

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

**Original Application No. 17/2021 (WZ)**

Tanaji Balasaheb Gambhire --- Applicant(s)

Versus

Union of India & Ors. --- Respondent(s)



**Affidavit on behalf of the Joint Committee**

I, V. V. Killedar, age about 50 years, Occupation – Service, the Sub-Regional Officer of the M.P.C. Board at Pune – II having my office address at 2<sup>nd</sup> Floor, Jog Center, Wakdewadi, Pune - 411003, on behalf of the Joint Committee do hereby state on solemn affirmation as under –

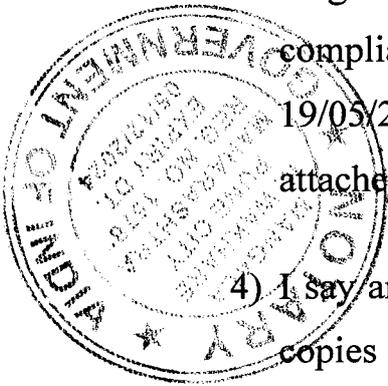
- 1) I say and submit that this Hon'ble Tribunal vide Order dated 09/06/2021 constituted a Joint Committee and the said Joint Committee has placed their Joint Committee Report on 24/01/2022 before this Hon'ble Tribunal, which was taken on record.
- 2) I say and submit that in compliance of the orders dated 23/03/2023, the Respondent MPC Board has filed an Affidavit on behalf of the Joint Committee before this Hon'ble Tribunal on

25/08/2023, wherein, it was stated that Bhumi Abhilekh Department gave online appointment for land measurement on 11/12/2023 and prayed on behalf of the Joint Committee to grant time for submission of detailed report.

3) I say and submit that after the appointment dated 11/12/2023 of land measurement the Respondent MPC Board has sent a Reminder Letter dated 14/12/2023 to the Assistant Town Planner- Maval, Pune, Executive Engineer Khadakwasala Irrigation Division and Sub Divisional Officer-Maval for compliance of Hon'ble NGT (WZ) order dated 23/03/2023 and 19/05/2023. A copy of the Reminder letter dated 14/12/2023 is attached as **Annexure I**.

4) I say and submit that the Respondent MPC Board has received copies of the letters dated 22/12/2023 and 01/01/2024 from Khadakwasala Irrigation Division addressed to Bhumi Abhilekh Department (Land Record Dept), wherein, Khadakwasala Irrigation Division informed that they were unable to conduct the measurement as the adjacent farmers were not present due to non-receipt of notice from Bhumi Abhilekh Department (Land Record Dept). Further it was informed that after issuance of notice to the adjacent farmers, they will conduct the measurement & submit the report. Copies of the letters dated 22/12/2023 and 01/01/2024 are attached as **Annexure II Colly**.

5) I say and submit that considering the letters dated 22/12/2023 and 01/01/2024 received from the Khadakwasala Irrigation Division, it is humbly prayed on behalf of the Joint committee



that this Hon'ble Tribunal may kindly grant time to the Joint Committee for submission of detailed report.

6) Hence this affidavit.

Solemnly affirmed on this **11 JAN 2024** date of January, 2024 at Pune.

I know the affiant.

For and On behalf of the Joint Committee,



ADVOCATE

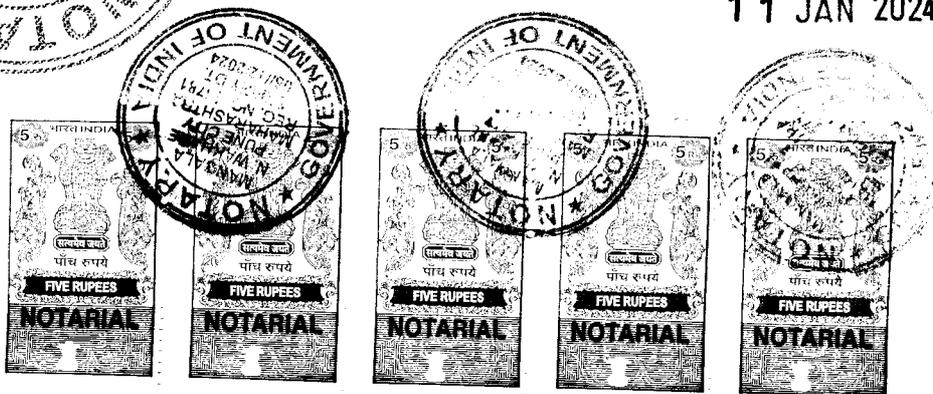
(V. V. Killedar)  
Sub-Regional Officer,  
MPCB-Pune II



**BEFORE ME**

**MANGALA N. WAKHARE**  
ADVOCATE & NOTARY  
GOVERNMENT, INDIA

11 JAN 2024



# MAHARASHTRA POLLUTION CONTROL BOARD

## REGIONAL OFFICE – PUNE

Phone No. 9423632901

Fax No. (020) 2581 1029

Visit us at <http://mncb.nov.in>Jog Centre, 3<sup>rd</sup> Floor,

Wakdevadi,

'Your service is our duty'

MPCB/RO-PUNE/ 231214-FTS-0268 Date: 14/12/2023

## (REMINDER LETTER)

To,

1. Assistant Town Planner-Maval, Pune  
Metropolitan Regional Development  
Authority, 4<sup>th</sup> Floor, PCNTDA  
Building, New Administration  
Building, Near Akurdi Railway  
Station,  
Akurdi, Pune-411044
2. Executive Engineer,  
Khadakwasla Irrigation Division,  
3<sup>rd</sup> Floor, Sinchan Bhavan,  
Mangalwar Peth, Pune-11
3. Sub Divisional Officer-Maval,  
Bavdhan Road, Siddharth Nagar,  
Bavdhan, Pune-411021

Sub: - Regarding compliance of Hon'ble NGT (WZ) order dated 23/03/2023 and dated 19/05/2023 w.r.t O.A.No.17 of 2021 (WZ) Tanaji Balasaheb Gambhire Vs Union of India & Ors.

- Ref: - 1. Joint Committee Visit dated 22/12/2021  
2. Joint Committee Report filed on 03/01/2022  
3. Orders of Hon'ble NGT (WZ) dated 20/03/2023 and 19/05/2023  
4. Joint committee visit dated 17/05/2023.  
5. E-mail this office dtd. 22/12/2021, 29/12/2021, 30/12/2021, 12/01/2022, 19/01/2022, 21/02/2022, 08/03/2022, 02/05/2022, 09/08/2022, 19/09/2022, 15/05/2023, 18/05/2023, 28/07/2023, 02/08/2023.  
6. Letter issued by SRO, MPCB, Pune -II vide no. 230809-FTS-0208, Dtd. 09/08/2023

With reference to above subject matter regarding compliance of Hon'ble NGT (WZ) order dated 23/03/2023 and dated 19/05/2023, you are requested to submit the information related to your office. Copy of joint committee report submitted before Hon'ble NGT is attached herewith. In the said report grievances raised by applicant are noted in tabular form and also concerned department is also mentioned. This office has communicated about submission of the requisite information, however till date this office is not in receipt of the requisite information.

Further to this Hon'ble NGT had issued an order dated 23/03/2023 stating as below:-

- a) "Looking to the fact that most of the replies directed to be given by PMRDA to the Joint Committee, have not been furnished nor reply-affidavit has so far been filed by PMRDA before us despite sufficient opportunity having been given, we deem it appropriate to add one member of PMRDA in the Joint Committee."
- b) "With respect to the other objections, which have been raised by the applicant which are found to have been mentioned in tabular form in the summary/conclusions of the Joint Committee report from "b" to "bb", with regard to most of these, it has been recorded in

this report that the PMRDA was asked to give information with regard to these points/objections raised. It is quite apparent from this Joint Committee report that the Committee has not exerted to obtain this information in full from the Authorities concerned and shifted its responsibility upon other Authorities such as PMRDA and Collector to give information, which appears to be only completion of formality and not genuine efforts on its part to obtain this information. Therefore, we direct the Joint Committee to submit additional report in respect of all these points regarding which they have mentioned that the information has been sought from the concerned Department/Authority. We expect the Authorities concerned shall cooperate in furnishing the information to the members of the Joint Committee. This additional report must be filed within two weeks"

- c) "The Joint Committee shall visit the spot and conduct the inspection in the presence of the representative of the applicant or the applicant-in-person as well as the representative of respondent No.12 – Project Proponent so that no deficiencies remain."

Further to this Joint Committee visit was held again on 17/05/2023. During this visit project proponent raised objection on temporary blue line, which was marked by the Irrigation Department, hence it has been decided to conduct joint measurement by Bhumi Abhilekh Surveyor, Revenue Department and Irrigation Department. Hence additional time was requested to hon'ble NGT and following order was issued by Hon'ble NGT on 19/05/2023

"From the side of Respondent Nos. 6 & 7/MPCB, learned Counsel Mr. Vilas A. Jadhav has sent us an e-mail dated 18.05.2023 seeking adjournment on the ground that in pursuance to our previous order dated 23.03.2023, the Joint Committee conducted site visit on 17.05.2023 in presence of the Project Proponent, who raised objection on temporary blue line, which was marked by the Irrigation Department, hence it has been decided to conduct joint measurement by Bhumi Abhilekh Surveyor, Revenue Department and Irrigation Department, for which more time would be required. Hence, it is prayed that some additional time may be granted for filing the Joint Committee Report. We allow the request made by the learned Counsel for the Respondent Nos. 6 & 7 and grant one month's time for the same with the direction that a copy of report of the Joint Committee shall be served upon all other parties well in time so that if any objection is to be filed from their side, the same may be filed within a period of one week thereafter."

Despite of multiple reminders by e-mail from this office vide reference no. 5 & 6 and PMRDA, Irrigation Department, Revenue Department has not submitted the requisite information. Next hearing of the above said O.A. 17/2021 is scheduled on 15/01/2024. Hence you are requested to submit information related to your office at the earliest for onward submission of Joint Committee Report before Hon'ble NGT (WZ).

  
(Ravidra Andhale )  
Regional Officer, Pune

Copy submitted for information and further necessary action please.

- 1) Hon'ble District Collector, Pune
- 2) SEIAA, Joint Committee Member,
- 3) CPCB, Joint Committee member

Copy for information

- 1) JD (APC), M.P.C.B., Sion (HQ), Mumbai
- 2) Law Officer, M.P.C.B., Sion (HQ), Mumbai



जा.क्र./ पवना/ बि.सि/ १२६६ / सन २०२३

उपसा जलसिंचन उपविभाग, पवनानगर

मुख्यालय- तळेगाव- दाभाडे

प्रति,

22 DEC 2023

उपअधिक्षक भूमी अभीलेख  
वडगाव मावळ, पुणे

विषय- मौजे- बेबेडओहळ येथील गट क्र. १ च्या मोजणी करणेबाबत

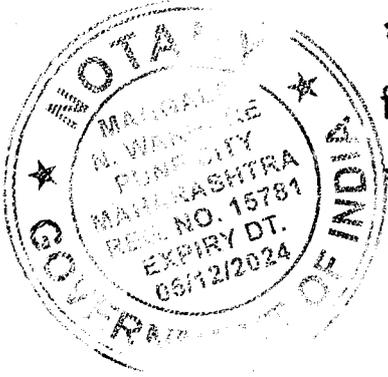
संदर्भ- १. राष्ट्रीय हरीत लवाद केस नं १७/२०२१

२. मौजे बेबेडओहळ येथील गट क्र. १ चा अर्ज क्र. २७४१३

दि २३/६/२०२३

३. मौजे उर्स येथील गट क्र. ४३२, ४३५, ४३६ चा अर्ज क्र. २७४१६

दि २३/६/२०२३



उपरोक्त विषयानुसार संदर्भ क्र. १ अन्वये आपल्या कार्यालयाकडे मौजे-

बेबेडओहळ येथील गट क्र. १ साठी १५०००/- व उर्स येथील गट क्र. ४३२, ४३५, ४३६ साठी ४५०००/- या कार्यालयाने हद्द कायम करणेसाठी पैसे भरलेले आहेत. दि. १३/१२/२०२३ रोजी मौजे- उर्स येथील गट क्र. ४३२, ४३५, ४३६ ची मोजणी करण्यात आलेली आहे व दि. १४/१२/२०२३ रोजी मौजे- बेबेडओहळ येथील गट क्र. १ च्या आजुबाजुकडील शेतक-यांना आपल्या कार्यालयाचे मोजणीचे पत्र प्राप्त न झाल्याने मोजणीसाठी शेतकरी उपस्थित झाले नाही त्यामुळे मोजणी करण्यात आली नाही. तरी आपल्या कार्यालयाचे मोजणीचे पत्र मौजे- बेबेडओहळ येथील गट क्रं १ च्या आजुबाजुकडील शेतक-यांना देवून मोजणी करून मिळणेबाबत विनंती आहे जेणेकरून राष्ट्रीय हरीत लवाद यांना माहिती देण्यास सोईस्कर होईल. हे आपल्या माहितीसाठी सन्नेह अग्रेषित

*[Signature]*  
O/C उपविभागीय अभियंता  
उपसा जलसिंचन उपविभाग, पवनानगर  
मुख्यालय- तळेगाव दाभाडे

प्रत- मा. कार्यकारी अभियंता खडकवासला पाटबंधारे विभाग, पुणे यांना माहितीसाठी सविनय सादर.

*[Signature]*  
P. D. L.  
आवक जीविक लिपीक  
उप. अ. भू. अ. मावळ

जा.क्र./पवना/बि.सि/०७ /सन २०२४

उपसा जलसिंचन उपविभाग, पवनानगर  
मुख्यालय- तळेगाव- दाभाडे

प्रति,

01 JAN 2024

उपअधिक्षक भूमी अभीलेख  
वडगाव मावळ, पुणे

विषय- मौजे- बेबेडओहळ येथील गट क्र. १ च्या मोजणी करणेबाबत

संदर्भ-१. राष्ट्रीय हरीत लवाद केस नं १७/२०२१

२. मौजे बेबेडओहळ येथील गट क्र. १ चा अर्ज क्र. २७४१३ दि. २३/६/२०२३

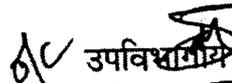
३. मौजे उर्स येथील गट क्र. ४३२, ४३५, ४३६ चा अर्ज क्र. २७४१६ दि. २३/६/२०२३

४. जा.क्र./पवना/बि.सि/१२६६/सन २०२३/दि २२/१२/२०२३

उपरोक्त विषयानुसार संदर्भ क्र. १ अन्वये आपल्या कार्यालयाकडे मौजे-

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हे आपल्या माहितीसाठी सन्नेह अग्रेषीत

  
उपविभागीय अभियंता  
उपसा जलसिंचन उपविभाग, पवनानगर  
मुख्यालय- तळेगाव दाभाडे

प्रत- मा. कार्यकारी अभियंता खडकवासला पाटबंधारे विभाग, पुणे यांना माहितीसाठी सविनय सादर.

P. D. R. K. L.  
03/09/2024  
आयक जायक लिपीक  
उप. अ. म. अ. मावळ

मौजे- बेबेडओहळ गट क्र १ ला लागुन असलेले गटनिहाय खातेदारांची नावे			
अ.क्र.	गट क्रमांक	शेतक-यांचे नाव	शेरा
१	२/१,	सेवक कोजाराम घारे इतर	
२	३/१,	सुरेश एकनाथराव ढमाले इतर	
३	४	सुरेश एकनाथराव ढमाले इतर	
४	५	दत्तात्रय शिवराम कोळी इतर	
5	1/1,	शहाजी वामनराव घारे	
		सेवक कोजाराम घारे	
		बाळासाहेब वामनराव घारे	
		पुनम संपतराव घारे व इतर	
6	1/3/1/2/1	एक्झर्बिया नॉर्थ हिंजेवाडी रहिवासी गृह प्रकल्प तर्फे योगेश नारायण निकम व राहुल रसिकलाल नहार	
7	500	बबन आप्पा घारे व इतर	
		दिपक शांताराम घारे व इतर	
		लक्ष्मण रामभाऊ घारे व इतर	
		त्रिबक मारुती घारे व इतर	
		ग्रुप ग्रामपंचायत सरपंच बेबेडओहळ (स्मशानभूमी)	

उपविभागीय अभियंता  
उपसा जलसिंचन उपविभाग, पवनानगर  
मुख्यालय- तळेगाव दाभाडे

