

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Execution Application No.18/2023(WZ)
In
Appeal No.32/2020(WZ)**

Tanaji B. Gambhire

.....Applicant

Versus

Chief Secretary, Government of Maharashtra & Ors.

....Respondent(s)

Date of hearing: 13.03.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Applicant-in-person
Respondent(s) : Mr. Aniruddha Kulkarni, Advocate for R-2/Env't. Deptt.,
R-3/SEIAA, R-4/SEAC & R-11/CPCB
Ms. Manasi Joshi, Advocate for R-6/MPCB
Mr. Rahul Garg, Advocate for R-7 & 8/PMC
Mr. Abhishek Salian, Advocate h/f Mr. Saket Mone,
Advocate for R-10-M/s. Goel Ganga

ORDER

1. From the side of the execution applicant, applicant has appeared in-person.
2. From the side of respondent No.2 – Environment Department, respondent No. 3 – SEIAA, respondent No. 4 – SEAC-III and respondent No. 11 – CPCB, learned counsel Mr. Aniruddha Kulkarni has appeared, who prays for three weeks' time to be allowed to file reply affidavit. The said time is allowed with a direction that a copy of the same shall be served upon all other parties, who may file rejoinder affidavit against the same, if any, within one week thereafter.

3. From the side of respondent No.6 – MPCB, learned counsel Ms. Manasi Joshi has appeared, who submits that reply affidavit has already been filed, wherein it is mentioned that respondent No.10-M/s. Goel Ganga India Pvt. Ltd./Project Proponent has paid an amount of Rs.10 Crores towards Environmental Damage Compensation (EDC), in compliance with this Tribunal's order dated 22.09.2023. As decided by the Joint Committee, the respondent No.6 – MPCB has requested vide e-mails dated 29.12.2023 and 02.01.2024 to the IIT, Powai, Bombay to prepare Action Plan for restoration of the environment, from where a letter dated 03.01.2024 has been received regarding confirmation of the same.

4. Orally, it is submitted by the learned counsel for respondent No.6 – MPCB that a sum of Rs.62.05 lakhs is being demanded by the IIT, Powai, Bombay for preparation of the Action Plan. It appears to us to be an exorbitant rate for such a work. Therefore, we direct the learned counsel for respondent No.6 to place before us all the details, as to who had been approached in the IIT, Powai, Bombay for preparation of the same and what request was made to them so that we can analyse whether the said amount would be worth spending only for the purpose of study and not for actual work of restoration to the environment. In this regard, an additional affidavit shall be submitted before us by the respondent No.6 within two weeks.

5. From the side of respondent No.7 – Pune Municipal Corporation and for respondent No.8 – Prashant Waghmare, City Engineer, PMC, learned counsel Mr. Rahul Garg has appeared, who submits that he does not want to file reply affidavit as there was no direction given in the appeal against these respondents.

6. From the side of respondent No.10- M/s. Goel Ganga India Pvt. Ltd. through its Director, learned counsel Mr. Abhishek Salian holding brief of learned counsel Mr. Saket Mone has appeared, who prays for three weeks' time to be allowed to file reply affidavit. The said time is allowed with a direction that a copy of the same shall be served upon all other parties, who may file rejoinder affidavit against the same, if any, within one week thereafter.

Put up this matter for further consideration on 12.07.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

March 13, 2024
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P.Kr