

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH AT PUNE
ORIGINAL APPLICATION NO. 58 OF 2018

IN THE MATTER OF:

Protection of Environment and

Public Service Committee

... Applicant

Versus

Union of India and Ors.

... Respondents

INDEX

S. No.	Particulars	Page Nos.
1.	Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of the report of IIT-Gandhinagar dated March 2021, along with affidavit	1-16
2.	Proof of Service	17-23

Respondent No. 13

Through



Sarim Naved

Advocate for the Respondent

K-6, LGF, Jangpura Extension

New Delhi- 110014

Place: New Delhi

Date: 29.09.2021

BEFORE THE NATIONAL GREEN TRIBUNAL**WESTERN ZONE BENCH AT PUNE****ORIGINAL APPLICATION NO. 58 OF 2018**

IN THE MATTER OF:

Protection of Environment and

Public Service Committee ... Applicant

Versus

Union of India and Ors. ... Respondents

Objections on behalf of Respondent No. 13 to the Recommendations made by the Gujarat Pollution Control Board on the basis of the report submitted by Indian Institute of Technology Gandhinagar dated March 2021 and titled ‘Report on Damage Assessment Due to Illegal Mining of Limestone in the Districts of Junagadh and Gir-Somnath (CNS/GPCB/EH/P0237/2021/0014)’

Respondent respectfully submits:

1. The methodology adopted by the Gujarat Pollution Control Board (hereinafter referred to as “GPCB”) in imposing the said penalty of Rs. 3,95,66,822/- on the Respondent is contrary to established law and is also based on an erroneous understanding of the facts. Further, in the report of IIT-Gandhinagar, which has been relied upon for imposing the

said penalty, it has been observed that there have been numerous beneficial impacts of the mining activity in the region.

2. That the decision to penalise the present Respondent falls foul of the doctrine of legitimate expectation. Since the provisional consent was given by the state government itself and the Respondent merely acted in accordance with the said consent order, it would be wholly illegal and contrary to the settled principles of law to penalise the Respondent for the same thereafter. In the case of *Bhushan Power & Steel Ltd. & Ors v. State of Orissa & Anr.*, (2012) 4 SCC 246, it has been observed as follows:

“39. The State Government had, on its own volition, entered into the MOU with Bhushan Limited on 15th May, 2002, and had even agreed to request the Central Government to allot mining areas and coal blocks for operating the steel plant. Whatever differences that may have resulted on account of the dispute within the Bhushan Group, which could have led to the rethinking on the part of the State Government, have now been laid to rest by virtue of the settlement arrived at

between the Bhushan Limited (now BPSL) and BSSL. The State Government has also accepted the said position. In addition to the above, the action taken by the State Government appears to us to be highly unreasonable and arbitrary and also attracts the doctrine of legitimate expectation.”

“40. There is no denying the fact that the Appellants have altered their position to their detriment in accordance with the MOU dated 15th May, 2002. Whatever may have been the arrangement subsequently arrived at between the State Government and BSSL, the original MOU dated 15th May, 2002, continued to be in existence and remained operative. The State Government appears to have acted arbitrarily in requiring Bhushan Limited to enter into a separate MOU, notwithstanding the existence of the MOU dated 15th May, 2002, which, as mentioned hereinabove, had been acted upon by the parties.”

3. In the case of *Monnet Ispat & Energy Ltd. v. Union of India*, (2012) 11 SCC 1, Hon’ble Supreme Court made the following

observation regarding the principles pertaining to the doctrine of legitimate expectation:

“188. It is not necessary to multiply the decisions of this Court. Suffice it to observe that the following principles in relation to the doctrine of legitimate expectation are now well established:

188.1 The doctrine of legitimate expectation can be invoked as a substantive and enforceable right.

188.2 The doctrine of legitimate expectation is founded on the principle of reasonableness and fairness. The doctrine arises out of principles of natural justice and there are parallels between the doctrine of legitimate expectation and promissory estoppel.

188.3 Where the decision of an authority is founded in public interest as per executive policy or law, the court would be reluctant to interfere with such decision by invoking doctrine of legitimate expectation. The legitimate expectation doctrine cannot be invoked to fetter changes in administrative policy if it is in the public interest to do so.

188.4 The legitimate expectation is different from anticipation and an anticipation cannot amount to an assertible expectation. Such expectation should be justifiable, legitimate and protectable.

188.5 The protection of legitimate expectation does not require the fulfillment of the expectation where an overriding public interest requires otherwise. In other words, personal benefit must give way to public interest and the doctrine of legitimate expectation would not be invoked which could block public interest for private benefit.”

It is obvious from the above that the doctrine of legitimate expectation cannot stop State from taking a decision in public interest as per law. In this case, however the situation would fall within the permissible gamut of the doctrine. It is the government which provided initial consent and further permitted mining to go on while accepting royalties. Thus, the doctrine would clearly entitle Respondent No. 13 to continue their operation in the absence of any direction to stop them from doing so. As such regardless of the requirement of an environmental clearance the Respondent ought not to be

penalised for carrying out mining operations under the permission and express consent of the State.

4. Following the abovementioned judgement the Hon'ble Supreme Court passed a subsequent judgement, *State of Kerala and Ors. v. Kerala Rare Earth and Minerals Ltd. & Ors.*, (2016) 6 SCC 323, in which they declined to apply the doctrine of legitimate expectation on the grounds that in that case the lease was stopped within ten days of being granted and that was too short a time for respondent to change the position. In the instant case the lease was granted and consent for mining was given as per which Respondent operated for years. As such all actions of Respondent were based on legitimate expectation of ratification by the State. In this view of the matter, no penalty it is respectfully submitted can be imposed against the Respondent.
5. That the Respondent No. 13 have been acting and performing under the terms of the provisional consent order (CTE) granted from 29.01.2015 till 06.01.2020. That according to this permission mining was continued and royalties were duly paid to the government regularly as per law. The full amount of royal paid from 1985 till 2014-15 is Rs. 4,49,66,500/-. As

per circular F. No. B-29012/MSMEs/IPC-VI/2017-18/12189-12230 dated 02.11.2018 (Annexure R-2 to the Reply filed by Respondent No.13) it has been clarified that issuance of consent by the Pollution Control Board is supposed to be a one-step process and Environmental Clearance and CTE have been equalised as per this circular.

6. That no violation of the Gujarat Minor Mineral Concession Rules has been pointed out or has ever been penalised by the Government.
7. That although the mine operated by the Respondent is of the size of 15 hectare only an area of approximately 2 hectare was actually mined by the Respondent and the report does not take the same into account. As per the 2016 notification no environment clearance was required for mining lease of less than 5 hectare. Considering that factually the mining was only being carried out on approximately 2 hectares benefit of the notification be also provided to the Respondent. The calculation of the penalty has been made taking into account the full area of the lease which was not actually being mined. This is a serious lacuna in the report and has led to a vast overestimation of the penalty that ought to be imposed.

8. It is pertinent to point that the Respondent company herein was acquired by its present owners only recently, that is, in 2012. However, the recommended penalty imposed on it has been calculated from the period 2005-06 to 2018-19. As a result, the penalty amount levied has been impacted significantly, to the detriment of the Respondent herein. Therefore, the method/ criteria adopted for calculating the penalty amount to be levied is arbitrary and exorbitant.
9. Earlier an application for Environmental Clearance was made to the Secretary, State Level Expert Appraisal Committee, Gujarat, along with Form I, the Pre-Feasibility Report and Approved Scheme of Mining, by Munirbhai Pirbhai Kureshi immediately after acquiring control of the Respondent company. A true copy of the application for Environmental Clearance, along with Form I, the Pre-Feasibility Report and Approved Scheme of Mining to the Secretary, State Level Expert Appraisal Committee, Gujarat has already been annexed as Annexure R-5 to the Reply filed earlier by the Respondent.
10. Subsequently, a communication to furnish desired information/ documents was received from the State Level

Expert Appraisal Committee. However, the Committee failed to clarify as to which documents the Respondent needed to furnish. A true copy of the communication sent by the State Level Expert Appraisal Committee to furnish desired information/ documents to Mr. Jaising Bhai Karsharn Bhai Barad dated 24.12.2012 has already been annexed as Annexure R-6 to the Reply filed earlier by the Respondent.

11. That despite the best efforts of the Respondent to obtain environmental clearance by applying for the same time and again, in good faith, to the Gujarat State Level Environment Impact Assessment Authority (hereinafter referred to as "GSEIA"), the same has not been granted to the Respondent.
12. Respondent filed an application for Environmental Clearance to the Member Secretary, GSEIA on 04.02.2016. Thereafter another application was submitted 18.03.2016. An application was then filed on 05.12.2016 before the State Level Expert Appraisal Committee, Gujarat. Based on the letter dated 30.01.2017 sent by State Expert Appraisal Committee, Gujarat, the Terms of Reference were accorded by the GSEIA. Thereafter, a Terms of Reference proposal was made before the Ministry of Environment, Delhi on 12.09.2017 and

a presentation was made before the State Level Expert Appraisal Committee members by the Respondent on 06.06.2018.

A true copy of the application filed by Somnath Hydrated Lime and Chemicals Pvt. Ltd. for Environmental Clearance dated 04.02.2016 has already been annexed as Annexure R-7 to the Reply filed earlier by the Respondent.

A true copy of the Acceptance Letter for EC Application dated 18.03.2016 regarding grant of Environmental Clearance issued by the State Environmental Impact Assessment Authority has already been annexed as Annexure R-8 to the Reply filed earlier by the Respondent.

A true copy of the acknowledgment of application dated 05.12.2016 sent by the State Level Expert Appraisal Committee has already been annexed as Annexure R-9 to the Reply filed earlier by the Respondent.

A true copy of the Terms of Reference accorded by the State Level Environment Impact Assessment Authority dated 30.01.2017 has already been annexed as Annexure R-10 to the Reply filed earlier by the Respondent.

A true copy of the acknowledgement receipt for the terms of Reference proposal before the Ministry of Environment, Delhi on 12.09.2017 has already been annexed as Annexure R-11 to the Reply filed earlier by the Respondent.

A true copy of the presentation made by the Respondent before the State Level Expert Appraisal Committee Members dated 06.06.2018 has already been annexed as Annexure R-5 to the Reply filed earlier by the Respondent.

13. Therefore, it is evident that the Respondent herein has done its utmost to obtain Environmental Clearance by diligently applying for it time and again in good faith. However, the requests/ applications of the Respondent were rejected and the authorities failed to provide cogent reasons for the same. At the very least, a speaking order should have been made detailing the reasons for rejecting the Respondent's applications. Resultantly, the Directors of the Respondent company remained unaware as to why the applications were being rejected or the forum to approach for redressal.

14. Furthermore, as already stated above, the Respondent herein has been paying royalty to the State Government every year

for carrying out the mining activities after obtaining permission from the GPCB.

15. That there is no persisting cause against the Respondent company as even as per the inspection report of GPCB dated 12.06.2017, no mining activity was observed during inspection.
16. That the State authorities have adopted a lackadaisical attitude with respect to Environmental Clearance and the Respondent herein has undertaken due diligence and consistently approached the government for the grant of Environmental Clearance, which has been denied to it without even supplying adequate reasoning. The payment by Respondent of royalty to the government regularly shows that there is knowledge on the part of the State that mining activity had been taking place on the leased land.
17. That even on a bare perusal of the final report submitted by the team of IIT-Gandhinagar, it becomes evident that imposition of penalty on the Respondent would be unjust. The conclusions arrived at in the report clearly note that no major environmental impact could be seen due to the mining activities and the positive impacts are overwhelming the

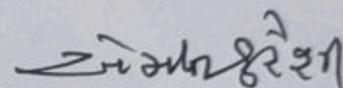
negative ones. On the contrary, as per the report, there is a significant positive impact of mining on the reduction of barren land as well as on generation of livelihood to the poorest section of the society in the region. It was observed that the land use and land reduction analyses of the past 20 years shows a sharp reduction of 36.3% of barren land, an increase of 19.6% in vegetation as well as an increase of 32% of settlement area. There is a larger area of agricultural land (52.6%) as compared to barren land and vegetation, which is a direct result of increase of settlement in the region due to mining activities.

18. Furthermore, it states that due to open cast mining being performed without blasting technique there is negligible damage and associated impacts on the nearby habitats.
19. It has also been noted that the quarry pit water shows superior quality and is being utilised by the locals for their day-to-day activities.
20. In fact, the closure of mines in the region has been noted to have had a negative social impact as the diggers/ workers who live hand-to-mouth by working in the mines such as those of

the present Respondent are most adversely affected and many of them have also lost shelter.

21. It has been noted in the report that the mining project would bring much needed socio-economic development in the area. It states that proper functioning of the mines in the region will be beneficial for the local people, especially the poorest section of the society who are economically and socially backward, as they would obtain direct employment in the mining projects and indirect employment opportunities in the associated services.

22. As such no penalty may be imposed on the Respondent.



Respondent No. 13

Through



Sarim Naved

Advocate for the Respondent

K-6, LGF, Jangpura Extension

New Delhi- 110014

Place: New Delhi

Date: 29.09.2021



Serial No. 1468
Dt. 29 SEP 2021

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH AT PUNE
ORIGINAL APPLICATION NO. 58 OF 2018**

IN THE MATTER OF:

Protection of Environment and
Public Service Committee

... Applicant

Versus

Union of India and Ors.

... Respondents

AFFIDAVIT

I, Munirbhai Pirbhai Kureshi, s/o Pirbhai Kureshi, aged about 50 years, r/o Kuchkuch Faliya, Sakala Masjid Same, Una, Distt. Gir Somnath, Gujarat- 362560, as the Director of M/s Somnath Hydrated Lime and Chemical Cement Industries Pvt. Ltd., c/o Sitaram Transport, Trikon Baug, Una, Distt. Gir Somnath, Gujarat- 362265, the Respondent No. 13 herein, do hereby solemnly affirm and state as under:-

1. That, I am the authorized representative of Respondent No. 13 in the above captioned matter and as such I am aware of the facts and circumstances of the present case and thus competent to swear this affidavit.
2. That the contents of the accompanying objections/ reply from para ____ to ____ and pages ____ to ____ are true and



correct to the best of my knowledge and belief and the legal submissions made therein are as per legal advice of the counsel and same are believed to be true and correct.

- 3. That the annexures are the true and correct copies of their respective originals.
- 4. That the facts stated in the above affidavit are true to my personal knowledge, information and belief. No part of the same is false and nothing material has been concealed therefrom.

(Handwritten signature)

DEPONENT

VERIFICATION:

I, Munirbhai Pirbhai Kureshi, the above-named deponent, do hereby verify that the contents of the above affidavit are true and correct, to the best of my knowledge and belief. No part of this affidavit is false and nothing material has been willfully concealed there from.

Verified at Gir Somnath, Gujarat on this *29 SEP 2021* day of September 2021.

(Handwritten signature)

DEPONENT

Solemnly affirmed and Signed Before me

(Handwritten signature)
D R. JHALAVADIA
NOTARY - UNA
Reg No 1443/10

29 SEP 2021



Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 11:33

To: maulik@nanavatico.com <maulik@nanavatico.com>

 1 attachments (1 MB)

Reply- Protection of Env & Public Service Committee.pdf;

Sir,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.

Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 13:13

To: litigation.life@gmail.com <litigation.life@gmail.com>

Sir/ Ma'am,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.

Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 13:15

To: dineshkumarandcompanyvrl@gmail.com <dineshkumarandcompanyvrl@gmail.com>

Sir/ Ma'am,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.

Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 13:16

To: mail@ardhendumauli.com <mail@ardhendumauli.com>

Sir/ Ma'am,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.

Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 13:38

To: nkmajmudarpf@gmail.com <nkmajmudarpf@gmail.com>

Sir/ Ma'am,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.

1233
22**Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar**

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 13:39

To: legal.gpcb@gmail.com <legal.gpcb@gmail.com>

Sir/ Ma'am,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.

Objections on behalf of Respondent No. 13 to the Recommendations made by GPCB on the basis of report submitted by IIT-Gandhinagar

Srivastava Naved & Parashar Partners <office@snppartners.co.in>

Fri 01-10-2021 13:41

To: ngt-pune@gov.in <ngt-pune@gov.in>

Sir/ Ma'am,

Please find attached herewith the Reply/ Objections to the final project report prepared by the Indian Institute of Technology, Gandhinagar in Original Application No. 58/2018 pending before the National Green Tribunal (West Zone) on behalf of Respondent No. 13, M/s Somnath Hydrated Lime and Chemical Industries Pvt. Ltd.

Thanks and Regards,

Sarim Naved

Srivastava Naved & Parashar Partners

K-6, Lower Ground Floor

Jangpura Extension

New Delhi - 110014

Phone No: +91-11-43588353

CONFIDENTIALITY & DISCLAIMER

This email and/or any files transmitted with it are legally privileged & confidential and intended solely for the use of the individual or the entity to whom they are addressed to by the sender of this email. It should not be read, copied and used by anyone other than the intended individual or the entity. If you have received this email in error please preserve its confidentiality & delete it from your system and notify the sender immediately. The recipient should check this email and any attachments for the presence of viruses. The sender accepts no liability for any damage caused by any viruses transmitted by this email. Communicating through email is not secure and capable of interception, corruption and delays. Anyone communicating with the sender by email accepts the risks involved and their consequences.