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



Original Application No. 97 of 2022(WZ)
with IA.No. 166 Of 2022(WZ)

Mr. Tanaji Balasahab Gambhire & Ors. Applicants

V/s

Executive Engineer Respondent No. 17
Savitribai Phule Pune University

AFFIDAVIT-IN-REPLYON BEHALF OF
RESPONDENT NO. 17

I, Shri. Vijay Sitaram Dhavale, Age- 56 years, Occupation - Executive Engineer, Savitribai Phule Pune University, Office Address - Savitribai Phule Pune University, Ganesh Khind, Pune 411 007, do hereby solemnly state and affirm as under:-

1. It is submitted that I am conversant with the facts and circumstances of the present case and I am able to depose on the same. I say that I am filing the present Affidavit as and by way of reply to the Application filed by the Applicant. I crave leave to file a detailed Affidavit in Reply, if required.
2. I say and submit that the Respondent No. 22, Pride Purple Landmark LLP had carried out compensatory plantation in the premises of Savitribai Phule Pune University with the permission of the University during the period 2012 to 2016. During this

period, Pride Purple Landmark LLP had planted 1210 saplings in the University premises.

3. I say that the Respondent No. 22 Pride Purple Landmark LLP was responsible to take care of these saplings and ensure that they are growing properly and are well preserved. But, post-COVID 19, Pride Purple Landmark LLP did not take any active participation in taking care of these saplings planted in the University premises. The University had taken every effort to ensure proper growth of these planted saplings, but due to limited source of water supply and manpower, as of now out of 1210 planted saplings, only 202 are healthy and are growing properly. I further say that as the Respondent No. 22 Pride Purple Landmark LLP failed to take care of these saplings, except 202 saplings, other saplings are perished.

4. As regards the reply dated 12.08.2017 given by the University under the Right to Information Act, 2005, it is submitted that the said information was provided in response to the Application dated 17.07.2017 made under the Right to Information Act, 2005. In this Application dated 17.07.2017, the query was raised as to whether any outside person is allowed plantation in the Botanical Garden of the University. In the reply dated 12.08.2017 given by the University to the said query, it was informed that outsiders are not allowed plantation in the Botanical Garden of the University. It is further submitted that Respondent No. 22 Pride Purple Landmark LLP was permitted by the University to carry out compensatory plantation in the

entire University premises pursuant to the request made by them and therefore, the entire responsibility of maintenance and preservation of such plants lies upon the Respondent No. 22 Pride Purple Landmark LLP.

- 5. The Respondent seeks leave of this Hon'ble Court to add, alter, amend, rescind and/or delete any of the ground in the present reply with the permission of this Hon'ble Tribunal, if required.

Hence this Affidavit-in-Reply.

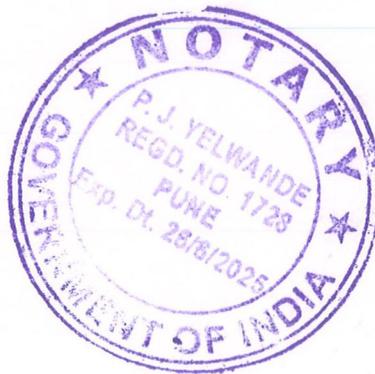
Solemnly affirmed at Pune)
This 10th December, 2024)

Deponent

EXECUTIVE ENGINEER
Savitribai Phule Pune University

Identified by me

Advocate



BEFORE ME

P. J. YELWANDE
NOTARY GOVT. OF INDIA
PUNE.

10 DEC 2024

Noted and Registered
Serial Number 2590
Date

10/12/2024



