

Item No.3

(Pune Bench)

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

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.166/2023(WZ)
Earlier L.P. No.43/2023(WZ)**

Dinesh Kharade

.....Applicant

Versus

State of Maharashtra through Pune Municipal Corporation & Anr.

....Respondent(s)

Date of hearing: 09.04.2024

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

Applicant : Applicant in-person

Respondent(s) : Mr. Rahul Garg, Advocate for R-1 & 2/PMC

ORDER

1. From the side of applicant, applicant has appeared in-person before us, who submits that he would be engaging a counsel, for which he may be allowed two weeks' time. The said time is allowed.

2. This Original Application has been registered pursuant to a complaint received from the applicant- Mr. Dinesh Kharade alleging therein that the Chief Engineer, Pune Municipal Corporation (PMC) and his juniors had allowed cutting of 324 trees without ensuring plantation of 972 trees in lieu thereof at its place.

3. Regarding it, we had directed the Registry by our previous order dated 02.11.2023 to call for a report from the Tree Authority as well as the Commissioner, Pune Municipal Corporation (PMC) regarding truthfulness of the contents made in the complaint.

4. In response thereto, a report dated 01.04.2024 from the side of Pune Municipal Corporation (PMC) has been received, which is annexed at page nos.13 to 15 of the paper book, wherein it is submitted that around 324 trees were obstructing the work of laying down of water lines. Therefore, the Tree Officer, PMC after following due procedure, granted permission on 24.11.2016 and 11.01.2018 to uproot 122 trees and transplant 202 trees. Besides that the Tree Officer, PMC also directed Camp Water Supply Department to plant new 972 local indigenous trees as per the ratio of 1:3. Contractor M/s. Koya and Constructions Company Ltd., which was executing the work of laying down the water supply lines, was also awarded the work of plantation of new 700 local indigenous trees at Wadgaon Baby Canal, Pune and was also directed to take care of the Trees for at least 3 years. Out of 972 trees, 700 trees have already been planted, out of which only 360 trees survived.

5. It is further mentioned in this report by the PMC that the Tree Officer vide its letter dated 19.03.2024 had directed the Water Supply Department to plant $272 + 340$ trees = 612 Trees within a month and that the said Department has undertaken to plant a total number of 972 Trees.

6. The applicant has submitted that this report is erroneous, as there is no plantation done by the Water Supply Department as is being mentioned in the said report.

7. We direct the Registry to serve a copy of this report submitted by the PMC upon the applicant (e-mail dinesh.kharade@gmail.com), who may file objection against the same, if so required, within two weeks.

Put up this matter for further consideration on 09.05.2024

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

April 09, 2024
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P.Kr