

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO.110 OF 2023 (WZ)**

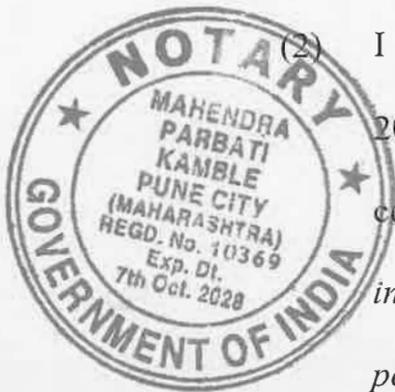
MSH Sheikh, President BWRC .....Applicant  
Versus

State of Gujarat & Ors. ....Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF  
RESPONDENT NO. 5- M/S SAI RACHANA  
CHEMICAL**

(1) I Manojbhai Babulal Agrawal Age: Adult, Manager of M/s Sai Rachana Chemical, I am in the business of trading chemicals (sale and purchase). I do not manufacture nor produce any type of chemical.

(2) I say and submit that Original Application No. 362 of 2019 was taken by the Hon'ble Principal Bench on the complaint, which alleged that, "*illegal disposal of waste into the Creek of Surat at Ankleshwar and Vapi. Two persons died while disposing of hazardous waste on 09/02/2019 on account of inhalation of toxic.....*".



On 26/09/2019 matter was disposed with following direction, “

- i. *The SPCB may assess and recover compensation on ‘Polluter Pays’ principle in accordance with law from the generator of the waste as well as the transporter. Pending such assessment, the SPCB may recover a sum of Rs. 50 lakhs as interim compensation jointly and severally from the generator as well as the transporter without prejudice to the remedies of the heirs of the deceased and the injured.*
- ii. *The Chief Secretary, State of Gujarat may look into the conduct of the SPCB in failing to perform its statutory duty in taking stringent action. As already noted, the SPCB had withdrawn the closure notice inspite of such serious incident of two deaths and grievous injury of another person and also damage to the environment, without even recovering any compensation for such damage, showing the Board in extremely poor light.*



iii. *To ensure effective environment governance, review of the manning/revamping of the GPCB may be undertaken within one month and initiating disciplinary or other action for the acts of omission and commission of key functionaries of the GPCB may be considered. Compliance report before this Tribunal be filed within one month by e-mail at [judicialngt@gov.in](mailto:judicialngt@gov.in).*

iv. *The interim compensation, recovered in pursuance of above, may be deposited with the CPCB for being spent for restoration of the environment."*

(3) I say and submit that against the order dated 26/09/2019 passed by Hon'ble Tribunal (PB) in Original Application No. 362 of 2019, Respondent No. 3-Praharit Pigments LLP preferred Civil Appeal No.8249 of 2019 before the Hon'ble Supreme Court.

(4) I say and submit that on 24/03/2023 The Hon'ble Supreme Court was please to remand back the matter to this Hon'ble Tribunal which is registered as Original Application No.110 of 2023 (WZ).



(5) I say and submit that on 09/10/2023 this Hon'ble Tribunal "*...again direct the said Committee to give hearing to the newly impleaded respondent No.3 and thereafter, submit its report before us, within a period of six weeks. Hearing, which shall be given to the respondent No.3, shall include all the aspects.*".

(6) Accordingly, Joint Committee Report dated January, 2024 was filed before this Hon'ble Tribunal.

(7) I say and submit that as per the Joint Committee Report

i. The Applicant has moved IA 280 of 2024 of for issuing direction for impleading Respondent No. 4 to 6 as party respondents in present case.

ii. Therefore, this Hon'ble Tribunal vide its order dated 22/10/2024 directed to issue notice to Respondent No. 4 to 6.

(8) I say and submit that I am in the business of trading of chemicals (sale and purchase). I do not manufacture nor produce any type of chemical. Hereto marked and annexed as "**Annexure R5-I**" is the copy of document showing nature of business.



- (9) I say and submit that on 07/02/2019 at around 10:30 AM, Respondent No. 6-M/s Shree Mahavir Enterprise have placed the order with Respondent No. 3-Praharit Pigments LLP for description of goods "Pure Hydro Chloric Acid 30%" (herein after referred as "HCL"). Hereto marked and annexed as "**Annexure R5-II**" is the copy of Tax Invoice dated 8/02/2026.
- (10) I say and submit that on same day i.e. 07/02/2019 at around 10:45 AM, Respondent No. 6 M/s Shree Mahavir Enterprise sold/traded HCL to Respondent No. 5 Sai Rachna Chemical. Hereto marked and annexed as "**Annexure R5-III**" is the bill dated 08/02/2019.
- (11) I say and submit that on same day i.e. 07/02/2019 at around 11:10 AM, I sold/traded HCL to Respondent No. 4-M/s Ayushi Enterprise. Hereto marked and annexed as "**Annexure R5-IV**" is the copy of bill dated 08/02/2019.
- (12) I say and submit that subsequently after 16 days of incident i.e. on 25/02/2019, FIR No. 28/2019 was registered against me for the offences under section 304,



284, 120(b), 114 of IPC and 15 of Environment Protection Act in Kadodara GIDC Police Station.

(13) I say and submit that subsequent to FIR No 28/2019 dated 25/02/2019 which was registered U/s 304, 284, 120(b), 114 of Indian Penal Code and 15 of Environment Protection Act, charges under section 467 and 471 of Indian Penal Code were added to charge sheet on the grounds that there is a forged Memorandum of Understanding (MOU).

(14) I say and submit that subsequently, I have filed discharge Application before the Hon'ble District Court, Bardoli in Session Case No. 29/2019 seeking my discharge from offence under section 304, 284, 120(b), 114, 467 and 471 of IPC and under section 15 of Environment Protection Act.

(15) Accordingly in aforesaid Session case No. 29/2021 before Hon'ble District Court, Bardoli, Hon'ble Court pleased to discharge the Respondent No. 5 from offence under section 467 and 471 as aforesaid Memorandum of Understanding (MOU) was prepared by the Respondent



No. 3-Praharit Pigments LLP, I was never a party to that MOU nor we have any role in execution of that MOU. Hon'ble Sessions Judge was also pleased to discharge Respondent No. 5 for the offence under section 15 of Environment Protection Act.

(16) I say and submit that currently I am tried for charges under section 304, and 120(b) of IPC pending before Hon'ble Session Court, Bardoli in Session case No. 29/2021.

(17) I say and submit that I have not played any active role with any person in filling the tanker from the Company or discharge of the filled tanker. I have only traded HCL to Respondent No. 4-M/s Ayushi Enterprise.

Place:  
Date: 16/03/2026

  
Respondent No. 5  
M/s Sai Rachana Chemical



VERIFICATION

I, Manojbhai Babulal Agrawal , Age: Adult, authorized signatory for M/s Sai Rachana Chemical do hereby state on solemn affirmation that what is stated forgoing Para's is true and correct to my own knowledge and belief.

Solemnly affirmed at pune

This 16<sup>th</sup> day of March, 2026



*Manojbhai Babulal Agrawal*

*Manojbhai Babulal Agrawal*  
Respondents No. 5

Adv. for Respondents No. 5

NOTED AND REGISTERED  
AT SR. NO. 642/2026  
DATE 16.3.2026



BEFORE ME  
*Manojbhai Babulal Agrawal*  
MAHENDRA PARBATI KAMBLE  
NOTARY, GOVT. OF INDIA  
PUNE CITY (MAHARASHTRA)  
REGD. No. 10369

16 MAR 2026



Print

Print with Annexure

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भारत सरकार  
Government of India  
सूक्ष्म, लघु एवं मध्यम उद्यम मंत्रालय  
Ministry of Micro, Small and Medium Enterprises



## UDYAM REGISTRATION CERTIFICATE

UDYAM REGISTRATION NUMBER

UDYAM-GJ-06-0025431

NAME OF ENTERPRISE

SAI RACHANA CHEMICALS

TYPE OF ENTERPRISE \*

SNo.	Classification Year	Enterprise Type	Classification Date
1	2025-26	Micro	01/04/2025
2	2024-25	Small	27/04/2024
3	2023-24	Small	09/05/2023
4	2022-23	Small	13/02/2023

MAJOR ACTIVITY

**TRADING**  
[For availing benefits of Priority Sector Lending(PSL) ONLY]

SOCIAL CATEGORY OF ENTREPRENEUR

GENERAL

NAME OF UNIT(S)

S.No.	Name of Unit(s)
1	SAI RACHANA CHEMICALS

OFFICAL ADDRESS OF ENTERPRISE

Flat/Door/Block No.	S 36	Name of Premises/ Building	GLOBLE TRADE CENTER
Village/Town	GIDC	Block	ANKLESHWAR
Road/Street/Lane	NEAR LITTEL HEART CHOKDI	City	ANKLESHWAR
State	GUJARAT	District	BHARUCH , Pin 393002
Mobile	9327788271	Email:	sairachana@ymail.com

DATE OF INCORPORATION / REGISTRATION OF ENTERPRISE

01/07/2017

DATE OF COMMENCEMENT OF PRODUCTION/BUSINESS

01/07/2017

NATIONAL INDUSTRY CLASSIFICATION CODE(S)

SNo.	NIC 2 Digit	NIC 4 Digit	NIC 5 Digit	Activity
1	46 - Wholesale trade, except of motor vehicles and motorcycles	4669 - Wholesale of waste and scrap and other products n.e.c.	46691 - Wholesale of industrial chemicals,	Trading

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**DATE OF UDYAM REGISTRATION****13/02/2023**

\* In case of graduation (upward/reverse) of status of an enterprise, the benefit of the Government Schemes will be availed as per the provisions of Notification No. S.O. 2119(E) dated 26.06.2020 issued by the M/o MSME.

Disclaimer: This is computer generated statement, no signature required. Printed from <https://udyamregistration.gov.in> & Date of printing:- 15/05/2025

**For any assistance, you may contact:**

**1. District Industries Centre: BHARUCH ( GUJARAT )**

**2. MSME-DFO: AHMEDABAD ( GUJARAT )**

Visit : [www.msme.gov.in](http://www.msme.gov.in) ; [www.dcmsme.gov.in](http://www.dcmsme.gov.in) ; [www.udyamregistration.gov.in](http://www.udyamregistration.gov.in)



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<b>PRAHARIT PIGMENTS LLP</b> Plot No: 38/11, Industrial Estate Jhagadia-393110 Dist: Bharuch Gujarat GSTIN/UIN: 24AAPFP7958P1Z4 State Name : Gujarat, Code : 24 Contact : 02646-227777, 09328386186 E-Mail : contact.praharit@gmail.com		489		Invoice No.		Dated		
				135		8-Feb-2019		
				Delivery Note		Mode/Terms of Payment		
				135		30 Days		
				Supplier's Ref.		Other Reference(s)		
				135				
				Buyer's Order No.		Dated		
<b>Shree Mahavir Enterprise</b> 1st Floor ,Shop No:- F 38 Goladan Plaza, Nr Tata Moters N.H. Motali, Ankleshwar GSTIN/UIN : 24BXDPC4751P1ZB State Name : Gujarat, Code : 24		Despatch Document No.		Delivery Note Date				
		135		8-Feb-2019				
		Despatched through		Destination				
		<b>BY TANKER</b>		<b>ANKLESHWAR</b>				
		Bill of Lading/LR-RR No.		Motor Vehicle No.				
				<b>GJ02Z7927</b>				
Buyer (if other than consignee)		Terms of Delivery						
<b>Shree Mahavir Enterprise</b> 1st Floor ,Shop No:- F 38 Goladan Plaza, Nr Tata Moters N.H. Motali, Ankleshwar GSTIN/UIN : 24BXDPC4751P1ZB State Name : Gujarat, Code : 24								
SI No.	Description of Goods	HSN/SAC	Quantity	Rate	per	Amount		
1	Pure Hydro Choric Acid 30%	28061000	21,000.000 kgs	0.01	kgs	210.00		
	<i>CGST Receivable/payable</i>					18.90		
	<i>SGST Receivable/payable</i>					18.90		
	<i>Round Off Exp</i>					0.20		
Total			21,000.000 kgs			<b>₹ 248.00</b>		
Amount Chargeable (in words)							E. & O.E	
<b>INR Two Hundred Forty Eight Only</b>								
		Taxable Value		Central Tax		State Tax		Total
		210.00		Rate Amount		Rate Amount		Tax Amount
		9%		18.90		9% 18.90		37.80
<b>Total:</b>		<b>210.00</b>		<b>18.90</b>		<b>18.90</b>		<b>37.80</b>
Tax Amount (in words) : <b>INR Thirty Seven and Eighty paise Only</b>								
Company's PAN : AAPFP7958P		Company's Bank Details						
Declaration		Bank Name : Axis Bank A/c No. 917020064337459						
We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.		A/c No. : 917020064337459						
		Branch & IFS Code : Ankleshwar & UTIB0000458						
		for PRAHARIT PIGMENTS LLP						
		 Authorised Signatory						

This is a Computer Generated Invoice



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**SHREE MAHAVEER ENTERPRISE**

1st Floor, Shop No. F-18, Golden Plaza, Near Tata Motors,  
N. H. No.8, MOTALI, ANKLESHWAR, Bharuch, Gujarat, 393002  
Mob No. 8320125227

Mail us: shreemahaveer.enterprise96@gmail.com

GSTIN No. :24BXDPC4751P1ZB State Name : GUJARAT State Code : 24 PAN No. : BXDPC4751P

**Tax Invoice**

Duplicate for Transportor

<b>Bill To</b> <b>Sai Rachana Chemicals</b> A-22, Sanskardham Co. Op. Housing Society GIDC, Ankleshwar.  PAN No. APJPA9292A GSTIN No.24APJPA9292A1Z5 State Name Gujarat State Code 24	<b>Shipped To</b> <b>Sai Rachana Chemicals</b> A-22, Sanskardham Co. Op. Housing Society GIDC, Ankleshwar.  PAN No. APJPA9292A GSTIN No.24APJPA9292A1Z5 State Name Gujarat State Code 24	<b>Invoice No.</b> 8 <b>Invoice Date</b> 08-02-2019 <b>Order No.</b> - <b>Order Date</b> 07-02-2019 <b>L.R. No.</b> - <b>Payment Term</b> 30 Days <b>Due Date</b> 08-02-2019 <b>Transporter</b> Parties Own <b>Vehical No.</b> GJ02Z7927 <b>Place of Supply</b> Ankleshwar <b>EWB No.</b> -
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Sr. No.	Description of Goods	HSN Code	Total Qty. (KGS)	Rate Rs	Amount RS
1	Hydrochloric Acid	2806100	21000	0.01	210

<b>Bank Details</b> Bank Name : Kotak Mahindra Branch Name : Ankleshwar Account No : 1914401259 RTGS/NEFT/IFSC : KKBK00Q3008	<b>Taxable value</b>	<b>210</b>
	<b>CGST 9%</b>	<b>18.9</b>
	<b>SGST 9%</b>	<b>18.9</b>
	<b>Total Amount</b>	<b>247.8</b>

For, Shree Mahaveer Enterprises

*Received*  
Mr. SAI RACHANA CHEMICALS  
08/02/2019  
Authorized Signatory

*Prasad*  
Authorized Signatory

<b>SAI RACHANA CHEMICALS</b> A-202, Sanskardham Co-Op Society Anklshwar Chokdi, G.I.D.C Ankleshwar Mobile No- 9327788271, 9099042271 GSTIN/UIN: 24APJPA9292A1Z5 State Name : Gujarat, Code : 24 E-Mail : sairachana@ymail.com	Invoice No. <b>GST394</b>	Dated <b>8-Feb-2019</b>
	Delivery Note	Mode/Terms of Payment <b>30 Days</b>
<b>AYUSHI ENTERPRISES(C)</b> B-10, Rumeswar Park Co-Op Society Nr. Dimond Dye Chem Colony, G.I.D.C Ankleshwar GSTIN/UIN : 24AERPP3631D1ZK PAN/IT No : AERPP3631D State Name : Gujarat, Code : 24	Supplier's Ref.	Other Reference(s) <b>PRAG JHAGADIA</b>
	Buyer's Order No.	Dated
Buyer (if other than consignee) <b>AYUSHI ENTERPRISES(C)</b> B-10, Rumeswar Park Co-Op Society Nr. Dimond Dye Chem Colony, G.I.D.C Ankleshwar GSTIN/UIN : 24AERPP3631D1ZK PAN/IT No : AERPP3631D State Name : Gujarat, Code : 24	Despatch Document No. <b>GST-394</b>	Delivery Note Date
	Despatched through <b>BY ROAD</b>	Destination <b>EX.PLANT</b>
	Bill of Lading/LR-RR No. <b>dt. 8-Feb-2019</b>	Motor Vehicle No. <b>GJ02Z-7927</b>
	Terms of Delivery <b>TRANSPORT BY PARTY</b>	

Sl No.	No. & Kind of Pkgs.	Description of Goods	HSN/SAC	Quantity	Rate	per	Amount
1	ONE TANKER	Hydro Chloric Acid	28061000	21.000 MT.	10.00	MT.	210.00
		<b>Central Tax (CGST)</b>					18.90
		<b>State Tax (SGST)</b>					18.90
		<b>ROUND OFF</b>					0.20
Total				21.000 MT.			<b>₹ 248.00</b>

Amount Chargeable (in words)

**Indian Rupees Two Hundred Forty Eight Only**

HSN/SAC	Taxable Value	Central Tax		State Tax		Total Tax Amount
		Rate	Amount	Rate	Amount	
28061000	210.00	9%	18.90	9%	18.90	37.80
<b>Total</b>	<b>210.00</b>		<b>18.90</b>		<b>18.90</b>	<b>37.80</b>

Tax Amount (in words) : **Indian Rupees Thirty Seven and Eighty paise Only**Company's PAN : **APJPA9292A**

Declaration  
 We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

Company's Bank Details

Bank Name : **Kotak Mahindra Bank**  
 A/c No. : **08192120013565**  
 Branch & IFS Code : **Ankleshwar & KKBK0003008**

for **SAI RACHANA CHEMICALS**

*M. D. J.*  
 Authorised Signatory

**For Ayushi Enterprise**  
*S. K. J.*  
 Proprietor

SUBJECT TO ANKLESHWAR JURISDICTION