

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

ORIGINAL APPLICATION NO. 108/2022 (WZ)

IN THE MATTER OF: -

NANDAKUMAR WAMAN & ANR.

APPLICANT(S)

VERSUS

MAHARASHTRA INDUSTRIAL
DEVELOPMENT CORPORATION &
ORS.

RESPONDENT(S)

**REPLY AFFIDAVIT AND RESPONSE ON BEHALF OF RESPONDENT
NO. 4, CENTRAL POLLUTION CONTROL BOARD (CPCB)**

I, Bharat Kumar Sharma, S/o Shri. D.P Vishwakarma, aged 49 years, working as Scientist 'F' and Regional Director in the Regional Directorate, Central Pollution Control Board, Pune, do hereby solemnly affirm and declare as under:

That I, in the capacity of Scientist 'F' of the Central Pollution Control Board (hereinafter referred as CPCB) am fully conversant with the facts of the case and hence, competent to swear this reply affidavit and response on behalf of the Respondent No. 4 (CPCB) in compliance with directions passed vide paras 12 and 14 of the Hon'ble NGT order dated 02/12/2022 in the said matter.

**PARA-WISE REPLY**

1. That the averments made in Paras 1 to 5 are about details of Applicants and Respondents, and the present Application being filed by the Applicant regarding alleged illegal encroachment of open spaces by constructing boiler plants, extending chemical processing units and associated infrastructure facilities by the industries situated in Dombivali Industrial area, which are major environment and safety hazard in the said industrial area. Further, averments are about such illegal industrial encroachments have already caused various industrial accidents in Maharashtra resulting in deaths and injuries to no. of employees. The same are matter of records and need no comments from this Answering Respondent No. 4. Further, it is also humbly submitted that the aforesaid averments may be suitably answered by the respective agencies and need no further comments from this Answering Respondent No. 4.

2. That the averments made under the heading "FACTS OF THE CASE" in Paras 6 (a to i) are about the location, details & industrial profile of industries in Dombivali industrial area, Applicants mentioning about various types of industrial accidents occurred in Dombivali industrial area, many industrial accidents in India, various applications made under Right to Information Act (hereinafter referred as "RTI Act") by the Applicants to Respondent No. 1 (Maharashtra Industrial Development Corporation, hereinafter referred as MIDC) & replies by the Respondent No. 1 to the RTI Application of the Applicants, letters addressed by the Applicant No.1 to Respondent No.1 regarding the violations of safety norms by the industries in the aforesaid area as well as illegal subletting of industrial plots and seeking information on the



action taken thereto. The same are matter of records and need no comments from this Answering Respondent No. 4.

Further, it is also humbly submitted that violations, if any, under the Acts/Rules are to be dealt by the respective Agency as per provisions stipulated under such Acts/Rules.

3. That the averments made in Paras 7 to 10 are about illegal industrial encroachments in Phase-I and Phase-II of MIDC Dombivali, survey chart of industrial units, which reflected encroachments for setting up of boilers, reactors, chemical processing units etc., procured by the Applicant under RTI Act & its details thereto, Applicants mentioning about various adverse environmental impact due to illegal industrial encroachments, notices issued by Respondent No.1 (MIDC) to various industries due to multiple violation since 2012 under Maharashtra Regional & Town Planning (MRTP) Act 1966. The same are matter of records and need no comments from this Answering Respondent No. 4.
4. That the averments made under Paras 11 to 25 are about the emissions from boilers, responsibility of owner of boiler to register under Boiler Act, 1923, violation and breach of provisions of Boiler Act, 1923 by various industries, relevant clauses of the Development Control Regulations (DCR), 2009 required to be followed by various industries for development of structure/building as well as temporary structures including necessary clearances to be obtained from various agencies, industries storing coal/fuel outside their premises, also on roads, relevant clauses of Maharashtra Industries Development Act 1961 related to illegal encroachments, storage of materials, demolition of illegal structures etc. Further, averments are about various



industrial accidents in the said industrial area resulting in deaths & injuries of no. of employees due to illegal encroachments and inactions of regulating authorities, reply from Fire and Emergency Department of Kalyan-Dombivali Municipal Corporation (KDMC) under RTI Act to the Applicant No.1 reflecting industrial accident, fire, gas, chemical leaks and explosion in and around Dombivali. The same are matter of records and need no comments from this Answering Respondent No. 4. Further, it is also humbly submitted that violations, if any, under the Acts/Rules are to be dealt by the respective Agency as per provisions stipulated under such Acts/Rules.

5. That the averment made in Paras 26 to 31 are about copy of order dated 25/06/2021 passed by the Hon'ble NGT in Original Application No. 134 of 2021 (WZ) and non-compliance of the said order by the respective Respondents, reply to RTI Application addressed by Respondent No. 2 i.e. Maharashtra Pollution Control Board (MPCB) and Respondent No. 3 i.e. Directorate of Industrial Safety and Health (DISH) to Mr. Stalin Dayanand, Director (Projects) of organization - Vanashakti and compliance report not prepared by the Respondents.

It is humbly submitted that in order to comply with the aforesaid order dated 25/06/2021 of the Hon'ble NGT directing about the study be conducted by the Directorate of Industrial Safety in co-ordination with MPCB and CPCB and submission of report to the Chief Secretary, Maharashtra, this Answering Respondent No. 4, communicated vide e-mail dated 19.07.2021 to Directorate of Industrial Safety and Health (herein after referred as DISH), Maharashtra, about nominee details of CPCB official for conducting the said study and for



taking necessary action for compliance of the said Hon'ble NGT order. This was followed by subsequent e-mail communication dated 10.12.2021 to the DISH informing that action initiated in compliance with the said Hon'ble NGT order has not been yet received and requesting to ensure timely compliance of the said Hon'ble NGT order dated 25.06.2021 in co-ordination with MPCB and CPCB. Copies of the said e-mail communications dated 19.07.2021 and 10.12.2021 to DISH are annexed and marked as "**Annexure-R4-A**" & "**Annexure R4-B**" respectively.

Respondent No. 3 (DISH) vide e-mail dated 24.12.2021, communicated constitution of the committee so as to comply with the said order dated 25.06.2021 of the Hon'ble NGT along with the copy of the State Government Resolution dated 16.12.2021 w.r.t. constitution of the said committee having Director, DISH, Mumbai, as Chairman of the committee; Joint Director, DISH, Mumbai as Member Secretary of the committee, and representatives from MPCB, CPCB, MIDC and Petroleum and Explosives Safety Organization (PESO), as members of the committee. Copy of the said State Government Resolution dated 16.12.2021 about committee constitution is annexed and marked as "**Annexure R4-C**".

The first meeting of the aforesaid committee was convened on 30.12.2021 followed by subsequent meeting till 12.07.2022. Thereafter, upon seeking status/progress in the matter by this Respondent No. 4, the DISH responded vide e-mail dated 11.01.2023 informing that appeal against the order issued by Hon'ble NGT, New Delhi, in OA No. 134/2021 was filed by Vishal Fire Works in the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India has ordered that the operation of the impugned judgment shall remain stayed.

Hence, the functioning of the committee is temporarily stayed. Copy of the said communication dated 11.01.2023 from DISH also attaching the said Hon'ble Supreme Court order dated 01.04.2022 in Civil Appeal No. 2045-2046/ 2022 is annexed and marked as "**Annexure-R4-D**" for ready references.

6. That the averments made in Para 32 (A to P) to 34 are about various grounds for filing the present application as submitted by the Applicants, and various declarations by the Applicants having not filed any other legal proceedings on the present subject matter, which are matter of records and need no comments from this Answering Respondent No. 4.
7. That the averments made in Para 35 and 36 (i to xi) are about limitation to file the present application by the Applicants and various prayers submitted by the Applicants, and need no comments from this Answering Respondent No. 4.

**RESPONSE IN COMPLIANCE WITH DIRECTION PASSED VIDE
PARA 14 OF THE HON'BLE NGT ORDER DATED 02/12/2022**

8. That Hon'ble NGT vide para 14 of its order dated 02/12/2022 also further directed this Answering Respondent No. 4, Respondent No. 2 (MPCB) and Respondent No. 3 (DISH) to submit a report as to whether as per the order dated 25th June, 2021 passed in Original Application No. 134/2021, the direction with respect to study to be conducted by them within three months and to submit a report to the Chief Secretary of Maharashtra, has been complied with or not.

In this regard, it is humbly submitted that submissions, as made in para 5 above, by this Answering Respondent No. 4 may be kindly referred.

That in light of the above submissions, it is respectfully prayed that this Answering Respondent No. 4 i.e. CPCB shall abide by any order or directions passed by this Hon'ble Tribunal.


DEPONENT

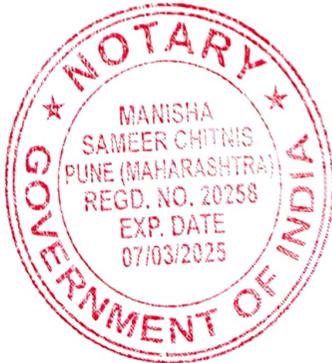
VERIFICATION

Verified at Pune on this day of January, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

भरत कुमार शर्मा/Bharat Kumar Sharma
क्षेत्रीय निदेशक / Regional Director
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
क्षेत्रीय निदेशालय, पुणे/Regional Directorate, Pune
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
M/o Env't. Forest & Climate Change, Gov't. of India
घो हाउस नंबर-1, संजीवनी निसर्ग, बालेवाडी, पुणे-411045
House No-1, Sanjivani Nisarg, Balewadi, Pune-411045


DEPONENT

Counsel for Respondent No. 4 (CPCB)



ATTESTED



MANISHA SAMEER CHITNIS
NOTARY
GOVERNMENT OF INDIA

31 JAN 2023



Email

BHARAT KUMAR SHARMA

Nomination of official in the Hon'ble NGT matter OA No. 134/2021 - reg.

From : RD Pune <rdpune.cpcb@gov.in>

Mon, Jul 19, 2021 05:08 PM

Subject : Nomination of official in the Hon'ble NGT matter OA No. 134/2021 - reg.**To :** ms@mpcb.gov.in, collector palghar <collector.palghar@maharashtra.gov.in>, Directorate of Industrial Safety and Health (Factory License) <dirdish.mum-mh@gov.in>**Cc :** BHARAT KUMAR SHARMA <bksharma.cpcb@nic.in>, rothane@mpcb.gov.in

Sir,

This has reference to the Hon'ble NGT order dated 25/06/2021 in the matter of OA No. 134/2021 news item published in the Hindustan Times dated 17/06/2021, titled "Blast in firecracker unit in Maharashtra's Palghar, at least 10 injured". In this regard, Sh. Bharat K Sharma, Regional Director, Regional Directorate, Pune is Nominee from Central Pollution Control Board (bksharma.cpcb@nic.in) in the said committee. This is for kind information and taking necessary action for compliance of Hon'ble NGT order.

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Regards,

Central Pollution Control Board
Regional Directorate, Pune

Email

Re: Nomination of official in the Hon'ble NGT matter OA No. 134/2021 news item published in the Hindustan Times dated 17/06/2021, titled "Blast in firecracker unit in Maharashtra's Palghar, at least 10 injured" - reg.

From : BHARAT KUMAR SHARMA <bksharma.cpcb@nic.in>

Fri, Dec 10, 2021 05:24 PM

Subject : Re: Nomination of official in the Hon'ble NGT matter OA No. 134/2021 news item published in the Hindustan Times dated 17/06/2021, titled "Blast in firecracker unit in Maharashtra's Palghar, at least 10 injured" - reg.

1 attachment

To : Directorate of Industrial Safety and Health (Factory License) <dirdish.mum-mh@gov.in>

Cc : Vilas Ghogare <jddish.tha-mh@gov.in>, MS MPCB <ms@mpcb.gov.in>, RO Thane MPCB <rothane@mpcb.gov.in>, G Rambabu Scientist D <grbabu.cpcb@nic.in>, NGTPB, Law Division, CPCB <ngtpb.cpcb@gov.in>, CPCB, RD Pune <rdpune.cpcb@gov.in>, NISHCHAL C <nischal.cpcb@nic.in>, Ankit Mishra <ankitpmishra95.cpcb@supportgov.in>, Nikhilesh Sanjay Gandhre <nikhileshg.cpcb@supportgov.in>

Sir,

This has reference to the trailing e-mail dated 19/07/2021 wherein nominee from CPCB have been communicated vide trailing email dated 19/7/2021 in accordance with Hon'ble NGT order (copy enclosed) dated 25/06/2021 in the matter of OA No. 134/2021 (PB) news item published in the Hindustan Times dated 17/06/2021, titled "Blast in firecracker unit in Maharashtra's Palghar, at least 10 injured".

Relevant order in the said matter is also reproduced as below:

"16... We further direct that review be conducted at the highest level in the State to consider remedial steps. Hazardous activities need to be regulated in terms of quantity of material to be used in the process of hazardous activities, number of persons to be allowed to work and safeguards to be followed and monitoring compliance of such safeguards. Apart from the measures suggested by the Committee, there is also need for a study of the potential for accidental, occupational and environmental hazards from such activities in the State. The study may include number of units to be allowed, size of operation of such units, quantity of material to be used, siting criteria for location of the units, arrangement for fire management and health services. Let such study be conducted by the Director of Industrial Safety in coordination with the State PCB and CPCB within three months and report submitted to the Chief Secretary, Maharashtra for further action. The Committee may take the assistance of any other experts/individual. "

Action initiated in this regard is yet to be received by this office.

It is requested to kindly ensure timely compliance of the aforesaid order dated 25/6/2021 of the Hon'ble Tribunal in coordination with State PCB and CPCB.

The matter be taken on priority being compliance of Hon'ble NGT order.

Regards,

Bharat K Sharma
Regional Director
RD Pune, CPCB

From: "RD Pune" <rdpune.cpcb@gov.in>

To: ms@mpcb.gov.in, "collector palghar" <collector.palghar@maharashtra.gov.in>, "Directorate of Industrial Safety and Health (Factory License)" <dirdish.mum-mh@gov.in>

Cc: "BHARAT KUMAR SHARMA" <bksharma.cpcb@nic.in>, rothane@mpcb.gov.in

Sent: Monday, July 19, 2021 5:04:09 PM

Subject: Nomination of official in the Hon'ble NGT matter OA No. 134/2021 - reg.

Sir,

This has reference to the Hon'ble NGT order dated 25/06/2021 in the matter of OA No. 134/2021 news item published in the Hindustan Times dated 17/06/2021, titled "Blast in firecracker unit in Maharashtra's Palghar, at least 10 injured". In this regard, Sh. Bharat K Sharma, Regional Director, Regional Directorate, Pune is Nominee from Central Pollution Control Board (bksharma.cpcb@nic.in) in the said committee. This is for kind information and taking necessary action for compliance of Hon'ble NGT order.

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Regards,

Central Pollution Control Board
Regional Directorate, Pune

 **Order_2021.06.25_OA 134-2021 In re New Item published in the Hindustan Times.pdf**
473 KB



Government of Maharashtra

Industries, Energy & Labour Department
Madam Kama Road, Hutatma Rajguru Chowk,
Mantralya Annex ,Mumbai-400 032

Immediate

Phone NO- 022 22810393

E-mail- desk4.labour-mh@gov.in

NO-FAC-2021/CR.NO.352/LABOUR-4

Date- 24 December, 2021.

To,

Regional Director,
Central Pollution Control Board, Pune,
Survey No. 110, Dhankude Multi Purpose Hall,
Baner Road, Baner,
Pune – 411 045.

Subject : Regarding Constituted the Committee to study and suggest measures to prevent the possibilities of fire accidents / explosions in high risk, hazardous & chemical processing factories in the state.

Reference : State Government Resolution dated 16.12.2021.

Sir,

With Reference to the above mentioned Subject, The News published in Hindustan Times regarding the fire incident in the M/s Vishal Fire Works, At. Dehne, Ta. Dahanu, Dist. Palghar. On the basis of this news The National Green Tribunal, Chief Bench, New Delhi, has taken a cognizance and suo-moto application no.134/2021 has been admitted.

02. In this matter National Green Tribunal, New Delhi passed the order dated on 25.06.2021 and given instructions to constitute a committee for study and suggest measures to prevent probabilities of accidents in commercial and environmental hazard in the high risk, hazardous and chemical manufacturing plants in the state.

03. Accordingly, above mentioned Committee has been constituted under the chairmanship of the Director, Directorate of Industrial Safety and Health, Mumbai as per Government Resolution dated 16.12.2021 to study and Suggest measures to prevent probable fire accidents/explosions in high risk, hazardous and chemical processing factories in the state. As mentioned in the above Government Resolution you have been appointed as a member in this committee. The terms of reference of the committee have also been decided by the Government Resolution.

I further request you to take necessary action as per the Government Resolution mentioned in reference above.

Thanking you,

Encl.: As above.

Yours,

(R.S. Kaurte)

Under Secretary to Government of Maharashtra

राज्यातील कारखान्यांमध्ये होत असलेल्या आगीच्या दुर्घटना / स्फोट यासारखे अपघात टाळण्यासाठी तसेच त्याबाबत अभ्यास करून उपाययोजना सूचविणे याकरिता समिती गठीत करण्याबाबत...

महाराष्ट्र शासन

उद्योग, उर्जा व कामगार विभाग

शासन निर्णय क्रमांक: एफएसी-२०२१/प्र.क्र. ३५२/कामगार-४

हुतात्मा राजगुरु चौक, मादाम कामा रोड,

मंत्रालय, मुंबई-४०० ०३२.

दिनांक: १६ डिसेंबर, २०२१.

वाचा -

- १) मा. राष्ट्रीय हरीत लवाद, मुख्य खंडपीठ, नवी दिल्ली यांचे, मुळ अर्ज क्र.१३४/२०२१ मधील दि.२५.०६.२०२१ रोजीचे आदेश.

प्रस्तावना :-

मे.विशाल फायर वक्स,मौ. डेहणे ता.डहाणू जि.पालघर या कारखान्यात दि.१७.०६.२०२१ रोजी लागलेल्या आगीच्या दुर्घटनेत ९ कामगार जखमी झाले होते. सदर दुर्घटनेबाबत द हिन्दुस्तान टाइम्स या वर्तमानपत्रात प्रसिध्द झालेल्या बातमीपत्राच्या आधारे मा.राष्ट्रीय हरीत लवाद, मुख्य खंडपीठ, नवी दिल्ली, यांचेकडून सु-मोटो मूळ अर्ज क्र. १३४/२०२१ दाखल करण्यात आला होता. सदर प्रकरणी मा.राष्ट्रीय हरीत लवाद, नवी दिल्ली यांनी दि.२५.०६.२०२१ रोजी व्हिडीओ कॉन्फरन्सद्वारे केलेल्या सुनावणीमध्ये आदेश पारीत केले आहेत. सदर आदेशानुसार मा. राष्ट्रीय हरीत लवाद, मुख्य खंडपीठ, नवी दिल्ली यांनी राज्यात अशा प्रकारचे अपघात टाळण्याकरीता सर्वोच्च स्तरावर उपाययोजना करण्यासाठी संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई यांनी महाराष्ट्र प्रदूषण मंडळ आणि केंद्रीय प्रदूषण नियंत्रण मंडळ यांच्या समन्वयांनी आढावा घेण्याचे निर्देश दिले आहेत. त्यानुसार, राज्यातील अतिधोकादायक, धोकादायक आणि रासायनिक उत्पादन प्रक्रिया करणाऱ्या कारखान्यांमधील संभाव्य अपघात, व्यावसायिक आणि पर्यावरणीय धोके टाळण्यासाठी अभ्यास करणे व त्यावर उपाययोजना सूचविणे यासाठी समिती गठीत करण्याची बाब शासनाच्या विचाराधीन होती. यासंदर्भात पुढीलप्रमाणे निर्णय घेण्यात येत आहे.

शासन निर्णय :-

राज्यातील अतिधोकादायक, धोकादायक आणि रासायनिक उत्पादन प्रक्रिया करणाऱ्या कारखान्यांमध्ये होत असलेल्या आगीच्या दुर्घटना / स्फोट यासारखे अपघात टाळण्यासाठी तसेच त्याबाबत अभ्यास करून उपाययोजना सूचविणे तसेच धोकादायक प्रक्रियेत वापरल्या जाणाऱ्या सामुग्रीचे प्रमाण,धोकादायक प्रक्रियेत काम करणाऱ्या कामगारांची संख्या,सुरक्षा उपाययोजना व त्यानुषंगाने पुर्तता करणे आणि राज्यातील अशा प्रक्रियेमुळे संभाव्य अपघात,व्यावसायीक आणि पर्यावरणीय धोके यांचा अभ्यास करण्याची गरज मा. राष्ट्रीय हरीत लवाद, मुख्य खंडपीठ, नवी दिल्ली यांनी अधोरेखित केली आहे. त्यानुसार राज्यातील अतिधोकादायक, धोकादायक आणि रासायनिक उत्पादन प्रक्रिया करणाऱ्या कारखान्यांमधील आगीच्या दुर्घटना / स्फोट यासारखे अपघात टाळण्यासाठी तसेच त्याबाबत अभ्यास करून उपाययोजना सूचविण्यासाठी संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई यांच्या अध्यक्षतेखाली पुढीलप्रमाणे समिती गठीत करण्यात येत आहे.

अ.क्र.	पदाधिकारी	समितीवरील सदस्यांचे पदनाम
१.	संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई.	अध्यक्ष
२.	सह संचालक, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, मुंबई.	सदस्य
३.	सह संचालक, केंद्रीय प्रदूषण नियंत्रण मंडळ, मुंबई.	सदस्य
४.	मुख्य अग्निशमन अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ, अंधेरी, मुंबई.	सदस्य
५.	सह मुख्य नियंत्रक, स्फोटके (Joint Chief Controller of Explosives), सीबीडी बेलापूर, नवी मुंबई.	सदस्य
६.	अतिरिक्त / सह संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई.	सदस्य सचिव

०२. सदर समितीची कार्यकक्षा खालीलप्रमाणे राहिल :-

- १) राज्यातील अतिधोकादायक, धोकादायक आणि रासायनिक उत्पादन प्रक्रिया करणाऱ्या कारखान्यांमधील आगीच्या दुर्घटना / स्फोट असे अपघात टाळण्यासाठी संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई यांनी महाराष्ट्र प्रदूषण नियंत्रण मंडळ आणि केंद्रीय प्रदूषण नियंत्रण मंडळ यांच्या समन्वयाने आढावा घ्यावा .
- २) समितीने करावयाच्या अभ्यासामध्ये प्रामुख्याने परवानगी दिलेल्या कारखान्यांची संख्या, कारखान्यांचा आकार, कारखान्यात वापरल्या जाणा-या सामुग्रीचे प्रमाण, कारखान्यांचे निकष, कारखान्यातील अग्निशमन व्यवस्था, कामगारांचे आरोग्य आणि सुरक्षा याबाबींचा समावेश असावा.
- ३) सदर अभ्यास पूर्ण करण्याकरीता समिती त्यांना आवश्यक असेल अशा तज्ञ व्यक्तींची मदत घेऊ शकते.
- ४) संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई यांच्या अध्यक्षतेखालील समितीने वरील बाबींचा सखोल अभ्यास करून यासंदर्भातील अहवाल आपल्या शिफारशीसह ३ महिन्यात शासनास सादर करावा.

०३. सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०२११२१६१५४३१७९५१० असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

DR. SHRIKANT
LAXAMANRAO
PULKUNDWAR

Digitally signed by DR. SHRIKANT LAXAMANRAO PULKUNDWAR
DN: cn=DR. SHRIKANT LAXAMANRAO PULKUNDWAR
AND LABOUR DEPARTMENT, postalCode=400032, st=Maharashtra,
2.5.4.20=feb24b5f5d1512bb477bae5ad1db4953358cd43c999bd808
74c6bb78964d50a, cn=DR. SHRIKANT LAXAMANRAO PULKUNDWAR
Date: 2021.12.16 17:45:36 +05'30'

(डॉ. श्री. ल. पुलकुंडवार)

उप सचिव, महाराष्ट्र शासन

प्रत,

- १) मा.राज्यपालांचे सचिव, राजभवन, मुंबई.
- २) मा.मुख्यमंत्री यांचे प्रधान सचिव, मुख्यमंत्र्यांचे सचिवालय, मंत्रालय, मुंबई.
- ३) मा. उप मुख्यमंत्री यांचे खाजगी सचिव, उप मुख्यमंत्री कार्यालय, मंत्रालय, मुंबई.
- ४) मा.सर्व मंत्री / राज्यमंत्री यांचे खाजगी सचिव, मंत्रालय, मुंबई.

- ५) मा.मुख्य सचिव, मंत्रालय, मुंबई.
- ६) मा.अपर मुख्य सचिव (उद्योग), उद्योग, ऊर्जा व कामगार विभाग, मंत्रालय, मुंबई.
- ७) मा. प्रधान सचिव (कामगार), उद्योग, ऊर्जा व कामगार विभाग, मंत्रालय, मुंबई.
- ८) मा. प्रधान सचिव (पर्यावरण), पर्यावरण विभाग, मंत्रालय, मुंबई.
- ९) आयुक्त (कामगार), कामगार आयुक्तालय, कामगार भवन, बांद्रा(पू.) मुंबई-५१.
- १०) संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई.
- ११) सह संचालक, केंद्रीय प्रदूषण नियंत्रण मंडळ, मुंबई.
- १२) सह संचालक, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, मुंबई.
- १३) सह मुख्य नियंत्रक, स्फोटके (Joint Chief Controller of Explosives), सीबीडी बेलापूर, नवी मुंबई.
- १४) मुख्य अग्निशमन अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ, अंधेरी, मुंबई.
- १५) उप सचिव (कामगार-४), उद्योग, ऊर्जा व कामगार विभाग, मंत्रालय, मुंबई.
- १६) अतिरिक्त / सह संचालक, औद्योगिक सुरक्षा व आरोग्य संचालनालय, मुंबई.
- १७) निवडनस्ती (कामगार-४), उद्योग, ऊर्जा व कामगार विभाग, मंत्रालय, मुंबई.



STATE OF MAHARASHTRA
DIRECTORATE OF INDUSTRIAL SAFETY & HEALTH

Kamgar Bhavan, 5th Floor, Bandra-Kurla Complex, Bandra-East, Mumbai-400 051

Phone no.26572504/09/22/58, Fax no.265752474,

Email dirdish.mum-mh@gov.in

Website- mahakamgar.maharashtra.gov.in

No.DISH/INSP/2022/ 330 /6, Date-

11 JAN 2023

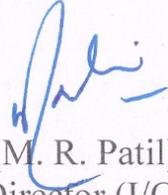
To,
Mr. Pratik Bharne,
Additional Director (Scientist 'E')
Regional Director,
Central Pollution Control Board, Pune.
Ministry of Env, Forest & Climate Change, Govt. of India
Pratik.cpcb@gov.in

Subject :- Status of compliance of order of Hon'ble NGT in the matter-QA No.134 of 2021-reg.

Reference :- Your e-mail dated 10/01/2023.

Sir,

With reference to above subject it is to be informed that the State Government formed the Committee to do the study for avoiding the incidence of fire & explosion in the factories in the State & suggest the recommendation. Accordingly the committee was formed & conducted the meeting regarding the same. But the appeal against the order issued by Hon'ble National Green Tribunal New Delhi in the Case No.134/2021 was filed by the Vishal Fire Works-petitioner in the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India given the order for operation of the impugned judgement shall remain stayed. Hence the functioning of the committee is temporarily stayed.


(M. R. Patil)
Director (I/C)

Industrial Safety & Health,
Maharashtra State, Mumbai.

Emclose- 1.Govt. Resolution No.FAC-2021/L.No/352/Lab-4,Date-16/12/2021.
2. Supreme Court Order.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2045-2046/2022

M/S VISHAL FIREWORKS

Appellant(s)

VERSUS

DISTRICT MAGISTRATE, PALGHAR & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.39957/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.39956/2022-STAY APPLICATION and IA No.39959/2022-EXEMPTION FROM FILING O.T. and IA No.39958/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 01-04-2022 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE ABHAY S. OKA

For Appellant(s)

Mr. Ravindra Keshavrao Adsure, AOR
Mr.Sajid s.Shamim, Adv.
Mr.Zishan Anshari, Advs.

For Respondent(s)

Mr. Mukesh Verma, Adv.
Mr. Yash Pal Dhingra, AOR

UPON hearing the counsel the Court made the following
O R D E R

Issue notice, returnable within four weeks.

Dasti, in addition, is permitted.

In the meantime, the operation of the impugned judgment shall remain stayed.

(DEEPAK SINGH)

COURT MASTER (SH)

(VIDYA NEGI)

COURT MASTER (NSH)