

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN  
ZONE BENCH, PUNE AT PUNE

Original Application No. 08 /2025

Hirwai Paryavaran Sangh

... Applicant

V/s.

M/s. Atul Stone Crusher & Anrs.

... Respondents

**AFFIDAVIT OF REJOINDER ON BEHALF OF THE**  
**APPLICANT TO THE REPLY OF RESPONDENT NO. 1**

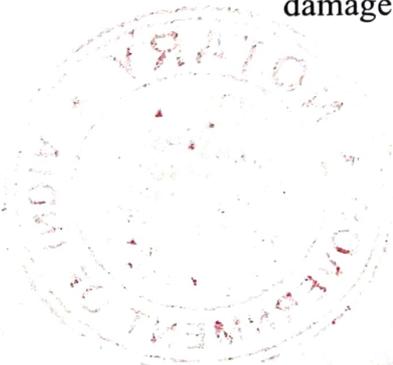
I, **Shri. Vijaykumar Lanu Jethé**, Age-53 years, Occ: -  
Journalist and Social Worker, Address: Shivkripa Apartment,  
Tinhewadi Road, Rajguru Nagar, Taluka- Khed, Dist. Pune-  
410503, the president of Hirwai Paryavaran Sangh- Applicant, do  
hereby state on solemn affirmation as under: -

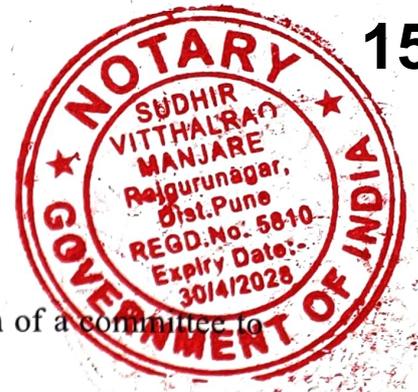
1. I state that, I have been explained the contents of the Reply Affidavit filed by the Respondent No. 1 before the Hon'ble Court and I have understood the same.





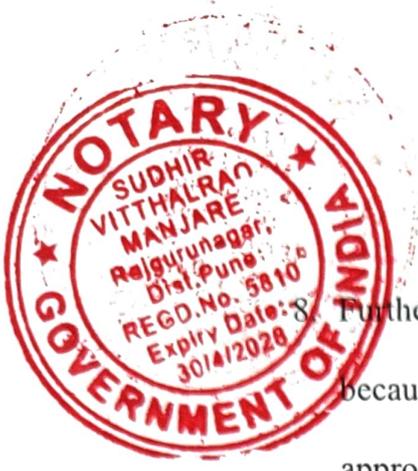
2. That, at the outset, all the contentions made therein by the Respondent are hereby denied toto.
3. I say that, in para no. 21, I have clearly mentioned the date of cause of action which arose firstly and have narrated the cause of action. The limitation period as mentioned in sec. 15(3) of the NGT, Act 2010 will be applicable and not as envisaged under sec. 14(3). Nonetheless even if limitation under sec. 14(3) is made applicable yet the OA is filed within limitation.
4. That, even after receiving complaints from the villagers of the concerned Village, the Respondent No. 2 still renewed the consent to operate vide its order dated 11/01/2023 and the same came into the knowledge of the Applicant only in the month of July, 2024 giving the Applicant a fresh cause of action which arose firstly and therefore on this count the Application is within limitation.
5. The Villager are layman and therefore do not have any cogent technical proof of the violations of the Respondent No. 1 and damages caused to them due to the pollution emitted by the





Respondent and therefore are seeking formation of a committee to assess the damages caused.

6. Further, the mining lease granted by the Respondent No. 3 Dist. Collector to the Respondent No. 1 has expired on 30/12/2024. According to the visit report dated 04/03/2025, the Stone crusher was in operation which also indicated that even though the mining lease was expired, the Respondent no. 1 was carrying out excavation. Instead of addressing the said point, the Respondent No. 1 has deliberately furnished the order dated 18/08/2024 issued by the concerned authority which has only approved the mining plan without prejudice to any other laws applicable. The same is done to mislead the Hon'ble Court.
7. It is pertinent to note that, the Respondent no. 1 has not furnished a single photograph or any other documents showing that the Respondent No. 1 has been complying with the sitting criteria of the Respondent No. 2 MPCB to operate a stone crusher or with the directions given in Lease granted by the Respondent No. 3.

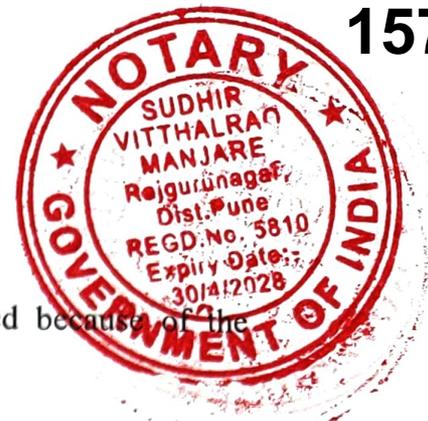


Further, the cries of the villagers cannot be termed as hoax only because they didn't know which was the appropriate forum to approach against the Respondent no. 1.

9. Thereafter, it is admitted by the Respondent No. 1 that it has deliberately not responded to the SCN dated 29/12/2023 issued by the Respondent No. 2 and the same shows the casual approach of the Respondent no. 1 towards the authorities and laws enacted by them.

10. Furthermore, in its reply dated 17/03/2025 to the show cause notice dated 11/03/2025, in para no. 1 and in para no. 5.9 of the affidavit under rejoinder, the Respondent No. 1 has accepted that it is deliberately flouting norms as envisaged in the Sitting Criteria of the Respondent No. 2 and the same indicates that it has been doing it since the start of its operation. The Respondent No. 1 has also not submitted the annexures enclosed with the reply dated 17/03/2025.

11. That, the Respondent No. 1 has deliberately not responded to the contentions of the para no. 13 of the OA wherein it is stated regarding the Panchnama carried out by the Circle Officer in which



various damages were found to have happened because of the pollution caused by the Respondent no. 1.

12. That, from the reply filed to the Respondent No. 2, it can also be seen that the Respondent No. 1 has also not planted trees in the periphery of the Stone Crusher Unit as mandated in the Sitting criteria.
13. That, the Respondent No. 1 is also not paying the royalty to the Respondent No. 3 and 4. The same the modus-operendi of the Respondent No. 1 wherein it has no due regard to the rules and regulations.
14. Thereafter, the mining activity is also not been undertaken as per the Sitting criteria of the MPCB and is dangerously close to the human habitat and public roads. Many a times, the vehicles passing suffer damage due to flinging of stone after the blast. Water bodies of numerous villagers suffer damage because the impact of the stones blown out by the blasting damages the plastic layers placed at the bottom of the storage tanks.
15. That, the replies filed by the Respondents show that they are glove-in-hand are protecting the Respondent no. 1 since many years and



the same has caused huge damage to the environments and to the health and earnings of the villagers.

16. I say that, after the receipt of the notice of the Hon'ble Court, the Respondent No. 1 is persistently threatening me and the concerned villagers who are supporting me to withdraw the present matter or be ready to face dire consequences. The Respondent No. 1 is using all the muscle, economic and political power to dominate me and the Villagers. The concerned Villagers have filed a Police Complaint with Manchar Police Station on 07/01/2025 against the same.

17. I say that, the Reply filed by the Respondents no. 2, 3 to 5 is also not satisfactory and is of the reflection that they have been shielding the Respondent no. 1 since start. However, since the Hon'ble Court has directed me to submit my rejoinder only with respect to the reply of the Respondent No. 1, I am filing a limited rejoinder.

Whatever stated in the aforementioned paragraphs no. 1 to 17 is true and correct to the best of my knowledge. The contents of the same have been read over to me in my vernacular and the same as per my say and belief.

Solemnly declared at Pune )



This 30<sup>th</sup> day of July, 2025

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Affiant



Identified & explained by me

Shri. Vijaykumar Lanu Jethe

Advocate

Before me,

**BEFORE ME**

SUDHIR VITTHALRAO MANJARE  
NOTARY GOVT OF INDIA  
Rajgurunagar Dist. Pune

Noted in Reg. No. 203  
At. Sr. No. 1274/2025

30 JUL 2025

