

BEFORE THE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

(Through Video Conferencing)

Original Application No. 07/2018 (WZ)

Prakash Virsingh Adhe & OthersApplicants

V/s.

M/s.Kashmira Stone Crusher & OthersRespondents

Reply Affidavit on behalf of Respondent Nos. 8 & 9 MPCB :-

I, Pravin Manohar Joshi. Age-56 Year, occupation: Service, Working as Regional Officer, Maharashtra Pollution Control Board i.e Respondent No.8 having my office address at Plot No. A-4/1, Paryavaran Bhavan, MIDC Area, Chikhalthana, Aurangabad, do hereby state on solemn affirmation as under:-

- 1) I say that, I have been served with the Rejoinder filed by the Applicant No. 2 on 30/9/2020 and therefore I am filing the present response to the same. I say that the present matter was heard at length by this Hon'ble Tribunal and thereafter listed for pronouncement of Judgement on 10/8/2020. As the Applicant No. 2 had moved an Application for adjournment on 10/8/2020, this Hon'ble Tribunal passed specific order about compensating the opposite parties directed the Applicant No. 2 to pay the cost of Rs. 10,000/- each payable by each of the Applicant and be equally paid to all the Respondents. I say

~~BEFORE ME~~

B.S. DHONDE PATIL
Notary Govt. of India
Reg. No.: 3763

that though Board has forwarded its Account No. to the Applicant No. 2's Advocate, till date no compensatory amount has been deposited by the Applicants. I say that depositing the compensatory amount was the crux while granting adjournment to the Applicant No. 2 on 10/8/2020.

2) I say & submit that on 20.04.2017, 31.10.2017, 23.08.2018, 08.10.2018, 30.11.2018 and recently on 21/11/2019 i.e on six occasions, the Board officials visited to the Respondent No. 3 unit i.e. M/s. Krushna Stone Crusher at Gat No. 71, Village – Malegaon, Taluka -Jintur, District -Parbhani. I say that Respondent No. 3 unit was not found in operation on all these visits. I further say that Tahsildar of Jintur , District –Parbhani has submitted report to the Board on 10/7/2020, stating that Respondent No. 1 stone crushing unit i.e M/s. Kashmira Stone Crusher at Gat.No. 42 , 43 , village -Manmodi , Taluka – Jintur , District –Parbhani and stone quarry and Respondent No. 3 stone crushing unit i.e M/s. Krushna Stone Crusher at Gat No. 71 , Village – Malegaon , Taluka -Jintur , District -Parbhani , both the units are not in operation since last two years . Therefore Environmental Compensation is not assessed as far as Respondent No.3 is concerned.

3) I say and submit that the Board is relying on the last affidavit filed on 25.07.2020 stating that the environmental cost imposed on respondent no.1 & 3 is correct and final.

4) I say and submit that, Respondent No. 1 has not paid the Environmental Compensation raised by the Board till date and

BEFORE ME

B.S. DHONDE PATIL
Notary Govt. of India
Reg. No. 3762

therefore seeking direction to Respondent No.1 to pay the same.

5) I say & submit that the present O.A is filed in the year 2018 by Applicant Nos. 1 and 2. I say that Applicant No. 1 appeared in the matter only on two occasions and Applicant No. 2 chose not to appear in the matter till July, 2020. It is clearly an indication that neither of the Applicants are inclined to proceed with the matter once filed in the year 2018. I say that as the Applicant No. 2 has failed to pay compensatory amount to the Board as per last order dated 10/8/2020, the present O.A should be disposed of imposing heavy cost on the Applicants.

6) In view of the above, it is submitted that nothing survives in the above O.A to consider further and therefore it may kindly be disposed of.

Solemnly affirmed on this 5 day of Oct, 2020.

IDENTIFIED BY

Shri/Smt. Adv. U.B. Bendor
R/o. A. Bad. For and on behalf of Respondent Nos. 8 & 9

NOTED & REGISTERED

AT Sr. No. 7493 / 20 20

THIS DOCUMENT CONTAINS 03 PAGES

(P. M. Joshi)

Regional Officer, Aurangabad
Maharashtra Pollution Control Board,
Aurangabad.

AFFIDAVIT

Solemnly affirmed before me

by Shri / Smt. Pravin s/o Manohar Jashi
R/o. A.B. Dist. A.B. 04 Service
Tq. A.B. Dist. A.B. 04 Service

Who identified by Adv. U.B. Bendor
Whom He/ She is personally known.

BEFORE ME

5.10.2020
Bhaskar Shriram Dhonde Patil
B.A.L.L.B., D.L.L. & L.W.
Advocate & Notary Govt. of India
AREA-AURANGABAD DIST
Mob.: 9822242637
Reg. No. 3763

- 5 OCT 2020