

**REPORT IN COMPLIANCE OF ORDER DATED 14/7/2023
PASSED BY THIS HON'BLE NATIONAL GREEN
TRIBUNAL IN ORIGINAL APPLICATION NO. 94/2023(WZ)
FILED BY RAMDAS BABAN GAIKWAD & ANR.V/s THE
MAHARASHTRA POLLUTION CONTROL BOARD & ORS.**

1. Shri Ramdas Baban Gaikwad & Anr. have filed Original Application bearing No.94/2023 against MPCB & Ors. in respect of alleged air pollution caused due to illegal mining & stone crusher activities carried out by the Respondent No.5- M/s. Anuni Infrastructure, Gat No.1297 of Village: Digewadi, Tal-Patan, Dist-Satara. Applicant has not provided any evidence of alleged air pollution.
2. The Hon'ble NGT vide order dated 14/07/2023 directed MPCB as well as District Mining Officer, Satara to file Action Taken Report .
3. In compliance of the Hon'ble NGT order dated 14/07/2023, the Sub-Regional Officer & Field Officer, MPCB, Satara and District Mining Officer, Satara have conducted a site visit of Respondent No.5-M/s. Anuni Infrastructure, Gat No.1297 of Village: Digewadi, Tal-Patan, Dist-Satara on 13/09/2023. During the visit, the representative of Respondent No.5-Industry was present and observed as under :-
 - i. M/s. Anuni Infrastructure has obtained Consent to Establish vide letter dated 20/06/2019 and 1st Consent to Operate dated 04/06/2021 from MPCB, which is valid upto 31/07/2025 for manufacturing of Stone Aggregates-

1000 MT/Day, Hot Mix Macadam-100 MT/Day.

- ii. During visit, it is found that, Stone Crusher as well as Hot Mix Plant both were not in operation.
- iii. Industry has provided two numbers of vibrating screen covered with metal tin sheet. However, for maintenance activity one side of the screen cover of the one screen was removed.
- iv. Industry has installed 18 numbers of conveyer belts; however, conveyer belts are not covered with metal tin sheet.
- v. Industry has provided water sprinkling arrangements at crusher jaw, conveyer belt, however, same was not in operation due to non-operation of plant activity.
- vi. Industry has not provided wind breaking wall surrounding the periphery of stone crusher.
- vii. Industry has not provided metallic road within the premises of stone crusher.
- viii. Industry has not provided fogger system to entry and exit point of the stone crusher.
- ix. Industry has developed green belt around the unit with plantation of 25-30 No.s of trees having average age of three to four years.
- x. For Hot Mix Plant, Industry has provided dust collector and wet scrubber followed by stack height of 5.0 mtr.

A copy of the visit report dtd.13/9/2023 alongwith photographs are enclosed herewith and marked as **Annexure- 'I' collectively.**

4. On the basis of non-compliances observed during the visit on 13/9/2023, the Respondent Board has issued Proposed Directions u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 to M/s. Anuni Infrastructure vide letter dtd.15/09/2023. A copy of the proposed directions dated 15/09/2023 is enclosed herewith and marked as an **Annexure-‘II’**.
5. Recently, the Respondent Board has received a complaint from Shri.Aniket Tamhane, Residing at Chikhali, Nigadi Pune dated 15/5/2023 regarding illegal mining and emission of dust, thereby causing air pollution from stone crushing activities. In order to verify the complaint, the Official of Respondent Board at Satara visited the aforesaid industry on 26/05/2023 and found various non compliances w.r.t. consent conditions. Accordingly, the Respondent Board has issued warning notice to M/s. Anuni Infrastructure vide letter dtd.31/05/2023. In response to the warning notice, the said unit submitted its reply dated 19/07/2023 to the Respondent Board, wherein it was informed that Unit have provided 3 no.s of vibrating screen which are partially covered. Unit will provide wind breaking wall within 3 months of time. Conveyer belts are covered with green sheet. Unit has provided Fogger system at the entry and exit point of crusher. Copies of the Warning Notice dtd.31/5/2023 alongwith reply dated 19/07/2023 are enclosed herewith and marked as **Annexure-‘III’ collectively**.

For & on behalf of Maharashtra
Pollution Control.

Amol Satpute
(Amol Satpute)

Sub-Regional Officer- Satara

Place : *Satara*
Date : *18/09/2023*

Maharashtra Pollution Control Board
Sub-Regional Office, Satara

Visit Report

1	Name of the stone crusher	M/s. Anuni Infrastructure
2	Location of the stone crusher	Gate No- 1297, vill Digewadi Tal-Patam Dist Satara
3	Longitude Latitude	log. 73.966886, Lat - 17.356877°
4	Date of visit	13/09/2023
5	Name Person Contact during visit	Mr. Sachin Patil (Owner)
6	E-Mail ID & Mobile Number	anuniinfra@gmail.com 9921050444
7	Category/Scale	Orange/SSI.
8	Production Capacity	1) Stone Aggregates - 1000 MT/Day 2) Hot Mix Macadam - 1000 MT/D.
9	Date of Commissioning	10/07/2023
10	Working Hours	9 AM to 6 PM.
11	Mfg. Process Involved	Stones - Hopper - crushing - Vibrating Screen - size wise sorting.
12	Plant and Machineries	Screen, VIB, Jaw crusher.
13	MPCB Conset Status	31/07/2025
14	Stone crusher location, distance	
i)	Distance from Nearest notified River	Koyana River - about 3 km away from the site.
ii)	Nearest Habitation (Gaathan)	Digewadi village - about 600mtr away from the site.
iii)	Nearest road i.e. (National/State & ZP Road etc.)	State Highway - Korad-chiplun Rd. about 1.0 km away from the site.
15	Grampanchayat NOC Yes/No	yes.
16	Distance certificate from competent authority	yes.
17	Air Pollution Control System	
i)	Vibrating screen cover with tin sheet covering	Provided
ii)	Cover Conveyer Belt	Not provided
iii)	Water-sprinkling arrangement at Jaw Crusher, Conveyer belt and within premises	Provided

iv)	Tin metal sheets along the periphery of crusher, which acts as wind breaking wall	Not Provided
v)	Metallic road, these roads are approach roads in the crusher	Not Provided
vi)	Green belt developed	Provided.
18	Site visited by	
Remarks		

Visit made for checking compliances of the M/s. Anumi Infrastructure, Gat no. 1297, village. Digewadi (Adul) Tal. Patan, Dist - Satara, as per order received by NGT, Western Zone, Bench, Pune, original Application No. 94/2023 (WZ), Mr. Ramdas Babam Gaikwad & Amr (Applicants). Accordingly this offices officials along with District Mining officers, visited the said stone crusher unit on 13/09/2023, following point are observed.

- 1) During visit, it is observed that, stone crusher unit & Hot mix plant is not found in production activity from last four month, due to operation & maintenances & raining season said the representative.
- 2) Stone crusher unit has obtained consent to operate on ~~the~~ 04/06/2021 valid upto 31/07/2025, for manufacturing of Stone Aggregates. 1000 MT/Day & Hot mix macadam - 100 MT/Day & actual production quantity is Stone Aggregate - 4000 MT/m & Hot mix plant - 2000 MT/year.
- 3) The stone crusher & Hot mix site is located at about 10 km from state Highway i.e. Kerad - Chiplun Rd, About 650 mtr from Adulpeth Digewadi, about 600.0 meters from Digewadi & Koyang River located more than 3 km away.
- 4) There is no any Historical place / Archaeological place, Human Habitation, Educational Institutions, Hospital in the periphery at 500 meters from the stone crusher site.

5) Industry is having total area about 8098 sq mtr & built up area 300 sq meter, open space available is 7798 sq mtr.

6) The manufacturing process is involved is loading dumper with stones from own mine & upload it to the hopper for primary crushing, for decrease the stone sizes to after that, this material goes to secondary crushers through conveyors belts to further decrease the size, after that these crusher materials transferred to vibrating screening through a conveyor belt in this process the crusher material is segregated to various size. & also For Hot mix plant is drying & heating of aggregates in dryer drum equipped with burner, aggregate is introduced to higher end to drum addition of bitumen, mixing ready hot mix loading & dispatch.

7) During visit, it is observed that, stone crusher unit & hot mix plant installation & construction work has been completed.

8) Industry has provided 2 no's of vibrating screen cover with metal tin sheet, but it is under maintenance.

9) There are about 18 nos of conveyor belts which are not covered with tin metal sheet, but covered with green net, during visit, it was found that, green net sheet partially removed & industry is in process of cover the same tin metal sheet.

10) Industry has provided water sprinkling arrangement at jaw crusher, conveyor belt, within premises. At the time of visit, due to not in operation, the above arrangement could not be seen.

11) Industry has not provided tin metal sheets along the periphery of crusher, unit which acts as wind breaking wall.

12) Industry has not provided metallic road within the premises of unit, but there is provision of kaccha road

- 14) Industry has developed green belt around the unit. About 240 ~~trees~~ nos of trees have been planted.
- 15) Industry has provided inbuilt collector / Scrubber followed by stack of height enters to Hot mix Plant.
- 16) Industry is having its own water Pond from which water requirement for various process are fulfilled & pipeline is provided from Pond to water tank which is connected near unit.
- 17) Industry has ~~not~~ submitted Bank Guarantee Rs. 50000/- as per consent.

S.T. Patil

Saldin Tukaram Patil.

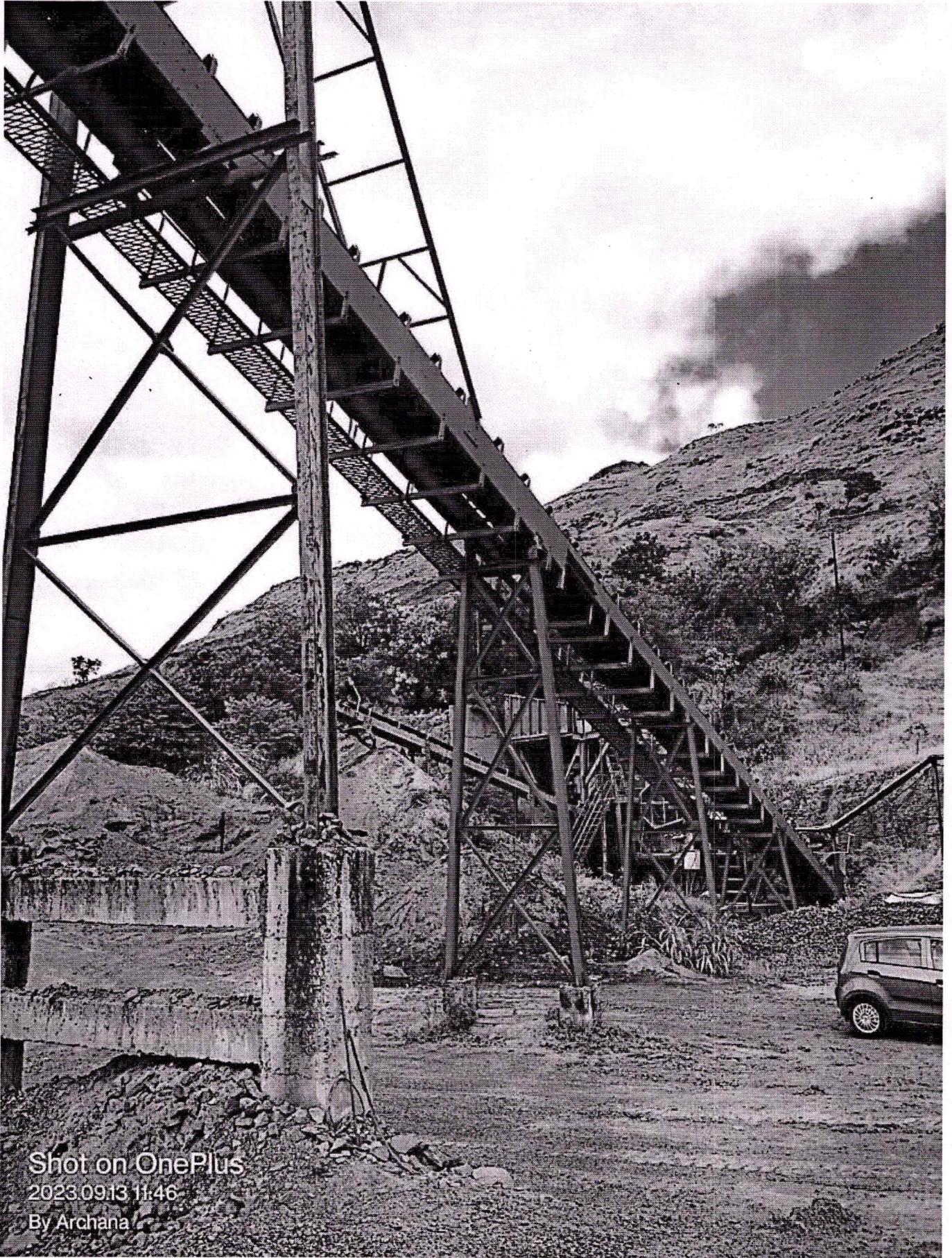
Ajaylee
A.S. Jagdale
Fo MPCB
Satara

Amol

(Amol Thorat)

(District Mining Officer)
Satara.

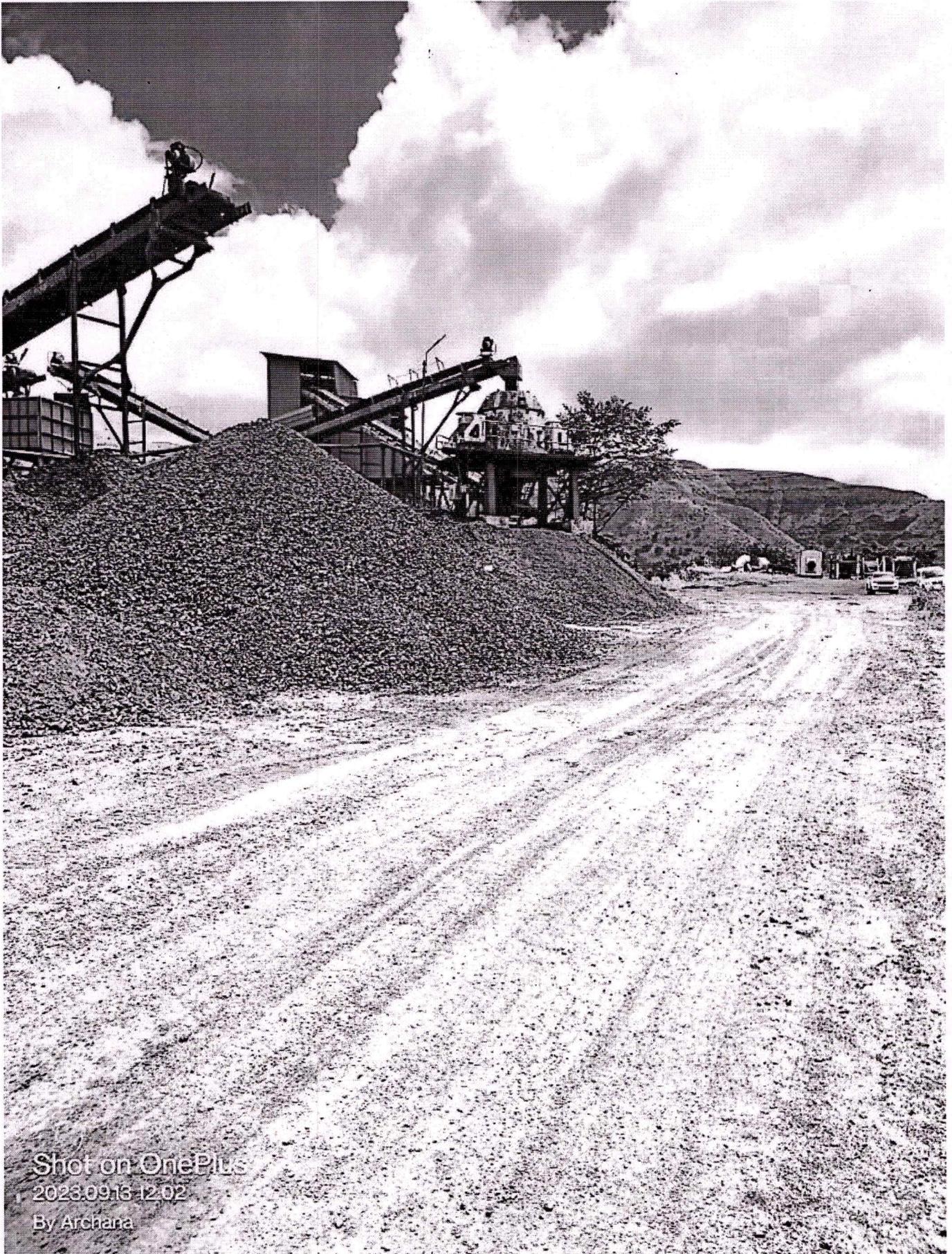
Amol Satpute
(SRO. A.A. Satpute.)
MPCB, Satara.



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2023.09.13 11:46
By Archana



Shot on OnePlus
2023.03.18 12:00
By Aronana



Shot on OnePlus
2023.09.16 12:02
By Archana







Shot on OnePlus

2023.09.13 11:42

By Archana

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE

Phone No. 020-25811694
 Fax No. 020-25811701
 e-mail : ropune@mpcb.gov.in
 visit us : www.mpcb.gov.in



"Your Service is our Duty"

Jog Centre, 3rd Floor,
 Wakdevadi,
 Old-Pune Mumbai Road,
 Pune- 411003

MPCB/ROP/PD/ 2809 150009

Date: 15/09/2023

To,
 M/s. Anuni Infrastructure,
 Gat No. 1297, Village - Digewadi,
 Tal. Patan, Dist. Satara

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981.

- Ref:**
- 1) Consent to Operate granted by the Board vide no. RO-PUNE/CONSENT /2106000255, Dtd. 04/6/2021 valid upto 31/7/2025
 - 2) Complaint received from Mr. Aniket Tamhane, resident at Chikhali, Nigdi, Pune regarding air pollution from Stone Crusher and Mining.
 - 3) Visit of Board Official Dtd. 26/05/2023.
 - 4) Warning notice issued by SRO Satara vide letter dtd. 31/05/2023
 - 5) Sub Regional Officer, Satara submitted legal action proposal vide no. MPCB-LEGAL_ACTIONS-190723014, Dtd. 19/07/2023.

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

AND WHEREAS, the Board had granted the consent to operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (MH & TM) Rules, 2016 and amendments thereof.

AND WHEREAS, it is obligatory on your part to provide pollution control systems as it warranted and to operate and maintain the same continuously and effectively to achieve the standards prescribed in the consent.

AND WHEREAS, complaint received vide reference (2) regarding Air Pollution due to Stone Crushing Activities.

AND WHEREAS Board Official has visited to your industry on 26/05/2023 to verify the and investigate the complaint, accordingly, Sub Regional Officer, Satara has submitted the legal action proposal vide ref (5), there in reported that

- (1) You have provided 03 nos of vibrating screens and same are partially covered with metal tin sheet.

- (2) You have not provided wind breaking wall along with the periphery of your crusher unit.
- (3) You have not covered conveyer belts with metal tin sheet.
- (4) You have not provided fogger systems / water sprinkling system at entry and exist points of the crusher unit.
- (5) You have not carried out regular cleaning and wetting of the ground.

AND WHEREAS, for the above non-compliances Board has already issued warning notice to you vide reference (4).

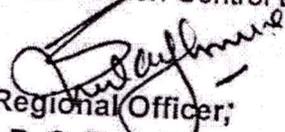
AND WHEREAS, from the record of this office and observations made during the visit, I came to the conclusion that, you are not complying the conditions mentioned in consent granted by the Board and also not complying the provision of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 thereby causing grave injury to the environment.

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

- (1) Why your unit shall not be directed to close down the stone crushing activity forthwith?
- (2) Why the competent authorities shall not be directed to disconnect Water / electricity supply of your stone crushing unit?

You are directed to submit your reply within 03 days alongwith corrective action plan towards the compliance of above non-compliances along with all necessary documents and also directed to remain present for personal hearing on 26/09/2023 at 12:15 PM in the office of Regional Officer, M. P. C. Board, Jog centre, 3rd floor, wakadewadi, Pune-03 along with action plan towards the compliance of above related points, failing which further necessary action as deemed fit in your case as per the provisions of various environmental enactments will be initiated against you, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board


Regional Officer;
M. P. C. Board Pune

Copy Submitted for information to

1. Joint Director (WPC), M.P.C. Board, Mumbai.
2. Law Officer, M.P.C. Board, Mumbai.

Copy to- The Sub-Regional Officer, M.P.C. Board, Satara :- You are directed to keep the follow up and report the compliance from time to time and present during the hearing along with JVS results and present status.

MAHARASHTRA POLLUTION CONTROL BOARD

SUB-REGIONAL OFFICE – SATARA.

Phone No. 02162-233527
 Fax No. 02162-233527
 Email ID -srosatara@mpcb.gov.in



Administrative Building,
 2 nd Floor, Behind S. T.
 Stand Sadar Bazar,
 Satara 415 001.

"Your Service is our Duty"

No. MPCB/SROST / 230531 - FTS - 0099

Date- 31/05/2023

To,

M/S Anuni Infrastructure,
 Gat No.1297, Village-Digewadi,
 Tal-Patan, Dist-Satara.

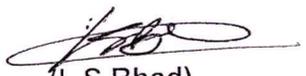
Subject : Warning notice for non-compliance of consent conditions.
Reference : 1) Compliant received from Mr.Aniket Tamhane, residing at-
 Chikali, Nigdi Pune regarding air pollution from stone crusher
 and mining.
 2) Visit of Field Officer to your unit on 26/05/2023.

The Maharashtra Pollution Control Board has granted consent to your facility under various Environmental Acts such as water (Prevention & Control Pollution) Act 1974, Air (Prevention & Control Pollution) Act 1981 and authorization under the provision of Hazardous waste (Management & Handling) Rules 2016 & BMW Rules 2016, subject to certain conditions. It was obligatory on your part to comply with the conditions prescribed in the consent. Further, it is also mandatory on your part to provide adequate treatment and disposal facilities for Industrial / Domestic effluent, provide adequate Air pollution control systems at all the sources of emission, comply with all consent conditions & also comply Hazardous Wastes (Management, Handling & Trans boundary Movement) Rules 2016.

Field Officer of this office has caused visit to your stone crusher on 26/05/2023 due to Compliant received from Mr.Aniket Tamhane, residing at-Chikali, Nigdi Pune regarding air pollution from stone crusher and mining & for checking compliance of consent conditions. During visit following non compliances were observed.

1. During visit stone crusher unit was not found in operation due to under maintenance.
2. You have provided 3 no's of vibrating screen & which is partially cover with metal tin sheet.
3. You have not provided tin metal sheet along the periphery of which act as wind breaking wall.
4. You have not cover conveyer belts with metal tin sheet.
5. You have not provided fogger system outside at exit & entry point of the crusher.
6. Regular cleaning & wetting ground not carried out.

In view of above, you are hereby instructed to submit your clarification/explanation for above non compliances within 7 days from date of receipt of this notice, failing which this office will be constrained to **recommend your case for initiation of further legal action as deem fit**, which may please be noted.


 (L.S.Bhad)

Sub Regional Officer,
 M.P.C.B., Satara.

or

Copy submitted for information & necessary action to:
 The Regional Officer, M. P. C. Board, Pune.

Copy to –

Mr.Aniket Tamhane, residing at-Chikali, Nigdi Pune.

- It is requested to you, regarding illegal mining issue, you have to communicate with District Mining Department, Satara.

230721-726-0023



Date: 19/07/2023

To,
The Regional officer
Maharashtra Pollution Control Board,
Satara.

Sub: - Warning notice for non-compliance of consent conditions.
Ref: - 1. MPCB/SROST/230531-FTS-0099, Dated: 31/05/2023
2. Visit of Field Officer to your unit on 26/05/2023

Respected Sir,

Hereby we are given reply to each point.

	Notice Point	Reply
1.	During visit stone crusher unit was not found in operation due to under maintenance.	We have completed maintenance work of our plant and now our plant is in full pledged operation.
2.	You have not provided 3 no's of vibrating screen & which is partially cover with metal tin sheet.	We have provided 3 no's of vibrating screen & which is partially cover with metal tin sheet. We have submitting here with vibrating screen photos please find attachment.
3.	You have not provided tin metal sheet along the periphery of which act as wind breaking wall.	We will provide wind breaking wall to our surrounding premises of crusher within 3 months (After rainy season)
4.	You have not cover conveyer belts with metal tin sheet.	Regarding Air pollution control we have provided conveyer belts with net sheet we have submitting here with photographs please find attachment.
5.	You have not provided fogger system outside at exit & entry point of the crusher.	We have provided fogger system outside at exit & entry point of the crusher. We have Submitting here with photos of fogger system Please find attachment.
6.	Regular cleaning & wetting ground not carried out.	We have started regular cleaning and wetting of ground within premises.

Hereby requesting you kindly consider our efforts and please process our application & grant consent to us.

Thank You
Yours Faithfully,

FO (T)

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