

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 717 / 2024

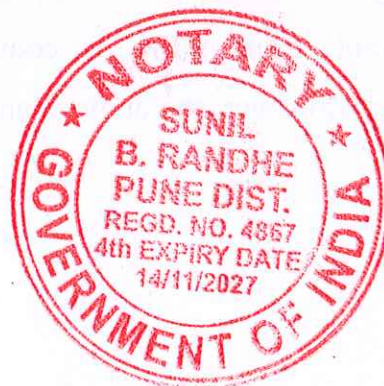
News Item titled "People Are Breathing in Cancer- Causing
Chemicals in their cars study find" appearing in NDTV.com
dated 08.05.2024

REPLY ON BEHALF OF RESPONDENT NO. 6 (THE
AUTOMOTIVE RESEARCH ASSOCIATION OF INDIA
(ARAI)

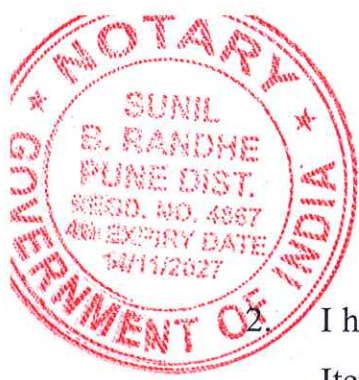
AFFIDAVIT

I, Prajakta Milind Dhere, aged 54 years, working as General
Manager and Head Governing Council Secretariat and Legal with
The Automotive Research Association of India (ARAI), Pune, the
additional Respondent No. 6 in the present application, do hereby
solemnly affirm and declare on oath as under: -

1. I am working as General Manager and Head Governing Council
Secretariat and Legal with the Respondent No. 6, as such, I am
duly authorized and competent to swear this affidavit on behalf of
ARAI, Pune, Respondent No. 6 in the present application.



Prajakta

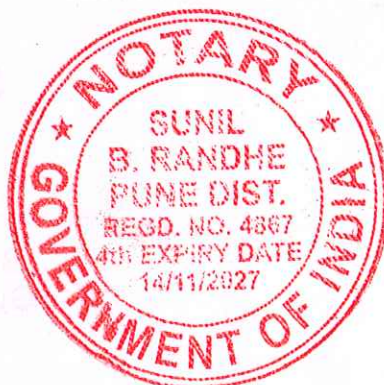


2. I have read over and understood the contents of the subject News Item and the order dated 12.09.2024 of Hon'ble Tribunal and I am aware of what is stated therein.
3. That with regard to the contents of the subject News Item, the order dated 12.09.2024 of Hon'ble Tribunal and with regard to the stand taken by Central Pollution Control Board (CPCB) in its reply dated 10.09.2024, the answering respondent seeks permission to file the present affidavit for clarifying its position.
4. I say and submit that the answering respondent No.6 (ARAI) is one of the eight automotive testing and certifying agencies authorized by the Government of India under Rule 126 of the Central Motor Vehicles Rules, 1989 (Hereinafter referred to as "CMVR"). The respondent No. 6 is in the business of testing and certification of vehicles as per the authority conferred to it under CMVR as amended from time to time. The tests are carried out in compliance to the provisions of the rules and regulations as well as standards as notified and as applicable for type of vehicles and vehicle components at the time of such testing and certification.
5. I say and submit that, ARAI is conducting flammability testing of polymers used in interior of vehicles, as per the requirement of various standards, particularly IS 15061, Federal Motor Vehicle Safety Standard No. 302 (FMVSS 302), ISO 3795. The test involves burning of a sample and measuring burn rate in millimeter / minute (mm/min) for comparing it with the permissible limits. However, the above standards do not specify

Pranjakta

the flame-retardant chemicals / additives to be used in the material for making it flame resistant.


6. It is submitted that as far as testing of flame resistance of the polymers used in interior of vehicles, only burn rate is evaluated as mentioned above, and currently there is no specific / mandatory requirement under CMVR and other standards applicable in India to check the presence/ levels of toxic flame-retardant present in the vehicles. It is, therefore, submitted that in the absence of such a specific standard, chemical characterization is not performed on the submitted samples, as this respondent do not have testing facility for confirming the presence of chemicals as envisaged in this case.
7. It is submitted that for assessment of chemicals used in interior material of vehicles, examining the issue of presence of cancer-causing chemicals, examining the issue of use of flame-retardants, viz. TCIPP, TDCIPP and TCEP, which are stated to be carcinogenic and for their impacts on human health, specialized toxicological studies are required to be conducted by medical experts / by the experts in the relevant field as this Respondent is not having expertise in the said domain.
8. That it is humbly submitted that the role of this respondent is to test and certify the vehicles and components as per the authority conferred to it under CMVR as amended from time to time and the applicable test standards.



9. I respectfully submit to this Hon'ble Tribunal that appropriate directions may kindly be issued, as deemed fit by this Hon'ble Tribunal, to which this respondent will be duty bound.

PRAYER

In view of the aforesaid submission, it is most humbly prayed that, this Hon'ble Tribunal may be pleased to pass such suitable order/s as it deems fit in the present circumstances.

Prajakta
Deponent


VERIFICATION

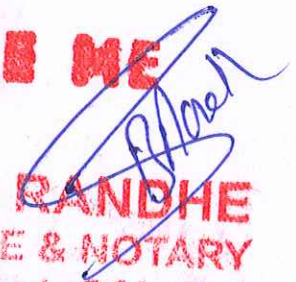
I, Prajakta Milind Dhere, above named affiant do hereby state that the contents of my aforesaid Affidavit are true and correct to the best of my knowledge and records available, no part of it is false and no material has been concealed there from.

Verified on this 6th day of December, 2024 at Pune (Maharashtra).



Prajakta
Deponent


NOTED AND REGISTERED AT
SERIAL NUMBER 3662 06 DEC 2024

BEFORE ME




SUNIL B. RANDHE
ADVOCATE & NOTARY
(Govt. Of India)
Page 4 of 4
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