

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.39/2023 (WZ)

Yogesh Pratap Singh

---Applicant

Vs

Secretary, MoEF &CC & Ors

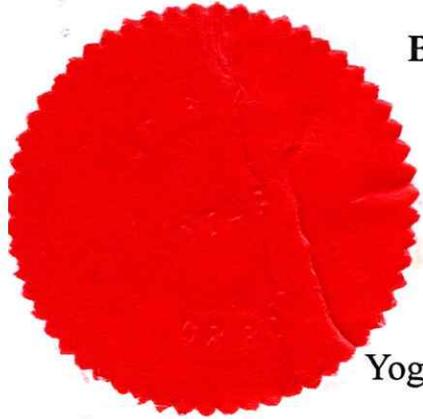
---Respondents

Affidavit on behalf of Respondent No 5 -Maharashtra Pollution Control Board.

I, Sanjay Bhosale, Age-adult , Occupation -Service , the Regional Officer of the Maharashtra Pollution Control Board at Mumbai , having office address at Kalpataru Point, 2nd Floor, Sion Matunga Scheme Road No.8, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under:-

1. I say and submit that I am filing this Affidavit in compliance of this Hon'ble NGT order dated 16/04/2024 on behalf of the Respondent No.5 i.e. Maharashtra Pollution Control Board .

[Handwritten signature]



2. By the instant application, the applicant prayed that Maharashtra Pollution Control Board be directed not to issue any 'Consent to establish' and 'Consent to operate' any building project, where basement construction is done without the requisite Environment Clearance or without the permission of the Central Ground Water Authority and in case any construction is going on without such Consent, then action be taken to disconnect water and electric supply in as provided for under section 5 of the Environment (Protection) Act, 1986.

3. I say and submit that Ministry of Environment, Forest and Climate Change -Respondent No.1 has filed their reply dated 06/09/2023 before this Hon'ble NGT , wherein it is stated that the construction of underground parking would not be covered under mining activities and Environmental Clearance shall not be required as per the EIA Notification, 2006 and subsequent amendments.

4. I say and submit that the Respondent-MPCB grants Consent to Establish / Consent to Operate under the provisions of the Water



(Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 to those Building & Construction Projects having built up area $\geq 20,000$ sq.mtrs and $< 1,50,000$ sq.mtrs. and to those Building & Construction Projects having built up area upto $20,000 M^2$ and having waste water generation ≥ 50 KLD.



Solemnly affirmed on this 12th day of July, 2024 at Mumbai

For and on behalf of Maharashtra Pollution Control Board,

(Sanjay Bhosale)
Regional Officer-Mumbai

Regional Officer
M.P.C. Board, Mumbai



BEFORE ME
[Signature]
12/7/2024
VASANT B. MORE
Notary Gr. Mumbai
7, Vijaya Sadan, Flat No. 304,
Above Axis Bank,
Sion West. Mumbai-400022

REGISTER Sr. No 691/2024

