

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

O.A. 09/2023 [WZ]

BETWEEN:

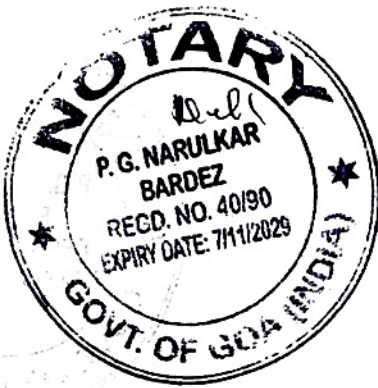
THE GOA FOUNDATION

...APPLICANT

AND

**THE MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE AND ANR.**

...RESPONDENTS



ADDITIONAL AFFIDAVIT OF THE APPLICANT

I, Dr. Claude Alvares, Secretary of the Goa Foundation, the Applicant herein, do hereby state on oath as under:

1. I state that in terms of an Order of the Dy. Registrar of the Delhi Bench of the Hon'ble N.G.T. dt. 08.11.2024 bearing Ref. No. NGT (PB)/Judicial/02/2021/2131, a larger bench has been constituted by the Hon'ble Chairperson of the NGT for the hearing of the instant O.A. 9/2023 [WZ] and other connected matters.
2. While the constitution of a larger bench for the hearing of the instant matters is unusual – as neither of the Parties before the regular WZ bench has expressed any reservations about the competence or otherwise of the

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regular bench to hear these matters – the Applicant makes no further comment at this stage, given that such a request was made by the Hon'ble Members of the NGT Western Zone Bench, Pune. It would have been in the interest of greater transparency of NGT functioning if the said letter had been shared with the litigants. However, the Applicant would like to bring to the notice of the learned Registrar that the Larger Bench constituted by the order dt. 08.11.2024 is, in all likelihood, in violation of the statutory provisions of Section 4 of the NGT Act, which requires an equal balance to be maintained between the number of Judicial and Expert members adjudicating any case.

3. Attention is also drawn to the fact that orders have been reserved in the matter of an application filed by the MOEF & CC [I.A. 501/2024 in O.A. 249/2023 (PB)] seeking transfer of these matters to the Northern Bench, which have been resisted by the Applicants in the original OAs.
4. Without prejudice to the above, the Applicant unequivocally states that it is ready for the hearing and final arguments of the instant O.A. 9/2023 before the Larger Bench so constituted, and will advance submissions/go ahead with the matter scheduled for hearing on 11.11.2024.

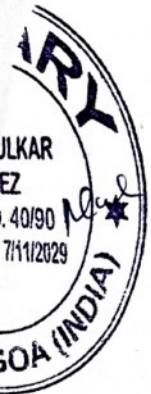


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5. I state that the contents of paragraphs 1 – 4 are in the nature of facts true to my own knowledge and as per official documents/records, and my submissions made on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

Solemnly affirmed on the 9th day of November, 2024, at Mapusa, Goa

APPLICANT/DEPONENT



VERIFICATION

I, Dr. Claude Alvares, Secretary of the Goa Foundation, the Applicant herein, hereby verify that the contents of paras 1 - 5 of my above affidavit are true to my knowledge and belief, and that no part of it is false and nothing material has been concealed therefrom.

Verified on the 9th day of November, 2024, at Mapusa, Goa

APPLICANT/DEPONENT

BEFORE ME

Deal (

P. G. NARULKAR
ADVOCATE AND NOTARY
Reg. No. 40/90
Exp. 7/11/2029
Date: 09/11/24



Reg. No. 2224 / 2024 .