

करी
मास
महाराष्ट्र राज्य मानवी हक्क



आयोग
13/11/2023
20/2/2023
27/2/2023
6/4/2023

Closed
MAS

**Maharashtra State Human Rights Commission
(MSHRC)
Mumbai**

Allotted to Court No. : 1/ 2/ 3
DOCKET SHEET

SVO MOTU CASE NO: 4844/13/30/2022

News item appeared in Hindi Newspaper (Navbharat Times) on

5th December, 2022 "RMC प्लांट कर रहे हैं शहर कि हवा खराब", Thane.

Case to :- Hon'ble, Justice K.K. Tated, (Retd.).

Date of allotment :- 6.12.2022

SUMMARY

4844/13/30/2022

नवभारत टाइम्स

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नवभारत टाइम्स | मुंबई | सोमवार, 5 दिसंबर 2022

www.mumbai.nbt.in

RMC प्लांट कर रहे हैं शहर की हवा खराब

काशिमिरा और आस-पास रहने वालों को होती है परेशानी

■ अमित तिवारी, मीरा-भाईंदर

मीरा-भाईंदर के RMC प्लांट शहर की हवा को खराब कर रहे हैं। तेजी से बढ़ती आबादी के साथ शहर का कॉन्क्रीटीकरण हुआ है, जिससे तेजी से RMC प्लांट खुले हैं। ज्यादातर प्लांट शहर के घेरेबंदर, काशिमिरा और आसपास के इलाकों में हैं। इन प्लांट्स में अनियमितता के चलते शहर में प्रदूषण बढ़ रहा है।

घेरेबंदर गांव के परिसर में एक RMC प्लांट है। इस प्लांट के कारण आसपास का पूरा परिसर प्रदूषित हो गया है। न केवल सड़कों पर सीमेंटयुक्त धूल की मोटी परत जमी है, बल्कि आसपास की इमारतों पर भी धूल की परत साफ-साफ देखी जा सकती है। प्लांट के पास वाली सड़क पर गुजरने पर लगता है जैसे हवा में 'कोहरा' या 'धुंध' छाई हुई है। दिनेश पांडेय बताते हैं कि इस सड़क पर आप बिना नाक पर रुमाल रखे नहीं चल सकते हैं। दिनेश अपनी फैक्ट्री पर आने-जाने के लिए इसी मार्ग का रोजाना इस्तेमाल करते हैं।

घेरेबंदर किले पर पड़ रहा है प्रभाव किलाप्रेमी रोहित सुवर्णा कहते हैं कि प्लांट के कारण पास ही स्थित घेरेबंदर किला भी प्रभावित हो रहा है। उनकी मानें तो इस



गाड़ियों पर जमी धूल प्रदूषण की स्थिति को बयां कर रही है।

प्लांट से बहुत अधिक प्रदूषण होता है और प्रशासन को इसका संज्ञान लेना चाहिए।

राष्ट्रवादी कांग्रेस पार्टी के प्रेम यादव कहते हैं कि जहां-जहां RMC प्लांट हैं, सबसे ज्यादा नुकसान पेड़-पौधों और झाड़ियों का होता है। RMC प्लांट की धूल

के कारण पेड़-पौधों के हरे पत्ते मटमैले दिखने लगते हैं। यादव कहते हैं कि RMC प्लांट संचालक को आसपास के पेड़-पौधों की सफाई और सुरक्षा की जिम्मेदारी दी जानी चाहिए। इस संदर्भ में मनपा आयुक्त से संपर्क नहीं हो सका है।

INWARD..11318/CR/2022
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MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus, Mumbai – 400 001

Tel : 22092857 Email:- court1-mshrc@mah.gov.in

KKT/Suo Moto Case No.—484/13B0/2022

Name of Respondent

:1 The Municipal Commissioner
Mira Bhayendar Municipal
Corporation
Mira Road, Thane

2. The Collector
Thane

Date

: 6th December 2022

Coram

: Justice K.K. Tated, Chairperson

PROCEEDING

Not on board. Taken on board.

2. We noticed an article which was published in Hindi Newspaper "Nav Bharat Times" dated 05.12.2022 on Page 2 with title "RMC प्लांट कर रहे हैं शहर की हवा खराब; काशिमिरा और आस-पास रहने वालों को होती है परेशानी".

3. It is stated in the said news that RMC plants near Bhayendar installed without any permission. Not only that they are not following the Rules and Regulations to minimize air pollution in that area. Apart from that dust from the RMC plants affecting environment as well as people those who are staying in the said locality.

4. Considering these facts the following order is passed:

- f) Office is directed to issue summons to Municipal Commissioner, Mira Bhayendar Municipal Corporation and Collector, Thane directing him to hold inquiry and

submit the affidavit in reply before this Commission on or before 23.12.2022 on following points:

- i. How many RMC plants are working in Mira Bhayendar area?
- ii. Since when those plants are installed?
- iii. Whether any licence is obtained by them ?
- iv. Whether they are applying Rules and Regulations of Maharashtra Pollution Control Board?
- v. Is there any complaint received from the public to them?

d) Matter to appear on board before Division Bench of Justice K.K. Tated, Chairperson and Shri. M.A. Sayeed, Member in Court No.1 on 23rd December 2022 at 11.00 a.m.


(Justice K. K. Tated)
Chairperson



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus, Mumbai – 400 001

Tel : 22092857 Email:- court1-mshrc@mah.gov.in

DIVISION BENCH **Suo Motu Case No.- 4844/13/30/2022**

Name of Respondent

: Municipal Commissioner
Mira Bhayandar City Municipal
Corporation, Mira Road

Collector
Thane

Member Secretary,
Maharashtra Pollution Control Board
Mumbai

Date

: 06th April 2023

Coram

: Justice K.K. Tated, Chairperson
M.A.Sayeed, Member

ORDER

(Per: M. A. Sayeed, Hon'ble Member)

Navbharat Times of 05.12.2022 reported about running and functioning of RMC plants near Bhayandar without any legal sanction and authority and of having breached the Rules to minimize air pollution in the area. Reports on affidavits came to be placed on record at Ex. 'A' to Ex. 'C' by the stakeholder department.

2. On 27.03.2023 following direction was passed by us:

“Adv. Vineet Jawale for Corporation has placed on record report dated 09.02.2023 signed by Sub Regional Officer, Maharashtra Pollution Control

Board, clarifying on the steps taken against the erring plant owners for alleged illegal and unauthorized constructions of the plants and polluting the atmosphere due to emission of the waste gases affecting the residents living in the nearby vicinity. Important to note that Mr. Rohit M. Suvarna, Former Municipal Corporator, Thane has moved application dated 24.03.2023, raising reservations on the actions taken by the Corporation and the Pollution Board and has also submitted the supporting evidence on record.

2. Considering the issues involved in the present matter we are of the opinion that summons be issued to Rohit M. Survana to submit his affidavit with supporting material on the next date. Shri Satish Padwal, Sub Regional Officer, Maharashtra Pollution Control Board do provide copies of the present matter and the reports placed on record to him.
Matter stand over to 06.04.2023”

3. Apparently, appropriate preventive measures came to be taken by Maharashtra Pollution Control Board as reflected from its report dated 09.02.2023 setting out outcome of its inspection report and the action taken as under:

- “1. Board has issued Closure Direction to M/s. Cemix Concrete, Survey No. 08, H. No. 1, Ghodbunder, Dhananjay Vaity Farm, village, Mira Thane – 401104 also filed prosecution against the said industry JMC, Thane on 20.01.2023 vide no.MA-145 of 2023
2. Board has issued Show Cause Notice for Closure u/s. 33A of the Water (P & CP) Act, 1974 & u/s. 31 A of the Air (P & CP) Act 1981 to Cemix beton, Survey No. 32/3, Ghodbunder village, Mira Bhayandar – 401 107 and given 7 days time for the compliance. Hearing given to the industry on 16.01.2023, and the reply was not satisfactory, hence proposal of closure direction forwarded for approval.
3. Board has issued Interim Direction to M/s. RDC Concrete, Office. 188 Mashachapda, Jarimari Mandir

Road, Kashigaon, Mira Road East, 401107 on 09.01.2023 and given 7 days time for the compliance. The industry visited & found complied with ID conditions.

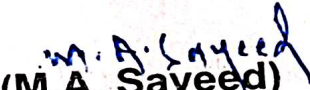
4. For remaining Five RMC instructed them to provide adequate numbers of water sprinklers and foggers for raw material handling section and in the periphery of the plant and Two level tyre washing facility requires additional pit for tyre washing, and assure that, no vehicles allowed to exit the premises without tyre washing. (The copies of the Directions and instruction letter are enclosed and marked Annex-II)

This office has received letter from Law Officer, MBMC, on 30.01.2023, which is enclosed and marked as Annex-III.

4. Thus with the damage control steps taken in time by the stakeholder department against the defaulting factories, the issue raised in the news article can said to have been duly resolved and rectified. Hence following order:

"ORDER"

a) Present suo motu case stands closed and disposed off with no order as to cost.


(M.A. Sayeed)
Member


(Justice K. K. Tated)
Chairperson