

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

maw/k

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

<u>Sr. No.</u>	<u>SUBJECT MATTER/ISSUES ON THE SALT PAN LAND</u>	<u>ACTION TAKEN</u>
1.	Removal of encroachment in CS No. 144 & 145 of Salt Pan Division under Hormoz Salt Works	<p>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 <u>Annexure No. 1</u></p> <p>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 <u>Annexure No. 2</u></p>
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 <u>Annexure No. 3</u>
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	<p>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 <u>Annexure No. 4</u></p> <p>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 <u>Annexure No. 5</u></p> <p>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 (<u>Annexure No. 6</u>), vide his letter dated 20.04.2023 (<u>Annexure No. 7</u>) issued following directions:</p> <ol style="list-style-type: none"> 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. 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. Complaint to be filed u/s 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of

mowte

Salt, Deputy Superintendent of Salt & Salt Pan Operators.

- d. It is the joint responsibility 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,

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 manpower 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.

		<p>The copy of Shri Murarilal N. Garodia's letter dated 21-06-2023 is enclosed here as Annexure No. 16</p> <p>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.</p>
4.	<p>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.</p>	<p>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.</p>

Yours Faithfully,

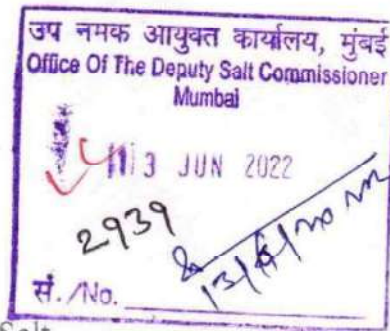
mohita

12-10-23
(Mohita)

Deputy Salt Commissioner,
Mumbai.



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 /2021/Wdl/135-136

Date: 13/06/2022

To,
The Deputy Salt Commissioner,
Mumbai- 400001.

Subject: Report on demolition drive held in C.S. no. 144 at Shantinagar, Wadala on dated 02.06.2022- Reg.

Sir,

In Wadala at Shantinagar, unauthorized structures are/ were made in C.S. no. 117 & 144. Few structures are at diagonal boundary line of C.S.no.117 & 144. A demolition was proposed by the collector, Mumbai (copy of the Notice enclosed, **Annexure - I**) in C.S. no. 117 on 26.05.2022 for which the notice was pasted in the area on 24.05.2022. Based on this notice, the encroachers filed a **Writ Petition (L)No. 16469 of 2022** in Bombay High Court on 25.05.2022 and got an injunction (order copy enclosed, **Annexure - II**) for 3 weeks against the demolition notice of the Collector. So the demolition proposed by the Deputy Collector (Encroachment/Removal), Mumbai is postponed till further order (the letter copy enclosed, **Annexure - III**).

Initially in our letter dated 19.05.2022 (copy enclosed, **Annexure - IV**), it was proposed to have a combined demolition drive in C.S. no. 117 & 144 with the help of the Collector's Mumbai staff, Forest Department staff and BMC staff. But after stay order of dated 25.05.2022, collector's Mumbai staff handcuffed and they did not involve in the demolition.

We proposed demolition date on 1st & 2nd of June, 2022 and moved letter for the purpose to the police authorities. The notice (copy enclosed, **Annexure - V**) for the same was pasted on the unauthorized structures of the area on 30.05.2022 to vacate them. In normal course we could not get letter confirming the Police Bandobast in time. Then myself along the Superintendent of Salt Shri Rajeev Nayak put exhaustive effort to get Police Bandobast but it could not be availed for 01.06.2022. However,

ultimately we succeeded to get a letter (copy enclosed, **Annexure - VI**) from DCP (Bandobast) by 6.30 pm of 01.06.2022. Then online payment of Rs. 152471/= (Rupees one lac fifty two thousand four hundred seventy one) is made (copy of challan enclosed, **Annexure - VII**) for the police bandobast as per the letter issued by the the DCP (Bandobast) to the police authorities to confirm the police bandobast for 02.06.2022.

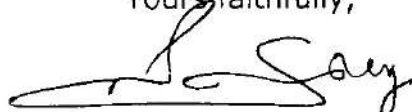
On 02.06.2022 Police Personnels, MCGM officials, BEST staff, Forest Department staff, all gathered at the site around 11.30 am. From the department besides me shri A.K.Srivastava, shri Sekhar, Shri J.E.Va'anjuwani, shri G. Jadav (all Deputy Superintendent of Salt), shri Sanjay Gamre, Shri P.D. Bane (Both MTS) were made their active participation in the demolition. Shri C. Raghu, Deputy Salt Commissioner and Shri Rajeev Nayak, Superintendent of Salt were present on the site in lead role. Two (2) JCB were arranged from market and two were provided by the Mumbai Municipality. Police & Forest guards did march past in the area. Police detained some nominated miscreants of the area before start of the demolition. Afterwards, 4 JCB started their work from different sides and demolished around 60 structures within a span of three hours. We received a good support from MCGM, BEST and Forest department during the demolition to accomplish its success.

Structures failing on diagonal boundary line of C.S. no. 117 & 144 could not be demolished because of standing stay order of Bombay High Court in WP 16469 of 2022 and will be considered for demolition in due course after vacation of the existing stay order.

Entire demolition process of dated 02.06.2022 was photographed and videographed. Thirty (30) Photos, in triplicate, alongwith a pen drive containing soft copy of photos and videos for the conducted demolition are submitted herewith for your perusal and further necessary action in the matter.

Enclosure - As above.

Yours faithfully,



(S N Pandey)
Deputy Superintendent of Salt
Wadala

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











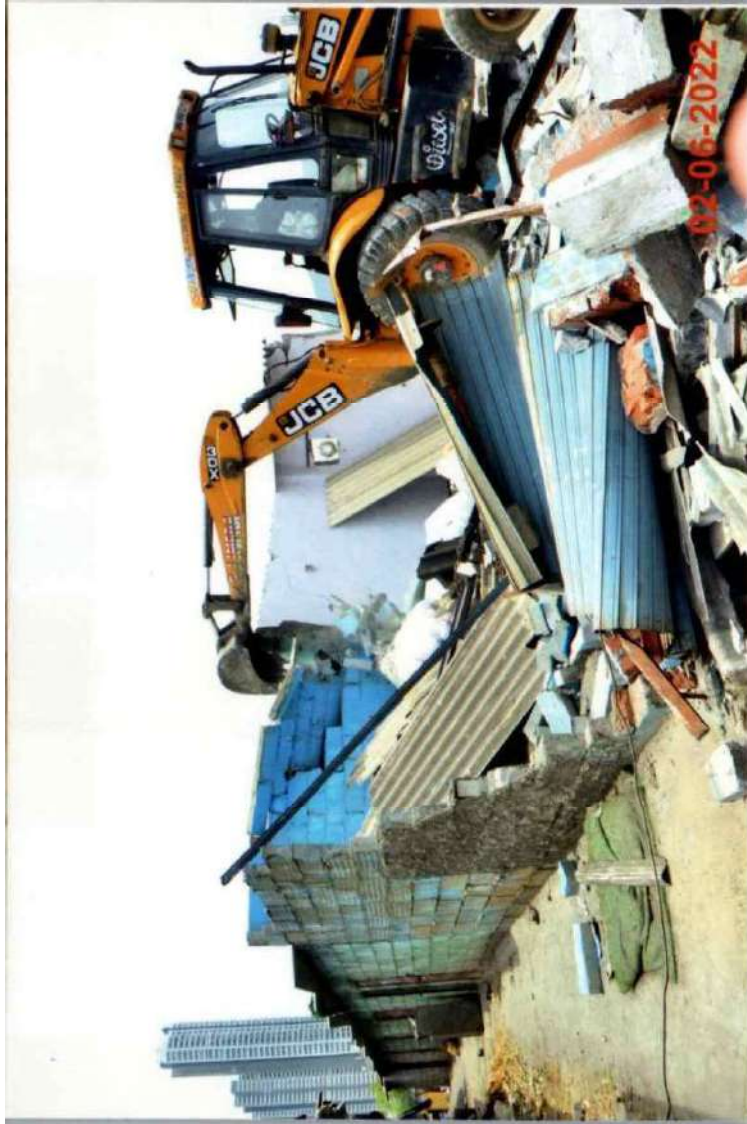


















उप नमक आयुक्त कार्यालय, मुंबई
Office Of The Deputy Salt Commissioner
Mumbai

24 APR 2023

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सं./No. 1662



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

C. No. – 1(1) Admn/Wdl/2023/91-92

Date-22/04/2023

To,
The Deputy Salt Commissioner
Mumbai –400001.

Subject: Report on demolition taken by the department on 20.04.2023 in compliance of NGT order in OA no. 343/2021 (Madhura Rajesh Tawade versus State of Maharashtra). – Reg.

Madam/Sir,

As per instruction issued by you vide letter no. D-11030/13/Land/2008/II/1874 dated 18.04.2023 (Annexure – I), I visited premises of Messrs. Hormoz Salt Works in Wadala and issued a notice dated 20.04.2023 (Annexure – II) to him for demolition of temporary / permanent structure in C.S. no. 144 & 145 of Salt Pan division in Wadala in compliance of NGT, New Delhi order in OA no. 343/2021 (Madura Rajesh Tawade V/s State of Maharashtra).

The salt manufacturer requested me not to disturb the temporary huts of salt labourers as current salt season is going on and salt manufacturing and related activities are allowed in CRZ area. I asked him to give a letter in this regard addressed to the Principal Secretary and copy to all the concerned. Accordingly, he wrote a letter addressed to the Principal Secretary (Environment & Climate change), Mumbai with copy to the Salt Department authorities (Annexure – III) for not to disturb temporary huts of salt labourers and intimated therein that he is going to implead himself in the NGT matter with in 10 days.

Then after the salt manufacturer assured me that he himself will demolish the alleged permanent structure erected near boundary of CS no. 117 & 144 of Salt Pan division, Wadala. Accordingly, he employed persons to cut the erected angles but shri Aazam Ali Shah (a person with whom there is a payment dispute with the salt manufacturer, Annexure – IV) obstructed the persons and asked them not to cut the angles. Then I called police in the matter to tackle the situation. After interference of police, the angles were cut and JCB is utilized to demolish the structure erected there. Ultimately, the structure of half constructed labour shed and a room meant to put the belongings of the labourers were demolished by 5.00 pm on dated 20.04.2023. Since the salt manufacturer himself demolished the structure, no man & machinery is asked/ used from BMC in this demolition. A photograph revealing the site situation before and after the demolition is enclosed, in duplicate, for further course of action.

Enclosures – As above.

Yours faithfully,

(S N Pandey)
Deputy Superintendent of Salt
Wadala

Copy submitted to

The Superintendent of Salt, Bhandup for information please.



भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,

Ballard Estate, MUMBAI - 400001

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

C. No. D-11030/13/Land/2008/II/ 1874

Date: 18/04/2023

To

- 1) The Sr. Inspector of Police,
Wadala TT Police Station.
- 2) The Sr. Inspector of Police,
Wadala Police Station.

RECEIVED18/04/23
Dispatch Writer

Wadala Police Station, Mur

Sir,

Subject- Providing of Police Bandobast for demolition of unauthorized structures on the CRZ area of salt pan lands under CS No. 144 and CS No. 145- Regarding.

In the meeting of the Task Force headed by the Ld. Principal Secretary Environment & Climate Change Department, Govt. of Maharashtra for implementation of order of the Hon'ble National Green Tribunal, it has been decided to carry out demolition of unauthorized structures on the CRZ area of salt pan lands under CS No. 144 and CS No. 145 on 20-04-2023.

You are, therefore, requested to provide police bandobast to our Deputy Superintendent of Salt, Wadala at 10.30 AM on 20-04-2023 for carrying out demolition of unauthorized structures on the above cited area.

Yours faithfully,

(A. P. Mohanty)

Superintendent of Salt
O/o Deputy Salt Commissioner
MUMBAI

- 1) Copy forwarded to the Assistant Municipal Commissioner, F/ North Ward, MCGM with a request to provide men & machinery on 20-04-2023 for the above demolition programme.
- 2) Copy to the Deputy Superintendent of Salt, Wadala. He is requested to contact both the above police stations for taking police bandobast and carrying out demolition on the above site as discussed in the Task Force meeting on 18-04-2023, and report compliance.

P.T.O.

Page 1 of 2

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व्यक्तिगत कार्यालय
वडावा पोलिस स्टेशन
मुंबई 19/04/23



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

C. No. – 1(P)Adm/Wdl/2023/86- 88

Date: 20.04.2023

To,
Hormoz Salt Works,
Wadala.

Subject: Demolition of unauthorized temporary labour structure present in your salt work premises - Reg

Dear Sir,

Please refer the visit of the Principal Secretary (Environment & Climate change) on 18.04.2023 in your salt work premises in pursuation of implementing the NGT order in case no. 343/2021. As per instruction of the Principal Secretary, no temporary/ permanent structure is allowed in CRZ area. It is, therefore, decided to demolish all the temporary structure present in your salt work premises today itself.

Yours faithfully,

(S N Pandey)
Deputy Superintendent of Salt
Wadala

Copy submitted to

- 1) The Deputy Salt Commissioner, Mumbai in reference to his letter dated D-11030/13/Land/II/1876 dated 18.04.2023
- 2) The Superintendent of Salt, Bhandup.

20/4/2023
HOR MOZ SALT WORKS
Salt Pen Road Shanti Nagar,
Wadala (E), Mumbai-400 037

o/c

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 Principal Secretary
Environment and Climate Change
Mumbai

Dated : 20/04/2023

Sub – Order Passed in NGT OA 343/2021

Sir,

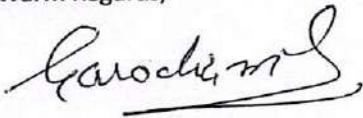
Please refer to your visit on 18/04/2023 in our salt works premises. In compliance of the instruction issued by you , salt department authority are going to demolish Labour huts present in our salt premises for residential purpose of seasonal labour of salt today itself .We want to put following facts before you for your consideration

- 1)Our Salt Works Industry exists since 1913 i.e before implementation of the CRZ Notification.
- 2)Salt Manufacturing and allied activity are allowed in CRZ area.
- 3)At Present salt season is going on and it is inhuman to demolish the temporary huts of labourers
- 4)Temporary Labour shed which is half constructed is constructed on the instruction of salt department to protect from land grabbing and encroachment in C.S. 144 by miscreants and land mafia of the area.

Notice is issued by Deputy Superintendent of Salt, Wadala on 20/04/2023 is just received to demolish the all temporary structures in our salt works premises today itself .

Here we inform you that we are getting impleaded in this case barely within 10 days , so kindly provide us at least 15 days times and defer the demolition of temporary labourers huts .

Warm Regards,



For Hormuz Salt Works

Copy Submitted to :

- 1) Salt Commissioner ,Jaipur
- 2) Deputy commissioner of Salt , Mumbai
- ✓ 3) Deputy Superintendent of Salt ,Wadala with reference to his notice dated 20.04.2023.



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

C. No. – 1(1) Admn/Wdl/2023/75-77

Date-15/04/2023

To,
The Senior Inspector of Police,
Wadala T.T. Police Station,
Wadala, Mumbai –37.

Subject: Complaint for encroachment by shri Aajam Ali Saha over central govt. land in CS no. 144 of Salt Pan division – Reg.

Sir,

Please find enclosed, herewith, a copy of letter dated 10.04.2023 received from the salt manufacturer of Messrs. Hormoz Salt Works, Wadala addressed to you and copy endorsed to this office. In the letter, he is complaining about extortion & encroachment activity of shri Aajam Ali Saha. I visited the site on 12.04.2023 where shri Aajam Ali Saha met me. When I asked him that why is he here? He said that he will not leave the place till the money asked by him from shri Murari Lal Garodiya, the salt manufacturer of M/s Hormoz Salt Works, is paid to him. It is found at site that he has dumped some material in big size plastic bags in the area of CS no. 144 with intention to grab the govt. land.

You are requested to intervene & take suitable action in the matter against the person named above in order to prevent the encroachment over govt. property.

Enclosures – As above.

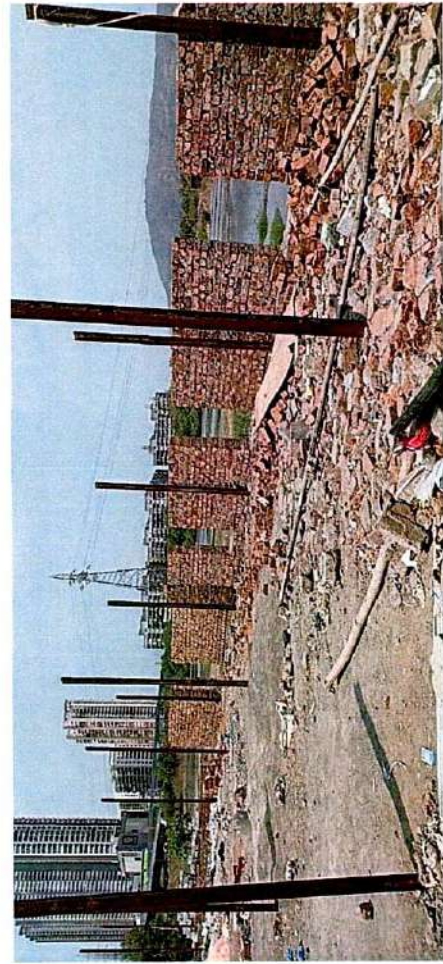
Yours faithfully,

(S N Pandey)
Deputy Superintendent of Salt
Wadala

Copy submitted to

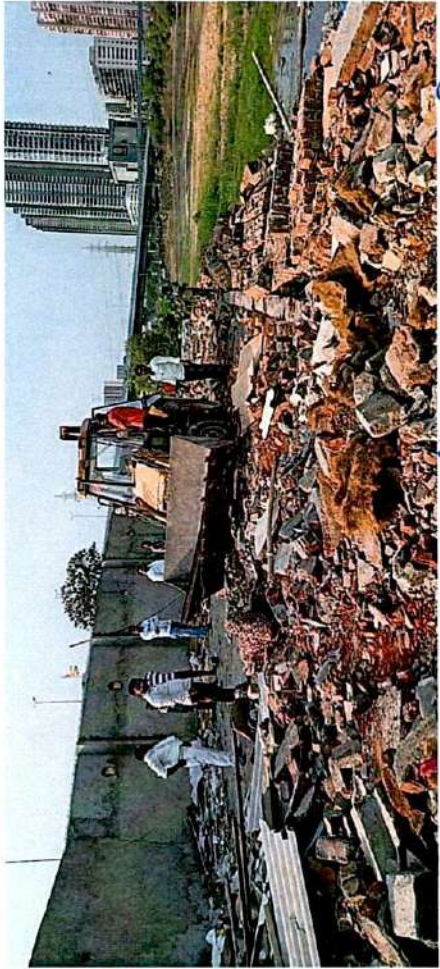
- 1) The Superintendent of Salt, Bhandup for information please.
- 2) The Deputy Salt Commissioner, Mumbai for information please.

etc



(After Demolition)

THE CONCERNED SITE
(Before Demolition)



THE CONCERNED SITE (Before Demolition)

(After Demolition)







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

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,

Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430-5436

Date: 29 /10/2022

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.

Sir,

Sub : Unauthorised activities in Hormoz salt works at
Wadala Salt Factory - Dumping of debris and
construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (**Annexure No. A**) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (**Annexure No. B**) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to remove unauthorised dumping of waste, illegal encroachments and to restore the area.

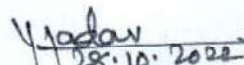
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,


28.10.2022
(Y. K. Yadav)

for Deputy Salt Commissioner
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

- (i) The Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI – 400032.
- (ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.



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

C. No. 1(1)Admn/Wdl/2023/51 - 54

Date :27/03/2023

To,

- 1) The Sr. Inspector of Police,
Wadala TT Police Station
- 2) The Sr. Inspector of Police,
Wadala Police Station

Sub: Request to file an FIR against shri Murarilal N. Garodia and shri Byram Rohinton Dhalla for non-compliance of orders of Hon'ble National Green Tribunal, New Delhi and also non-complying of official instructions with regard to dumping of C & D waste in CS No. 144 & 145 of Salt Pan Division at Wadala under Hormoz salt works - Reg.

Sir,

It is to inform that the Hon'ble National Green Tribunal, New Delhi vide order dated 28.09.2022 (**Annexure No. 1**) in OA No. 343/2021 (Madhura R. Tawde Vs/ State of Maharashtra) has ordered removal of C&D waste dumped in CS No. 144, 145 & 117 of Wadala Salt Pan Division. The land under CS No. 144 & 145 is owned by Government of India and there is Hormoz salt works on the said land which is operated by shri Murarilal N. Garodia and shri Byram Rohinton Dhalla. The land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra. Some antisocial elements and land mafias have dumped C & D waste in land under CS No. 117 of Wadala salt pan division. Some of the C & D waste dumped in CS No. 117 has been spilled over into land under CS No. 144 of Hormoz salt works in about 1000 sqm area. The quantity of C & D waste spilled over into CS No. 144 may be about 1000 cum. Also, some of the C & D waste has been utilized by shri Murarilal N. Garodia and shri Byram Rohinton Dhalla in CS No. 144 & 145 of Wadala Salt Pan Division for strengthening of outer embankment of Hormoz salt works. The length of the strengthened outer embankment is about 800 m, the width of bund is 5m (Avg.) and height is 1.5 m. Thus for strengthening of outer embankment, about 6000 cum C & D waste might have been utilized by shri Murarilal N. Garodia and shri Byram Rohinton Dhalla. The Hon'ble National Green Tribunal vide

Tree
वारीशी लोखनिक
वडाळा टूक डमिना पो.
मुंबई 27/3/23

RECEIVED
MURARILAL N. GARODIA
27/3/2023
Dispatch Writer

order dated 28.09.2022 has ordered removal of the said C & D waste. As the said order dated 28.09.2022 was not implemented since last 5 months, the Hon'ble National Green Tribunal vide order dated 15.03.2023 (**Annexure No. 2**) has again ordered to remove the C & D waste within three month from the date of order.

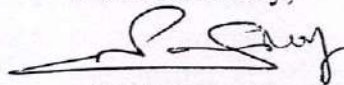
The Deputy Salt Commissioner, Mumbai vide letter No. S-11011(30)Salt/84/5430-5436 (**Annexure No. 3**) asked shri Murarilal N. Garodia and shri Byram Rohinton Dhalla to immediately remove the C & D waste from land bearing CS No. 144 & 145. But they have not complied with the directions of the Deputy Salt Commissioner till date. Also, in view of order dated 15.03.2023 of the Hon'ble National Green Tribunal, the Superintendent of Salt, Bhandup vide letter No. D-11030(7)Wdl/2022/226-227 dated 16.03.2023 (**Annexure No. 4**) has directed shri Murarilal N. Garodia and shri Byram Rohinton Dhalla to remove the C & D waste from land under CS No. 144 & 145 within 7 days from the receipt of the said letter. The letter has been handed over to them on 17.03.2023. But they have not complied with the orders of the Hon'ble National Green Tribunal and also not complied with the direction of the Salt Department Officers.

Shri Murarilal N. Garodia and shri Byram Rohinton Dhalla, being in possession of the land for the purpose of salt manufacture, are solely responsible to protect the land from such unauthorized activities and also it is his responsibility to take necessary action to implement orders of Hon'ble National Green Tribunal. As the Hon'ble National Green Tribunal had taken serious note of the non-compliance of their order dated 28.09.2023, it is necessary to register an FIR against shri Murarilal N. Garodia and shri Byram Rohinton Dhalla.

In view of above, it is requested to register an FIR against shri Murarilal N. Garodia and shri Byram Rohinton Dhalla, operators of Hormoz salt works at Salt Pan Division, Wadala (East).

Encl. : As above.

Yours faithfully,



(S N Pandey)

Deputy Superintendent of Salt
Wadala

Copy submitted for information to

- 1) The Supdt. of Salt, Bhandup.
- 2) The Deputy Salt Commissioner, Mumbai.

O/c

GOVERNMENT OF MAHARASHTRA

Phone No.- 022-22029388
E-mail – dir1.mev-mh@nic.in

No. MCZMA 2022/ CR 3/ TC 4
Department of Environment, Forest 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 Task Force Committee for monitoring the status of 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 Task Force Committee is hereby constituted as below to monitor the status of compliance of Hon'ble NGT order.

01	Director, Department of Environment & CC, GoM	Chairman
02	Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM	Member
03	Assistant Commissioner, Wadala, MCGM	Member
04	District Collector, Mumbai City & his representative	Member
05	Deputy Collector (Encroachment), Dharavi Region	Member
06	Deputy Salt Commissioner & Superintendent of Salt from the office of Salt Commissioner, GoI	Member
07	Deputy Commissioner of Police, Zone IV, Mumbai	Member
08	City Survey and Land Record Officer	Member
09	Regional Officer (BMW), MPCB	Member-Convenor

The committee shall take review of the status and shall take / recommend the necessary steps for the compliance of Hon'ble NGT order. RO, MPCB, Mumbai shall make 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) Director, Department of Environment & CC, GoM
- 3) Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM
- 4) Assistant Commissioner, Wadala, MCGM
- 5) District Collector, Mumbai City & his representative
- 6) Deputy Collector (Encroachment), Dharavi Region
- 7) Deputy Salt Commissioner & Superintendent of Salt from the office of Salt Commissioner, GoI
- 8) Deputy Commissioner of Police, Zone IV, Mumbai
- 9) City Survey and Land Record Officer
- 10) Regional Officer (BMW), MPCB Mumbai
- 11) Regional Officer, MPCB, Mumbai

GOVERNMENT OF MAHARASHTRA

Tel. No. : 22029388
 E-mail : dir1.mev-mh@nic.in
 Website: <https://mczma.gov.in/>

No. OA 2022 / CR 3 / TC - 4
 Office of the -
 Maharashtra Coastal Zone Management Authority,
 Environment & Climate Change Department,
 15th floor, New Administrative Building,
 Mantralaya, Mumbai- 400 032.
 Date: 20th April, 2023

To,

1) Municipal Commissioner,
 Municipal Corporation of Greater Mumbai,
 Mahapalika Marg, Fort, Mumbai

2) Perna Joshi,
 Salt Commissioner, Government of India,
 New Delhi

3) District Collector, Mumbai City
 Old Custom House,
 Mumbai City

4) Deputy Commissioner of Police,
 Zone IV, Mumbai

5) Regional Officer,
 Maharashtra Pollution Control Board,
 Sion, Kalpataru Point, Mumbai

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

Ref: Site Visit of the Principal Secretary, Env&CC Department on 18th April, 2023

Dear Sir/ Madam,

This is to inform you that The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18th April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment &CC Department to deliberate and decide on further line of actions. Copy of the minutes of site visit and joint meeting is attached herewith.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18th April, 2023 for implementing the Hon'ble NGT directions
3. 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
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the 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 machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.
10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises 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.

In the light of above, it is hereby directed that MCGM, Salt Pan Department, District Collector, Mumbai City should immediate start implementing the above said directions. District Collector, Mumbai City should file complaint under Section 19 & 15 of the

Environment (Protection) Act, 1986 as stated above. Police Department should provide all assistance / support to MCGM, Salt Pan Department and District Collector, Mumbai City for implementing the directions of the Hon'ble NGT.

~~Yours~~ faithfully,


(Abhay Pimparkar)

Director, Environment and Climate Change Dept.

Copy for information to:

1. **Principal Secretary, Environment & Climate Change Department, 2nd Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.**
2. **Select File TC-4**

MINUTES OF SITE VISIT AND JOINT MEETING

SUB: Compliance of Orders 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)

The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18th April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit. List of Officials present is attached as Annexure I.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18th April, 2023 for implementing the Hon'ble NGT directions
3. 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
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the 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 machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee

members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGZM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.

10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises 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.
-

SITE VISIT










Visit of principal secretary, Environment & CC Dept at
Wadala salt pan, Shanti Nagar, Wadala.

Date: 18th April, 2023

Ref: Hon. NGR order dt 28/9/2022 &
15/3/2023 in O.A. 343/2021
(Madhura Tawade v/s GOM)

List of officials present for site visit

Sr. No.	Name & Designation of official	Signature & Contact
1)		
2)		
3)	Ravi Katakdhond CAD. collector, Mumbai City	<u>Ravi Katakdhond</u>
4)	Chanda Jadhav DMCSWM	<u>Chanda Jadhav</u>
5)	Krishna Kanase - SLR Mumbai city collector office	<u>Krishna Kanase</u> (9930626664)
6)		
7)	P.N. Kulkarni E.E. (SWM) 2IT	<u>P.N. Kulkarni</u> 9137172334
8)	A.P. Mohanty, Suptd. of Salt	<u>A.P. Mohanty</u> 902285588
9)	S.N. PANDEY, Dy Subdt. of salt	<u>S.N. Pandey</u> 9426967322
10)	G.V. BELHAR A.C. (BMC)	<u>G.V. Belhar</u> - 9424046715

Meeting Regarding Meeting regarding construction and demolition waste management at salt pan, Mumbai					Date - 18/04/2023 Time - 11:00 M
Sr. No.	Name Of Officers & Designation	Department	Contact No.	Signature	Email ID
1	Shri Pravin Darade, IAS Principal Secretary, Environment	Environment Department			
2	Ravi Katakdhond Ad. Collector Mumbai City	Revenue.	9699000000		
3	Chanda Jadhav DMC, SWM	BMC	9167203780		dmjcsion@mcgm.gov.in
4	Abhay Pimpstar	Envce Dept	9890624888		abhaypn@yahoo.com
5	Gajanan Bellare	Ae BMC	8424046715		ac.fn@mcgm.gov.in
6	Parshuram N. Kulkade	E.E.(SWM) 2011	9137172334		167412@mcgm.gov.in
7	A.P. Motanty,	Supdt. of Salt	9022955888		a.p.motanty@mcgm.gov.in
8	S.N. RAMOBY	Dy. Supdt. of salt	9426967322		bandyinspeetsalt65@gmail.com
9	Pramod Hendre	C&D Consultant	9821022096		Pramodhendre2@mcgm.gov.in
10	Santosh Patil	Sidhasiri, Kaneri	9820920209		santoshpatil@yksresort.com

11	Dr. D. A. Patel	CRZ Consultant	9323058368		lap_24@hotmail.com
12	T. G. Yadav	SPOM MPCB	9987528609		
13	Samaj Ashok	connect office mumbai city	9967977259		
14	Krishnat Karax	CSCR, Mumbai city Collector office	9930626664		cts.rev.collectorcity@gmail.com
15	A.N. Shendge	Ward Executive Engineer F/W ward	9892924769		!!!
16	S.K. Gaitwad	Executive Engineer (P&F) D.O. FIN ward, BMC	9004649964		
17	ANIL SHARMA	Regional CEO Metro waste handling Ltd	9867714965		anilsharma@cityofmumbai.com
18	Pramod B. Shelke	PCMC CBD waste management Pkts.	8087911590		pramod7shelke@gmail.com
19	K.S. Langote	F.O, MPCB	9869450079		
20					
21					
22					



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

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate, MUMBAI - 400001

C. No. D-11030(1)Land/2008/II/ 1963-66 Date: 24/04/2023

To,

The Principal Secretary,
Environment & Climate Change Department,
15th Floor, New Administrative Building,
Madam Cama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai - 400032.

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 & 145 of Salt Pan Division under Hormoz salt works at Wadala Salt Factory - Reg.

Sir,

Please refer to your letter No. MCZMA 2022/CR 3/TC4 dated 20.04.2023 on the above subject under which following directions have been issued by you with regard to Salt Department:-

3. 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.
4. 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.
5. Complaint to be filed u/s 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt & Salt Pan Operators.
6. 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.

2. As per provisions of rule 5, 6 & 7 of Construction and Demolition Waste Management Rules, 2016 Rules (**Annexure No. 1**), management & disposal of C&D waste is the sole responsibility of the Waste Generator & the Local Authority i.e. Municipal Corporation of Greater Mumbai (MCGM). Accordingly, circular dated 28.09.2018 (**Annexure No. 2**) has been issued by MCGM prescribing Standard Operating Procedure for management of C&D Waste. Google earth images of Hormoz salt works of October 2019 and two dates thereafter (enclosed herewith at **Annexure No. 3**) reveal that the C&D waste has been used for strengthening of bunds by the salt works on or after 15th October 2019
3. In view of provisions of Construction and Demolition Waste Management Rules, 2016 and MCGM circular dated 28.09.2018, the Salt Department is not at all responsible for use of C&D waste by the salt manufacturer.
4. The Hon'ble NGT under para 5 of their order dated 28.09.2022 had directed MCGMA to provide budgetary support for removal and disposal of C&D waste from salt pan sites. Hence the directions issued by you are in contravention to the NGT Order.
5. As directed by you during the site visit of the Salt Works on 18.4.2023, our Deputy Superintendent of Salt , Shri S. N. Pandey had asked M/s Hormoz Salt Works to demolish Rest sheds for labourers vide his letter No. 1(2)Adm/Wdl/2023/86-88 dated 20.4.23 (**Annexure No. 4**) and M/s Hormoz Salt Works vide their letter dated 20.4.2023 (**Annexure No. 5**) addressed to you requested you to grant 15 days' time to implead themselves in the case, even then, the encroachments / half constructed structures near Madina Masjid in Hormoz salt works have been removed by them in the presence of Deputy Superintendent of Salt and Police personnel on 20.04.2023
6. Earlier too, the encroachments on salt pan lands under Hormoz salt works were removed by a joint demolition drive undertaken by the Superintendent of Salt and Deputy Superintendent of Salt during June 2022. A copy of the said report in this regard is enclosed herewith at **Annexure No. 6**. Further, this office vide letter No. S-11011(30)Salt/84/5430-5436 dated 29.10.2022 (**Annexure No. 7**) had directed the salt manufacturers of Hromoz salt works to remove C&D waste dumped in Hormoz salt works immediately. No further dumping has been undertaken by them afterwards. The Action Taken Report in the matter has already been submitted by this office to Director, Environment & Climate Change Department of Government of Maharashtra vide letter of even No. 6386 dated 23.12.2022 (**Annexure No. 8**).

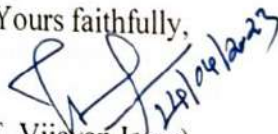
7. In view of above, you are requested to relook the directions issued vide your above referred letter dated 20.4.2023 and withdraw the directions given to the District Collector, Mumbai to file FIR against Salt Department Officers and reconsider passing on the responsibility of removal of C&D waste to the Salt Department.

8. As for the budgetary provisions for installation of CCTV camera in the Salt work is concerned, the matter is being taken up with the higher ups

Encl. : As above.

Draft approved by the Deputy
Salt Commissioner, Mumbai

Yours faithfully,



(T. Vijayan Isaac)

for Deputy Salt Commissioner

MUMBAI



Copy submitted to the Salt Commissioner, Jaipur for information and necessary action.

Copy to the District Collector, Mumbai City.

Copy to the Deputy Municipal Commissioner (SWM), BMC H. O., Annexe Building, 3rd Floor, Mahapalika Marg, Mumbai - 400001.

[Published In the Gazette of India, Part-II, Section-3, Sub-section (ii)]
Ministry of Environment, Forest and Climate Change

NOTIFICATION

New Delhi, the 29th March, 2016

G.S.R. 317(E).-Whereas the Municipal Solid Wastes (Management and Handling) Rules, 2000 published vide notification number S.O. 908(E), dated the 25th September, 2000 by the Government of India in the erstwhile Ministry of Environment and Forests, provided a regulatory frame work for management of Municipal Solid Waste generated in the urban area of the country;

And whereas, to make these rules more effective and to improve the collection, segregation, recycling, treatment and disposal of solid waste in an environmentally sound manner, the Central Government reviewed the existing rules and it was considered necessary to revise the existing rules with a emphasis on the roles and accountability of waste generators and various stakeholders, give thrust to segregation, recovery, reuse, recycle at source, address in detail the management of construction and demolition waste.

And whereas, the draft rules, namely, the Solid Waste Management Rules, 2015 with a separate chapter on construction and demolition waste were published by the Central Government in the Ministry of Environment, Forest and Climate Change vide G.S.R. 451 (E), dated the 3rd June, 2015 inviting objections or suggestions from the public within sixty days from the date of publication of the said notification;

And Whereas, the objections or suggestions received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 6, 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Wastes (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby notifies the following rules for Management of Construction and Demolition Waste –

1. Short title and commencement.-(1) These rules shall be called the Construction and Demolition Waste Management Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.-The rules shall apply to every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organisation or authority who generates construction and demolition waste such as building materials, debris, rubble.

3. Definitions –(1) In these rules, unless the context otherwise requires,-

(a) “ ACT’ means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "**construction**" means the process of erecting of building or built facility or other structure, or

building of infrastructure including alteration in these entities,;

- (c) **"construction and demolition waste"** means the waste comprising of building materials, debris and rubble resulting from construction, re-modeling, repair and demolition of any civil structure;
- (d) **"de-construction"** means a planned selective demolition in which salvage, re-use and recycling of the demolished structure is maximized;
- (e) **"demolition"** means breaking down or tearing down buildings and other structures either manually or using mechanical force (by various equipment) or by implosion using explosives.
- (f) **"form"** means a Form annexed to these rules;
- (g) **"local authority"** means an urban local authority with different nomenclature such as municipal corporation, municipality, nagarpalika, nagarnigam, nagarpanchayat, municipal council including notified area committee and not limited to or any other local authority constituted under the relevant statutes such as gram panchayat, where the management of construction and demolition waste is entrusted to such agency;
- (h) **"schedule"** means a schedule annexed to these rules;
- (i) **"service provider"** means authorities who provide services like water, sewerage, electricity, telephone, roads, drainage etc. often generate construction and demolition waste during their activities, which includes excavation, demolition and civil work;
- (j) **"waste generator"** means any person or association of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defence establishments who undertakes construction of or demolition of any civil structure which generate construction and demolition waste.

(2) Words and expressions used but not defined herein shall have the same meaning defined in the ACT.

(4) Duties of the waste generator -

- (1) Every waste generator shall prima-facie be responsible for collection, segregation of concrete, soil and others and storage of construction and demolition waste generated, as directed or notified by the concerned local authority in consonance with these rules.
- (2) The generator shall ensure that other waste (such as solid waste) does not get mixed with this waste and is stored and disposed separately.
- (3) Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste into four streams such as concrete, soil, steel, wood and plastics, bricks and mortar and shall submit waste management plan and get appropriate approvals from the local authority before starting construction or demolition or remodeling work and keep the concerned

authorities informed regarding the relevant activities from the planning stage to the implementation stage and this should be on project to project basis.

(4) Every waste generator shall keep the construction and demolition waste within the premise or get the waste deposited at collection centre so made by the local body or handover it to the authorised processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains.

(5) Every waste generator shall pay relevant charges for collection, transportation, processing and disposal as notified by the concerned authorities; Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall have to pay for the processing and disposal of construction and demolition waste generated by them, apart from the payment for storage, collection and transportation. The rate shall be fixed by the concerned local authority or any other authority designated by the State Government.

(5) Duties of service provider and their contractors -

(1) The service providers shall prepare within six months from the date of notification of these rules, a comprehensive waste management plan covering segregation, storage, collection, reuse, recycling, transportation and disposal of construction and demolition waste generated within their jurisdiction.

(2) The service providers shall remove all construction and demolition waste and clean the area every day, if possible, or depending upon the duration of the work, the quantity and type of waste generated, appropriate storage and collection, a reasonable timeframe shall be worked out in consultation with the concerned local authority.

(3) In case of the service providers have no logistics support to carry out the work specified in sub-rules (1) and (2) , they shall tie up with the authorised agencies for removal of construction and demolition waste and pay the relevant charges as notified by the local authority.

(6) Duties of local authority-The local authority shall,-

(1) issue detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provisions of these rules and the local authority shall seek detailed plan or undertaking as applicable, from generator of construction and demolition waste;

(2) chalk out stages, methodology and equipment, material involved in the overall activity and final clean up after completion of the construction and demolition ;

(3c) seek assistance from concerned authorities for safe disposal of construction and demolition waste contaminated with industrial hazardous or toxic material or nuclear waste if any;

(4) shall make arrangements and place appropriate containers for collection of waste and shall remove at regular intervals or when they are filled, either through own resources or by appointing private operators;

- (5) shall get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators;
- (6) shall give appropriate incentives to generator for salvaging, processing and or recycling preferably in-situ;
- (7) shall examine and sanction the waste management plan of the generators within a period of one month or from the date of approval of building plan, whichever is earlier from the date of its submission;
- (8) shall keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update once in a year;
- (9) shall device appropriate measures in consultation with expert institutions for management of construction and demolition waste generated including processing facility and for using the recycled products in the best possible manner;
- (10) shall create a sustained system of information, education and communication for construction and demolition waste through collaboration with expert institutions and civil societies and also disseminate through their own website;
- (11) shall make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non-structural concrete, paving blocks, lower layers of road pavements, colony and rural roads.

(7) Criteria for storage, processing or recycling facilities for construction and demolition waste and application of construction and demolition waste and its products-

- (1) The site for storage and processing or recycling facilities for construction and demolition waste shall be selected as per the criteria given in **Schedule I**;
- (2) The operator of the facility as specified in sub- rules (1) shall apply in **Form I** for authorization from State Pollution Control Board or Pollution Control Committee.
- (3) The operator of the facility shall submit the annual report to the State Pollution Control Board in **Form II**.
- (3) Application of materials made from construction and demolition waste in operation of sanitary landfill shall be as per the criteria given in **Schedule II**.

(8) Duties of State Pollution Control Board or Pollution Control Committee-

- (1) State Pollution Control Board or Pollution Control Committee shall monitor the implementation of these rules by the concerned local bodies and the competent authorities and the annual report shall be sent to the Central Pollution Control Board and the State Government or Union Territory or any other State level nodal agency identified by the State Government or Union Territory administration for generating State level comprehensive data. Such reports shall also contain the comments and suggestions of the State Pollution Control Board or Pollution Control Committee with respect to any comments or changes required;

(2) State Pollution Control Board or Pollution Control Committee shall grant authorization to construction and demolition waste processing facility in **Form-III** as specified under these rules after examining the application received in **Form I**;

(3) State Pollution Control Board or Pollution Control Committee shall prepare annual report in **Form IV** with special emphasis on the implementation status of compliance of these rules and forward report to Central Pollution Control Board before the 31st July for each financial year.

(9) Duties of State Government or Union Territory Administration-

(1) The Secretary in-charge of development in the State Government or Union territory administration shall prepare their policy document with respect to management of construction and demolition of waste in accordance with the provisions of these rules within one year from date of final notification of these rules.

(2) The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition waste.

(3) The Town and Country planning Department shall incorporate the site in the approved land use plan so that there is no disturbance to the processing facility on a long term basis.

(4) Procurement of materials made from construction and demolition waste shall be made mandatory to a certain percentage (say 10-20%) in municipal and Government contracts subject to strict quality control.

(10) Duties of the Central Pollution Control Board - (1) The Central Pollution Control Board shall,-

(a) prepare operational guidelines related to environmental management of construction and demolition waste management;

(b) analyze and collate the data received from the State Pollution Control Boards or Pollution Control Committee to review these rules from time to time;

(c) coordinate with all the State Pollution Control Board and Pollution Control Committees for any matter related to development of environmental standards;

(d) forward annual compliance report to Central Government before the 30th August for each financial year based on reports given by State Pollution Control Boards of Pollution Control Committees.

(11) Duties of Bureau of Indian Standards and Indian Roads Congress -The Bureau of Indian Standards and Indian Roads Congress shall be responsible for preparation of code of practices and standards for use of recycled materials and products of construction and demolition waste in respect of construction activities and the role of Indian Road Congress shall be specific to the standards and practices pertaining to construction of roads.

(12) Duties of the Central Government -

- (1) The Ministry of Urban Development, and the Ministry of Rural Development, Ministry of Panchayat Raj, shall be responsible for facilitating local bodies in compliance of these rules;
- (2) The Ministry of Environment, Forest and Climate Change shall be responsible for reviewing implementation of these rules as and when required.

13. Timeframe for implementation of the provisions of these rules -The timeline for implementation of these rules shall be as specified in **Schedule III**:

14. Accident reporting by the construction and demolition waste processing facilities-In case of any accident during construction and demolition waste processing or treatment or disposal facility, the officer in charge of the facility in the local authority or the operator of the facility shall report of the accident in **Form-V** to the local authority. Local body shall review and issue instruction if any, to the in-charge of the facility.

Schedule I**Criteria for Site Selection for Storage and Processing or Recycling Facilities for construction and demolition Waste**

[See Rule 7(1)]

- (1) The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition and hand over the sites to the concerned local authority for development, operation and maintenance, which shall ultimately be given to the operators by Competent Authority and wherever above Authority is not available, shall lie with the concerned local authority.
- (2) The Local authority shall co-ordinate (in consultation with Department of Urban Development of the State or the Union territory) with the concerned organizations for giving necessary approvals and clearances to the operators.
- (3) Construction and demolition waste shall be utilized in sanitary landfill for municipal solid waste of the city or region as mentioned at Schedule I of these rules. Residues from construction and demolition waste processing or recycling industries shall be land filled in the sanitary landfill for solid waste.
- (4) The processing or recycling shall be large enough to last for 20-25 years (project based on-site recycling facilities).
- (5) The processing or recycling site shall be away from habitation clusters, forest areas, water bodies, monuments, National Parks, Wetlands and places of important cultural, historical or religious interest.
- (6) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the

total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local authority in consultation with concerned State Pollution Control Board.

- (7) Processing or recycling site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles or other modes of transportation.
- (8) The approach and or internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (9) Provisions of weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (10) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided and Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (11) In order to prevent pollution from processing or recycling operations, the following provisions shall be made, namely:
 - (a) Provision of storm water drains to prevent stagnation of surface water;
 - (b) Provision of paved or concreted surface in selected areas in the processing or recycling facility for minimizing dust and damage to the site.
 - (c) Prevention of noise pollution from processing and recycling plant;
 - (d) provision for treatment of effluent if any, to meet the discharge norms as per Environment (Protection) Rules, 1986.
- (12) Work Zone air quality at the Processing or Recycling site and ambient air quality at the vicinity shall be monitored.
- (13) The measurement of ambient noise shall be done at the interface of the facility with the surrounding area, i.e., at plant boundary.
- (14) The following projects shall be exempted from the norms of pollution from dust and noise as mentioned above:

For construction work, where at least 80 percent construction and demolition waste is recycled or reused in-situ and sufficient buffer area is available to protect the surrounding habitation from any adverse impact.
- (15) A vegetative boundary shall be made around Processing or Recycling plant or site to strengthen the buffer zone.

Schedule II

Application of materials made from construction and demolition waste and its products.

[See Rule 7(3)]

Sl. No.	Parameters	Compliance Criteria
1	<p>Drainage layer in leachate collection system at bottom of Sanitary Landfill Gas Collection Layer above the waste at top of Sanitary Landfill and Drainage Layer in top Cover System above Gas Collection Layer of Sanitary Landfill For capping of sanitary landfill or dumpsite, drainage layer at the top</p>	<p>Only crushed and graded hard material (stone, concrete etc.) shall be used having coarse sand size graded material (2mm – 4.75mm standard sieve size). Since the coarse sand particles will be angular in shape (and not rounded as for riverbed sand), protection layers of non-woven geo-textiles may be provided, wherever required, to prevent puncturing of adjacent layers or components.</p>
2	Daily cover	<p>Fines from construction and demolition processed waste having size up to 2 mm shall be used for daily cover over the fresh waste.</p> <p>Use of construction and demolition fines as landfill cover shall be mandatory where such material is available. Fresh soil (sweet earth) shall not be used for such places and borrow-pits shall not be allowed. Exception – soil excavated during construction of the same landfill. During hot windy days in summer months, some fugitive dust problems may arise. These can be minimised by mixing with local soil wherever available for limited period.</p>
3	Civil construction in a sanitary landfill	Non-structural applications, such as kerb stones, drain covers, paving blocks in pedestrian areas.

Schedule III
Timeframe for Planning and Implementation
[See Rule 13]

Sl. No.	Compliance Criteria	Cities with population of 01 million and above	Cities with population of 0.5-01 million	Cities with population of less than 0.5 million
1	Formulation of policy by State Government	12 months	12 months	12 months
2	Identification of sites for collection and processing facility	18 months	18 months	18 months
3	Commissioning and implementation of the facility	18 months	24 months	36 months
4	Monitoring by SPCBs	3 times a year – once in 4 months	2 times a year – once in 6 months	2 times a year – once in 6 months

**The time Schedule is effective from the date of notification of these rules.*

FORM – I
See [Rule 7 (2)]
Application for obtaining authorisation

To,
The Member Secretary

_____ Name of the local authority or Name of the agency :
appointed by the municipal authority

Correspondence address Telephone No. Fax No.	
Nodal Officer and designation (Officer authorized by the competent authority or agency responsible for operation of processing or recycling or disposal facility)	
Authorisation applied for (Please tick mark)	Setting up of processing or recycling facility of construction and demolition waste
Detailed proposal of construction and demolition waste processing or recycling facility to include the following Location of site approved and allotted by the Competent Authority. Average quantity (in tons per day) and composition of construction and demolition waste to be handled	

<p>at the specific site.</p> <p>Details of construction and demolition waste processing or recycling technology to be used.</p> <p>Quantity of construction and demolition waste to be processed per day.</p> <p>Site clearance from Prescribed Authority.</p> <p>Salient points of agreement between competent authority or local authority and operating agency (attach relevant document).</p> <p>Plan for utilization of recycled product.</p> <p>Expected amount of process rejects and plan for its disposal (e.g., sanitary landfill for solid waste).</p> <p>Measures to be taken for prevention and control of environmental pollution.</p> <p>Investment on project and expected returns.</p> <p>Measures to be taken for safety of workers working in the processing or recycling plant.</p> <p>Any preventive plan for accident during the collection, transportation and treatment including processing and recycling should be informed to the Competent Authority (Local Authority) or Prescribed Authority</p>	
<p>Date:</p>	<p>Signature of Nodal Officer</p>

Form-II

See [Rule (7) (3)]

Format for Issue of Authorisation to the Operator

File No.: _____

Date : _____

To,

Ref : Your application number _____ **Dt.**

The _____ State Pollution Control Board or Pollution Control Committee after examining the proposal hereby authorizes _____ having their administrative office at _____ to set up and operate construction and demolition waste processing facility at _____ on the terms and conditions (including the standards to comply) attached to this authorisation letter.

1. The validity of this authorisation is till _____. After expiry of the validity period, renewal of authorisation is to be sought.

2. The _____ State Pollution Control Board or Pollution Control Committee may, at any time, for justifiable reason, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

3. Any violation of the provision of the construction and demolition Waste Management Rules, 2016 shall attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

Date:
Place:

(Member Secretary)
**State Pollution Control Board/
Pollution Control Committee**

Form –III

See [Rule 8(2)]

Format of Annual Report to be submitted by Local Authority to the State Pollution Control Board

- (i) Name of the City or Town.....
- (ii) Population.....
- (iii) Name and address of local authority or competent authority

Telephone No :

Fax :

Email ID:

Website:

- (iv) Name of In-charge or Nodal Officer dealing with construction and demolition wastes management with designation

1. Quantity and composition of construction and demolition waste including any deconstruction waste

- (a) Total quantity of construction and demolition waste generated during the whole year in metric ton

Any figures for lean period and peak period generation per day

Average generation of construction and demolition waste (TPD)

Total quantity of construction and demolition waste collected per day

Any Processing / Recycling Facility set up in the city

Status of the facility

- (b) Total quantity of construction and demolition waste processed / recycled (in metric ton)
 - Non-structural concrete aggregate :
 - Manufactured sand :
 - Ready-mix concrete (RMC) :
 - Paving blocks :
 - GSB :

Others, if any, please specify :

(c) Total quantity of Construction & Demolition waste disposed by land filling without processing (last option) or filling low lying areas

No of landfill sites used :
 Area used :
 Whether weigh-bridge : Yes No
 facility used for quantity estimation?

(d) Whether construction and demolition waste used in sanitary landfill (for solid waste) as per Schedule III : Yes No

2. Storage facilities

(a) Area or location or plot or societies covered for collection of Construction and Demolition waste

(b) No. of large Projects (including roadways project) covered

(c) Whether Area or location or plot or societies collection is Practiced (if yes, whether done by Competent Authority or Local Authority or through Private Agency or Non-Governmental Organization) :

(d) Storage Bins : -----

Specifications (Shape & Size)	Existing Number	Proposed for future
----------------------------------	--------------------	------------------------

(i) Containers or receptacle (Capacity) :
 (ii) Others, please specify :

(e) Whether all storage bins/collection spots are attended for daily lifting : Yes No

(e) Whether lifting of Construction & Demolition Waste from Storage bins is manual or mechanical (please tick mark) please specify mode : Manual Mechanical Others, and equipment used (specify equipment)

3. Transportation

 Existing Actually Required/Proposed number

Truck :
 Truck-Hydraulic :
 Tractor-Trailer :
 Dumper-placers :
 Tricycle :

Refuse-collector :
 Others (Please specify) :

4. Whether any proposal has been made to improve Construction and Demolition waste management practices

**5. Have any efforts been made to involve PPP for processing of Construction & Demolition waste :
 If yes, what is (are) the technologies being used, such as:**

Processing / recycling Technology	(Quantity to be processed)	Steps taken
Dry Process	:	
Wet Process	:	
Others, if any, Please specify	:	

6. What provisions are available to check unauthorized operations of:

Encroachment on river bank or wet bodies :
 Unauthorized filling of low line areas :
 Mixing with solid waste :
 Encroachment in Parks, Footpaths etc. :

7. How many slums are provided with construction and demolition waste receptacles facilities:

8. Are municipal magistrates appointed for taking penal action for non-compliance with these rules: Yes No
 [If yes, how many cases registered & settled during last three years (give year wise details)]

Dated:
Commissioner

Signature of Municipal

Form -IV

See [Rule (8)(3)]

Format of Annual Report to be submitted by the State Pollution Control Board / Committees to the Central Pollution Control Board

To,

The Chairman,
 Central Pollution Control Board,
 PariveshBhawan, East Arjun Nagar,
 Delhi-110032

1. Name of the State/Union territory :
2. Name & address of the State
Pollution Control Board/Pollution
Control Committee :
3. Number of municipal authorities
responsible for management of municipal
solid wastes in the State/Union territory
under these rules :
4. A Summary Statement on progress made
by municipal authorities in respect of
implementation of **Schedule III]** : Please attach as Annexure-I
5. A Summary Statement on progress made by
municipal authorities in respect of
implementation of **Schedule IV** : Please attach as Annexure-II

Date:

Chairman or the Member Secretary

Place:

**State Pollution Control Board/
Pollution Control Committee**

Form –V
See [Rule14]
Accident reporting

1. Date and time of accident :
2. Sequence of events leading to accident :
3. The type of construction and demolition waste involved in accident :
4. Assessment of the effects of the accidents
a. on traffic, drainage system and the environment :
5. Emergency measures taken :
6. Steps taken to alleviate the effects
a. of accidents :
7. Steps taken to prevent the recurrence
a. of such an accident :
8. Regular monthly health checkup of workers at

- a. Processing / recycling site shall be made
9. Any accident during the collection,
- a. transportation and treatment including
 - b. processing and recycling should be informed
 - c. to the Competent Authority (Local Authority) or
 - d. Prescribed Authority

Date :

Place:

Authorized Signatory

Designation

[18-6/2014-HSMD]

Bishwanath Sinha, Joint Secretary

Municipal Corporation of Greater Mumbai

No. Dy.Ch.Eng./SWM/3957/Op. dt. /09/2018

CIRCULAR

28-9-2018

Subject: Implementation of the Construction and Demolition Waste Management Rules, 2016**Reference:** i) Hon'ble Supreme Court's order in the Special Leave Petition (civil) No. D 23708/2017, dated 15/03/2018
ii) Hon'ble M.C. Sir's Approval w/no. MGC/F/7076 dtd. 30.08.2018

The Construction and Demolition Waste Management Rules, 2016 is applicable to 'every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organisation or authority who generates construction and demolition waste such as building materials, debris, rubble'.

Hon'ble Supreme Court vide order dated 15/03/2018, has directed to dispose of construction and demolition waste material by following due procedure in accordance with the provisions of the Construction and Demolition Waste Management Rules, 2016''.

In order to put curb on the un-authorisedly dumped waste, it is essential to control it by asking ward Maintenance department or any MCGM department to issue work-permission only after assessing the total estimated quantity of C&D waste likely to be generated out of repairs / construction / trenching work or any such civil works, and asking them to make payment in advance or in stages of waste generation for the 'Debris on Call' system or transport C&D waste to designated unloading site.

Following standard operating procedure is proposed to be adopted:

- 1) MCGM department like A. E. (Maintenance), A. E. (B&F), H.E., S.O., S.P., M.S.D.P., W.S.P., S.W.D., S.W.M., C.E., B.C., B.M., Roads, Bridges, etc. carrying out civil work / repairs works etc. shall put condition in the tender / quotation / work order to dispose of C&D waste generated either by (i) 'Debris on Call' scheme if generation of C&D waste is less than 300MT for entire project or (ii) contractor shall transport to designated unloading site approved by MCGM S.W.M. department by following due procedure if C&D waste is more than 300MT for entire project.
- 2) The estimated quantity of the C&D waste generated shall be certified by A.E. (Maintenance) Ward or the concerned department.
- 3) If quantity of C&D waste is less than 300MT, A. E. (S.W.M.) Ward will issue Challan for making payment as per 'Debris on call' scheme on approval from Zonal Ex. Eng. (S.W.M.).
- 4) If quantity of C&D waste is more than 300MT, the contractor / agency will submit C&D waste management plan complete with requisite documents to Zonal Ex. Eng. (S.W.M.). On approval, the contractor / citizen / agency carrying out the civil works will be allowed to transport the C&D waste material to the designated unloading site.
- 5) The contractor / citizen / agency carrying out the civil works shall maintain & submit the appropriate record like date, quantity of C&D waste transported, vehicle No., Challan of Receipt of C&D waste from unloading site etc.
- 6) The whole system of issuing NOC for C&D waste transportation and payment will be made ONLINE and for this M/S. Sofitech will be asked to develop appropriate software on the basis of existing norms being done for auto-DCR portal.
- 7) The proposals will be processed manually till the complete system fully operational online.
- 8) All the contractors / agencies using designated unloading site must maintain proper record of the C&D waste generated and transported along with date and vehicles through which C&D is transported & the copies of Challans from unloading site for having unloaded the C&D waste and submit the same to A.E. (S.W.M.) ward through concerned department.

Sd/-07/08/2018
Ch. Eng. (S.W.M.)Sd/-07/08/2018
D.M.C. (S.W.M.)Sd/-10/08/2018
A.M.C.(E.S.)Sd/-29/08/2018
Municipal Commissioner

EE(SWM)Z-VT Forwarded for information and compliance please

Dy. Ch. Eng. (SWM) Op.

पुणे जिल्हा महानगरपालिका
 कार्यकारी अभियंता (घटकव्य)
 कार्यालय - 5/6 दादर कार्यालय

04 OCT 2018

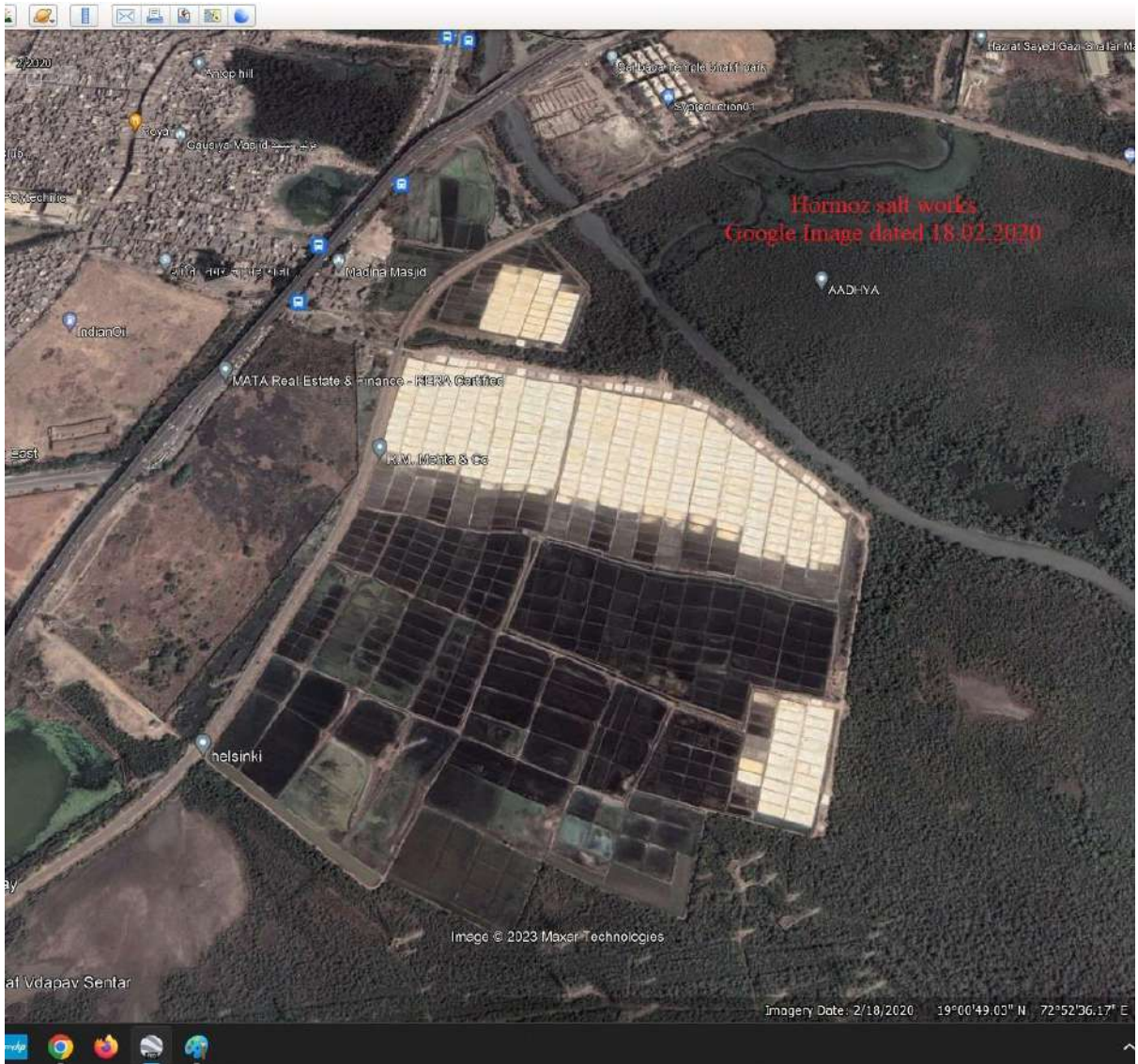
946

ज. कार्य, अभि./घटकव्य/ परि-5/6


प्रशासकीय अधिकारी (घटकव्य) परि-5/6
 दुय्यम अभियंता (घटकव्य) प्रचालन
 सहायक अभियंता (घटकव्य) प्रचालन
 श्री/श्रीमती
 पुढील कार्यवाहीसाठी

कार्यकारी अभियंता
 (घटकव्य) परि-5/6








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

C. No. – 1(P)Adm/Wdl/2023/86-88

Date: 20.04.2023

To,
 Hormoz Salt Works,
 Wadala.

Subject: Demolition of unauthorized temporary labour structure present in your salt work premises - Reg

Dear Sir,

Please refer the visit of the Principal Secretary (Environment & Climate change) on 18.04.2023 in your salt work premises in pursuation of implementing the NGT order in case no. 343/2021. As per instruction of the Principal Secretary, no temporary/ permanent structure is allowed in CRZ area. It is, therefore, decided to demolish all the temporary structure present in your salt work premises today itself.

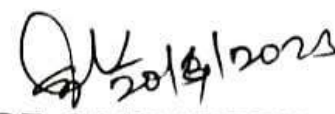
Yours faithfully,



(S N Pandey)
 Deputy Superintendent of Salt
 Wadala

Copy submitted to

- 1) The Deputy Salt Commissioner, Mumbai in reference to his letter dated D-11030/13/Land/II/1876 dated 18.04.2023
- 2) The Superintendent of Salt, Bhandup.


HOR MOZ SALT WORKS
 Salt Pen Road Shanti Nagar,
 Wadala (E), Mumbai-400 037

o/c

Subject to Mumbai Jurisdiction

Annexure - III

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 Principal Secretary
Environment and Climate Change
Mumbai

Dated : 20/04/2023

Sub – Order Passed in NGT OA 343/2021

Sir,

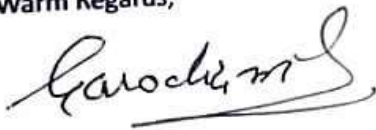
Please refer to your visit on 18/04/2023 in our salt works premises. In compliance of the instruction issued by you , salt department authority are going to demolish Labour huts present in our salt premises for residential purpose of seasonal labour of salt today itself .We want to put following facts before you for your consideration

- 1)Our Salt Works Industry exists since 1913 i.e before implementation of the CRZ Notification.
- 2)Salt Manufacturing and allied activity are allowed in CRZ area.
- 3)At Present salt season is going on and it is inhuman to demolish the temporary huts of labourers
- 4)Temporary Labour shed which is half constructed is constructed on the instruction of salt department to protect from land grabbing and encroachment in C.S. 144 by miscreants and land mafia of the area.

Notice is issued by Deputy Superintendent of Salt, Wadala on 20/04/2023 is just received to demolish the all temporary structures in our salt works premises today itself .

Here we inform you that we are getting implead in this case barely within 10 days , so kindly provide us at least 15 days times and defer the demolition of temporary labourers huts .

Warm Regards,



For Hormuz Salt Works

Copy Submitted to :

- 1) Salt Commissioner ,Jaipur
- 2) Deputy commissioner of Salt , Mumbai
- 3) Deputy Superintendent of Salt ,Wadala with reference to his notice dated 20.04.2023.

(494)



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

उप नमक आयुक्त कार्यालय, मुंबई
Office Of The Deputy Salt Commissioner
Mumbai

13 JUN 2022

2939

सं./No. 134/2022

C. No. -9(1) Land /2021/Wdl/135-136

Date: 13/06/2022

To,
The Deputy Salt Commissioner,
Mumbai- 400001.

Subject: Report on demolition drive held in C.S. no. 144 at Shantinagar, Wadala on dated 02.06.2022- Reg.

Sir,

In Wadala at Shantinagar, unauthorized structures are/ were made in C.S. no. 117 & 144. Few structures are at diagonal boundary line of C.S.no.117 & 144. A demolition was proposed by the collector, Mumbai (copy of the Notice enclosed, **Annexure - I**) in C.S. no. 117 on 26.05.2022 for which the notice was pasted in the area on 24.05.2022. Based on this notice, the encroachers filed a **Writ Petition (L)No. 16469 of 2022** in Bombay High Court on 25.05.2022 and got an injunction (order copy enclosed, **Annexure - II**) for 3 weeks against the demolition notice of the Collector. So the demolition proposed by the Deputy Collector (Encroachment/Removal), Mumbai is postponed till further order (the letter copy enclosed, **Annexure - III**).

Initially in our letter dated 19.05.2022 (copy enclosed, **Annexure - IV**), it was proposed to have a combined demolition drive in C.S. no. 117 & 144 with the help of the Collector's Mumbai staff, Forest Department staff and BMC staff. But after stay order of dated 25.05.2022, collector's Mumbai staff handcuffed and they did not involve in the demolition.

We proposed demolition date on 1st & 2nd of June, 2022 and moved letter for the purpose to the police authorities. The notice (copy enclosed, **Annexure - V**) for the same was pasted on the unauthorized structures of the area on 30.05.2022 to vacate them. In normal course we could not get letter confirming the Police Bandobast in time. Then myself along the Superintendent of Salt Shri Rajeev Nayak put exhaustive effort to get Police Bandobast but it could not be availed for 01.06.2022. However,

ultimately we succeeded to get a letter (copy enclosed, **Annexure - VI**) from DCP (Bandobast) by 6.30 pm of 01.06.2022. Then online payment of Rs. 152471/= (Rupees one lac fifty two thousand four hundred seventy one) is made (copy of challan enclosed, **Annexure - VII**) for the police bandobast as per the letter issued by the the DCP (Bandobast) to the police authorities to confirm the police bandobast for 02.06.2022.

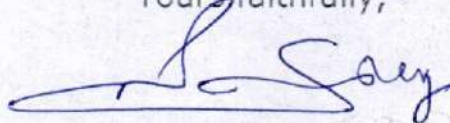
On 02.06.2022 Police Personnels, MCGM officials, BEST staff, Forest Department staff, all gathered at the site around 11.30 am. From the department besides me shri A.K.Srivastava, shri Sekhar, Shri J.E.Valanjuwani, shri G. Jadav (all Deputy Superintendent of Salt), shri Sanjay Gamre, Shri P.D. Bane (Both MTS) were made their active participation in the demolition. Shri C. Raghu, Deputy Salt Commissioner and Shri Rajeev Nayak, Superintendent of Salt were present on the site in lead role. Two (2) JCB were arranged from market and two were provided by the Mumbai Municipality. Police & Forest guards did march past in the area. Police detained some nominated miscreants of the area before start of the demolition. Afterwards, 4 JCB started their work from different sides and demolished around 60 structures within a span of three hours. We received a good support from MCGM, BEST and Forest department during the demolition to accomplish its success.

Structures falling on diagonal boundary line of C.S. no. 117 & 144 could not be demolished because of standing stay order of Bombay High Court in WP 16469 of 2022 and will be considered for demolition in due course after vacation of the existing stay order.

Entire demolition process of dated 02.06.2022 was photographed and videographed. Thirty (30) Photos, in triplicate, alongwith a pen drive containing soft copy of photos and videos for the conducted demolition are submitted herewith for your perusal and further necessary action in the matter.

Enclosure - As above.

Yours faithfully,



(S N Pandey)

Deputy Superintendent of Salt
Wadala

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

उपनिर्वाहक (अतिक्रमण/निष्कासन) धारावी विभाग यांचे कार्यालय
 नुन जकात घाट, वडमजला, शाहीर भाग, मुंबई, महाराष्ट्र, ४०० ००२
 तारीख: २९ डिसेंबर २००८

***** जाहीर नोटीस *****

विषय: १. शासकीय मोकळ्या जागेवर झालेल्या वेकावदीशिर बांधकामां
 अतिक्रमण निष्कासन कार्यवाही संबंधित जाहीर सूचना.

न.मु.क्र.१९७, शाहीरनगर सायट पिन रोड, हाणवे नजक, वडळ (पु), मंडळ-३७
 येथील राज्य शासन मालकीच्या मोकळ्या जागेवर काली-उत्पादात्मिक स्वकीय
 अतिक्रमण/वेकावदीशिर बांधकामे केली असल्याचे निदर्शनास आले. आता
 यापूर्वी दोषाल मदर टिकाणी असलेल्या कच्च्या/पक्क्या स्वरूपाचे
 अतिक्रमण/वेकावदीशिर बांधकामे केली असल्याने या कार्यवाहीत यापूर्वी
 अतिक्रमण/वेकावदीशिर बांधकामे निष्कासन केल्या आहेत. आता पुन्हा मळान
 त्याच टिकाणी अतिक्रमण/वेकावदीशिर बांधकामे बांधण्यात येऊन शासन
 मालकीच्या मोकळ्या जागेवर कच्च्या केल्या दिवून येता.

मदर टिकाणी महाराष्ट्र शासन महसूल व अर्थविभाग बांधकाम शासन
 परिपत्रक दि.१९ डिसेंबर २००८ नुसार व महाराष्ट्र जमीन महसूल अधिनियम
 १९६६ चे कलम ५० अन्वयेचे तरतुदीनुसार भू.क्र.११७ या शासन मालकीच्या
 जागेवर वेकावदीशिर बांधकामे केल्या अतिक्रमण बांधकामा या जाहीर सूचनाद्वारे
 कळविण्यात येते, की त्यांनी सदरचे केल्या वेकावदीशिर बांधकामे हो २४ ताका
 आत स्वतःहून निष्कासन करावे. अन्यथा उपनिर्वाहक (अतिक्रमण/निष्कासन) धारावी
 विभाग, मुंबई शहर या कार्यालयामार्फत निष्कासन कार्यवाही करण्यात येईल.
 तसेच निष्कासनाद्वारे अतिक्रमण धारक याने शासकीय जमात अदावरील
 आणण्याचा प्रयत्न केल्यास संबंधितवर गुन्हा दाखल करण्यात येईल. याची नोंद
 घ्यावी.



उपनिर्वाहक (अतिक्रमण/निष्कासन)
 धारावी विभाग, मुंबई शहर.

SRS

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Praecipe-WP(L)-16469-2022.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 16469 OF 2022

Shaikh Mehboobali Jainuddin & Ors. .. Petitioners

V/s

The State of Maharashtra & Ors. .. Respondents

Mr. Rammani Upadhyay a/w Jigar Agarwal and Suman Mourya
for Petitioners.

Mr. A. L. Patki - Addl. GP for State.

CORAM: PRAKASH D. NAIK &
ABHAY AHUJA, JJ.

DATE : 25th MAY 2022
(Vacation Court)

P.C. :-

1. Not on board. Mentioned. Taken on board.
2. The Petitioners herein are challenging the public notice dated 23rd May, 2022 (Exhibit - F) indicating that the land on Survey No. 117 belongs to the Government and the structures are unauthorized and within twenty four hours, the occupants on the said plot of land shall vacate the premises and the

Respondents will demolish the said premises.

3. Learned Advocate for the Petitioners submitted that the structures are in existence since last several years. He has relied upon certain documents annexed to this Petition such as electricity bill and the voters I.D. card and submitted that the structures are in existence at least since 1994. It is further submitted that the action is being initiated when the Monsoon is approaching without giving sufficient notice to the Petitioners to approach the Authority under the Maharashtra Land Revenue Code, 1966.

4. It is submitted that remedy of Appeal is provided for challenging such notice under Section 50(5) of the aforesaid Code. The Petitioners would prefer such an Appeal but since the notice vacating the premises or demolishing it is very short, the Petitioners have approached this Court under Article 226 of the Constitution of India. It is apprehended that in the event, the premises are demolished, the Petitioners will be homeless.

5. Learned Additional GP Mr.Patki submitted that the Petitioners have no right to occupy the premises on the land

belonging to the Government. The structures are not covered by the SRA Scheme. The documents relied upon by the Petitioners are in respect to the other plot of land. The structures were demolished in the past also and these structures are erected repeatedly inspite of demolition. Under these circumstances, twenty four hours' notice is required to be given to the Petitioners. He relied upon the map to indicate that the structures which are sought to be demolished by the Respondents are towards the North side.

6. After hearing the arguments of both the learned Advocates at length, we find that these are all the disputed questions of facts. It is not possible for us to decide such contentious issues in a Writ. However, an Appeal is provided under Section 50(5) of the Maharashtra Land Revenue Code, 1966. The structures are sought to be demolished by tomorrow. In the circumstances, to permit the Petitioners to prefer an Appeal in accordance with the aforesaid Code and till then some relief may be granted to the Petitioners.

7. The Petitioners may prefer an Appeal within two weeks

SRS

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Praecipe-WP(L)-16469-2022.doc

from today before the Competent Authority in accordance with Section 50(5) of the Maharashtra Land Revenue Code, 1966. For a period of three weeks, the Respondents shall not implement the impugned notice of demolition.

8. All the contentions of the parties are kept open.
9. The Petition stands disposed of.

(ABHAY AHUJA, J.)

(PRAKASH D. NAIK, J.)

police letter.pdf

उपजिल्हाधिकारी (अतिक्रमण/निष्कासन) धारावी विभाग यांचे कार्यालय
जुने जकात घर, तळमजला, शाहीद भगतसिंग रोड, फोंट, मुंबई-४०० ००१

(दुपयने क्र.०२२-२२६२४७४०)

क्र.कार्या.१/अ.वा./निष्का.कार्यक्रम/२०२२

दि.२६/०५/२०२२ सक.३८०

प्रति,

मा. पोलीस उप आयुक्त (अभिधान),
सह. पोलीस आयुक्त (का व सु) यांचे कार्यालय,
बृहन्मुंबई, पोलीस आयुक्त कार्यालय,
माता रमाबाई आंबेडकर मार्ग, मुंबई - ४०० ००१.

विषय :- अतिक्रमण निष्कासन कार्यवाही करणेकरी पोलीस धारावल न सुरक्षितवापस.

संदर्भ:- १) या कार्यालयाचे घर क्र.कार्या.१/अ.वा./निष्का.कार्यक्रम/२०२२ दि.०६/०५/२०२२ वा.क्र.३३५.

न.मु.क्र.११७(पे), शाहीनगर सॉल्ट पॅन रोड, मराना मॉस्टर जवळ, हाथवे नजीक, वडाळा (पु.)
मुंबई-३७ येथील शासकीय जमिनीवर काही असाधारण व्यक्तींनी बेकायदेशीर अतिक्रमण करून अर्ध
टक्का टिकाणी महाराष्ट्र शासन महसूल व वनविभाग यांचेकडील शासन पॉरचरक दि.१९ डिसेंबर २००८
नुसार महाराष्ट्र जमीन महसूल अधिनियम १९६६ चं कालम ५० अन्वये प्राप्त अधिकाऱ्यानुसार शासकीय
जमिनीवरील नव्याने झालेले अतिक्रमण हटविण्याचेनिष्कासन कार्यक्रम या कार्यालयामार्फत
दि.२६/०५/२०२२ रोजी सकाळी १०.०० वा. पासून आयोजित करण्यात येतून त्याअनुषंगाने संदर्भात
दि.०६/०५/२०२२ रोजीचे पत्रान्वये पोलीस बंदोबस्त मिळवणेच विनंती करणेत आलेली होती. परंतु अनाधिकृत
बांधकामधारक यानी दि.२५/०५/२०२२ रोजी मा.उप. न्यायालय येथे दाखल केलेल्या रिट रिटोगत नुसार
सदर प्रकरणी दि.२५/०५/२०२२ रोजी मा.उप. न्यायालय, मुंबई येथे सुनावणी होतून प्रकरणी ४ अटबंद
कार्यवाहीस स्थगिती आदेश दिलेले आहेत. सध्या दि.२६/०५/२०२२ रोजीचा निष्कासन कार्यक्रम तूतास
स्थगित ठेवणेत आलेला आहे. त्यामुळे पोलीस बंदोबस्त पुरवठ्यास येवू नये ही विनंती.

उपजिल्हाधिकारी (अतिक्रमण/निष्का.)
धारावी विभाग, मुंबई शहर

प्रति,

१) वॉरंट पोलीस निरीक्षक, वडाळा टूक टर्मिनस पोलीस ठाणे, वडाळा, मुंबई - ४०० ०३७ यांना
माहितीसाठी व योग्य त्या कार्यवाहीसाठी अर्पित.

Office Work/Desktop/Enc & 3 Z Letter/Letter



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

C. No. - 1(1)Admn/Wdl/2021/116-121

Date : 19/05/2022

To,
The Deputy Commissioner of Police (Bandobast),
Police Commissioner Office,
Mata Ramabai Ambedkar Marg, Mumbai - 400001.

Subject: Request to provide Police Bandobast to remove the encroachment behind & around Madina Masjid area in Shantinagar, Wadala (East), Mumbai.

Sir,

Several illegal structures have been erected by the miscreants on government land in Survey no. 117 and 144 of Wadala, behind and around Madina Masjid area in Shantinagar, Wadala (East), during lockdown period and afterward. Survey no. 117 belongs to the State Govt. of Maharashtra whereas adjacent land under Survey no. 144 is owned by Union of India through Salt Department.

It is proposed to carry out demolition of the unauthorized structures **on 01.06.2022 & 02.06.2022**. You are, therefore, requested to provide us police Bandobast on the above mentioned dates at 11 O'clock on the proposed date to maintain law & order during demolition drive at the above mentioned sites. The following police personnels are required **for two days @ 8 hours per day** at the time of demolition drive on the above mentioned dates to maintain law & order-

Sl. No.	Designation	No. of persons required
1	Police Inspector (PI)	02
2	Police Sub-Inspectors (PSI)	04
3	Assistant Sub-Inspectors of Police (ASI)	04
4	Head Constables (HC)	08
5	Police Constables (Sepoy)/ WPC.	25 (including 10 WPC)

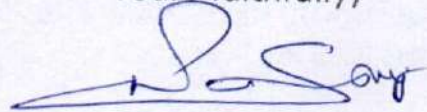
PTO

You are, therefore, requested to intimate us following information at the earliest

- 1) the net amount required to be deposited for police protection charges for 2 days,
- 2) In which favour, it is to be deposited and
- 3) The system to be adopted for the payment of police protection charges to enable us to carry out demolition drive on the proposed dates.

Your kind co-operation in the matter is solicited.

Yours faithfully,



(S N Pandey)
Deputy Superintendent of Salt
Wadala

Copy submitted for information & necessary action

- (1) The Senior Inspector of Police, Wadala T.T. Police station, Wadala with reference to his letter no. 8550/2021 dated 21.12.2022.
- (2) The Assistant Commissioner of Police, Sion Division, Sector -7, Antop Hill, Wadala, Mumbai 400037. He is requested to look into the matter.
- (3) Messrs. Hurmoz Salt Works, Wadala, Mumbai. He is requested to keep ready material to fence the boundary of Survey no. 144 at Madina Masjid side after removal of encroachment.
- (4) The Deputy Salt Commissioner, Mumbai.
- (5) The Superintendent of Salt, Bhandup.

भारत सरकार
नमक अधीक्षक कार्यालय
भांडूप (पूर्व) - ४०००४२

Government of India
Office of Superintendent of Salt
Bhandup (East), Mumbai - 400042

प्रसिद्धि पत्रक

दिनांक 01/06/2022 आणि 02/06/2022 या कालावधीत मौजे माटुंगा C.S.No.144, साल्ट पैन विभाग, येथील नमक विभाग भारत सरकारच्या जागे वर झालेल्या अनधिकृत अतिक्रमीत झोपड्यांवर अतिक्रमण निष्कासन करण्याची कारवाई संयुक्तीकरिल्या नमक विभाग, पोलीस विभाग, बृहन्मुंबई महानगर पालिका यांचे मार्फत नियोजित आहे. तरी सदर क्षेत्रामध्ये असलेल्या अनधिकृत झोपडी धारकांना सूचित करण्यात येते की त्यांनी त्यांचेकडे असलेले झोपडीतील किंमतीवस्तू, मौल्यवान वस्तू, घरातील सामान स्वतःहून त्वरीत काढून घ्यावे अतिक्रमण निष्कासनच्या कारवाईच्या दरम्यान जर आपल्या घरातील सामानाचे नुकसान झाल्यास त्यास शासनाचे कोणतेही विभाग जबाबदार राहणार नाही, त्यास सर्वस्वी आपण स्वतः जबाबदार असाल याची नोंद घ्यावी.

दिनांक : 27-05-2022



नमक अधीक्षक,
भांडूप

भारत सरकार
नमक अधीक्षक कार्यालय
भांडूप (पूर्व) - ४०००४२

Government of India
Office of Superintendent of Salt
Bhandup (East), Mumbai - 400042

प्रसिद्धि पत्रक

दिनांक 01/06/2022 तथा 02/06/2022 को मौजे माटुंगा C.S.No.144, साल्ट पैन विभाग में नमक विभाग (भारत सरकार) की जगह पर बने हुए अनधिकृत झोपडीयों के निष्कासन की कारवाई संयुक्तरूप से नमक विभाग, पोलीस विभाग, बृहन्मुंबई महानगर पालिका की तरफ से किया जाएगा, अतः इस क्षेत्र में आने वाली अनधिकृत झोपडी धारकों को सूचित किया जाता है कि आप अपना कीमती सामान, मूल्यवान वस्तुएँ तथा अन्य सभी प्रकार के घर का सामान अपने आप तुरंत निकाल ले अन्यथा अतिक्रमण के निष्कासन की प्रक्रिया के दौरान यदि आपके घर के सामान को कोई नुकसान पहुँचता है तो इसका उत्तरदायित्व सरकार का नहीं होगा, तथा सम्पूर्ण रूप से झोपडीधारक स्वतः उत्तरदायी रहेगा, जिसका संज्ञान हो।

दिनांक : 27-05-2022



नमक अधीक्षक,
भांडूप





सदरक्षणाय खलोनग्रहणाय



महाराष्ट्र शासन
पोलीसविभाग

कक्ष-११(बंदोबस्त शाखा)
पोलीस आयुक्त, यांचे कार्यालय
डॉ. डी. एन. रोड, मुंबई- ४००००१

दूरध्वनी क्र. २२६२०६१०

Email I.D. desk11.mum@mahapolice.gov.in

DATE 01/10/2022

O.W.NO.CP/D-11(4)/SSG/2931/2022

प्रति,
वरिष्ठ पोलीस निरीक्षक,
वडाळा टी.टी. पोलीस ठाणे,
मुंबई.

विषय :- अतिव्रमण निष्कासनाकरीता पोलीस बंदोबस्त मिळणेबाबत.
संदर्भ : १) जा.क.री.न.१०(१)/जमिन/बीएनडी/१३/पीटी-४/२०६/२२, दि.१२/०९/२२.
२) जा.क.पोउआ/कक्ष-११(४)/एसएसजी/२७१०/२२, दि.२०/०९/२२.
३) जा.क.पोउआ/परि-०४/१४४४/२२, दि.३१/०९/२२.

उपरोक्त विषय व संदर्भीय पत्र सोबत पाठविण्यात येत आहे. उप अधिक्षक, मिठ विभाग, भांडूप, मुंबई यांनी सर्व्हे नं.१५ मधील सरकारी जमिनीवर अनेक बेकायदा बांधकामे असून वडाळा येथील ११७ आणि १४४, शांतीनगर येथील मदिना मशिदीच्या मागे, वडाळा पूर्व या ठिकाणी निष्कासन कारवाईकरीता दि.०१/०६/२०२२ व दि.०२/०६/२०२२ रोजी ०३ पोलीस निरीक्षक, ०६ पोलीस उप निरीक्षक, ०६ पो.ह., २५ पोलीस अंमलदार, १० महिला पोलीस अंमलदार अशा पोलीस बंदोबस्ताची जागणी केली आहे.

सदरध्या निष्कासनाकरीता पोलीस बंदोबस्त पोलीस ठाणे, परिमंडळ व प्रादेशिक विभाग उत्तरवर शासकीय देय दराने पुरविण्यात यावा व पुरविल्यात आलेल्या बंदोबस्ताची वसुली करण्याकरीता बंदोबस्ताचा अहवाल पोलीस उप आयुक्त सशस्त्र पोलीस ताडदेव, मुंबई यांना तात्काळ सादर करावा.

टीप:-सदर बंदोबस्त शुल्काची रक्कम भरणा करण्याबाबत शास प्रगल्भीया वरपर करावा. बंदोबस्त शुल्क वसुलीबाबतचे पुर्वत करून पोलीस उप आयुक्त, सशस्त्र पोलीस ताडदेव, मुंबई येथे अभिलेखी नोंद ठेवण्याकरीता पाठविण्यात यावा.

(संजय लाटकर)

पोलीस उप आयुक्त (अभियान),
पोलीससहआयुक्त, (का. व सु.),
बृहन्मुंबई यांचेकरीता

प्रतमाहिती व कार्यवाहीकरीता:-

- १) पोलीस उप आयुक्त, परिमंडळ-०४, मुंबई.
- २) अप्पर पोलीस आयुक्त, मध्य प्रादेशि विभाग, मुंबई
- ३) पोलीस उप आयुक्त, सशस्त्र पोलीसदल, ताडदेव, मुंबई
- ४) उप अधिक्षक, मिठ विभाग, भांडूप, मुंबई.

Salt Dept. Permi



201

Annexure VII

CHALLAN
MTR Form Number-6

GRN	MH002751499202223E	BARCODE		Date	01/06/2022-22:23:31	Form ID	
Department	Commissioner Of Police, Mumbai			Payer Details			
Type of Payment	Receipts from Police Protection Police supplied to other parties.			TAX ID / TAN (If Any)			
				PAN No.(If Applicable)			
Office Name	DCP ARMS FORCE TARDEO			Full Name	S N PANDEY		
Location	MUMBAI			Flat/Block No.	WADALA		
Year	2022-2023 One Time			Premises/Building			
Account Head Details		Amount In Rs.		Road/Street			
0055002101 Service Fee		152471.00		Area/Locality	MUMBAI		
				Town/City/District			
				PIN			
				Remarks (If Any)	POLICE PROTECTION FOR DEMOLITION		
				Amount In	One Lakh Fifty Two Thousand Four Hundred Seventy O		
Total		1,52,471.00		Words	ne Rupees Only		
Payment Details				FOR USE IN RECEIVING BANK			
CENTRAL BANK OF INDIA				Bank CIN	Ref. No.	02810672022060167235	318768096
Cheque-DD Details				Bank Date	RBI Date	01/06/2022-22:26:16	Not Verified with RBI
Cheque/DD No.				Bank-Branch			
Name of Bank				CENTRAL BANK OF INDIA			
Name of Branch				Scroll No. , Date			
				Not Verified with Scroll			

Department ID :

Mobile No. : 9426967322



भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्सचेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430-5436

Date: 29 /10/2022

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.

Sir,

Sub : Unauthorised activities in Hormoz salt works at
Wadala Salt Factory - Dumping of debris and
construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (Annexure No. A) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (Annexure No. B) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to remove unauthorised dumping of waste, illegal encroachments and to restore the area.

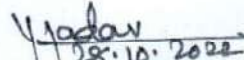
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,


28.10.2022
(Y. K. Yadav)

for Deputy Salt Commissioner
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

- (i) The Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.
- (ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.



Office Of the Deputy Secretary
 Email: rromcm@gmail.com
 दूरध्वनी क्र. Email: rromcm@gmail.com
 2590
 सं/No

महाराष्ट्र शासन
 वनविभाग

वनपरिक्षेत्र अधिकारी, कांदळवन कक्ष मध्य मुंबई
 यांचे कार्यालय

सॉल्ट पॅन, न.भू.क्र.८३, चेंबूर-शिवडी रस्ता, भवतीपार्क मोनोरेल स्टेशन
 जवळ कास्टींग यार्ड शेजारी, वडाळा (पूर्व), मुंबई

जा.क्र./व.क्र.म.मु./गुन्हे/160/2022-23,

मध्य मुंबई, वडाळा, दि. 31/05/2022

प्रति,

मा.डेप्युटी सॉल्ट कमिशनर,
 ४ मजला एक्सचेंज बिल्डींग,
 वेलाड ईस्टेट मुंबई-४००००१

विषय:- रॉ.गु.क्र.ई१०/२०२२, दि. २१/०४/२०२२ बाबत.

उपरोक्त विषयान्वये, आपणास कळविणेत येते की मौजे सॉल्टपॅन अधिसूचित कांदळवन न.भू.क्र.२५५ चे लगत सॉल्ट विभागाचे जुन्या बांधावर नविन भरावा केल्याचे दिसून आले आहे. त्यापैकी अधिसूचित कांदळवन क्षेत्रावर बांधाचे समांतर हद्दीलगत सुमारे ०.०३ हे. क्षेत्रावर अंदाजे १० ते १२ ट्रक माती व डेब्रीजचा भरावा केला असल्याचे आढळून आले आहे. त्याबाबत इकडील कार्यालयामार्फत रॉ.गु.क्र.ई-१०/२०२२-२३ दि.२१/०४/२०२२ अन्वये गुन्हा नोंद केला आहे.

अधिसूचित कांदळवन न.भू.क्र.२५५ लगत असलेल्या क्षेत्राचे सॉल्ट लिज होल्डर श्री.मुरारीलाल गरोडीया हे असून सदरचा भरावा त्यांच्यामार्फत केले असल्याचे समजून येत आहे. सदर भरावा करणेकरीता संबंधीताने आपले विभागाचे परवानगी घेतली आहे किंवा कसे ? याबाबत इकडील कार्यालयास अवगत करणेकरीता आपले कार्यालयाकडील प्रतिनिधीस आवश्यक त्या दस्तावेज सह या कार्यालयात दि.०८/०६/२०२२ रोजी उपस्थित राहणेबाबत कळवावे.

(सुरेश चव्हाण)

वनपरिक्षेत्र अधिकारी,
 कांदळवन संधारण घटक,
 मध्य मुंबई

प्रत :- १) श्री.मुरारीलाल गरोडीया, पत्ता :- सॉल्ट पॅन रोड, शांतीनगर वडाळा (पु) मुंबई-४०००३७.

२/- आपणास वरील नमुद दिनांकास आपले म्हणणे मांडण्यासाठी आवश्यक त्या दस्तऐवजांसह या कार्यालयात उपस्थित रहावे.

२) वनपाल दादर/कुलाबा,

२/- सदरचे पत्र संबंधीत कार्यालयास पोहोच करून दिनांकीत पोहोच या कार्यालयास सादर करावी.

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.

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 salt pan at C. S. no. 145, dense mangroves have been spread. However, the operator of salt 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 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.ciov.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 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-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-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

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

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.

6. 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



भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate, MUMBAI - 400001

C. No. D-11030(13)Land/2008/II/ 6386 Date: 23/12/2022

To,

✓ The Director,
Environment & Climate Change Department,
and MS, Maharashtra Coastal Zone Management Authority,
15th Floor, New Administrative Building,
Mantralaya, MUMBAI - 400032.

Sir,

Sub : Regarding 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 Rejesh Tawade V/s State of Maharashtra) - Reg.

Please refer to your letter No. OA 2022/ CR 3/TC-4 dated 01.11.2022 addressed to the Salt Commissioner, Jaipur and copy sent to this office by email on the above subject.

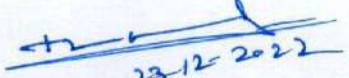
In this regard it is informed that in view of Hon'ble NGT order dated 28.09.2022 in OA No. 343/2021 and also in view of instructions given in the meeting dated 18.10.2022, this office has issued letter No. S-11011(30)Salt/84/5430-36 dated 29.10.2022 (**Annexure No. 1**) to the salt manufacturers of Hormoz 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.

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.

Encl.: As above.

Yours faithfully,


28-12-2022

(A.P. Mohanty)
Superintendent of Salt
Regional Office, Mumbai

Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to :-

- 1) The Municipal Commissioner, Municipal Corporation of Greater Mumbai, Municipal Headquarters, Mumbai.
- 2) The District Collector, Mumbai.
- 3) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), Mumbai.
- 4) The Regional Officer, Maharashtra Pollution Control Board, Kalpataru Point, 1st Floor, Opp. Cineplanet Cinema, Sion (East), Mumbai - 400022.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.

Copy to Hormoz salt works file.

Copy of Land Cell (Mangrove Writ Petition file).



भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डिंग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,

Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430-5436

Date: 29 /10/2022

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.

Sir,

Sub : Unauthorised activities in Hormoz salt works at Wadala Salt Factory - Dumping of debris and construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (**Annexure No. A**) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (**Annexure No. B**) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to reomove unauthorised dumping of waste, illegal encroachments and to restore the area.

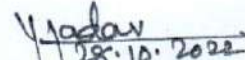
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,


28.10.2022
(Y. K. Yadav)

for Deputy Salt Commissioner
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

- (i) The Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.
- (ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.

Office Of the Deputy Secretary
 EmailId: fomcm@gmail.com
 दूरध्वनी क्र.
 EmailId: fomcm@gmail.com
 जा.क्र./व.क्र./म.मुं./गुन्हे/160/2022-23



महाराष्ट्र शासन
 वनविभाग

वनपरिक्षेत्र अधिकारी, कांदळवन कक्ष मध्य मुंबई
 यांचे कार्यालय

सॉल्ट पॅन. न.भू.क्र.८३, चेंबूर-शिवडी रस्ता, भक्तीपार्क मोगोरेल स्टेशन
 जवळ कास्टींग यार्ड शेजारी, वडाळा (पूर्व), मुंबई

मध्य मुंबई, वडाळा, दि. 31/05/2022

प्रति,

मा.डेप्युटी सॉल्ट कमिशनर,
 ४ मजला एक्सचेंज बिल्डींग,
 बेलार्ड ईस्टेट मुंबई-४००००१

विषय:- रॉ.गु.क्र.ई१०/२०२२, दि. २१/०४/२०२२ बाबत.

उपरोक्त विषयान्वये, आपणास कळविणेत येते की मौजे सॉल्टपॅन अधिसूचित कांदळवन न.भू.क्र.२५५ चे लगत सॉल्ट विभागाचे जुन्या बांधावर नविन भरावा केल्याचे दिसून आले आहे. त्यापैकी अधिसूचित कांदळवन क्षेत्रावर बांधाचे समांतर हद्दीलगत सुमारे ०.०३ हे. क्षेत्रावर अंदाजे १० ते १२ ट्रक माती व डेब्रीजचा भरावा केला असल्याचे आढळून आले आहे. त्याबाबत इकडील कार्यालयामार्फत रॉ.गु.क्र.ई-१०/२०२२-२३ दि.२१/०४/२०२२ अन्वये गुन्हा नोंद केला आहे.

अधिसूचित कांदळवन न.भू.क्र.२५५ लगत असलेल्या क्षेत्राचे सॉल्ट लिज होल्डर श्री.मुरारीलाल गरोडीया हे असून सदरचा भरावा त्यांच्यामार्फत केले असल्याचे समजून येत आहे. सदर भरावा करणेकरीता संबंधीताने आपले विभागाचे परवानगी घेतली आहे किंवा कसे ? याबाबत इकडील कार्यालयास अवगत करणेकरीता आपले कार्यालयाकडील प्रतिनिधीस आवश्यक त्या दस्तावेज सह या कार्यालयात दि.०८/०६/२०२२ रोजी उपस्थित राहणेबाबत कळवावे.

(सुरेश चव्हाण)

वनपरिक्षेत्र अधिकारी,
 कांदळवन संधारण घटक,
 मध्य मुंबई

प्रत :- १) श्री.मुरारीलाल गरोडीया, पत्ता :- सॉल्ट पॅन रोड, शांतीनगर वडाळा (पु) मुंबई-४०००३७.

२/- आपणास वरील नमुद दिनांकास आपले म्हणणे मांडण्यासाठी आवश्यक त्या दस्तऐवजांसह या कार्यालयात उपस्थित रहावे.

२) वनपाल दादर/कुलाबा,

२/- सदरचे पत्र संबंधीत कार्यालयास पोहोच करून दिनांकीत पोहोच या कार्यालयास सादर करावी.

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.

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 salt pan at C. S. no. 145, dense mangroves have been spread. However, the operator of salt 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 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.ciov.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 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-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-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

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

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.

6. 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

From:

Murarilal N. Garodia
Sheela Apartments, 4th floor,
Mahalaxmi Mandir Road,
Off Bhulabhai Desai Road,
Mumbai - 400026.



18.11.2022

To,
The Deputy Salt Commissioner
Exchange Building, 4th floor,
Sir Shivsagar Ramgulam Marg,
Ballard Estate, Mumbai - 400001.

Subject - Hormuz Salt Works at Wadala Salt Factory

Sir,

I refer to your letter No. S-11011(30)Salt/84/5436 dated 29.10.2022 and in reply thereto I have to state as follows:

1. At the outset I have to state that the land on which the Hormuz Salt Works is constructed and also the Hormuz Salt Works itself does not belong to the Union of India and it is not under the management or control of the Union of India or the Salt Department of the Ministry of Industries. As such, the Office of the Salt Commissioner or the Office of the Deputy Salt Commissioner, Mumbai has no authority or control or say over the user of the said land or the activities thereon. Without prejudice to the above contention, I shall now deal with your letter under reply.
2. Before I deal with the contents of your letter under reply, it is necessary to narrate a few facts which have happened in the recent past.
 - a) By the letter dated 23/07/2020, the office of the ACP, Matunga Division, Mumbai informed the office of the Deputy Superintendent of Salt, Wadala that the Sangam Nagar Beat No. 1, which comes under the Wadala T.T. Police Station, had initiated proceedings under Section 68 and 69 against some persons in respect of unauthorised construction work that was going on in the salt pan area behind Madina Masjid. By the said letter information was sought whether the said work was authorised and it was further stated that if the work was unauthorised then a complaint should be made to the concerned Police Station against the persons carrying out the unauthorised construction.

- b) Further to the said letter dated 23/07/2020, an inquiry was initiated by the D.S.S., Wadala with us and independently and it was found that some persons belonging to the land mafia in that area were illegally constructing tenements and selling the same to the public for their illicit gains.
- c) Subsequently, pursuant to the concerted efforts made by us and the D.S.S., Wadala and also your office, the proceeding for demolition of the illegal structures was started. However, the local police administration was not co-operating for obvious reasons and hence the matter had to be taken up with the higher Police authority and through the intervention of the Commissioner of Police, police protection was provided and the structures were ultimately demolished in or about June 2022. For the purpose of facilitating the demolition by your department, some debris and earth had to be dumped to enable the JCB to approach the site and carry out the demolition.
- d) Even after the demolition, efforts were being regularly made to reconstruct the tenements and hence I had to put up tin sheets on the boundary of C.S. No. 117 and 144 to prevent the encroachment. The tin sheets were got removed and stolen by the land mafia and the attempts to encroach were renewed. There was therefore no option but to put up a wall to protect the property from encroachment. Thus a 140 feet long wall was erected along the boundary of the C.S. No. 117 and 144. The land mafia thereafter resorted to every tactic to get the wall removed including making complaints to the Wadala T.T. Police, Forest Office, Municipal Corporation, Office of Salt Commissioner, Jaipur and your office and also the Union Government Ministry and NGT. Their single aim was to have the said wall removed so that they could proceed with their illegal construction activities.
- e) The land mafia is so desperate that they are threatening our workers and even me on a daily basis. On 15.11.2022 an empty dumper which was not bearing any registration number banged into the compound wall and managed to demolish a portion of the compound wall. FIR No. 717/2022 under Sections 447, 427 and 34 of the IPC has been lodged with the local Police Station after great difficulty as the local police is turning a blind eye to the illegal activities of the land mafia. However there is no serious attempt being made by the Police to even carry out a proper investigation.
- f) It may be pointed out that till 1961, there were about 21 salt works manufacturing salt in the near vicinity of the Hormuz Salt Works. Pursuant to the Notification of the Salt Department in 1962 or thereabouts, the manufacturing activity in 18 of the salt works was stopped and the lands were lying vacant. Gradually, those lands were encroached

upon and illegal hutments were put up and in the course of time it became the biggest slum (Sangam Nagar) in Mumbai. Only the three salt works, including Hormuz Salt Works, which challenged the Notification and continued manufacture of salt were left unscathed. Now, Hormuz Salt Works is the sole surviving salt works manufacturing salt on its lands in Wadala and in fact the only salt work in Mumbai City and probably in Mumbai Suburban also.

- g) As owners of the lands and the salt works, we are making all efforts to save the land from encroachment by the land mafia. It is well known that in the last about five years or more, the surrounding area is being developed by private developers and also by MMRDA and hence the land mafia is very active in the area as even the encroached land can get it super profits.

3. I shall now deal with the contents of your letter dated 29.10.2022.
4. As stated above, the complaints to your office and various other authorities have been made by the persons acting on behalf of the land mafia. Their motive is not for public good but for illegal private gains for themselves and those helping them. The authorities should pierce the veil and see the actual facts and circumstances of the matter and not concentrate on the lop-sided complaints made for selfish reasons. The land mafia should not be allowed to make use of the offices of the legal authorities to act in a manner which will benefit the anti-social elements and act against the interest of the law-abiding citizens. Please be informed that there is no any compound wall constructed in Hormuz Salt Works. Only a protective wall of around 140 feet is constructed at the edge of demarcation line of C.S. No. 117 & 144 to prevent encroachment by the encroachers in the area. It is also to inform you that the wall is constructed under exceptional situation. Moreover, it may be noted that removal of the wall will give a free hand to the land mafia which would then easily encroach upon the land and illegally erect structures thereon and sell the same overnight. This has happened in the distant past and also in the recent past in this same spot. and it would be harmful to dismantle the wall. Here it is also worth to mention that dismantling of the constructed protective wall would be a moral boost for the complainants and encroachers besides substantial economic loss to us.

Letter dated 31.05.2022 of the Forest Range Officer, Mangrove Cell, Central Mumbai (Annexure - I of your letter) shows that 0.03 Hectare i.e. around 300 Square Meter land is filled by 10-12 trucks of earth & debris and a criminal offence No. E - 10/ 2022-23 dated 21.04.2022 is registered by him. Kindly note that the demolition in the area was done by the department on 02.06.2022 and this dumping of earth and debris was done

to facilitate movement of JCB from back side for successful execution of demolition drive taken by the department.

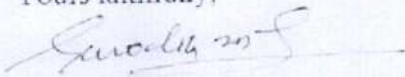
Here it is worth mention that criminal offence registered by the Range Forest Officer is ultra vires ab initio because the land is only notified as protected forest but not handed over to the forest department. It is also learnt that the notification of the state government is challenged by the Salt Department in WP no. 1513/2012.

Annexure - II of your letter is NGT order in case of Madhura Raiesh Tawade versus State of Maharashtra. Since NGT conclusion to remove the C & D waste from the outer bund of Messrs. Hormoz Salt Works, Wadala in its order dated 28.09.2022 is based on the misguided facts to create island and destruction of mangroves, it would be better if Salt Department becomes a party in NGT matter to defend construction repair of outer bund in the salt works which is an essential part of salt manufacturing business as there is no creation of island and destruction of mangroves in our salt works. A vegetation of dense mangrove can easily be located in the vicinity of outer bund of our salt work:-

Here it is to refer that any disturbance on outer bund of our salt works will ruin the salt works and business of M/s Hormoz Salt Works, the only working salt works in Mumbai City and will only further the interest of the land mafia.

In light of the above submission, it is requested to kindly review your decision conveyed wide above referred letter dated 29.10.2022 and withdraw the issued notice in the interest of the salt works & the salt industry of Mumbai City.

Yours faithfully,



(Murarilal N. Garodia)

Copy submitted to -

- 1) The Salt Commissioner, Jaipur with request to intervene in the matter.
- 2) The Superintendent of Salt, Bhandup.
- 3) The Deputy Superintendent of Salt, Wadala.

GOVERNMENT OF MAHARASHTRA

Tel. No. : 22029388
 E-mail : dir1.mcv-mh@nic.in
 Website: <https://mczma.gov.in/>

No. OA 2022 / CR 3 / TC - 4
 Office of the -
 Maharashtra Coastal Zone Management Authority,
 Environment & Climate Change Department,
 15th floor, New Administrative Building,
 Mantralaya, Mumbai- 400 032.
 Date: 25.4.2023

To,
 Deputy Salt Commissioner,
 Exchange Building, 4th floor,
 Sir Shivsagar Ramgulam Marg, Ballard Estate,
 Mumbai

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: 1) This office letter dated 20.4.2023 to Salt Pan Department
 2) Deputy Salt Commissioner letter dated 24.4.2023

With reference to above referred letter no. 2) received in the subject matter, this is to inform you that the Environment & CC Department, GoM is overseeing the remedial actions required to be taken by the Salt Pan Department, MCGM and District Collector, as per Hon'ble NGT orders dated 28.9.2022 and 15.3.2023 in the subject matter. The Hon'ble NGT orders are binding on Salt Pan Department to carry out its responsibilities as prescribed in the said order. If Salt Pan Department feels aggrieved by the above said orders of the Hon'ble NGT, the Salt Pan Department may approach Hon'ble Supreme Court in the matter.

Yours faithfully,


 (Abhay Pimparkar)

Director, Environment and Climate Change Dept

Copy for information to:

1. Principal Secretary, Environment & Climate Change Department, 2nd Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Salt Commissioner of India, Ministry of Commerce & Industry, New Delhi.
3. Select File - TC 4

BRIHANMUMBAI MAHANAGARPALIKA

No. A.E./S.W.M./ 1505/F/North Dt. 24/04/2023

Office of Asst. Engineer (SWM),
F/North Ward Office Building,
3rd Floor, 96 Bhau daji Marg,
Mumbai - 400 019**NOTICE**To.
Deputy Salt Commissioner,
Exchange Building, 4th Floor,
Sir Shivsagar Ramgulam Marg,
Ballard Estate, Mumbai- 400001.**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

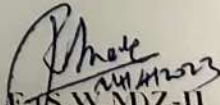
Sir,

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 (3 to 21)

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.


A.E. (S.W.M.) F/North


E.E. (S.W.M.) Z-II

Copy for necessary action to:

1. The Superintendent of Salt, Bhandup.
2. The Deputy Superintendent of Salt, Wadala.

Copy submitted for information to:

1. The Salt Commissioner, Lavan Bhawan, 2-A, Jaipur - 302004 (Rajasthan).
2. The Director, Environment and Climate Change Dept. and MS, MCZMA.

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

नमक आयुक्त कार्यालय, मुंबई
Office Of The Deputy Salt Commissioner
Mumbai

28 APR 2023

सं./No. 1800

To,

The Deputy Salt Commissioner,

Dated -27/04/23

Exchange Building ,
Ballard Estate ,
Mumbai .

**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.

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

Post 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 "MITTI" 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 occurred from 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 chalk out the entire process of removing C & D waste from the bund and simultaneously repair and strengthen it .

Yours Faithfully

Garodia, mP
R. A. Shetty.

CC.

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

Subject to Mumbai Jurisdiction

234
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

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/NWard , ref.No.A.E/S.W.M/1666



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

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,

Ballard Estate, MUMBAI - 400001

C. No. D-11030(1)Land/2008/II/

2008-2024

Date: 01/05/2023

To,

The Principal Secretary,
Environment & Climate Change Department,
15th Floor, New Administrative Building,
Madam Cama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai - 400032.

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 & 145 of Salt Pan Division under Hormoz salt works at Wadala Salt Factory - Reg.

Sir,

Please refer to letter No. OA 2022/CR 3/TC-4 dated 20.04.2023 and No. OA 2022/CR 3/TC-4 dated 20.04.2023 from the Director, Environment & Climate Change Department on the above subject.

In this regard it is informed that in para 5 of the order dated 28.09.2022 in OA No. 343/2021, the Hon'ble NGT, New Delhi has ordered 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.

The Hon'ble NGT has ordered MCGM to prepare time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. Despite the same, this office vide letter No. S-11011(30)Salt/84/5343-36 dated 29.10.2022 (**Annexure No. 1**) has directed the salt manufacturers of Hormoz salt works to immediately remove the C&D waste dumped in the salt works and also to remove the encroachments. The encroachments in concerned salt pan lands have already been removed. The salt manufacturers of Hormoz salt work vide their letter dated 27.04.2023 (**Annexure No. 2**) addressed to this office and copies endorsed to you and others have informed that they are ready to remove the C&D waste dumped/used by them in salt works at their own cost and will dump the same at any site directed by the MCGM.

In view of orders dated 28.09.2022 & 15.03.2023 of the Hon'ble NGT in OA No. 343/2021, in view of provisions of C&D waste rules 2016 and also in view of MCGM circular dated 28.09.2018, you are requested to consider the letter dated 28.04.2023 given by the salt manufacturers and direct the concerned authorities to prepare time bound action plan for disposal of C&D waste within the time frame stipulated by Hon'ble NGT. The salt manufacturers will remove the C&D waste from site and will transport the same to the unloading site directed by the said authorities. The Officers of Salt Commissioner Organization will be available for supervision in this regard

It is further informed that no budgetary support will be provided by the Salt Commissioner Organization as we are not responsible for management and disposal of C&D waste generated in Mumbai City. The responsibility of management & disposal of C&D waste generated in Mumbai City has been vested by C&D waste management rules 2016 & MCGM circular dated 28.09.2018

to defined authorities .The Salt Commissioner Organization is not liable to make budgetary provisions for the failure on the part of said authorities.

Encl. : As above.

Yours faithfully,

mohita
29-7-23
(Mohita)

o/c , Deputy Salt Commissioner
MUMBAI

Copy submitted to the Salt Commissioner, Jaipur for information and necessary action.

Copy to the Municipal Commissioner, MCGM, Mumbai.

Copy to the District Collector Mumbai City.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.
- 3) Hormoz salt works (Shri Murarilal N. Garodia & Shri Byram R. Dhalla).



भारत सरकार
GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलार्ड ईस्टेट, मुंबई - 400001.
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430-5436

Date: 29 /10/2022

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.

Sir,

Sub : Unauthorised activities in Hormoz salt works at
Wadala Salt Factory - Dumping of debris and
construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (**Annexure No. A**) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (**Annexure No. B**) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to reomove unauthorised dumping of waste, illegal encroachments and to restore the area.

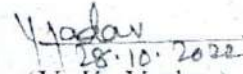
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,


28.10.2022
(Y. K. Yadav)

for Deputy Salt Commissioner
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

(i) The Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.

(ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.



महाराष्ट्र शासन
वनविभाग

वनपरिक्षेत्र अधिकारी, कांदळवन कक्ष मध्य मुंबई
यांचे कार्यालय

सॉल्ट पॅन. न.भू.क्र. २३. चेंबूर-शिवडी रस्ता, भक्तीपार्क मोनोरेल स्टेशन
जवळ कास्टींग यार्ड शेजारी, वडाळा (पूर्व), मुंबई

Office of the Deputy S...
दूरध्वनी क्र. Email: fomcm@gmail.com
2590
श्री 140

ना.क्र./व.क्र./म.मुं./गुन्हे/160 /२०२२-२३,

मध्य मुंबई, वडाळा, दि. 31/05/२०२२

प्रति,

मा.डेप्युटी सॉल्ट कमिशनर,
४ मंगला एक्सचेंज बिल्डींग,
चेलाई ईस्टेट मुंबई-४००००१

विषय:- सॉ.गु.क्र.ई१०/२०२२, दि. २१/०४/२०२२ बाबत.

उपरोक्त विषयान्वये, आपणास कळविणेत येते की मौजे सॉल्टपॅन अधिसूचित कांदळवन न.भू.क्र.२५५ चे लगत सॉल्ट विभागाचे जुन्या बांधावर नविन भरावा केल्याचे दिसून आले आहे. त्यापैकी अधिसूचित कांदळवन क्षेत्रावर बांधाचे समांतर हद्दीलगत सुमारे ०.०३ हे. क्षेत्रावर अंदाजे १० ते १२ ट्रक माती व डेब्रीजचा भरावा केला असल्याचे आढळून आले आहे. त्याबाबत इकडील कार्यालयामार्फत सॉ.गु.क्र.ई-१०/२०२२-२३ दि.२१/०४/२०२२ अन्वये गुन्हा नोंद केला आहे.

अधिसूचित कांदळवन न.भू.क्र.२५५ लगत असलेल्या क्षेत्राचे सॉल्ट लिज होल्डर श्री.मुरारीलाल गरोडीया हे असून सदरचा भरावा त्यांच्यामार्फत केले असल्याचे समजून देत आहे. सदर भरावा करणेकरीता संबंधीताने आपले विभागाचे परवानगी घेतली आहे किंवा कसे ? याबाबत इकडील कार्यालयास अवगत करणेकरीता आपले कार्यालयाकडील प्रतिनिधीस आवश्यक त्या दस्तावेज सह या कार्यालयात दि.०८/०६/२०२२ रोजी उपस्थित राहणेबाबत कळवावे.

(सुरेशचरक)

वनपरिक्षेत्र अधिकारी,
कांदळवन संधारण घटक,
मध्य मुंबई

प्रत :- १) श्री.मुरारीलाल गरोडीया, पत्ता :- सॉल्ट पॅन रोड, शांतीनगर वडाळा (पु) मुंबई-४०००३७.

२/- आपणास वरील नमुद दिनांकास आपले म्हणणे मांडण्यासाठी आवश्यक त्या दस्तऐवजांसह या कार्यालयात उपस्थित रहावे.

२) वनपाल दादर/कुलाबा,

२/- सदरचे पत्र संबंधीत कार्यालयास पोहोच करून दिनांकीत पोहोच या कार्यालयास सादर करावी.

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.

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*

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://mezma.cioiv.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 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-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 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 Nan 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

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.

6. 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

Subject to Mumbai Jurisdiction

249

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

नमक आयुक्ता कार्यालय, मुंबई
Office Of The Deputy Salt Commissioner
Mumbai

28 APR 2023

सं./No.

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.

HORMOZ SALT WORKS

MFG. OF: INDUSTRIAL KITCHEN & IODIZED SALT

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

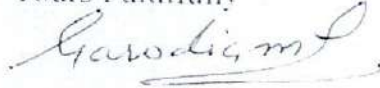
☎ Off.: 022-23513327 / 98200 86081 / 99209 97280

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

Post 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 "MITTI" 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 occurred from 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 chalk out the entire process of removing C & D waste from the bund and simultaneously repair and strengthen it.

Yours Faithfully


B. A. Shetty.

CC.

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

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

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/NWard , ref.No.A.E/S.W.M/1666



This is with reference to order dated 28.09.2022 and 15.03.2023 pronounced by Principal Bench of National Green Tribunal, New Delhi in Original Application (OA) No. 343/2021, filed by Madhura Rajesh Tawade Vs State of Maharashtra which relates to removal of Construction & Demolition Waste i.e. C&D waste dumped in CS No. 144 & 145 of Salt Pan Division under Hormoz Salt Works at Wadala Salt Factory and subsequent directions issued by Director, Maharashtra Coastal Zone Management Authority (MCZMA), Environment and Climate Change Department, Mumbai vide their letter dated 20.04.2023.

2. Vide order dated 28.09.2022 Principal Bench of National Green Tribunal, New Delhi has ordered at para 5 as below:-

"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..."

3. Further, vide order dated 15.03.2023, the Hon'ble Tribunal has ordered at para 7 as below:-

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... If any further direction is found necessary, he may place the matter before the Bench..."

4. In this background, it is stated that, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India.

5. Further, the encroachments on salt pan land under Hormoz Salt Works were removed by joint demolition drive undertaken by the o/o the Deputy Salt Commissioner, Mumbai during June, 2022. Further, o/o the Deputy Salt Commissioner, Mumbai vide letter dated 29-10-2022 had directed to remove C&D waste dumped in Hormoz salt works immediately. No further dumping has been undertaken afterwards. The Action Taken Report in the matter was submitted by O/o the Deputy Salt Commissioner, Mumbai to the Director, Environment & Climate Change Department of Government of Maharashtra vide letter dated 23-12-2022.

Contd.....

-2-

6. During the site visit of the Salt Works on 18-04-2023, the Deputy Superintendent of Salt, Salt Commissioner's Organization (SCO) had asked M/s Hormoz Salt Works to demolish rest sheds for labourers and accordingly, the encroachments / half constructed structures near Madina Masjid in Hormoz salt works were removed in the presence of Deputy Superintendent of Salt, SCO and Police personnel on 20-04-2023.

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Yours Sincerely

-sd/-

(Rajeev Singh Thakur)

To
Shri. Praveen Darade
Secretary
Dept. of Environment & Climate Change,
Govt. of Maharashtra,
Mantralaya, Madam Kama Road,
Mumbai - 400032

Copy to:

To
Salt Commissioner
Lavan Bhavan,
2-A, Lavan Marg,
Jhalana,
Jaipur (Rajasthan)


(Rajeev Singh Thakur)

राजीव सिंह ठाकुर
अपर सचिव

Rajeev Singh Thakur
Additional Secretary

D.O.No. P-34014(15)/47/2023-Salt/(E-181367)

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सत्यमेव जयते



भारत सरकार
वाणिज्य एवं उद्योग मंत्रालय
उद्योग संवर्धन एवं आंतरिक व्यापार विभाग
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT FOR PROMOTION OF
INDUSTRY AND INTERNAL TRADE

Dated 16th May, 2023

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(Rajeev Singh Thakur)

To
Shri. Praveen Darade
Secretary
Dept. of Environment & Climate Change,
Govt. of Maharashtra,
Mantralaya, Madam Kama Road,
Mumbai - 400032

Copy to:

To

Brihanmumbai Municipal Corporation,
Office of Asstt. Engineer (SWM),
F/North Ward Office Building,
3rd Floor, 96 Bhau daji Marg,
Mumbai-400 019


(Rajeev Singh Thakur)

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Secretary
Dept. of Environment & Climate Change,
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Mumbai - 400032

Copy to:

To

Deputy Salt Commissioner
Exchange Building,
4th Floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate,
Mumbai (Maharashtra)
Pin-400 038


(Rajeev Singh Thakur)



D.O.No. P-34014(15)/47/2023-Salt/(E-181367)

Dated 16th May, 2023

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Mumbai - 400032

Copy to:

To
Chief Secretary,
Govt. of Maharashtra
Mantralaya,
Mumbai


(Rajeev Singh Thakur)

D.O.No. P-34014(15)/47/2023-Salt/(E-181367)

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With Warm regards

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To
Shri. Praveen Darade
Secretary
Dept. of Environment & Climate Change,
Govt. of Maharashtra,
Mantralaya, Madam Kama Road,
Mumbai - 400032

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To
Shri. Praveen Darade
Secretary
Dept. of Environment & Climate Change,
Govt. of Maharashtra,
Mantralaya, Madam Kama Road,
Mumbai - 400032

Copy to:
To
Director,
Maharashtra Coastal Zone Management Authority (MCZMA),
Environment
and Climate Change Department,
Mumbai

(Rajeev Singh Thakur)

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.

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 salt pan at C. S. no. 145, dense mangroves have been spread. However, the operator of salt 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 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.ciov.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 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-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-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

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

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.

6. 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

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

Versus

Applicant

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.

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*

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

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.ciov.in/sites/default/files/CZMP%20Mumbai%20Suburban%202019%20Final%20Version%2001.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-IB - 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.
- 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-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

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.

(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:

		<p>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.</p> <p>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.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>) 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</p> <p>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</p> <p>) 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.</p> <p>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:</p> <p>The recommendation of the Committee for the removal of unauthorized C& waste dumped at the Salt pan plot is as following.</p> <p>"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".</p> <p>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.</p> <p>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 vis</p>
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			<p>M/s Godrej Construction Ltd at Vikhroli (E), Mumbai Capacity 300mt/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.</p> <p>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.</p> <p>Copies of MCGM replies are attached as Annexure III</p> <p>DELIBERATIONS:</p> <p>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:</p> <p>"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"</p> <p>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.</p> <p>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.</p> <p>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.</p>
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	<p>REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:</p> <p>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:</p>

		<p>Maharashtra on or before 10th November, 2022.</p> <p>Action taken report be submitted to the Department at the earliest.</p>	<ul style="list-style-type: none"> 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. <p>Copy of reply of Salt Department is attached as Annexure IV</p> <p>DELIBERATIONS:</p> <p>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.</p>
3	Office of Salt Commissioner	<p>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</p> <p>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</p>	<p>REPLY OF OFFICE OF SALT DEPT:</p> <p>Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that:</p> <p>The office has issued letter No. S-11011(30) 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 manufactures of the salt works. The salt manufactures 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.</p>

	<p>notices to salt salt pan operators / salt manufactures for the same.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>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.</p> <p>Copy of reply of office of Deputy Collector, Mumbai city is attached as Annexure V</p> <p>DELIBERATIONS:</p> <p>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"</p> <p>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.</p>
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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

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

GOVERNMENT OF MAHARASHTRA

Tel. No. : 22029388
 E-mail : dir1.mev-mh@nic.in
 Website: <https://mczma.gov.in/>

No. OA 2022 / CR 3 / TC - 4
 Office of the -
 Maharashtra Coastal Zone Management Authority,
 Environment & Climate Change Department,
 15th floor, New Administrative Building,
 Mantralaya, Mumbai- 400 032.
 Date: 20th April, 2023

To,

1) Municipal Commissioner,
 Municipal Corporation of Greater Mumbai,
 Mahapalika Marg, Fort, Mumbai

2) Prerna Joshi,
 Salt Commissioner, Government of India,
 New Delhi

3) District Collector, Mumbai City
 Old Custom House,
 Mumbai City

4) Deputy Commissioner of Police,
 Zone IV, Mumbai

5) Regional Officer,
 Maharashtra Pollution Control Board,
 Sion, Kalpataru Point, Mumbai

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

Ref: Site Visit of the Principal Secretary, Env&CC Department on 18th April, 2023

Dear Sir/ Madam,

This is to inform you that The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18th April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions. Copy of the minutes of site visit and joint meeting is attached herewith.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18th April, 2023 for implementing the Hon'ble NGT directions.
3. 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.
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators, MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the 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 machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM.
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.
10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises 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.

In the light of above, it is hereby directed that MCGM, Salt Pan Department, District Collector, Mumbai City should immediate start implementing the above said directions. District Collector, Mumbai City should file complaint under Section 19 & 15 of the

Environment (Protection) Act, 1986 as stated above, Police Department should provide all assistance / support to MCGM, Salt Pan Department and District Collector, Mumbai City for implementing the directions of the Hon'ble NGT.

Yours faithfully,


(Abhay Pimparkar)

Director, Environment and Climate Change Dept

Copy for information to:

1. Principal Secretary, Environment & Climate Change Department, 2nd Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File TC-4

MINUTES OF SITE VISIT AND JOINT MEETING

SUB: Compliance of Orders 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)

The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18th April, 2023 at 10.30 am. with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit. List of Officials present is attached as Annexure I.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18th April, 2023 for implementing the Hon'ble NGT directions
3. 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
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the 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 machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee

members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGZM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.

10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises 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.
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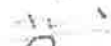


SITE VISIT

Visit of Principal secretary, Environment & CC Dept at
Wadala salt pan, Shanti Nagar, Wadala.

Date: 18th April, 2023

Ref: Hon. NGR order dt 28/9/2022
1513/2023 in O.A. 343/2021
(Madhura Tawade vs GOM)

List of officials present for site visit

Sr. No.	Name & Designation of official	Signature & Contact
1)		
2)		
3)	Ravi Katakchomal CAD. Collector, Mumbai City	
4)	Chomda Jadhav DMCSWM	 (9930526664)
5)	Krishna Karase - SLR Mumbai City collector office	
6)	P.N. Kusande E.E (SLM) 2II	 9137122334
7)	A.P. Mahantay, Subdt of Salt	
8)	S.N. PANDEY, Dy Subdt of salt	 7426967327
9)	M.V. BELHARE A.O. (BMC)	 892404574

Meeting Regarding Meeting regarding construction and demolition waste management at salt pan, Mumbai

Date - 18/04/2023
Time - 11:00 AM

Sr. No.	Name Of Officers & Designation	Department	Contact No.	Signature	Email ID
1	Shri Pravin Darade, IAS Principal Secretary, Environment	Environment Department			
2	Bain Katak Dhanu Ad. Collector Mumbai City	Revenue.	9499000000	<i>[Signature]</i>	
3	Chanda Jadhav DmC, Sion	BMC	9167203780	<i>[Signature]</i>	dmc.sion@mcgm.gov.in
4	Atchay Pimpastkar	Env ce Dept	9890624888	<i>[Signature]</i>	atp@mcgm.gov.in
5	Sanjivan Bejvale	A&E Dept	9422446715	<i>[Signature]</i>	san.bejvale@mcgm.gov.in
6	Parshuram YD Kulkarni	EE (Sion) Dept	914921554	<i>[Signature]</i>	parshuram.yd@mcgm.gov.in
7	N. Q. Mulkumbdy,	Suppl. & Sell	9122895888	<i>[Signature]</i>	nq.mulkumbdy@mcgm.gov.in
8	S. N. ANANDY	Dr. Subdt. of salt	9426967222	<i>[Signature]</i>	s.n.anand@mcgm.gov.in
9	Prakash Nade	CEP Consultant	982022292	<i>[Signature]</i>	prakashnade@mcgm.gov.in
10	Sanjivk Peshl	stkhatri, Kaveri	9820922209	<i>[Signature]</i>	sanjivk.peshl@mcgm.gov.in

325

11	Dr. D. A. Patil	CRZ Consultant	9323058368	Dr.	lap-24@latmail.com
12	T. G. Yadav	SSM TOPPER	9989528609	Dr.	
13	Suresh Ashok	converter office Mumbai city	9467977259	Dr.	
14	Krishna Karan	CCP, Mumbai collector office	9930626664	Dr.	CIS via collector city Mumbai
15	A. N. Shinde	via of Suresh Ashok Mumbai City	9890904700	Dr.	!
16	S. K. Gadgil	transit engineer (a/c) DGR and Pm.	9804669860	Dr.	anishasharma@citylatmail.com
17	ANIL SHARMA	Regional CEO Mumbai waste handling	9827714904	Dr.	
18	Ramod B. Shelke	PCMC C8D Waste management	8087911590	Dr.	ramod7shelke@latmail.com
19	K. S. Langole	F-0, MPUB	9869450079	Dr.	
20					
21					
22					

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उप नमक आयुक्त कार्यालय, मुंबई
Office Of The Deputy Salt Commissioner
Mumbai

113 JUN 2022

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सं. नो.

13/6/2022

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

C. No. -9(1) Land /2021/WdV/ 35 - 130

Date: 13/06/2022

To,
The Deputy Salt Commissioner,
Mumbai- 400001.**Subject: Report on demolition drive held in C.S. no. 144 at Shantinagar, Wadala on dated 02.06.2022- Reu.**

Sir,

In Wadala at Shantinagar, unauthorized structures are/ were made in C.S. no. 117 & 144. Few structures are at diagonal boundary line of C.S.no.117 & 144. A demolition was proposed by the collector Mumbai (copy of the Notice enclosed, **Annexure - I**) in C.S. no. 117 on 26.05.2022 for which the notice was pasted in the area on 24.05.2022. Based on this notice, the encroachers filed a **Writ Petition (L)No. 16469 of 2022** in Bombay High Court on 25.05.2022 and got an injunction (order copy enclosed, **Annexure - II**) for 3 weeks against the demolition notice of the Collector. So the demolition proposed by the Deputy Collector (Encroachment/Removal), Mumbai is postponed till further order (the letter copy enclosed, **Annexure - III**).

Initially in our letter dated 19.05.2022 (copy enclosed, **Annexure - IV**), it was proposed to have a combined demolition drive in C.S. no. 117 & 144 with the help of the Collector's Mumbai staff, Forest Department staff and BMC staff. But after stay order of dated 25.05.2022 collector's Mumbai staff handcuffed and they did not involve in the demolition.

We proposed demolition date on 1st & 2nd of June 2022 and moved letter for the purpose to the police authorities. The notice (copy enclosed, **Annexure - V**) for the same was pasted on the unauthorized structures of the area on 30.05.2022 to vacate them. In normal course we could not get letter confirming the Police Bandobast in time. Then myself along the Superintendent of Salt Shri Rajeev Nayak put exhaustive effort to get Police Bandobast but it could not be availed for 01.06.2022. However

ultimately we succeeded to get a letter (copy enclosed, **Annexure - VI**) from DCP (Bandobast) by 6.30 pm of 01.06.2022. Then online payment of Rs. 52471/= (Rupees one lac fifty two thousand four hundred seventy one) is made (copy of challan enclosed, **Annexure - VII**) for the police bandobast as per the letter issued by the the DCP (Bandobast) to the police authorities to confirm the police bandobast for 02.06.2022.

On 02.06.2022 Police Personnels, MCGM officials, BEST staff, Forest Department staff, all gathered at the site around 11.30 am. From the department besides me shri A.K.Srivastava, shri Sekhar, Shri J.E.Valanjwani, shri G Jaday (all Deputy Superintendent of Salt), shri Sanjay Gamre, Shri P.D. Bane (Both MTS) were made their active participation in the demolition. Shri C. Raghu, Deputy Salt Commissioner and Shri Rajeev Nayak, Superintendent of Salt were present on the site in lead role. Two (2) JCB were arranged from market and two were provided by the Mumbai Municipality. Police & Forest guards did march past in the area. Police detained some nominated miscreants of the area before start of the demolition. Afterwards, 4 JCB started their work from different sides and demolished around 60 structures within a span of three hours. We received a good support from MCGM, BEST and Forest department during the demolition to accomplish its success.

Structures falling on diagonal boundary line of C.S. no. 117 & 144 could not be demolished because of standing stay order of Bombay High Court in WP 16469 of 2022 and will be considered for demolition in due course after vacation of the existing stay order.

Entire demolition process of dated 02.06.2022 was photographed and video raphed. Thirty (30) Photos, in triplicate, alongwith a pen drive containing soft copy of photos and videos for the conducted demolition are submitted herewith for your perusal and further necessary action in the matter.

Enclosure - As above.

Yours faithfully,



(S N Pandey)
Deputy Superintendent of Salt
Wadala

Copy submitted to the Superintendent of Salt, Bhandup for information please



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

भारत सरकार

GOVERNMENT OF INDIA

उपनामक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्सचेंज बिल्डिंग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेनार्ड इस्टेट, मुंबई - 400001.
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430.5436

Date: 29 /10/2022

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.

Sir,

Sub : Unauthorised activities in Hormoz salt works at
Wadala Salt Factory - Dumping of debris and
construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (Annexure No. A) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (Annexure No. B) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to remove unauthorised dumping of waste, illegal encroachments and to restore the area.

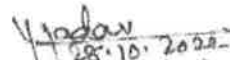
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,


28.10.2023
(Y. K. Yadav)

for Deputy Salt Commissioner
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

- (i) The Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.
- (ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.



Email: dsalt.com@gmail.com
Phone: 022 29825206, 20822192

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner
एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बॅलार्ड ईस्टेट, मुंबई 400001
Exchange Building, 4th floor, Sir Shivsaagar Ramgoolam Marg,
Ballard Estate, MUMBAI - 400001

C. No. D-11030(13)Land/2008/II/6386 Date: 23/12/2022

To,

The Director,
Environment & Climate Change Department,
and MS. Maharashtra Coastal Zone Management Authority,
15th Floor, New Administrative Building,
Mantralaya, MUMBAI - 400032.

Sir,

Sub : Regarding 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 Rejesh Tawade V s State of
Maharashtra) - Reg.

Please refer to your letter No. OA 2022/CR 3 TC-4 dated
01.11.2022 addressed to the Salt Commissioner, Jaipur and copy
sent to this office by email on the above subject.

In this regard it is informed that in view of Hon'ble NGT
order dated 28.09.2022 in OA No. 343/2021 and also in view of
instructions given in the meeting dated 18.10.2022, this office has
issued letter No. S-11011(30)Salt/84/5430-36 dated 29.10.2022
(Annexure No. 1) to the salt manufacturers 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.

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.

Incl.: As above.

Yours faithfully,



(A.P. Mohanty)

Superintendent of Salt
Regional Office, Mumbai

Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to :-

- 1) The Municipal Commissioner, Municipal Corporation of Greater Mumbai, Municipal Headquarters, Mumbai.
- 2) The District Collector, Mumbai.
- 3) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), Mumbai.
- 4) The Regional Officer, Maharashtra Pollution Control Board, Kalpataru Point, 1st Floor, Opp. Cineplanet Cinema, Sion (East), Mumbai - 400022.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.

Copy to Hormoz salt works file.

Copy of Land Cell (Mangrove Writ Petition file).

BRIHANMUMBAI MAHANAGARPALIKA

No. A.E./S.W.M./ 1505 /F/North Dt. 24/04/2023

Office of Asst. Engineer (SWM),
F/North Ward Office Building,
3rd Floor, 96 Bhau daji Marg,
Mumbai - 400 019**NOTICE**

To,
~~Deputy~~ Salt Commissioner,
 Exchange Building, 4th Floor,
 Sir Shivsagar Ramgulam Marg,
 Ballard Estate, Mumbai- 400001.

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 ()

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.


A.E. (S.W.M) F/North


E.E. (S.W.M) Z-II

Copy for necessary action to:

1. The Superintendent of Salt, Bhandup.
2. The Deputy Superintendent of Salt, Wadala.

Copy submitted for information to:

1. The Salt Commissioner, Lavan Bhawan, 2-A, Jaipur - 302004 (Rajasthan).
2. The Director, Environment and Climate Change Dept. and MS, MCZMA.

GOVERNMENT OF INDIA
Office of the Deputy Salt Commissioner
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,
MUMBAI - 400 001
Phone: 2082 5206, 2082 2192
E-mail: dsaltcom.mum@nic.in

C.No. D-11030(1)Land/2008/II/
2486-2494

Dated: 29/05/2023

MOST URGENT

To

- 1) Shri Murarilal 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.

By mail / Hand

Sir,

Subject: Lifting, Transporting and Processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.

Ref.- Your Letter dated 27.04.2023.

Although you have agreed to remove the C & D waste materials from the premises of Hormoz Salt Works, but you have not taken any action in this regard till date.

You are hereby instructed to remove all the C & D waste materials from the premises of Hormoz Salt Works **within 10 days** from the issue of this office letter and get them disposed of in consultation with the MCGM. If you fail to remove the C & D waste materials at your own as informed by the MCGM, you have to allow access to the MCGM for removal of the C & D waste materials and also bear the costs of the same as may be charged by the MCGM.

P.T.O.

300

It may please be noted that the MCGM has informed that it will not be responsible for any damage to your salt works during the work of removal of C & D waste materials by the MCGM.

Please treat it as most urgent.

Yours Faithfully,

o/c
mohita
26.5.23
(Mohita)
Deputy Salt Commissioner,
Mumbai

Copy for information and necessary action to:

- 1) The Executive Engineer (SWM), Zone II, MCGM with reference to his letter No. A.E./SWM/3126 dated 19.05.2023.
- 2) The Assistant Engineer (SWM), F/North Ward, MCGM with reference to his letter dated 19.05.2023.
- 3) The Principal Secretary, Environment and Climate Change Department, Govt. of Maharashtra in continuation of this Office letter of even no. 2038-2044 dated 01.05.2023 and with reference to the D.O. letter dated 16.05.2023 of the Additional Secy., DPIIT, Ministry of Commerce and Industry, New Delhi.
- 4) Regional Officer, Maharashtra Pollution Control Board
- 5) The Superintendent of Salt, Bhandup.
- 6) The Deputy Superintendent of Salt, Wadala.
- 7) **Copy submitted to the Salt Commissioner, Jaipur for kind information.**



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

भारत सरकार
GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय
Office of the Deputy Salt Commissioner
एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलार्ड ईस्टेट, मुंबई - 400001.
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate, MUMBAI - 400001

C. No. D-11030/13/Land/2008/II/ ²⁵⁵⁹⁵
₂₅₆₄

Date: 01/05/2023

To,

The Executive Engineer (SWM),
Zone - II, 3rd Floor, F/North Ward Office, Matunga 96,
Bhau Daji Road, Mumbai - 400019.

Sir,

Sub: Lifting, Transporting and Processing of C & D waste
dumped for preparation of bunds with C & D waste at
salt pan land in Wadala, F/North ward - Reg.

Please refer to your letter No. AE/SWM/345/FN dated
26.05.2023 on the above subject received in this Office on
29.05.2023.

Vide your earlier letter dated 15.3.23, you had asked the Salt
Commissioner to deposit Rs 249.95 crores for lifting of 15.62 lakh
tones of C7D waste. This time you are asking us to deposit Rs 14.95
crores for lifting of 1 lakh tones of C&D Waste.

This office *vide* letter of even No. 2495-2501 dated 29/05/2023,
a copy of which is enclosed herewith for ready reference, has clearly
informed that the Salt Commissioner Organization is not responsible
for management of C&D waste generated in Mumbai City and hence
is not liable to remove or process the C&D waste and also not liable to
bear any expenses in this regard. Also, the Additional Secretary,
DPIIT, New Delhi vide letter dated 16.05.2023 addressed to the
Principal Secretary, Environment & Climate Change Department,
Govt. of Maharashtra & copy endorsed to MCGM has conveyed that
in view of orders of Hon'ble NGT dated 28.09.2022 & dated
15.03.2023, as per provisions enshrined in rule 5, 6 & 7 of
Construction & Demolition Waste Management Rules, 2016 and in
view of MCGM circular dated 28.09.2018, Salt Commissioner
Organization may not be responsible for management & disposal of
C&D waste.

It is further informed that the salt manufacturers of Hormoz salt works vide their letter dated 27.04.2023 have already shown their willingness to remove the C&D waste from Hormoz salt works and to dump the same at site designated by MCGM. Also, the salt manufacturers vide their letter dated 26.05.2023 addressed to you have raised question about the quantity of C&D waste calculated by MCGM and have again expressed their willingness to remove the actual quantity of C&D waste dumped in Hormoz salt works to a suitable location indicated by MCGM.

It is strange that in your earlier communication dated 15.3.23, you had analyzed that the main thrust of the NGT order is to direct the Salt manufacturer for removal of C& D waste but at the end you concluded that the budget should be provided by the Salt Commissioner .

In view of above, it is once again requested to cooperate with the salt manufacturer in removal and disposal of C&D waste from Hormoz salt works as per Hon'ble NGT order dated 28.09.2022. Our Local Officer posted by Wadala Salt Factory will be available for coordinating the above works. His details are as below: -

Name: Shri Ranjeet Kumar, Deputy Superintendent of Salt, Wadala.
Mobile No.: 70162 93380.

Encl. as above

Yours Faithfully,

tc

snova/c.
1.6.23
(Mohita)

Deputy Salt Commissioner
MUMBAI

- 1) Copy to the Deputy Municipal Commissioner (SWM), BMC HO, Annexe Building, 3rd Floor, Mahapalika Marg, Mumbai - 400 001, for information and necessary action.
- 2) Copy for information to the Director (Environment), Environment Department, 15th Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.
- 3) Copy submitted to the Salt Commissioner Jaipur for information.
- 4) Copy for information to: -
 - A. The Superintendent of Salt, Bhandup.
 - B. The Deputy Superintendent of Salt, Wadala.



GOVERNMENT OF INDIA

Office of the Deputy Salt Commissioner

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,

MUMBAI - 400 001

Phone: 2082 5206, 2082 2192

E-mail: dsaltcom.mum@nic.in

C.No. D-11030(1)Land/2008/II/

2495-2501

Dated: 29/05/2023

To

The Executive Engineer (SWM),
Zone-II, MCGM.

By mail/hand

Sir,

Subject: Lifting, Transporting and Processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.

Ref.- Your Notice No. A.E./SWM/3126 /F/N dated 19.05.2023.

With reference to your Notice referred above, your attention is invited to this Office letter of even no. 2038-2044, dated 01.05.2023 addressed to the Principal Secretary, Environment & Climate Change Department, Govt. of Maharashtra with copies to others including the MCGM, a copy of which is enclosed herewith for ready reference please. In the said letter, it has already been clarified that in view of the Order of the Hon'ble NGT, dated 28.09.2022 & 15.03.2023, the C & D waste Rules 2016 and the circular dated 28.09.2018 of the MCGM, the Salt Commissioner's Organization (hereinafter referred as 'SCO') is not responsible for management & disposal of C & D waste generated in Mumbai City and therefore, the SCO will not provide any budgetary support for this purpose.

The Additional Secretary to the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry has also informed the Principal Secretary, Environment & Climate Change, Govt. of Maharashtra vide his D.O. letter dated 16.05.2023 that the SCO is not responsible for management & disposal of C & D waste (copy enclosed for reference please).

P.T.O.

In view of the same, it is reiterated that the SCO is not responsible for C & D waste management and also not liable for payment of any expenditure incurred by the MCGM for removal and process of C & D waste materials.

However, as already informed vide this Office letter dated 01.05.2023, the Salt Manufacturers of Hormoz Salt Works are ready to remove the C & D waste dumped in the salt works' premises at their own cost and will dump the same at any site directed by the MCGM.

A letter has also been issued to the Salt Manufacturers from this Office vide even no. ~~246-87~~ dt. 29.05.2023 to remove the C & D waste materials within 10 days & dispose them in consultation with the MCGM (copy enclosed for reference please).

If the manufacturers fail to remove the C & D waste materials, you are at full liberty to remove the same & recover the expenditure from the Salt Manufacturers of Hormoz Salt Works.

On your advance intimation, our concerned Officer will be present on the site during your work of removal of C & D waste materials.

Encl. As above

Yours Faithfully,

mohita
26.5.23
(Mohita)

Deputy Salt Commissioner,
Mumbai

o/c

Copy for information and necessary action to:

- 1) The Assistant Engineer (SWM), F/North ward, MCGM with reference to his letter No. A.E./SWM/3126 dated 19.05.2023.
- 2) The Principal Secretary, Environment & Climate Change Department, Govt. of Maharashtra in continuation of this Office letter of even no. 2038-2044 dated 01.05.2023 and with reference to the D.O. letter dated 16.05.2023 of the Additional Secy., DPIIT, New Delhi.
- 3) Regional Officer, Maharashtra Pollution Control Board
- 4) The Superintendent of Salt, Bhandup.
- 5) The Deputy Superintendent of Salt, Wadala.
- 6) **Copy submitted to the Salt Commissioner, Jaipur for kind information.**



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

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्सचेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg,

Ballard Estate, MUMBAI - 400001

C. No. D-11030(1)Land/2008/II/

Date: 01/05/2023

To.

The Principal Secretary,
Environment & Climate Change Department,
15th Floor, New Administrative Building,
Madam Cama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai - 400032.

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 & 145 of Salt Pan Division under Hormoz salt works at Wadala Salt Factory - Reg.

Sir,

Please refer to letter No. OA 2022/CR 3/TC-4 dated 20.04.2023 and No. OA 2022/CR 3/TC-4 dated 20.04.2023 from the Director, Environment & Climate Change Department on the above subject.

In this regard it is informed that in para 5 of the order dated 28.09.2022 in OA No. 343/2021, the Hon'ble NGT, New Delhi has ordered 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.

The Hon'ble NGT has ordered MCGM to prepare time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. Despite the same, this office vide letter No. S-11011(30)Salt/84/5343-36 dated 29.10.2022 (Annexure No. 1) has directed the salt manufacturers of Hormoz salt works to immediately remove the C&D waste dumped in the salt works and also to remove the encroachments. The encroachments in concerned salt pan lands have already been removed. The salt manufacturers of Hormoz salt work vide their letter dated 27.04.2023 (Annexure No. 2) addressed to this office and copies endorsed to you and others have informed that they are ready to remove the C&D waste dumped/used by them in salt works at their own cost and will dump the same at any site directed by the MCGM.

In view of orders dated 28.09.2022 & 15.03.2023 of the Hon'ble NGT in OA No. 343/2021, in view of provisions of C&D waste rules 2016 and also in view of MCGM circular dated 28.09.2018, you are requested to consider the letter dated 28.04.2023 given by the salt manufacturers and direct the concerned authorities to prepare time bound action plan for disposal of C&D waste within the time frame stipulated by Hon'ble NGT. The salt manufacturers will remove the C&D waste from site and will transport the same to the unloading site directed by the said authorities. The Officers of Salt Commissioner Organization will be available for supervision in this regard

It is further informed that no budgetary support will be provided by the Salt Commissioner Organization as we are not responsible for management and disposal of C&D waste generated in Mumbai City. The responsibility of management & disposal of C&D waste generated in Mumbai City has been vested by C&D waste management rules 2016 & MCGM circular dated 28.09.2018.

to defined authorities .The Salt Commissioner Organization is not liable to make budgetary provisions for the failure on the part of said authorities.

Encl. : As above.

Yours faithfully,

mohita
99-1-23
(Mohita)

5/C . Deputy Salt Commissioner
MUMBAI

Copy submitted to the Salt Commissioner, Jaipur for information and necessary action.

Copy to the Municipal Commissioner, MCGM, Mumbai.

Copy to the District Collector Mumbai City.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.
- 3) Hormoz salt works (Shri Murarilal N. Garodia & Shri Byram R. Dhalla).

राजीव सिंह ठाकुर
अपर सचिव
Rajeev Singh Thakur
Additional Secretary

D.O.No. P-34014(15)/47/2023-Salt/(E-181367)

7
आज़ादी का
अमृत महोत्सव

Office of the
Secretary

22 MAY 2023 Dated 16th May, 2023

V. Yadav
558

This is with reference to order dated 28.09.2022 and ~~15.03.2023~~ pronounced by Principal Bench of National Green Tribunal, New Delhi in Original Application (OA) No. 343/2021, filed by Madhura Rajesh Tawade Vs State of Maharashtra which relates to removal of Construction & Demolition Waste i.e. C&D waste dumped in CS No. 144 & 145 of Salt Pan Division under Hormoz Salt Works at Wadala Salt Factory and subsequent directions issued by Director, Maharashtra Coastal Zone Management Authority (MCZMA), Environment and Climate Change Department, Mumbai vide their letter dated 20.04.2023.

2. Vide order dated 28.09.2022 Principal Bench of National Green Tribunal, New Delhi has ordered at para 5 as below:-

"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..."

3. Further, vide order dated 15.03.2023, the Hon'ble Tribunal has ordered at para 7 as below:-

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... If any further direction is found necessary, he may place the matter before the Bench..."

4. In this background, it is stated that, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India.

5. Further, the encroachments on salt pan land under Hormoz Salt Works were removed by joint demolition drive undertaken by the o/o the Deputy Salt Commissioner, Mumbai during June, 2022. Further, o/o the Deputy Salt Commissioner, Mumbai vide letter dated 29-10-2022 had directed to remove C&D waste dumped in Hormoz salt works immediately. No further dumping has been undertaken afterwards. The Action Taken Report in the matter was submitted by O/o the Deputy Salt Commissioner, Mumbai to the Director, Environment & Climate Change Department of Government of Maharashtra vide letter dated 23-12-2022.

Contd.....

-2-

6. During the site visit of the Salt Works on 18-04-2023, the Deputy Superintendent of Salt, Salt Commissioner's Organization (SCO) had asked M/s Hormoz Salt Works to demolish rest sheds for labourers and accordingly, the encroachments / half constructed structures near Madina Masjid in Hormoz salt works were removed in the presence of Deputy Superintendent of Salt, SCO and Police personnel on 20-04-2023.

7. Further, the BMC vide their letter dated 24-04-2023 has requested SCO to dispose the C& D waste at the plant of M/s Metro Plant Handling Pvt. Ltd., or Navi Mumbai, otherwise BMC will initiate legal action against Salt Commissioner's Organization and BMC has also communicated that the cost required for the process of C&D waste is Rs.14.25 Cr.

8. On perusal of the order dated 28.09.2022 and 15.03.2023 of Principal Bench of National Green Tribunal, New Delhi and as per Provisions enshrined in Rule 5, 6 & 7 of Construction and Demolition Waste Management Rules, 2016 and Municipal Corporation of Greater Mumbai (MCGM) circular dated 28-09-2018, it has been observed that Salt Commissioner's Organization (SCO), an attached office of DPIIT may not be responsible for management & disposal of C&D waste.

9. In light of the aforesaid facts and circumstances, I shall be grateful, if you please look into the aforesaid issue and reconsider the directions issued by Director, Maharashtra Coastal Zone Management Authority (MCZMA), Environment and Climate Change Department, Mumbai vide their letter dated 20-04-2023 and BMC vide their letter dated 24-04-2023.

Yours Sincerely

-sd/-


(Rajeev Singh Thakur)

To
Shri. Praveen Darade
Secretary
Dept. of Environment & Climate Change,
Govt. of Maharashtra,
Mantralaya, Madam Kama Road,
Mumbai - 400032

Copy to:

To

Deputy Salt Commissioner
Exchange Building,
4th Floor, Sir Shivsagar Ramgulam Marg,
Ballard Estate,
Mumbai (Maharashtra)
Pin-400 038


(Rajeev Singh Thakur)



GOVERNMENT OF INDIA
Office of the Deputy Salt Commissioner
 Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,
 MUMBAI - 400 001
 Phone: 2082 5206, 2082 2192
 E-mail: dsaltcom.mum@nic.in

C.No. D-11030(1)Land/2008/II/

2456

Dated: 29/05/2023

MOST URGENT

By mail / hand

To

- ✓ 1) Shri Murarilal 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.

Sir,

Subject: Lifting, Transporting and Processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.

Ref.- Your Letter dated 27.04.2023.

Although you have agreed to remove the C & D waste materials from the premises of Hormoz Salt Works, but you have not taken any action in this regard till date.

You are hereby instructed to remove all the C & D waste materials from the premises of Hormoz Salt Works **within 10 days** from the issue of this office letter and get them disposed of in consultation with the MCGM. If you fail to remove the C & D waste materials at your own as informed by the MCGM, you have to allow access to the MCGM for removal of the C & D waste materials and also bear the costs of the same as may be charged by the MCGM.

311

It may please be noted that the MCGM has informed that it will not be responsible for any damage to your salt works during the work of removal of C & D waste materials by the MCGM.

Please treat it as most urgent.

Yours Faithfully,

mohita

26.5.23
(Mohita)

Deputy Salt Commissioner,
Mumbai

Copy for information and necessary action to:

- 1) The Executive Engineer (SWM), Zone II, MCGM with reference to his letter No. A.E./SWM/3126 dated 19.05.2023.
- 2) The Assistant Engineer (SWM), F/North Ward, MCGM with reference to his letter dated 19.05.2023.
- 3) The Principal Secretary, Environment and Climate Change Department, Govt. of Maharashtra in continuation of this Office letter of even no. 2038-2044 dated 01.05.2023 and with reference to the D.O. letter dated 16.05.2023 of the Additional Secy., DPIIT, Ministry of Commerce and Industry, New Delhi.
- 4) Regional Officer, Maharashtra Pollution Control Board
- 5) The Superintendent of Salt, Bhandup.
- 6) The Deputy Superintendent of Salt, Wadala.
- 7) **Copy submitted to the Salt Commissioner, Jaipur for kind information.**

MUNICIPAL CORPORATION OF GREATER MUMBAI3rd floor, F/North ward office, Matunga 96, Bhau daji road Mumbai-19

To

Dy. Salt Commissioner

Exchange Building, 4th Floor, Shiv Sagar Ram

Gulam Marg, Ballard Estate Mumbai 400 001.

No. AE/SWM 4174 FN

Date: 06/06/2023

Sub:- Lifting Transporting and processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.



- Ref:-
- Order dated 28.09.2022 passed by the Hon'ble NGT in original application no. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)
 - No. AE/SWM/2273/ F/North Dt. 09.05.2023
 - No. AE/SWM/3126/ F/North Dt. 19.05.2023
 - No. AE/SWM/345/ F/North Dt. 26.05.2023
 - C.No. D-11030(1)Land /2008/II/2495-2501 dt. 29.05.2023
 - C.No. D-11030/13/Land /2008/II/2559-2564 dt. 01.06.2023

As per direction given by Hon, NGT, it is required to process C & D waste dumped illegally at salt pan land in wadala. Hon'ble NGT has ordered "to remove unauthorized 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".


As per NGT's order issue was discussed in the task force meeting to remove and process the C & D waste in environmentally sound manner. In this regard letters were sent to salt commissioner and M/s. Hormoz Salt works. In reply Deputy salt commissioner sir mentioned that M/s. Hormoz Salt works has agreed to remove the C&D waste lying at salt pan land (letter ref No v). But M/s. Hormoz Salt works has not commented on scientific processing and disposal of the C & D Waste dumped at salt pan land as per NGT's order. In the letter received under ref no.(vi) deputy salt commissioner office has requested BMC to cooperate with salt manufacturer regarding disposal of C & D waste dumped on salt pan land in an environmentally sound manner.

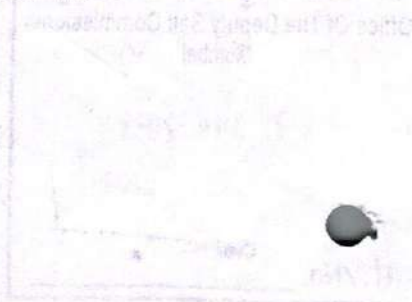
As per your request we are providing details of agencies dealing in the field of processing the C&D waste in scientific and environmentally sound manner. Following are the details agencies available in Mumbai and Navi Mumbai area for processing C&D waste material in scientific manner.

Sr. No.	Name of Agencies	Contact Person
1	M/s Metro Waste Handling Pvt. Ltd.	Mr. Anil Sharma 9867714965
2	Navi Mumbai Municipal Corporation C&D waste plant Turbhe.	Mr. Sawant 8369890497 JE Mr. Vishwe : 9892450781
3	Godrej C&D waste Processing plant Vikhroli.	Mr. Kadam 9819102917

In view of the above, Deputy Salt commissioner sir is requested to direct the 'salt-manufacturer M/s. Hormoz Salt works to contact the above agencies and immediately start the work of lifting, transporting and scientifically disposing the C & D Waste lying at salt pan land. Considering the urgency of work you are requested to please reply within 3 days from receipt of this letter so as to decide further necessary action as mentioned in the previous notices issued to you.

Treat it as most URGENT. ૧૧


06.06.2023
AE (SWM)
F/North ward



BRIHANMUMBAI MAHANAGARPALIKA

No. A.E./S.W.M./2273/F/North Dt. 09/05/2023

Office of Asst. Engineer (SWM),
F/North Ward Office Building,
3rd Floor, 96 Bhau daji Marg,
Mumbai - 400 019To,
Deputy Salt Commissioner,
Exchange Building, 4th Floor,
Sir Shivsagar Ramgulam Marg,
Ballard Estate, Mumbai-400001.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: 1. NGT Case No. 343/2021 & Directions dated 15.03.2023
2. Constitution of Technical Committee for the compliance of Hon'ble NGT order
dated 28.09.2022 and 15.03.2023 in the OA No. 343/2021

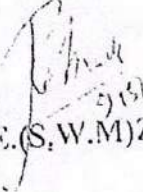
Sir,

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, transportation & disposal / processing of C&D waste. In this regards in the technical committee meeting held on 25.04.2023 it is decided to finalise the C&D waste quantity by surveying & trenching the bund. Hence, the expertise are coming to assessment the C&D waste quantity.

You are therefore requested to instruct concern to allow quantity assessing team to enter salt pan land for above mentioned work please.


A.E. (S.W.M.) F/North
09.05.2023


E.E. (S.W.M.) Z-II
09.05.2023

Copy for information:

✓ Hormoz Salt Works - Muranlal N Garodia,
Sheela Apartments, 4th Floor,
Mahalaxmi Mandir Road,
Off Bhulabhai Desai Road,
Mumbai -400 026

315
MUNICIPAL CORPORATION OF GREATER MUMBAI

3rd floor, F/North ward office, Matunga 96, Bhau daji road Mumbai-19

No. AE/SWM 3128 FM

Date: 19/05/2023

Notice -II

To

Dy. Salt Commissioner

Exchange Building, 4th Floor, Shiv Sagar Ram

Gulam Marg, Ballard Estate Mumbai 400 001.

To

M/s Hormoz Salt Works,

Shanti Nagar, Salt Pan Road, Near Madina masjid,

Wadala (E), Mumbai – 400 037.

Sub:- Lifting Transporting and processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.

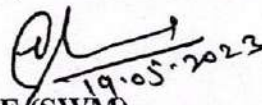
Ref.:- i) Order dated 28.09.2022 passed by the Hon'ble NGT in original application no. 343/2021 (Mhadhra Tawde V/s State of Maharashtra)


As per direction given by Hon, NGT, it is required to process C & D waste dumped illegally at salt pan land in wadala. Hon'ble NGT has ordered "to remove unauthorized 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".

As per NGT's order issue was discussed in the task force meeting to remove and process the C & D waste in environmentally sound manner. In that meeting representative of salt commissioner stated that M/s. Hormoz Salt works has agreed to remove the C&D waste lying at salt pan land (letter ref No 2). But M/s. Hormoz Salt works has not commented on scientific processing and disposal of the C & D Waste dumped at salt pan land as per NGT's order. The same point was also discussed in meeting but till date no information is received from salt commissioner office and M/s. Hormoz Salt works regarding disposal of C & D waste dumped on salt pan land in an environmentally sound manner in the nearby C & D Waste processing facility at Navi Mumbai or other Facility as appropriate.

Therefore as per instructions from higher authorities, BMC has decided to remove and process part of C & D waste dumped for making bunds at salt pan land as per NGT's order at initially on pilot basis at risk and cost of Salt Commissioner / M/s Hormoz salt works i.e. the expenditure incurred by BMC in above process along with 15% supervision charges will be reimbursed by Salt Commissioner / M/s Hormoz salt works to BMC. Only after reimbursement of cost incurred by BMC as mentioned above by Salt Commissioner / M/s Hormoz salt works, BMC will plan for removal and disposal of remaining C&D waste at salt pan land along with expenses for the same in consultation with Salt Commissioner. Therefore you are hereby requested to direct M/s Hormoz salt works to allow access to BMC at salt pan land for above mentioned work. Also you are requested to arrange your representative during the work. BMC will not be responsible for any damage during work. Considering the urgency of work you are requested to please reply within 3 days of receipt of this letter.

Treat it as most URGENT.


AE (SWM)
F/North ward


E. E. (SWM)
Zone -II

Copy for necessary action to:

1. The Superintendent of Salt, Bhandup.
2. The Deputy Superintendent of Salt, Wadala

Copy Submitted for information to:

1. The Salt Commissioner Lavan Bhavan 2-A Jaipur – 302 004 Rajasthan
2. The Director Environment and Climate Change Department and MS. MCZMA

o/c

MUNICIPAL CORPORATION OF GREATER MUMBAI3rd floor, F/North ward office, Matunga 96, Bhau daji road Mumbai-19**Notice -III**

No. AE/SWM 345/FN

Date: 26/05/2023

To

✓ Dy. Salt Commissioner

Exchange Building, 4th Floor, Shiv Sagar Ram
Gulam Marg, Ballard Estate Mumbai 400 001.

To

M/s Hormoz Salt Works,

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

Sub:- Lifting Transporting and processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.

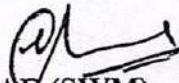
Ref.:- i) Order dated 28.09.2022 passed by the Hon'ble NGT in original application no. 343/2021 (Mhadhra Tawde V/s State of Maharashtra)

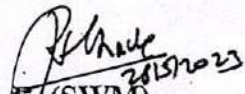
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Therefore as per instructions from higher authorities, BMC has decided to remove and process part of C & D waste dumped for making bunds at salt pan land as per NGT's order at initially on pilot basis at risk and cost of Salt Commissioner / M/s Hormoz salt works i.e. the expenditure incurred by BMC in above process along with 15% supervision charges will be reimbursed by Salt Commissioner / M/s Hormoz salt works to BMC. Only after reimbursement of cost incurred by BMC as mentioned above by Salt Commissioner / M/s Hormoz salt works, BMC will plan for removal and disposal of remaining C&D waste at salt pan land along with expenses for the same in consultation with Salt Commissioner. Therefore you are hereby requested to direct M/s Hormoz salt works to allow access to BMC at salt pan land for above mentioned work. Also you are requested to arrange your representative during the work. BMC will not be responsible for any damage during work. Considering the urgency of work you are requested to please reply within 3 days of receipt of this letter.

Treat it as most URGENT.


AE (SWM)
F/North ward


E. E. (SWM)
Zone -II



GOVERNMENT OF INDIA
Office of the Deputy Salt Commissioner
 Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,
MUMBAI - 400 001
 Phone: 2082 5206, 2082 2192
 E-mail: dsaltcom.mum@nic.in

C.No. D-11030(1)Land/2008/III/2685-2695

Dated: 08/06/2023

MOST URGENT / FINAL WARNING

To

- 1) Shri Murarilal 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.

Sir,

Subject:Lifting, Transporting and Processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward-Regarding.

References:-

1. Your Letter dated 27.04.2023 & 26.05.2023.
2. **This Office Letter dt. 29.05.2023 & dt. 07.06.2023.**
3. Office Letter of MCGM No. AE/SWM/345/FN dt. 26.05.2023.

In above-referred letters of this Office, you have been instructed to remove all the C & D waste materials from the premises of Hormoz Salt Works within 10 days time bound limit and although the said period is over now, still no action so far has been taken at your end. As per the Orders dt. 28.09.2022 & 15.03.2023 passed by the Hon'ble NGT, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade v/s Government of Maharashtra), the Principal Secretary, Environment & Climate Change Department, Govt. of Maharashtra has directed for disposal of the C & D waste from the premises of Hormoz Salt Works and failure to dispose of the said debris would attract the serious/dire consequences. Although you have agreed to

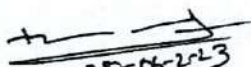
remove the C & D waste materials from the premises of Hormoz Salt Works, you have not taken any action in this regard till date. Pursuant to the Order given by the Hon'ble NGT and direction of the Principal Secretary of the Environment & Climate Change Department, Govt. of Maharashtra, you are hereby again directed to commence the disposal of the said C & D debris from 09.06.2023, in a scientific and environmentally sound manner as directed by the Hon'ble NGT dt. 28.09.2022 & 15.03.2023. If you fail to remove the C & D waste materials at your own, FIR will be lodged against you in the concerned police station under the relevant sections of the Indian Penal Code, 1860 and under the Environment Protection Act, 1986.

It may please be noted that if you fail to lift the C & D waste, MCGM will start lifting of C & D waste from Monday i.e., 12.06.2023 onwards and, as already informed to you vide office letter dt. 26.05.2023 of MCGM (copy enclosed for ready reference), you have to bear all the expenses charged by the MCGM including the supervision charges at the rate of 15% under appropriate Act and MCGM will not be responsible for any damage caused to your salt works during the work of removal of C & D waste materials.

Please treat it as most urgent and ensure compliance.

Encl.as above

Yours Faithfully,


08-06-2023
(A.P. Mohanty)
Superintendent of Salt

Mumbai

Copy for information and necessary action to:

1. The Deputy Municipal Commissioner (SWM), BMC HO, Annexe Building, 3rd Floor, Mahapalika Marg, Mumbai-400 001.
2. The Director (Environment), Environment & Climate Change Department, 15th Floor, New Administrative Building, Mantralaya, Mumbai- 400 032.

3. The Principal Secretary, Environment & Climate Change Department, 15th Floor, New Administrative Building, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai- 400 032.
4. The Executive Engineer (SWM), Zone-II, MCGM, 3rd Floor, F/North Ward Office, Matunga 96, Bhau Daji Road, Mumbai-400 019.
5. The Assistant Engineer (SWM), F/N Ward, MCGM, 3rd Floor, F/North Ward Office, Matunga 96, Bhau Daji Road, Mumbai-400 019.
6. The Regional Officer, Maharashtra Pollution Control Board, Kalpataru Point, 1st floor, Opp. PVR Theatre, Sion (E), Mumbai-400022.
7. Copy submitted to the Salt Commissioner, Jaipur for information.
8. Copy to:
 - A. The Superintendent of Salt, Bhandup for information and necessary action.
 - B. The Deputy Superintendent of Salt, Wadala for information and necessary action. He may ensure that lifting of the C & D waste from the premises of Hormoz Salt Works is commenced from 09.06.2023 positively and if the manufacturers fail, FIR may be filed.

MUNICIPAL CORPORATION OF GREATER MUMBAI3rd floor, F/North ward office, Matunga 96, Bhau daji road Mumbai-19

To
 ✓ Dy. Salt Commissioner
 Exchange Building, 4th Floor, Shiv Sagar Ram
 Gulam Marg, Ballard Estate Mumbai 400 001.

To
 M/s Hormoz Salt Works,
 Shanti Nagar, Salt Pan Road, Near Madina masjid,
 Wadala (E), Mumbai – 400 037.

No. AE/SWM 345/FN
 Date: 26/05/2023

Notice - III

Office of the Dy. Salt Commissioner
 Mumbai

V-12
 1/1/2023
 2287

Sub:- Lifting Transporting and processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.


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Treat it as most URGENT.


 AE (SWM)
 F/North ward


 E. E. (SWM)
 Zone -II

GOVERNMENT OF INDIA
Office of the Deputy Salt Commissioner
Exchange Building, 4th floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,
MUMBAI - 400 001
Phone: 2082 5206, 2082 2192
E-mail: dsaltcom.mum@nic.in

C.No. D-11030(1)Land/2008/II/

Dated: 14/06/2023

MOST URGENT

To

- 1) Shri Murarilal 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.

Sir,

Subject:Lifting, Transporting and Processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward-Regarding.

References:

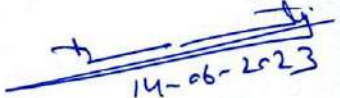
- 1) Your Letter dated 27.04.2023 & 26.05.2023
- 2) This Office Letters dt. 29.05.2023 of even no. 2486, dt. 07.06.2023 of even no. 2669-79, dt. 08.06.2023 of even no. 2685-95
- 3) Office Letter of MCGM No.AE/SWM/4174/FN dt. 06.06.2023

With reference to the above-cited subject, it is learnt that you have started the work of lifting C & D debris from the Hormoz Salt Works site today. However, as the monsoon is approaching and the complete removal of debris must be expedited in compliance with the the Orders of the Hon'ble NGT, you are directed to deploy sufficient machinaries and man-power to complete the work of lifting C & D debris from the site of Hormoz Salt Works

P.T.O.

within a week's time from today positively so that the compliance report can be filed in time in the Hon'ble NGT.

Yours Faithfully,


14-06-2023
(A.P. Mohanty)
Superintendent of Salt,
Mumbai

dc

Copy for information and necessary action to:

1. The Deputy Municipal Commissioner (SWM), BMC HO, Annexe Building, 3rd Floor, Mahapalika Marg, Mumbai-400 001.
2. The Director (Environment), Environment & Climate Change Department, 15th Floor, New Administrative Building, Mantralaya, Mumbai- 400 032.
3. The Principal Secretary, Environment & Climate Change Department, 15th Floor, New Administrative Building, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai- 400 032.
4. The Executive Engineer (SWM), Zone-II, MCGM, 3rd Floor, F/North Ward Office, Matunga 96, Bhau Daji Road, Mumbai-400 019.
5. The Assistant Engineer (SWM), F/N Ward, MCGM, 3rd Floor, F/North Ward Office, Matunga 96, Bhau Daji Road, Mumbai-400 019.
6. The Regional Officer, Maharashtra Pollution Control Board, Kalpataru Point, 1st floor, Opp. PVR Theatre, Sion (E), Mumbai-400022.
7. Copy submitted to the Salt Commissioner, Jaipur for information.
8. Copy to:
 - A. The Superintendent of Salt, Bhandup.
 - B. The Deputy Superintendent of Salt, Wadala.

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

Dated -21/06/23

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

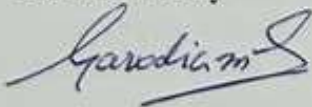
**Sub – Removal of C&D Waste used for protective Bund (embankment)
 fortification from C.S.No.145.**

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. Report of Godrej c & D waste processing plant

Copy to

Deputy Salt Commissioner



पहिली खबर

FIRST INFORMATION REPORT

प्रतिमादारी प्रक्रिया सहितेच्या कलम 154 अन्वये (Under Section 154 Cr. P.C.)

1. राज्य महाराष्ट्र जिल्हा मुंबई पोलीस ठाणे वडाळा पहिली खबर क्र. 144 वर्ष 2023 दिनांक 03/08/2023
State महाराष्ट्र District मुंबई Police Station वडाळा FIR No. 144 Year 2023 Date 03/08/2023

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

3. (a) अपराधाची घटना: वार तारीख पासून माच २०२० ते मार्च २०२२ या काळात
Occurrence of offence : Day - Date from Time Date to Time
वेळेचा 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 मिळालेचा तारीख ०५-०८-२३, वेळ १९.००
Information received at P.S. Date Time
(c) गुन्हा दाखल झालेचा सर्वसाधारण स्टेशन डायरीचा नोंद क्र. ६४/२३ तारीख ०५/०८/२०२३ वेळ २०.१५
General Diary Reference : Entry No. Date Time

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

5. गुन्हा घडल्याचे ठिकाण (a) पोलीस ठाण्यापासून अंतर व दिशा ५११०१०५५ KM चौकी / बीट / दुरक्षेत्र नाव व क्र. बीट १-०३
Place of Occurrence : (a) Direction and distance from P.S. Chouki/Beat/O.P. Name and No.
(b) गुन्हा घडल्याचे ठिकाणाचे नाव सी.एस.क. गल्ली ५५, १५ ठिकाणाचे नंबर सी.एस.क. गल्ली ५५, १५ 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 रंजित कुमार (b) वडीलाचे / पतीचे नाव श्री वैद्यनाथ प्रसाद
Father's / Husband's Name
(c) जन्म तारीख व वय २७ वर्ष (d) राष्ट्रीयत्व भारतीय फोन नं. ७०१६२९३३८०
Date of Birth & Age Nationality Phone No.
(e) पारपत्र क्रमांक दिल्याचा दिनांक दिल्याचे ठिकाण (f) व्यवसाय पोलीस
Passport No. Date of Issue Place of Issue Occupation
(g) धर्म Religion ब्राह्मण Caste जनजात Sub-Caste
(h) पत्ता : मि. २ विभागाची इमारत, मुंबई येथे राहणारे पत्ता नं. वोटसं नं.
Address : Ward House/Name No. Phone/M. No. Pan No. Card No.
सत्याचे नाव जवळचे प्रसिद्ध ठिकाण
Road Nearest identifiable place Village Post P. Stn.
तालुका जिल्हा राज्य सध्याचा पत्ता
Taluka Distt. State Present Address

खरी नव

Road

तालुका

जिल्हा

राज्य

सध्याचा पत्ता

Taluka

Distt.

State

Present Address

घेऊन तपासीक अंमलदाराच्या प्रथम खबरीला व सं. अभियोक्ता 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.)

- १) मुरालीलाल एन. रा. रोडीया, रा. वि. शिवा भपाईमेंट, चौथा मजला, मुलाभाई देसाई रोड, मुंबई-२६.
२) भायशम शेहिबेन देसाई, रा. वि. फुलवा मॅन्शन, ५ रावशा रोड, नेपी यन्सी रोड, मुंबई-२६.

जबाब

दि. 04-08-23

यातील नकाद्वार गावे श्री इंजीन कुमारे
 (वडीलांचे नाव - श्री वैद्यनाथ प्रकार) वय 57 वर्षे, धंदा -
 ने रुटी (डेप्युटी सुप्रीटेंडंट, मिठ विभाग) स.बी. मिठ विभाग
 किलींग, हुलुंड गेव्ह हउस, मिठगार रोड, कछरेव
 पावळ चौक, हुलुंड (२) हुंबई जिल्हा, महाराष्ट्र राज्य
 आगगाव इंजलीलीन केला आहे. उच्चतर उच्चपती
 प्रथम खबर संकेतव्यात - यावे.

संपन्न



(शक्ति) वाहुळे
 सहायक पोलीस निरीक्षक
 वडाका पोलीस ठाणे, हुंबई



खरी नकल



ठाणे जंमलदा
 वडाका पोलीस ठाणे, हुंबई



जबाब

दिनांक 04/08/23

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

मी वरीलप्रमाणे असून वर नमुद पत्यावर मागील एक महिन्यांपासून राहावयास आहे. मी मिठ विभागामध्ये डेप्युटी सुप्रीटेंडंट या पदावर मागील चार वर्षांपासून काम करतो. यापुर्वी मी गुजरात येथे कामाच्या ठिकाणी राहावायास होतो. माझी बदली झाल्यामुळे दिनांक 15/05/2023 रोजी माझी भांडुप सर्कल येथे बदली दर्शविली. तेव्हापासून मी मुंबई येथे राहावयास आहे. माझे मुळ गाव भवानी भंडार, केअर ऑफ बैदयनाथ प्रसाद, बख्तीयारपुर बाजार, बख्तीयारपुर, जिल्हा पटना, 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 करून सी अॅन्ड डी वेस्ट टाकले. त्यांनी सि अॅन्ड डी वेस्ट काढले नाही तर त्यांचेविरोधात कायदेशीर तक्रार करणेबाबत आदेशीत झाले. 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 करून देण्यात आली आहे. दिनांक 24/05/2000 रोजी नानाभाई भिवंडीवाला यांनी नमुद जमिन श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन ढल्ला यांना नमुद जमिन मिठ उत्पादन करणेकरीता ग्राउंड रेंट करारावर देण्यात आली. नमुद जमिनीवर तयार होणारे मिठाचे उत्पादन, त्यांची क्वालीटी, यावर देखरेख करणे हे काम मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन 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 जमिनीवर दलदलीत जमिनीवर सी अॅन्ड डी वेस्ट टाकले आहे. त्यामुळे मिठ विभागाच्या जमिनीवरील मॅग्युजच्या झाडांना हानी पोहोचली आहे. मॅग्युजची झाडे मुंबईच्या वातावरणासाठी महत्वाची आहे. असे असले तरी मिठ विभागाच्या दलदलीच्या जमिनीवर सी अॅन्ड डी वेस्ट टाकल्यामुळे मॅग्युजच्या झाडांना हानी पोहोचली आहे. त्यांची ही कृती पर्यावरण सुरक्षा कायदा 1986 च्या अंतर्गत सीआरझेड रेग्युलेशच्या विरोधात आहे.

खरा नक्कल

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

ठाणे अंमलदार

वडाळा पोलीस ठाणे, मुंबई

अहवाल दिला आहे की, सी. एस. नं 144, 145 या जमिनीवर समुद्राचे पाणी मिठ बनते त्या जमिनीवर येऊ नये म्हणून येथे सी अँड वेस्ट चा वापर करून 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 रोंहिगटन ढल्ला यांना नमुद मिठ विभागाच्या जागेवर सी अँड वेस्ट, रेती पुर्व परवानगी न घेता टाकली. त्यावेळी मिठ विभागाच्या वतीने नोटीस देण्यात आली होती. नमुद नोटीसीला श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोंहिगटन ढल्ला यांनी उत्तर दिले नाही. तसेच सी अँड डी वेस्ट उचलणेकरीता कोणतीही परवानगी मिठ विभागाच्या वतीने देण्यात आली नसल्याचे सांगितले.

तसेच मा. ट्रिब्युनल न्यायालयाने दिनांक 28/09/2022 रोजी दोन महिन्यांच्या अवधीमध्ये मिठ विभागाचे डेप्युटी सॉल्ट कमिशनर आणि एफ(एन)/एम (डब्ल्यु) वॉर्ड, मुंबई महानगरपालीका यांच्या पर्यवेक्षणाखाली सी. एस. नं 144, 145 येथे बांधण्यात आलेले सी अँड डी वेस्ट उचलण्यात यावे असे आदेशीत केले. नमुद नोटीफिकेशनच्या अनुषंगाने जा. क्रं C.No S 11011 {30} Salt/84 दिनांक 29/10/2022 अन्वये मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोंहिगटन ढल्ला यांना सी आर झेड नोटीफिकेशन 2019 बाबत माहिती देउन त्यांनी सी अँड डी वापरून तयार केलेला बंधारा काढण्यात यावा असे कळविले. सी आर झेड नोटीफिकेशन 2019 अन्वये सीआरझेड वन ए अंतर्गत मॅग्रह वृक्ष असतील त्या परिसरात 50 मिटर अंतराच्या आतमध्ये कोणत्याही प्रकारचे बांध बांधणे सी अँड 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 अँड डी वेस्ट काढून घेणेबाबत आदेश दिला. म्हणुन मी मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोंहिगटन ढल्ला यांना जा क्रं C.No D - 11030 {1} land/2008/II 2486-2494 दिनांक 29/05/2023 रोजी नोटीस दिली.. त्यामध्ये दिवसांच्या आतमध्ये सी. एस. नं 144, 145 मध्ये बांधण्यात आलेले सी अँड डी वेस्ट काढून टाकण्यात यावे. त्यावेळी मिठ उत्पादकांनी सी अँड डी प्रोसेसींग करीता कोणत्या युनिटमध्ये प्रोसेसिंग करीता न्यायावयाचे आहे अशी विचारणा मिठ विभागाला केली. त्यावेळी मी मिठ विभागाच्या वतीने स्वतः त्यांना दोन तिन प्रोसेसींग प्वांटमध्ये घेउन गेलो. त्यामधील नवी मुंबई महानगरपालीकेचे तुर्भे येथील प्रोसेसींग युनिटमध्ये सी अँड डी वेस्ट उचलल्यानंतर प्रोसेसिंगकरीता घेउन जाण्यास मिठ उत्पादक तयार झाले. त्यानुसार मिठ उत्पादकाने दिनांक 14/06/2023 पासुन नवी मुंबई महानगरपालीकेचे तुर्भे येथील प्रोसेसींग युनिटमध्ये सी एस नं 144 व 145 यावर टाकलेले सी अँड डी वेस्ट उचलण्यास सुरुवात केली.

परंतु सी अँड डी वेस्ट उचलण्याकरीता मी वारंवार त्यांच्याकडे पाठपुरावा केला परंतु मिठ उत्पादक सी अँड डी वेस्ट उचलणेकरीता मुद्दाम टाळाटाळ करत असलेबाबत लक्षात आले



आहे. दिनांक 14/06/2023 ते अदयापर्यंत जेवढे सी अँड डी वेस्ट उचलणे आवश्क होते त्याप्रमाणात मिठ उत्पादक सी अँड डी वेस्ट उचलत नाहीत.

तरी सी आर झेड नोटीफिकेशन 2019 अन्वये सीआरझेड वन ए अंतर्गत मॅग्रव्ह वृक्ष असतील त्या परिसरात 50 मिटर अंतराच्या आतमध्ये कोणत्याही प्रकारचे बांध बांधणे सी अँड डी वर्क करणेस 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 अँड डी वेस्टचा वापर करुन बांध बांधला. म्हणुन त्यांना मिठ विभागाच्या वतीने मिठ उत्पादक श्री मुरारीलाल एन गरोडीया आणि श्री बायराम रोहिगटन 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 अँड 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 रोहिगटन ढल्ला रा. ठी. पुतळा मॅन्शन, दराबशा रोड, नेपन्शीया रोड, मुंबई 400026 यांचे विरोधात सरकारतर्फे कायदेशीर तक्रार आहे.

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

समक्ष

(सविता वाहुळे)

सहायक पोलीस निरीक्षक
वडाळा पोलीस ठाणे, मुंबई

खरी नवकल

रणे अंमलदार
वडाळा पोलीस ठाणे, मुंबई



097

8. तक्रारदाराने/फिर्यादीने तक्रार करण्याकरीता झालेल्या विलंबाची कारणे
Reasons for delay in reporting by the complainant/informant

तक्रार अर्जाची चौकशी करून घ्यावी

9. चोरीस गेलेल्या/अंतर्भूत मालमत्तेचा तपशील (आवश्यकतेनुसार नमुना फॉर्म जोडावा) सविस्तर मजकूर पाठीमागे लिहावे.
Particulars of properties stolen and involved (Attach necessary Proforma) write down details on blank back page.

10. (a) चोरीस गेलेल्या / अंतर्भूत मालमत्तेचे एकूण मूल्य
Total Value of properties stolen / involved

(b) चोरीची मिळालेली मालमत्ता (Recovered Properties)

11. अकस्मात मृत्यू / अपघाती मृत्यू असल्यास त्याचा क्रमांक :
Unnatural / Accidental Death Case No., if any

12. पहिल्या खबरीची थोडक्यात हकीगत (आवश्यक असल्यास स्वतंत्र कागद जोडावा) सविस्तर पाठीमागील कोऱ्या पानावर लिहावे.
First Information brief contents (Attach separate sheet, if required) : Detail write down back blank page.

यातील नमुद तारीख वेळी व ठिकाणी कॉलम क्र. ०१ मध्ये नमुद केलेल्या आरोपी मि. उपा. कु. थोनी सी. एस. क्र. १५५, १५६ या मि. विभा. गा. जमिनीवर सी. आर. से. नो. टी. फि. के. रा. त. १९९९ मध्ये सि. आर. से. १-१ अंतर्गत नमुदल्या रा. स. कृ. रा. मा. देशाची ठावणी कुली व मा. च. २०२० ते मा. च. २०२२ या कालावधीत नमुद जागेवर सी. आर. डी. वे. स्ट. या वापर करून बांध बांधला व मि. विभा. मा. वेळी वेळी जारी केलेल्या नो. टी. सी. चे उल्लंघन केले म्हणून गु. व. व. नोंद

13. केलेली कार्यवाही :- 1. वरील फिर्यादीवरून कॉलम नं. 2 मधील कलमाप्रमाणे गु. व. दाखल करून तपासावर घेतला, तपास करण्याचे आदेश दिले त्या तपासक अंमलदारचे नाव व हुद्दा:

सपोनि सविता वाडुले

2. तपास नाकारण्यात आला त्याचे कारण,

3. दुसऱ्या पोलीस ठाण्याकडे वर्ग करण्यात आला. पोलीस स्टेशन, जिल्हा, राज्य
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.

तक्रारदाराने / फिर्यादीने फिर्याद वाचून पाहिली. फिर्याद बरोबर लिहिली असल्याचे पाहून / वाचून / ऐकून बरोबर नोंदविली असल्याचे त्याने मान्य केले व त्याची एक प्रत त्यास विनामूल्य देण्यात आली.

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.

(R.O.A.C.)

14. तक्रारदाराची सही व अंगठ
Signature and Thumb impression of the Complainant & Informant.

खरी नकल

पोलीस ठाणे प्रभारी अधिकाऱ्याची सही.
Signature of Officer In-charge, Police Station

सविता वाडुले

सपोनि कडवा पो. ठाणे

ठाणे अंमलदार
नवाळा पोलीस ठाणे, मुंबई

15. 1. न्यायालयास सादर केल्याची तारीख Posting
1. Date and time of submitted to the Court. Code No. of I. O.

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

Attachment to item 7 of First Information Report