



Noted & Registered	
At. Serial No.	2476
Date	12 JUN 2025



**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
APPEAL NO.118 OF 2024 (WZ)**

Tanaji B. Gambhire

.....Applicant

Versus

Union of India & Ors

.....Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF
RESPONDENT NO. 4 WATER RESOURCE
DEPARTMENT (WRD).**

I, Dhanajay Jivandhar Kondekar the Executive Engineer of the Respondent Water Resource Department (WRD) having my office at Ujjani Canal Division No.8, Solapur do hereby state on solemn affirmation as under:

- (1) I am working in the capacity of the Executive Engineer in the Water Resource Department. I am filing this Affidavit-in-Reply to oppose the contents of the Appeal preferred and reliefs



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Advocate & Notary
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sought by the Appellant in the above captioned matter.

- (2) At the outset, I deny each and every averment and allegation made in the present Appeal, which is contrary to and/or inconsistent with what has been stated in the present Affidavit-in-reply and nothing stated therein 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) **Main Contention**

I say and submit that present Appeal is preferred challenging the Environmental Clearance (EC) dated 08/02/2024 granted by SEIAA to answering respondent when the tenure of Respondent No. 2 SEIAA was expired on 10/01/2024.



(4) **Description of Project**

- i. Above said project is designed for public at large for the irrigation of Culturable Command Area (CCA) about 11,154 Hectors by utilizing the water from the Ujjani Reservoir located on Bhima River near At Kumbhargaon.
- ii. The rising main for phase-1 of the LIS is proposed at a head of 50.10 m whereas rising main for phase-2 is planned at a head of 51.20 m and to lift at a maximum head of 73.20m through closed pipe irrigation to feed 4,337 Ha Irrigable Command Area (ICA) from 10 villages of Indapur Taluka and 2,913 Ha (ICA) of area from 7 villages of Baramati Taluka making total irrigable area of 7,250 Ha.
- iii. The water consumption under this scheme is estimated to be around 0.90 TMC (25.484



MCM) from the reservoir of Ujjani Dam on Bhima River.

(5) **Preliminary Submission**

- i. I say and submit that answering respondent is established and incorporated under section 3 Maharashtra Water Resources Regulatory Authority Act, 2005.
- ii. I say and submit that Environment Clearance is granted for the Project Lakdi-Nimbodi Lift Irrigation Scheme. The said Project falls under limits of Ujjani Canal Division no. 8, Solapur, Water Resources Department, Government of Maharashtra of the answering Respondent.
- iii. I say and submit that as per the circular dated 13/06/2018 of the Commissioner of Agriculture, Maharashtra State approval is granted by the Director of Agriculture for the crop plan/ crop method.



iv. I say and submit that after fulfillment of all the necessary conditions, answering respondent has obtained permission u/s 11 (f) of Maharashtra Water Resources Regulatory Authority Act, 2005.

v. I say and submit that since there is no acquisition of forest land for this Project hence question of obtaining approval from the Forest Department does not arise.

vi. I say and submit that the prior environment clearance was obtained before starting of construction of this Project as per the notification dated 25/06/2014 of the MOEFCC.

(6) Environment Clearance

i. I say and submit that the aforementioned project falls under entry 1 (c) of category B1 of the Schedule of the EIA Notification, 2006. Therefore, the Environment Impact



Assessment Report was submitted before SEAC.

ii. I say and submit that further Proposal was consider by the SEIAA in its 275th meeting held on 10th January, 2024. Accordingly, SEIAA, Maharashtra decided to grant the Environment Clearance. Thereafter Environment Clearance dated 08/02/2024 was granted to answering respondent. (Copy is annexed in petition as Annexure-A-1)

(7) I say and submit that in view of above answering respondent has obtained prior environment clearance therefore it is prayed that this petition may kindly be dismissed with a cost.

(8) Hence this affidavit.

Pune

Date: 06/06/2025



Res. No. 4

WRD

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VERIFICATION

I, Dhanajay Jivandhar Kondekar Age: Adult,
 Executive Engineer, Water Resource Department
 WRD authorized signatory for WRD do hereby
 state on solemn affirmation that what is stated
 forgoing Para's is true and correct to my own
 knowledge and belief.

Solemnly affirmed at Pune

This 6th day of June, 2025



Respondents No. 4

Adv. for Respondents No. 4

Solemnly affirmed before me by
 Shri. Dhanajay J. Kondekar
 Who is identified by Shri. S. S. S.
 Whom I personally know
 Date :- 1 / 120

BEFORE ME
 ADV. HEMANTKUMAR N. MALI
 NOTARY, GOVT. OF INDIA
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