

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

Original Application No. 73 of 2024 (WZ)

JASMEET SINGH RANJEET SINGH OBEROI

.... APPLICANT

.... VERSUS....

THE CHIEF EXECUTIVE OFFICER, MIDC & ORS.

.... RESPONDENTS

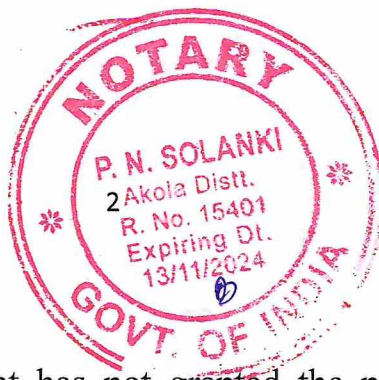
**RE-JOINDER TO THE AFFIDAVIT IN REPLY ON BEHALF
OF RESPONDENT NO. 1 AND 2**

The applicant is in receipt of reply filed on behalf of respondent no. 1 and 2 on 29th day of August 2024, the applicant is hereby filing its re-joinder to the said affidavit-in-reply herein as below :-

1] That, the respondent has filed the instant reply by suppressing the material facts before this Hon'ble Tribunal and therefore, the respondent has categorically made a false statement before this Tribunal and therefore, the respondent are not entitled for any relief. It is a matter of fact that, the respondent has illegally

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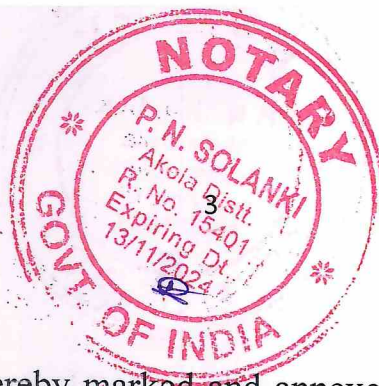


stated that, the respondent has not granted the possession of an open space no. 15 to Shivanya Garden and furthermore the respondent in its reply at Para No. 17 has falsely stated that, there is a quarry and pond on the said plot. The entire statements made before this Hon'ble Tribunal are absolutely false since the applicant is placing on record a copy of the electricity bill of the month September, 2024 which demonstrates the name of the said Shivanya Garden Akola alongwith the open space number as 15. The copy of the said electricity bill having consumer no. 310074844498 is hereby marked and annexed as "Annexure-A-8" for the kind perusal of this Hon'ble Tribunal.

2] It is furthermore submitted that, the circular dated 30/06/2016 of the present respondent no. 3 i.e. Maharashtra Pollution Control Board determines about the plantation of tree and green belt development in the area of open space reserved by industry. That, the present respondent no. 1 and 2 are duty bound to follow the said circular in its true letter and spirit. The copy of the said circular dated 30/06/2016 by the Maharashtra Pollution

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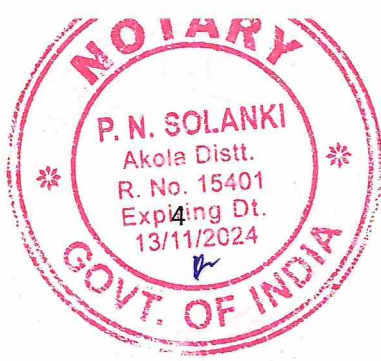


Control Board is hereby marked and annexed as "Annexure-A-9" for the kind perusal of this Hon'ble Tribunal.

3] That, in Para No. 18 of the reply filed by the respondent no. 1 and 2, the respondent had categorically admitted that, the respondent had converted the open space no. 21 and around 10000.00 Sq. Mtrs of the said plot which was meant for forestation has been converted into industrial use in the year 2021. That, the said act on behalf of the respondent no. 1 and 2 is purely contrary to the circular of the respondent no. 1 and 2 themselves dated 19/08/2019 which is at Annexure-A-6 of the application which states that, the requests of conversion of open space in which trees have been planted shall not be entertained for conversion into industrial plot. That, therefore, the act of the respondent is contrary and demeaning for forestation and therefore, on the said ground itself, the instant application filed by the applicant needs to be allowed and the illegal allotment of open spaces be revoked in the interest of justice.

4] That, the applicant has specifically stated in his application that, the applicant is carrying his business at Plot No.

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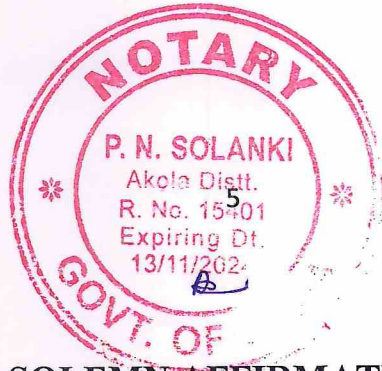


TE-23 Transport Nagar, MIDC IV Akola and the said non-forestation is leading towards severe degradation of oxygen generator. The applicant is not having any other remedy except other than to approach before this Hon'ble Tribunal to ensure the forestation at the open spaces which are meant as per several circulars of MIDC. Therefore, the applicant has approached before this Hon'ble Tribunal and considering the prayer of the applicant in its application, the applicant has demonstrated the damage of environment, which needs to be protected at the hands of this Hon'ble Tribunal and therefore, the applicant has rightly approached before this Hon'ble Tribunal by filing the instant application therefore, the applicant is entitled for the relief as prayed to enrich the environmental value of the MIDC and hence this Hon'ble Court has every jurisdiction to try and entertain the instant application. Therefore the said re-joinder in response to the affidavit-in-reply by the respondent no. 1 and 2 is most humbly placed on record. Hence this re-joinder.

Akola
Date : 01/10/2024

A handwritten signature in blue ink, appearing to be 'P. N. Solanki', written over a horizontal line.

SIGNED BEFORE ME



SOLEMN AFFIRMATION.

I, Jasmeet Singh Ranjeet Singh Oberoi, Aged about 38 years, Occ. Business, R/o. Plot No. TE-23, Transport Nagar, MIDC-4, Akola, the applicant herein do hereby state on solemn affirmation that, the contents of the above re-joinder are true and correct to the best of my knowledge and belief.

Hence signed, sworn and verified at Akola on 01st day of October, 2024.

Jasmeet Singh Oberoi

SIGNED BEFORE ME

Adv. P N. Solanki BEFORE ME

NOTARY
GOVT. OF INDIA - Reg.No.15401
I/o S.A. Arts College, Rajurkarkar
Compound, Civil Lines Road,
AKOLA DIST. Mob.9423428623

[Signature]

ADV. P. N. SOLANKI
NOTARY GOVT OF INDIA
AKOLA DIST

Each Executant has been identified by
Shri. *Adv. Jayesh R. Kothari*
Know to me the execution is to my
satisfaction

Kothari

Certified that this document /
Affidavit contains Pages
from 1 to *5 pages*...

1/10/2024

Jasmeet Singh Oberoi
do swear in the name of God / Solemny
Affirm that this is my name and Signature
/ or (Marks) and that the contents of this
affidavit are true and correct .

Jasmeet Singh Oberoi

(Signature of Deponent after attestation)



वीज पुरवठा देयक माहे: SEP-2024

Website :www.mahadiscom.in
GSTIN of MSEDCL 27AAECM2933K1ZB
BILL NO.(GGN): 000002578201352

HSN code 27160000

ग्राहक क्रमांक: 310074844498
SHIVANYA GARDEN AKOLA
PLOT NO - O.S-15 PHASE - IV AKOLA AKOLA Akola (M C orp.) 444104
मोबाइल/ ईमेल: 79*****81/

देयक दिनांक: 13-SEP-24
देयक रक्कम रु: 2,440.00
देय दिनांक: 03-OCT-24
या तारखे नंतर भरल्यास: 2,450.00

बिलिंग युनिट: 4570 :AKOLA U-II S/DN
दर संकेत: 052 /LT II Comm 1Ph < 20KW
पोल नं: 000OS-15
पी.सी./चक्र+मार्ग-क्रमा/डि.टी.सी.: 4 / 26-5060-0040 /4570834
मिटर क्रमांक: 09612783190
रिडिंग ग्रुप: H4

पुरवठा दिनांक: 07-May-2024
मंजूर भार: 1 KW
सुरक्षा ठेव जमा(रु): 3,100.00
चालु रिडिंग दिनांक: 08-SEP-24
मागील रिडिंग दिनांक: 09-AUG-24

Scan this QR
Code with
BHIM App for
UPI Payment

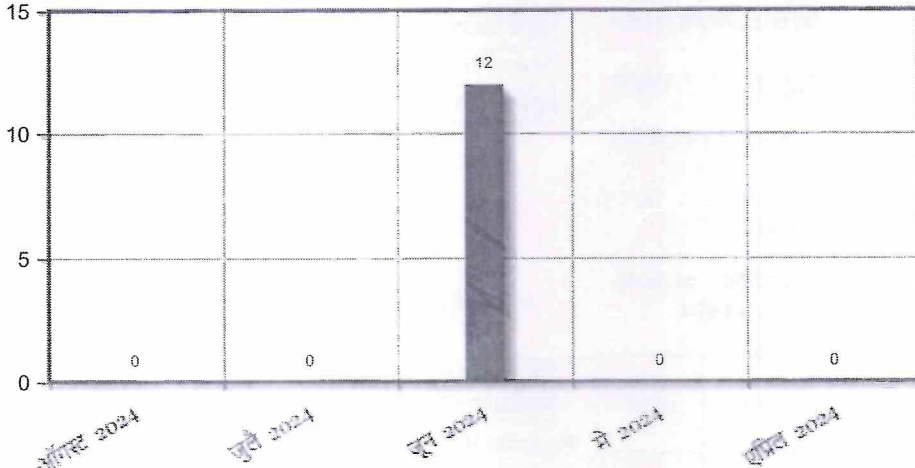


QR कोडद्वारे भरणा केल्यास, भरणा दिनांकानुसार लागू असलेली तत्पर देयक भरणा सूट किंवा विलंब आकार पुढील देयकात समाविष्ट करण्यात येईल.

चालु रिडिंग	मागील रिडिंग	गुणक अवयव	युनिट	समा. युनिट	एकूण
12	12	01	0	0	0

NORMAL
Bill Period: 1 Month(s) /

मागील वीज वापर



* मध्यवर्ती तक्रार निवारण केंद्र 24*7

MSEDCL Call Center:
18002333435
18002123435
1912

ग्राहकांच्या तक्रारीचे निवारण करण्यासंबंधीचे नियम व कार्यपद्धति महावितरणच्या संकेत स्थळ:-
www.mahadiscom.in >
ConsumerPortal > CGRF
यावर उपलब्ध आहे.

महत्वाचे :

- छापील बिला ऐवजी ई-बिला साठी नोंदणी करा व प्रत्येक बिलामागे १० रूपयांचा गो-ग्रीन डिस्काउंट मिळवा.नोंदणी करण्यासाठी:-<https://pro.mahadiscom.in/Go-Green/gogreen.jsp> (GGN नंबर तुमच्या छापील बिलावर वरच्या बाजूला डाव्या कोपऱ्यामध्ये उपलब्ध आहे.)
- डिजिटल माध्यमाद्वारे विज बिल भरा व 0.२५% (रु.५००/- पर्यंत) सवलत मिळवा.(टॅक्सेस व ड्यूटीज वगळून)
- तुमचा मोबाइल नंबर व ईमेल पत्ता चुकित असल्यास दुरुस्त करा त्यासाठी -<https://pro.mahadiscom.in/ConsumerInfo/consumer.jsp> येथे भेट द्या.
- पुढील महिन्याची रिडिंग साधारणतः 08-10-2024 ह्या तारखेला होईल.

विशेष संदेश :

* महावितरणला कोणत्याही प्रकारच्या रक्कमेचा भरणा करताना संगणकीकृत क्रमांक असलेली संगणकीय पावतीची स्वीकारावी. हस्तलिखित पावती स्वीकारू नये. गैरसोय टाळण्यास ऑनलाइन भरणा सुविधेचा पर्याय वापरावा.

For making Energy Bill Payment through RTGS/NEFT mode, use following details

- Beneficiary Name: MSEDCL
- Beneficiary Account Number: MSEDCL01310074844498
- IFS Code: SBIN0008965
- Name of Bank: STATE BANK OF INDIA
- Name of Branch: IFB BKC
- Amount: As per Bill

Disclaimer: Please use above bank details only for payment against consumer number mentioned in beneficiary account number.

स्थळप्रत बिलिंग युनिट:	4570	ग्राहक क्रमांक:	310074844498	पी.सी.:	H4	दर:	052
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या तारखे पर्यंत भरल्यास	23-SEP-24	2,440.00
या तारखे नंतर भरल्यास	03-OCT-24	2,450.00

MAHARASHTRA POLLUTION CONTROL BOARD

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Phone : 4010437 / 4014701 / 4020781
Fax : 4024068 / 4023516
Website : <http://mpcb.mah.nic.in>
E-Mail : ast@mpcb.gov.in



KALPATARU POINT, 3rd Floor,
Sion-Matunga Scheme Road No.8,
Opp. Sion Circle, Sion (East)
Mumbai-400 022.

No. MPCB/AS(T)/TB/B-2600

Date : 30/06/2016.

CIRCULAR

Sub.- Circular regarding tree plantation on remaining open land of 33% of open space reserved by industry for tree plantation & green belt development.


- Ref.- 1) State Govt.'s decision dtd. 31/05/2016 regarding planting two crore trees on occasion of World Environment Day.
2) Board's Circular regarding tree plantation dtd. 02/06/2016.

Hon'ble Environment Minister, GoM in a meeting held on 31/05/2016 has decided to plant two crore trees in the state on occasion of the World Environment Day. To implement State Govt.'s this decision, Board has issued a Circular in this regard and directed all the Regional Officers to form a district level committee, to identify open spaces, to engage private organizations/ NGOs/ Industries so as to achieve district level target of plantation of 1.5 lakh trees.

Board grants Consent to Operate to industries with the condition to bring minimum 33% of the available open land under green coverage/ plantation. Also, they are instructed to submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.

In line with the State Govt.'s above decision of two crore tree plantation, it has been decided by the Board to direct all the industries in the State to plant trees on remaining space of the 33% of open land, if any space is left without tree plantation.

Therefore, all the Regional Officers and Sub-Regional Officers are directed to immediately obtain area of remaining space of the 33% of open land, if any space is left without tree plantation, of all the industries of their jurisdiction and instruct them to plant fruit bearing trees, Banyan trees, Peepal trees, Neem trees etc. on the remaining space. Also, they are requested to encourage the industry, if any industry is willing to plant additional trees beyond 33% of open land of the industry.


(P.K. Mirashe)
Member Secretary

Copy to:

- 1) P.A. to Hon'ble Principal Secretary & Chairman, M.P.C. Board, Mumbai.
- 2) All HODs
- 3) All R.O.s/ all S.R.O.s