

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

ORIGINAL APPLICATION NO. 23 OF 2021

DISTRICT : LATUR

Vishwanath S/o Shantiappa Khekade
and another

APPLICANTS

V E R S U S

Central Pollution Control Board
and others

RESPONDENT

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT
Nos. 8 and 9.**

I, Sunil Jayawantrao Deshpande, Age : 54

Years, Occu. : Service, as Town Planning Officer, Latur City



Sunil Jayawantrao Deshpande

Assistant Director Of Town Planning,
Latur City Municipal Corporation, Latur

Municipal Corporation, Latur, the respondent No.9, do hereby state on solemn affirmation and oath for myself and Respondent No.8 that, I have gone through the contents of this original application and documents annexed thereto and being understood the same, I am filing this short affidavit in reply with reserving my right to file detailed reply as and when required. I am filing this affidavit in reply on the basis of documents available with the office.

At the outset I say and submits that, unless and until specifically admitted, the contents of this original application may presume to be denied by the answering respondent. I am filing this affidavit in reply for opposing admission and/or grant of any interim relief in favour of the applicant.

01. I say and submits that, the present original No. 23/2021 (WZ) is filed by the applicants for closure illegal brick kilns allegedly operating in Sy.No. 86 and 89 of the Maharana Pratap Nagar Tq.& Dist.Latur within limits of Latur City Municipal Corporation. In Original Application false and incorrect statement are made against the Corporation and those are specifically denied by the answering respondents.



Sujande

Assistant Director Of Town Planning
Latur City Municipal Corporation, Latur

02. I say and submits that, it is most important to note that all the brick kilns which are referred in Exhibit B are situated in Gram Panchayat of Maharana Pratap Nagar, Latur which is adjacent to Latur City Municipal Corporation however not within the area of Municipal Corporation.

03. I say and submits that, after filing of this original application, this Hon'ble Tribunal by its order dated 02.07.2021 appointed a Joint Committee consisting three members to ascertain the status of compliance of environmental norms and site visit to ascertain the reality. This Hon'ble Tribunal also directed the Committee to submit its report to this Hon'ble Tribunal. In pursuance to the said direction, the committee of three members namely Prithviraj B.P., the Id. District Magistrate, Pratik Bharme, the member of Central Pollution Board and R.U.Patil, the member from State Pollution Board have personally visited the brick Kilns sites on 27.09.2021. In the said site visit, it is found that all nine brick kilns manufacturing units were not found in operation and those were permanently closed. Not only this but the owners/ manufacturing of the brick kilns manufacturing units have given affidavits on



[Signature]

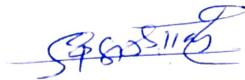
29.09.2021 in the nature of undertaking that their units are permanently closed and they will not carry brick manufacturing activity in future. Thus the report submitted by Joint Committee depicts that the alleged brick manufacturing units are already closed and therefore there is no question of either pollution or violation of environmental norms.

04. I say and submits that, thus it can be safely gathered that there is no substance in the allegations and contentions raised by the applicants in original application. Moreover those brick manufacturing units are already closed and nothing survives in the application and therefore application deserves to be dismissed/ disposed of.

Hence this affidavit in reply.

Date :- 09/03/2022

Place : Aurangabad.



(HANMANT V PATIL)
Advocate for the Respondents




Assistant Director Of Town Planning
Latur City Municipal Corporation, Latur

VERIFICATION

I, Sunil Jaywantrao Deshpande, Age : 54
 Years, Occu. : Service, as Town Planning Officer, Latur City
 Municipal Corporation, Latur , do hereby state on solemn
 affirmation and oath for myself and Respondent No.8, the
 contents of this affidavit in reply from para No. 01 to 04
 are read over to me into Marathi and those are true and correct to
 the best of my knowledge and belief.

Hence verified at Latur on this 7th day of
 March, 2022.

Identified and
 Explained by

DEPONENT

Advocate.

- 7 MAR 2022


 Sunil Jaywantrao Deshpande
 Assistant Director Of Town Planning
 Latur City Municipal Corporation, L.

AFFIDAVIT

Solemnly affirmed before me by
Sunil Jaywantrao Deshpande
 Age 54 Yrs. Occ. Service
 R./o Latur To Latur
 Who is identified before me by
 Shri Self
 To whom I know personally
 Date 7/3/22

ADV. S.V. Gojamgunde
 NOTARY, GOVT OF INDIA

LATUR
 Reg. at Sr. No. 213
2022


 Assistant Director Of Town Planning
 Latur City Municipal Corporation, L.

