

**BEFORE THE NATIONAL GREEN TRIBUNAL
AT THE WESTERN ZONE BENCH AT PUNE
ORIGINAL APPLICATION NO. 65 OF 2025**

IN THE MATTER OF:

Sandeep Salelkar

... APPLICANT

VERSUS

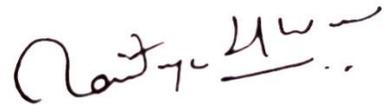
State of Goa & Ors.

... RESPONDENTS

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THROUGH



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DATE: 16.11.2025

PLACE: GOA

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**REJOINDER ON BEHALF OF THE APPLICANT IN RESPONSE TO THE JOINT
COMMITTEE REPORT DATED 31.07.2025**

1. The present Application filed under 18(1) r/w Sections 14, 15 and 20 of the NGT Act, 2010, raising substantial questions related to transportation of mined iron ore mineral ('mined mineral') by M/s Vedanta Ltd. (hereinafter referred to as the 'Project Proponent') from Mineral Block – I ('MB-I') located in Sirigao village, Goa in violation of the conditions of Environmental Clearance ('EC') dated 23.01.2024 issued to the Project Proponent by Respondent No. 5, i.e., the Ministry of Environment, Forest & Climate Change ('MoEF&CC').
2. That vide order dated 17.06.2025, this Hon'ble Tribunal had observed that a substantial question relating to environment had been raised in the present Application, and had accordingly directed the Respondents to file their responses, as well as constituted a Joint Committee to submit a fact-finding report along with corrective measures to be taken by the Project Proponent.
3. Therefore, the Joint Committee has submitted its Report dated 31.07.2025, wherein the Joint Committee has recorded its observation and conclusions. Accordingly, the Applicant herein seeks to respond to the observations and conclusions of the Joint Committee Report.

4. At the outset, the Applicant denies each and every averment and conclusion made in said Joint Committee Report which is contrary to and/or inconsistent with what has been submitted on record in the present Application. Furthermore, nothing stated in the present Rejoinder on behalf of the Application 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.

I. PRELIMINARY OBJECTIONS TO THE JOINT COMMITTEE REPORT

5. The Applicant further seeks to raise the following preliminary objections to the Joint Committee Report ('JCR') dated 31.07.2025:

a) The Joint Committee has failed to include and consult the Applicant during Joint Committee Site Visit

- i. It is submitted that the Joint Committee members visited the site of the present matter as on 15.07.2025. However, the members of the Joint Committee failed to include the Applicant, or any representative from the local community who are aggrieved by the activities of the Project Proponent during the said site visit.
- ii. The Applicant submits that Joint Committee has violated the principles of natural justice by failing to notify or include the Applicant, or any other local representative, and by conducting the inspection solely in the presence of the Project Proponent.
- iii. The present Application has recorded that local residents have suffered dust deposition, noise impact, and public safety hazards due to ore transport. The JCR's omission of any interaction with

affected communities renders the findings procedurally defective and substantively unreliable without stakeholder participation.

- b) The Joint Committee Report does not contain any annexures.
- i. The JCR repeatedly states that its findings are based on Annexures, including: "Annexure – I Enclosed" (Page 232, Para 2), "Annexure – II Enclosed" (Page 232, Para 3), "Annexure – III Enclosed" (Page 232, Para 6), "Annexure – IV & V attached" (Page 234, Para 13–14), "Annexure – VII, VIII, IX, X Enclosed" (Pages 245–246). However, none of these annexures have been filed on record along with the JCR or shared with the Applicant.
 - ii. It is submitted that a Joint Committee Report that relies on documents which are not placed before this Hon'ble Tribunal is legally incomplete and cannot be relied upon.
 - iii. Such omission is especially egregious considering that the missing annexures include: ambient air quality (AAQ) reports (Dec 2024–June 2025), noise monitoring results, transit permits, GSPCB CTO conditions, and route inspection reports of DMG.
 - iv. Without these annexures, the Applicant cannot verify and analyse the documents to verify the sampling locations, instrumentation used, date and time of measurements, compliance methodology, representative accuracy of data, whether the reports correspond to periods of active transport, etc.

6. Furthermore, the Joint Committee Report is conspicuously absent of any comment, observation, or conclusion on the following violations of the EC dated 23.01.2024 as have been detailed in the present Application:

a) The JCR has failed to observe compliance of Condition No. 18.1 pertaining to Installation of Water Sprinklers.

- i. At Page 233, Para 7, the JCR states: "*During inspection the water sprinkling by tanker along the transportation route...was observed.*"
- ii. However, JCR makes no mention whatsoever of compliance of EC Condition 18.1 requiring installation of permanent water sprinkler systems along 3.40 km (inside ML) and 2.80 km (outside ML).
- iii. It is submitted that EC Condition 18.1 mandates permanent, fixed water sprinklers, not tanker-based sprinkling. However, the JCR failed to verify or comment upon whether a sprinkler pipeline system exists; whether pumps, hydrants, or sprinkler installations are operational; or whether the Project Proponent produced installation certificates, vendor invoices, or relevant documents.
- iv. It is submitted that the observed tanker sprinkling is episodic, inadequate, and incapable of compliance with a statutory EC condition aimed at controlling fugitive dust emissions.
- v. The Applicants submit that the Joint Committee's silence on EC Condition No. 18.1 constitutes non-application of mind and materially affects the validity of its conclusions regarding dust mitigation.

- b) The JCR has failed to comment on the observed violation of Condition No. 19.1 pertaining to construction of Wheel Washing Facility
- i. At Page 234, Paragraph 16, the JCR records: "*The mining unit has... provided 2 no. of cattle trap drain systems... for the purpose of removing muck from the truck tires.*" Thereafter, at Page 246, Paragraph 11, the Committee recommends that "*...for more effective cleaning of the tires the mining unit shall install wheel washing system between two cattle trap drain systems.*"
 - ii. However, at no point does the JCR state that any wheel-washing facility was ever installed at the mine exit, therefore being contrary to the requirements of EC Condition No. 19.1.
 - iii. It is submitted that EC Condition No. 19.1 expressly requires a fully operational wheel washing facility at the mine exit.
 - iv. The Applicant submits that Cattle traps are not equivalent to a wheel washing system and cannot remove fine particulate iron ore dust, which continues to be deposited along MDR-20, impacting crop productivity and public health.
 - v. The JCR's own recommendation as on Pg. 246, Para 11, to install a wheel-wash confirms that no such facility presently exists, thereby establishing beyond doubt non-compliance with the EC.
 - vi. Additionally, the Joint Committee has further failed to verify whether the PP has complied with the GSPCB CTO condition, requiring installation of wheel washing arrangements prior to entering public roads, but has merely recorded the same in JCR.

- c) Failure to observe any compliance of Condition No. 20.1 pertaining to construction of Underpass at Mayem Junction
- i. The Applicant submits that the JCR contains no reference whatsoever to compliance of EC Condition 20.1, which required the Project Proponent to “speed up the process of construction of underpass at Mayem Junction”.
 - ii. However, the JCR contains no site inspection findings at Mayem Junction, no request for PWD progress reports, no verification of work orders, and no confirmation regarding construction activity.
 - iii. Such material omissions undermine the Committee’s purpose of assessing compliance with EC conditions and is a material defect in a report meant to guide environmental enforcement.

II. DEVIATION FROM EC-SANCTIONED ROUTE BY PROJECT PROPONENT CORROBORATED BY JOINT COMMITTEE REPORT

7. The Applicant submits that the Joint Committee Report corroborates the fact of deviation from EC-Sanctioned Route for transportation of mined mineral, and establishes that such deviation has not been sanctioned by the MoEFCC, therefore being in violation of ToR No. 14.1, as well as EC Condition 12.7.
8. At Page 233, Para 11–12, the JCR clearly records that *"As per new deviated transportation route, the total distance for transporting iron ore from mine to Sarmanas Jetty is approx. 5.62 km of which approx. 1.87 km stretch Major District Road (MDR-20) is public road. The deviated alignment of the transportation route increases by approx. 0.93 km"*.

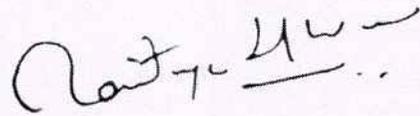
9. It is submitted that such deviation is in violation of the EC-Sanctioned Route, therefore amounting to a violation of the EC dated 23.01.2024 itself. Such violation is especially egregious considering the fact that the Project Proponent has previously stated in 'EC Six Monthly Compliance Report dated 30.05.2024' that a 'bypass road' will be constructed for the portion of 0.94 kms of MDR-20 that was being used. However, instead of such construction of bypass road, additional public road of MDR-20 is being used, totalling 1.87 kms at present.
10. The Applicant submits that although the JCR confirms deviation from the EC-sanctioned route, the Joint Committee has failed to examine whether the Respondent No. 3 Directorate of Mines and Geology ('DMG') possesses any legal competence to permit deviation from an MoEF&CC-approved route, especially considering the ToR No. 14.1, which states that *"Changes, if any made in the basic scope and project parameters...should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought..."*; and EC General Condition No. 12.7 which states that *"The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection."*
11. The Applicant submits that a change in ore transportation route is a material change in project parameters, requiring appraisal under the EIA Notification, which DMG cannot substitute. Therefore, the Joint Committee must be directed to remedy material gaps, omissions, and non-considerations in the impugned Report by conducting a comprehensive, stakeholder-inclusive verification exercise and by placing on record a complete, reasoned, and document-supported report in conformity with the mandate of this Hon'ble Tribunal.

Pass any other order as deemed fit by this Hon'ble Tribunal in the interest of justice, equity, and good conscience in the prevailing facts and circumstances.



APPLICANT

THROUGH



MAITREYA PRITHWIRAJ GHORPADE

ADVOCATE

COUNSELS FOR THE APPLICANT

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VERIFICATION

I, Sandeep Salelkar, R/o #02 Bag Wada Pilgaon, Bicholim, North Goa, Goa – 403504, do hereby verify that the contents of the present Rejoinder abovementioned are true to my personal knowledge and nothing material has been concealed therefrom.

Date:

Place:



APPLICANT

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AFFIDAVIT

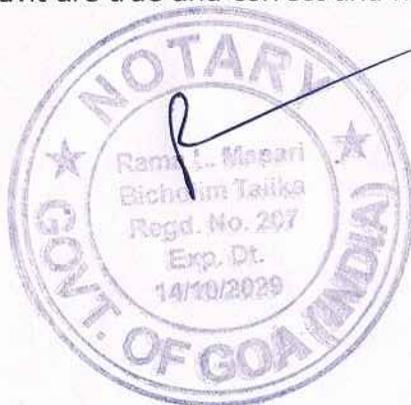
I, Sandeep Salelkar, R/o #02 Bag Wada Pilgaon, Bicholim, North Goa, Goa – 403504, do hereby solemnly affirm and state as under:

1. That I am the Applicant in the above titled Application and am conversant with the facts and circumstances described in the present case and as such, I am competent to swear this affidavit.
2. That the contents of the present Rejoinder are true and correct and nothing material has been concealed therefrom.

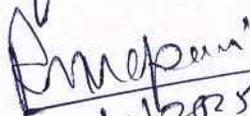

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VERIFICATION

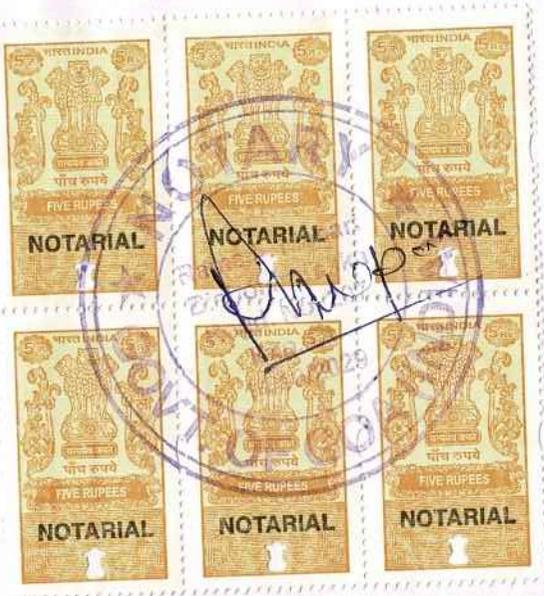
Verified on this 17th of November 2025 that the contents of the above mentioned affidavit are true and correct and nothing material has been concealed therefrom.



Before Me.


 SHRI R. L. MAPARI
 ADVOCATE & NOTARY
 BICHOLIM - GOA.


DEPONENT



TRUE COPY

hereby attest that this is the True Copy of Original Document which I have returned to the presenter after duly intialled.

Notary Office at Bicholim - Goa.

Stamp Rs. ... 30/- Reg. No. ... 2885/2025

R. L. Mapari
17/11/2025

SHRI. R. L. MAPARI
ADVOCATE & NOTARY
BICHOLIM - GOA.