

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

EXECUTION APPLICATION NO.19 OF 2023 (WZ)

IN

APPEAL NO. 34 OF 2020 (WZ)



Tanaji Balasaheb Gambhire

.... Applicant

Versus

Chief Secretary, Govt. of Maharashtra & Ors..

.... Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e. RESPONDENT NO.6.**

I, Kartikeya Langote, aged about 53 years, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Pune-I having office at 2nd Floor, Jog Centre, Wakdewadi , Pune-411 003, do hereby state on solemn affirmation as under:

- (1) I am filing this Additional Affidavit on behalf of the Respondent No.6- Maharashtra Pollution Control Board (MPCB) in compliance of the order dated 13/3/2024 passed by this Hon'ble NGT.
- (2) I say and submit that the Respondent No.10-PP M/s. Goel Ganga India Pvt Ltd., has paid an amount of Rs.15 crores towards Environment Compensation, which was taken on record by the Hon'ble NGT in its Order dated 22/09/2023.

- (3) I say and submit that pursuant to the Hon'ble NGT Order dated 23/4/2024 passed in Original Application No.198/2023 (WZ) filed by Narayan Shivaji Gund against MPCB & Ors, IIT Mumbai vide e-mail dated 29/4/2024 informed that they may not continue any of the studies on behalf of MPCB for NGT and accordingly Respondent No.6-MPCB has cancelled the Work Orders vide e-mail dated 3/5/2024.
- (4) I say and submit that the Respondent No.6-MPCB vide letter dtd. 4/10/2024 invited proposals from Expert Institutes/Agencies for preparation of Action Plan for restoration of Environment namely: (1) COEP, Pune; (2) NITIE, Mumbai; (3) VJTI, Mumbai; (4) VNIT, Nagpur; (5) NEERI, Nagpur; (6) SP College, Mumbai; (7) ICT, Mumbai; (8) BATU, Raigad. A sample copy of the letter dated 4/10/2024 addressed to the Expert Agency is enclosed herewith and marked as an **Annexure-I**.
- (5) I say and submit that the Respondent No.6-MPCB has received proposals from (1) ICT, Mumbai and (2) VNIT, Nagpur, which are under consideration.
- (6) I say and submit that being aggrieved by the Order dated 4/5/2022 passed by this Hon'ble NGT in Appeal No.34/2022, the Respondent No.10-PP has preferred a Civil Appeal bearing No.31194/2023 before the Hon'ble Supreme Court of India, which is sub judice. A copy of the order dated 22/1/2024 is enclosed herewith and marked as an

Annexure-II. Therefore, this Hon'ble NGT may kindly be issue appropriate orders.

Solemnly affirmed on this 13th day of December, 2024 at Pune.

I know the affiant

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 6.

(Kartikeya Langote)
Sub-Regional Officer, Pune-I

ADVOCATE



BEFORE ME

MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

13 DEC 2024



MAHARASHTRA POLLUTION CONTROL BOARD

Tel.: 24010437/24020781/24014701

Fax: 24024068 / 24044531

Website: www.mpcb.gov.in

E-MAIL: air@mpcb.gov.in

No. BO/JD(APC)/TB-1/B- 0119



Kalpataru Point, 2nd - 4th Floor,

Opp. PVR Cinema,

Near Sion Circle, Sion (E),

Mumbai - 400 022.

Date: - 04/10/2024

To, Director,
CSIR-NEERI,
Nehru Marg, Nagpur- 440 020

Sub – Proposal for Preparation of Action Plan for restoration of Environment in connection with the Goel Ganga Atlas Kharadi Project, Pune.

Ref – 1) Execution Application No. 18 of 2023 (WZ) in 2023 (WZ) in Appeal No. 32 of 2020 (WZ) filed by Tanaji B. Gambhire (Applicant) V/s. Chief Secretary, Govt. of Maharashtra & Ors (Respondent)

In accordance to above referred subject and order passed by Hon'ble NGT vide dated 22/09/2023 directing authorities for Preparation of Action Plan for restoration of Environment in connection with the Goel Ganga Atlas Kharadi Project, Pune. In view of above, you are hereby requested to submit your proposal with Objectives, Scope, Deliverables as mentioned below.

- Preparation of Action Plan for restoration of Environment in connection with the Goel Ganga Atlas Kharadi Project, Pune.

A. Assessment of Environmental Damage in Terms of:

- Air Environment • Water Environment • Solid Waste (Hazardous & Non-hazardous) • Soil Quality • Noise Environment • Ecological Environment • Impact on Health • Change in Hydrology, if any Action plan for restoration:
- It will be developed based on the outcome of initial assessment about impact of the said activities on the air, water, soil, noise, ecology and waste environment. - Remediation Measures:
- Assessment of environmental loss with respect all the possible environmental and ecological factors
- Assessment of best possible activities for restoration of air, water, soil, noise, ecology & waste environment and health
- Restoration Plan for all the environmental and ecological factors • Detailed Report

B. Terms and Conditions:

- The Representative (Technical Coordinator) (study area specific) from MPCB always be available for guidance and coordination with different stakeholder and shall also provide or arrange all the required assistance during site visit, , and data collection at the site.

- Representative shall be deputed to accompany our team(s) working on this project
- MPCB will provide letter /permission /assistance to conduct any survey and related activities as per the requirement of this project
- MPCB will provide all required arrangements for local travel and hospitality to the experts as well as team members during the visits
- Any other information available with MPCB and useful for the project shall be shared

C. Project Duration:

- The time duration of the project shall be 60 working days if the required period shall be extended by mutual consent in writing.

E. Deliverables:

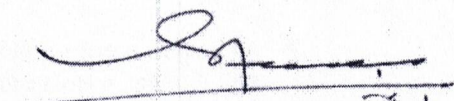
- Detailed project report titled " Preparation of Action Plan for restoration of Environment in connection with the Goel Ganga Atlas Kharadi Project, Pune "

F. Support from MPC Board:

- Representative from MPCB for guidance and technical co-ordination. MPCB shall take the review of the work progress on monthly basis.

You are requested to submit your proposal within next 7 days so that after examining, same may be placed for approval before the competent authorities.

Please treat this as most urgent.



(Dr. V.M. Motghare) 21/1/24
Joint Director (Air Pollution Control)

Copy for information: - Member Secretary, MPC Board, Mumbai.

ITEM NO.34

COURT NO.7

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL DIARY NO(S). 31194/2023

M/S. GOEL GANGA INDIA PRIVATE LIMITED
FORMERLY KNOWN AS GOEL GANGA
DEVELOPERS (INDIA) PRIVATE LIMITED

Appellant(s)

VERSUS

TANAJI BALASAHEB GAMBHIRE & ORS.

Respondent(s)

(IA No.196669/2023-CONDONATION OF DELAY IN FILING and IA No.196668/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.196667/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO.200513/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA NO.200514/2023 - EXEMPTION FROM FILING O.T.)

Date : 22-01-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) Mr. Vinay Navare, Sr. Adv.
Mr. Saket Mone, Adv.
Ms. Anshula Vijay Kumar Grover, AOR
Ms. Nitika Grover, Adv.
Mr. Abhishek Salian, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The learned senior counsel appearing for the appellant states that without prejudice to the rights and contentions of the appellant, the appellant has deposited an amount of Rs.15 crores.

Issue notice on the application for condonation of delay as well as on the Civil Appeal.

Signature Not Verified

Digitally signed by
ASHISH KONDLE
Date: 2024.01.24
18:20:19 IST
Reason:

To be heard along with Civil Appeal Diary No.35397 of 2023.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)