



**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

(Appeal Under Section 16 of the NGT Act, 2010)

I.A No. 07/2022

In

APPEAL NO. 01 OF 2022

M/S. NIX POLYMERS ..... APPLICANT

In the matter

M/s. Nix Polymers ..... APPELLANT

Versus

MAHARASHTRA POLLUTION  
CONROL BOARD, & OTHERS ..... RESPONDENTS

**REPLY ON BEHALF OF RESPONDENT No.1 & 2 TO THE I.A NO.07/2022 :**

I, Navanath S. Awatade, aged about 52 years, occupation-service, the Sub Regional Officer, Maharashtra Pollution Control Board at Sangli having my office at Udyog Bhavan, Vishrambag, Sangli-416415. I am filing this Reply on behalf of the Respondent No – 1 & 2 as under.

I am working as the Sub Regional Officer, Sangli with the Maharashtra Pollution Control Board w.e.f. 19/07/2019. I am well conversant with the facts and circumstances of the case as well as the record of the case lying in my office.

The Hon'ble Tribunal has issued notice in the I.A No. 07/2022 in the above Appeal on 25/1/2022 and I am filing reply to the said I.A No. 07/2022 . I have filed detailed reply in the Appeal No. 01/2022 .The I.A

filed by the Applicant is for condoning the delay of 60 days. The Appeal is preferred by the Applicant to challenge and set aside the Closure Notice issued by the present Respondent on 27/9/2021. Admittedly the Applicant has been served with the Closure Notice dated 27/9/2021 on 27/9/2021 itself. As per section 16 of the NGT Act, 2010, the Appeal is required to be filed within 30 days from the date of intimation of the impugned order, in present case from 27/9/2021. The Applicant should have preferred Appeal by 27/10/2021. As per section 16 of the NGT Act, 2010, further 60 days are allowed to file an Appeal provided the Tribunal get satisfied that the Appellant was prevented by sufficient cause from filing the Appeal within the said period. Pursuant to the complaint filed by one Shri. Tousif Bagnikar, the Board officials have visited and investigated the complaint on dtd. 09-07-2021 and accordingly the non-compliances observed during the inspection and were brought to the notice of industry vide the office warning notice issued on dtd. 09-07-2021. However in spite of warning notice issued to industry, industry has not taken any cognizance of the same till the date of visit of joint committee i. e 23/8/2021 . In the said I.A, the Applicant is giving reason for non-compliance of the violations since 2015 due to his fathers health on which the present Respondent offers no comment as it can't be the reason for violating the environmental norms for last 6 years. The Applicant has offered no other explanation except his father's ill health. Even if the Respondent Board offers some exception ,

24 MAR 2022



delay of 6 years in obtaining consent to operate and manufacturing unconsented product i. e manufacturing unsaturated polyester Resin by using Phthalic unhydride and Maleic unhydride since August 2015 without obtaining consent form the Board is a complete violation on behalf of the Applicant .

Therefore the present I.A No.07/2022 filed by the Applicant in the present Appeal should be dismissed on the facts mentioned above and delay of 60 days may not be condoned by the Hon'ble Tribunal.

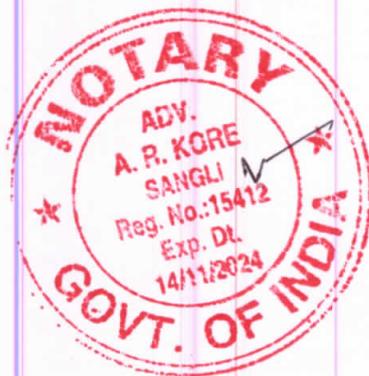
Solemnly affirmed at Sangli.

Dated this 24<sup>th</sup> day of March , 2022

Identified by  
Adv Amit Patil  
Sangli

On behalf of Respondent No. 1 & 2.

*Mutade*  
(Navanath S. Awatade)  
Sub Regional Officer-Sangli.  
Sub -Regional Officer,  
M.P.C. Board, Sangli



24 MAR 2022

Noted & Registered  
at Serial Numbers 288 / 2022  
1



Solemnly affirmed before me by  
Shri Navanath S. Awatade  
Who is identified before me by  
Shri Amit M. Patil  
Sangli

ADV. A. R. KORE  
NOTARY REG. NO. 15412, whom personally known.  
GOVT. OF INDIA  
Kaveri Aap., Saraswatinagar,  
SANGLI - 416 416 (M.S.)  
*Reddy*  
24/3/2022

