

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

Original Application No.197/2024(WZ)

[Earlier Original Application No.1161/2024 PB(LP)]

News Item titled "Mumbai : BMC's inaction on illegal Bhattis in Chandivali frustrates Residents, who now demand strict action" appearing in the "Free Press Journal" dated 26/08/2024.

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**Affidavit on behalf of the Respondent No.1-Maharashtra
Pollution Control Board**

I, Kishor Kerlikar, Aged : Adult, Occupation : Service, the Sub-Regional Officer, Maharashtra Pollution Control Board, Mumbai-II, having office address at Kalpataru Point, 2nd Floor, Sion-Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under :-

1. The Hon'ble National Green Tribunal, Principal Bench, New Delhi has registered Suo-Motu the News Item titled "Mumbai : BMC's inaction on illegal Bhattis in Chandivali frustrates Residents, who now demand strict action" appearing in the "Free Press Journal" dated 26/08/2024, as Original Application No.1161/2024. The Hon'ble NGT vide Order dated 13/9/2024 has transferred the said Original Application to the Western Zone Bench at Pune, which is registered as OA No.197/2024



and impleaded the Maharashtra Pollution Control Board as Respondent No.1 and directed the Respondents to file their reply by way of affidavit.

2. I am filing this Affidavit on behalf of the Maharashtra Pollution Control Board and in compliance of the Order dated 13/9/2024 passed by the Hon'ble NGT.
3. I say and submit that the Respondent-Board is granting Consent under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 to any industry, operation or process, on the basis of NOC granted by the concerned Local Bodies.
4. I say and submit that Industries engaged in mfg. of ingots by using furnaces/ Bhatti's falls under the purview of consent regime. However, respondent Board is granting consent to such activities only after obtaining NOC from the concerned local bodies.
5. I say and submit that as per Schedule-4 at Serial No.6 of Citizen Charter 2023 provides that initiation of action against the activities, which are causing pollution in residential area falls under the purview of concerned Local Bodies. An abstract of the Citizen Charter 2023 is enclosed herewith and marked as an **Annexure-'I'**.
6. I say and submit that accordingly, the Respondent Board vide letter dated 16/10/2024 informed to the Assistant

Commissioner, MCGM in vernacular language to dismantle the aforesaid illegal Bhattis.

Solemnly affirmed on this ^{23rd} day of October, 2024 at Mumbai

For and on behalf of Maharashtra Pollution Control Board,

Kishor Kerlikar
(Kishor Kerlikar)

Sub-Regional Officer, Mumbai-II



BEFORE ME

Vasant B. More
23/10/2024

VASANT B. MORE

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

REGISTER Sr. No. 949/2024





[Handwritten signature]

SEPREMS
VABANT B. MORE
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ALISTE 21 20 2014

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(Citizen's Charter – 2023)
Environment & Climate Change Department
Government of Maharashtra

SCHEDULE - IV

PROCEDURE ON PUBLIC COMPLAINTS REGARDING POLLUTION

Sr. No.	Nature of complaint	Liaison Officer & his office	Period required for redress of Grievances
1	Industrial water pollution/air pollution & solid waste pollution or noise pollution	Manager or owner in the factory concerned	15 days
2	Water Pollution/ air pollution & solid waste pollution or noise pollution in Industry	Sub regional officer, office of the Sub Regional Officer	30 days
3	If the above complaint is not redressed	Regional Officer, Regional Officer Office	Next 30 days
4	If the above complaint is not redressed	Legal Officer, Head Office	Next 30 days
5	Complaint about vehicular pollution	Concerned Regional Transport Officer	
6	Air, Water, Noise, Solid Waste Pollution in Urban residential area	Office of the Chief Officer, /Tehasildar/Municipal Commissioner Office	
7	Air, Water, Noise, Solid Waste Pollution in Rural residential area	Gram Sevak/ Talathi/ Tehasildar	
8	In case of air leakage/ Liquid leakage from the vehicle	Police Inspector/Fire Officer/ Revenue Officer	

Remarks. Complaints 1 to 4 above are of urgent nature ie. Toxic air leakage from factories, Smell nuisance etc. If so, the above period will not be binding. Appropriate action should be taken immediately in this regard.

Note- If the work is not completed within the prescribed time frame, the concerned should report to the senior authorities.

