

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, AT PUNE

Original Application No. 88 of 2023

In the matter of

Asif Ruabali Khan ...Applicant

Versus

The CPCB & Ors ...Respondents

**OBJECTIONS BY THE APPLICANT TO REPORT
SUBMITTED BY GPCB ON 24/07/2023.**

In compliance of the Order dated 25/07/2023, I am filing certain preliminary objections to the report filed by the GPCB and seek certain documents as better particulars as the same shall be treated as forming to be an integral part of the reply and without which the report cannot be read as whole and cannot be interpreted in its true sense and transparency. Documents sought as better particulars are as follows:

1. Manifests generated from XGN on real time basis for previous 3 years i.e. report period.
2. Form IV i.e. Annual Return.
3. Material Balance Report (New & Old).
4. Page No. 93 and 94 contains schedule of Hazardous waste generation and disposal details from April 2022 to March 2023 in a tabular format. However online manifest ledger from xgn and copy of manifest is not provided as supporting documents to show the authenticity of the data represented.



5. Page No. 102 and 103 contains schedule of Hazardous waste generation and disposal details from April 2022 to March 2023 in a tabular format. However online manifest ledger from xgn and copy of manifest is not provided as supporting documents to show the authenticity of the data represented.
6. The report consists of 108 pages, however there are certain pages that are not legible being page no. 40, 41, 45, 57, 58, 59, 69, 75-83 and therefore, legible, and readable copies of the same be provided.
7. Annexure 7 – page no. 38 to 85, is Geological Survey Report of M/s. Aarti Drugs Limited (Unit 2).
 - a) Page no. 46 – Methodology – This report has been prepared after a careful study of the field testing and laboratory test results on the scope of work. The analysis and report have been prepared as per our best experience, knowledge and information provided by the client. The report shall not be produced in full or any part of it, for any legal matter without the permission of the laboratory.
 - b) Page no. 50 – General note – (1) The report presented in representative of the bore locations and does not represent an entire area of construction as a whole. (3) There may, however, be special conditions prevailing at the site which have been disclosed by the investigation and which have not been taken into account in the report. Any variation in stratification in any of the foundation locations shall be studied before executing the foundation work.



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- c) Location of the Boreholes is not disclosed.
- d) Entire survey is carried in absence of any officials of GPCB or any other independent body.
8. Further page no. 91 contains text in vernacular Gujarati language and the same shall be translated and provided before the Hon'ble Tribunal.
9. Inspection report dated 06/12/2022 generated from XGN is not given.
10. Inspection report dated 23/03/2023 generated from XGN is not given.
11. Inspection report dated 19/06/2023 generated from XGN is not given.

Therefore it is most humbly and respectfully prayed that the GPCB be directed to clear the abovementioned objections raised by the applicant in the greater interest of justice.

Place: Vapi

Date: 10/08/2023


(Applicant in Person)

VERIFICATION

I, Mr. Asif Ruabali Khan, Age: 32, Occupation: Advocate, Address: Plot No. 4210, Plastic Zone, GIDC Sarigam, Taluka Umbergaon, District Valsad, Valsad, Gujarat - 396155, do state on solemn affirmation that all the above-mentioned contents in the Original Application are true and correct to the best of my knowledge, information and belief and hence I have signed here under on this the 10th day of August 2023 at Vapi, Gujarat.


Applicant