

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH AT PUNE  
ORIGINAL APPLICATION NO.69 OF 2020 (WZ)**

Rakesh Ramesh Dhotre

...Applicant

Versus

State of Maharashtra & Ors

...Respondents

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**LAST PAGE-**

A handwritten signature in black ink, appearing to be 'P. D. J. C.' with a flourish at the end.

Advocate for the Respondents No.7 & 8

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**ADDITIONAL-AFFIDAVIT ON BEHALF OF THE RESPONDENTS  
NO.7 AND 8 TO THE ORIGINAL APPLICATION NO.69 OF 2020**

I, Kumkum Mishra, the Senior AGM-Legal of the Maharashtra Metro Rail Corporation Limited and authorised signatory of the Respondents No.7 and 8 – having my office at Metro Bhawan, Opposite Deeksha Bhoomi, Ramdaspath, Nagpur 440010, do hereby state on solemn affirmation as under:

1. I am filing this Additional-Affidavit in the above captioned Original Application in order to place on record certain important and correct facts and subsequent developments in the matter. I have perused the documents brought on record by the Original Applicant, the Joint Site Visit Report (conducted on 11 November 2020) dated 23 August



2021 and the Affidavit filed on behalf of the Respondent No.3 Pune Municipal Corporation dated 22 September 2021. In response to the same and on the basis of the documents and information available in relation to the said issue, I am filing this present Additional-Affidavit, to bring on record the correct events and facts in relation to the above captioned matter. I crave leave to file a further and detailed Additional-Affidavit as and when sought necessary.

2. At the outset, I deny each and every averment and allegation made in the Affidavit filed on behalf of the Respondent No.3 Pune Municipal Corporation, which is contrary to and/or inconsistent with what has been stated in the present Additional-Affidavit and nothing stated in the Affidavit filed on behalf of the Respondent No.3 Pune Municipal Corporation shall be construed as an admission for the want of any specific and para-wise denial or non-traverse unless and until the same is specifically admitted hereinafter.
3. I say that the answering Respondent has already filed its Affidavit in reply in the matter on 2 December 2020 and has placed on record its case. I say that thereafter the matter was heard on 25 August 2021 and on which date, the Hon'ble NGT was pleased to direct the Respondent No.3 PMC and the Respondent No.5 Member Secretary, Maharashtra Pollution Control Board to file their replies before the next date of hearing i.e. 23 September 2021. The said order also records the contentions of the answering Respondents as stated in the



affidavit in reply that Maha-Metro had nothing to do with the unauthorised dumping of debris and that the dumping was carried out by dumpers bearing Nos. MH 12 FZ 8140 and MH 12 GU 5612 by misusing the Maha-Metro logo and that a penalty was imposed on them by Maha-Metro.

**Affidavit filed by PMC**

4. An Affidavit has been filed by the Respondent No.3 PMC on 22 September 2021 and served on Maha-Metro on the same day and just one day prior to the matter in NGT on 23 September 2021. In the said affidavit, the Respondent No.3 PMC has stated that, another truck bearing registration No.MH 12 SX 8788 also having the sticker of Maha-Metro was found unauthorisedly dumping Construction & Demolition waste (C&D waste) on 2 July 2021 at Pune Peth, Bavdhan Khurd BDP Zone.
5. In the said reply it has been stated that thereafter a notice dated 15 July 2021 was issued by the Deputy Engineer, Building Development Department, Zone-3 of the Respondent No.3 PMC to Maha-Metro stating that dumping of debris by a truck bearing registration No.MH 12 SX 8788 also having the sticker of Maha-Metro, was observed by the authorities during a site visit conducted on 2 July 2021 at Pune Peth, Bavdhan Khurd BDP Zone and that



Maha-Metro was warned of serious consequences which would ensue during the monsoon which would lead to debris flowing with the rain/floodwater and causing serious loss and harm to people. The said notice also referred to the present OA 69 of 2020 already being sub-judice in the NGT. The said notice was received by Maha-Metro only on 27 July 2021. Hereto annexed and marked as **Exhibit "1"** is a copy of the notice dated 15 July 2021 issued by the Deputy Engineer, Building Development Department, Zone-3 of the Respondent No.3 PMC to Maha-Metro.

6. I say that, thus on 23 September 2021, the Hon'ble NGT permitted Maha-Metro to file its reply to the said aspect of the matter. I say that the said notice has been dealt with utmost seriousness by Maha-Metro and necessary action has been taken by Maha-Metro to see to it that the reputation of Maha-Metro is not harmed by the illegal activities being carried out by some unknown persons (by using the Maha-Metro logo).

**Action taken by Maha-Metro in response to the Notice dated 15 July 2021 issued by PMC:**

7. I say that taking into consideration the seriousness of the allegation made by the PMC in the notice dated 15 July 2021, the Chief Project Manager (Depot) Maha-Metro addressed a note dated 12 August



2021, to the concerned officers in charge of various construction sites/reaches of the Metro rail project, directing them to confirm whether the said truck bearing registration No.MH 12 SX 8788 was used in respective reaches on the visit date of 2 July 2021 as mentioned in the letter dated 15 July 2021. Hereto annexed and marked as **Exhibit "2"** is a copy of the Note dated 12 August 2021 addressed by the Chief Project Manager (Depot), Maha-Metro to all the concerned officers in charge of various reaches of the Metro rail project.

8. I say that thereafter responses were received from all the respective officers from 21 August 2021 to 14 September 2021 categorically stating that the truck bearing registration No.MH 12 SX 8788 had not worked for any of the sites/reach on 2 July 2021 i.e. the date of inspection carried out by the Deputy Engineer, Building Development Department, Zone-3 of the Respondent No.3 PMC. It was also stated that no dumping works were done at Bavdhan Khurd area by any reaches of Maha-Metro. I say that accordingly a summary note was prepared by the concerned officers Maha-Metro on 15 September 2021. Hereto annexed and marked as **Exhibit "3"** is a copy of the summary note dated 15 September 2021 prepared by the concerned officials of Maha-Metro.
9. I say that thereafter by a reply dated 24 September 2021 addressed by the Chief Project Manager (Depot) of Maha-Metro to the



Respondent No.3 PMC, Maha-Metro has communicated that truck/vehicle bearing registration No.MH 12 SX 8788 has not worked for any of the contractors engaged by Maha-Metro and is not associated with any of the Metro work reaches in any manner. The Respondent No.3 PMC was also informed that Maha-Metro logo is being used in an unauthorised way by non Maha-Metro agencies to ease the passage of heavy vehicles within Pune City during covid protocols and therefore Maha-Metro requested the Respondent No.3 to take strict action against such unsolicited activities. It was further informed that no unauthorised dumping of debris has been done by Maha-Metro at Bavdhan Khurd, Pune since Maha-Metro had a dedicated waste disposal system already in place, which was strictly adhered to by Maha-Metro officials. Hereto annexed and marked as **Exhibit "4"** is a copy of the reply dated 24 September 2021 addressed by the Chief Project Manager (Depot) of Maha-Metro to the Respondent No.3 PMC.

10. I say that in the Notice dated 15 July 2021, issued by the Respondent No.3 it was recorded that the driver of the Dumper /Truck bearing registration No, MH 12 SX 8788 had specifically stated that the debris being dumped at Survey No. 11,12, 15 behind water tank on 2 July 2021 was the debris ferried from riverbed road Metro Station near PMC Bhavan. The contents of the said Notice and more specifically the said para are denied. I say that it is obvious that the driver to save himself had made a false statement. In this



context the correct factual position is that to carry out construction of metro piers in the stretch near the Metro Station, Maha-Metro had made a make-shift road in the adjoining area of dry river bed and that this make-shift road was removed prior to the onset of the monsoon season. I say that the excavated debris from the removal of make shift road in the riverbed by Maha-Metro was deposited in Range Hill Depot area so that it could be disposed off later properly. I say that Maha-Metro has specifically taken a place from a private person within the city limits of Pune on contract basis and Maha-Metro also has its own land at Range Hills Depot area of Pune to ensure proper disposal of its waste and it is done in a safe and non-hazardous manner. That all requisite permissions have been obtained from owners of private land for dumping in designated dumping yards. Maha-Metro has designated yards for depositing debris and permissions from the necessary authorities have been obtained by Maha-Metro for depositing their debris and from the above it is clear that the answering Respondents had in no way or no manner used the services of the said truck on 2 July 2021 as alleged. Being a responsible agency it does not dump any waste in the BDP Zone area of Bavdhan Pune. It is submitted that Metro work is carried out under strict supervision and under strict norms and thus no such violation has been carried on by the answering Respondents.



11.I say that Range Hills Pune Depot area of Metro is at distance of approximately 10 kms from Bavdhan, Pune and thus it is incredulous to state that the debris are being dumped at Bavdhan, Pune

12.The Respondent No 3 PMC in view of the order of the NGT dated 23 September 2021 issued another letter to the answering Respondent dated 25 October 2021 and received on 26 October 2021. Hereto annexed and marked as **Exhibit "5"** is a copy of the letter dated 25 October 2021. By the said letter the Respondent No 3 requested the answering Respondent to take action against those responsible for using the logo of the answering Respondent in an unauthorised manner. The Respondent No 3 also requested the answering Respondent to submit to it an action plan for removal of the debris dumped in the BDP area.

13.The answering Respondent submits that in response to the said letter and as a measure of abundant precaution, it has filed a complaint on 10 November 2021 with the Senior Police Inspector, Hinjewadi Police Station, giving details of the dumper no. MH 12 SX 8788 which had illegally dumped debris on 2 July 2021 and had illegally used Maha-Metro logo. In the said complaint, the details of other dumpers along with their numbers were also provided by the answering Respondent. Hereto annexed and marked as **Exhibit "6"** is a copy of the complaint dated 10 November 2021 filed by the



answering Respondent with the Senior Police Inspector, Hinjewadi Police Station.

14. The answering Respondent submits that on 11 November 2021 it has again responded to the Respondent No 3 informing it that as explained by the answering Respondent, no unauthorised dumping had been done by Maha- Metro or any of the contractors/agencies working for Maha-Metro. It was also repeated that the debris found was consisting majorly of building demolition waste and that Maha-Metro work did not generate such kind of C&D waste. It was also informed that Maha-Metro was keeping a close watch on all the contractors engaged by it and that a police complaint had also been filed and that sought necessary action from the police. Hereto annexed and marked as **Exhibit "7"** is a copy of the letter dated 11 November 2021 addressed by the answering Respondent to the Respondent No 3 PMC.

15. The present Additional-Affidavit has been filed in compliance of the order of this Hon'ble Court and in view of all of the above, it is humbly prayed and submitted that the answering respondents have not deposited/dumped any debris at Bavdhan Khurd, Pune either on the alleged dates of incidents i.e. 15 May 2020 or any other date and that infact the trucks are using Maha-Metro logo without any authorisation to dump their debris. It is stated that action has been taken against the concerned contractor by Maha-Metro in respect of



incident and Maha-Metro has requested the Deputy Engineer, Building Development Department, Zone-3 of the Respondent No.3 PMC to take appropriate action against the owner of truck/dumper in respect of the notice and Maha-Metro craves leave to take necessary action against the concerned.

16. Thus in view of the above, I say that the Original Application and Affidavit of Respondent No.3 PMC insofar as it alleges violations against the answering Respondents being devoid of merits may be rejected qua the answering Respondent and steps be taken against the vehicle operators/owners who have deposited debris in BDP Zone by making unauthorised use of Maha-Metro logo and mischievously impersonating as representatives/contractors of Maha-Metro on the said dates of violation by the Respondent No.3 being the local concerned authority.

17. The answering Respondent craves leave to file a further detailed and para-wise Additional-Affidavit as and when found necessary.

P.D.P

Advocate for the Respondents No.7 and 8



**VERIFICATION**

I, Kumkum Mishra, the authorized signatory of the Respondents 7 and 8 above named, do hereby state on solemn affirmation that the contents in Para 1 to 17 hereinabove is true to my own knowledge and based upon documents available with me in relation to the same and which I believe to be true and correct and I put the signature thereof.

Solemnly affirmed at Nagpur

Dated this 14<sup>th</sup> December 2021

Before me \_\_\_\_\_<sup>th</sup>.

NOTARIAL REG.  
ENTRY No. 4519  
DATE 15/12/2021



SWORN BEFORE ME ON THIS 15<sup>th</sup> TH DAY OF Dec 21 AT NAGPUR BY SHRI / SMT./ KU. Kumkum Mishra R/O NAGPUR WITH IDENTIFIED BY SHRI / SMT. ADVOCATE, NAGPUR.

Mrs. S. B. MATTA  
ADVOCATE & NOTARY  
91-B, Clark's Town, Nagpur-46



Received on 27.07.2021  
@ 5.39 PM

कार्यकारी अभियंता कार्यालय  
बांधकाम विकास विभाग, झोन क्र.३  
स्वातंत्र्यवीर सावरकर भवन  
पुणे महानगरपालिका  
जा.क्र. : ५-३/१७०९  
दिनांक : ०५/०७/२०२१

4

मा. व्यवस्थापक, महा मेट्रो, पुणे.  
दि ऑटो ऑन बिल्डींग, पहिला मजला, डॉन बॉस्के युथ सेंटर समोर,  
संत मिराज गर्ल्स स्कूल जवळ, कोरेगाव पार्क, पुणे-४११००९

यांजकडेसू .....

विषय :-पुणे पेट बावधन खुर्द येथे पुणे मनपाच्या हद्दीमध्ये टाकलेल्या राडारोडा बाबत.  
संदर्भ :- १.दिनांक ०२/०७/२०२१ रोजी केलेली प्रत्यक्ष जागा पाहणी  
२. या विभागाकडील पत्र जा.क्र.६५५, दि.१०/०५/२०२०

पुणे पेट बावधन खुर्द येथे पुणे मनपाच्या हद्दीमध्ये स.नं.११,१२,१५ पाण्याच्या टाकीमागे दि.०२/०७/२०२१ रोजी प्रत्यक्ष जागा पाहणी केली असता, डंपर क्रमांक-MH12/SX/८७८८, या डंपर मार्फत या भागात प्रचंड प्रमाणात राडारोडा टाकण्यात येत होता. सदर डंपरचा ड्रायव्हर यांना राडारोडा बाबत विचारणा केली असता, सदर राडारोडा हा मेट्रो स्टेशन पुणे महानगरपालिका भवन जवळ नदीपात्रातील बांधकाम चालू आहे, तेथून आणला आहे, असे सांगण्यात आले. सदर डंपर वर महा मेट्रो विभागाचा लोगो लावलेला आहे. तसेच सदर बाबत यापूर्वी संदर्भ क्र.२ अन्वये आपणास पुणे महानगरपालिकेच्या हद्दीत बी.डी.पी. झोन मध्ये टाकण्यात येणाऱ्या राडारोड्याबाबत कळविण्यात आले आहे. तरीही आपल्या विभागामार्फत कोणतीही दक्षता घेण्यात आलेली नाही.

पुणे पेट बावधन खुर्द येथे बी.डी.पी. झोनमध्ये आपल्यामार्फत टाकण्यात येणाऱ्या राडारोडा बाबत मे.हरीत लवाद येथे ओरीजीनल अप्लीकेशन ६९/२०२० अन्वये दावा दाखल आहे. याबाबत आपणास कल्पना असून देखील आपल्या कंत्राटदारामार्फत जागेवर राडारोडा टाकण्यात येत आहे. तरी आपल्यामार्फत टाकण्यात आलेला राडारोडा त्वरीत उचलून घेण्यात यावा.

आपल्या विभागामार्फत राडारोडा हा डोंगरउतार डोंगर माथ्यावर व बी.डी.पी. झोन मध्ये टाकलेला आहे. पावसाळ्यात पावसाच्या प्रवाहाने सदर राडारोडा उताराच्या दिशेने वाहत जाऊन खाली असलेल्या नागरवस्ती मध्ये जाऊन मोठा अपघात किंवा दुर्घटना होण्याची शक्यता नाकारण्यात येत नाही.

सदर राडारोडा मुळे भविष्यात काही आर्थिक नुकसान किंवा काही अपघात होऊन जीवित हानी झाल्यास त्याची संपूर्ण जबाबदारी आपल्या विभागावर राहिल, याची नोंद घेण्यात यावी.

मा.स.कळादे,

1) CPM/Defol } pl. do the needful.  
2) ED/R 182 }

*(Handwritten signature)*

*(Handwritten signature)*  
(देवेंद्र पात्रे)  
उप अभियंता

बांधकाम विकास विभाग झोन क्र.३

**English translation of Exhibit 1**

**Executive Engineer Office,  
Building Development  
Department, Zone – 3  
Pune Municipal Corp.  
Outward No. Zone - 3/1701  
Dated 15/07/2021**

**To,**

**Manager,**

**Maha Metro, Pune.**

**The Auto On Building, First Floor, in front of Don Bosco Youth Centre,  
Near Saint Mira's School, Koregaon Park, Pune- 411001**

**Subject: Regarding debris dumped at Pune Peth, Bavdhan Khurd, Pune area  
under jurisdiction of PMC.**

**Ref:** 1) Site visit dated 02.07.2021.

2) PMC Outward No. 655 dated 10.05.2020.

During PMC officials site visit on 02.07.2021, it was observed that huge amount of debris was being dumped by dumper no. MH-12 SX 8788 at Survey nos. 11, 12, 15 Pune Peth Bavdhan Khurd being under the jurisdiction of PMC. After enquiring the driver of the dumper about the same, he stated that, the debris were bought from Metro site at river front near PMC Bavdhan. The dumper had Maha Metro logo on it. Also, vide Ref 02, you have already been communicated regarding dumping of debris in the B.D.P Zone under PMC's jurisdiction. However, Maha Metro has not taken any precaution in that regard.

Original Application No. 69/2020 has been filed in Hon'ble NGT court, for dumping of debris in B.D.P Zone, Pune Peth, Bavdhan Khurd by Maha Metro. In spite of being aware of this fact, contractors working for Maha Metro are still dumping debris at the said location. Hence, debris dumped by Maha- Metro should be removed immediately.

Your department has dumped debris at Hill bottom, Hill top and B.D.P Zone. Due to flow of rain water during rainy season, this debris may flow towards the bottom of the hill and may cause big accident or loss to the residents living in the locality situated at the bottom of the hill.

It may be noted that in case of any accident or loss of life due to these debris in future, Maha-Metro shall be held responsible.

Kindly note.

Signed

**(Devendra Patre)**

**Sub-Engineer,**

**Building Development Department, Zone-3**

**Pune Municipal Corporation**

**Encl. Photo**

**1) CPM/ Depot**

**2) ED/R 1&2**

**Please do the needful**

Maha Metro Rail Pune

Inward No. 40219

Dated: 26/07/2021

MAHARASHTRA METRO RAIL CORPORATION LIMITED  
(PUNE METRO RAIL PROJECT)

NOTE

Maha-Metro/CPM-Depot/HVPC-RH/GC/2021/ 703

Date: 12/08/2021.

To,

- 1) ED-Viaduct(Reach I & II)      2) CPM -Stations(Reach I)      3) CPM-Stations(Reach II)  
4) CPM -Reach III(Viaduct & Stations)      5) ACPM- UG(I& IV)      6) ACPM-UG(II).

**Subject:** Construction of 2 nos Rolling Stock Depots at Range Hill & Vanaz Depot Including Civil and E&M Works for Pune Metro Rail Project.

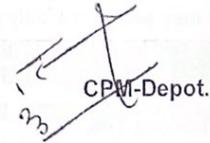
**Reg:** Debris dumped at Bavdhan Khurd area (behind overhead water tank) under the jurisdiction of PMC.

- Ref:** 1) PMC site visit dated 02.07.2021.  
2) PMC Letter जा. क्र.655 dated 10/05/2020.  
3) PMC Letter जा. क्र. ज्ञोन क्र.- 3/1701 dated 15.07.2021.

Vide ref. 03, a letter from the Executive Engineer Office (Construction Development Department), PMC has been received in our office regarding unauthorized dumping of debris behind overhead water tank at Bavdhan Khurd area which comes under PMC jurisdiction.

During the site visit of PMC officials on 02.07.2021 at Bavdhan Khurd area (Behind overhead water tank), they have encountered a dumper, dumping debris at said location with vehicle registration no. MH 12 SX 8788 on which Maha Metro logo being displayed on the windshield of the dumper.

As instructed by DW, it is requested to confirm whether the above mentioned vehicle has been used in respective reaches on PMC Officials site visit date 02.07.2021 as mentioned in letter vide ref 03.

  
CPM-Depot.

Copy To:1) DW(For kind information Please).

Encls : 1) Photo of Vehicle and Letters from PMC as mentioned above.

**MAHARASHTRA METRO RAIL CORPORATION LIMITED**  
**(PUNE METRO RAIL PROJECT)**

NP-11

**NOTE**

Maha-Metro/CPM-Depot/HVPC-RH/PMC/2021/724

Date: 15.09.2021

**Sub:** CONSTRUCTION OF 2 NOS ROLLING STOCK DEPOTS AT RANGE HILL & VANAZ INCLUDING CIVIL AND E&M WORKS FOR PUNE METRO RAIL PROJECT.

**Reg:** Debris dumped at Bavdhan Khurd area (behind overhead water tank) under the jurisdiction of PMC.

**Ref:** 1 ) PMC site visit dated 02.07.2021.

2 ) PMC Letter जा. क्र. 655 dated 10.05.2020.

3 ) PMC Letter जा. क्र. : झोन क्र.- 3/1701 dated 15.07.2021.

4 ) Maha Metro/CPM-Depot/HVPC-RH/PMC/2021/697 dated 31.07.2021.

5 ) Maha Metro/CPM-Depot/HVPC-RH/PMC/2021/703 dated 12.08.2021.

Vide ref.03, a letter from the Executive Engineer Office (Construction Development Department), PMC has been received in our office regarding unauthorized dumping of debris behind overhead water tank at Bavdhan Khurd area which comes under PMC jurisdiction.

During the site visit of PMC officials on 02.07.2021 at Bavdhan Khurd area (Behind overhead water tank), they have encountered that debris were being dumped at the said location by a dumper bearing vehicle registration no: MH 12 SX 8788 along with Maha Metro logo being displayed on the windshield of the dumper.

In receipt of this letter at S.N. (3) and as per the instructions by DW vide 4, a note was sent to all HOD's of reaches (viaduct, stations and UG) vide ref 5 to confirm whether the above mentioned vehicle has been used in respective reaches or not.

S.N	Reach	Reply received Date	Remarks	Page Nos for reference
1)	Depot	05.07.2021	Dumper not used by M/s URC on 02.07.2021.	CP- 1 & 2
2)	Viaduct (R1 & R2)	21.08.2021	Dumper not used by M/s NCC Ltd on 02.07.2021.	CP-3 to 14
3)	Reach-04 (UGC-01, 02 & 04)	31.08.2021	Dumper not used by M/s TATA Gulermak & M/s J Kumar Ltd on 02.07.2021.	CP- 15 to 20
4)	Reach -01 (Stations)	31.08.2021	Dumper not used by M/s HCC AI FARA'A Ltd on 02.07.2021.	CP-21 to 24
5)	Reach-02 (Stations)	06.09.2021	Dumper not used by M/s HCC AI FARA'A & M/s URC Construction Ltd on 02.07.2021.	CP-25 to 30
6)	Reach-03 ( Viaduct & Stations)	14.09.2021	Dumper not used by M/s J Kumar & M/s Afcons Shapoorji on 02.07.2021.	CP-32,31.

As mentioned above and confirmed by representatives of respective reaches, the above mentioned dumper bearing registration number MH 12 SX 8788 had not worked for any of the reach on the day of PMC officials visit i.e. 02.07.2021 and no dumping works were done at at Bhavdhan Khurd area.

Submitted please.

CPM- Depot.

*P. Raju*  
DCM-Depot.

DW.



महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लिमिटेड  
MAHARASHTRA METRO RAIL CORPORATION LIMITED

( भारत सरकार आणि महाराष्ट्र शासनाचा संयुक्त उपक्रम )  
Joint Venture of Govt. of India & Govt. of Maharashtra  
PUNE METRO RAIL PROJECT

Maha-Metro/CPM-Depot/HVPC-RH/PMC/2021/ 7 28

Date: 24.09.2021

To,  
Deputy Engineer,  
Building Development Department (Zone- 03),  
Pune Municipal Corporation.

Sub: CONSTRUCTION OF 2 NOS ROLLING STOCK DEPOTS AT RANGE HILL & VANAZ INCLUDING CIVIL AND E&M WORKS FOR PUNE METRO RAIL PROJECT.

Reg: Debris dumped at Bavdhan Khurd area (behind overhead water tank) under the jurisdiction of PMC.

Ref: 1 ) PMC site visit dated 02.07.2021.  
2 ) PMC Letter जा. क्र. 655 dated 10.05.2020.  
3 ) PMC Letter जा. क्र. : झोन क्र.- 3/1701 dated 15.07.2021.

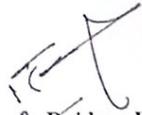
Vide ref.03, a letter was received from PMC in the office of Maha-Metro regarding unauthorized dumping of debris behind overhead water tank at Bavdhan Khurd area which comes under PMC's jurisdiction.

The above said case has been scrutinised by Maha Metro and it has been observed that no unauthorized dumping of debris at the above said location has been done by any of the contractors who are working for Maha Metro at Pune Metro Rail Project. Also, the said vehicle spotted during the time of PMC site visit dated 02/07/2021 bearing registration number MH 12 SX 8788 has not worked for any of the contractors working for Maha-Metro and is not associated with any of the reaches in any manner.

It seems that the Maha Metro logo is being un-authorisedly used by Non- Maha Metro agencies to ease the passage of their heavy vehicles within Pune city jurisdiction and Maha-Metro strongly condemns and discourages such practices and strict action may accordingly be taken against such unsolicited activities.

It may please be kindly noted that, no unauthorized dumping of debris has been done by Maha Metro at the said location of Bavdhan Khurd, Pune, since there is a dedicated waste disposal system already in place, which is strictly adhered to by Maha Metro officials.

Thanking You,

  
Rajdeep Bhattacharya.  
Chief Project Manager (Depot).

Copy To: 1) Municipal Commissioner - PMC (For kind information please).  
2) Executive Engineer - Building Development Department (Zone-03), PMC.  
3) Director (work) – Maha Metro.

CORPORATE OFFICE : PUNE

कार्यकारी अभियंता कार्यालय  
बांधकाम विकास विभाग, झोन क्र.३  
स्वातंत्र्यवीर सावरकर भवन  
पुणे महानगरपालिका  
जा.क्र.: झोन क्र. ३/३८४९  
दिनांक : २५/१०/२०२१

प्रति,

म्ह.चीफ प्रोजेक्ट मॅनेजर (डेपो),  
महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लि.

दि ओरीऑन बिल्डींग, पहिला मजला,  
अर्जुन मनसुखानी मार्ग, सेंट मिरा कॉलेज समोर,  
कोरेगाव पार्क, पुणे-४११००१

यांजकडेस.....

विषय :- पुणे पेट बावधन येथे पुणे महानगरपालिकेच्या हद्दीमध्ये टाकलेल्या राडारोडाबाबत.

लक्ष्य वेध:- श्री.अतुल गाडगीळ, डायरेक्टर, महामेट्रो.

- संदर्भ:- १. मे.राष्ट्रीय हरित लवाद मधील ओरीजीनल अप्लीकेशन ६९/२०२०  
२. दि.०२/०७/२०२१ रोजीची जागा पाहणी.  
३. या विभागाकडील पत्र जा.क्र.६५५, दि.१०/०५/२०२०  
४. या विभागाकडील पत्र जा.क्र.झोन क्र.३/१७०९, दि.१५/०७/२०२१  
५. आपले विभागाचे पत्र आ.क्र.३४४०, दि.२८/०९/२०२१

पुणे पेट बावधन व कोथरूड हद्दीमध्ये बी.डी.पी. झोनमध्ये टाकण्यात येणाऱ्या राडारोडाबाबत मे.राष्ट्रीय हरित लवाद न्यायालयामध्ये ओरीजीनल अप्लीकेशन ६९/२०२० अन्वये दावा दाखल असून सदर दाव्यात आपण देखील प्रतीवादी आहात. सदर दाव्यात दि.२३/०९/२०२१ रोजी झालेल्या सुनावणीमध्ये पुढीलप्रमाणे आदेश दिलेले आहेत. (i) The Learned Standing Counsel appearing for the Respondent No.3 as well as the Respondent No.7-Maharashtra Metro Rail Corporation Ltd. pray for short accommodation to file additional affidavits with the supporting documents as to the identification of trucks said to have unauthorized dumping of the debris and the remedial measures, to set right the same. त्याची प्रत सोबत जोडलेली आहे.

पुणे पेट बावधन (खु.) येथे पुणे मनपाच्या हद्दीमध्ये स.नं.११,१२,१५ येथील पाण्याच्या टाकीमागे दि.१०/०५/२०२० व दि.०२/०७/२०२१ रोजी प्रत्यक्ष जागा पाहणी केली असता, दि.१०/०५/२०२० रोजी डंपर क्र.एमएच १२ एफझेड ८१४० व दि.०२/०७/२०२१ रोजी डंपर क्र.एमएच१२एसएक्स ८७८८ मार्फत या भागात प्रचंड राडारोडा टाकण्यात येत होता. सदर राडारोडा मेट्रोचे काम चालू असलेल्या ठिकाणाहून आणला असल्याबाबत सदर डंपरच्या चालकाने माहिती दिली तसेच सदर डंपर वर आपला महामेट्रोचा लोगो लावलेला दिसून आला. तरी सदर राडारोडा उचलून घेणेबाबत आमचे विभागामार्फत संदर्भ क्र.२ व ३ अन्वये आपल्या विभागास कळविण्यात आले होते. तसेच पुणे महानगरपालिकेमार्फत एम.एच.१२ एसएक्स ८७८८ या डंपरला अनधिकृत रित्या बी.डी.पी. मध्ये टाकण्यात येणाऱ्या राडारोडाबाबत र.रु.२५,०००/- दंड आकारण्यात आलेला आहे. पुणे

महा मेट्रो रेल पुणे

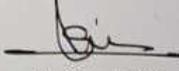
आवक क्र. ... ५१.५७०.

दिनांक ... २५/१०/२०२१

महानगरपालिकेमार्फत बांधकाम राडारोडा प्रक्रिया करणेसाठी वाघोली येथे प्रकल्प चालू असून सदर बांधकामाचा राडारोडा प्रक्रियेसाठी वाघोली येथील प्रक्रिया प्रकल्पावर प्रक्रियेसाठी पाठविणे अपेक्षित आहे.

संदर्भ क्र.४ अन्वये आपण सदर डंपर आपल्याशी किंवा आपल्या ठेकेदाराशी संबंधित नसल्याबाबत तसेच महामेट्रो चा लोणे अनधिकृत रित्या वापर करत असल्याबाबत कळविले आहे. तरी आपला लोणे अनधिकृत रित्या वापर करत असल्याने संबंधितांवर आपल्यामार्फत कायदेशिर कार्यवाही करण्यात यावी. तसेच बी.डी.पी. मध्ये टाकण्यात आलेला राडारोडा उचलणेबाबत अॅक्शन प्लॅन आमच्या विभागाकडे दाखल करावा.

कळावे,

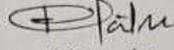


(सतिश शिंदे)

कनिष्ठ अभियंता

बां.वि.वि.झोन क्र.३

पुणे महानगरपालिका

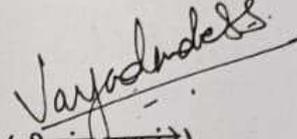


(देवेंद्र पात्रे)

उप अभियंता

बां.वि.वि.झोन क्र.३

पुणे महानगरपालिका



(श्रीकांत जायदंडे)

कार्यकारी अभियंता

बां.वि.वि.झोन क्र.३

पुणे महानगरपालिका

प्रत:- डायरेक्टर (वर्क)

श्री.अतुल गाडगीळ,

दि ओरीऑन बिल्डींग, पहिला मजला,

अर्जुन मनसुखानी मार्ग, सेंट मिरा कॉलेज समोर,

कोरेगाव पार्क, पुणे-४११००१

**English translation of Exhibit 5**

Executive Engineer Office,  
Building Development  
Department, Zone - 3  
Outward No. Zone - 3/3849  
Dated 25/10/2021.

To,  
CPM- Depot,

Sub: Regarding debris dumped at bavdhan area under PMC jurisdiction.

- Ref: 1 ) NGT application no. 69/2020.  
2 ) PMC Site visit dated 02.07.2020.  
3 ) PMC Letter 655 dated 10.05.2020.  
4 ) PMC Letter (Zone-3) /1701 dated 15.07.2021.  
5 ) Maha Metro Letter 3440 dated 28.09.2021.

Application no. 69/ 2020 has been filed in Hon'ble NGT court for debris dumped at BDP zone (Kothrud & bavdhan area jurisdiction). Against the above appeal, hearing was held on 23.09.2021 and the following order has been issued *“The learned standing counsel appearing for the Respondent No 3 as well as Respondent No 7 - Maharashtra Metro Rail Corporation Ltd pray for short accommodation to file additional affidavits with supporting documents as to the identification of trucks said to have unauthorized dumping and remedial measures to set right the same”*.

During site visit at S.N. 11, 12 & 15 Bavdhan Khurd on 10.05.2020 & 02.07.2021, dumper MH12 FZ 8140 was dumping debris on 10.05.2020 and dumper MH 12 SX 8788 was dumping debris on 02.07.2021. the dumper driver told PMC that the debris were brought from metro work site. Maha Metro logo was also displayed on the dumper.

For removal of these debris, PMC has sent letter to Maha Metro vide ref. 2 & 3. However, PMC has levied a penalty of 25k on dumper MH 12 SX 8788 for unauthorized dumping of debris in BDP zone.

PMC construction waste plant at Wagholi is functional and all such debris needs to be dumped at this plant .

Vide ref. 04, Maha Metro has conveyed PMC that the said dumper does not belong to Maha Metro or any of the contractor working for Maha Metro. And unauthorized use of Maha Metro logo has happened. Hence, legal action should be taken on the concerned persons who are using Maha Metro Logo unauthorizedly.

Also, an auction plan to remove this debris from the BDP zone is required to be submitted by Maha Metro to PMC.

Signed	Signed	Signed
(Satish Shinde)	(Devendra Patre)	(Shrikant Vaikhande)
Junior Engineer	Deputy Engineer.	Executive Engineer
B.V.V. Zone 3	B.V.V. Zone 3	B V V Zone 3
PMC	PMC	PMC



Exhibit 6

महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लिमिटेड 123  
MAHARASHTRA METRO RAIL CORPORATION LIMITED

(भारत सरकार आणि महाराष्ट्र शासनाचा संयुक्त उपक्रम)  
Joint Venture of Govt. of India & Govt. of Maharashtra  
PUNE METRO RAIL PROJECT

Maha Metro/ED/R2 Stations/Nalstop/2021/LR20451

Date: 10.11.2021

प्रति,  
मा. वरिष्ठ पोलीस निरीक्षक,  
हिंजवडी पोलीस ठाणे, पुणे

विषय :- मेट्रो च्या लोगोचा विनापरवाना वापरा बाबत

- संदर्भ :- १. पुणे मनपा जा. क्र. ६५५/ दिनांक १८/०५/२०२०  
२. जा क्र झोन क्र. ३/३८४९ दिनांक २५/१०/२०२१  
३. राष्ट्रीय हरित लवाद मधील ऑप्लिकेशन क्र . ६९/२०२०

महोदय,

वरील विषय व संदर्भा नुसार कळविण्यात येते कि महामेट्रोचे काम पूर्ण शहरात विविध ठिकाणी प्रगती पथावर आहे. सदर कामातील राडारोडा टाकण्याचे ठिकाण निश्चित असून त्या प्रमाणे संबंधित कॉन्ट्रॅक्टर काम करत आहे .

असे असताना दिनांक १५/०५/२०२० पूर्वी डम्पर क्रमांक MH-12-FZ-8140, MH-14-GO-5612 तसेच दिनांक २०/०७/२०२१ पूर्वी डम्पर क्रमांक MH-12-SX-8788 या वरील अज्ञात चालकांनी त्यांच्या डम्पर वर महामेट्रो, पुणे चा लोगो अनधिकृत पुणे लावून डम्पर मधील राडारोडा हा पुणे पेठ बावधन खुर्द, पुणे मनपा हद्दीत सर्वे क्र ११,१२,१४ पाण्याच्या टाकी मागे टाकताना आढळून आले आहे.

तरी वरील अज्ञात तीन डम्पर चालकांनी महामेट्रो, पुणेचा लोगो अनधिकृतपणे व बेकायदेशीररित्या वापरला म्हणून त्यांच्यावर योग्यती कारवाई व्हावी हि विनंती.

(श.रा.जांभळे)

व्यवस्थापक (वाहतूक व सुरक्षा)

महा-मेट्रो रेल कोर्पोरेशन पुणे

ठाणे असलदार  
हिंजवडी पोलीस स्टेशन  
पिंपरी चिंचवड शहर.

CORPORATE OFFICE: PUNE

**English translation of Exhibit 6**

**Maha Metro/ED/R2 Stations/Nalstop/2021/LR20451**

**Date: 10.11.2021**

**To,  
Hon'ble Senior Police Officer,  
Hinjawadi Police Station, Pune**

**Subject: Regarding unauthorized use of Metro logo**

- Ref:** 1) PMC Outward No.655 dated 18.05.2020  
2) Outward No. (Zone-3) Outward No.3849 dated 25.10.2021  
3) Application No. 62/2020 in National Green Tribunal

Respected Sir,

In view of the above subject, it may please be noted that construction work by Maha Metro is going on around various parts of the city. The debris generated from Metro works are disposed at designated locations by all the contractors.

In these circumstances on 15.05.2020 Dumper No.MH-12 FZ 8140, MH-14 GO 5612 and also on 20.07.2021 Dumper No. MH-12 SX 8788 are observed to be dumping debris from their dumpers at Pune Peth, Bavdhan Khurd, Pune PMC at survey no. 11, 12, 14 behind water tank by unknown drivers who are using the Maha Metro, Pune logo unauthorizedly.

We request you to take necessary legal action against the drivers of the above mentioned three dumpers for unauthorized & illegal use of Maha Metro, Pune logo.

**From  
S.R. Jamble  
Manager (Transport and Security).  
Maha -Metro**



# महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लिमिटेड

## MAHARASHTRA METRO RAIL CORPORATION LIMITED

(भारत सरकार आणि महाराष्ट्र शासनाचा संयुक्त उपक्रम)

Joint Venture of Govt. of India & Govt. of Maharashtra  
PUNE METRO RAIL PROJECT

Maha-Metro/CPM-Depot/HVPC-RH/PMC/2021/ 753

Date: 11.11.2021

To,

Executive Engineer,

Building Development Department (Zone- 03),

Pune Municipal Corporation.

**Sub:** CONSTRUCTION OF 2 NOS ROLLING STOCK DEPOTS AT RANGE HILL & VANAZ INCLUDING CIVIL AND E&M WORKS FOR PUNE METRO RAIL PROJECT.

**Reg:** Debris dumped at Pune Peth Bavdhan area in the jurisdiction of PMC .

**Ref:** 1 ) Hon'ble NGT original application no. 69/2020.

2 ) PMC site visit dated 02.07.2021.

3 ) PMC Letter जा. क्र. 655 dated 10.05.2020.

4 ) Maha Metro/PIC-07/CPM-Depot/HVP-RH/2020/315 dated 22.05.2020.

5 ) Minutes of meeting - 06.11.2020 under the chairmanship of Shri. Saurabh Rao, Divisional Commissioner, Pune.

6 ) PMC Letter झोन.क्र. : जा. क्र.- 3/1701 dated 15.07.2021.

7 ) Maha Metro/CPM-Depot/HVPC-RH/PMC/2021/728 dated 24.09.2021.

8 ) Maha Metro letter - 3440 dated 28.09.2021.

9 ) PMC Letter झोन.क्र. : जा. क्र.- 3/3849 dated 25.10.2021.

10 ) Maha Metro/ED/R2-Stations/Nalstop/2021/LR20451 dated 10.11.2021.

In view of the above subject, we are in receipt of PMC letter vide ref.09 regarding order issued by Hon'ble NGT court against the original application no.69/2020 which states that “ (i) *The learned standing counsel appearing for the respondent No.3 as well as the respondent no.7- Maharashtra Metro Rail Corporation Ltd. Pray for short accommodation to file additional affidavits with the supporting documents as to the identification of trucks said to have unauthorized dumping of the debris and the remedial measures, to set right the same*”.

In continuation to PMC letter vide ref.09, it may please be kindly noted that Maha Metro has already clarified all PMC letters vide ref.03 & 06 and it has been clearly mentioned in our letters vide ref.04 & 07 that no unauthorized dumping has been done by Maha Metro or any of the contractors/agencies working for Maha Metro.

Earlier during Maha Metro's visit at the subject location on 22.05.2021, it was found that the debris dumped at the said location consisted majorly of building demolishen waste (i.e clay bricks, broken sanitary fixtures, wood waste etc; Photos attached). It may please be noted that metro works does not generates such kind of localized complex C&D waste.The said facts are already been communicated to PMC vide ref.04.

Moreover, Maha Metro has also conducted internal checks on all the contractors / agencies working for Maha Metro under Pune Metro Rail Project and confirmation of no unauthorized dumping has been given to Maha Metro by the inhouse contractors/ agencies working for Maha Metro. Accordingly, for taking legal action against the concerned persons for unauthorized use of Maha Metro logo, an official complaint (copy attached) has been raised to Senior Police Inspector, Hinjawadi Police Station by Maha Metro vide ref.10.

Thanking You,

**Rajdeep Bhattacharya.**  
Chief Project Manager (Depot).  
Maharashtra Metro Rail Corporation Ltd.

**Copy To:** 1 ) Hon'ble Municipal Commissioner - PMC.  
2 ) Director (work) - Maha Metro.



# महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लिमिटेड

## MAHARASHTRA METRO RAIL CORPORATION LIMITED

(भारत सरकार आणि महाराष्ट्र शासनाचा संयुक्त उपक्रम)  
Joint Venture of Govt. of India & Govt. of Maharashtra  
PUNE METRO RAIL PROJECT

Maha Metro/ED/R2 Stations/Nalstop/2021/LR20451

Date: 10.11.2021

प्रति,  
मा. वरिष्ठ पोलीस निरीक्षक,  
हिंजवडी पोलीस ठाणे, पुणे

**विषय :-**मेट्रो च्या लोगोचा विनापरवाना वापरा बाबत

- संदर्भ :-**१. पुणे मनपा जा. क्र. ६५५/ दिनांक १८/०५/२०२०  
२. जा क्र झोन क्र. ३/३८४९ दिनांक २५/१०/२०२१  
३. राष्ट्रीय हरित लवाद मधील ऑप्लिकेशन क्र . ६९/२०२०

महोदय,

वरील विषय व संदर्भा नुसार कळविण्यात येते कि महामेट्रोचे काम पूर्ण शहरात विविध ठिकाणी प्रगती पथावर आहे. सदर कामातील राडारोडा टाकण्याचे ठिकाण निश्चित असून त्या प्रमाणे संबंधित कॉन्ट्रॅक्टर काम करत आहे .

असे असताना दिनांक १५/०५/२०२० पूर्वी डम्पर क्रमांक MH-12-FZ-8140, MH-14-GO-5612 तसेच दिनांक २०/०७/२०२१ पूर्वी डम्पर क्रमांक MH-12-SX-8788 या वरील अज्ञात चालकांनी त्यांच्या डम्पर वर महामेट्रो, पुणे चा लोगो अनधिकृत पुणे लावून डम्पर मधील राडारोडा हा पुणे पेठ बावधन खुर्द, पुणे मनपा हद्दीत सर्वे क्र ११,१२,१४ पाण्याच्या टाकी मागे टाकताना आढळून आले आहे.

तरी वरील अज्ञात तीन डम्पर चालकांनी महामेट्रो, पुणेचा लोगो अनधिकृतपणे व बेकायदेशीररित्या वापरला म्हणून त्यांच्यावर योग्यती कारवाई व्हावी हि विनंती.

(श.रा.जांभळे)

व्यवस्थापक (वाहतूक व सुरक्षा)

महा-मेट्रो रेल कोर्पोरेशन पुणे

ठाणे अगलदार  
हिंजवडी पोलीस स्टेशन  
पिंपरी चिंचवड शहर.

**CORPORATE OFFICE: PUNE**

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महाराष्ट्र मेट्रो रेल कॉर्पोरेशन लिमिटेड  
**MAHARASHTRA METRO RAIL CORPORATION LIMITED**

(भारत सरकार आणि महाराष्ट्र शासनाचा संयुक्त उपक्रम)  
 Joint Venture of Govt. of India & Govt. of Maharashtra  
 PUNE METRO RAIL PROJECT

Date: 22/05/2020.

Maha-Metro/P1C-07/CPM-Depot/H.V.P-R.H./2020/315

To,  
 Executive Engineer,  
 Construction Department,  
 Zone 3, PMC, Pune.

Subject: Construction of 2 nos Rolling Stock Depots at Range Hill & Vanaz depot including Civil and E&M Works for Pune Metro Rail Project.  
 Reg: Debris Dumped at Pune, Bavadhan Khurd Area under PMC

Ref: 1) Your Letter No: 655 Dated 18.05.2020

With reference to the above subject and your letter reference above, it is to bring to your kind notice that on 15.05.2020 no activities related to debris or earth/rock disposal was conducted from Hill View Park Car Depot (Vanaz Kothrud Kachara Depot Maha Metro). With reference to the dumpers mentioned in your letter, the said dumpers bearing registration no MH 12 FZ 8140 and MH 14 GU 5612 had worked in our Depot site only for two days i.e., from 5<sup>th</sup> May to 6<sup>th</sup> May-2020 and currently are not working for Maha Metro. On enquiry it is noticed that these dumpers are working for some other agency for shifting of excavated material by using the LOGO of Maha Metro.

Further, on our site visit it was found that dumping is being done by dumpers bearing registration numbers MH 40 N 4371 and MH 11 AL 6056.

Also, during our enquiry, it is learnt that the debris are being dumped by contractor M/s Patil and levelling of the same being done with a JCB bearing registration no MH 12 EB 1219 which is also deployed by the said company at the location. The photographs of the same are enclosed for reference.

In the view of the above, it is clear that Maha Metro never dumped any debris/Unwanted Material at the said location i.e., Pune, Bhavdhan Khurd survey no-12, 13 & 15 behind water tank without permission and does not bear any responsibility for any consequences at the said location.

*P. Patil*  
 DGM-Depot.

- Cc: 1) Director- Works (For Kind Information Please).  
 2) Director -SP (For Kind Information Please).  
 3) CPM-Depot.

Encl: Photographs.

**CORPORATE OFFICE: PUNE**

1<sup>st</sup> floor, The Orion Building, Arjun Mansukhani Marg, Opp. St. Mira's College, Koregaon Park, Pune - 411 001, Maharashtra, India, Tel: 020-26051072 / 74  
 E-mail: mail.mahametropune@gmail.com, Website: www.punemetrorail.org

*Patil*  
 22/5/2020

मुख्य अभियंता (पथ) कार्यालय  
 पुणे महानगरपालिका