

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

MEMORANDUM OF APPLICATION

Original Application No. 90 of 2022

In the matter of

Mr. Subhash K. Tanna --- **Applicant**

Vs

Echjay Industries Pvt Ltd & Ors --- **Respondents**

REJOINDER AFFIDAVIT OF APPLICANT IS AS

FOLLOWS;

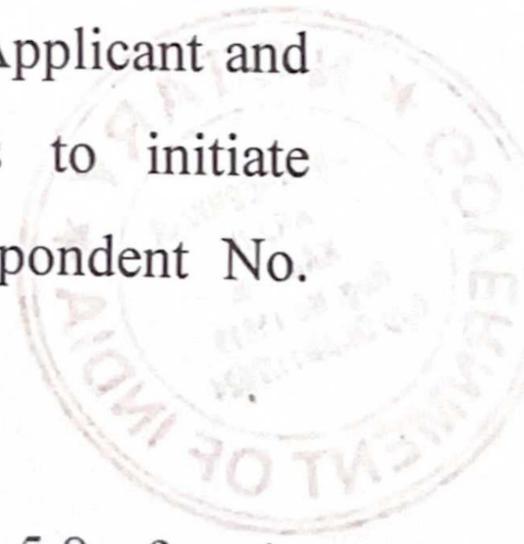
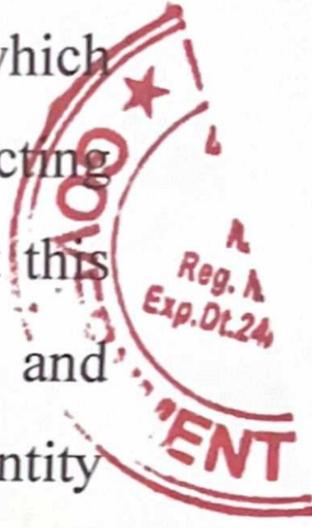
I, Mr. Subhash K. Tanna Add: Flat No. 801/805, Building E – 10, Kastur Kunj, Bhosale Nagar, ICS Colony, Shivaji Nagar, Pune – 411016 Mobile No: 9823083416, do hereby state on solemn affirmation that;

1. The Applicants states that the contents of Paragraph No. 3 and 4 are partially true and correct and not fully admitted by the Applicant. The use of water is one of the major ingredients because it is used for cooling off manufactured vehicle parts which is mentioned in the affidavit of steps for gathered information in personal visit of Applicant to factory. The Applicant states that none of the personnel from Applicant's side who went



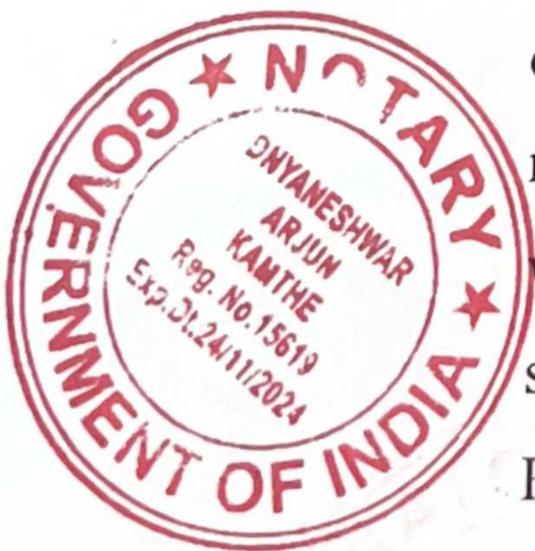
to gather information at manufacturing unit of Respondent No. 1 had pretended to be government officials of any government department. It is also clearly not alleged by the Respondent No. 1 that for which government department applicant and his nephew had misrepresented or pretended to HR head of Respondent No.1 factory. The Applicant went to the factory on the two orders passed with directions to gather information of Factory for illegal extraction of water by the unit which Applicant complied and which is also legally acted by him then no question of acting illegally any of the persons of Applicant arises at this stage. The Applicant had made official entry and created gate pass therefore, question of hiding identity by Applicant and its staff doesn't arise when there were two official court orders of this Hon'ble Court to ascertain the ground realities and provide the gathered information on affidavit. For the unwarranted, baseless and bald allegations levelled against the Applicant and others, they reserve their legal rights to initiate appropriate legal action against the Respondent No. 1 and others.

2. The Contents of the Paragraph No. 5.5 to 5.8 of reply affidavit of Respondent No. 1 are vague and not



supported with authentic documents to support their contentions against the Applicant.

3. The contents of Paragraph No. 5.9 are false as both borewells are functioning and evidences of photos are filed on record in affidavit of information after personal visit to Factory of Respondent No. 1 by Applicant.
4. The contents of Paragraph No. 5.10 are false as DG sets and other machineries are in continuous use which has created noise pollution of daily basis.
5. The contents of Paragraph No. 24 are not true and correct. The extraction of water is more than 1500 liters per day. All the necessary photos of water tanks and connection from outside well as well as borewells functioning are filed on record.
6. The Report filed by Joint Committee has noted at Point No. 3.2 that Respondent No. 1 does not have 'no objection certificate' from CGWA. The committee has mentioned that one borewell is today also dry which was submitted on affidavit by Respondent No. 1 and the same could not be ascertained by CGWA as Respondent No. 1 had not submitted valid GST bills for water supply through other sources.

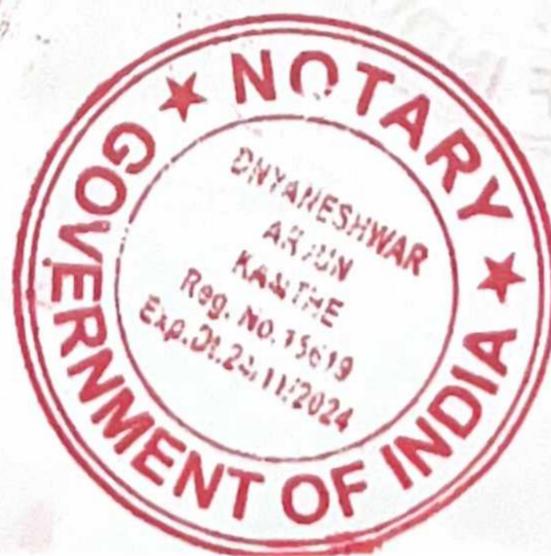


7. The Report does contain at Point No. 3 that 'consent to operate' was renewed till 31/1/2024 for manufacture of vehicle parts. But this 'consent to operate' granted without verifying extraction of water from both borewell. The other borewell is functioning which is already submitted by Applicant on affidavit of information extracted from personal visit.

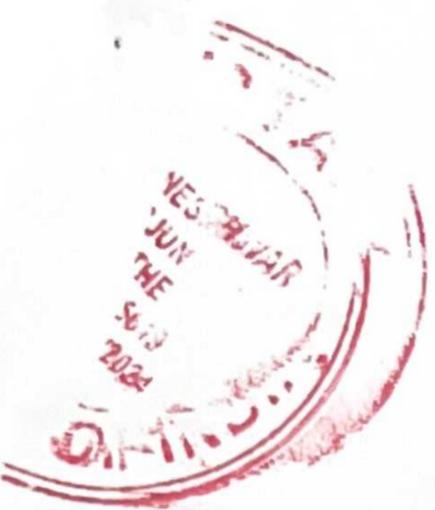
8. The Report is in favour of Applicant except finding that one borewell is dry till date.

9. The Show cause notice dated 7/2/2023 was issued because this industry of Respondent No. 1 is seeking expansion and falling under the same category hence, they have acted illegally even for the active 2 borewells in their factory therefore, this factory should be closed till they comply with all permissions to run the factory. Hence, affidavit of Rejoinder.

All the contents of this Rejoinder Affidavit from paragraph no. 1 to 9 are true and correct to the best of my knowledge, information and belief.



In witness whereof I have signed here at Pune, on this 03th day of May 2023 hence, this affidavit of rejoinder to respondents.



I know the Affiant,

[Handwritten signature of Advocate]

Advocate
(RAHUL KULKARNI)

[Handwritten mark]
Affiant

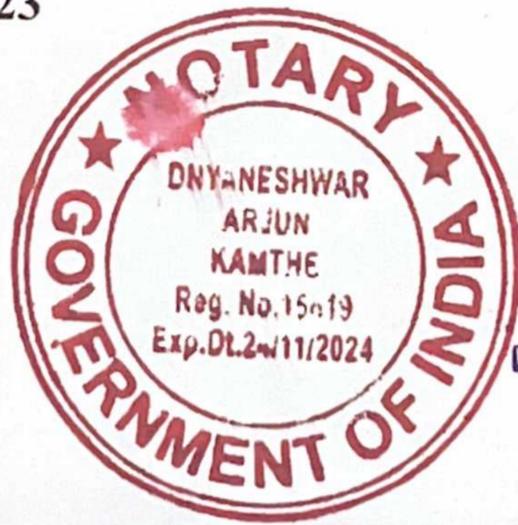
[Handwritten signature of Subhash Kalyanji Tanna]

Subhash Kalyanji Tanna

PUNE

DATE:03/05/2023

Noted and Registered
At Sr. No. 171/2023



BEFORE ME

[Handwritten signature of Notary]

DNYANESHWAR ARJUN KAMTHE
NOTARY GOVT. OF INDIA
PUNE

3 MAY 2023

3 MAY 2023

