

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE , PUNE
ORIGINAL APPLICATION NO 13 OF 2024

Sitaram Londave Khune

....Applicant

Vs

M/s NHK Automotive Component
India Pvt.Ltd.and Anr

...Respondents

**Affidavit on behalf of the Maharashtra Pollution
Control Board**

I, Dr Avinash Dhakne, Aged 53 years, occupation - Service,
the Member Secretary, Maharashtra Pollution Control Board, having
my office at 3rd Floor, Kalpataru Point, Opp PVR Cinema, Sion (E),
Mumbai 400 022, do hereby state on solemn affirmation as under:

1. I say and submit that this Hon'ble Tribunal vide order dated 8/1/2024 directed the Respondent Board to verify as to whether the industry was closed from 25/2/2022 to 8/3/2022 and as to whether there are any violations still going on and submit the report.
2. I say and submit that the Registrar NGT , Pune vide email dated 12/1/2024 communicated the order dated 8/1/2024 to MPCB (HQ) and Regional Office, MPCB, Aurangabad, which was inadvertently missed out. I have inquired with the concern Regional Officer, MPCB. The concern Regional Officer has admitted that the mail dated 12.1.2024 was missed out by their office inadvertently. Therefore, I am tendering unconditional apology for non- filing of the Report on behalf

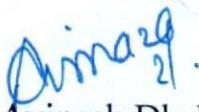
of MPCB in the present matter. I say that non-filing of Report is purely unintentional.

However, show cause notice has been issued to the concern officer vide letter dated 5.3.2024 & all Regional Officers have been directed to ensure compliance of Hon'ble NGT Orders & timeline of orders shall be adhered on priority vide letter dated 5.3.2024. It is submitted that henceforth the Board will ensure compliance of Orders passed by this Hon'ble Tribunal.

3. It is submitted that the Regional Officer, Chhatrapati Sambhajanagar is filing the Report in the present matter in compliance of this Hon'ble Tribunal order dated 8.1.2024 and 26.2.2024. I sincerely regret the delay for filing the Report .

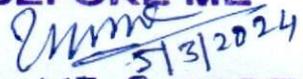
Solemnly affirmed on this 5th Day of March, 2024 at Aurangabad.

For and on behalf of Maharashtra
Pollution Control Board


(Dr Avinash Dhakne)
Member Secretary

DR. AVINASH DHAKNE, I.A.S
Member Secretary
2nd, 3rd, & 4th Floor, Kalpataru Point,
Sion Matunga Scheme Road No. 8,
Opp. PVR Cinema, Sion Circle,
Sion (East), Mumbai - 400 022.



BEFORE ME

VASANT B. MORE
Notary Gr. Mumbai
7, Vijaya Sadan Flat No. 304,
Above Axis Bank,
Sion West, Mumbai-400022

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

Website: www.mpcb.gov.in

Kalpataru Point, 2nd - 4th Floor
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai- 400 022.

Your Service is our duty

Date:- 05/03/2024

NO.MPCB/MS/B-10

To,
The Regional Officer
Maharashtra Pollution Control Board
Dist- Chhatrapati Sambhajnagar.

To,
The Sub Regional Officer
Maharashtra Pollution Control Board
Dist- Chhatrapati Sambhajnagar,

- Sub :- Show Cause Notice under Maharashtra Civil Service (Discipline and Appeal) Rules, 1979.
- Ref :- i) Hon'ble NGT Email dated 12.1.2024 in OA No 12 of 2024 filed by Sitaram Khone Vs M/s NHK Automotive Component India Pvt.Ltd., and Anr.
- ii) E-mail dated 27.2.2024 and 28.2.2024 issued by Policy and Law Division I .
- iii) Board's circular dated 27.5.2018.

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The Registry, Hon'ble NGT, Pune has issued email dated 12.1.2024, directing to submit report in OA No 12 of 2024 filed by Sitaram Khone Vs M/s NHK Automotive Component India Pvt Ltd., and Anr within two weeks.

After inquiry into the matter, it is reported by you that you have not submitted Action Taken Report in compliance of Hon'ble NGT orders dated 8.1.2024 and 26.2.2024 before Hon'ble NGT and admitted that the same has been missed out unintentionally.

In view of above, you are hereby called upon to show cause as to why appropriate disciplinary action shall not be initiated against you as per Maharashtra Civil Service (Discipline and Appeal) Rules, 1979 for negligence of duty.

You shall submit your reply to the said show cause notice within 3 days, failing which further appropriate action shall be initiated against you, which may please be noted.


(Dr Avinash Dhakne)
Member Secretary

Encl- E-mail dated 12.1.2024.

Copy f.w.cs :- JD(APC)/PSO- for information and follow up.



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

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Your Service is our duty

NO.MPCB/MS/B- 10

Date:- 05/03/2024

To,
All Regional Officers,
Maharashtra Pollution Control Board,
Mumbai/Navi Mumbai/Raigad/Kolhapur
Chandrapur, Chh Sambhajinagar, Kalyan
Thane, Amravati, Nashik, Pune, Nagpur

To,
All Sub Regional Officers

Sub :- Compliance of various orders/judgements passed by
Hon'ble National Green Tribunal, Pune.

Ref :- i) Hon'ble NGT Order dated 8.1.2024 and 26.2.2024 in OA
No 13 of 2024 filed by Sitaram Khune Vs M/s NHK Automotive
Component India Pvt Ltd and Others
ii) Board's circular dated 27.5.2018

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The Board has issued circular dated 27.5.20218. directing you to strict compliance of the judgement/Order passed or being passed by the National Green Tribunal. All Regional Officers of the Board were directed to comply with the same within a time bound manner. In case casual approach is adopted in compliance of the Order/judgement passed by the Hon'ble NGT in a time bound manner, the concern area Regional Officer/Sub Regional Officers will be jointly and severally held responsible for further necessary action.

However, it has been observed that the Regional Officers/Sub Regional Officers have not submitted joint committee reports/ EDC/ Affidavit/ATR in reply in compliance of Hon'ble NGT Orders in time before Hon'ble NGT, Pune.

You are directed to comply with the orders passed by Hon'ble Tribunal & also adhere to the timeline stipulated by the Tribunal. In case causal approach is adopted in compliance of the orders/judgements passed by Hon'ble NGT & any adverse order passed or being passed by the Hon'ble NGT, the responsibility will be fixed on the Regional Officer/Sub Regional Officer & appropriate disciplinary action as per Maharashtra Civil Service (Discipline and Appeal) Rules, 1979, will be initiated against you which please be noted.


(Dr Avinash Dhakne, IAS)
Member Secretary

Encl- As above.

Copy f.w.cs to :- AST(T)/D(APC)/JD(WPC)/PSO/RO(HQ)/RO(BMW)-for information and necessary action.