

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

ORIGINAL APPLICATION NO. 52 OF 2020 (WZ)

JIENDRA KHASNIS .. APPLICANT

Versus

THE SUB (DEPUTY) REGIONAL OFFICER, MPCB AND OTHERS .. RESPONDENTS

**REPLY ON BEHALF OF RESPONDENT NO.5
CUMMINS INDIA LIMITED**

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Place: Pune



Date: - 12/07/2021

ADVOCATE FOR THE RESPONDENTS NO.5

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MAY IT PLEASE THE HON'BLE TRIBUNAL

- 1) At the outset, the Respondent No.5 denies everything that is contrary to what is stated therein and/or inconsistent therewith as if the same were set out herein in extenso and traversed.
- 2) The Respondent No.5 submits that nothing not expressly admitted herein ought to be taken as admitted by the Respondent No.5 or be deemed to have been admitted by Respondent No.5 for want of specific traverse. The Respondent No.5 states that for the purpose of brevity, the Claimant is not denying each and every allegation, statement or contention of the Applicant which is ex-facie contrary

to the Respondent No.5's contentions and its stand in the present case except to the extent that such allegations, statements or contentions necessitate comment or warrant a reply.

- 3) The Respondent No.5 shall now proceed to deal with the Original Application. The present application is filed with an ulterior motive to harass the present Respondent and is an exercise in futility on behalf of the Applicant to tarnish an image of the Respondent No.5.

PRELIMINARY OBJECTION

- 4) The Applicant in the present Original Application has prayed inter alia that: -

(A) Hon'ble Tribunal may kindly appoint expert committee for the inspection

(B) Report /Records be called from Respondent Govt. officials regarding permission given to the Respondent No.5 company and action taken for the environment damage by the Respondent No.5 company.

(C) The Respondent No.3 i.e. Member Secretary, MPCB be called upon to submit the status of regime in a bid to perform its function as per the provision of the Water (prevention and



control of Pollution Act,1974) and the Air (prevention and control of Pollution Act,1981).

(D)The Respondent No. 3 i.e. Member Secretary, MPCB to take immediate legal action of closure of activities of Respondent No.5.

(E)Hon'ble Tribunal may please be impose heavy penalty on Respondent Company for non-environmental activity in residential zone, which causes environmental damages and affects public health.

(F)Hon'ble Tribunal may direct the concerned government official Respondents to inspect the said premises and give report.

(G) Hon'ble Tribunal may direct the concerned government official Respondents to calculate the environmental damages done by Respondent No.5. The Company and recover it from the Respondent No.5 the Company.

(H) The Respondent No. 2 i.e. Pune Municipal Corporation of Pune be penalized under the Provision mentioned under section 16 of the Environment (Protection) Act, 1986.

(I) The Respondent No. 4 i.e. Environment Department Impact or Air or solid waste generated during the activities of the Respondent No.5. while treating water waste management.



(J) Any other just and equitable relief in the interest of Justice and equity be passed.

- 5) The present Application does not disclose any cause of action for filing the present application rather it does not substantiate that when the cause of action first arose in accordance to the provisions of Section 14 of the National Green Tribunal Act, 2010. The Applicant is also seeking relief for penalising under Section 15, but has not submitted Form No.II as required under Rule 8 of the National Green Tribunal (Practice and Procedure) Rules, 2011. The Applicant has also not paid 1% stamp duty as required under Rule 11 of National Green Tribunal (Practice and Procedure) Rules, 2011.

BRIEF FACTS OF THE CASE

- 6) The Respondent No.5 is a Company, registered and incorporated under the provisions of Indian Companies Act, 1956, is engaged in the manufacturing of Internal Combustion Engines & associated accessories. The Respondent No.5 herein has all the requisite permissions required for running its manufacturing activities. The Respondent No.5 also possesses the Consent to Operate, issued by the Respondent No.1 and the same is valid and subsisting till 30th



April 2022. The Respondent No.5 is running its manufacturing activities at the said site since 1962. Hereto annexed and marked as **ANNEXURE- 'R-1'** is the copy of the Consent to Operate as issued by Respondent No. 1

- 7) Site is in the process of manufacturing of the Internal Combustion Engines. Manufacturing process involves the machining of the components, assembly, testing & painting of the engines
- 8) The Respondent No.5 requires various suppliers for the supplies of materials to run its manufacturing activities. One such chemical, which the Respondent No.5 requires is Ozotek and Microbial Cultural Buster, which was supplied to the Respondent No.5 by one vendor viz M/s Aquaplus Water Purifiers Pvt. Ltd. through its Proprietor Mr. Sharad Pathak. The said chemicals were utilized by the Respondent No.5 to neutralise the bad odour resulting of the process carried at the STP and ETP of the Respondent No.5. The Respondent No.5 thereafter, carried out the upgradation process at its plant and decided to upgrade STP & ETP in accordance to the prevailing modern technologies and thus, it decided to discontinue the supplier M/s Aquaplus Water Purifiers Pvt. Ltd. The Respondent No.5 states that, the moment, when the aforesaid contract was discontinued, the Applicant herein started raising the



complaints of foul smell in the area. The Respondent No.5 after carrying out due diligence and through verification came to know that, the Applicant and M/s Aquaplust Water Purifiers Pvt. Ltd are acquaintances and thus, the Applicant at the behest of said supplier, has filed this Original Application.

PARA-WISE REPLY

- 9) With respect to Para Nos. 1 to 4, the Respondent No.5 does not wish to offer any comments, as the same is matter of record.
- 10) With respect to Para No.5, the contents therein are not admitted by the present Respondent. The Applicant as stated earlier at the behest of M/s Aquaplust Water Purifiers Pvt. Ltd., has filed this Original Application by suppressing the material facts and thus, he has not approached this Hon'ble Tribunal with cleaned hands. The issue raised by the Applicant relating to unbearable odour, piousness, gases, emission is not attributable to the present Respondent, as the Respondent No.1 has carried out the thorough inspection and has not found the Respondent No.5 as guilty. As stated the Respondent No. 5 has all requisite permissions and till date there has been no action initiated by Respondent No. 1 against them.

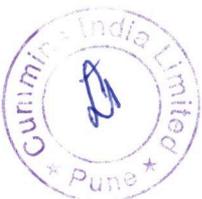


- 11) With respect to the contents of Para No.6, the same are not admitted by the Respondent No.5 and the same are denied. The allegations made by the Applicant pertaining to suffocation in breathing and possibility of causing lung ailments is an imaginary submission, devoid of any merit. The said allegation is not supported by any evidence and is only trying to create a controversial issue just to harass the working of Respondent No.5 at the behest of M/s Aquaplus Water Purifiers Pvt. Ltd. As stated by Applicant that the residents of nearby societies are also facing health issues is incorrect. Till date no complaint has been raised by anyone in the nearby areas except the Applicant, who is also it for an ulterior mature.
- 12) With respect to the contents of Para No.7, the same are not admitted by the Respondent No.5 and the same are denied. The Respondent No.5 states that, the Respondent No.5 received e-mails dated 23/11/2019 and 25/11/2019 from the Applicant. The Respondent No.5 further states that, they replied to the said emails vide its letter dated 29/11/2019, which was duly received by the Applicant. With regards to the issue raised by the Applicant in the said e-mails, the Respondent No.5 has replied in detail with scientific justifications and has pointed out that the issue of foul



smell is not attributed to the activities of Respondent No.5. The Respondent No.5 also pointed out that, the officers of Respondent No.2 have visited, verified and concluded that, the nuisance of foul smell is not arising out from the manufacturing activities of Respondent No.5. Copy of the letter dated 29/11/2019 is annexed herewith and marked as **ANNEXURE - 'R--2'**. Pursuant to the complaint of the Applicant the Respondent No.1 carried out a visit to the Respondent No.5 unit. The officer of Respondent No.1 inspected & observed that there is a natural nalla of approx. width 2.5-3.0 meters flowing & on account of domestic effluent the odour is being emanated. Copy of visit report dated 23/12/2020 is annexed herewith and marked as **ANNEXURE- 'R-3'**

- 13) With respect to the contents of Para No.8, the same are not admitted by the Respondent No.5 and the same are denied. The Respondent No.5 had caused a visit to the said site and has concluded that, there is no such leakage or odour from the site of the Respondent No.5.
- 14) With respect to the contents of Para Nos.9, 10, and 11 the same are not admitted by the Respondent No.5 and the same are denied. The said averments are nothing but a mere repetition of earlier



averments and that the Respondent No.5 does not wish to comment upon it.

- 15) With respect to the contents of Para Nos.12 and 13, the same are not admitted by the Respondent No.5 and the same are denied. It is submitted that, except the Applicant there is no other complaint received from the area and that the submissions therein are not supported by any documentary evidence and is a bald allegation.
- 16) With respect to the contents of Para Nos.14, 15, 16, 18 and 19, the same are not admitted by the Respondent No.5 and the same are denied. All these contentions are also repetition of earlier contentions and there is no need to raise any comments on it.
- 17) With respect to the contents of Para No.20, the same are not admitted by the Respondent No.5 and the same are denied and the same cannot be attributed to the manufacturing activities of Respondent No.5.
- 18) The Respondent No.5 is also in receipt of the notice dated 07/12/2019 from the Advocate of the Applicant and the Respondent No.5 has replied the same in detail. The Respondent No.5 has denied all the allegations levelled in the said notice and reiterated its stand that the foul smell as alleged by the Applicant is not attributable to the activities of the Respondent No.5. A copy of



the said reply notice dated 19/12/2019 is annexed herewith and marked as **ANNEXURE - 'R--4'**.

- 19) Thus, this Original Application is filed with a view to harass the Respondent No.5 without any documentary evidence; hence, the same is liable to be rejected. Hence, this Reply.

An Affidavit in support is being filed.

PUNE
DATE **12/07/2021**



ADVOCATE FOR RESPONDENT NO.5



RESPONDENT NO.5
Luv Tanwani
General Manager, Legal,
Cummins India Limited

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



ORIGINAL APPLICATION NO. 53 OF 2020 (WZ)

JIENDRA KHASNIS

.. APPLICANT

Versus

**THE SUB (DEPUTY) REGIONAL
OFFICER, MPCB AND OTHERS**

..RESPONDENTS

AFFIDAVIT IN SUPPORT OF THE REPLY

I, Mr. Luv Tanwani, Age:33 years, Occu.: Service, having address at Wakad, Pune, the Authorised Signatory of the Respondent No.5 hereinabove, do hereby state on the solemn affirmation that: -

1. I say that I am working as General Manager, Legal with the Respondent No.5 Company. I am duly authorized to file the present Affidavit. I am aware of the facts and circumstances of the present case and hence I am able to depose the same on oath.
2. That the Respondent No.5 is filing the present reply. The facts and circumstances are well set out in the main body of the reply. The Respondent No.5 adopts, confirms, maintains, repeats and reiterates whatever has been stated in the main body of the Reply and for the sake of brevity, convenience, and in order to avoid repetition, craves leave of this Hon'ble Tribunal to treat the statements, averments and submissions in the main body of the Reply as part and parcel of this Affidavit as if the same are



Affidavit as if the same are reproduced herein ad-seriatim, with a view to avoid repetition and for the sake of brevity.

- 3. I say that whatever stated in the reply and the present Affidavit is true and correct to the best of my knowledge, information and belief and the legal advice, which I believe to be true.

Solemnly Affirmed at Pune on this 12th day of July 2021.



[Handwritten Signature]

Affiant
Mr. Luv Tanwani



07 JUL 2021

NOTED AND REGISTERED AT
SERIAL NUMBER B2065/2021

07/07/2021

BEFORE ME

[Handwritten Signature]
 PRAKASH M. DAMBRE
 NOTARY, GOVT. OF INDIA
 PUNE



ANNEXURE-R-1

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
Fax: 24023516
Website: <http://mpcb.gov.in>
Email: cac-cell@mpcb.gov.in



Kalpataru Point, 2nd and
4th floor, Opp. Cine Planet
Cinema, Near Sion Circle,
Sion (E), Mumbai-400022

RED/L.S.I (R2)

No:- Format1.0/CAC/UAN No.0000086956/CO -2007000599

Date: 08/07/2020

To,
Cummins India Limited
S.No 3 to 7,37,38,41,42 & 43,Dahanukar Colony,
Kothrud, Tal. Haveli, Dist - Pune

Sub: 1st consent to operate for modernization with amalgamation and amendment in existing consent under RED category

- Ref:**
1. Earlier consent granted by Board vide No. BO/CAC-Cell/UAN No. 0000021924-17/CAC/1806000794 dtd. 21.06.2018
 2. Earlier consent to establish for modernization granted by Board vide No. BO/CAC-Cell/UAN No. 0000050441-18/11th CAC/1905000032 dtd. 02.05.2019
 3. Minutes of CAC meeting held on 15.05.2020

Your application No.MPCB-CONSENT-0000086956 Dated 15.01.2020

For: grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. **The consent to operate is granted for a period up to 30/04/2022**
2. **The capital investment of the project is Rs.187 Crs. (As per C.A Certificate submitted by industry Existing CI is Rs. 1529.28 Crs + Expansion in C.I. is Rs. 187 Crs, i.e. total CI is Rs. 1716.28 Cr)**
3. **Consent is valid for the manufacture of:**

Sr No	Product	Maximum Quantity	UOM
Products			
1	Spares & Accessories	48000	MT/A
2	Internal Combustion Engines	19200	Nos./Y
3	Modernization and Up-gradation of 4 High Horse Power Engine Test cells in MVIC test cell area	0	--NA--

4. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	37.2	As per Schedule-I	Maximum recycol / Reuse and remaining on land for gardening
2.	Domestic effluent	450	As per Schedule-I	Maximum recycol / Reuse and remaining on land for gardening

5. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	1	New KV Test Cell East Side (Test Cells Number 4,5 & 6)	1	As per Schedule -II
2	2	New KV Test Cell West Side (Test Cells Number 1,2 & #)	1	As per Schedule -II
3	3	NHNT Test Cells (Even Numbers- 2,4,6,8,10,12,14,16 &18)-2 Stacks/Test Cell	18	As per Schedule -II
4	4	NHNT Test Cells (Odd Numbers- 1,3,5,7,9,11,13,15,17, &19)	11	As per Schedule -II
5	5	MVIC Test Cells (Earlier Named as SPD)	1	As per Schedule -II
6	6	Heat Treatment	1	As per Schedule -II
7	7	Lubricating Plant	1	As per Schedule -II
8	8	Fire Pump Room	1	As per Schedule -II
9	9	Shot Blasting	1	As per Schedule -II
10	10	KV paint Booth	2	As per Schedule -II
11	11	KV KIT Paint Booth	1	As per Schedule -II
12	12	NH-NT Paint Booth Thermax	2	As per Schedule -II
13	13	NH-NT paint Booth Josts	2	As per Schedule -II
14	14	NH-NT Kit Paint Booth	1	As per Schedule -II
15	15	DG Set 1- Power House East (750 KVA -1Nos, 1500 KVA-2 no, 1250 KVA-1 No.)	1	As per Schedule -II
16	16	DG Set 2- Power House West (1250 KVA -1 Nos, 1500 KVA-2 no, 500 KVA-1 No)	1	As per Schedule -II
17	17	DG Set 3- Unit 4 Power House (1250 KVA -1 Nos, 1500 KVA -3 Nos.1000 KVA-1 No.)	1	As per Schedule -II

6. **Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Brass Waste	3	Ton/Y	NA	Sale to authorised party
2	Ferrous Waste	3330	Ton/Y	NA	Sale to authorised party
3	Wooden Scrap	700	Ton/Y	NA	Sale to authorised party
4	Rubber Waste	50	Ton/Y	NA	Sale to authorised party
5	Food Waste	150	Ton/Y	NA	Sale to authorised party
6	Copper Waste	0.365	Ton/Y	NA	Sale to authorised party
7	Garbage	316.43	Ton/Y	NA	Sale to authorised party
8	Glass wool/rockwool/fiber waste	5	Ton/Y	NA	Sale to authorised party
9	Glass waste	5	Ton/Y	NA	Sale to authorised party
10	Paper & cardboard waste	500	Ton/Y	NA	Sale to authorised party

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	840	MT/A	Recycle	Send to Authorized recycle
2	5.2 Wastes or residues containing oil	840	MT/A	Incineration	CHWTSDF
3	12.1 Acidic and alkaline residues	1	MT/A	Landfill	CHWTSDF
4	35.3 Chemical sludge from waste water treatment	200	MT/A	Landfill	CHWTSDF
5	21.1, Process Waste, Residue (Paint Sludge)	30	MT/A	Recycle / Incineration	Pre-processor/Co-processor/Recycler/CHWTSDF
6	33.1 Empty barrels/containers/liners contaminated with hazardous chemicals/wastes	15000	Nos./Y	Decontamination	Send to Authorized recycle

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
7	15.2 Discarded asbestos	50	MT/A	Landfill	CHWTSDF
8	Aluminium Waste	27	MT/A	Recycle	Send to Authorized recycle

8. **Conditions under Batteries (Management & Handling) Rules, 2001:**

Sr No	Type of Waste	Quantity	UoM	Disposal Path
1	Batteries Waste	10.00	MT/A	Send to Authorized Recycler

Specific Conditions for used Batteries:

- The applicant shall ensure that used batteries are not disposed of in any manner other than by depositing with the authorized dealer/ manufacturer/ registered recycler/ importer/ re-conditioner or at the designated collection center.
- The applicant shall file half-yearly return in Form VIII to the M.P.C. Board.
- Bulk consumers to their user units may auction used batteries to registered recyclers only.

9. **Conditions under Plastic Waste Management Rules, 2016 (Notification dtd. 18/03/2016):**

Sr No	Type of Waste	Quantity	UoM	Disposal Path
1	Plastic Waste	250.00	Ton/Y	Send to Authorized recycler

10. **Conditions under E-Waste Management:**

Sr No	Type of Waste	Quantity	UoM	Disposal Path
1	E- Waste	10.00	MT/A	Send to Authorized Recycler

- The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
- This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
- This consent is issued with the overriding effect on earlier Consent to Operate No. Format BO/CAC-Cell/UAN No. 000021924-17/CAC/1806000794 dtd. 21.06.2018

For and on behalf of the
Maharashtra Pollution Control Board.

(E. Ravendiran IAS),
Member Secretary

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	1122000.00	5458822	31/01/2020	NEFT

Balance amount of Rs. 374000 will be considered at the time of next renewal of consent.



Copy to:

1. Regional Officer, MPCB, Pune and Sub-Regional Officer, MPCB, Pune I
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai
3. CC/CAC desk- for record & website up-dation purposes.





SCHEDULE-I

Terms & conditions for compliance of Water Pollution Control:

1. A] As per your application, you have provided Effluent Treatment Plant (ETP) of designed capacity of 39.00 CMD consisting of Primary, Secondary & Tertiary.
- B] The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent so as to achieve the following standards prescribed by the Board or under EP Act, 1986 and Rules made there under from time to time, whichever is stringent:

Sr.No	Parameters	Limiting concentration not to exceed in mg/l, except for pH
Compulsory parameters		
(1)	pH	5.5 to 8.5
(2)	Oil & Grease	10 mg/l
(3)	BOD (3 days 27°C)	30 mg/l
(4)	Total Suspended solids	100
(5)	Total Dissolved solids	2100 mg/l
Additional Parameters		
(6)	COD	250 mg/l
(7)	Chloride	600 mg/l
(8)	Sulphate	1000 mg/l

C] The treated industrial effluent shall be recycled to the maximum extent and remaining treated effluent shall be utilized on land for gardening/plantation in the premises only after confirming to above standards. There shall not be any discharge outside the factory premises. Industry shall not discharge any effluent directly/indirectly into local nalla.

2. A] As per your application, you have provided Sewage Treatment Plant of designed capacity 550 CMD for the treatment of 450 CMD of sewage.
- B] The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

1	Suspended solids	Not to exceed	50 mg/l
2	BOD (3 days 27oC)	Not to exceed	30 mg/l
3	COD	Not to exceed	100 mg/l

C] The treated domestic effluent shall be recycled to the maximum extent & remaining shall be used on land for gardening/plantation in the premises only after confirming the above standards. There shall not have any discharge outside the factory premises directly/indirectly.

3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.



4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	325.01
2.	Domestic purpose	603.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	43.00
5.	Gardening	0

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.



SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO ₂ (kg/day)
1	New KV Test Cell East Side (Test Cells Number 4,5 & 6)	Acoustic Enclosure	35	HSD	1250 Ltr/Hr	1.00	600.00
2	New KV Test Cell West Side (Test Cells Number 1,2 & #)	Acoustic Enclosure	35	HSD	1250 Ltr/Hr	1.00	600.00
3	NHNT Test Cells (Even Numbers- 2,4,6,8,10,12,14,16 &18)-2 Stacks/Test Cell	Acoustic Enclosure	14.7 (each)	HSD	3888 Ltr/Hr	1.00	1866.24
4	NHNT Test Cells (Odd Numbers- 1,3,5,7,9,11,13,15,17, &19)	Acoustic Enclosure	14.7 (each)	HSD	1140 Ltr/Hr	1.00	547.20
5	MVIC Test Cells (Earlier Named as SPD)	Acoustic Enclosure	34	HSD	1365 Ltr/Hr	1.00	655.20
6	Heat Treatment	Stack	22	--	--	--	--
7	Lubricating Plant	Stack	10.66	--	--	--	--
8	Fire Pump Room	Stack	5	HSD	80 Ltr/Hr	1.00	38.40
9	Shot Blasting	Dust collector & Bag Filter	8	--	--	--	--
10	KV paint Booth	Water Curtain	10.8	--	--	--	--
11	KV KIT paint Booth	Water Curtain	10.8	--	--	--	--
12	NH-NT Paint Booth Thermax	Water Curtain	13.4	--	--	--	--
13	NH-NT paint Booth Josts	Water Curtain	13.4	--	--	--	--
14	NH-NT Kit Paint Booth	Water Curtain	15	--	--	--	--
15	DG Set 1- Power House East (750 KVA -1Nos, 1500 KVA-2 no, 1250 KVA-1 No.)	Acoustic Enclosure	35.5	HSD	1050 Ltr/Hr	1.00	504.00

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO ₂ (kg/day)
16	DG Set 2- Power House West (1250 KVA -1 Nos, 1500 KVA-2 no, 500 KVA-1 No)	Acoustic Enclosure	32	HSD	1350 Ltr/Hr	1.00	648.00
17	DG Set 3- Unit 4 Power House (1250 KVA -1 Nos, 1500 KVA -3 Nos.1000 KVA-1 No)	Acoustic Enclosure	32	HSD	1350 Ltr/Hr	1.00	648.00

- The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
- The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards
Particulate Matter	Not to exceed 150 mg/Nm ³

- The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
- The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).





SCHEDULE-III
Details of Bank Guarantees:

Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to R	Rs. 10.0 Lakh	15 days	Towards operation and maintenance of pollution control system	Continue	30.08.2022
2	C to R	Rs. 10.0 Lakh	15 days	Towards recycle / reuse treated trade and domestic effluent as per consent condition	Continue	30.08.2022

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				



SCHEDULE-IV
General Conditions:

1. The waste generator shall.-
 - a) take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016 or as amended from time to time.
 - b) not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;
2. All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Solid Waste Management Rules, 2016 amendment from time to time and handover segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.
3. All waste generators shall pay such user fee or charge as may be specified in the byelaws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;
4. Every person responsible for organizing an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Solid Waste Management Rules, 2016 amendment from time to time.
5. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelised through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler or recycler
6. Bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board
7. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made there under;
8. Bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.
9. The Energy source for lighting purpose shall preferably be LED based
10. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant

11. Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
12. The applicant shall maintain good housekeeping.
13. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
14. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
15. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
16. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
17. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
18. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
19. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
20. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
21. The PP shall provide personal protection equipment as per norms of Factory Act
22. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.

23. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
24. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
25. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
26. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
27. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
28. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
29. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
30. The industry should not cause any nuisance in surrounding area.
31. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
32. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
33. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
34. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
35. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.



36. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall 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.
37. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
38. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
39. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
40. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
41. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.



ANNEXURE-R-2



November 29, 2019

To,

Mr. Jitendra Khasnis

Sub: Bad Smell Coming from Plant

We refer to your mail dated 25/11/2019, 23/11/2019 and telephonic conversation with Mr. Rajendra Kulkarni & Shyam Kapare, we would like to response your queries below:

Point No 1: Unpleasant Smell coming through existing plant

Response: We would like to inform you that, PMC Nalla carrying domestic effluent from residences also passing through the company premises. This was also commented by PMC officers visit which justified that Nalla is carrying domestic effluent from residences as well and not solely from our existing plant. We noted your observation and we are working on the same to resolve this issue to make it better.

Point No-2: Chemical Usage to prevent bad odour

Response: We would like to inform you that, we are using the permissible chemicals to control the bad odour coming from our operation. As mentioned by our plant manager we are in the process of upgradation our treatment plant which will be in operation within 2-3 months. This upgradation activity ensure the no smell from treatment operation

Thanking you,

Yours truly,

For Cummins India Limited

Rajendra S Kulkarni

Factory Manager



Received.
Shyam
29/11/19

Cummins India Limited
Registered Office
Cummins India Office Campus
Tower A, 5th Floor, Survey No. 21, Balewadi
Pune 411 045 Maharashtra, India
Phone +91 20 67067000

MAHARASHTRA POLLUTION CONTROL BOARD SUB-REGIONAL OFFICE - PUNE-I

Ph. 020-25811694
Fax. 020-25811029



Jog Center Bldg.
2nd floor, Wakdewadi,
Old Mumbai - Pune Highway,
Pune 411003

Visit Report

Name & Address of Industry :- M/s. Cummins India Ltd.
S.No. 8 to 7, 31(1), 32, 33, 37, 38
41, 42 & 43 Dahanukar Colony, Kothrud, Pune.

Date of Visit

4/12/2020

Industry Officials

Mr. Sham Kapare, HSE leader
Mrs. Vaishali Toke, Manager HSE

Consent Validity

Valid up to 30.04.2022

Observations

- i) Industry visit is carried out as per complaints received from Shri. Jitendra Khasnis and Shri. Subhash Dhaware, Anit Park, Tejas Nagar, Kothrud, Pune regarding bad smell generated from STP and ETP. The society members are present along with Shri. Khasnis and Dhaware. It is observed that noise noticed near compound wall at building G.
- ii) The industry is visited during visit following observations are done.
- a) Industry engaged in mfg. of Internal combustion engines - 19200 Nos/ly and spares / Accessories - 48000 M/ly. During

visit, industry is found in operation
 b) Industry has provided STP of 550 CMD capacity, consist up to tertiary treatment stage with UV system. STP is found in operation. Online monitoring system is provided for parameter pH, BOD, COD, TSS.

Treated effluent is used for cooling, flushing & excess for gardening purpose.

c) New ETP of 39 CMD total capacity is provided, which is consist up to tertiary treatment stage with cyanic membrane, RO, mechanized vacuum recompressor, ecodryer. ETP is found in operation. For ETP operation, industry is using Polyaluminium chloride, caustic, hypochloride, cationic poly chemicals as per requirement. Record of same is maintain. Treated effluent is used for gardening purpose. During visit, no any visible effluent discharge from ETP & STP is observed.

d) Natural nalla of width approx. 2.5 mt - 3.0 mt is flowing from the premises of industry and coming from upstream Chandani chowk area. Nalla is flowing adjacent to ETP & STP, having considerable major flow at 12-30 pm during visit. It is an open nalla. septic smell of domestic effluent is observed from nalla.

Dishali
 04/12/2020 Jadhav

Dishali Toke (S.D. Jadhav)
 Manager, HSE, PO, MPCB, SROPP

**MAHARASHTRA POLLUTION CONTROL BOARD
SUB REGIONAL OFFICE, PUNE-I**



2nd Floor, Jog Centre,
Mumbai- Pune Road,
Wakdevadi, Pune.

Ph No. 25811029

No. MPCB/SROP-I/201223-FIS-0151

Date: 23/12/2020

To,
1) The Municipal Commissioner,
Pune Municipal Corporation,
Pune- 411005

2) Superintending Engineer (Elect),
Drainage Department,
Pune Municipal Corporation,
Pune- 411005

Sub:- Complaint of bad smell generated by STP & ETP of M/s. Cummins India Ltd., S. No. 3 to 7, 31(1), 32,33,37,38,41,42 & 43 Dahanukar Colony, Kothrud, Pune-411038.

- Ref- 1) Complaint received from Shri. Jitendra Khasnis dated 20.08.2020 and 06.11.2020.
2) Complaint received from Shri. Jitendra Khasnis & Shri. Subhash Dhaware dated 21.10.2020 and 04.11.2020.
3) Visit carried out by the Undersign dated 04.12.2020.

Sir,

With reference to above subject and reference, this office is in receipt of repeated complaints from Shri. Jitendra Khasnis & Shri. Subhash Dhaware, Amit Park, Tejas Nagar, Kothrud, Pune regarding nuisance of odour/ bad smell generated from STP & ETP of M/s. Cummins India Ltd., S. No. 3 to 7, 31(1), 32,33,37,38,41,42 & 43 Dahanukar Colony, Kothrud, Pune-411038

This office has carried out visit on 04.12.2020, during visit it was observed that, there is natural nalla/ odha flowing from the premises of industry and located adjacent to ETP & STP of said industry. Open nalla has width approx. 2.5 mt -3.0 mt and having considerable flow of untreated domestic effluent. Due to untreated domestic effluent flowing through nalla, there was odour/ bad smell nuisance observed, causing nuisance to nearby residence.

In view of above, you are hereby requested to investigate said complaints and accordingly take action and communicates to complainant alongwith this office. The copy of said complaints are enclosed herewith.

Yours faithfully,

(Pratap Jagtap)
Sub-Regional Officer, Pune - I

DA- As above

Copy submitted for information to-
The Regional Office, M.P.C. Board, Pune

%

24/12/2020

महाराष्ट्र प्रदूषण नियंत्रण बोर्ड
पुणे उप-प्रदेशीय कार्यालय
शिवाजीनगर, पुणे - ४११ ००५

MAHARASHTRA POLLUTION CONTROL BOARD
SUB REGIONAL OFFICE. PUNE-1

2nd Floor, Jog Centre
Mumbai-Pune Road,
Wakdevadi-

PH No.25811029
Pune

Visit Report

Name & Address of Industry: M/s Cummins India Ltd.
S.No 3 to 7, 31 (1) 32,33,37,38,41,42,43,
Dahanukar
Colony, Kothrud, Pune

Date of Visit: 4/12/2020

Industry Officials: Mr.Sham Kapare, HSE Leader
Mrs. Vaishali Toke, Manager HSE

Content Validity: Valid up to 30.04.2022

Observation:

1. Industry Visit is carried out as per complaints received from Shri Jitendra Khasnis and Shri shubhash Dhaware, Amit Park, Tejas Nagar, Kothrud, Pune regarding bad smell generated from STP and ETP. The society members are present alongwith Shri Khasnis and Dhaware. It is observed that noise noticed near compound wall at building G.

2. Then Industry is visited, during visit following Observation are done: -

- (a) Industry engaged in mfg of internal combustion engines - 19200 Nos/ Y and spares/ Accessories – 48000 MT/Y. During visit, Industry found in operation.
- (b) Industry has provided STP of 550 MD Capacity consist up to tertiary treatment stage with UV System. STP is found in operation. Online monitoring System is provided for parameter pH, BOD, COD, TSS. Treated effluent is used for cooling, flushing, and excess for gardening purpose.
- (c) New ETP of 39 CMD total capacity is provided, which is consist up to tertiary treatment stage with cyramic membrane RO mechanized vacuum recompressor, eco dryer. ETP is found in operation for ETP Operation, industry is using polyaluminum chloride, caustic, hypochlorite. Cationic poly chemicals as per requirement. Record of same is maintain treated effluent is used for gardening purpose. During visit no any visible effluent discharge from ETP & STP is observed.
- (d) Natural Nalla of width approx.2.5 mt- 3.0 mt is flowing from the premises of industry and coming from upstream Chandani Chowk area. Nalla is flowing adjacent to ETP & STP, having considerable major flow at 12.30 pm during visit. It is an open Nalla Septic smell of domestic effluent is observed from Nalla.

Vaishali Toke

(S.D.JADHAV

Manager HSE

R.O. MPCB SROPP

Date: 19.12.2019

To,

Adv. Seema S Hande.
Shivteerth Nagar, Prayas Building,
Near Suyash Nursing Home,
Opp to Sakhalkar Hospital, Ground Floor,
Poud Road, Kothrud, Pune 41138.

WITHOUT PREJUDICE

Subject: Reply to notice dated 07.12.2019 ("your notice").

Dear Mam,

We, Cummins India Limited ("Company") having our registered office at Dahanukar Colony, Kothrud, Pune 411038, are in receipt of your Notice dated 07.12.2019 on 11.12.2019 regarding hazardous smell coming from existing plant & usage of chemicals to prevent bad odor, send on behalf of your client Mr. Jitendra Khasnis, R/at. – Amit Park, Tejas Society, S No. 29, Dahanukar Colony, Kothrud, Pune 411038 (herein after referred to "your Notice").

With reference to the aforesaid mentioned notice, we would like to state as under:

- 1) In response to the point No. 1 & 2 of your Notice, we understand the contents mentioned in your notice and take a note of the same.
- 2) With the reference to the paragraph 3 of your Notice, we note the contents however we would like to inform that, the distance between Company and your society is approx. 200 mtr. and there are other societies also present in the same vicinity.
- 3) With the reference to the paragraph 4, 5, 6, 7 of your Notice, the allegations in the said paragraph are incorrect and untrue as we have received the complaint only from your client and not from any other society in the neighboring vicinity. In addition, we would like to inform you that the discharge passing through the PMC is from the nearby residences and does not carry any discharge of Cummins at all. Therefore, please note that Cummins assumes no liability or responsibility in manner for the discharge of effluent in the Nalla or any smell due to such discharge which is of the nearby residences.

- 4) With the reference to the paragraph 8 of your Notice we would to note that we did receive the email mentioned in your notice however we had provided a response on 29.11.2019 the same subject matter. Also, we would like to inform that, we did speak to Mr. Khadilkar and he denied of having any presence of any bad odour. Moreover Mr. Khadilkar had met your client only to give the response letter dated 29.11.2019.
- 5) With the reference to the point No. 9 of your Notice, we deny the allegations stated by your client.
- 6) With the reference to the point No. 10 of your Notice, we deny the contents mentioned in the said paragraph and would like to state that our officials had invited your client to see the facility and your client was satisfied with no odour, however, your notice came as a shock and surprise to us, hence we deny the allegations and we also deny the contents at stated in point No. 10 of your notice.
- 7) With the reference to the point No. 11 said Notice, we deny the contents mentioned in the said paragraph and would like to reiterate the points made by us at Point No. 4 hereinabove.
- 8) With the reference to the point No. 12 & 13 said Notice, we deny the contents mentioned in the said paragraph and would like to request not to use derogatory language or defame the Company in any manner whatsoever as the same is on record through your notice.
- 9) With the reference to the point No. 14 of your Notice, we deny the contents mentioned in the said paragraph.
- 10) With the reference to the point No. 15 of your Notice, we deny the contents mentioned in the said paragraph and would like to reiterate the points made by us at Point No. 4 hereinabove.

- 11) With reference to Point No. 16 of your Notice, we hereby state that we cannot entertain such instructions and the cost payable is completely denied and not agreeable in any manner whatsoever.

For Cummins India Ltd.



Rajendra S Kulkarni
Authorized Signatory



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

ORIGINAL APPLICATION No.52 of 2020

IN THE MATTER OF:

JITENDRA KHASNIS

APPLICANT

VERSUS

THE SUB (DEPUTY) REGIONAL OFFICER
& ORS.

RESPONDENTS

VAKALATNAMA

I, **Mr. Luv Tanwani**, s/o Mr. Sunil Tanwani, aged 33 years, resident of Wakad, Pune, authorized representative/ Power of Attorney holder of the Respondent No.5 **Cummins India Limited**, in the above Original Application, do hereby appoint and retain **SAURABH KULKARNI, ADVOCATE**, to act and appear for me and prosecute/defend the same and all proceedings that may be taken in respect of any application connected with the same or any Decree or Order passed therein, including proceedings in application for Review, and to file and obtain return of documents, and deposit and receive any money on our behalf in the said Suit / Appeal /Petition / Reference and in application for Review, and to represent us, and to take all necessary steps on my / our behalf in the above matter.

Dated this the day of , 2021.

ACCEPTED, IDENTIFIED & CERTIFIED:

[SAURABH KULKARNI]

420, Shaniwar Peth,
Next to Sudarshan Hall,
Near Ahilyadevi School,
Pune - 411 030
Ph: 020-24459027
Email : sdkadvocate@gmail.com

The address for service of the Advocate is as above.




**RESPONDENT No.5
Through Mr. Luv Tanwani
General Manager, Legal
Authorize representative of
Cummins India Limited**



REF No. 38-LOA-2021-CIL

Letter of Authority

To whomsoever it may concern

Pursuant to the power vested in me vide Board Resolution dated 17th June 2020, I, **Ajay S Patil**, Chief Financial Officer at Cummins India Limited ("the Company") hereby authorize **Mr. Luv Tanwani**, Deputy General Manager – Legal, Power System Business Unit ("Authority Holder") to do following acts on behalf of the Company-

- a) Execute Sale Deed/s, Conveyance Deed/s, Purchase Agreement/s or such similar documents;
- b) Execute Lease Agreement/s, Leave License Agreement/s or such similar documents to take the movable or immovable properties on lease, license/ rental basis for the business of the Company;
- c) Sign and execute all Agreements, Deed, Guarantees, indemnities, undertakings, bids in response to the tenders issued by customers to the business related to the business of the Company from time to time;
- d) Issuance of Power of Attorney(s) if required to the appropriate official(s) of authorized signatories of the Company and
- e) Issuance of Letter of Authorities if required to the appropriate official(s) or authorized signatories of the Company;
- f) To execute on behalf of Company any deed or document and comply or caused to be complied with all statutory requirement affecting the Company and to represent the Company before any Government, Revenue, Civil or Criminal Court of law or before all Arbitrators, Conciliators, other Public Officers, Authorities, Bodies or Tribunals, Commissions and Forums, in connection with all Suits, Actions, Petitions ,Appeals, other legal proceedings whether Civil or Revenue, in which the Company may be concerned or interested whether as Plaintiffs, Defendants, Petitioners, Appellants, Opposing Creditors, or in any other capacity whatsoever or otherwise howsoever and in all matters concerning the business affairs, and to give the evidence in all such matters, to settle/withdraw such matters.

This Letter of Authority shall come into force on the day of the execution as recorded below and shall expire automatically in case of any change in terms of employment including but not limited to the termination of the Authority Holder with the Company.

for Cummins India Limited

Ajay S Patil
Chief Financial Officer
Place: Pune
Date: 26th March 2021



TRUE COPY OF RESOLUTION PASSED AT THE 330TH MEETING OF THE BOARD OF DIRECTORS OF CUMMINS INDIA LIMITED HELD ON WEDNESDAY, JUNE 17, 2020 AT 6.55 P.M. VIA VIDEO CONFERENCING AT CUMMINS INDIA OFFICE CAMPUS, TOWER A 5th FLOOR, SURVEY NO. 21, BALEWADI, PUNE 411 045

Authority to execute agreements and appear before Government authorities etc.

“RESOLVED THAT in supersession of the resolution passed by the Board of Directors May 22, 2019, Mr. Anubhav Kapoor, Group Vice President Legal & Group Company Secretary and, Mr. Ajay S. Patil, Chief Financial Officer, be and are hereby severally authorized to do the following:

- (a) Execute Sale Deed/s, Conveyance Deed/s, Purchase Agreement/s or such similar documents for acquiring movable and immovable property/ies for business requirements of the Company, including applications for title change/ mutation on account of purchase of such property/ies or amalgamation with other entities;
- (b) Execute Lease Agreement/s, Leave and License Agreement/s or such similar documents to take the movable or immovable properties on lease, license / rental basis for business of the Company; and
- (c) Sign and execute all agreements, deeds, guarantees, indemnities, undertakings, and bids in response to tenders issued by the customer related to business affairs of the Company from time to time.

RESOLVED FURTHER THAT Mr. Anubhav Kapoor, Group Vice President Legal & Group Company Secretary and Mr. Ajay S. Patil, Chief Financial Officer be and are hereby severally authorized to sign all such papers, documents, writings etc. and to do all such acts, deeds and things as they may consider necessary or expedient in execution of above - mentioned documents.

RESOLVED FURTHER THAT if required, the Common Seal of the Company be affixed on any instrument, document, deed, and agreement as per Articles of Association of the Company.

RESOLVED FURTHER THAT Mr. Anubhav Kapoor, Group Vice President Legal & Group Company Secretary and Mr. Ajay S. Patil, Chief Financial Officer, be and are hereby severally authorized to execute on behalf of the Company any deed or document and comply or cause to be complied with all statutory requirements affecting the Company and to represent the Company before any Government, Revenue, Civil or Criminal Court of Law or before all Arbitrators, Conciliators, other Public Officers, Authorities, Bodies or Tribunals, Commissions and Forums, in connection with all suits, actions, petitions, appeals and other legal proceedings whether Civil or Revenue, in which the Company may be concerned or interested whether as Plaintiffs, Defendants, Petitioners, Appellants, Opposing Creditors or in any other capacity whatsoever or otherwise howsoever and in all matters concerning the business affairs and to give evidence in all such matters, to settle/ withdraw such matters and to appoint, engage, instruct, Lawyers, Advocates, Pleaders, Attorneys, Arbitrators, Barristers, and to give and sign Vakalatnama, and other papers and documents for all or any of the matters above mentioned.



RESOLVED FURTHER THAT Mr. Anubhav Kapoor, Group Vice President Legal & Group Company Secretary and, Mr. Ajay S. Patil, Chief Financial Officer, be and are hereby severally authorized to further delegate any of the powers given above, including issuance of Power of Attorney(s), if required to the appropriate official(s) or authorized signatories of the Company with or without such limitations or restrictions as may be deemed fit and appropriate.

RESOLVED FURTHER THAT any document issued pursuant to this resolution may also be signed by way of electronic/ digital signature.

RESOLVED FURTHER THAT any one of the Directors or Company Secretary of the Company be and is hereby authorised to issue certified true copy of the resolution from time to time.”

//Certified True Copy//
For Cummins India Limited

VINAYA Digitally signed by
ABHIJIT VINAYA ABHIJIT
JOSHI JOSHI
JOSHI Date: 2021.03.03
 19:03:40 +05'30'

Ms. Vinaya Joshi
Company Secretary
Membership No. A25096

Date: March 03, 2021