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Noted & Registered

At. Serial No.

2558

Date

17-5-2024

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

ORIGINAL APPLICATION NO.198/2023(WZ)

Narayan Shivaji Gund

.... Applicant

Versus

MPCB & Ors

.... Respondents

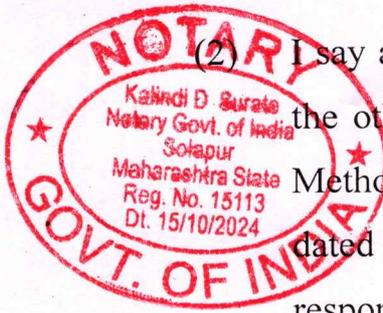
**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA
POLLUTION CONTROL BOARD i.e RESPONDENT NO. 1.**

I, Nikhil Jalindar More, aged about 35 years, occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Solapur having office 4/B, Bali Block, Civil Lines, Opp. Government Milk Scheme, Saat Rasta, Solapur – 413 003, do hereby state on solemn affirmation as under :-

- (1) I say and submit that in pursuance of the Order dated 23/4/2024, IIT Mumbai vide e-mail dated 29/4/2024 informed that they may not continue on any of the studies on behalf of MPCB for NGT and accordingly, MPCB has cancelled the Work Orders vide e-mail dated 3/5/2024. Copies of the e-mail dated 29/4/2024 received from IIT Mumbai and MPCB's e-mail dated 3/5/2024 are enclosed herewith and marked as as Annexure-'I' & 'II' respectively .

Page No. 01 Dt. 17-5-2024
Kalindi D. Surate
Advocate & Notary
Regd. No. 15113

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(2) I say and submit that the Respondent-MPCB communicated to the other Expert Institutes/Agencies to carry out the Scope & Methodology of the study as mentioned in Para 12 of the order dated 23/4/2024 passed by Hon'ble NGT. After receipt of the response from the Expert Institutes/Agencies, the Respondent-MPCB will carry out the study as per directions.

Solemnly affirmed on this18... day of May, 2024 at Solapur.

I know the affiant

For and on behalf of Maharashtra.
Pollution Control Board i.e.
Respondent No. 1.



[Handwritten signature of Advocate]

ADVOCATE

[Handwritten signature of Nikhil More]

(Nikhil More)
Sub-Regional Officer,
Solapur



Total page - 02

Solemnly affirmed before me by
Shri. Nikhil Jalindar More

Who is identified by Shri. Self
Whom / personally know
Date: 17/5/2024

BEFORE ME
KALINDI D. SURATE
NOTARY
GOVT OF INDIA
REG. NO 15113

[Handwritten signature of Kalindi D. Surate]

Page No. 02 Dt. 17-5-2024
Kalindi D. Surate
Advocate & Notary
Regd. No. 15113

768

Annexure - I

For submission of Information in the matter of Hon'ble NGT (WZ) order dated 23/04/2024 in Original Application No.198 of 2023 (WZ) Narayan Shivaji Gund Vs MPCB & Ors.

RO Pune <ropune@mpcb.gov.in>

Mon 4/29/2024 7:12 PM

To: Anil Dikshit <akd.iitb@gmail.com>; dikshit@iitb.ac.in <dikshit@iitb.ac.in>

Cc: Dr. Avinash Dhakne <ms@mpcb.gov.in>; Dr. V. M. Motghare <jdair@mpcb.gov.in>; Netra Chaphekar <lo@mpcb.gov.in>; SRO Solapur <srosolapur@mpcb.gov.in>

3 attachments (2 MB)

23.4.24 OA 198.23 Narayan Gund.pdf; 2. 2.4.24 Work Order OA 198.2023 Narayan Gund Vs MPCB.pdf; 1. Pg 446 18.3.24 Proposal to Study OA 198.2023 Narayan Gund Vs MPCB.pdf;

Respected Sir,

With respect to Hon'ble NGT (WZ) order dated 23/04/2024 in the matter **Original Application No.198 of 2023 (WZ) Narayan Shivaji Gund Vs MPCB & Ors.** The Hon'ble NGT (WZ) directed the MPCB to submit report.

The information to be furnished is in respect to Proposal for Study of Environmental Damage letter dated 18/03/2024.

With respect to Para 11 & 12

"11. It appears from the list of team members of the Committee (details of which are given on page 446 of the paper-book in the proposal dated 18.03.2024 submitted by Dr. Anil K. Dikshit of IIT to the MPCB) that IIT appears to have engaged services of outsider agency instead of doing the work on their own through their own staff."

12. With respect to the details which are given in the Work Order dated 02.04.2024(, referred to above, under the head "Scope & Methodology of the study" (page 452 of the paper-book), two works which are given therein in bullet points appear to be relevant i.e. Assessment of Environmental Damage in terms of (a) Air Environment, Water Environment and (b) Solid Waste (Hazardous & Non-Hazardous), Soil Quality, Noise Environment, Ecological Environment, Impact on Health, Change in Hydrology, if any.

..... Therefore, looking to the reduced work, which may be directed to be done by them, a fresh estimate may be taken regarding this study to be conducted. We apprehend as to whether IIT would be having competence in the field to assess the environmental damage caused in the year 2021 because the samples have been taken in 2023 which would not serve any purpose. We would like to have a report from MPCB as to whether earlier, such exercise has been done by the IIT, if any to be placed on record so that

we may take cognizance thereof and whether the amount quoted by the IIT
would be appropriate to be spent for this kind of work.

You are kindly requested to provide information for onwards submission to Hon'ble NGT.

With Regards,

(Ravindra Andhale)
Regional Officer,
M. P. C Board Pune.



770

Re: For submission of Information in the matter of Hon'ble NGT (WZ) order dated 23/04/2024 in Original Application No.198 of 2023 (WZ) Narayan Shivaji Gund Vs MPCB & Ors.

Anil Dikshit <akd.iitb@gmail.com>

Fri 5/3/2024 4:36 PM

To:Dr. Avinash Dhakne <ms@mpcb.gov.in>

Cc:Dr. V. M. Motghare <jdair@mpcb.gov.in>;Netra Chaphekar <lo@mpcb.gov.in>;RO Pune <ropune@mpcb.gov.in>;SRO Solapur <srosolapur@mpcb.gov.in>

Dear Dr Dhakne:

Looking into the irrational / targeted behaviour, unwarranted claims / blames and indecent / not-befitting remarks made by certain NGT officials about "IIT Bombay", IIT Bombay has, hereby, decided NOT to take up any MPCB sponsored studies/works, where output is intended for placement before NGT.

Thanks and best regards

Prof Anil Dikshit

PI on behalf of IIT Bombay

On Mon, 29 Apr 2024 at 7:55 PM, Anil Dikshit <akd.iitb@gmail.com> wrote:

If order is personally targeting me and MPCB is unable to protect me from humiliation, on behalf of IIT Bombay, I may NOT continue on any of your studies for NGT.

On Mon, 29 Apr 2024 at 7:12 PM, RO Pune <ropune@mpcb.gov.in> wrote:

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771

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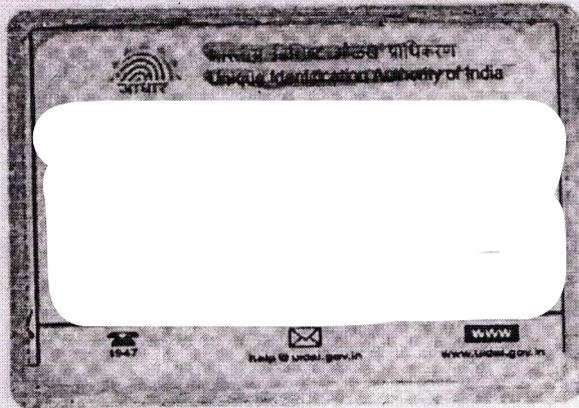
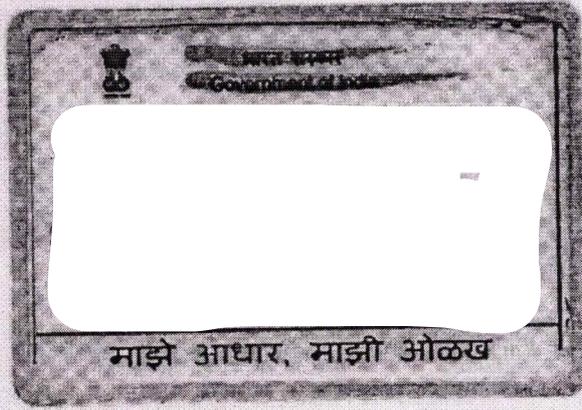
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