

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO.124 OF 2024 (WZ)
(LETTER PETITION NO.53 OF 2024)
(Complaint dated 10/05/2024)**

Report of Maharashtra Pollution Control Board in compliance of Order Dated 31/05/2024 of The Hon'ble National Green Tribunal Western Zone Bench, Pune in the matter of Original Application No. 124/ 2024 (WZ) (LETTER PETITION NO.53 OF 2024) (WZ) Complaint received from Mr. Nilesh Shitole, R/o at post Patas, Taluka Daund, District Pune.

1. Applicant Mr. Nilesh Shitole, R/o at post Patas, Taluka Daund, District Pune, alleging that Respondent No.1 Shree Cement Company at Patas, Taluka Daund, District Pune is causing huge pollution through transporting ash in vehicles. Due to this, Cement Plant vehicles are coming which is causing huge traffic jam and the houses, schools and farms in the vicinity are facing acute pollution. It is also resulting in polluting the agricultural land infertile in the vicinity and has also caused various diseases to the children.
2. In the said matter, the Hon'ble NGT vide Order dated 31/5/2024, directed MPCB to submit report about the truthfulness of the contents of the aforesaid complaint and action taken at their end.
3. The Maharashtra Pollution Control Board has granted renewal of Consent to Operate dated 13/12/2022 to M/Maharashtra Cement

Plant (A unit of Shree Cement Ltd.) to manufacture of 1) Ordinary Portland Cement (OPC), Pozzolona Portland Cement (PPC), Portland Slag Cement (PSC) & Composite Cement – 3 MTPA. 2) One Hot Air Generator (10 Million kcal/Hr) – 1 No. and 3) Captive Railway Siding- 1 No. which is valid upto 31/10/2024.

4. Earlier the Respondent Board has issued directions under section 33A of the Water (P&CP) Act, 1974 and 31A of Air (P&CP) Act, 1981 to M/s.Maharashtra Cement Plant (A unit of Shree Cement Ltd.) , Village: Patas, Daund, Pune vide letter dated 26/05/2023 directing them to stop all road transportation of raw material and undertake raw material transportation i.e. clinker, pond ash, gypsum etc. through railway to avoid air emissions through road within 1 & ½ months etc. A copy of the directions dated 26/05/2023 is enclosed herewith and marked as an **Annexure-‘I’**.
5. In response to the directions dated 26/05/2023, M/Maharashtra Cement Plant (A unit of Shree Cement Ltd.) has submitted reply dated 07/06/2023 and informed that all raw materials are essentially required for the manufacturing of different types of cement will be transported through road and rail both and assured that transportation of raw materials and final products will be done by tarpaulin covered trucks etc.
6. In the interest of natural justice, the Maharashtra Pollution Control Board has given an opportunity of personal hearing on 13/2/2024 to M/s Maharashtra Cement Plant (A unit of Shree Cement Ltd.) and on the basis of decision, the MPCB has issued Interim Directions to

M/s.Maharashtra Cement Plant (A unit of Shree Cement Ltd.) vide letter dated 28/02/2024, directing them to stop all road transportation of raw material and undertake raw material transportation through railway to avoid the air emission through road and strictly comply with the conditions of various directions, issued by the Board from time to time and consent to operate granted by the Board. A copy of the Interim Directions dated 28/02/2024 is enclosed herewith and marked as an **Annexure-‘II’**.

7. In response to the said directions, M/s.Maharashtra Cement Plant (A unit of Shree Cement Ltd.) vide letter dated 29/02/2024 informed that they have installed and fully commissioned the Captive Railway Siding in our existing plant for transportation of material by Railway. Approximate 90% of their total raw material requirement is transported through Rail which covers 100% transportation of major raw material. It was further informed that in case of any restrictions from Railway, clinker may also be transported through road. Gypsum is also transported through tarpaulin covered trucks as the required quantity of the same. A copy of the reply dated 29/02/2024 is enclosed herewith and marked as an **Annexure-‘III’**.
8. In compliance with the Hon’ble NGT Order dtd.31/5/2024, the officials of the Respondent Board at Pune visited to M/s. Maharashtra Cement Plant (A unit of Shree Cement Ltd), located at Gat No. 672, 677, 681 and 683, village Kangoan and gat no. 733, village Patas,, Village Kangoan and Patas, Taluka Daund, District Pune on 13/07/2024 and accordingly the MPCB has issued directions vide letter dated 14/08/2024 to M/s.Maharashtra Cement

Plant (A unit of Shree Cement Ltd.) and directed to submit the action plan towards shifting mode of transport of raw material and finished products from road transportation to railway transportation, to submit compliance report of earlier directions issued by the Board vide letter dtd. 26/05/2024 and 28/02/2024 and strictly comply with the conditions prescribed in the Consent to Operate granted by the Board. Further the MPCB has forfeited the Bank Guarantee of Rs.10 Lakhs of M/Maharashtra Cement Plant (A unit of Shree Cement Ltd.) vide letter dated 29/07/2024. A copy of the directions dated 14/08/2024 is enclosed herewith and marked as an **Annexure-IV**.

For & on behalf of the Maharashtra
Pollution Control Board,



(Kartikeya Langote)
Sub-Regional Officer, Pune-I

Date: - 20/08/2024
Place: - Pune

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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

ROP/ MPCB/ID/ 2305260002

Date: 26/05/2023

To,
 M/s. Maharashtra Cement Plant,
 (Unit of Shree Cement Ltd.),
 Gat No. 672, 677, 681 & 683, Village. Kangaon,
 And Gat No. 733, Village. Patas,
 Tal. Daund, Dist. Pune.

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

- Ref : 1) Legal Action Proposal Submitted by Sub Regional Officer Pune-I vide MPCB- LEGAL-ACTIONS-180423003, Dtd.21/04/2023
 2) Personal hearing extended at MPCB-HQ, Mumbai on 28/04/2023
 3) Undertaking submitted by the industry on 03/05/2023
 4) Minutes of personal hearing received on 22/05/2023

With reference to above, the personal hearing extended on 28/04/2023 before Joint Director (APC), Sion, Mumbai and the minutes of personal hearing received on 22/05/2023. Considering your submissions and Report of Sub Regional Officer Pune-I it is decided to issue Directions with following conditions,

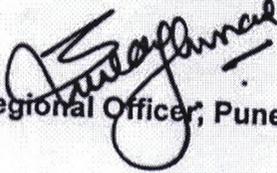
1. You shall stop all road transportation of raw material and undertake raw material transportation i.e. clinker, pond ash, gypsum etc through railway to avoid air emission through road within next 1 & 1/2 months.
2. Till 100% transportation of raw material by rail, industry shall ensure that raw material transportation is being done by tarpaulin covered trucks.
3. Storage of fly ash and gypsum in cover shed only to avoid fugitive air pollution during loading and unloading activity.
4. Internal raw material transfer and handling shifting shall be done only through closed conveyer system
5. You shall operate air pollution control systems regularly.
6. You shall remove all dust accumulated on road, clean tyer of vehicle before and after entering in village.
7. Any spillages of raw material during transportation whole responsibility of industry to clean up.
8. You shall not cause any nuisance due to operation of your unit in surrounding area.
9. From the existing Bank Guarantee of Rs. 25,00,000/- (Twenty-Five Lakh Only), the Bank Guarantee amount of Rs. 10,00,000/- (Ten Lakh Only) is being forfeited.
10. You shall submit fresh top up Bank Gurantee of Rs. 35,00,000/- (Remaining BG Amount Rs. 15,00,000/ + Fresh BG of Rs. 20,00,000/-) towards ensure the compliance of the above directions and consent conditions. The Bank guarantee shall submit within 15 day in favor of Regional Officer, MPC Board, Pune.

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You shall submit action taken report on above directions, in case you fail to comply with the above directions the Board will have no option to initiate further legal action as deemed fit, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board


Regional Officer, Pune

Copy submitted to:-

1. Joint Director (APC), MPCB, Mumbai
2. Law Officer, MPCB, Mumbai.

Copy to : The Sub-Regional Officer, M.P.C. Board, Pune-I : You shall verify the compliance of above directions and submit the monthly verification report as directed by Board's Higher Authority.

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MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE

Phone No. 020-25811694
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"Your Service is our Duty"

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

ROP/ MPCB/Directions / 2402280003

Date: 28/02/2024

To,
M/s. Maharashtra Cement Plant,
(A unit of Shree Cement Ltd.,)
Village Patas, Tal. Daund, Dist. Pune

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

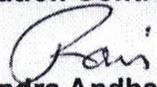
Ref : 1) Legal Action Proposal Submitted by Sub Regional Officer, Pune-I vide MPCB- LEGAL-ACTIONS-180423003.
2) Personal hearing extended at MPCB-HQ, Mumbai on 13/02/2024
3) Directions issued by the Board vide no. 2305260002, Dtd. 26/5/2023
4) Minutes of personal hearing received on 22/02/2024

With reference to above, the personal hearing extended on 13/02/2024 before Joint Director (APC), Sion, Mumbai and the minutes of personal hearing received on 26/02/2024, Considering your submissions during the hearing and Report of Sub Regional Officer Pune-I. The Board has decided to issue following directions,

- (1) You shall immediately stop all road transportation of raw material and undertake raw material transportation through railway to avoid the air emission through road.
- (2) You shall strictly comply with the conditions of various directions issued by the Board from time to time and Consent to Operate granted by the Board.

You shall submit action taken report on above directions, in case you fail to comply with the above directions the Board will have no option to initiate further legal action as deemed fit, which may please be noted.

For and on behalf of
Maharashtra Pollution Control Board


(Ravindra Andhale)
Regional Officer, Pune

Copy submitted to:-

1. Joint Director (APC), MPCB, Mumbai
2. P & Law Division / Law Officer, MPCB, Mumbai.

Copy to : The Sub-Regional Officer, M.P.C. Board, Pune-I : **You shall submit the verification report of above directions.**



MAHARASHTRA CEMENT PLANT

(A Unit of Shree Cement Limited)

Near Patas Railway Station, Village Patas and Kangaon
Taluka - Daund, Dist. Pune, Maharashtra - 412219

CIN No. : L26943RJ1979PLC001935 • Website : www.shreecementltd.in



SCL/Pune-Patas/2023-24/

Date: 29.02.2024

To
The Regional Officer,
Maharashtra State Pollution Control Board,
Jog Center, 3rd floor, Mumbai Pune Road, Wakdewadi,
Pune (Maharashtra) - 411003

Sub.: Regarding Submission of Action Taken Report of the interim direction issued under section 33A of Water (Prevention & Control of Pollution) Act, 1974 and 31A of Air (Prevention & Control of Pollution) Act, 1981 to Maharashtra Cement Plant (A Unit of Shree Cement Limited) situated at Village: Kangaon and Gat No. 733 of Village: Patas, Taluka: Daund, District: Pune (Maharashtra).

- Ref:**
1. Environment Clearance issued by SEIAA, MH, dated 01.02.2019
 2. CTO issued by MPCB vide letter no. MPCB CONSENT-0000144968/CR/2212000914, Dated 13.12.2022.
 3. Our Earlier communication vide letter No. SCL/MCP/ENV/2023-24 Dated 07.06.2023
 4. Personal Hearing held at MPCB, Mumbai on dated 13.02.2024.
 5. Your letter No. ROP/MPCB/Directions/240228003 Dated 28.02.2024.

Dear Sir,

Shree Cement Limited (SCL) is an Environmental Conscious organization and use the state of art technology for prevention and control of pollution in its plants across the country. SCL are operating a standalone clinker grinding unit after obtaining Environmental Clearance (EC) from SEIAA, Maharashtra and CTE & CTO from MPCB with the cement production capacity of 3.0 Million TPA {Ordinary Portland Cement (OPC), Pozzolona Portland Cement(PPC), Portland Slag Cement (PSC) & Composite Cement}, HAG and Captive Railway Siding at Village: Kangaon and Gat No. 733 of Village: Patas, Taluka: Daund, District: Pune (Maharashtra) which is providing employment to local people and generates revenue for the state.

With reference to your letter vide reference no. 5 cited above, we are submitting herewith the pointwise reply of the directions is as below:

Sr. No.	Directions	Reply / Clarification
1	You Shall immediately stop all road transportation of raw material and undertake raw material transportation through railway to avoid the air emission through road.	As per our submission during personal hearing dated 13.02.2024 and our earlier communication vide letter No. SCL/MCP/ENV/2023-24 Dated 07.06.2023, in-line with direction of your good office and EC, we would like to submit that we have installed and fully commissioned the captive railway siding in our existing plant for transportation of material by railway. Basic raw material required for standalone clinker grinding unit are Clinker, Gypsum and Fly Ash for manufacturing of various types of cement like OPC, PPC, PSC and Composite Cement. Approx. 90% of our total raw material requirements is transported through rail, which covers 100%

Received on Dt. 04/03/2024
[Signature]

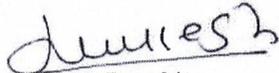
R. O. M. P. C. B. P.

		<p>transportation of major raw material i.e. clinker and approx. 80% of fly ash through tarpaulin covered railway wagons. In case of any restrictions from the railway, clinker may also be transported through road. Gypsum is also transported through tarpaulin covered trucks as the required quantity of the same is very less i.e. 3-5%.</p> <p>To comply with the Fly Ash Notification, we need to transport the fly ash from nearby power plants which are located in remote locations through best available option i.e. Bulker and received fly ash is fed directly to the silos through pneumatic system for EC is granted by SEIAA based on the Environmental Impact Assessment. Photographs are attached as Annexure-1.</p> <p>We are taking utmost care while transporting the ash to our plant assure your good office to follow the same in future also.</p>
2	You Shall strictly comply with the conditions of various directions issued by the Board from time to time and consent to Operate granted by the board.	Agreed and noted for the compliance.

Submitted for your kind consideration please.

Thanking you,
Yours faithfully,

**For Maharashtra Cement Plant
(A Unit of Shree Cement Limited)**



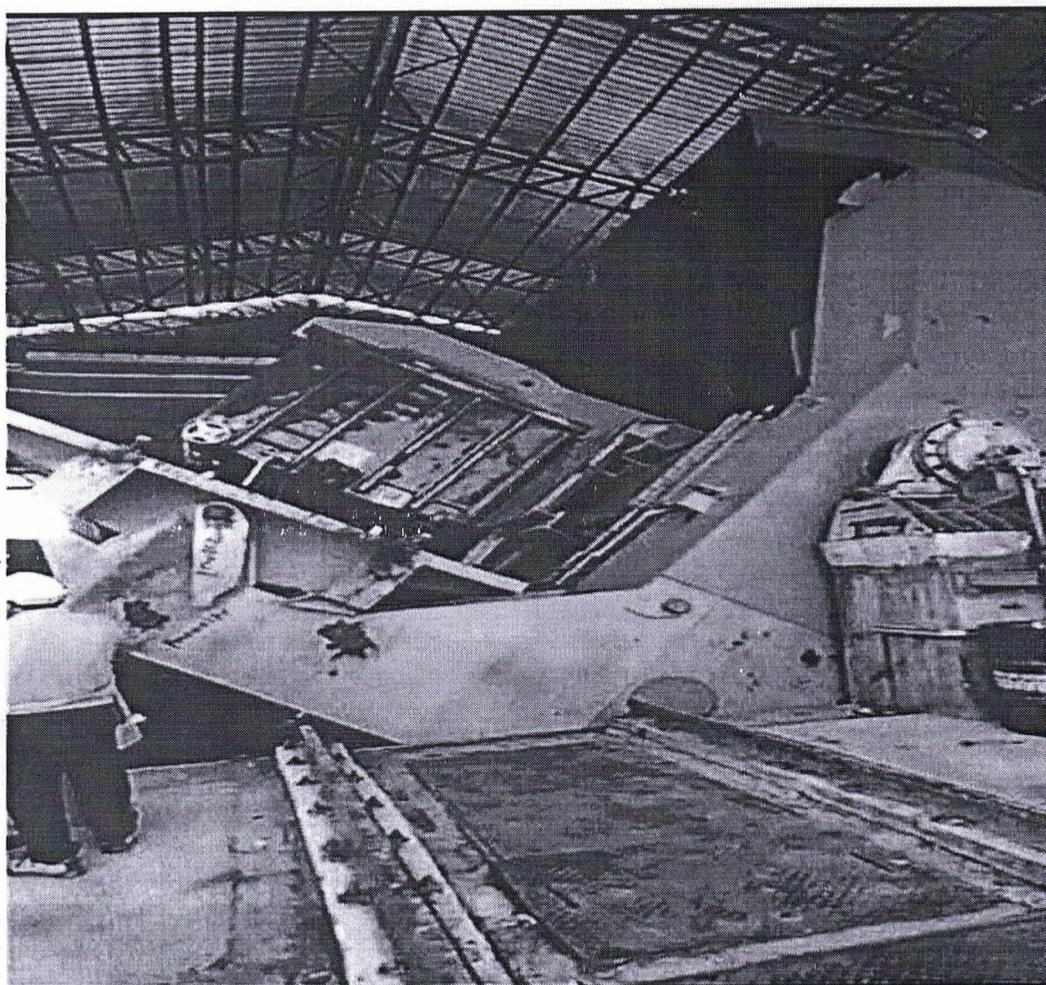
**Mukesh Purohit
Dy. General Manager**

Enclose – As Above

- CC:**
- 1. The Joint Director (APC), Maharashtra Pollution Control Board, Kalpataru Point, 2nd and 4th floor, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai – 400022, Maharashtra**
 - 2. The Sub- Regional Officer, Pune-I, Maharashtra State Pollution Control Board, Jog Center, 3rd floor, Mumbai Pune Road, Wakdewadi, Pune (Maharashtra) – 411003**

Maharashtra Cement Plant (A Unit of Shree Cement Limited)

Photographs of Railway siding, Fly Ash Bulker and Truck



Wagon tippler in Railway siding



Fly Ash Bulkers



Raw Material (Gypsum) Transportation Truck covered with tarpaulin

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MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE - PUNE

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"Your Service is our Duty"

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 Wakdedwadi,
 Old-Pune Mumbai Road,
 Pune- 411003

ROP/ MPCB/Directions / 2408140002

Date: 14/8/2024

To,
 M/s. Maharashtra Cement Plant,
 (A unit of Shree Cement Ltd.,)
 Village Patas, Tal. Daund, Dist. Pune

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

Ref : 1) Directions issued by the Board vide no. 2305260002, Dtd. 26/5/2023
 2) Interim directions issued by the Board vide no. 2402280003, Dtd. 28/2/2024
 3) Legal Action Proposal Submitted by Sub Regional Officer, Pune-I vide MPCB- LEGAL-ACTIONS-180423003 and received from HQ on 12/08/2024

With reference to above proposal and earlier referred directions, the Board has decided to issue following directions,

- (1) You shall submit the action plan towards shifting mode of transport of raw material and finished products from road transportation to railway transportation.
- (2) You shall submit the compliance report of earlier directions issued by the Board vide letter Dtd. 26/5/2023 & 28/2/2024. Also submit all the Bank Guarantees imposed vide the directions Dtd. 26/5/2023.
- (3) You shall strictly comply with the conditions prescribed in Consent to Operate granted by the Board.

You shall submit action taken report on above directions within 15 days, in case you fail to comply with the above directions the Board will have no option to initiate further legal action as deemed fit, which may please be noted.

For and on behalf of
 Maharashtra Pollution Control Board


 (Ravindra Andhale)
 Regional Officer, Pune

Copy submitted to:-

1. Joint Director (APC), MPCB, Mumbai
2. P & Law Division / Law Officer, MPCB, Mumbai.

Copy to : The Sub-Regional Officer, M.P.C. Board, Pune-I : You shall submit the verification report of above and earlier directions.