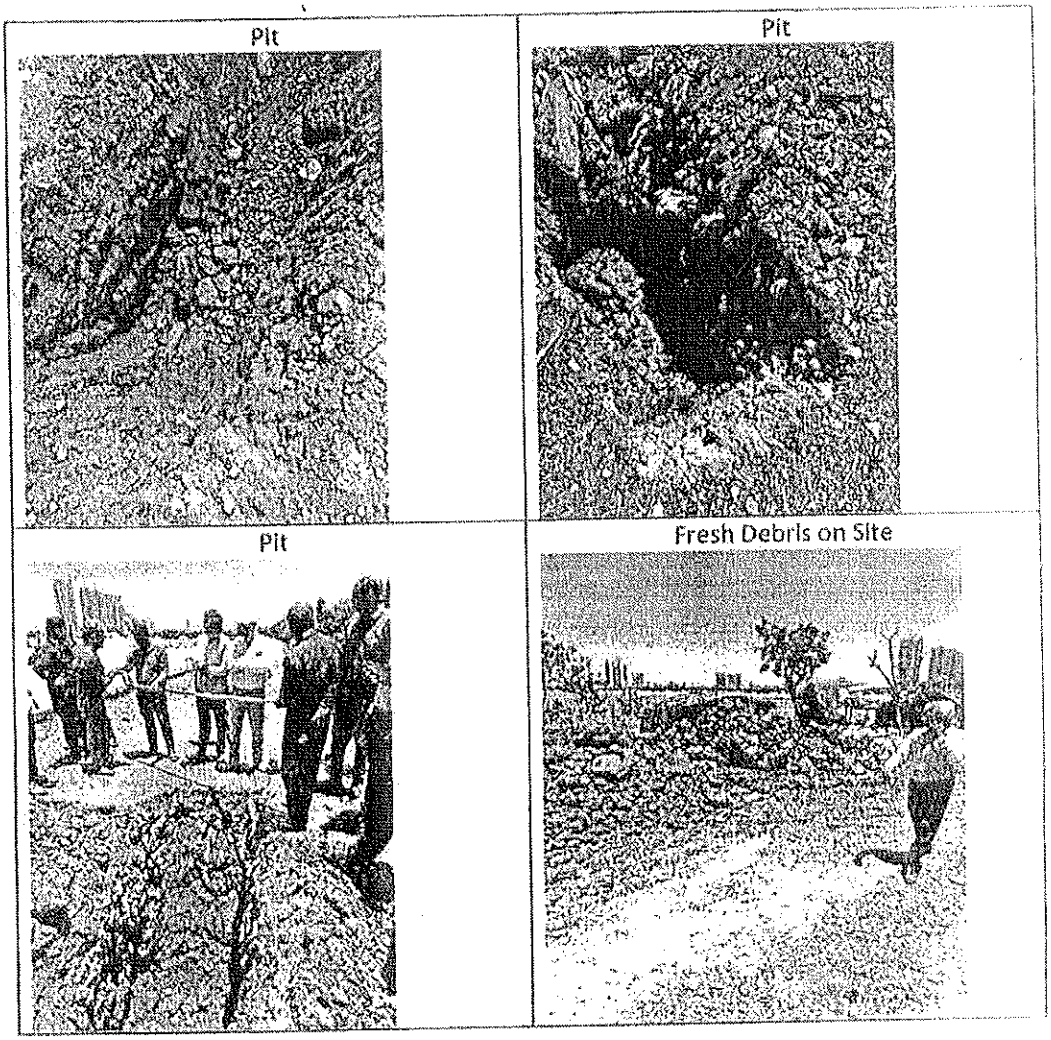
4. Site Investigation

As decided in the first meeting of the Technical Committee held on 26th April 2023, a site visit was done by all the members on 03.05.2023. The purpose of the site visit was to understand the site conditions and assess the C&D waste spread across the site. The main objective of the visit is to assess the extent of the debris filled on the periphery of the site (bunds) and ascertain the methodology of its estimation.

During the site visit, few pits were made to observe the actual depth of the filled up debris by using JCB from MCGM. A total of 6 such pits were taken (Photographs attached) to find out the levels of the filled up C&D waste across the entire length of the bund/Road within the salt pan premises. This is done to estimate the exact depth of the filled up C&D waste, which will help in estimation of the quantity of the C&D waste dumped on site. It was also observed that a fresh debris was also dumped, photograph of the same is attached here.

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It was also decided by the members that the survey with respect to ground level be carried out so that the exact volume of the waste be estimated based on the observations of the pit and the depth of filled up C&D waste. The said survey will be done in 2 days ie; from 4-5th May 2023.



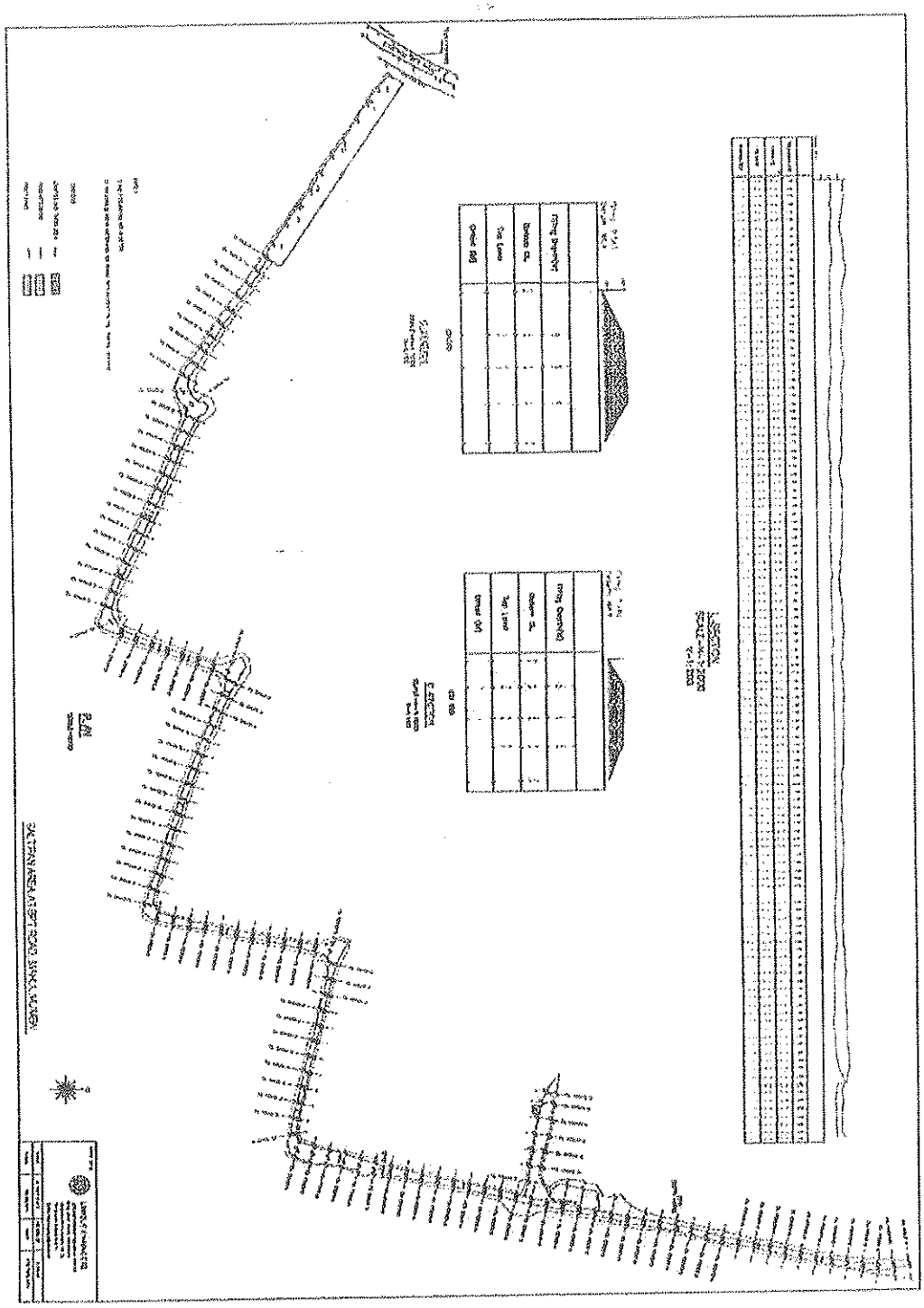
The factual details were recorded and observed by carrying out pits at different locations at certain intervals of the entire stretch where the filling was observed. This was done to identify and distinguish between the original strata and the filled up material and their depths were measured. This was followed by the detailed survey of the stretch to measure the levels with respect to the datum so that the exact nature of the filling can be estimated. As per the permission the survey team carried out the detailed survey about a total of 75 % of the extent of the filling. The occupier didn't allow the team to carry out the remaining part of the survey. Therefore we have estimated the quantum based on the details available with us. The detailed estimation with the relevant drawings are given below.

Anand M. Gadia

Anand M. Gadia

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5. Site Surve Details



Rud. M. Gaedia.

Rud. M. Gaedia.

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Volume Report Between Botom and Top

Sl. No.	Section From	Previous Section	Difference	Width	Filling Volume			
					Area Sq. Mtrs	Previous Area	Average Sq. Mtrs	Volume Cubic Meters
1	0.000	-	0.000	7.857	8.673	0.000	4.337	0.000
2	10.000	0.000	10.000	8.121	9.284	8.673	8.979	89.785
3	20.000	10.000	10.000	8.181	10.006	9.284	9.645	96.450
4	30.000	20.000	10.000	8.108	9.993	10.006	10.000	99.995
5	40.000	30.000	10.000	8.435	8.144	9.993	9.069	90.685
6	50.000	40.000	10.000	8.686	7.848	8.144	7.996	79.960
7	60.000	50.000	10.000	9.146	8.373	7.848	8.111	81.105
8	70.000	60.000	10.000	9.490	9.325	8.373	8.849	88.490
9	80.000	70.000	10.000	9.922	10.566	9.325	9.946	99.455
10	90.000	80.000	10.000	11.801	11.670	10.566	11.118	111.180
11	100.000	90.000	10.000	13.274	15.829	11.670	13.750	137.495
12	110.000	100.000	10.000	18.903	29.498	15.829	22.664	226.635
13	120.000	110.000	10.000	14.045	17.986	29.498	23.742	237.420
14	130.000	120.000	10.000	9.821	11.849	17.986	14.918	149.175
15	140.000	130.000	10.000	9.805	10.269	11.849	11.059	110.590
16	150.000	140.000	10.000	9.691	10.224	10.269	10.247	102.465
17	160.000	150.000	10.000	9.561	10.797	10.224	10.511	105.105
18	170.000	160.000	10.000	9.402	10.992	10.797	10.895	108.945
19	180.000	170.000	10.000	9.336	10.160	10.992	10.576	105.760
20	190.000	180.000	10.000	9.351	8.692	10.160	9.426	94.260
21	200.000	190.000	10.000	9.429	8.539	8.692	8.616	86.155
22	210.000	200.000	10.000	9.403	8.471	8.539	8.505	85.050
23	220.000	210.000	10.000	8.811	9.477	8.471	8.974	89.740
24	230.000	220.000	10.000	8.074	9.565	9.477	9.521	95.210
25	240.000	230.000	10.000	8.047	7.746	9.565	8.656	86.555
26	250.000	240.000	10.000	10.705	9.657	7.746	8.702	87.015
27	260.000	250.000	10.000	17.143	17.540	9.657	13.599	135.985
28	270.000	260.000	10.000	13.252	9.609	17.540	13.575	135.745
29	280.000	270.000	10.000	9.010	10.077	9.609	9.843	98.430
30	290.000	280.000	10.000	8.606	9.849	10.077	9.963	99.630
31	300.000	290.000	10.000	8.305	9.714	9.849	9.782	97.815
32	310.000	300.000	10.000	8.149	9.599	9.714	9.657	96.565
33	320.000	310.000	10.000	8.143	9.252	9.599	9.426	94.255
34	330.000	320.000	10.000	9.555	9.545	9.252	9.399	93.985
35	340.000	330.000	10.000	17.790	21.237	9.545	15.391	153.910
36	350.000	340.000	10.000	20.708	19.152	21.237	20.195	201.945
37	360.000	350.000	10.000	8.865	6.307	19.152	12.730	127.295
38	370.000	360.000	10.000	7.867	6.796	6.307	6.552	65.515
39	380.000	370.000	10.000	7.713	7.276	6.796	7.036	70.360
40	390.000	380.000	10.000	7.669	8.234	7.276	7.755	77.550
41	400.000	390.000	10.000	7.288	7.825	8.234	8.030	80.295
42	410.000	400.000	10.000	7.554	7.294	7.825	7.560	75.595
43	420.000	410.000	10.000	7.841	7.605	7.294	7.450	74.495
44	430.000	420.000	10.000	8.155	8.084	7.605	7.845	78.445
45	440.000	430.000	10.000	7.765	7.997	8.084	8.041	80.405

D. M. Gandhi

D. M. Gandhi

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Volume Report Between Botom and Top

Sl. No.	Section From	Previous Section	Difference	Width	Filling Volume			
					Area Sq. Mtrs	Previous Area	Average Sq. Mtrs	Volume Cubic Meters
46	450.000	440.000	10.000	7.285	7.769	7.997	7.883	78.830
47	460.000	450.000	10.000	7.006	7.568	7.769	7.669	76.685
48	470.000	460.000	10.000	7.347	7.132	7.568	7.350	73.500
49	480.000	470.000	10.000	7.176	6.182	7.132	6.657	66.570
50	490.000	480.000	10.000	6.764	5.401	6.182	5.792	57.915
51	500.000	490.000	10.000	10.678	7.566	5.401	6.484	64.835
52	510.000	500.000	10.000	10.611	7.904	7.566	7.735	77.350
53	520.000	510.000	10.000	7.[illegible]	7.428	7.904	7.666	76.660
54	530.000	520.000	10.000	7.58[illegible]	7.382	7.428	7.405	74.050
55	540.000	530.000	10.000	7.171	7.145	7.382	7.264	72.635
56	550.000	540.000	10.000	7.386	6.525	7.145	6.835	68.350
57	560.000	550.000	10.000	7.669	7.266	6.525	6.896	68.955
58	570.000	560.000	10.000	7.677	7.556	7.266	7.411	74.110
59	580.000	570.000	10.000	7.469	6.424	7.556	6.990	69.900
60	590.000	580.000	10.000	7.644	6.732	6.424	6.578	65.780
61	600.000	590.000	10.000	7.789	7.647	6.732	7.190	71.895
62	610.000	600.000	10.000	8.628	6.715	7.647	7.181	71.810
63	619.146	610.000	9.146	18.030	17.568	6.715	12.142	111.046
64	630.000	619.146	10.854	17.749	8.645	17.568	13.107	142.258
65	640.000	630.000	10.000	7.115	6.860	8.645	7.753	77.525
66	650.000	640.000	10.000	6.823	6.308	6.860	6.584	65.840
67	660.000	650.000	10.000	6.362	5.585	6.308	5.947	59.465
68	670.000	660.000	10.000	6.783	5.548	5.585	5.567	55.665
69	680.000	670.000	10.000	6.997	6.015	5.548	5.782	57.815
70	690.000	680.000	10.000	6.553	5.746	6.015	5.881	58.805
71	700.000	690.000	10.000	6.154	4.891	5.746	5.319	53.185
72	710.000	700.000	10.000	6.177	4.728	4.891	4.810	48.095
73	720.000	710.000	10.000	6.415	5.158	4.728	4.943	49.430
	730.000	720.000	10.000	6.373	5.008	5.158	5.083	50.830
75	740.000	730.000	10.000	8.031	5.234	5.008	5.121	51.210
76	750.000	740.000	10.000	16.026	10.958	5.234	8.096	80.960
77	760.000	750.000	10.000	13.219	10.601	10.958	10.780	107.795
78	770.000	760.000	10.000	11.486	8.253	10.601	9.427	94.270
79	780.000	770.000	10.000	11.409	7.596	8.253	7.925	79.245
80	790.000	780.000	10.000	12.190	7.776	7.596	7.686	76.860
81	800.000	790.000	10.000	10.532	6.555	7.776		71.655
82	810.000	800.000	10.000	8.827	5.594	6.555	6.075	60.745
83	820.000	810.000	10.000	7.972	5.016	5.594	5.305	53.050
84	830.000	820.000	10.000	7.611	5.093	5.016	5.055	50.545
85	840.000	830.000	10.000	7.756	5.355	5.093	5.224	52.240
86	850.000	840.000	10.000	7.655	5.189	5.355	5.272	52.720
87	860.000	850.000	10.000	7.202	4.664	5.189	4.927	49.265
88	870.000	860.000	10.000		4.377	4.664	4.521	45.205
89	880.000	870.000	10.000	7.725	4.245	4.377	4.311	43.110
90	890.000	880.000	10.000	14.144	9.929	4.245	7.087	70.870

D. M. Gadiya

D. M. Gadiya

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Volume Report Between Botom and Top

Sl. No.	Section From	Previous Section	Difference	Width	Filling Volume			
					Area Sq. Mtrs	Previous Area	Average Sq. Mtrs	Volume Cubic Meters
91	910.000	890.000	20.000	16.990	8.665	9.929	9.297	185.930
92	920.000	910.000	10.000	21.310	18.032	8.665	13.349	133.485
93	930.000	920.000	10.000	21.985	17.544	18.032	17.788	177.880
94	940.000	930.000	10.000	19.053	10.667	17.544	14.106	141.055
95	950.000	940.000	10.000	16.596	7.432	10.667	9.050	90.495
96	960.000	950.000	10.000	13.473	6.919	7.432	7.176	71.755
97	970.000	960.000	10.000	10.775	7.300	6.919	7.110	71.095
98	980.000	970.000	10.000	8.875	7.306	7.300	7.303	73.030
99	990.000	980.000	10.000	8.465	8.244	7.306	7.775	77.750
100	1000.000	990.000	10.000	8.491	9.208	8.244	8.726	87.260
101	1010.000	1000.000	10.000	8.442	8.818	9.208	9.013	90.130
102	1020.000	1010.000	10.000	8.394	8.449	8.818	8.634	86.335
103	1030.000	1020.000	10.000	8.418	8.213	8.449	8.331	83.310
104	1040.000	1030.000	10.000	8.186	7.890	8.213	8.052	80.515
105	1050.000	1040.000	10.000	8.495	8.848	7.890	8.369	83.690
106	1060.000	1050.000	10.000	9.061	10.479	8.848	9.664	96.635
107	1070.000	1060.000	10.000	8.508	9.899	10.479	10.189	101.890
108	1080.000	1070.000	10.000	7.778	8.770	9.899	9.335	93.345
109	1090.000	1080.000	10.000	7.615	8.714	8.770	8.742	87.420
110	1100.000	1090.000	10.000	7.692	9.063	8.714	8.889	88.885
111	1110.000	1100.000	10.000	8.556	9.072	9.063	9.068	90.675
112	1120.000	1110.000	10.000	9.636	8.780	9.072	8.926	89.260
113	1130.000	1120.000	10.000	10.827	3.462	8.780	6.121	61.210
114	1139.713	1130.000	9.713	11.691	1.648	3.462	2.555	24.817
115	1140.000	1139.713	0.287	21.633	13.705	1.648	7.677	2.203
116	1150.000	1140.000	10.000	15.536	7.972	13.705	10.839	108.385
117	1160.000	1150.000	10.000	9.285	6.833	7.972	7.403	74.025
118	1170.000	1160.000	10.000	9.411	6.242	6.833	6.538	65.375
119	1180.000	1170.000	10.000	10.126	6.250	6.242	6.246	62.460
120	1190.000	1180.000	10.000	10.155	6.277	6.250	6.264	62.635
121	1200.000	1190.000	10.000	8.823	5.178	6.277	5.728	57.275
122	1206.787	1200.000	6.787	7.210	3.825	5.178	4.502	30.552
								10493.206
								Cubic Meters

6. Conclusion:

1. Based on the above studies and analysis a total volume of the waste estimated is 10493 cubic meters.
2. Considering the bulk density of the C&D waste as 2.2 kg, the total quantum is estimated comes out to 23,084 tons

Syed M. Gaudion

N. S. M. Gaudion

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Annexure – I: Technical Committee Constitution

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GOVERNMENT OF MAHARASHTRA

Phone No.- 022-22029388
E-mail – dir1.mcz-mh@nic.in

No. MCZMA 2022/ CR 3/ TC 4
Department of Environment and Climate Change, 15th Floor, New Administrative Building, Madam Kama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai-32

Date: 18/04/2023

OFFICE ORDER

Subject: Constitution of Technical Committee for the compliance of Hon'ble NGT order dated 28/9/2022 and 15/3/2023 in the OA No. 343/2021.

Hon'ble NGT in its order dated 15/3/2022 in the OA No. 343/2021 has directed Principal Secretary, Environment &CC to ensure remedial measures are taken within three months by removing encroachments, lifting all C & D Waste for its appropriate processing and revival of all damaged mangrove plantation at the subject site of Wadala Salt Pan area & around and file the report to Hon'ble NGT before 30/6/2023.

In view of the above, a Technical Committee is hereby constituted as below to estimate the quantity of C & D waste dumps in and around the salt pan area as mentioned in the Hon'ble NGT order.

01	Mr. Anil Sharma, Metro Waste Handling Pvt. Ltd.	Member
02	Executive Engineer, MCGM	Member
03	Mr. Shridhar Pandya, Consultant	Member
04	City Survey and Land Record Officer, Collector Office	Member
05	Mr. D. A. Patil, Consultant	Member
06	Regional Officer, MPCB, Mumbai	Member Convenor

RO, MPCB, Mumbai shall make necessary logistic arrangement for site visit / arrangement for meeting etc.

(Pravin C. Darade)
Principal Secretary, Env&CC Dept

Copy for information and necessary action to:
1) Member Secretary, MPCB
2) Regional Officer (BMW), MPCB Mumbai
3) Regional Officer, MPCB, Mumbai

Anil M. Gavadia

Anil M. Gavadia

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Annexure – II: Minutes of the Meeting of Technical Committee

MINUTES OF FIRST MEETING OF TECHNICAL COMMITTEE

The State Department of Environment & CC vide office order dated 18th April 2023 has constituted the Technical Committee in Order to estimate the quantity of C & D waste dumps in and around the salt pan area the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/03/2023 in OA No. 343/2021.

First meeting of the committee was held on 26. Following officers were present for the meeting.

1) Mr. Anil Sharma, Metro Waste Handling Pvt. Ltd.,
2) Mr. Kurhade, Executive Engineer, MCGM
3) Mr. Shridhar Pandya, Consultant
4) Mr. D. A. Patil, Consultant
5) Mr. Sanjay Bhosale, Regional Officer, MPCB, Mumbai

First meeting of Technical Committee is hold on 26.04.2023 at 11.00 AM in the chamber of Regional Officer, Mumbai at Kalpataru Point, 1st Floor, Sion Circle (E), Mumbai point of discussion is samarised below.

Sr. No.	Issue	Status
1	Demarcation of Boundary of Collector land and land of salt pan.	We may call demarcation record / map from concern Authorizes. MCGM communicate to office of Salt Commissioner for postal address of land owner/ operator as well as for demarcation record / map.
2	Core Test Examination for Examination of depth of C & D waste and quantification	Permission form Land owner and Collector office is required so MCZMA shall communicated to the authorities.
4	Tentative date for survey and core collection.	03.05.2023 MCGM will provide necessary machinery & consultant will carry out examination & allied activities.
5	Postal address of Salt Pan operator / owner.	MCGM to communicate the same to office of Salt commissioner for Postal address of Salt Pan operator / owner. MPCB also write letter for postal address of Salt pan operator to office of Salt commissioner.

After due deliberation it was decided that it as decide tentative date of survey and core collection on 03/05/2023.

Regional Officer,
MPCB, Mumbai &
Member Convenor

Executive Engineer (SWM)
MCGM, F/North Ward

Anil. M. Gaudia

Anil. M. Gaudia

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Exh-32

Exh. 32

Item No. 9 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[Through Physical Hearing (with Hybrid Option)]

MISC. APPLICATION NO.61 OF 2024 (WZ)
[Earlier M.A No.03/2024 (PB)]
IN
ORIGINAL APPLICATION NO.33 OF 2024 (WZ)
[Earlier Original Application No.343 of 2021 (PB)]
WITH
MISC. APPLICATION NO.03 OF 2024 (WZ)

Madhura Rajesh Tawde .... Applicant

Versus

State of Maharashtra & Ors. ....Respondents

Date of Hearing : 29.08.2024

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

Applicant : Applicant-in-person present

Respondents : Mr. Mukesh Verma, Advocate for R-2/MCZMA
Mr. A.J. Pathak, Advocate for R-4
Mr. Aniruddha Kulkarni, Advocate for R-5/CPCB
Ms. Manasi Joshi, Advocate for R-6/MPCB

ORDER

1. From the side of the applicant, the applicant has appeared in person, who is also stated to be an Advocate, and states that she is not served with a copy of the affidavit submitted by respondent No. 4 – Deputy Salt Commissioner. The learned counsel for respondent No.4 states that he had sent a copy of the said affidavit on the e-mail as is given in the application, but the same is found to be incorrect. We direct the applicant to submit her correct e-mail address on the record of this Misc. Application as well as learned counsel for respondent No.4. The learned counsel for respondent No.4 shall provide copy of the affidavit to the applicant within two days from

Advocate

17. / Exhibit "14"

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the date of uploading of this order and the rejoinder thereto, if any shall be filed within a week thereafter by the applicant.

2. From the side of respondent No.5-CPCB, learned counsel Mr. Aniruddha Kulkarni has appeared and states that the compliance report dated 23.07.2024 has been filed, a copy of which has been served on the applicant. Rejoinder thereto, if any may be filed within two weeks.

3. After having gone through the affidavit of respondent No.4, we find that waste generator was required to take approval from MCGM and it is the duty of Municipal Corporation of Greater Mumbai (MCGM) to fully dispose of C & D waste. In the instant case, both waste generator and MCGM have failed to comply with the provisions of MSW Rules, 2016. We find that MCGM is not a party to this proceeding so far. Therefore, we direct the Registry to implead MCGM as respondent No.7 in the present application and issue notice to it, returnable within four weeks.

4. As regards clearance of C & D waste, our attention is drawn to paragraph (f) of the affidavit of respondent No.4, wherein it is recorded that a joint visit of all stake-holders headed by the Principal Secretary, Environment & CC Department was held on 18.03.2024 and it was observed that Shri Murarilal N. Garodia & another, salt pan operators had lifted 48 trucks load of C & D waste i.e. about 1400 MT and thereafter, they stopped further removal of balance C & D waste. In this very affidavit, at paragraph No. (d), it is recorded that the salt manufacturers of Hormoz salt works informed vide their letter dated 09.03.2024 that the C & D waste has been removed by them.

5. In the conclusion of this affidavit of respondent No.4, recommendation is made for formation of a multidisciplinary team composed of representatives from various departments, which will undertake the visit to the site in question and carry out thorough assessment and facilitate the

Adv. M. Gandhi.

M. M. Gandhi

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determination of the necessary actions required to address the issue effectively.

6. It appears from the above affidavit that respondent No.4 is shifting the responsibility of clearing C & D waste, quantity of which at the site is not known nor has it been made clear, upon the MCGM or the waste generators. In this case, the waste generators are not known. Therefore, after receiving the reply from the MCGM as to whether it is their responsibility or it would be the responsibility of respondent No.4, we will pass the next order. We direct the newly added respondent-MCGM to file their reply within two weeks from the date of uploading of this order.

7. From the side of the applicant, the applicant states that at the site in question, some construction work is also going on. But we made clear that whatever order has been passed by this Tribunal on 15.03.2023, its execution is being considered by us as to whether the same has been done or not. Therefore, beyond that, we cannot proceed. Hence, the applicant is free to file separate proceeding before an appropriate forum.

8. At this stage, learned counsel for respondent No.4 has apprised that there an error in the nomenclature of respondent No.4 in the array of the parties, wherein it is mentioned as "Govt. of India office of the Deputy Salt Commissioner". In fact, it should be "office of the Deputy Commissioner of Salt". We direct the Registry to make amendment in the array of parties accordingly and even in the e-filing portal as well.

9. From the side of respondent No.2 – MCZMA, learned counsel Mr. Mukesh Verma has appeared and states that though respondent No.2-MCZMA has no role in this matter, he pointed out that a Task Force Committee for monitoring the status of compliance of NGT's order dated 28.09.2022 and 15.03.2023 in O.A. No.343/2021 has already been constituted, which comprises nine members, as per office order dated

D. M. Gaodian

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18.04.2023, which is annexed at pages 153 to 154 of the paper-book. The said Committee is chaired by the Director, Department of Environment & CC, Government of Maharashtra. Out of nine members, the Regional Officer (BMW), MPCB has been made Member-Convenor. So, we take him to be the nodal agency of the Committee. Thereafter, our attention was drawn to the next document, which is a letter dated 20.04.2023, written by the Director, Environment and CC Department to the Municipal Commissioner, MCGM and other Authorities (annexed at pages 155 to 156 of the paper-book), regarding compliance of order dated 28.09.2022 passed by this Tribunal, which shows that the Principal Secretary, Environment Department & CC visited the site in question on 18.04.2023 to see compliance of the orders dated 28.09.2022 and 15.03.2023 passed by this Tribunal in O.A. No. 343/2021. In paragraph No.3 of the said letter, it is recorded in clause (10) that "Technical Committee to be constituted to estimate the quantity of C & D waste dumped in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprise of Mr. Anil Sharma, Metro Waste handling Pvt. Ltd., Executive Engineer, MCGM, City Survey & Land Record Officer, Mr. D.A. Patil, Consultant and Regional Officer, MPCB, Mumbai, who will act as Member Convenor." It is also recorded in it that a direction was issued to MCGM, Salt Pan Department, District Collector, Mumbai City to immediately start implementing the direction contained in paragraph No.3 of the said letter, but we do not find the status report submitted by the said Committee till date. Therefore, we direct the nodal agency, the Regional Officer (BMW), MPCB to submit a report with respect to the compliance of the order.

10. In view of the above facts coming into light, we direct the Registry to implead the Regional Officer (BMW), Maharashtra Pollution Control Board as party-respondent No.8 and issue notice to him, returnable within four

A. M. Gadkari

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weeks, directing him to submit a report in respect of the compliance of the order of this Tribunal.

11. Our attention is also drawn by the learned counsel for respondent No.4 to a document, annexed as Annexure-9A at page 231 of the paper-book, which is a notice dated 24.04.2023 issued by Brihan Mumbai Mahanagarpalika to the Deputy Salt Commissioner, Mumbai, wherein quantity of the C & D waste of 1,00,000 M.Ton is recorded to be lying at the site in question.

12. We are astonished to find that respondent No. 4, who has filed an affidavit, brings to our notice so many facts at this stage, which are already on record, which would amount to concealment from this Tribunal and the applicant as well.

13. Put up this matter for next consideration on 19.11.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

August 29, 2024
M.A. No.01/2024(WZ)
npj

D. M. Gaglia
D. M. Gaglia.

Exh-33 (218)

Item No: 10

(Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[Through Physical Hearing (with Hybrid Option)]

MISC. APPLICATION NO.01 OF 2024 (WZ)
[Earlier M.A No.03/2024 (PB)]
IN
ORIGINAL APPLICATION NO.33 OF 2024 (WZ)
[Earlier Original Application No.343 of 2021 (PB)]
WITH
MISC. APPLICATION NO.02 OF 2024 (WZ)

Madhura Rajesh Tawde .... **Applicant**

Versus

State of Maharashtra & Ors. ....**Respondents**

Date of Hearing : 19.11.2024

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

Applicant : None

Respondents : Mr. Mukesh Verma, Advocate for R-2/MCZMA
Mr. A.J. Pathak, Advocate for R-4
Mr. Aniruddha Kulkarni, Advocate for R-5/CPCB
Ms. Manasi Joshi, Advocate for R-6 and R-8/MPCB

ORDER

1. From the side of respondent No.4, learned counsel Mr. A.J. Pathak has appeared and states that an application dated 16.11.2024 has been filed, which is sent to us through e-mail because it is apprised that the same could not e-filed due to some error. We direct him to e-file the same.

2. In the aforesaid application, it is stated that dumping of C & D Waste in the Salt Pan and making encroachment on the island are two issues regarding which an order has been passed by this Tribunal apart from danger to the mangroves in the area in question. The Principal Bench had

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constituted a six-member Joint Committee, of which MPCB and MCZMA are made nodal agencies for coordination and compliance. The answering respondent is one of the stake holders. The nodal agencies are pursuing the answering respondent seeking coordination in the action being taken for removal of debris and the C & D Waste. As per this Tribunal's order dated 28.09.2024, the MCGM (i.e. Brihan Mumbai Municipal Corporation) was to prepare a time bound plan with budgetary support and issue direction for scientific handling of the waste. It is stated that surprisingly, the MCGM, in their reply dated 13.03.2023, submitted to the status report dated 20.02.2023, have stated that "the Construction and Demolition (C & D) Waste available on the land of the Dy. Salt Commissioner is 5,52,000 brass approx. (i.e. 5,52,000 x 2.83 = 15,62,160 MT approx..) processing cost required is 15,62,160 x Rs.1600/MT = 249.95 CR (Approx) which may vary depending upon qty. of C &D waste." Copy of the said reply is annexed as Annexure-R4-1. Thereafter, the MCGM has issued letter to the answering respondent on 24.04.2023 stating that the quantity of approximately 1,90,000 MT is lying on bund and in the salt pan area. Thereafter, MCGM requested the answering respondent to allow the quantity Assessing Team to enter the Salt Pan land to finalize the C & D Waste quantity by surveying & trenching the bund. The Assessment Committee assessed the total C & D waste lying at the salt pan to the tune of 23,084 MT, while the salt pan operator namely M/s Hormoz Salt Works had informed it to be of 6000 MT. Therefore, in view of this discrepancy with respect to the quantity of C & D waste, the answering respondent is insisting to initiate the action/eviction against the Salt Pan Operator. It is also mentioned that a Joint Committee is formed consisting of the Nodal Agencies namely, MPCB, MCZMA and other Authorities i.e. MCGM, District Collector, SEIAA, CZMA, Office of the Dy. Commissioner of Salt, Hormoz Salt Works (Salt Pan Operator) and the

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applicant Madhura Tawde. In paragraph No.9 of the application/affidavit, it is made clear that because of an order dated 21.09.1996 passed by the Bombay City Civil Court at Bombay in Suit No.3894/1963, filed by Hilla Maneck Bhiwandiwala and two others, wherein the notices issued by the answering respondent were held to be illegal and they were restrained by way of interim protection from evicting the Salt Pan Operator. The learned counsel also apprised that against the said judgment, respondent No.4 had approached the Hon'ble High Court of Bombay in appeal, which was dismissed. We do not find the said order on record so that we can verify the said fact. We will decide as to whether this order would have any effect in removing the Salt Pan Operator at the site in question after full arguments from all the sides are heard.

3. The MPCB, which is a nodal agency of the Joint Committee in this case, has not filed the reply-affidavit because what action has been taken by the Joint Committee should be mentioned by the MPCB in their affidavit. We grant four weeks' time from the date of uploading of this order for bringing the correct status in respect of compliance of this Tribunal's order in question. We will decide as to whether the Committee is required to be constituted, as prayed by respondent No.4, after perusal of the response that would be submitted by the MPCB, as directed above.

4. From the side of respondent No.2 – MCZMA, learned counsel Mr. Mukesh Verma has appeared.

5. From the side of respondent Nos.6 and 8 – MPCB, learned counsel Ms. Manasi Joshi has appeared.

6. From the side of respondent No.5 – CPCB, learned counsel Mr. Aniruddha Kulkarni has appeared.

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Put up this matter for next consideration on 23.01.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 19, 2024
M.A. No.317/2024(WZ)
npl

Exh-34

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Item No.9 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

M.A .No.01/2024(WZ)
Earlier MA.No.03/2024(PB)
IN
Original Application No.33/2024(WZ)
Earlier O.A.No.343/2021(PB)LP
(LP disposed on 15/3/2023)
AND
M.A. No.02/2024(WZ)
Earlier M.A. No.12/2024(PB)- filed by Intervener for recall of order dt.15/03/2023

Madhura Rajesh Tawde

.....Applicant

Versus

State of Maharashtra & Ors.

....Respondents

Date of hearing: 23.01.2025

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

Applicant	:	None present.
Respondents	:	Mr. A.J. Pathak, Advocate for R-4 Mr. Aniruddha Kulkarni, Advocate for R-5/CPCB Ms. Manasi Joshi, Advocate for R-6 & 8/MPCB Mr. Kevic Setalvad, Senior Advocate i/b and with Mr. Ameya Kulkarni, Mr. Shivam Srivastav, Ms. Ritika Gangwani, Advocates for Intervener Mr. Anand S. Jondhale, Advocate for Intervener

ORDER

1. Registry has informed us that it has received an I.A. in this matter, which is found to be defective, filed by Hormuz Salt Works, Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai. (Intervener), which is being represented by Mr. Amol Garodia. But because of this I.A. being found defective has not been placed before us. We direct the Applicant/Intervener in this I.A. that the name of Hormuz Salt Works

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needs to be amended because it has to be represented through someone. Therefore, correction be made in this regard and thereafter, corrected application be uploaded and when the defects free application is moved, the registry shall place the same before us for consideration.

2. At this stage, we find by our previous order dated 19.11.2024 that respondent No.4-Dy. Commissioner of Salt had prayed through application dated 16.11.2024 (could not be e-filed but copy of the same is received through e-mail) that M/s Hormoz Salt Works may be made as one of the respondents in the proceeding.

3. We find that M/s Hormoz Salt Works, being represented through Mr. Amol Garodia, is stated to have authorized representative of the said party which has already moved an Intervention Application to be impleaded as respondent in the present Original Application. Therefore, we deem it appropriate to allow the prayer made by respondent No.4 for impleading M/s Hormuz Salt Works through its representative Mr. Amol Garodia, Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai as one of the respondents in the present Original Application. Accordingly, we direct the Registry to implead the said party as respondent No.9 in the present Original Application and place on record the amended memo of parties and serve a copy of all the relevant documents related to this application upon it within a week.

4. The newly impleaded respondent, which is being represented today by learned senior counsel Mr. Kevic Setalvad, assisted by learned counsel Mr. Ameya Kulkarni and other Associates, shall file the Vakalatnama as well as its reply affidavit within two weeks.

5. From the side of respondent No.5 – CPCB, learned counsel Mr. Suruddha Kulkarni has appeared.

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6. From the side of respondent Nos.6 & 8 – MPCB, learned counsel Ms. Manasi Joshi has appeared.

7. None has appeared from the side of respondent No.1- Chief Secretary, Government of Maharashtra; respondent No.3- NCZMA; and respondent No.7- MCGM. We find that there is no affidavit of service on record because cognizance was taken of this matter *suo moto*. Therefore, we direct the Registry to send a letter to these Authorities directing therein to ensure that someone should appear to represent them in this case before this Tribunal on the next date positively and file their reply affidavits, if any.

Put up this matter for further consideration on 21.02.2025

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 23, 2025
M.A .No.01/2024(WZ)
Earlier MA.No.03/2024(PB) IN
Original Application No.33/2024(WZ)
Earlier O.A.No.343/2021(PB)LP
(LP disposed on 15/3/2023) AND
M.A. No.02/2024(WZ)
Earlier M.A. No.12/2024(PB)- filed by Intervener for recall of order dt.15/03/2023
P.Kr

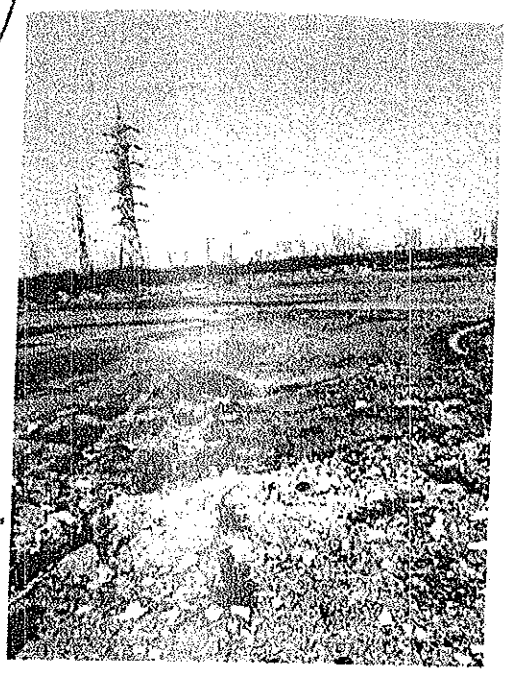
Hrmd. M. Kamalia

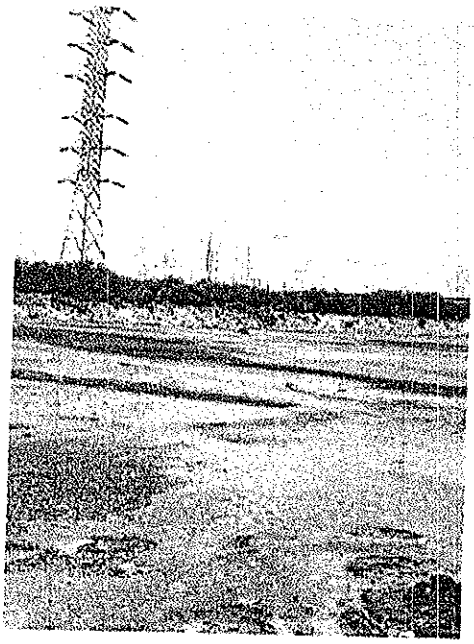
Exh-35 (220)

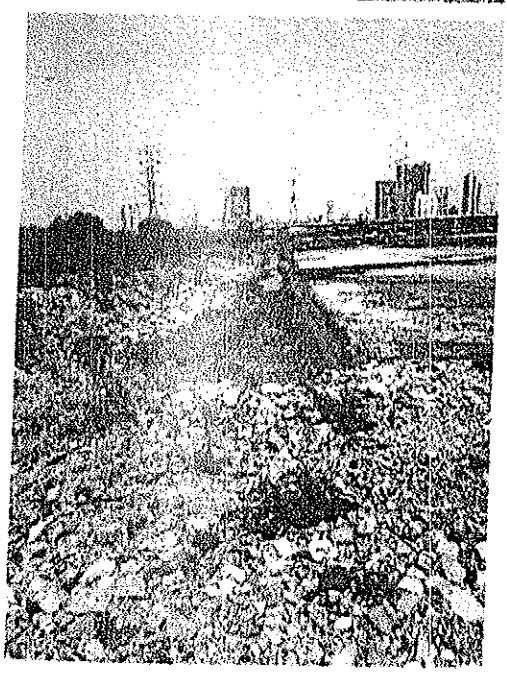
REPORT OF TECHNICAL COMMITTEE

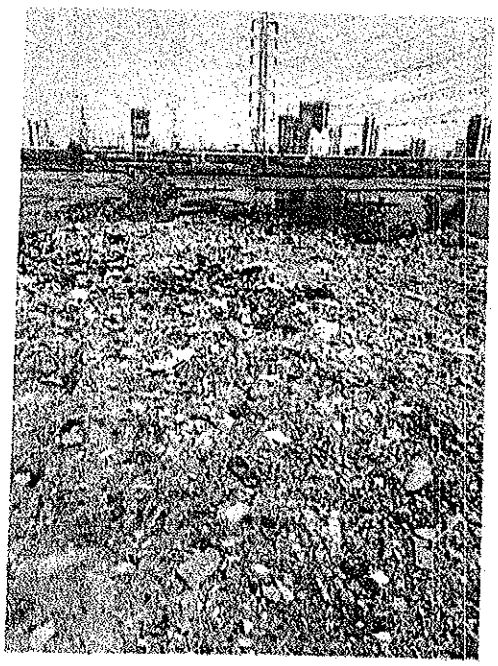
ON WASTE ESTIMATION OF SALT PAN SITE AT WADALA

IN COMPLIANCE OF THE ORDER OF HON'BLE NGT DT. 15/03/2023 IN THE MATTER OF NGT OA NO 343/2021









APRIL 2025

Dr. M. Kalra

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2. Approach and Methodology: 3
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Wadala Salt Pan Site: Waste dumping estimation

1. Introduction:

The Government of Maharashtra, Department of Environment and Climate Change constituted a technical committee with respect to the compliance of Hon'ble NGT orders dt. 15.03.2023 in the OA no. 343/2021. The committee was constituted (copy attached as **Annexure – I)** to estimate the quantity of C&D waste dumped in and around the salt pan area as mentioned in the above referred Hon'ble NGT order.

2. Approach and Methodology:

Accordingly, the committee had its first meeting at the MPCB office, Sion in the chamber of Regional Officer, Mumbai, Kalpataru Point, Sion Circle East on 26.04.2023. The minutes of the said meeting are attached as **Annexure – II.** In the said meeting it was decided to conduct the core test examination for the estimation of the depth of the C & D waste dumped on the periphery of the salt pan site. The MCGM was asked to provide the necessary support for the said investigation. It was also delved to refer the time series images of the Google Earth and satellite images to observe any notable changes in and around the salt pan works.

In compliance with the Hon'ble NGT Order dated 06.03.2025 in OA No. 33/2024, MISC Application 01/2024, 02/2024, and Interlocutory Application No. 60/2025 (WZ), the technical committee had its second meeting at the MPCB Office on 22.01.2025 at 12:30 pm. The meeting commenced with a discussion on the letter from the Deputy Salt Commissioner dated 21.11.2024. The technical committee estimated that 23,084 MT of C&D waste was present at the site, while the salt pan operator reported only 6,000 MT of waste had been dumped and 1,775 MT had been lifted for scientific disposal. It was decided during the meeting to visit the site and verify the current status. The minutes of the said meeting are attached as **Annexure – III.**

In this regard, a site visit was scheduled on 01.04.2025 to re-verify the quantity of C&D waste and submit a revised report based on the current site conditions. The objective of the visit was to assess the actual amount of C&D waste present at the site, taking into account any changes since the previous assessment. The following technical committee members are present during the site visit: -

1. Anil Sharma, Metro Waste Handling Pvt. Ltd,
2. Rahul Koli, Sub Engineer, SWM, F/N ward, MCGM, Matunga, Mumbai.
3. Sanddep Arekar, Maintenance Surveyor, City Survey and Land Record Officer, Collector Office, Mumbai.
4. D. A. Patil, Consultant.
5. Shridhar Pandya, Consultant.
6. Pratap Jagtap, Sub Regional Officer, MPC Board, Mumbai-I.

As per request of the technical committee, P. K. Sing, Superintendent of Salt, RO, Mumbai & S.K. Thakur, Dy. Superintendent of Salt, Wadala, Mumbai are present during the site visit. Shri Muralial Garodia and Shri Manoj Garodia, operator of salt pan is present during the visit.

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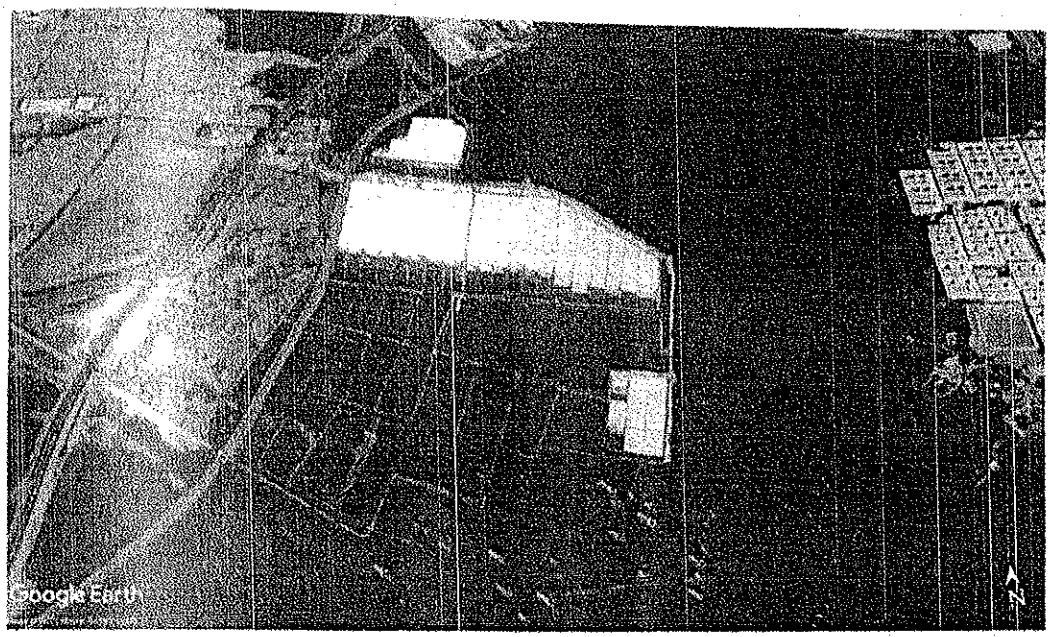
3. Site Investigations:

A. Time series Google Images and Satellite data analysis

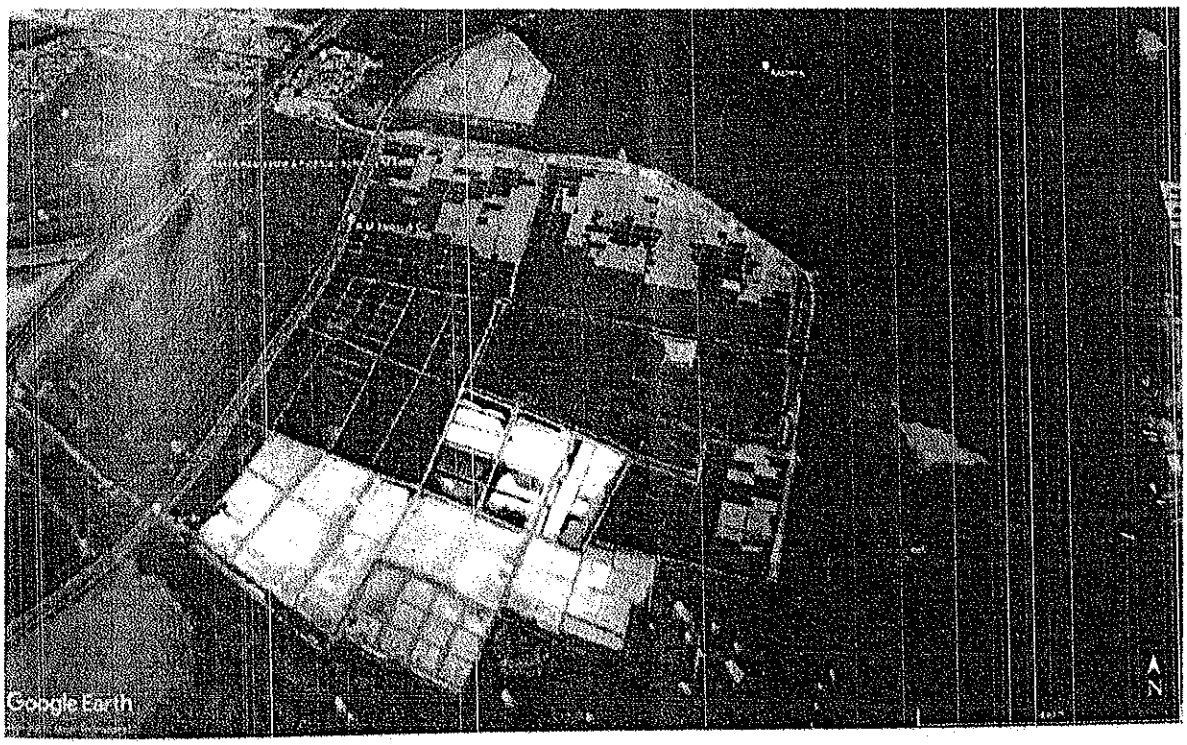
To understand the site geography, the desk assessment of the site was done based on the time series images from the Google Earth. The assessment and details of the google images with visible changes are given below.

GOVT. OF

Feb 2015



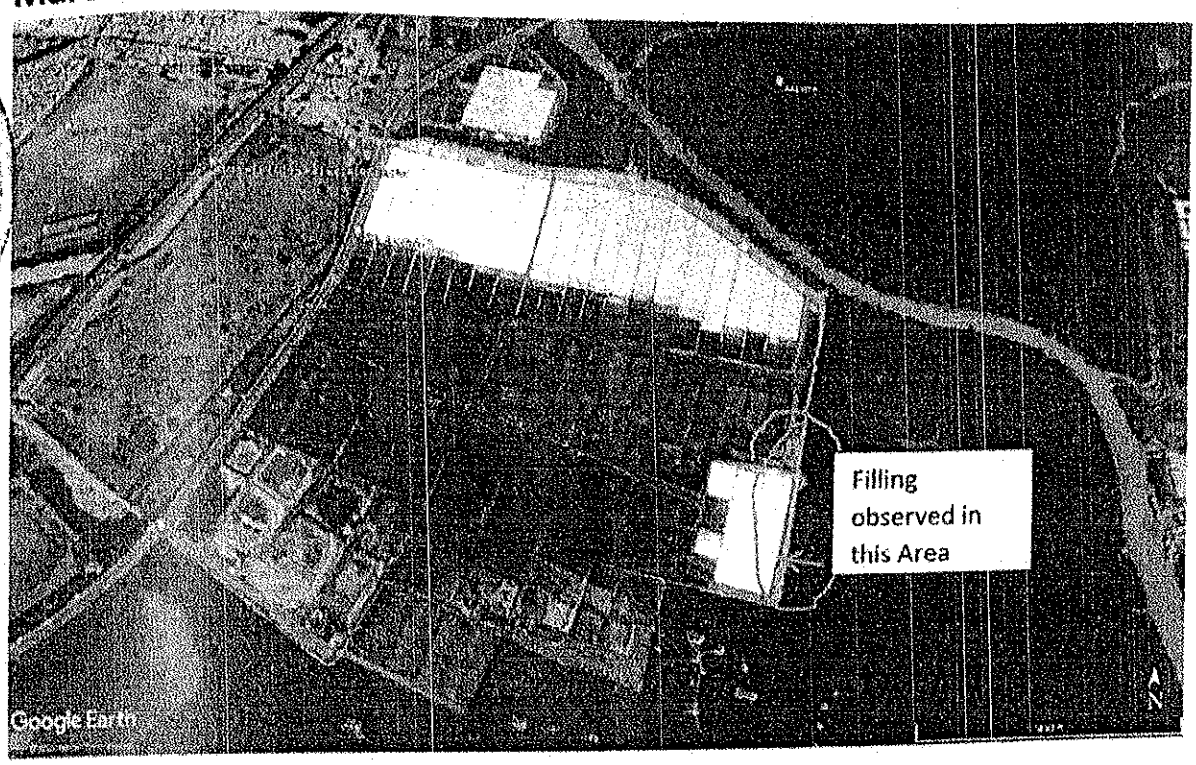
Nov 2016



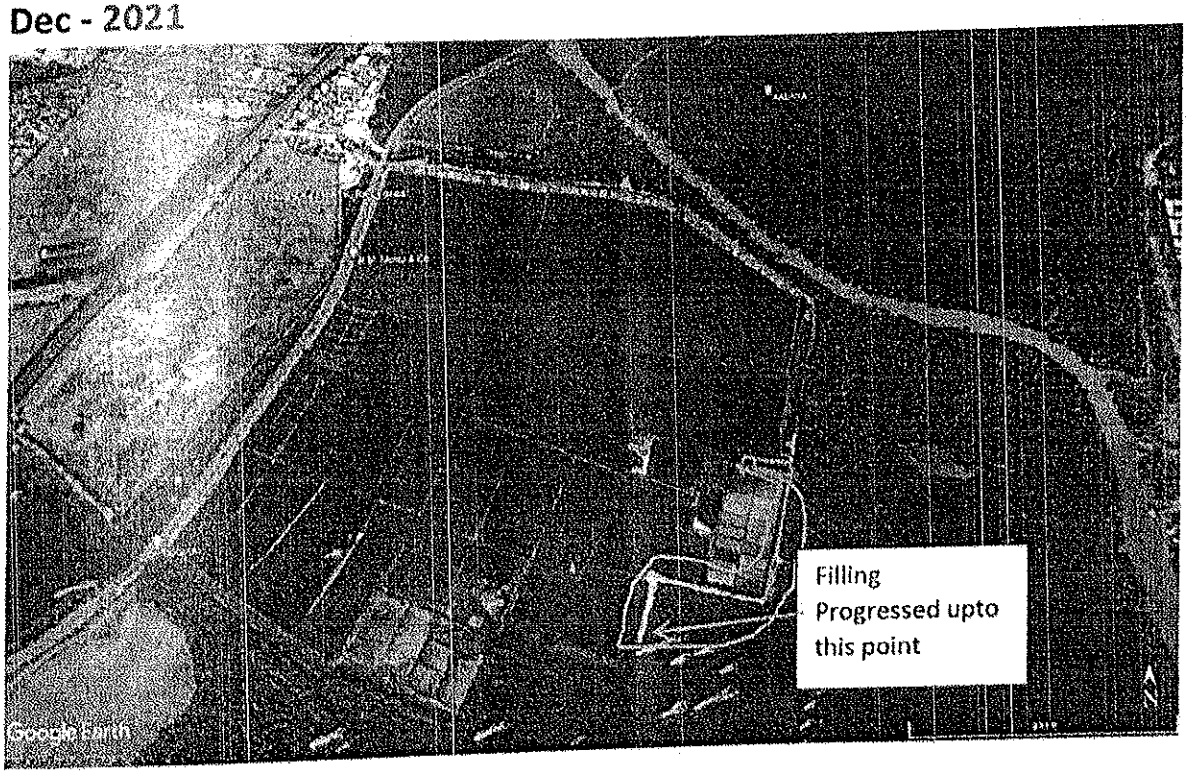
Kamal M. Gadia.

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March 2018

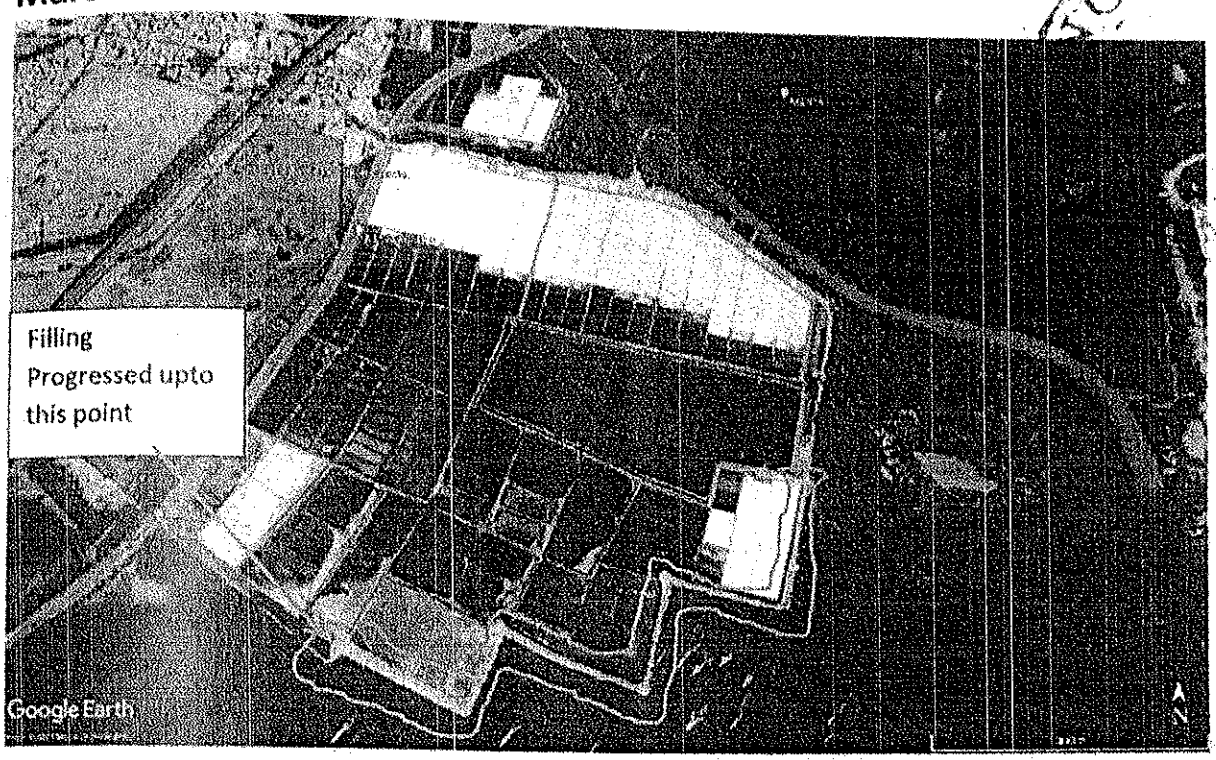


Dec - 2021

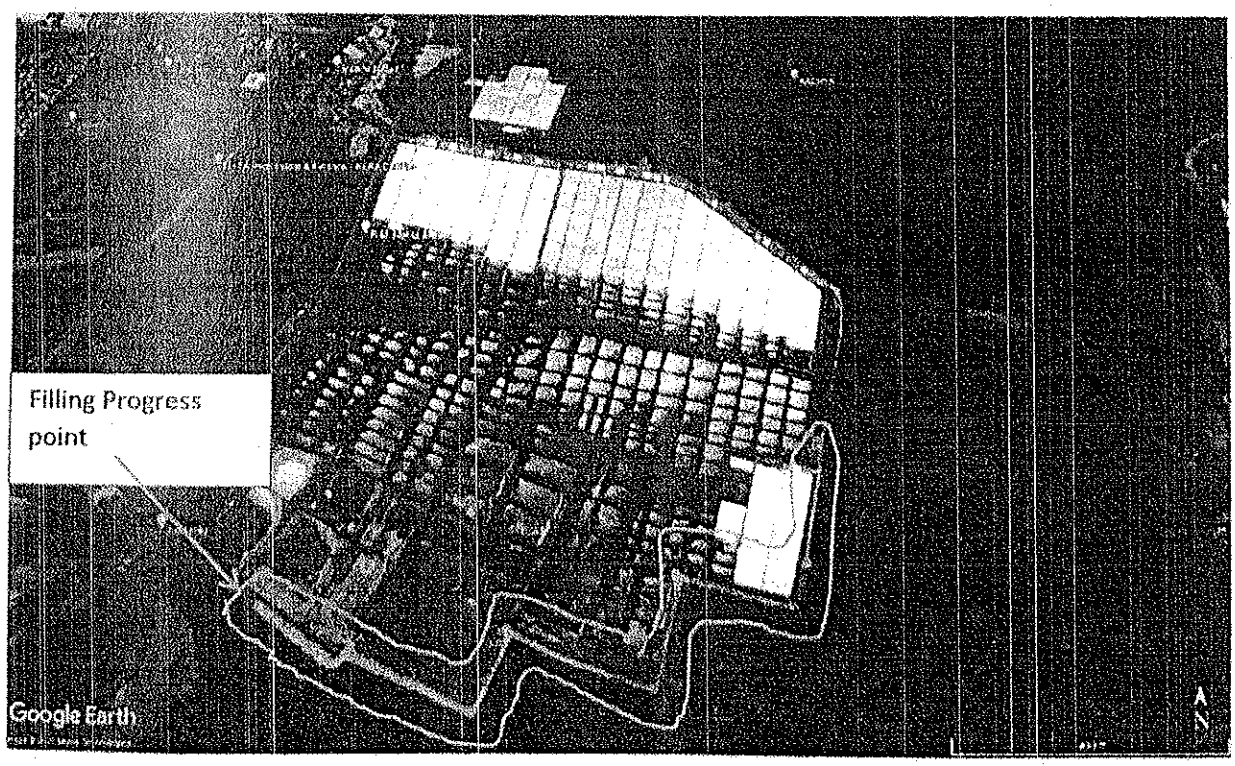


225

March 2022



April 2022



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4. Site Investigation

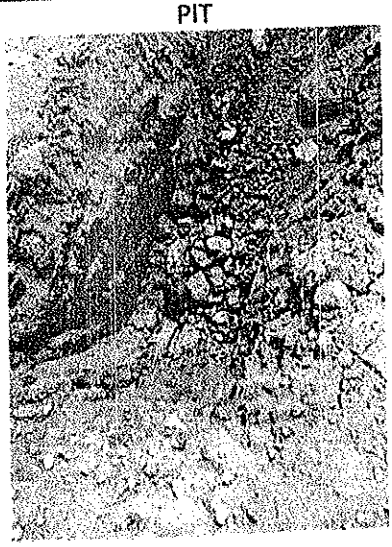
(I) 1st site investigation on 03.05.2023

As decided in the first meeting of the Technical Committee held on 26.04.2023, a site visit was done by all the members on 03.05.2023. The purpose of the site visit was to understand the site conditions and assess the C&D waste spread across the site. The main objective of the visit is to assess the extent of the debris filled on the periphery of the site (bunds) and ascertain the methodology of its estimation.

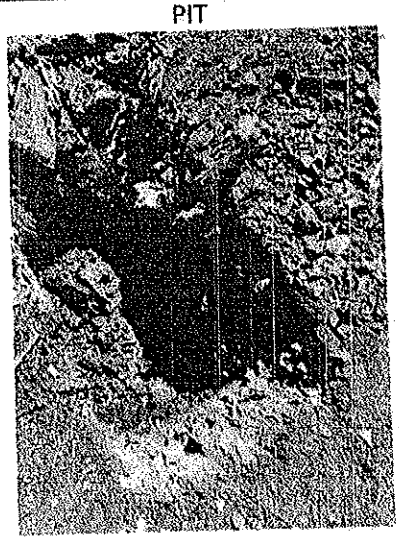
During the site visit, few pits were made to observe the actual depth of the filled up debris by using JCB from MCGM. A total of 6 such pits were taken (Photographs attached) to find out the levels of the filled up C&D waste across the entire length of the bund/Road within the salt pan premises. This is done to estimate the exact depth of the filled up C&D waste, which will help in estimation of the quantity of the C&D waste dumped on site. It was also observed that a fresh debris was also dumped, photograph of the same is attached here.

It was also decided by the members that the survey with respect to ground level be carried out so that the exact volume of the waste be estimated based on the observations of the pit and the depth of filled up C&D waste. The said survey was be done in 2 days i.e.; from 4-5th May 2023.

PIT



PIT



Amol. M. Kerodia.

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PIT	FRESH DEBRIS ON SITE
	

The factual details were recorded and observed by carrying out pits at different locations at certain intervals of the entire stretch where the filling was observed. This was done to identify and distinguish between the original strata and the filled up material and their depths were measured. This was followed by the detailed survey of the stretch to measure the levels with respect to the datum so that the exact nature of the filling can be estimated. As per the permission the survey team carried out the detailed survey about a total of 75 % of the extent of the filling. The occupier didn't allow the team to carry out the remaining part of the survey. Therefore we have estimated the quantum based on the details available with us.

Based on the above studies and analysis a total volume of the waste estimated is 10,493 m^3. Considering the bulk density of the C&D waste as 2200 kg/m^3, the total quantum is estimated comes out to 23,084 MT.

(i) 2nd site investigation on 01.04.2025

In compliance with the Hon'ble NGT Order dated 06.03.2025 (OA No. 33/2024), the technical committee held its second meeting on 22.01.2025 at the MPCB Office. As per the technical report, the committee had estimated 23,084 MT of C&D waste at the site, while the salt pan operator reported that 6,000 MT had been dumped and 1,775 MT had been lifted for scientific disposal. To address this, a site visit was scheduled to re-verify the actual quantum of C&D waste present on-site.

A total of 9 pits were excavated by the JCB of MCGM on site dated 01.04.2025 up to the original strata (photographs given below) to determine the levels of the filled C&D waste along the entire length of the bund/road within the salt pan premises.

Anmol. M. Gadkar.

(228)

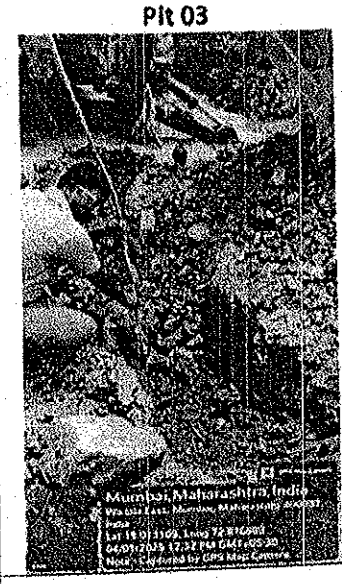
Pit 01



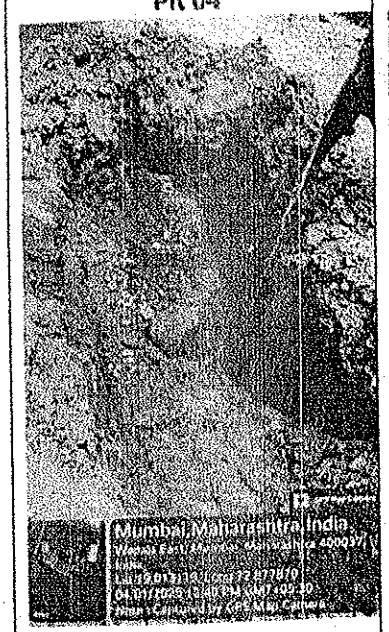
Pit 02



Pit 03



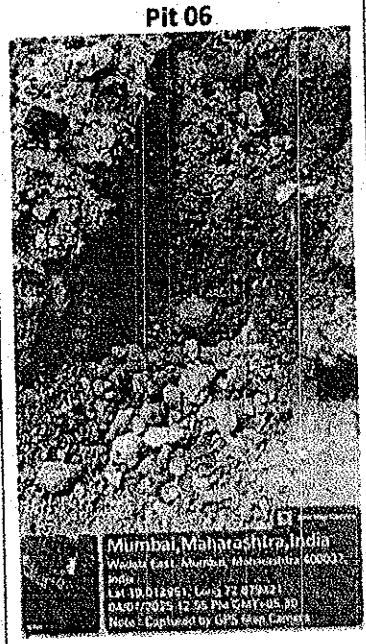
Pit 04



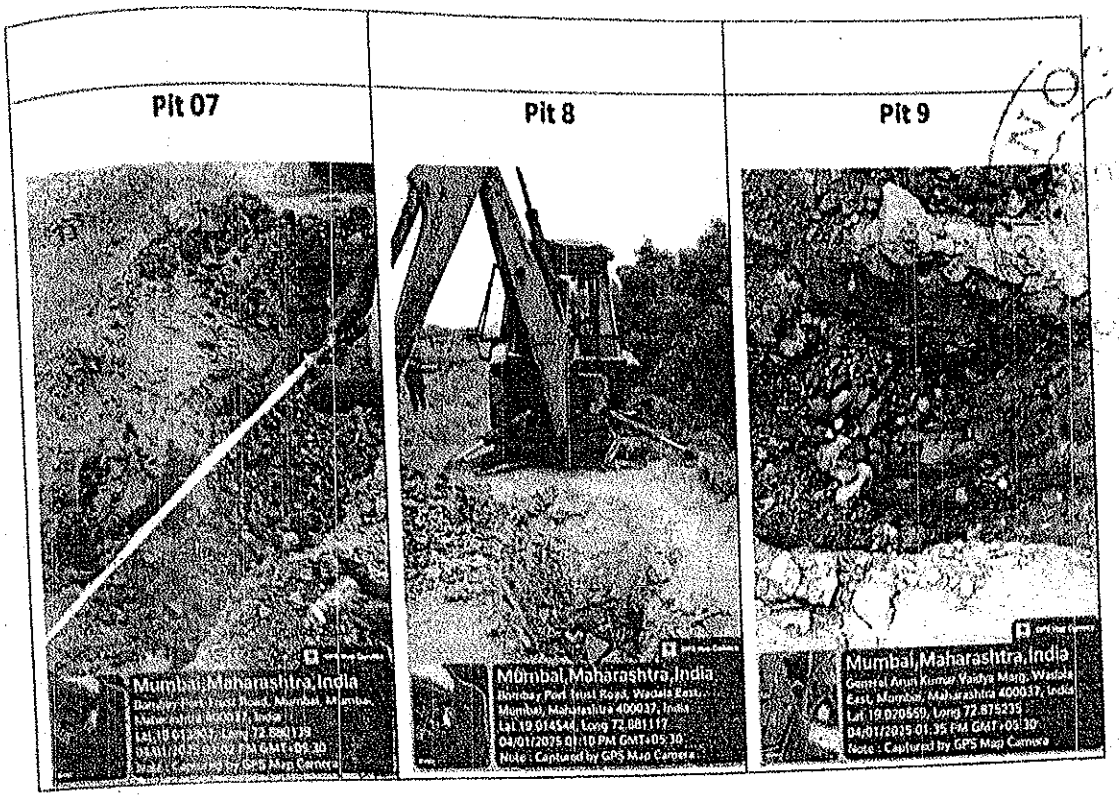
Pit 05



Pit 06



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Also, the Google coordinates of each pit, along with the corresponding depth and width of the bund/road were taken and are provided in the following table.

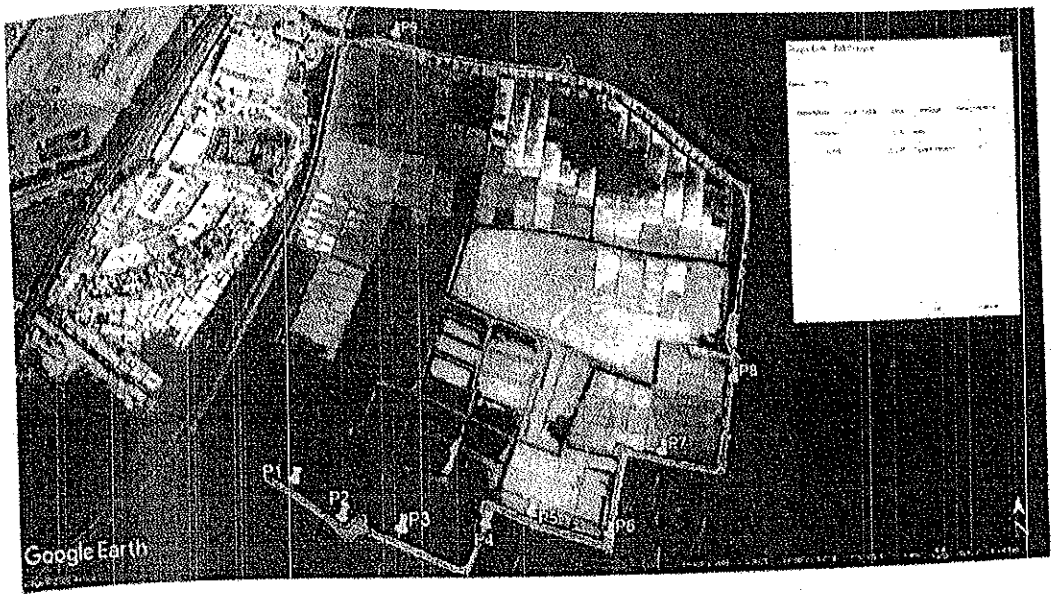
Pit No.	Latitude and Longitude	Depth (m)	Width of bund/Road (m)
1	19° 0'49.57"N and 72°52'32.26"E	1.1	5.0
2	19° 0'48.01"N and 72°52'34.30"E	1.4	5.0
3	19° 0'47.40"N and 72°52'36.80"E	0.75	5.0
4	19° 0'47.46"N and 72°52'40.49"E	1.1	5.0
5	19° 0'47.82"N and 72°52'42.54"E	1.1	5.0
6	19° 0'46.77"N and 72°52'45.86"E	0.9	5.0
7	19° 0'49.96"N and 72°52'48.52"E	1.0	5.0
8	19° 0'52.76"N and 72°52'52.13"E	1.0	6.0
9	19° 1'9.62"N and 72°52'37.14"E	0.7	5.5
Total (Avg.)		**1.005**	**5.12**

The Committee observed that the pit nos 1 to 7 shows (Stretch Distance 0.9 km) no signs of the C&D waste as it is filled up with the fresh soil. The stretch between the pit no. 8 and 9 (Stretch distance 0.9 km) observed with the mix C&D waste as is evident from the photographs.

The locations of the pits were marked on the latest Google image (2025) shown below to determine the extent of the dumping area within the premises. The Google image, shown below, shows a clear view of the site, helping to assess the spread and boundaries of the filling along with the locations of the pits.

Amrl. M. Gadia.

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From the Google image, it was evident that an area of 12,100 m^2 was filled with mix C&D waste up to an average depth of 1.005 m along the entire bund/road within the premises. It was estimated that the volume of mix C&D on site is in the stretch between pit 8 and 9 is 5,185 m^3 out of the total of 12,160 m^3. The composition of the C&D waste was primarily of concrete, soil, broken tiles, paver blocks and brick indicating a mix of C&D waste. The remaining stretch between Pit 1 to 7 having the volume of 6,975 m^3 is observed with the fresh soil devoid of C&D waste with occasional presence of broken bricks.

Based on the relevant Indian Standards (IS) for construction materials, the density values for concrete, soil, and brick have been considered to estimate quantum of the C&D waste on-site. Below is a table summarizing the density of each material as per the respective IS standards, along with the average density used for the overall waste estimation:

Material	IS Standard	Density (kg/m^3)
Concrete	IS 456:2000	2,400
Soil	IS 2720-1:1983	1,500
Brick	IS 1077:1992	1,800
Average		**1,900**



Heap of C&D waste dumped on the left side of the entrance

Amrd. M. Vadia

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5. Conclusion:

1. Based on the above studies and analysis, the total volume of the waste estimated is 12,160 m³. Out of this 5,185 m³ comprise of mix C&D waste along with the heap of C&D waste dumped on the left side of the entrance. The remaining quantum of 6,975 m³ is a freshly filled up soil.
2. Considering the bulk density of the C&D waste as 1900 kg/m³, the total quantum of mix C&D waste used on the site in the stretch from Pit 8 and 9 is estimated to be 9,852 MT.
3. From the Google Image before 2016, it's observed that said mix C & D waste dumped before 2016.
4. The quantum of the soil used for the bund in the stretch between Pit 1 to 7 is estimated to be 10,483 MT mostly of soil having bulk density of 1500 kg/m³
5. Apart from this a huge heap of C&D waste is dumped on the left side entrance of the Salt pan (Refer figure attached on page no. 11).

(Sandeep Arekar) Maintenance Surveyor, City Survey and Land Record Officer, Collector Office, Mumbai.	(Rahul Kale) Sub Engineer, SWM, F/N ward, MCGM, Malonga, Mumbai.	(Anil Sharma) Metro Waste Handling Pvt. Ltd
(Shridhar Pandya) Consultant	(D. A. Patil) Consultant	(Pratap Jagtap) Sub Regional Officer, MPC Board, Mumbai-I

Sanil M. Kadian

CamScanner

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1. Annexure – I: Technical Committee Constitution

GOVERNMENT OF MAHARASHTRA

Phone No.- 022-2202*688
E-mail – dirl.mcz-mh@nic.in

No. MCZMA 2022/ CR 3/ TC 4
Department of Environment and Climate Change, 15th Floor, New Administrative Building, Madam Kama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai-32
Date: 18/04/2023

OFFICE ORDER

Subject: Constitution of Technical Committee for the compliance of Hon'ble NGT order dated 28/9/2022 and 15/3/2023 in the OA No. 343/2021.

Hon'ble NGT in its order dated 15/3/2022 in the OA No. 343/2021 has directed Principal Secretary, Environment &CC to ensure remedial measures are taken within three months by removing encroachments, lifting all C & D Waste for its appropriate processing and revival of all damaged mangrove plantation at the subject site of Wadala Salt Pan area & around and file the report to Hon'ble NGT before 30/6/2023.

In view of the above, a Technical Committee is hereby constituted as below to estimate the quantity of C & D waste dumps in and around the salt pan area as mentioned in the Hon'ble NGT order.

01	Mr. Anil Sharma, Metro Waste Handling Pvt. Ltd.	Member
02	Executive Engineer, MCGM	Member
03	Mr. Shridhar Pandya, Consultant	Member
04	City Survey and Land Record Officer, Collector Office	Member
05	Mr. D. A. Patil, Consultant	Member
06	Regional Officer, MPCB, Mumbai	Member Convenor

RO, MPCB, Mumbai shall make necessary logistic arrangement for site visit - arrangement for meeting etc.

(Pravin C. Darade)
Principal Secretary, Env&CC Dept

Copy for information and necessary action to:
1) Member Secretary, MPCB
2) Regional Officer (BMW), MPCB Mumbai
3) Regional Officer, MPCB, Mumbai

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Annexure – II: Minutes of the 1st Meeting of Technical Committee

MINUTES OF FIRST MEETING OF TECHNICAL COMMITTEE

The State Department of Environment & CC vide office order dated 13th [illegible] 2022 has constituted the Technical Committee in Order to estimate the quantity of C & D waste dumps in and around the salt pan area the status of compliance of Hon'ble NGT order dated 26/5/2022 and 15/03/2023 in OA No. 345/2021.

First meeting of the committee was held on 26. Following officers were present for the meeting :-

1) Mr. Anil Sharma, Metro Waste Handling Pvt. Ltd.
2) Mr. Kurhade, Executive Engineer, MCGM
3) Mr. Shridhar Pandya, Consultant
4) Mr. D. A. Patil, Consultant
5) Mr. Sanjay Bhosale, Regional Officer, MPCB, Mumbai.

First meeting of Technical Committee is held on 26.04.2023 at 11.00 AM in the chamber of Regional Officer, Mumbai at Kalpataru Point, 1st Floor, Sion Circle (E), Mumbai, point of discussion is enumerated below.

Sr. No.	Name	Status
1	Demarcation of Boundary of Collector land and land of salt pan	We may call demarcation record / map from concern Authorities. MCGM communicate to office of Salt Commissioner for postal address of land owner, details as well as for demarcation (GIS) map.
2	Govt. Land Permission for Excavation of depth of C & D waste and quantification	Permission from Land owner and Collector office is required to MCGM, shall be communicated to the authorities.
3	Tentative date for survey and core collection	03.05.2023. MCGM will provide necessary machinery & manpower and carry out excavation & allied activities.
4	Postal address of Salt Pan operator owner	MCGM to communicate the same to office of Salt Commissioner for postal address of Salt Pan operator / owner. MPCB also write letter for postal address of Salt pan operator to office of Salt commissioner.

After the deliberation it was decided that we decide tentative date of survey and core collection on 03/05/2023.

Regional Officer
MPCB, Mumbai &
Member Convener

Executive Engineer, SWM,
MCGM, R.North Ward

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Annexure – III: Minutes of the 2nd Meeting of Technical Committee

Minutes Second meeting of Technical Committee for the compliance of Hon'ble NGT order dated 28/09/2022 and 15/03/2023 in the OA No. 383/2021(Madhura Tawade vs GoM).

Ref :- 1. Constitution of Task Force Committee for monitoring status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/03/2023 in OA No 383/2021 vide letter dated 18/04/2023

2. Constitution of Technical Committee vide letter no. MCZMA/ 2022/CR3/TC4 dated 18/04/2023 by department of Environment & Climate Change, GOM

3. Report of Technical Committee on waste excavation of salt pan site at Wadala, Mumbai of June 2023

4. Second meeting of Technical Committee scheduled on 22/01/2025

1. Following members are present for the said meeting in the chamber of Regional Officer, MPC Board Mumbai, Kalpataru Corner, Sion Circle, Sion (E) M-22 on 22/01/2025 at 12.30 PM

1. Ravindra Aradhale, Regional Officer, MPC Board, Mumbai,
2. Anil Sharma, Metro Waste Handling Pvt. Ltd.
3. Ranger DD, Executive Engineer, SWM, Zone-II, BMC
4. Shreedhar Pawar, Consultant,
5. Pratap Jagtap, Sub Regional Officer, MPC Board, Mumbai-4
6. Mr. D. A. Patil, Consultant through VC

As per request of committee, Ramesh Kumar, Dy. Salt Commissioner from, Salt Department, GOI was present for said meeting.

Discussion started with the letter from Deputy Salt Commissioner dated 21/12/2024 recording assessment of C & D waste dumped at Wadala Site. Mr. Iyer conveyed that Technical Committee has estimated 2700 MT C & D waste to be however salt pan operator Mr. Parmar said work is planned only after removal of C&D waste dumped at the site and further 1725 metric ton of C&D waste from the site for scientific disposal. Mr. D. A Patil Consultant Mumbai informed that to estimate the quantity of C & D waste dumped at Wadala Salt Pan site Technical Committee visited the site on 03.05.2023, spots were decided with the help of GPS to find out the actual depth of the filled C & D waste debris on 4 & 5th May of 2023 and located depths are recorded. Also referred the time series images of the Google Earth

(234)

[illegible]

[illegible]

[illegible]

Exh. 36

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Item No.6 (Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

(THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

M.A. NO.01 OF 2024 (WZ)
EARLIER M.A. NO.03 OF 2024 (PB)
IN
ORIGINAL APPLICATION NO.33 OF 2024 (WZ)
EARLIER O.A.NO.343 OF 2021 (PB)LP
(LP disposed on 15.3.02023)
AND
M.A. NO.02 OF 2024(WZ)
EARLIER M.A. NO.12 OF 2024 (PB)-
filed by Intervener
for recall of order dt.15.03.2023

Madhura Rajesh Tawde

... Applicant

Versus

State of Maharashtra & Ors.

....Respondents

Date of hearing: 21.07.2025

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

Applicant	:	None present
Respondents	:	Mr. Aniruddha Kulkarni, Advocate for R-1/Chief Secy & R-5/CPCB Mr. Mukesh Verma, Advocate along-with Ms. Vatsala Tripathi, Advocate for R-2/MCZMA Mr. A.J. Pathak, Advocate for R-4 Ms. Manasi Joshi, Advocate along-with Ms. Pooja Natu, Advocate for R-6 & 8/MPCB Mr. Kunal Yeole, Advocate for R-7/MCGM Mr. Amey Kulkarni, Mr. Aditya Gupta, Mr. Shivam Srivastav, Ms. Ritika Gangwani, Advocates for R-9/PP

ORDER

M.A. NO.01 OF 2024 (WZ)

1. In compliance with our previous order dated 13.06.2025, the Registry has separated both the files of the present Misc. Applications

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2. Misc. Application No.01/2024 (WZ) deals with the Joint Committee Report dated 12.10.2023 submitted by the Deputy Salt Commissioner, Mumbai, wherein it is recorded that one Mr. Madhura Rajesh Tawade filed Original Application No.343/2021 before the Principal Bench of this Tribunal, praying therein for remedial action to be taken for the damage caused to the Environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to Chhatrapati Shivaji Maharaj Terminus freeway by adding C & D debris on the salt pan, making island out of it and encroaching the same, affecting the Mangroves which are important for Mumbai city.

3. In this matter, the Principal Bench of this Tribunal had passed Orders dated 28.09.2022 and 15.03.2023. In the Order dated 28.09.2022, the Principal Bench had directed as below:-

> *"5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/ encroached area and plan to set up C&D processing plants and other associated actions within two months by email at judicial-ngtagpune.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."*

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4. As per the Order dated 15.03.2023 in the above-mentioned Original Application, it has been ordered by the Principal Bench of this Tribunal as below:

> *"6. From the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of interdepartmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction/negligence.*
>
> *7. The ACS, Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove plantation. Let the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If any further direction is found necessary, he may place the matter before the Bench."*

5. Further, it is recorded in the Joint Committee Report that though the Salt Department (Government of India) was not a party to the said Original Application, in order to comply with the Orders of the Principal Bench of NGT at New Delhi, the Salt Department has taken necessary actions from time to time and also submitted its report to the Principal Secretary, Environment and Climate Change Department, Govt. of Maharashtra on 23.06.2023. The Office of Dy. Salt Commissioner, Mumbai has taken following actions:-

(R3C)

Sr. No.	SUBJECT MATTER/ISSUES ON THE SALT PAN LAND	ACTION TAKEN
1.	Removal of encroachment in CS No. 144 & 145 of Salt Pan Division under Hormoz Salt Works	1. The demolition drive was conducted by O/o-Dy. Salt Commissioner, Mumbai on 02.06.2022 and about 60 illegal/ unauthorized structures were demolished. Further, a compound wall has been constructed along encroachment prone boundary of CS No. 144 pt. so as to prevent further encroachments in CS No. 144. The above-stated report is enclosed with this report as Annexure No. 1 2. Another demolition drive was conducted by the Salt department on 20.04.2023 subsequent to the Hon'ble NGT Order. The Deputy Superintendent of Salt, Wadala's report on demolition drive along with the coloured photographs is annexed hereto as Annexure No. 2
2	Removal of temporary huts used as labour sheds in CS No. 145 of Salt Pan Division under Hormoz Salt Works	All the temporary labour rest sheds made of tarpaulin sheets have been removed in June, 2023 as all the labours have moved to their native places due to closure of salt manufacturing season. Photographs of the said removal are enclosed hereto as Annexure No. 3
3	Removal of C&D waste used by the Salt Manufactures for strengthening of outer embankments in CS No. 145 of Salt Pan Division under Hormoz Salt Works	1. The Dy. Salt Commissioner, Mumbai directed the Salt Manufacturers of Hormoz Salt Works to remove C&D waste dumped in Salt Pan Lands immediately and also to remove unauthorized structures in the land, enclosed herewith as Annexure No. 4 2. On failure of the Salt Manufacturers to remove the C&D waste, the Dy. Superintendent of Salt, Wadala filed Police Complaint on 27.03.2023 against the Salt Manufacturers, enclosed as Annexure No. 5 3. The Principal Secretary, Environment, Forest & Climate Change Department of Government of Maharashtra after visiting the site on 18.04.2023 along with Salt Dept Officials and officers from other concerned Department (Annexure No. 6), vide his letter dated 20.04.2023 (Annexure No. 7) issued following directions: a. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris / C&D waste on the salt pan site and remove the existing C&D waste from the site. b. Salt Pan Department should increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste. c. Complaint to be filed u/s 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of

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Salt, Deputy Superintendent of Salt & Salt Pan Operators.

d. It is the joint responsibly of the MCGM and Salt Department to remove C&D waste from the site. Deputy Salt Commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machinery for removal of the C&D waste.

4. Dy. Salt Commissioner, Mumbai replied to the Principal Secretary vide letter dated 24.04.2023 and requested to relook the directions issued vide letter dated 20.04.2023 in view of Municipal Solid Wastes (Management and Handling) Rules, 2000, Construction and Demolition Waste Management Rules 2016 and MCGM Circular on SOP for C&D waste Management dated 28.09.2018 **(Annexure No. 8)**

5. The Director, MCZMA vide letter dated 25.04.2023 **(Annexure No. 9)** ordered that the Salt Department has to carry out its responsibilities as per Hon'ble NGT order dated 28.09.2022 & dated 15.03.2023 and if any grievance is there, Salt Department may seek review of the said orders. The BMC vide his letter dated 24.04.2023 provided the financial responsibility of Rs.14.25 Cr upon Salt dept. for lifting, transporting and processing the C&D waste with help of M/s Metro Waste Handling Pvt. Ltd and threatened that in compliance shall result in legal action against Salt Dept. **(Annexure No. 9A)**

6. After receiving letter dated 27.04.2023 from Salt Manufacturers of Hormoz Salt Works (Annexure No. 10), the Dy. Salt Commissioner, Mumbai vide his letter dated 01.05.2023 (Annexure No. 10A) apprised the Principal Secretary, Environment, Govt. of Maharashtra about the offer of the Salt Manufactures to remove the C&D Waste at his own cost.

7. Additional Secretary, DPIIT, Shri Rajeev Singh Thakur vide DO Letter dated 16.05.2023 (Annexure No. 11) addressed to the Principal Secretary requested to relook the directions issued vide Director, MCZMA dated 20.04.2023 and BMC's letter dated 24.04.2023 **(Annexure No. 9 and 9A)**

8. The Deputy Salt Commissioner, Mumbai vide letter dated 29.05.2023 directed the Salt Manufacturers to remove C&D waste from salt pan land within 10 days' time-period. The copy of the letter dated 29.05.2023 annexed hereto as Annexure No. 12

9. The Deputy Salt Commissioner, Mumbai vide letter dated 01.06.2023 requested the Executive Engineer (SWM), Zone-II,

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		MCGM to co-operate with the Salt Manufacturers in removal and disposal of C&D waste from Hormuz Salt Works as per the Hon'ble NGT's Order dated 28.09.2022 and also asked the Local Officer for co-ordination. The copy of the letter dated 01.06.2023 is annexed hereto as Annexure No. 13 10. After receiving details of C&D waste processing units from MCGM on 07.06.2023(Annexure No. 14), the Dy. Salt Commissioner, Mumbai immediately asked Salt Manufacturers to start removing C&D waste before 12.06.2023. The Salt manufacturer was also informed that if they failed to remove the waste, the MCGM would start removing C&D waste and the cost would be recovered from the Salt Manufactures. The copy of Dy. Salt Commissioner, Mumbai's letter dated 08-06-2023 is enclosed as Annexure No. 14A 11. In order to expedite the process, the Deputy Superintendent of Salt, Wadala personally accompanied the Salt Manufacturers to Godrej C&D waste processing facilities and Navi Mumbai Municipal Corporations for allowing their sites for disposal of C&D Waste Unit. Godrej C&D Waste Processing collected samples from CS No. 145. The permission for C&D disposal at Navi-Mumbai Municipal Corporation (NMMC) site was obtained by the Deputy Superintendent of Salt, Wadala from the Commissioner, NMMC at about 7.00 PM on 13.06.2023. 12. The Salt Manufacturers started removal of C&D waste from Hormuz Salt Works *w.e.f.* 14.06.2023 and our officers and watch & ward staff were regularly monitoring the work of removal of C&D waste from CS No. 145 of Salt Pan Division. As it was observed that the debris removal work was going on at a slow pace, the Superintendent of Salt, Mumbai directed the Salt Manufacturers to expedite the removal of C&D debris from the site by deploying sufficient machineries and man-power before the approach of monsoon. The copy of Dy. Salt Commissioner, Mumbai's letter dated 14-06-2023 is enclosed as Annexure No. 15 13. Till 21.06.2023, 20 loads of dumpers of C&D waste were removed by the Salt Manufacturers from CS No. 145 of Salt Pan Division. 14. Shri Murarilal N. Garodia, the Salt Manufacturer informed vide his letter dated 21.06.2023 that as per the report of Godrej C&D Waste Processing Plant, the C&D debris dumped in CS No. 145 was mix of all types of waste and hence could not be processed; and also, NMMC was dumping the C&D waste at their land filling sites. Hence, it had been requested by Shri Garodia to allow him to dump the C&D waste at designated land fill site or dumping sites. It had also been requested by him to allow sufficient time for removal as only one dumper & only one hydraulic excavator could be moved/used at a time.
		The copy of Shri Murarilal N. Garodia's letter dated 21-06-2023 is enclosed here as Annexure No. 16 15. In view of very slow pace of removal of C&D waste by the Salt Manufacture from CS No. 145, the Deputy Superintendent of Salt, Wadala filed Police complaint against the Salt Manufacturers at Wadala Police Station on 22.06.2023. The Police Officer reserved the case for enquiry and for subsequent register of the FIR, if deem fit.
4	Present Status Report by the Factory Officer, Wadala in removal of C&D waste dumped on the C.S. No 144 &145 of Salt Pan Division, Hormoz Salt Works.	As per the report of Deputy Superintendent of Salt, Wadala, there is no lifting, transporting and processing of C&D waste from the bunds of M/s Hormoz Salt Works since 22.06.2023. In the last week of June 2023, the Salt Manufacturers approached the NMMC, Vashi to obtain permission for processing of further quantity of C&D waste but by the time, they got permission for processing of further quantity of C&D waste, the monsoon started and due to incessant raining, lifting & transporting process was halted. During monsoon season, the soil becomes muddy and there is risk of heavy vehicles getting stuck. The lifting and transporting process can be resumed after Monsoon is over. The FIR against the Salt Manufacturers as stated-above has been registered by the Wadala Police Station and a copy of FIR is enclosed as Annexure No. 17 with this Compliance Report.

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6. We are at loss to understand as to how only the Dy. Salt Commissioner, Mumbai has submitted above report before us, which has been registered as M.A. No.01/2024 (WZ) by the Registry, treating the same to have been complied with in pursuance to the Tribunal's order dated 15.03.2023, while it is quite apparent that the Salt Commissioner, Mumbai in that report has submitted that he was not a party to the proceedings.

7. We also find that by the initial order dated 15.12.2021 of the Tribunal, the Joint Committee was constituted comprising six members, i.e. Maharashtra Coastal Zone Management Authority (MCZMA); CPCB; State PCB; SEIAA; Maharashtra, BMC; and the concerned District Magistrate. But the report, which has been submitted before us, is signed by only Dy. Salt Commissioner, Mumbai.

8. A perusal of the order dated 15.03.2023 passed by the Tribunal in the above-mentioned Original Application would make it clear that three months' time was prescribed by the Tribunal directing the ACS, Environment that the remedial measures be completed, which will include removing of all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove plantation and compliance report was also directed to be filed on or before June 30, 2023. So, in light of the above order, it was the responsibility of the ACS, Environment to submit the report as to whether the said direction has been carried out or not, but no such report has been received from their end in the case in hand, i.e. M.A. No.01/2024 (WZ).

9. It is apprised by learned counsel for Respondent No.1- Chief Secy., Govt. of Maharashtra and Respondent No.5- CPCB that there is no designation by the name ACS, Environment as of date and now, it is the responsibility of the Principal Secretary, Environment Department, Govt.

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of Maharashtra to ensure the compliance of the order of the Tribunal dated 15.03.2023.

10. We would like to have a reply from the Principal Secretary, Environment Department, Govt. of Maharashtra as to why the said direction has not been complied with till now and as to whether he is agreeing with the report dated 12.10.2023, which was submitted by the Dy. Salt Commissioner, Mumbai? If he is in agreement with the said report, he has to put his signature on it and thereafter, the same be placed before us on the next date so that we may pass order in the case in hand.

11. From the side of Respondent Nos.6 & 8- MPCB, learned counsel Ms. Manasi Joshi has appeared, who submits that she has filed reply affidavit dated 11.06.2025, wherein it is submitted that a Technical Committee was constituted by the Govt. of Maharashtra vide order dated 18.04.2023, of which the MPCB was a convener and was supposed to provide logistic arrangements for the site visit. As per the Google Image, the mixed waste, which was lying in between Pit Nos.8 to 9 (Distance 0.9 KM), was 9852 MT, which was prior to coming into force of C&D Waste Management Rules, 2016.

12. Further, it is mentioned in this reply affidavit by Respondent Nos.6 & 8- MPCB that in between Pit Nos.1 to 7, there were no signs of C&D waste dumped, as the same was found filled up with fresh soil. The quantum of mixed waste between Pit Nos.1 to 7 was 13252 MT and that between pit Nos.8 to 9, the same was found to be 9852MT. The Committee further concluded that pit Nos.1 to 7 show no signs of C & D waste, as it was filled up with fresh soil. Out of 13252 MT mixed waste, the quantity of C& D waste i.e. 1788.88 MT was lifted by the Salt Operator and disposed

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the same scientifically at Navi Mumbai Municipal Corporation's C & D treatment facility from 14/06/2023 to 07/11/2024.

13. Further, it is mentioned in this reply affidavit by Respondent Nos.6 & 8- MPCB that the Committee observed huge heap of C & D waste, which was dumped on the left side entrance of the Salt pan, which is yet to be scientifically disposed by the Salt Pan Operator. The Committee further observed that the volume calculation of the said heap was not possible due to its uneven distribution on the left side of the entrance and that the Committee is of the view that Salt Pan Operator shall dispose of the remaining C & D waste, which was dumped on the left side entrance, scientifically.

14. From the side of Respondent No.9- M/s Hormuz Salt Works/Project Proponent, learned counsel Mr. Amey Kulkarni has appeared before us and seeks two weeks' time to file reply affidavit in this matter. We grant him the said time. He may also file rejoinder affidavit to the reply affidavit of Respondent Nos.6 & 8- MPCB within that period.

15. From the side of Respondent No.2- MCZMA, learned counsel Mr. Mukesh Verma has appeared, who submits that he would not be filing reply affidavit in this matter and would rely on the Dy. Salt Commissioner's report.

16. From the side of Respondent No.4- The Deputy Commissioner of Salt, Mr. A.J. Pathak has appeared, who submits that he has already filed reply affidavit in this matter and does not want to file rejoinder affidavit to the reply affidavit of Respondent Nos.6 & 8- MPCB.

17. None has appeared from the side of Respondent No.7- Municipal Corporation of Greater Mumbai. We direct the learned Registrar of this Tribunal to write a letter to Respondent No.7 directing therein to ensure

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presence of someone from their side before this Tribunal on the next date positively and file their reply affidavit in this matter within two weeks, failing which the Tribunal would be compelled to order for personal appearance of the Officer concerned before this Tribunal to show the cause.

M.A. NO.02 OF 2024 (WZ)

18. This misc. application has been moved by the applicant- Mr. Madhura Rajesh Tawade, praying therein for recall of the order dated 15.03.2025 passed by the Tribunal.

19. Despite repeated calls, none has appeared from the side of applicant to press this misc. application. It appears that applicant does not want to press the same. Hence, we have no option left but to dismiss this misc. application in default.

M.A. NO.02 OF 2024 (WZ) stands disposed of accordingly.

20. Registry is directed to list main matter for further consideration on 12.09.2025.

21. A copy of this order be communicated to the Principal Secretary, Environment and Climate Change Department, Government of Maharashtra for compliance.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 21, 2025
M.A. NO.01 OF 2024(WZ)
EARLIER M.A. NO.03 OF 2024 (PB) IN
ORIGINAL APPLICATION NO.33 OF 2024(WZ)
EARLIER O.A.NO.343 OF 2021 (PB)LP
(LP disposed on 15.3.02023) AND
M.A. NO.02 OF 2024(WZ)
EARLIER M.A. NO.12 OF 2024(PB)-
PKr

Exh-37 (245)

BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN REGION BENCH AT PUNE
INTERLOCTORY APPLICATION NO. 60 OF 2025
IN
ORIGINAL APPLICATION NO. 33 OF 2024 (WZ)
(EARLIER ORIGINAL APPLICATION NO. 343 OF 2021)

Hormuz Salt Works — Applicant/Respondent No. 9
Through, Mr. Anmol Garodia (Authorized Representative)

IN THE MATTER OF

Madhura Tawde — Petitioner
Vs.
State of Maharashtra and Ors. — Respondents

AFFIDAVIT IN REPLY BY THE APPLICANT / RESPONDENT NO. 9 TO THE ADDITIONAL AFFIDAVIT DATED 7TH APRIL 2025 FILED BY THE RESPONDENT NO. 6 (MPCB)

I, Anmol Garodia, Age 31 years, carrying on my business at Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai do hereby solemnly affirm and state as under:

1. I say that I am in receipt of the Additional Affidavit dated filed by the Respondent No. 6 i.e. MPCB and the Report of the Technical Committee dated April 2025 (hereinafter referred to as "**the Technical Committee Report**") on

Anmol M. Garodia

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waste estimation of salt pan site. I say that I am filing my reply to the said Technical Committee Report.

Events leading to the NGT Order dated 28th September 2022 and 15th March 2023

2. I say that the aforesaid Original Application is based on a complaint filed by the Petitioner, Madhura Tawade, an activist *vide* email dated 19th June 2021 (**"said email"**). By the said email, the Petitioner had *inter alia* stated that certain people were adding debris on the salt pan land and these people had made a small island out of it and have even encroached the said area. It was also stated that sand is also being added on the mangroves which are important for the Mumbai city.

3. I say that *vide* an order dated 15th December 2021 the Principal Bench NGT, New Delhi registered the application based on the email of the Petitioner. The NGT sought a 'factual and action taken report' from a six member joint committee (being Respondent Nos. 1 to 8 herein) to undertake site visit and interact with the stake holders.

4. I say that pursuant to the order of the NGT dated 15th December 2021:

(i) A Joint Committee (consisting of Respondent Nos.1 to 8) conduced a site visit and their observations were recorded in Minutes of the First Meeting dated 11th March 2022. In the said minutes of meeting, it is *inter alia* stated that along the periphery of salt pan at C.S. No. 145, Mr. Garodia has constructed a huge bandh (approx. 5 ft height and 10 feet wide made of C&D Waste) between the dense mangroves and salt pans. Mr. Garodia also informed the Joint Committee that the bunds are constructed to prevent intrusion of creek water into salt pans.

NOTARY GOVT. OF INDIA

Kamal M. Garodia

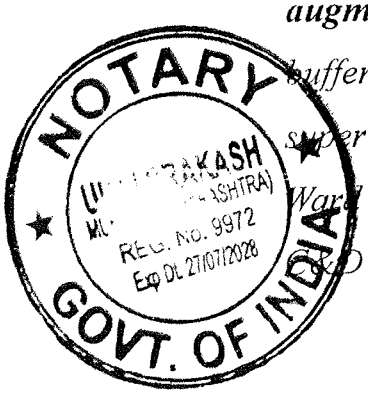
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(ii) A Progress Report dated 19th April 2022 whereby the findings of the First Minutes of Meeting dated 11th March 2022 were reiterated and MCGM was *inter alia* directed to submit the status of C&D waste with respect to ward wise daily/monthly generation.

(iii) A Second Meeting of the Joint Committee was held on 25th May 2022 in which it was *inter alia* decided to collect various records and documents from the Salt Pan Department about the status of ownership of C.S. Nos. 117, 144 and 145 along with P.R card.

(iv) The Deputy Salt Commissioner by his letter dated 25th August 2022, *inter alia* clarified to the MPCB that no permission was taken by the Applicant/Respondent No. 9 for the repair or maintenance of the salt work, however no such permission is required for regular repair or maintenance of the outer embankment of the salt works.

(v) A Progress Report dated September 2022 was submitted by the Joint Committee in compliance with the NGT Order dated 15th December 2021. In the said Report, it was *inter alia* recommended by the Joint Committee that *"...**Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund**, falling within 50 m mangrove buffer i.e. CRZ 1-A. The operator of salt pan / salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste..."*



(vi) The MPCB *vide* its Report dated 26th September 2022 *inter alia* stated that *"...**existing bund which is repaired and augmented by dumping C&D waste** falls within the 50 m mangrove buffer zone i.e. CRZ 1A .....Operator*

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of salt pan under the supervision of Office of Dy. Salt Commissioner Mumbai may be directed to remove unauthorized dumping of the C&D waste.."

(vii) The National Green Tribunal ('**NGT**') *vide* Order dated 28th September 2022 and 15th March 2023 in O.A. 343 of 2021 *inter alia* accepted the recommendation of the Joint Committee and the MPCB and directed the removal of the unauthorized dumping of waste and removal of encroachments near the coastal road at Wadala.

5. I say that it would be evident that both the Reports of the Joint Committee and the MPCB state that the removal of the C&D waste dumped by the Applicant was **restricted to the 'bund' which was 'repaired and augmented'** by the Applicant/Respondent No.9.

6. I say that by letter dated 27th April 2023 (***Exhibit "15"***) addressed to the Deputy Salt Commissioner, Mumbai, the Applicant/Respondent No. 9 had expressed their willingness to comply with the orders of the NGT and **remove the C&D waste used by them to strengthen and fortify the existing bund**, as stated in the aforesaid orders.

Observations in the Technical Committee Report regarding compliance by the Applicant/Respondent No. 9 of the Order of the NGT

7. The members of the Technical Committee inspected the salt works of the Applicant on 1st April 2025 and prepared a report dated 7th April 2025. The report *inter alia* states that:

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(i) A total of nine (9) test pits were excavated by the members of the Technical Committee, wherein Pit Nos. 1 to 7 were located on the Bund, and Pit Nos. 8 and 9 were excavated along the access road.

(ii) The pit nos. 1 to 7 (Stretch Distance 0.9 km) show no signs of C&D waste as it is filled up with fresh soil.

(iii) The quantum of the soil used for the bund in the stretch between Pit 1 to 7 is estimated to be 10,463 MT mostly of soil having bulk density of 15000 kg/m^3.

8. It would be pertinent to note that the points from Pit Nos. 1 to 7 form a part of the 'bund' which was 'repaired and augmented' by the Applicant/Respondent No. 9.

9. I say that by April-May 2024, the Applicant had removed approximately 1775-1788 MT C&D waste used for repairing and augmenting the existing bund, which has been confirmed by the Navi Mumbai Municipal Corporation. The Certificate from the NMMC dated 2nd April 2024 along with the delivery notes are annexed as **Exhibit 'A'** herein.

10. I say that the Applicant has duly complied with the directions of the Hon'ble NGT by removing the C&D waste from the 'bund' which was 'repaired and augmented' by them . The Applicant / Respondent No. 9 is therefore entitled to resume the operations of the salt works, including restoration of its water supply and electricity, as the orders of the NGT have been duly complied by them.

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Exp Dt. 27/07/2028

Ahmd. M. Kadia

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Access Road

11. I have annexed at **Exhibit 'B'** herein which is taken from Internal Page 11 of the Technical Committee Report and additional markings/highlights have been made therein. I say that the bund starts from Pit No. 1 and extends to Point 7A which highlighted in green colour. The pre-existing access road starts from point 7A and extends up to Pit 9. Pit 8 and Pit 9 form a part of the access road on which no direction of removal of C&D waste was issued.

12. I say that the Technical Committee Report, at Internal Page No. 4, also refers to Google Earth photographs from February 2015 to April 2022. In the said photographs, the Technical Committee have used various terms such as *'filling observed in this Area'*, *'Filing progressed up to this Point'* and *'Filling Progress Point'* to show the point up to which the filling has progressed.

13. I say that it would be evident from a perusal of the Technical Committee Report that filing from the points from Pit Nos. 8 to 9 has not even been observed from February 2015 to April 2022. This would clearly indicate that the Pit Nos. 8 and 9 are on the access road which was always in existence. The directions to remove C&D waste is only *qua* the bund which the Applicant/Respondent No.9 has duly removed. Further, a Google Map image for the years 2010 and 2025 would also indicate that there has been no dumping on the access road. Hereto annexed as **Exhibit "C"** is a copy of the Google Map image for the years 2010 and 2025.

14. I say that the access road requires to be sturdy to bear the weight of the heavy trucks used for transportation of salt. The area from Point 8 to 9 is the century-old pre-existing road which was used for ingress and egress of vehicles in the salt pan. The same would be confirmed from the following observation made by the Technical Committee Report:

Anmol M. Kadia

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"5.3. From the Google Image before 2016, its observed that the said mix of C&D waste dumped before 2016".

15.I further say that the Applicant/Respondent No. 9 has been operating the salt pan land since 1913. The Applicant/Respondent No. 9 had requested for permission for construction of internal road for the purpose of removal of salt from the salt pans from the Collector of Salt Revenue, Bombay. The Collector of Salt Revenue forwarded the same to the Under Secretary, Government of Bombay who, *vide* letter dated 31st January 1916 was pleased to grant permission for the same. It would therefore be evident that the access road has been existence since more than one hundred years. Hereto annexed as **Exhibit "D"** is a copy of the said letter of the Government of Bombay dated 31st January 1916.

Heap lying at the entrance

16.The Technical Committee Report has also observed that:

"5.5. Apart from this a huge heap of C&D waste is dumped on the left side of the entrance of the Salt pan (refer figure attached on page no. 11)".

17.I say that the said image at internal page no. 11 of the Technical Committee Report is unclear. In any event, the aforesaid heap contains paper weights/paver blocks and is essentially required for the salt manufacturing business. Such paver blocks are not in the nature of C&D waste as is wrongly claimed by the Respondent No. 6.The heaps of salt in the shape of a pyramid, produced in the salt pan is usually covered by way of tarpaulin sheet and the paperweights/paver blocks are placed on the tarpaulin sheet to keep the sheet grounded. Hereto annexed as **Exhibit "E"** is a clear photograph of the alleged 'heap' of paperweights/paver blocks which are lying at the entrance of the Applicant's salt pans. Hereto annexed as **Exhibit 'F'** is a photograph showing the paver blocks holding the tarpaulin sheet.

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18.I say that the salt pan land has not been in use for almost 9 months. Due to this, a lot of miscreants illegally enter into salt works and create a nuisance. The miscreants indulge in drinking alcohol and even play loud music on speakers causing severe disturbance to the Applicant/Respondent No. 9. Hereto annexed as **Exhibit 'G'** is a photograph of the miscreants creating nuisance over the said property.

19.I repeat and reiterate that the Applicant/Respondent No.9 has duly complied with the directions of the Hon'ble NGT by removing the C&D waste from the '*bund*' which was 'repaired and augmented' by them . The Applicant / Respondent No. 9 may therefore be permitted to resume its operations of the salt works, including restoration of its water supply and electricity, pursuant to the compliance of the NGT Orders.

Dated this 22 day of MAY 2025

Applicant

Advocate for the Applicant

NOTARY
UDAI PRAKASH
REG. No. 9972
GOVT. OF INDIA

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VERIFICATION

I, Anmol Garodia, the authorized representative of Hormuz Salt Works, the Applicant above named do hereby state that whatever is stated in the aforesaid paragraphs is true to my knowledge and I believe the same to be true.

Solemnly affirmed at Mumbai)
On this 22 day of May 2025)

Anmol M. Garodia.
Applicant

Identified by

Shivam
Advocate for the Applicant

BEFORE ME

BEFORE ME

UDAIPRAKASH (M.A.LL.B.)
ADVOCATE & NOTARY GOVT. OF INDIA
MUMBAI (MAHARASHTRA)
Regd. No. 9972
Room No. 10, S. ... Estate, Kharodi Village,
Marve Road, ... Mumbai - 400 095.

NOTARIAL REG. NO. A 1
Sr. 2692 Page No. 47
Date 22/05/2025

NOTARY UDAI PRAKASH Mumbai (Maharashtra) Regd. No. 9972 GOVERNMENT OF INDIA

NOTARY UDAI PRAKASH MUMBAI (MAHARASHTRA) REG. NO. 9972 Exp Dt. 27/07/2028 GOVT. OF INDIA

NOTARY UDAI PRAKASH MUMBAI (MAHARASHTRA) REG. NO. 9972 Exp Dt. 27/07/2028 GOVT. OF INDIA

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Anmol M. Garodia

254

BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN REGION BENCH AT PUNE
INTERLOCTORY APPLICATION NO. 60 OF 2025
IN
ORIGINAL APPLICATION NO. 33 OF 2024 (WZ)
(EARLIER ORIGINAL APPLICATION NO. 343 OF 2021)

Hormuz Salt Works — Applicant/Respondent No. 9

Through, Mr. Anmol Garodia (Authorized Representative)



IN THE MATTER OF

Madhura Tawde ...Petitioner

Vs.

State of Maharashtra and Ors. ...Respondents

LIST OF DOCUMENT'S

Sr. No.	Particular's	Page No.	Exh.
1.	Copy of Certificate from the NMMC dated 2nd April 2024 along with the delivery notes.	1	"A"
2.	Copy of Technical Committee Report which is taken from Internal Page 11.	2	"B"
3.	Copy of the Google Map image for the years 2010 and 2025.	3-4	"C"

Anmol M. Garodia.

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4.	Copy of the letter of the Government of Bombay dated 31st January 1916.	5	"D"
5.	Copy of the clear photograph of the alleged 'heap' of paperweights/paver blocks which are lying at the entrance of the Applicant's salt pans.	6	"E"
6.	Copy of the photograph showing the paver blocks holding the tarpaulin sheet.	7	"F"
7.	Copy of the photograph of the miscreants creating nuisance over the said property.	8-9	"G"

Shivam

(ADV. FOR APPLICANT/RESPONDENGT NO.9)

NOTARY
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9972
Exp.Dt. 27/07/2028
GOVT. OF INDIA

Anand M. Kadia

Exhibit A

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नवी मुंबई महानगरपालिका
Navi Mumbai Municipal Corporation

प्लॉट नं १ व २, गोवर्धनी चौक, सेक्टर १५ए, सी.बी.डी., बेलापूर ,नवी मुंबई ४०० ६१४
दूरध्वनी क्र : २७५६ ७००१
फॅक्स : २७५६ ७००२

Plot No. १ & २, Govardhani Chowk, Sec. १५A,C.B.D.,Blapur, Navi Mumbai — ४०० ६१४
Tel. No. : २७५६ ७००१
Fax No. : २७५६ ७००२

No:/NMMC/EE(Env.)/ 79/2024
Date :- 02/ 09/2024.

To Whom so Ever It May Concern

This is to certify that, the Waste contaning 1432.447 M.T. C&D waste Received at C&D Waste Processing Plant of Navi Mumbai Municipal Corporation for recycle by **M/s Hormoz Salt Works.** Indraprastha Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai-400037).

NOTARY ★ GOVT. OF INDIA ★
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9512
Exp. Dt. 27/07/2028

Executive Engineer (Environment)
Navi Mumbai Municipal Corporation

Ismail M. Kadia

257

NOTARY
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9972
Exp.Dt. 27/07/2028
GOVT. OF INDIA

EXHIBIT B



KEY

OldBund	
NewBund	
Pre-existing access road	

Dinesh M. Kadian.

Exhibit C

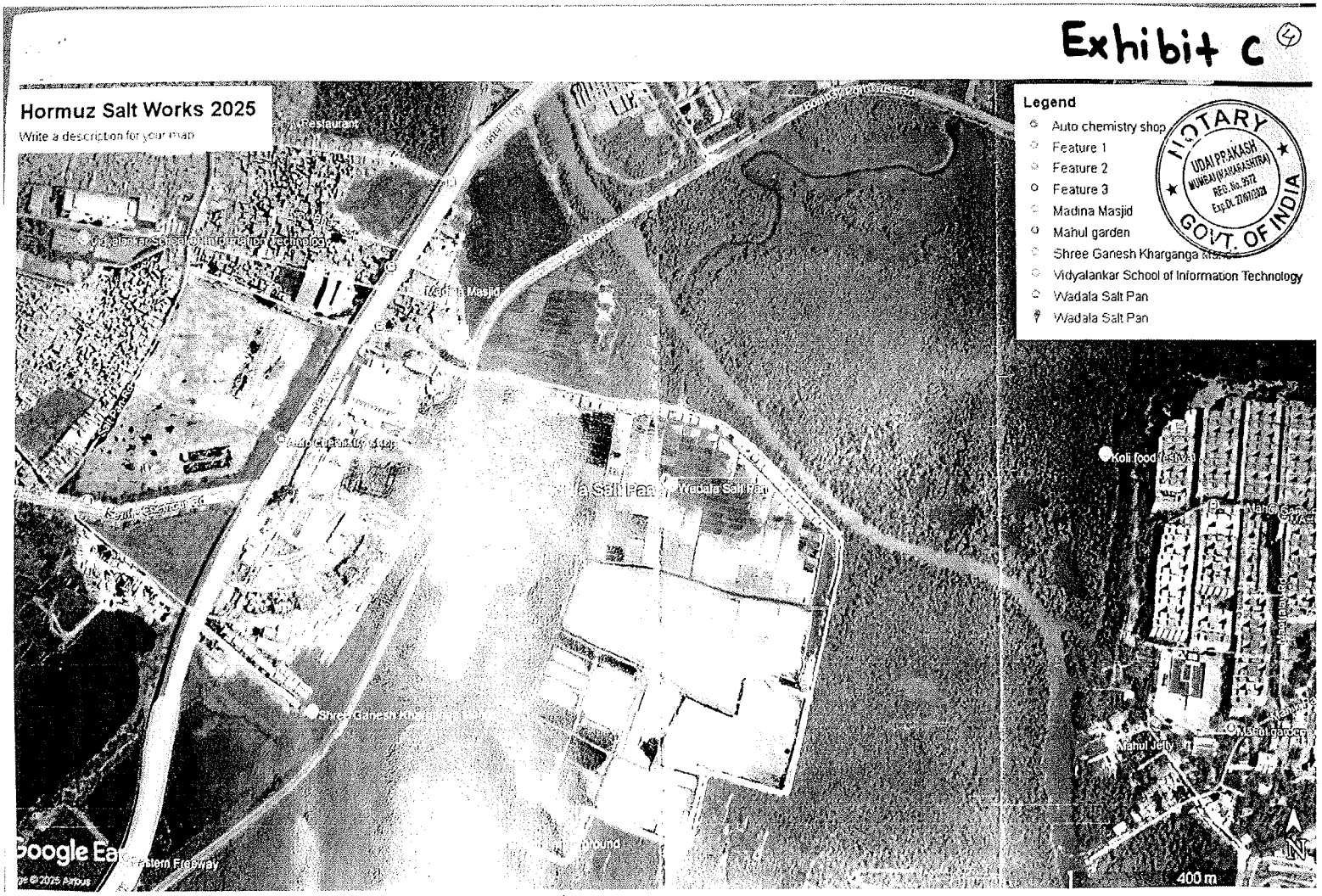
(258)

NOTARY
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9972
Exp. Dt. 27/07/2023
GT. OF INDIA

Dr. M. M. Gandia (3)

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Exhibit C



Anand M. Gadia.

Exhibit D

(260)

1A-21

List

Bombay

Transfer to the Salt Department of certain plots of Government marshy land at Matunga

GOVERNMENT OF BOMBAY

REVENUE DEPARTMENT.

Order No. 1158.

Bombay Castle, 31st January 1916.

Letter from the Collector of Bombay No. L.R.-291 dated 11th January 1916

I have the honour to submit herewith copies of letters noted in the margin from the Collector of Salt Revenue, Bombay, asking for certain plots of Government marshy land at Matunga for the extension of Hormazd Salt Works and for construction of a road for the removal of salt from the Salt Works and to report that in accordance with the orders conveyed by Government in Government Resolution No. 6829 dated 5th October 1891, the land in question has been handed over by me to the Collector of Salt Revenue and transferred to the name of the Salt Department, Bombay, on the records of this office.

Letter No. C.R.-611 of 11th December 1914
Letter No. C.R.-228 of 19th May 1915
Letter No. C.R.-258 of 20th September 1915.

2. A plan showing the lands in question is herewith submitted.

ORDER.—Recorded.

J. A. POPE,
Under Secretary to Government.

NOTARY
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9972
Exp Dt. 27/07/2028
GOVT. OF INDIA

To

The Commissioner of Customs, Salt, Opium and Abkari.
The Collector of Bombay.
The Collector of Salt Revenue.
The Superintending Engineer, N. D.
The Executive Engineer, Presidency.
The Public Works Department of the Secretariat.

M Rev 211

No. 33 of 1916

Copy forwarded for information and guidance to The A.C. of S.R. Thane
CR
Ld
Coll r.

Range 21-2-16

"Supplied under R.T.I. Act, 2005"
"आर. टी. आई. ऐक्ट, 2005 के तहत आपूर्ति की गई"

Udai M. Gadkar.

(261)

EXHIBIT E



NOTARY
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9972
Exp. Dt. 27/07/2026
GOVT. OF INDIA

262

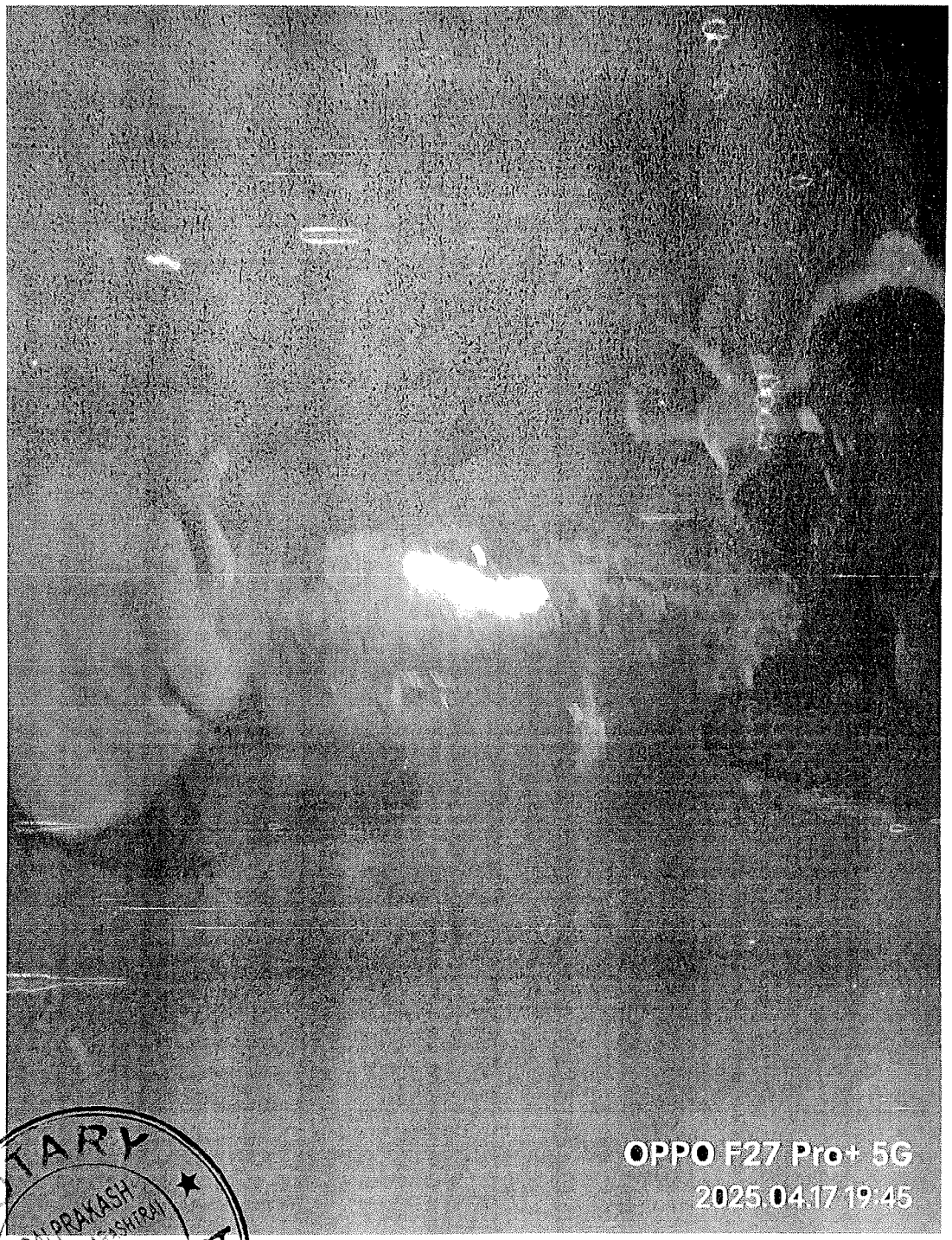
EXHIBIT F



NOTARY
UDAI PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 9972
Exp.Dt. 27/07/2028
GOVT. OF INDIA

(263)

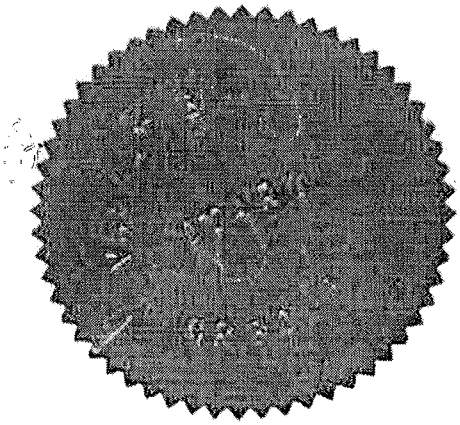
EXHIBIT G

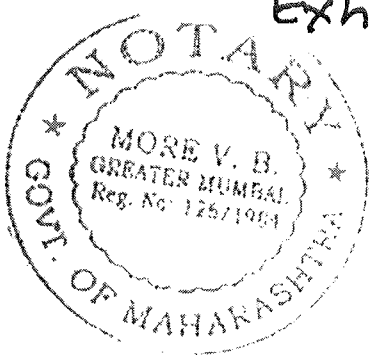


NOTARY
UDAY PRAKASH
MUMBAI (MAHARASHTRA)
REG. No. 3971
Expiry 27/07/2026
GOVT. OF INDIA

Anand M. Gadia.

Exh-38





BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

MA 01/2024

In

ORIGINAL APPLICATION NO.33 OF 2024 (WZ)

Madhura Rajesh Tawade .... **Applicant**

Versus

State of Maharashtra & Ors. ....**Respondents**

Reply – Affidavit on behalf of Maharashtra Pollution Control Board i.e. Respondent No.6 & 8

I, Pratap Jagtap, Aged - Adult, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Mumbai-I, having office at Kalpataru Point, 2nd Floor, Sion-Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under:-

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(1) I say and submit that I am filing this additional Affidavit in compliance of the order of this Hon'ble Tribunal dated 08/04/2025 on behalf of the Technical Committee. I say that the present Respondent has filed Reply dated 07/04/2025 which this Hon'ble Tribunal found to be vague in regards to the total C&D waste and the waste dumped otherwise at the site in question. Therefore, the present Respondent is filing this additional Affidavit on behalf of the Technical Committee. I say that the members of the committee discussed the issue and concluded the finding in the Report dated 9/6/2025. Hereto annexed and marked **Annexure-A** is the Technical Committee's Report dated 9/6/2025.

(2) I say and submit that in the Affidavit dated 07/04/2025 filed by the present Respondent , there are total four conclusions made by the Technical Committee which are reflected in points No. (a) to (d). I say that the explanation on those points is given by the Committee in the annexed Report.

(3) I say and submit that composition of mixed waste is concrete, soil, broken tiles, paver blocks, bricks and C&D waste, which was lying on the road/ entire bund of 1.8km in between Pit No.1 to 9. As the dumped material is in mixed form, hence, the Technical Committee is unable to calculate exact quantum of C & D Waste at site. Accordingly, the Technical Committee has calculated the volume of entire stretch, which is estimated as 12160 M^3 and total quantum mixed waste of entire stretch comes out 23104 MT.

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Quantum of mixed waste between Pit Nos.1 to 7 is 13252 MT and Pit Nos.8 to 9 is 9852 MT.

(4) I say and submit that as per the Google Image, the mixed waste lying in between Pit Nos.8 to 9 (Distance 0.9 KM) is 9852 MT, which is prior to C&D Waste Management Rules, 2016. A copy of the said Google Image is attached to the Report as a Point No.3.

(5) I say and submit that the committee observed that in between Pit No 1 to7, there are no signs of C&D waste dumped observed as it is filled up with fresh soil. I say that quantum of mixed waste between pit No. 1 to 7 was 13252 MT and 9852MT between pit Nos. 8 to 9 respectively. The Committee further concluded that pit Nos. 1 to 7 show no signs of C & D waste as it is filled up with fresh soil. I say that out of 13252 MT mixed waste, the quantity of C& D waste was 1788.88 MT which was lifted by the Salt operator and disposed the same scientifically at Navi Mumbai Municipal Corporation's C& D treatment facility from 14/06/2023 to 07/11/2024.

(6) I say and submit that the Committee has observed huge heap of C & D waste which is dumped on the left side entrance of the Salt pan which is yet to be scientifically disposed by the Salt pan operator. I say that the Committee has observed that the volume calculation of the said heap is not possible due to its uneven distribution on the left side of the entrance. I say that the Committee is of the view that Salt pan operator shall dispose the

Bmnd. M. Gadia.

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remaining C & D waste, which is dumped on the left side entrance scientifically.

Solemnly affirmed on this .14th day of June, 2025 at Mumbai.

For and on behalf of Maharashtra
Pollution Control Board

(Pratap Jagtap)
Sub-Regional Officer, Mumbai-I

BEFORE ME
11-6-2025
VASANT B. MORE
Notary Gr. Mumbai
7, Vijaya Sadan, Flat No. 304,
Above Axis Bank,
Sion West, Mumbai-400022

REGISTER Sr. No 560/2025

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH, PUNE

M.A. NO. 01/2024 (WZ)
Earlier MA. NO.03/2024 (PB)
IN
ORIGINAL APPLICATION NO.33/2024 (WZ)
EARLIER O.A.NO. 343/2021 (PB) LP
(LP disposed on 15/2/2023)
AND
M.A.NO. 02/2024 (WZ)
EARLIER M.A.NO. 12/2024 (PB)-
Filed by Interventer
For recall of order dt. 15/03/2023

Madhura Rajesh Tawde .....Applicant

Versus

State of Maharashtra & Ors. ..... Respondents

In compliance of the The Hon'ble National Green Tribunal (NGT) order on 08/04/2025, in the matter M.A. NO. 01/2024 (WZ), Earlier MA. NO.03/2024 (PB), Madhura Rajesh Tawde Applicant versus State of Maharashtra & Ors & Ors, Respondent (s) the members of the committee discussed the issue regarding following points and concluded as under:-

Sr. No.	Points	Conclusion
1.	Based on the above studies and analysis, the total volume of the waste estimated is 12,160 m³. Out of this 5,185 m³ comprise of mix C&D waste along with the heap of C&D waste dumped on the left side of the entrance (refer figure attached on page no. 12). The remaining quantum of 6,975 m3 is a freshly filled up soil.	Total length of the road/entire bund is 1.8 km where mix waste is dumped. The composition of mix waste is concrete, soil, broken tiles, paver blocks, bricks, C&D waste. It's difficult to calculate exact quantum of C & D waste, calculated volume of entire bund which is estimated 10493 m³ as per technical committee's 1st report. Considering the bulk density of C & D waste as 2200 kg/m³ Total quantum of mix waste comes out 23084 MT. In second report volume of entire bund estimated as 12160 m³ which is increased due to addition of soil for further expansion of road/bund observed during site visit dated 01/04/2025. Out of total volume 12160 m³of mix waste, 6975 was between pit 1 to 7 i.e. 0.9 km and remaining 5,185 m³ was between pit 8 & 9 i.e. 0.9 km along with the heap of C&D waste dumped on the left side of the entrance. (Refer Google Image of location of pits)

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2.	Considering the bulk density of the C&D waste as 1900 kg/m³, the total quantum of mix C&D waste used on the site in the stretch from Pit 8 and 9 is estimated to be 9,852 MT.	Bulk density of construction material considered 1900 kg/m³ as per IS standards and total quantum of mix waste in entire stretch comes out 23104 MT. Quantum of mix waste between pit 1 to 7 was 13252 MT and 9852 MT between pit 8 to 9 excluding the quantity of huge heap of C & D waste dumped on the left side entrance of salt pan.
3.	From the Google image before 2016, it's observed that said mix C & D waste dumped before 2016.	From the Google images it's observed that road/bund of 0.9 km from entrance -pit no. 8 to 9 (Stretch Distance 0.9 km) was built before Enforcing Construction and Demolition Waste Management Rules, 2016.
4.	The quantum of the soil used for the bund in the stretch between Pit 1 to 7 is estimated to be 10,463 MT mostly of soil having bulk density of 1500 kg/m³	The Committee observed that the pit no. 1 to 7 shows (Stretch Distance 0.9 km) no signs of the C&D waste as it is filled up with the fresh soil. Out of 13252 MT mix waste, salt operator lifted C & D Waste of 1788.88 MT from this stretch and disposed scientifically Navi Mumbai Municipal Corporation C & D treatment facility from 14/06/2023 to 07/11/2024.
5.	Apart from this a huge heap of C&D waste is dumped on the left side entrance of the Salt pan.	Refer Google image. Huge heap of C&D waste is dumped on the left side entrance of the Salt pan which is still not disposed by Salt Pan operator and it's not possible to calculate volume of heap due to its uneven distribution on the left side of entrance.

Sandeep 09/06/2025

(Sandeep Arekar)
Maintenance Surveyor,
City Survey and Land
Record Officer, Collector
Office, Mumbai.

09/06/2025

(Rahul Koli)
Sub Engineer,
SWM, F/N ward,
MCGM, Matunga,
Mumbai.

(Anil Sharma)
Metro Waste
Handling Pvt. Ltd

(Shridhar Pandya)
Consultant

DHANYAKUMAR ADGONDA PATIL
Digitally signed by DHANYAKUMAR ADGONDA PATIL
Date: 2025.06.09 12:43:58 +05'30'

(D. A. Patil)
Consultant

09/06/2025.

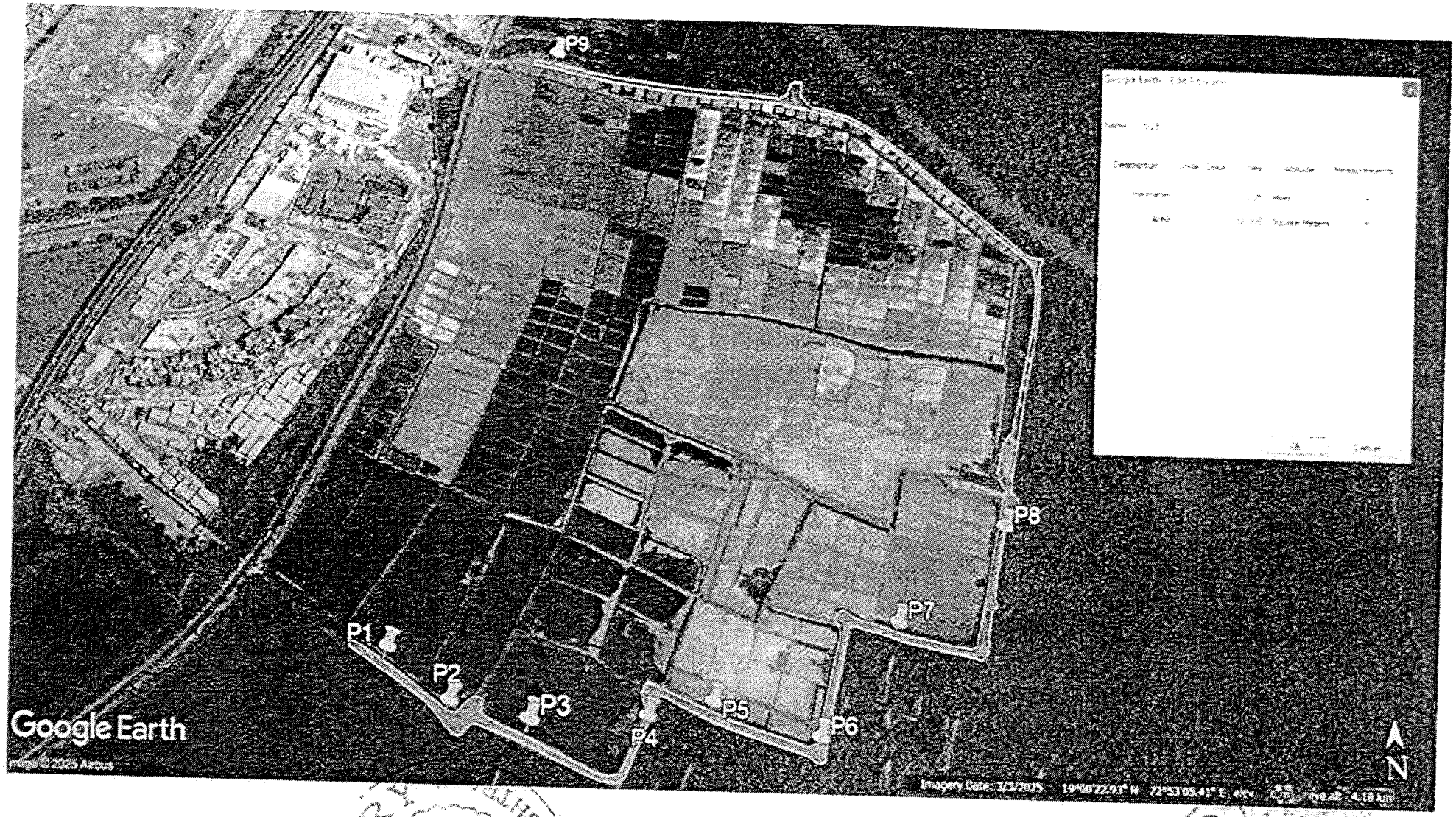
(Pratap Jagtap)
Sub Regional Officer,
MPC Board, Mumbai-I

Anil. Milindia

POINT NO. 1

270

1098



271



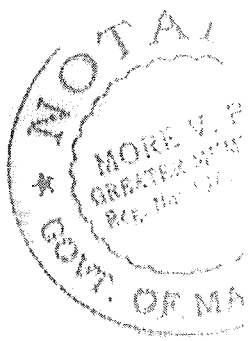
POINT NO. 3

272



1100

278



POINT NO. 5

874



Heap of C&D waste



1102

NOTARY
MOKE V. B.
GREATER MUMBAI
Reg. No. 126/1984
OF MAHARASHTRA

(275)

Exh - 39

Item No.69

(Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

[Through Physical Hearing (with Hybrid Option)]

MISCELLANEOUS APPLICATION NO.01 OF 2024 (WZ)
[Earlier Miscellaneous Application No.03 of 2024 (PB)]
IN
ORIGINAL APPLICATION NO.33 OF 2024 (WZ)
[Earlier Original Application No.343 of 2021(PB)]
WITH
MISCELLANEOUS APPLICATION NO.02 OF 2024 (WZ)
[Earlier Miscellaneous Application No.12 of 2024 (PB)]
(filed by Intervener for recall of order dated 15.03.2023)
WITH
INTERLOCUTORY APPLICATION No.60 OF 2025 (WZ)
(For Intervention)

Madhura Rajesh Tawde ... **Applicant**

Versus

Chief Secretary, Govt. of Maharashtra & Ors. ... **Respondents**

Date of Hearing : 13.06.2025

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

Applicant : None present

Respondents : Mr. Aniruddha Kulkarni, Advocate for R-1 and R-5
Mr. Mukesh Verma, Advocate for R-2
Mr. A.J. Pathak, Advocate for R-4
Ms. Manasi Joshi, Advocate for R-6 and R-8
Mr. Kunal Yeole, Advocate for R-7
Mr. Cyrus Bharucha, Advocate a/w Mr. Amey Kulkarni, Mr. Aditya Gupta, Mr. Shivam Srivastav and Ms. Ritika Gangwani, Advocates for R-9 in O.A.
Mr. Anand S. Jondhale, Advocate for Intervener

ORDER

1. The office has maintained this file very poorly as number of applications, which are mentioned in the order-sheet also are misleading. For each and every Misc. Application, separate file should have been opened/prepared and the same should have been tagged with the main file/matter so that there is no confusion as to which application is to be considered by this Tribunal on a given date.

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2. It is quite evident from the order dated 22.03.2024 passed by us that cognizance on a Letter Petition filed by one Madhura Rajesh Tawde was taken by the Principal Bench of this Tribunal, which was registered as Original Application No.343 of 2021 (PB), which was later on transferred to this Bench and was re-numbered as Original Application No.33 of 2024 (WZ), despite the fact that Original Application No.343 of 2021 had been disposed of by order dated 15.03.2023 by the Principal Bench. It is thus apparent that Original Application No.33 of 2024 (WZ) was the number allotted by this Bench in a disposed of matter by the Principal Bench. Since in that order dated 15.03.2023, the compliance report was called for by 30.06.2023, which was later on submitted and was numbered by the Principal Bench as Misc. Application No.03 of 2024 (PB), but later on, on its transfer to this Bench, this Bench re-numbered it as Misc. Application No.01 of 2024 (WZ). It is this Misc. Application No.01 of 2024 (WZ), which is still to be disposed of and the memo of parties of the same is annexed showing Madhura Rajesh Tawade as applicant and nine respondents therein. We cannot refer here the pagination for this memo of parties because the Registry has not paginated in seriatim. Therefore, we direct the Registry to do the pagination for the sake of convenience. This shall be done within a week.

3. We also find on record one application moved by Balgovind Rampratap Baral, being represented by learned counsel Mr. Anand S. Jondhale, which is numbered as Misc. Application No.02 of 2024 (WZ) (i.e. Misc. Application No.12 of 2024(PB), earlier registered by the Principal Bench) with the prayer that the order dated 15.03.2023 passed by this Tribunal (PB) in Original Application No.343/2021 (PB) (renumbered by this Bench as Original Application No.33/2024 (WZ), by which said O.A. No.343/2021 was disposed of, be recalled. As per the said order dated 15.03.2023, referred to above, compliance report was submitted, which

Sunil M. Gadkari

(277)

has been numbered as Misc. Application No.01/2024 (WZ) (earlier registered as Misc. Application No.03/2024 by the Principal Bench), which is pending consideration and disposal before this Bench. This application i.e. Misc. Application No.02 of 2024 (WZ) shall be segregated by the Registry and a separate file thereof shall be maintained.

4. Learned counsel Mr. Anand Jondhale, representing the applicant in the aforesaid Misc. Application No.02 of 2024 (WZ), submits that the service of notice has been effected on the respondents. But we find from memo of parties of this Misc. Application that there is only one respondent in this Misc. Application i.e. State of Maharashtra, represented by its Secretary through the Collector of Mumbai (Dharavi Division). We thus find that this Misc. Application No.02/2024 (WZ) is defective because all the parties, which were the parties in Original Application No.343/2021 (PB) [renumbered as O.A. No.33/2024 (WZ) by this Bench], should have been impleaded as respondents and notice should have been served upon them. But the same has not been done. We direct the applicant to make compliance of this direction regarding impleadment of all parties, which were there in O.A NO.343/2021 (PB) within two weeks from the date of uploading of this order and after that, the Registry is directed to place this Misc. Application No.02/2024 (WZ) for further orders.

5. We further find that one application being Interlocutory Application (I.A.) No.60 of 2025 (WZ) has been moved by the original respondent No. 9 in Original Application No.33 of 2024 (WZ) [earlier registered as Original Application No.343 of 2021 by Principal Bench) for intervention, which is also found to be defective because the reliefs prayed in this application are to the following effect:

(a) *The Hon'ble NGT permit the applicant to intervene in OA 33 of 2024;*

(b) *the Hon'ble NGT be pleased to hold that the directions of the NGT vide orders dated 28th September 2022 and 15th March*

Anand M. Gadia.

278

2023 regarding removal of C&D waste used for bunding have been duly complied with by the Applicant;

(c) *the Hon'ble NGT be pleased to hold that the directions of Principal Secretary, Environment and CC Department, Government of Maharashtra vide order dated 12th August 2024 regarding closure of the Petitioner's salt works and disconnection of water and electricity forthwith the removal of C&D waste be quashed and set aside.*

(d) *pending the hearing and final disposal of the Application, the Hon'ble NGT be pleased to stay the directions of the Principal Secretary, Environment and CC Department, Government of Maharashtra vide order dated 12th August 2024; and further directing the restoration of the water and electricity in the Petitioner's salt works and permitting the Petitioner to continue the salt manufacturing activities from the said site.*

6. Prayer (a) above stands already allowed because of impleadment of the applicant of this I.A. No.60/2025 in the earlier pending Misc. Application by this Tribunal as respondent No.9. We make it clear that as regards other reliefs/prayers (b) to (d), separate Original Application is required to be filed after paying the requisite court fees, subject to the limitation and this Tribunal would take a call as to whether this application should be allowed or not. In view thereof, this I.A. No.60/2025 stands disposed of.

7. From the side of respondent Nos.6 and 8 – MPCB, learned counsel Ms. Manasi Joshi has appeared and states that affidavit dated 11.06.2025 has been filed, which is taken on record.

7. Put up these matters, excluding I.A. No.60/2025, on 21.07.2025 for further orders/consideration.

Dinesh Kumar Singh, JM

June 13, 2025 **Dr. Vijay Kulkarni, EM**
MISCELLANEOUS APPLICATION NO.01 OF 2024 (WZ)
npj

Amrit M. Kadian

Exh-40

279

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

Date – 09/04/2025

To,
Assistant Engineer,
Solid Waste Management (F/N Ward),
Matunga ,
Mumbai .

Sub : Disposal of C & D Waste

Dear Sir ,

We have made a request to the Metro Waste Recycling Pvt Ltd on the 06/04/2025 for the scientific disposal of C D Waste lying on our property through the mobile application (screenshot of the same annexed). There was a site visit conducted by your officer on 07/04/2025 regarding the same request. We now request you to please provide us with the estimated cost to dispose the said waste at the earliest possible manner.

Thanking You

Your Sincerely

Hormoz Salt Works

Encl. Photos.

बृहन्मुंबई महानगरपालिका
उदंचक अभियंता (घ.क.व्य.)
एफ/ उत्तर) विभाग, माटुंगा, मुंबई-१९
09 APR 2025
घ.क./एफ/उ/ (घ.क.व्य.)

Exh - 41

280

BRIHNMUMABI MAHANAGAR PALIKA

(SOLID WASTE MANAGEMENT DEPARTMENT)

No. AE/SWM 495 FN
Date: 21/04/2025

Office of the
Assistant Engineer
Solid Waste Management Department
F/North Ward, Matunga, Mumbai-19

To,
Dy. Superintendant of Salt Wadala,
C/o Office of Superintendant Salt Factory,
Bhandup (E), Mumbai-400 042.

Subject: Application received from HORMOZ SALT WORKS to lift C&D material laying in and around the salt pan area.

Reference: 1) Application received from HORMOZ SALT WORKS dt. 09.04.2025

Gentlemen,

With the reference of above subject, application received to this office from HORMOZ SALT WORKS to lift C&D material laying in and around the salt pan area. Mr. Garodia, representative of HORMOZ SALT WORKS visited to this office dtd.15.04.2025 & demanded the estimated cost to lift C&D material laying in and around the salt pan area, and requesting this office to lift C&D material from salt pan area.

Kindly offer remarks of your department please.

Submitted for necessary actions please.

O/c

21/04/2025

Assistant Engineer SWM F/North Ward

21/04/2025
Sub Eng. Surv(N)

Exh-42

(281)

भारत सरकार
GOVERNMENT OF INDIA
नमक अधीक्षक कार्यालय
Office of the Superintendent of Salt
माटुंगा रेल्वे स्टेशन के सामने माटुंगा (पूर्व), मुंबई 400042
Opposite Matunga Railway Station (East), Mumbai 400042
Railway Station, MUMBAI 400019

C. No. AC/S-23014/24/2016/DSM/334 Date 08.05.2025

To,

The Assistant Engineer SWM
'L' North Ward,
Matunga, Mumbai - 19
(Through Deputy Superintend of Salt, Wadala)

Madam,

Sub : Application received from Hormoz salt works to lift C&D waste material lying in heaps on the left side entrance of the salt pan– Reg.

Please refer to your letter No. AE/SWM/495/FN dated 21.04.2025 addressed to the Deputy Superintendent of Salt, Wadala on the above subject.

2. In this regard it is informed that the Hon'ble NGT, Western Zone Bench, Pune vide order dated 08.04.2025 in MA No. 01/2024(WZ) has recorded the Committee's observation in para I at Sr. No. 5 as below:-

> 5. *Apart from this a huge heap of C&D waste is dumped on the left side entrance of the salt pan (after figure attached on page No. 11).*

3. M/s Hormoz salt works vide their application dated 09.04.2025 addressed to you has requested for estimated cost to dispose of the said solid waste lying in heaps on the left side entrance of the salt pan.

4. It is requested that M/s Hormoz salt works may please be provided with the estimated cost for scientific disposal of the said solid waste lying in heaps on the left side entrance of the salt pan so that they can pay the amount to MCGM for disposal of the said C&D waste.

बृहन्मुंबई महानगरपालिका
सहाय्यक अभियंता (घ.क.व.)
एफ/उत्तर) विभाग, माटुंगा, मुंबई-१९
09 MAY 2025

Yours faithfully,

(Ranjeet Kumar)
Superintendent of Salt
O/c Bhandup

Copy for information to the he Deputy Superintendent of Salt, Wadala.

स.अ./एफ/उ/ (घ.क.व.)

Exh-43

282

Subject to Mumbai Jurisdiction

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

✆ Off.: 022-23513327 / 98200 86081 / 99209 97280

REMINDER

To,
Assistant Engineer,
Solid Waste Management (F/N Ward),
Matunga ,
Mumbai .

Date – 22/07/2025

Sub : Disposal of C & D Waste

Dear Sir ,

With reference to our earlier letter dated 09/04/2025, we had made a request to the Metro Waste Recycling Pvt Ltd on the 06/04/2025 for the scientific disposal of the heap of C D Waste lying on the left side of our entrance of our property through the mobile application (screenshot of the same annexed). There was a site visit conducted by your officer on 07/04/2025 regarding the same request. We are willing to pay for the cost of disposal of this waste. We now once again request you to please provide us with the estimated cost to dispose the said waste at the earliest possible manner.

Thanking You

Your Sincerely

Hormoz Salt Works

बृहन्मुंबई महानगरपालिका
सहायक अभियंता (घ.क.व्य.)
एफ/ उत्तर) विभाग, माहीम, मुंबई-१९
24 JUL 2025

प्रेषक लिपिक
DESPATCH CLERK
उप मजदूर आयुक्त कार्यालय
O/o Dy Salt Commissioner
मुंबई / Mumbai

11:36 5G

283

BMC C & D Waste

Ward:

MW

Description of request:

C D waste

Photos:





GPS Location:

Bombay Port Trust Road, Wadala East, Bombay Port Trust Road, Mumbai, India, 400037

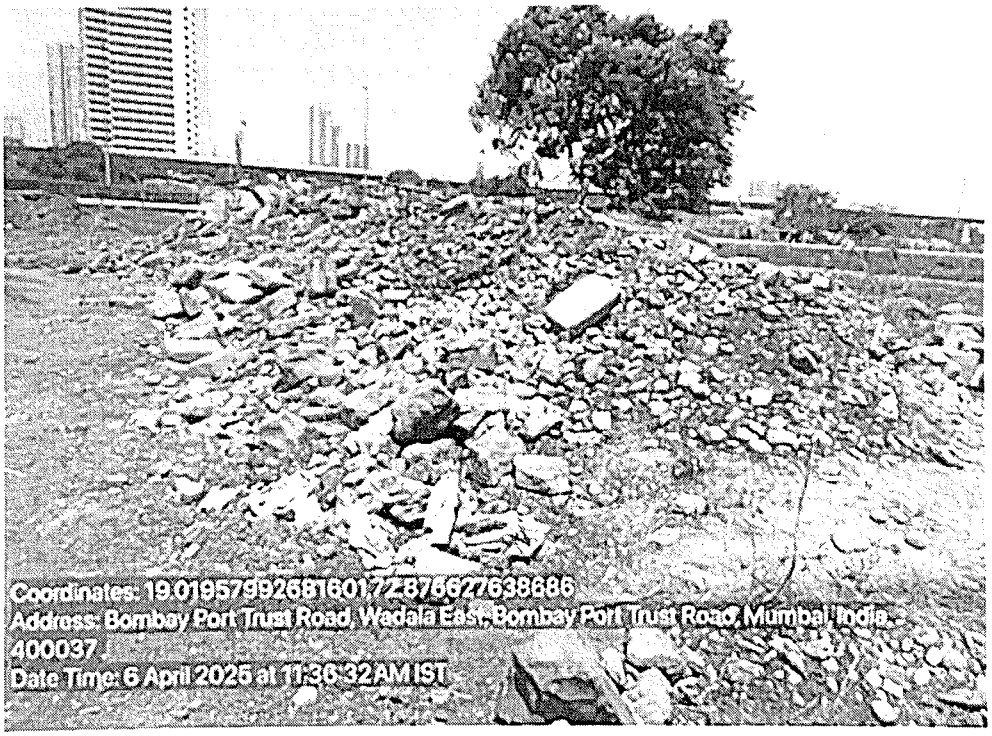
Are you sure you want to send request?

Yes No

1:10 5G 75

284

Media Album Waste Image



Previous Next

1:10 5G

285

< Media Album Waste Image



Previous Next

1:10 5G

286

Media Album Waste Image



Previous Next



Pending

06-04-2025 11:38:54

Ward:	MW
Task No:	9727
Customer Address:	Bombay Port Trust Road, Wadala East, Bombay Port Trust Road, Mumbai, India, 400037
Customer Remarks:	C D waste
Status:	Pending

Photos

Exh-44

288

Subject to Mumbai Jurisdiction

HORMUZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

98200 86081 / 99209 97280

To,

Date 28/08/2025

Sub-Regional Officer
Maharashtra Pollution Control Board
Kalpataru Point
2nd Floor near Sion Circle East
Mumbai 400001

Sub : National Green Tribunal Matter of Hormuz Salt works

Dear Sir,

In compliance of the NGT Order dated 21.07.2025 in Original Application no.33 of 2024(WZ)earlier Original Application no. 343 of 2021 (PB),we would like to inform that as mentioned in the Technical Committee Report of April 2025 of the Maharashtra Pollution Control Board (MPBC) , the huge heap of C&D waste lying on the left side entrance of our Hormuz Salt Works C.S.No.145, has been lifted ,transported and scientifically disposed at the "Metro Waste Handling Pvt Ltd" Daighar, Thane through the Municipal Corporation of Greater Mumbai (MCGM).Sir we have duly paid the charges of Rs.1425/- per metric ton for an approximate 60 M.T. to the MCGM we thereby attach copy of the challan generated and the paid receipt for the same. Sir we disposed three vehicles of C &D Waste on 24.08.2025 vehicle no.1) MH 04 LQ 1461 weighing 18.720 M.T., 2) MH 03 ES 1962 weighing 23.580 M.T., 3) MH 03 ES 1964 weighing 20.420 M.T. of C & D waste, we thereby attach the copies of the weigh bridge slips for the same. Sir we also attach photos of lifting and transporting of this waste. Sir as the Maharashtra Pollution Control Board (MPBC) is the nodal agency we request for your corporation at the earliest .

Thanking You

Hormuz Salt Works

Enclosed Copy .

1) Copy of Court Order of 21.07.2025
2) Copy of Tax Invoice/Challan generated by MCGM
3) Copy of Receipt of the amount paid to MCGM
4) Copy of Weight Bridge Slips
5) Photos of Lifting and Disposing

D Shinde 29/8/25

Maharashtra Pollution Control Board
Regional Office, Mumbai
Kalpataru Point, 2nd Floor near Sion Circle
In Front of Mukta Theatre, Sion (East), Mumbai-400 022

N-1

289

बृहन्मुंबई महानगरपालिका

(घन कचरा व्यवस्थापन)

सहाय्यक अभियंता (घ.क.व्य), एफ/उत्तर विभाग, 3 रा मजला, 96 भाऊ दाजी रोड, माटुंगा, मुंबई – 400 019

क्र. सअ / एफ/उत्तर/ 1428 /घ.क.व्य./ दिनांक- 28.07.2025

विषय - एफ/उत्तर विभागातील मा.आयुक्त (मिठागर) यांच्या मालकीच्या भूकर क्र.144 व भूकर क्र.145 या जागेवर टाकण्यात आलेल्या डेब्रिजची शास्त्रोक्त पध्दतीने विल्हेवाट लावण्याकरिता.

संदर्भ - 1) स. अ. / एफ उत्तर / 495 / घ क व्य दि.09.04.2025
2) उप अधिक्षक नमक, भांडुप यांचे दि.08.05.2025 रोजीचे पत्र
3) स. अ. / एफ उत्तर / 5189 / घ क व्य दि.24.07.2025

उपरोक्त विषय व संदर्भास अनुसरून एफ/उत्तर विभागातील मा.आयुक्त (मिठागर) यांच्या मालकीच्या भूकर क्र.144 व भूकर क्र.145 या जागेवर टाकण्यात आलेल्या डेब्रिज उचलण्यासाठी संदर्भ क्र.1 व 3 अन्वये मे. हार्मोज सॉल्ट वर्क्स (मिठ निर्माता) यांचे या कार्यालयास विनंती पत्र प्राप्त झालेले आहेत. त्याअनुषंगाने सदर बाबतीत उप अधिक्षक नमक, भांडुप यांना या कार्यालयामार्फत पत्र पाठवून त्यांचे अभिप्राय मागविण्यात आलेले आहे. त्याची प्रत आपल्या माहिती करिता सोबत जोडत आहे (पृ.क्र. सी- 5 ते सी- 17). मा. राष्ट्रीय हरित लवाद यांनी सदर ठिकाणी पडलेल्या डेब्रिजचे शास्त्रोक्त पध्दतीने विल्हेवाट लावण्याबाबत आदेश दिले आहेत. त्यानुसार कनिष्ठ पर्यवेक्षक यांनी सदर ठिकाणची पाहणी करुन सदर ठिकाणी असलेल्या डेब्रिजची बीएमसी सी ऍन्ड डी वेस्ट अप मध्ये सामाविष्ट करुन ठेवण्यात आले आहे.

त्याअनुषंगाने एफ/उत्तर विभागातील मा.आयुक्त मिठागर यांच्या अधिकार क्षेत्रात येत असलेल्या भूकर क्र.144 व भूकर क्र.145 या ठिकाणी कनिष्ठ पर्यवेक्षक मोटर लोडर यांनी स्थळ पाहणी केली आहे. त्या अनुषंगाने सदर जागेच्या प्रवेशाच्या ठिकाणी डाव्या बाजूस पडलेले डेब्रिज अंदाजे 08 डंपर (अंदाजे 120 मे.टन)असल्याचे कळविले आहे. सदरचे डेब्रिज हे बृहन्मुंबई महानगर पालिका घ.क.व्य विभागाच्या बीएमसी सी अँड डी वेस्ट एप मध्ये सामाविष्ट करण्यात आलेले असून अद्याप पर्यंत त्याची मान्यता (Approval) करण्यात आलेली नाही.

उपरोक्त उल्लेखित सर्व बाबींचा विचार करता मा. प्रमुख अभियंता (घ.क.व्य.) यांची खालील बाबींकरिता मंजूरी विनित आहे.

N-2

(२९०)

1) मा. उप आयुक्त (मिठागर) यांचे कंत्राटदार मे. हार्मोज सॉल्ट वर्क्स (मिठ निर्माता) यांचे कडून सर्वसामान्य नागरिकांकरिता उपलब्ध असलेल्या बीएमसी सी अँड डी वेस्ट अप द्वारे 08 डंपर (अंदाजे 120 मे.टन) डेब्रिज हे रुपये 1425 प्रती मेट्रिक टन या दराने एकूण 120 मेट्रिक टन उचलण्याकरिता रु. 1,71,000/- इतके जमा करून घेण्यासाठी.

2) एफ/उत्तर विभागातील मा. आयुक्त (मिठागर) यांच्या मालकीच्या भूकर क्र.144 व भूकर क्र.145 या जागेवर टाकण्यात आलेल्या डेब्रिजची शास्त्रोक्त पध्दतीने मे. मेट्रो वेस्ट प्रा. लि. यांच्या मदतीने विल्हेवाट लावण्याकरिता.

सविनय सादर.

सहाय्यक अभियंता (घ.क.व्य.) एफ/उत्तर

कार्यकारी अभियंता (घ.क.व्य.) परि-2

उप प्रमुख अभियंता (घ.क.व्य.) प्रचालन

मा. प्रमुख अभियंता (घ.क.व्य.)

महोदय,

Dy. Ch. E. (SWM) OP.

No. Dy. Ch. Eng./ SWM/3271/OP. 18 AUG 2025

04 AUG 2025
3271

NF

Dy Ch E (SWM) Opn

18/08/25

Dy. Ch. E. (SWM) OP.

291

बृहन्मुंबई महानगरपालिका
उपआयुक्त अभियांत्रिकी (सा.स्व.)
प्रवेशक्रमांक

18 AUG 2025
3499

बैक : 10, 11, 12, 13, 14, 15, 16, 17

क्र. उआ.अभि./सस्व/ /2025

NF

Ex. Engr (SWM) Z II
For n/a please

APPadvyer
20/8/25

292

METRRO WASTE HANDLING PVT. LTD.

METRRO WASTE HANDLING PVT. LTD.
DAIGHAR, THANE - 400612
MAHARASHTRA

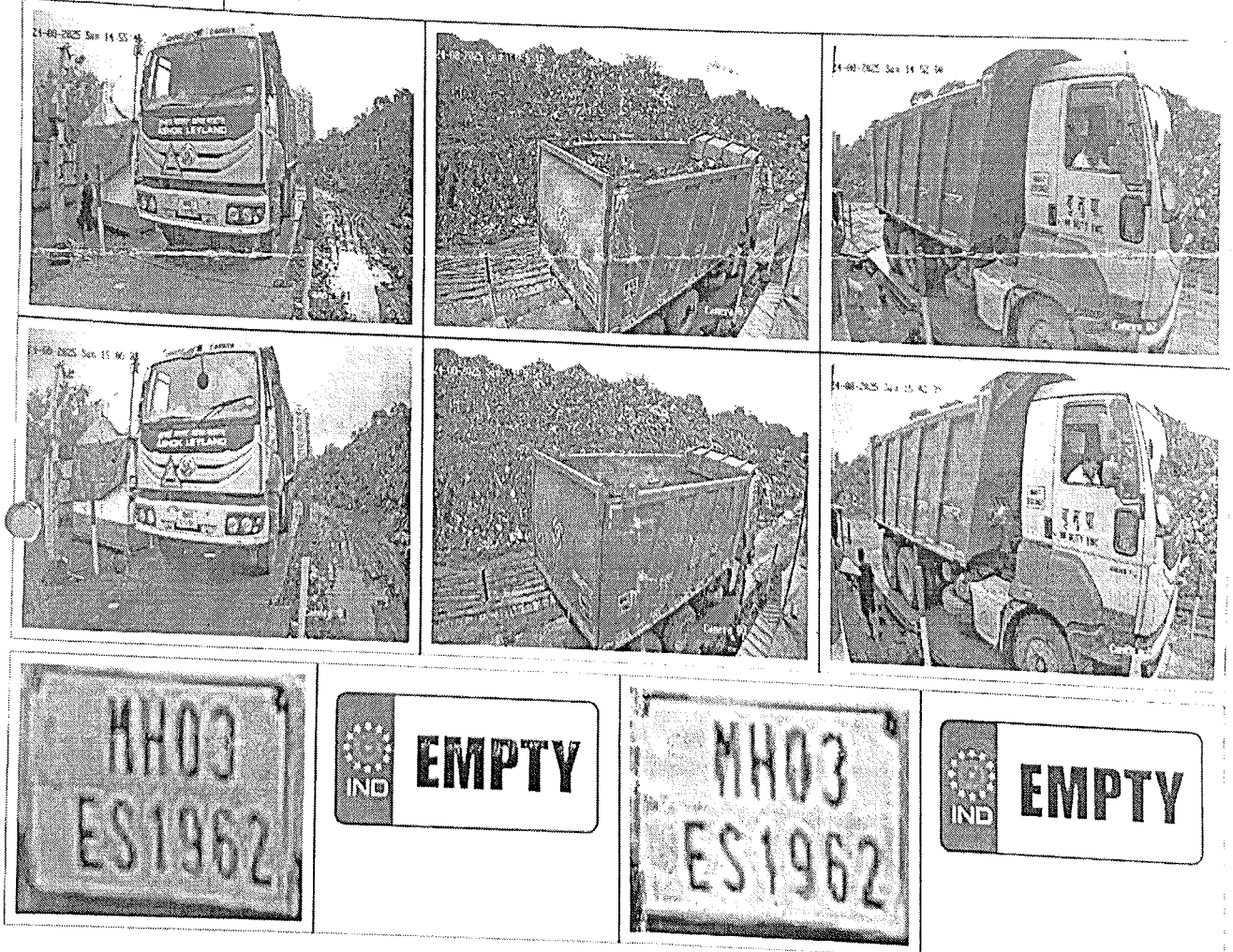
WEIGHING INTELLIGENCE
Every Weigh Counts

TICKET

Trip Id/Txn No. :	4167		Print Date/Time :	24-08-2025 15:14:10	
Vehicle No:	MH03ES1962	Gate Entry No:		RFID Card No : 035	
Dated :	24-08-2025	Challan Weight :	0 kg	Supplier/customer Name:	MCGM
Transporter Name:	METRRO WASTE HANDLING PVT. LTD.				
Product Name:	C&D	Location :	Wadala East, Bombay Port Trust Road	Remarks :	
Ward Name\No:	F/N WARD	Log Sheet No:	MW252618573		

S. No.	Line Item No.	Material Name	Material Weight	Total Gross Weight

1st Wt DateTime :	24-08-2025 15:02:31	2nd Wt DateTime :	24-08-2025 15:13:10
First Weight :	37300 kg	Second Weight :	13720 kg
Net Weight :	23580 kg		



Authorized Signature

WB Operator Signature

293

METRRO WASTE HANDLING PVT. LTD.

METRRO WASTE HANDLING PVT.
LTD.
DAIGHAR, THANE - 400612
MAHARASHTRA

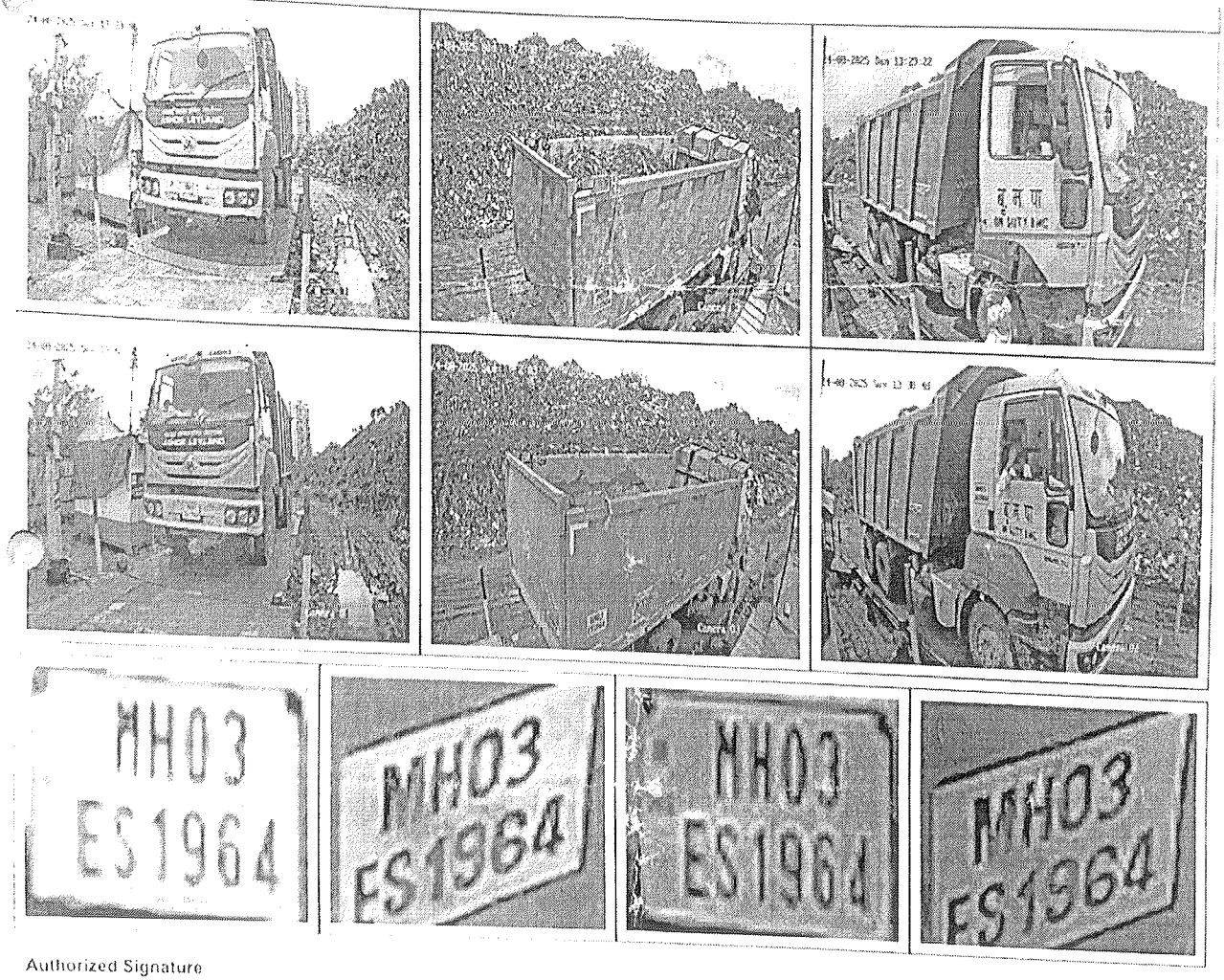
WEIGHING INTELLIGENCE
Avery Weigh-Tronix

DUPLICATE TICKET

Trip Id/Txn No. :	4162		Print Date/Time :	24-08-2025 15:11:48	
Vehicle No:	MH03ES1964	Gate Entry No:		RFID Card No :	033
Dated :	24-08-2025	Challan Weight :	0 kg	Supplier/customer Name:	MCGM
Transporter Name:	METRRO WASTE HANDLING PVT. LTD.				
Product Name:	C&D	Location :	WADALA	Remarks :	
Ward Name\No.	F N WARD	Log Sheet No:	MW252618571		

S. No.	Line Item No.	Material Name	Material Weight	Total Gross Weight

1st Wt DateTime :	24-08-2025 13:39:52	2nd Wt DateTime :	24-08-2025 13:49:18
First Weight :	34210 kg	Second Weight :	13790 kg
Net Weight :	20420 kg		



Authorized Signature

WB Operator Signature

294

METRRO WASTE HANDLING PVT. LTD.

METRRO WASTE HANDLING PVT.
LTD.
DAIGHAR, THANE - 400612
MAHARASHTRA

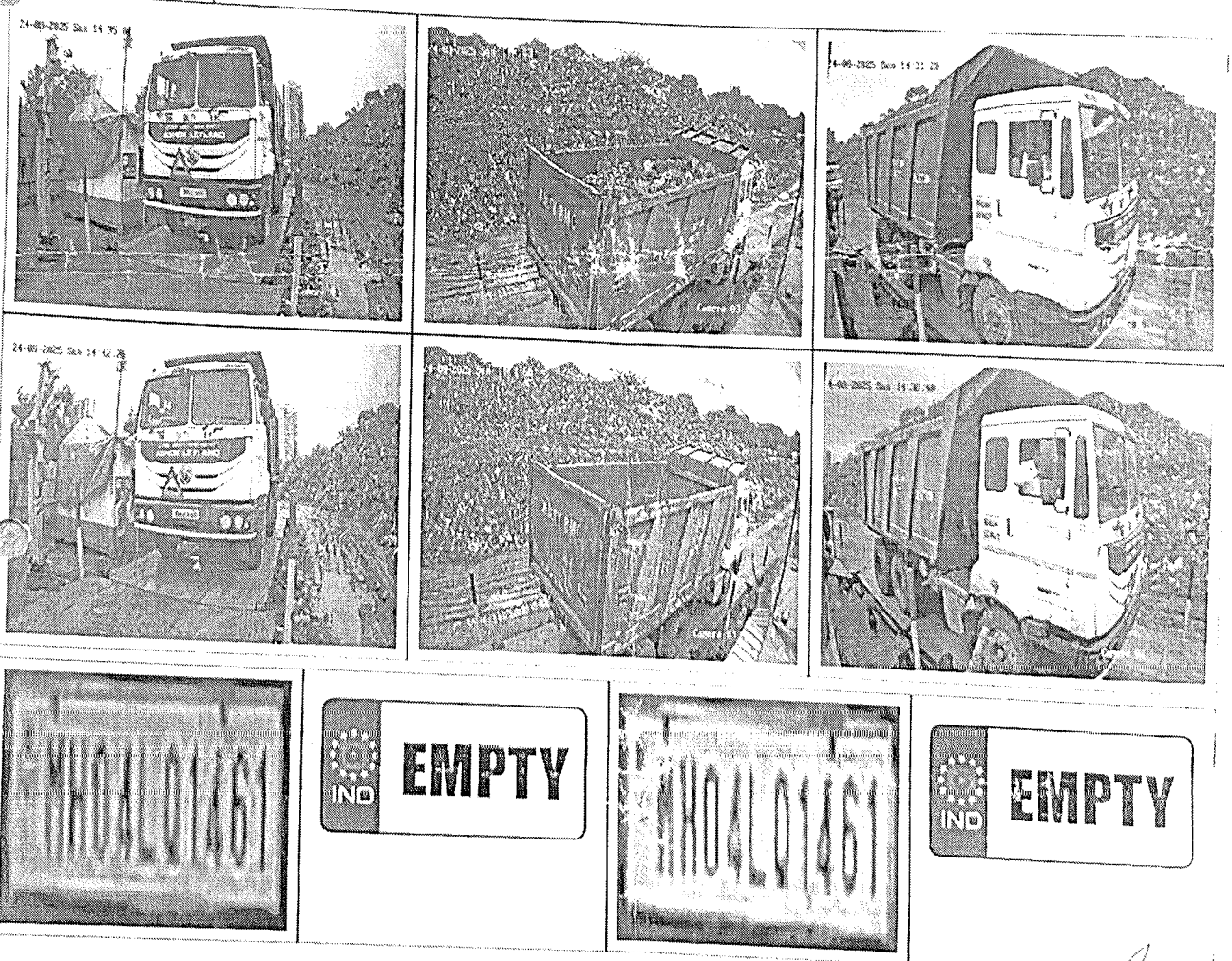
WEIGHING INTELLIGENCE
Avery Weigh-Tronix

DUPLICATE TICKET

Trip Id/Txn No. :	4166		Print Date/Time :	24-08-2025 14:51:30	
Vehicle No:	MH04LQ1461	Gate Entry No:		RFID Card No :	037
Dated :	24-08-2025	Challan Weight :	0 kg	Supplier/customer Name:	MCGM
Transporter Name:	METRRO WASTE HANDLING PVT. LTD.				
Product Name:	C&D	Location :	Wadala East, Bombay Port Trust Road	Remarks :	
Ward Name\No:	F/N WARD	Log Sheet No:	MW252618581		

S. No.	Line Item No.	Material Name	Material Weight	Total Gross Weight

1st Wt DateTime :	24-08-2025 14:41:50	2nd Wt DateTime :	24-08-2025 14:49:11
First Weight :	29930 kg	Second Weight :	11210 kg
Net Weight :	18720 kg		



Authorized Signature

WB Operator Signature

RECEIPT NO. 23 3029662

BRIHANMUMBAI MUNICIPAL CORPORATION (BMC)

Receipt/SAP Doc No: 1005698903 — DEPARTMENT — Page 1 of

WARD

Receipt/SAP Doc No: 1005698903 Collection at: 4070 (F (North) Ward) Date: 21.08.2025 Challan No : 0001825944

Reference No:

Received From : M/s Hormoz Salt Works

Address: 98, DMAC DAJI ROAD, MATUNGA, MUMBAI - 400 019 State Name: MAHARASHTRA

State Code: 27 PAN No.: GST No.: UIN No.:

Place of Supply: Mumbai, Maharashtra Registered: Building UID No. :

Sr. No.	HSN Code	Activity Code	Desc. of Activity	TOWARDS
1	999111	999111	Conservancy Chrgs frm Com	Conservancy Chrgs frm Com. of Debris

Sr. No.	AMOUNT (Rs.)	CH/DD/PO NO	CHQ/DD/PO DT	BANK NAME	BRANCH NAME
1	85,500.00	754436	21.08.2025	BANK OF MAHARSHTRA	MUMBAI

Sr. No.	Net Amount	CGST	SGST	UTGST	IGST	Gross Value
1	85500.00	0.00	0.00	0.00	0.00	85500.00

Grand Total: 85,500.00 Remarks: Coll on Debris Dt 21.08.2025 PO NO. DD No. 754436

Grand Total in Words: (EIGHTY FIVE THOUSAND FIVE HUNDRED RUPEES ONLY)

PAN Number: AAAAH0041L GST Number: 27AAAAH0041L2ZH For Brihanmumbai Municipal Corporation

Regd. Office: Mumbai

Web site: http://portal.mcgm.gov.in Received By Cash Receiving Clerk Checked By Authority

1124

Cheque Received Subject to Realisation

295

User Name: F N MUNICIPAL

Date: 21/08/2025

BRIHANMUMBAI MUNICIPAL CORPORATION

Tax Invoice / Challan

Reference No:

Department Name: SOLID WASTE MANAGEMENT DEPARTMENT

GSTIN: 27AAALM0470N1Z4

Name: Brihanmumbai Mahanagar Palika

Address: Sir BHALCHANDRA ROAD, MATUNGA, MUMBAI, 400 019

Fund Code: 11 | Fund Type: 00/00 | Functionary Code: 11

Funds center / Cost Center Code: 4070310000

Linked Geographical Area Code: 4070

Functional Code: 44102000000 | Building UID No.:

Vendor Code:

Ward Address: F North Ward

Place of supply: Maharashtra

Date of Invoice: 21/08/2025

Reverse Charge:

Serial No. of Invoice: 2025/182644 /2025

Funds center / Cost Center Name: F N WARD SWM

Linked Geographical Area Name: F North Ward

Functional Name: Conservancy Services

Vendor Name:

Details of receiver (Billed to)

Name: M/s Hormoz Salt Works

Address: SHANTI NAGAR, SALT PAN ROAD, MADINA MASJID, WADALA

Postal Code: 400037 | City: MUMBAI

State: MAHARASHTRA | State Code: 27

GSTIN / Unique ID:

Details of Consignee/lessee (Shipped to)

Name:

Address:

State: | State Code:

GSTIN / Unique ID:

Sr. No.	Description of Goods/Services	GL /Vendor	HSN / SAC	Qty	Unit	Rate (Per Item)	Total	Discount	Taxable Value	Tax Code	CGST Rate	CGST Amount 350200421	SGST Rate	SGST Amount 350200422	IGST Rate	IGST Amount 350200423
1	Conservancy Chrgs frm Gen	140601800 11 4070310000 44102000000		0.000		0.00	85,500.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00
Frieght: Insurance:																
Parking and Forwarding Charges:																
Remarks: Call on Debris Dt. 21.08.2025 (60 MT- DD No. 754436)						Total	85,500.00					0.00		0.00		0.00

Total Invoice Value (in figure): 85,500.00

Total Invoice Value (in words): (EIGHTY FIVE THOUSAND FIVE HUNDRED RUPEES ONLY)

Amount of Tax subject to Reverse Charge:

In Charge,

Citizen Facility Center,

_____Ward / Cashier

Please accept the above Cash / DD

In Case of Cheque / DD Receipt: (Please check in Description of Goods column above)

Bank Account No:

Branch Name:

Branch IFSC Code:

PAN:

BRIHANMUMBAI MUNICIPAL CORPORATION

Scan QR Code to make Online Payment.

Sub. Engineer
(SWM) F North

Authorised Person's Signature / stamp

The said challan is valid only for 15 days from the date of challan

297

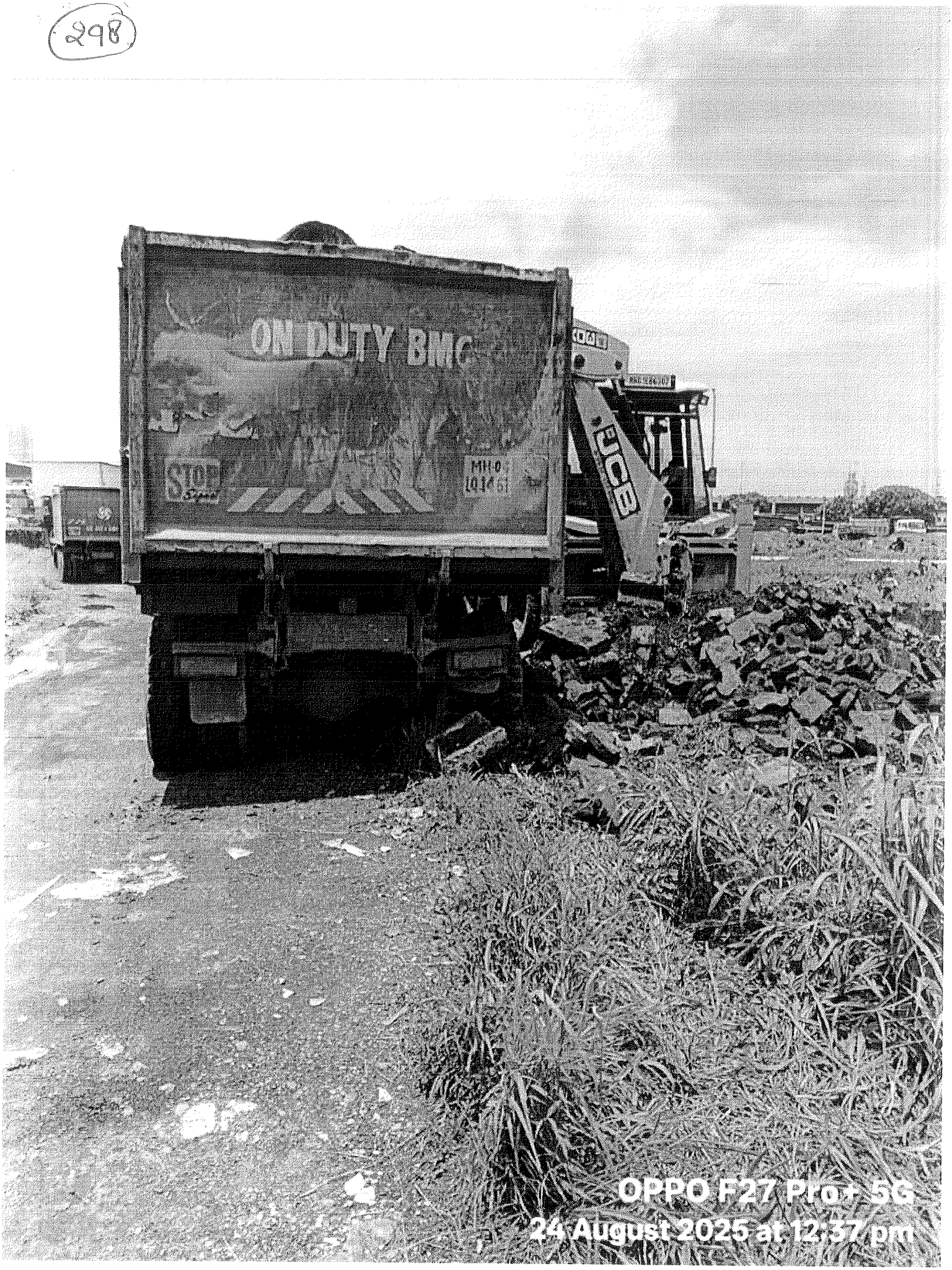


vivo V40 |

R B. Bhai (R .S)

08/24/2025, 11:20

২৭৪



(২৭৭)



300



vivo V40

R.B. Bhai (R.S)

08/24/2025, 12:17

301



302



vivo V40

R.B. Bhat (R.S)
08/24/2025, 11:22

303



vivo V40 |

R. B. Bhat ( )

06/24/2025

304



305



vivo V40 |

R.B. Bhai (R...S)

306



vivo V40

R.B. Bhai (R.S)
08/24/2025, 11:44

307



vivo V40 |

R B. Bhai (R .S)
08/24/2025, 11:20

308



vivo V40

R B. Bhai (R .S)

08/24/2025, 12:00

309



vivo V40

R B. Bhai (R .S)

06/24/2025 12:11

(310)



vivo V40

R.B. Bhai (R.S)
08/24/2025, 11:44

311



vivo V40

R.B. Bhai (R.S)

08/24/2025, 11:20

312



318



314



315



vivo V40 |

R.B. Bhai (R.S)

08/24/2025, 11:22

316



vivo V40 |

R.B. Bhai (R .S)

08/24/2025, 12:17

317



vivo V40 |

R.B. Bhai (R.S)

08/24/2025, 12:00

318



319



vivo V40 |

R.B. Bhai (R.S)

08/24/2025, 12:17

320



vivo V40

R.B. Bhai (R.S)

08/24/2025, 11:22

321




322
vivo V40
R.B. Bhat (R.S)
08/24/2025, 11:40

Exh -45

323

12:06 5G

BMC C & D Waste

Pending Approved Completed

Approved

Ward:	FN
Task No:	9727
Customer Address:	Bombay Port Trust Road, Wadala East, Bombay Port Trust Road, Mumbai, India, 400037
Customer Remarks:	C D waste
Status:	Approved
Complimentary:	Yes
Tentative Weight(in KG):	60000
BMC Date & Time:	23-08-2025 12:05:55

Photos

(324)

12:05 5G

BMC C & D Waste

Pending Approved Completed

FN

9727

Bombay Port Trust Road, Wadala East, Bombay Port Trust Road, Mumbai, India, 400037

C D waste

Pending

12:56 5G

325

BMC C & D Waste

Pending Approved Completed

Approved

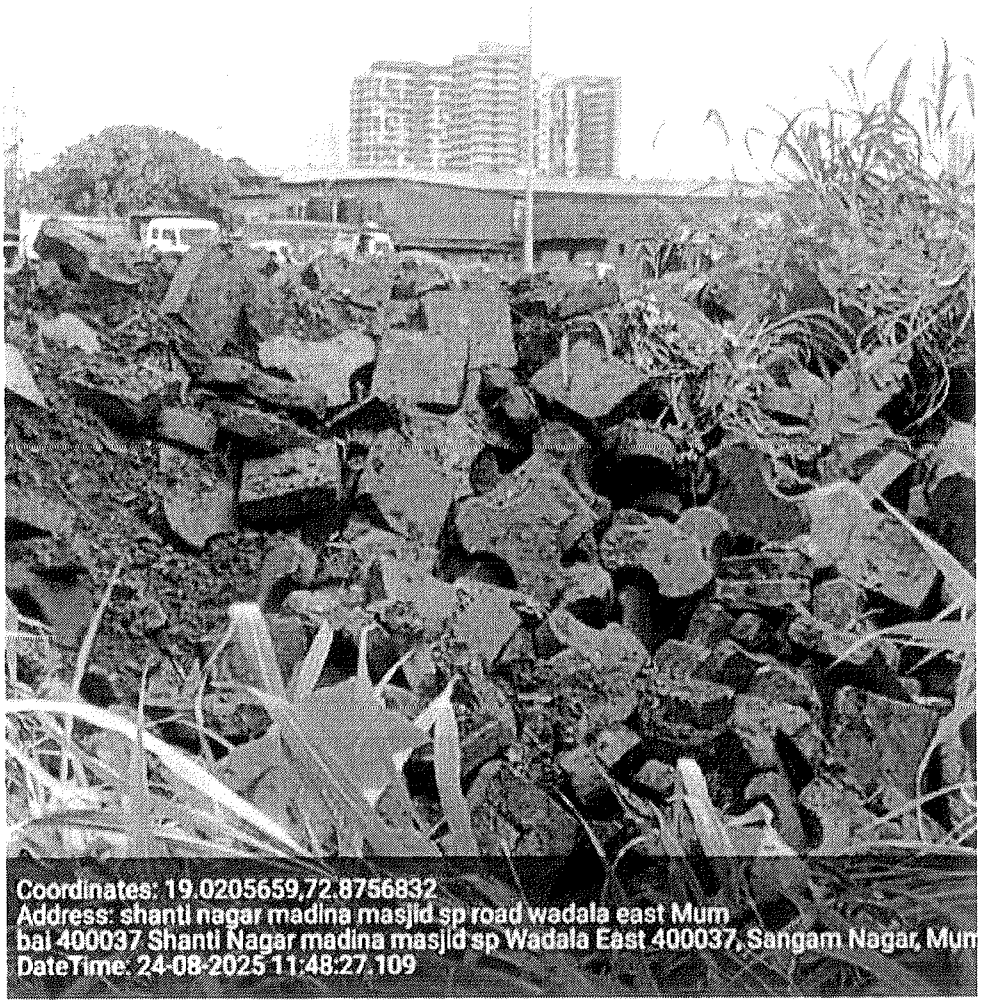
Ward:	FN
Tack No:	9727
Customer Address:	Bombay Port Trust Road, Wadala East, Bombay Port Trust Road, Mumbai, India, 400037
Customer Remarks:	C D waste
Status:	Approved
Complimentary:	Yes
Tentative Weight(in KG):	60000
BMC Date	Time:	23-08-2025 12:05:55
Vehicle Number:	MH 04 LQ 1461
Supervisor Name:	Manoj Mohite
Supervisor Number:	9158489368
Collection Date	Time:	24-08-2025 12:29:00



326

1:08 5G

Before Waste Collect Image



Next

1:08 5G

327

Back

Before Waste Collect Image



Previous

328

1:08 5G

Before Waste Collect Image



Next

1:08 5G 4

329

Before Waste Collect Image



330

1:08 5G

Before Waste Collect Image



1:08 5G

331

Back

Before Waste Collect Image



832

1:08 5G

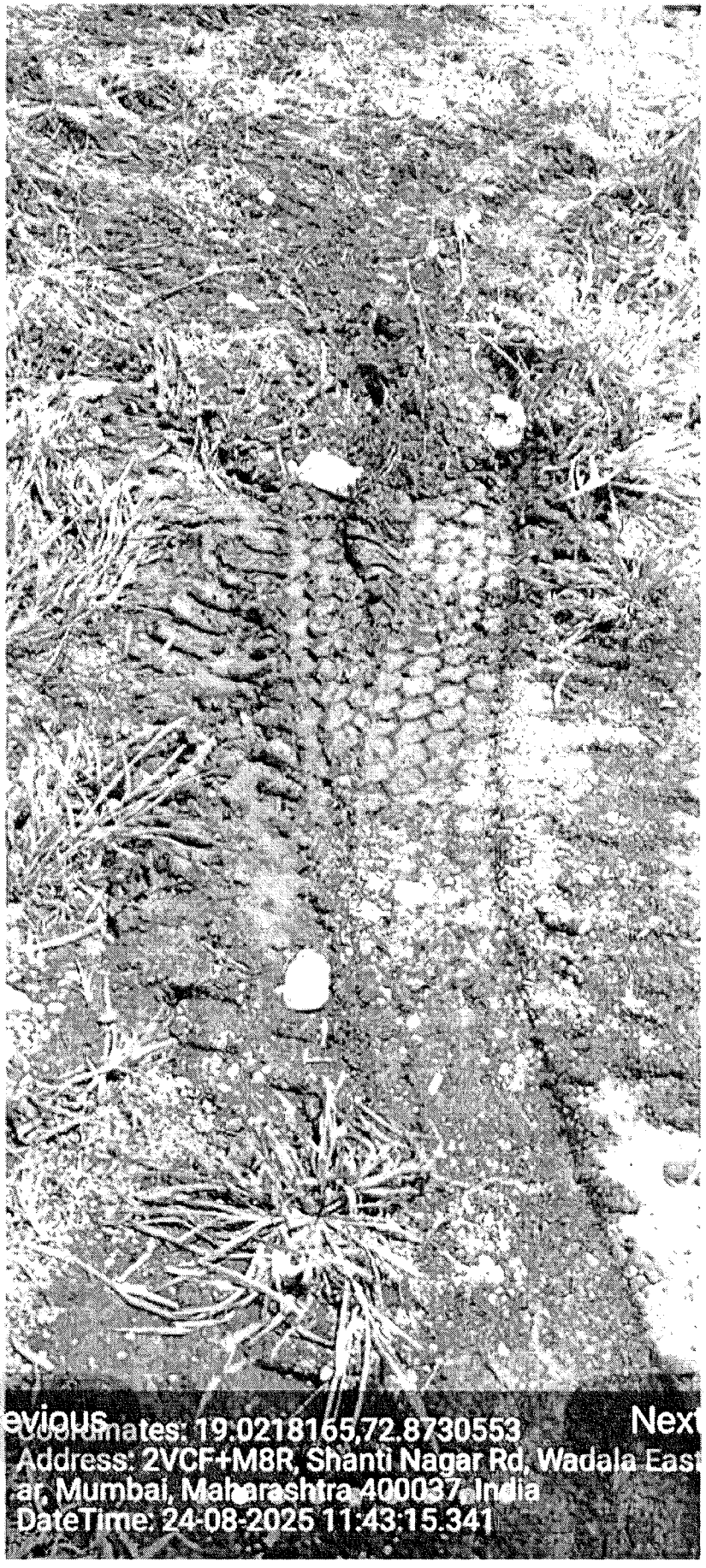
After Waste Collect Image



1:08 5G

333

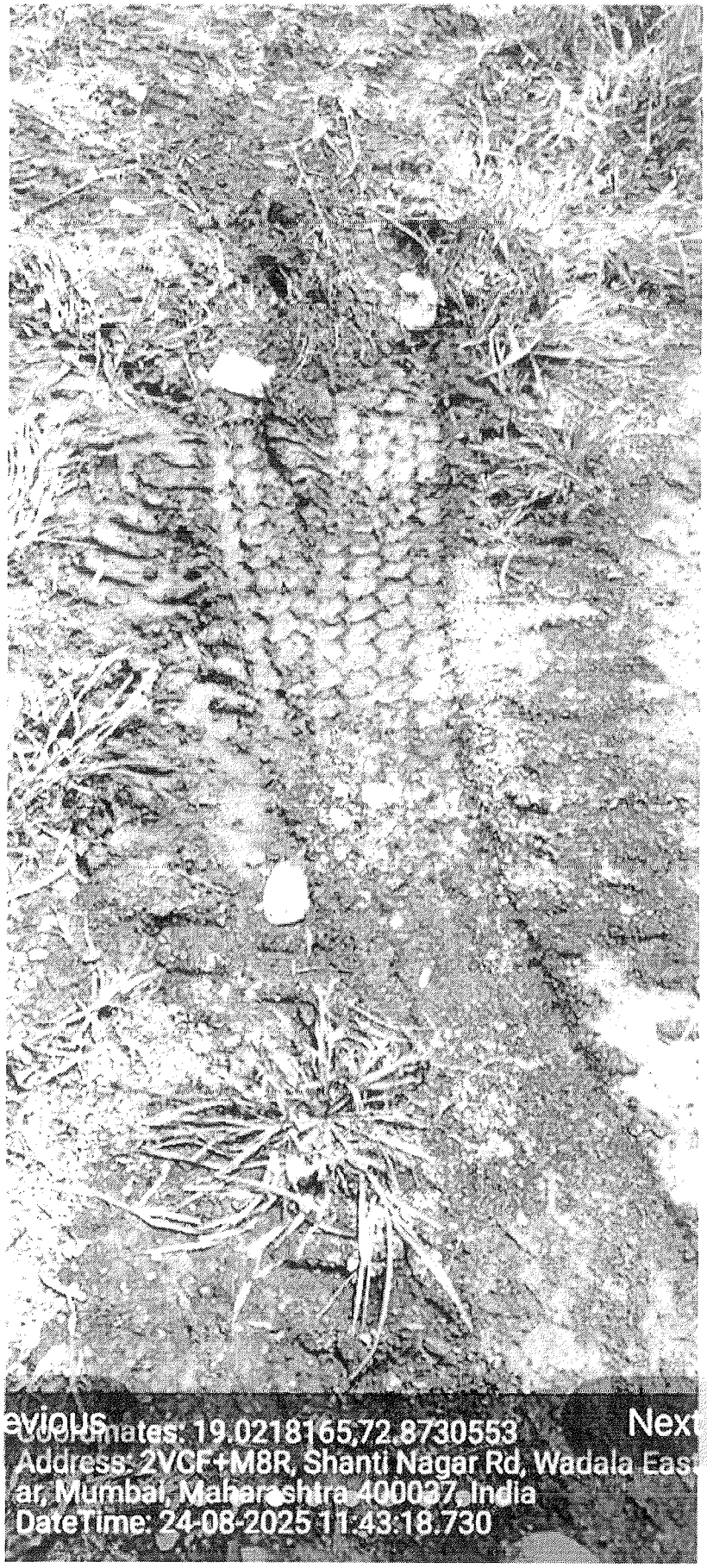
After Waste Collect Image



334

1:08 5G

After Waste Collect Image



1:08 5G

385

Back

After Waste Collect Image



Previous

Next

386

1:09

5G

After Waste Collect Image



Next

1:09 5G

337

Back

After Waste Collect Image



Previous

388

1:09 5G

After Waste Collect Image



1:09 5G

339

After Waste Collect Image



340

1:09 5G

After Waste Collect Image



341

4:48 5G

After Release Waste Collect Image



Previous Next

342

4:48 5G

After Release Waste Collect Image



4:48 5G E

343

After Release Waste Collect Image



(344)

4:48 5G

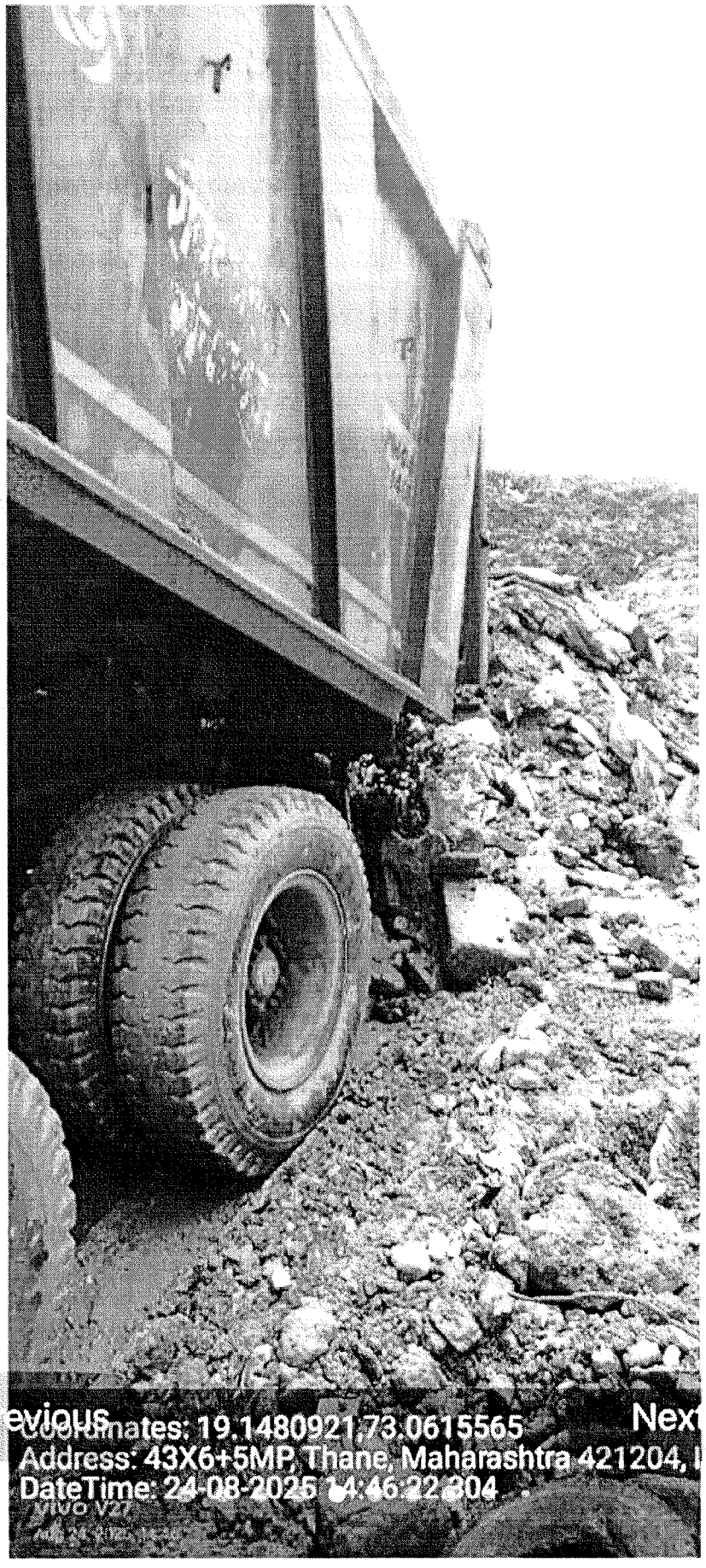
After Release Waste Collect Image



4:48 5G

348

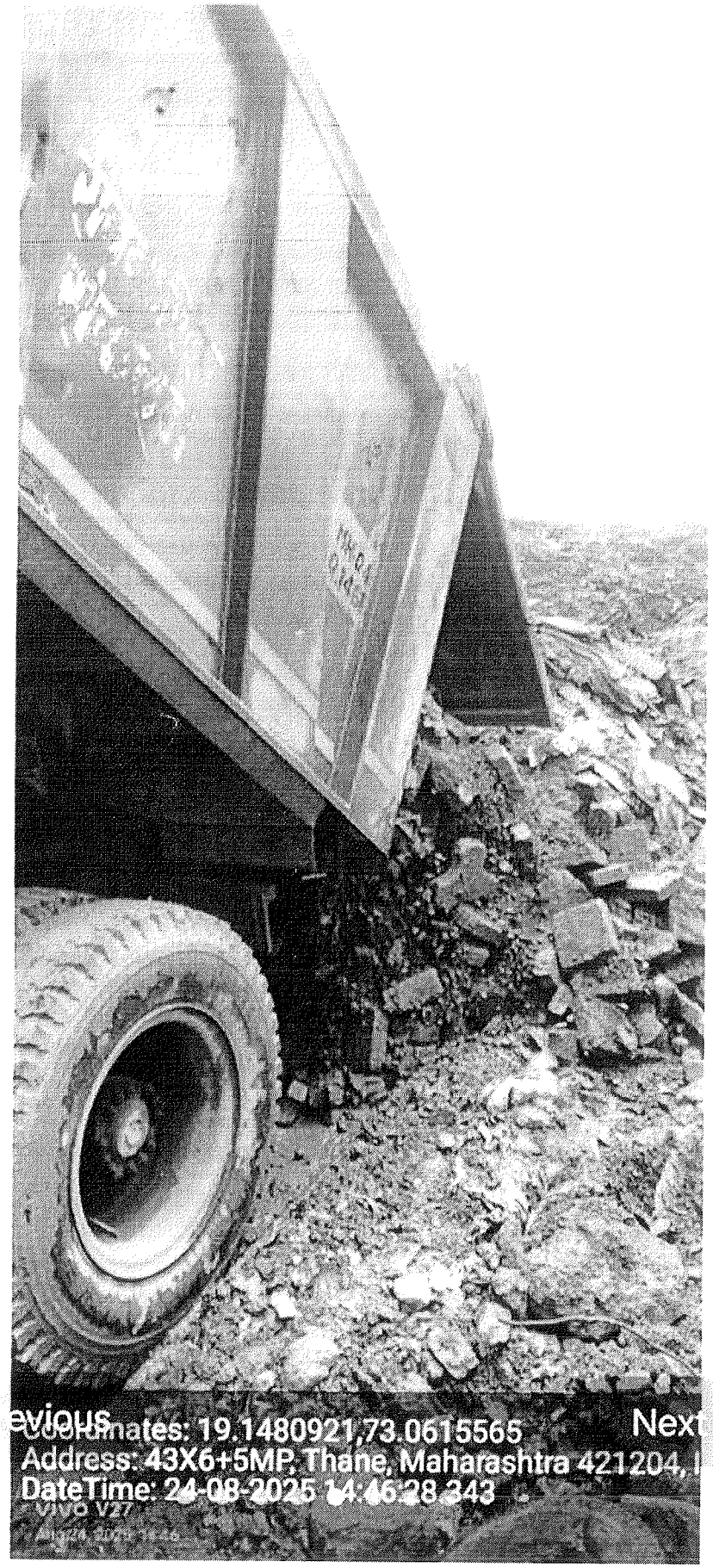
After Release Waste Collect Image



346

4:48 5G

After Release Waste Collect Image



4:48 5G E

347

After Release Waste Collect Image



Previous

348

4:49 5G E

After Release Waste Collect Image



Next

4:49 5G E

349

After Release Waste Collect Image



Previous

Next

4:49 5G

After Release Waste Collect Image



Next

4:49 5G

351

After Release Waste Collect Image



Previous

352

4:49

5G

After Release Waste Collect Image

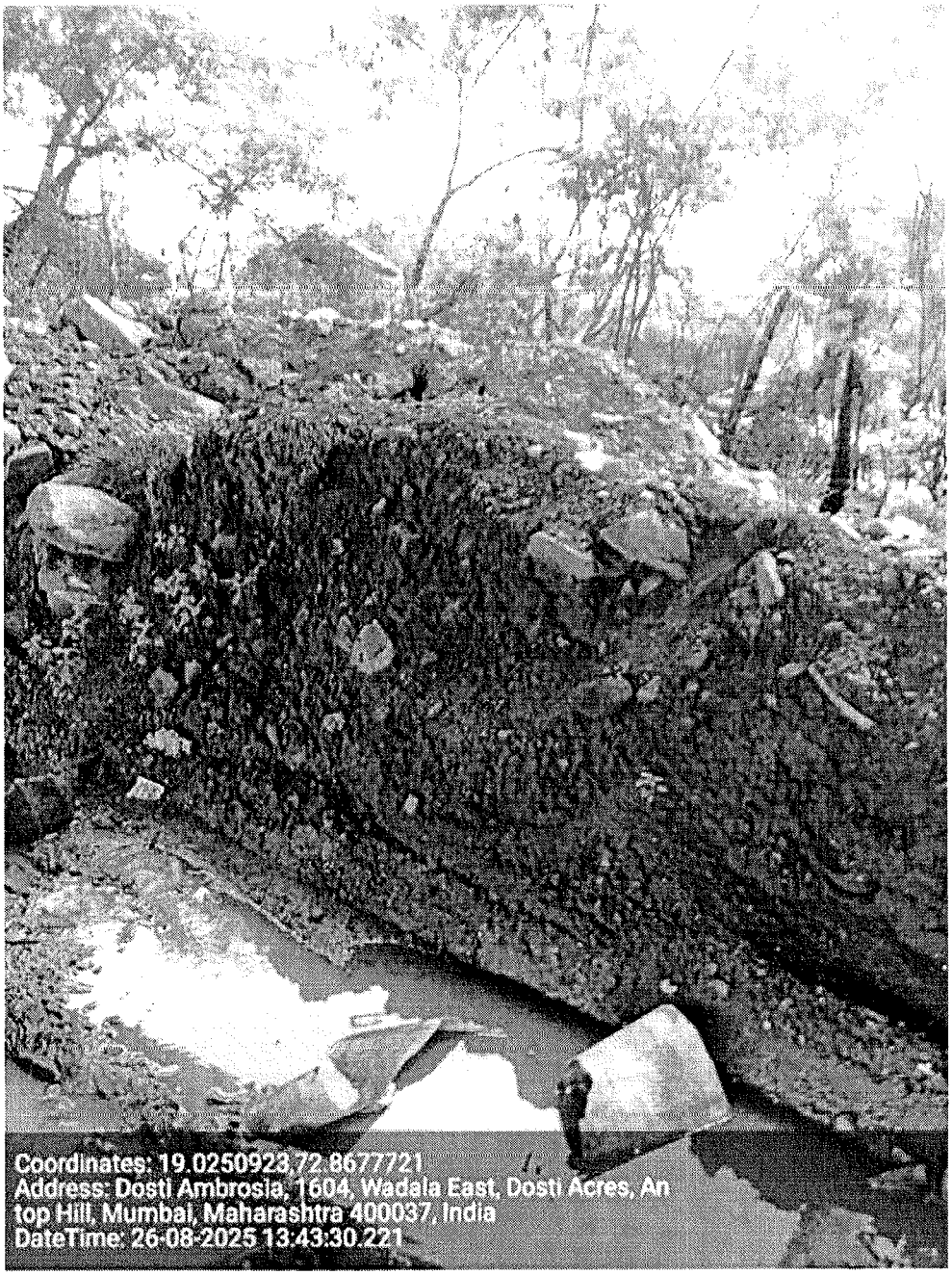


Next

4:59 5G 5

353

Before Waste Collect Image



Previous

354

4:59 5G 5

Before Waste Collect Image



Next

385

5:00 5G 5

Before Waste Collect Image



Previous

Next

(358)

5:00 5G 5

After Waste Collect Image



Next

5:00 5G 5

357

Back After Waste Collect Image



Previous

358

5:00 5G 5

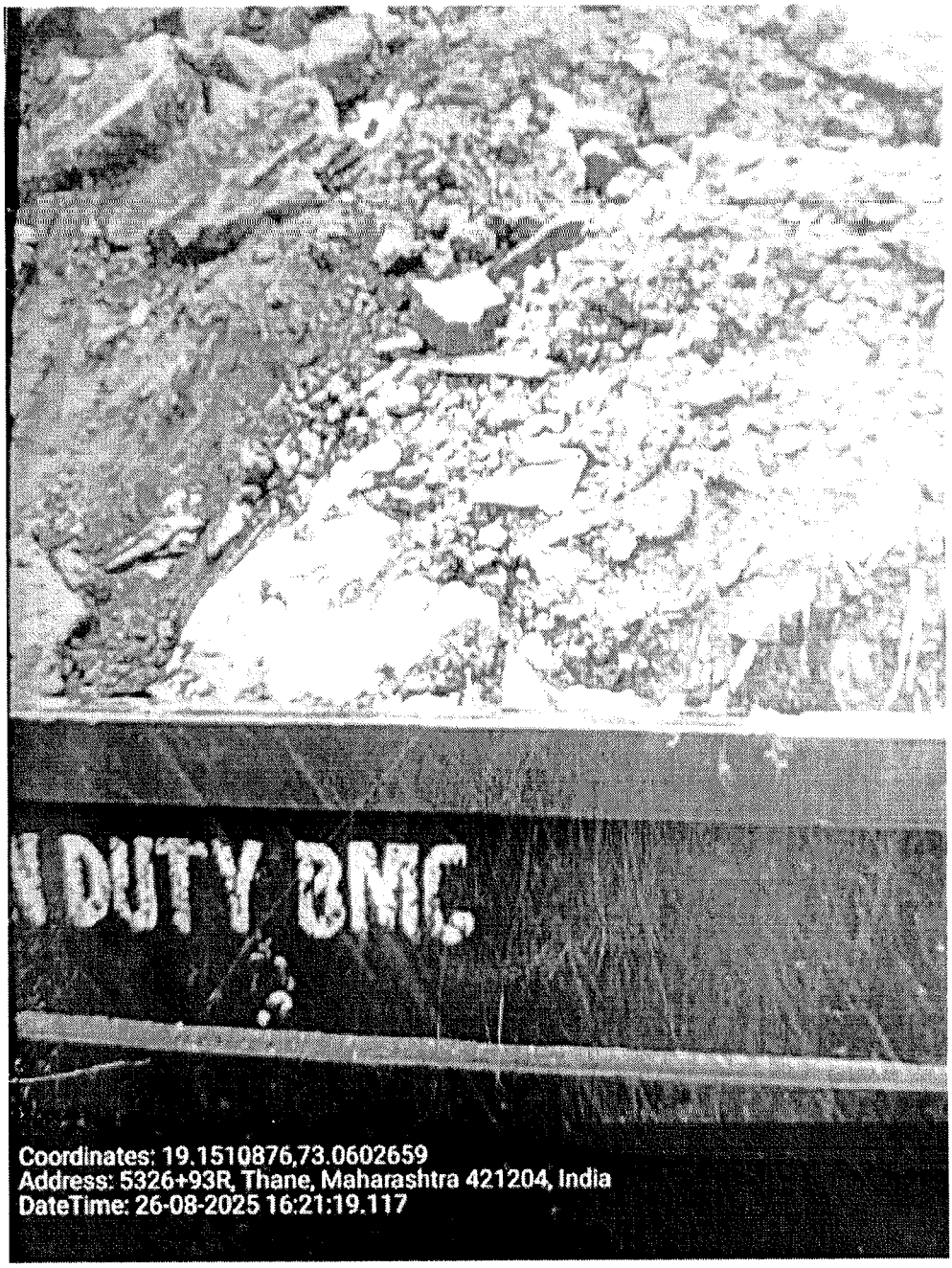
After Waste Collect Image



Next

389

After Release Waste Collect Image

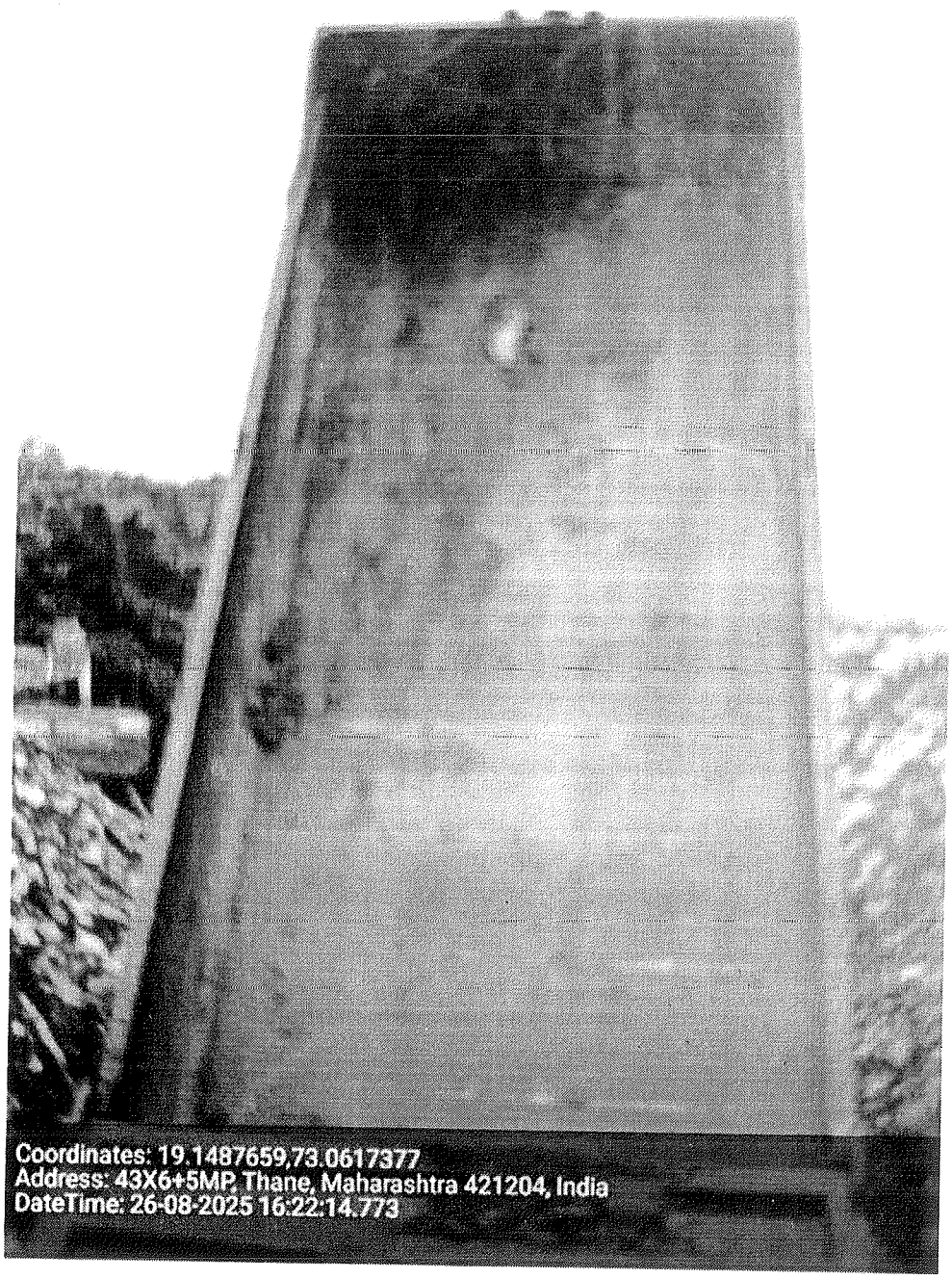


Previous

5:01 5G 5

360

After Release Waste Collect Image



Next