

BEFORE THE HON' BLE NATIONAL GREEN TRIBUNAL W. Z. BENCH PUNE

INTERLOCUTORY APPLICATION NO 120 of 2019

APPLICATION NO 74 of 2019

IN THE MATTER OF

Mr. Tanaji Balasaheb Gambhire

.....} APPLICANT



VERSUS

The Principal Secretary, Environment Dept. GoM & 10 Ors.....} Respondents

Affidavit in Reply to the Interlocutory Application of the Applicant on behalf of the Respondent No - 8

1. Prashant Dagaji Pagar Dy Metropolitan Planner, PMRDA hereby filing this affidavit in reply to the Interlocutory Application filed before this Hon'ble Tribunal only with a limited purpose bringing on record the limited role of the Respondent No -8 in the present application in the subject matter of the application etc . I crave leave to file an additional reply or affidavit as & when necessary. I shall not be deemed to admit anything save except whatever specifically stated here-under. I have carefully gone through the Interlocutory Application filed before this Hon'ble Tribunal by the Applicant with the prayers to direct the Respondent No-11 that is the Project -Proponent to stop entire construction activities at it's sight , which is the subject matter of the present application and also to restrain any further third party interest in the completed construction at village-Undri till the application is decided. The Applicant further prays for appointment of third party Court Commissioner to visit , inspect & submit actual status report etc and to strictly monitor the compliance of it by the SEIAA, PMC & MPCB and submission of weekly report thereof. The PMRDA would like to submit its reply thereto as under:

- 1) I would like to submit most respectfully that admittedly comes presently within the limit & jurisdiction of the Pune Municipal Corporation



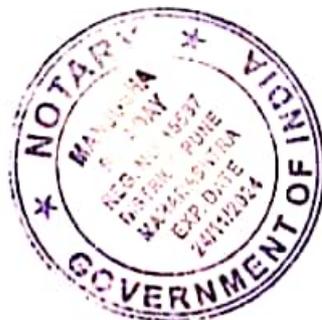
2) I further submit that though the pronouncement of the PMRDA had formed on 15.03.2015 by the Urban Development Department, Government of Maharashtra. The both projects are sanctioned by Hon'ble District collector after recommending from Assistant Director of Town Planning. PMRDA had only given the part completion to Building A1 (P +6), Nyati Ethos I, Survey no. 21 part, Village - Undri, Taluka - Haveli, Jilha - Pune on 31.08.2015 (Copy is attached herewith as Annexure - A). Thereafter, The 11 villages including Undri with the subject matter of the present application merged in the Pune Municipal Corporation Area on 04.10.2017. All the record regarding both projects has been transfer to Pune Municipal Corporation.

3) With regard to the prayer clauses, I say and submit that a detailed procedure has been laid down by the Ministry of Environment, Forest and Climate Change, Government of India in the Notification dated 14th March, 2017, to deal strictly with the case of violation of the EIA Notification, 2006 including assessment of permissibility of the project or not for the purpose of assessment of ecological damage, preparation of remediation plan and natural and community resource argumentation plan through an environmental laboratory duly accredited by the MoEF & CC, Gol., for which purposes, the Respondent No-2 to 3 are empowered to initiate appropriate action.

The contents of para 1 to 3 of this affidavit -reply are true and correct to the best of my knowledge and belief as well as documents available with me.

Solemnly affirmed on this 09 day of November, 2020 at Pune.

Identified by



Manjusha S. Taday
Affiant 9/11/20

BEFORE ME
Manjusha S. Taday
MANJUSHA S. TADAY
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

NOTED & REGISTERED
AT.SR.NO. 736/2020

09 NOV 2020

