



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 99/2019

Laxman Dhondiba Thombare

Applicant

Vs.

The Chief Secretary & Ors.

Respondent

Submission of Reply-Affidavit on behalf of the Joint Committee constituted by Hon'ble NGT in compliance of Order dated 17/08/2021

I, Nitin Shinde, Age – 55 years, Occupation – Service, the in-charge Regional Officer of Maharashtra Pollution Control Board at Pune having my office at 03rd Floor, Jog Center, Wakdewadi, Pune – 411 003, on behalf of the Joint Committee constituted by this Hon'ble Tribunal, do hereby state on solemn affirmation as under :-

- 1) I say and submit that Hon'ble NGT vide Order dated 12/02/2020 directed Maharashtra Pollution Control Board and the District Collector, Pune to inspect the area in question jointly.
- 2) I say and submit that in the month of March, 2020, peculiar unforeseen and unprecedented situation arising out of the Covid – 19, there was a complete lockdown of all activities, therefore, Joint visit was carried out on 12/08/2020.

- 3) I say and submit that on 12/08/2020, it was observed that the RMC Plant, Hot Mix Plant and Stone Crushing activities were not in operation due to heavy rainfall, hence, MPCB officials could not do Ambient Air Quality Monitoring.
- 4) I say and submit that the Sub- Divisional Officer, Maval – Mulshi submitted their report to M. P. C. Board on 23/10/2020, however, due to Covid-19 Pandemic - 1st wave of the pandemic in the year 2020, 2nd wave of the pandemic in the year 2021 and the lockdown imposed in 2020 and 2021; the officials of the M.P.C. Board could not carry out the Ambient Air Quality Monitoring. Therefore, the delay was caused for submission of the Joint Committee Report.
- 5) I say and submit that MPCB officials again carried out the visit on 04/11/2020 to verify the allegations in the Application made by the Applicant but at that time also Hot Mix Plant and RMC plant were not in operation.
- 6) I say and submit that in order to verify the allegations made by the Applicant in his Application filed before Hon'ble Tribunal, the Officials of M. P. C. Board carried out visit many times to the said unit but due to Covid- 19 pandemic situation the said unit was not in operation.
- 7) I say and submit that M. P. C. Board official again visited the said unit on 04/08/2021 and observed that the RMC unit, Hot Mix Plant and Stone Crushing activities were not in operation. Therefore, Ambient Air Quality Monitoring could not be carried out by the officials of the M.P.C. Board and accordingly, the Report was submitted before this Hon'ble Tribunal on 13/08/2021.



8) In view of the above, I tender my unconditional apology on behalf of the Joint Committee for submission of the Joint Committee Report in compliance of the Hon'ble NGT Order dated 17/08/2021 I say and submit that the inconvenience caused to this Hon'ble Tribunal due to non-submission of Joint Report is deeply regretted by the Joint Committee and pray to Hon'ble NGT to kindly accept the apology.

Solemnly affirmed on this^{27th}..... day of September, 2021 at Pune.

I know the Affiant.

For and on behalf of Joint Committee

Advocate

Nitin Shinde
27/09/21
(Nitin Shinde)

In - Charge Regional Officer,
MPCB - Pune.

BEFORE ME

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MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

27 SEP 2021

