

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO. 07/2023**

Dattatray Phalke

... Appellant

V/s.

Union of India & Ors.

... Respondents

**REPLY AFFIDAVIT BY RESPONDENT NO. 2,  
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT  
AUTHORITY**

I, Dattatray Suryakant Bhalerao, working as Scientist II & Under Secretary, Environment and Climate Change Department, Government of Maharashtra do hereby state on solemn affirmation as under –

I am well conversant with the facts of the present case and I am competent to swear this Affidavit based upon the records available with this office.

1. It is submitted that at the very outset this respondent denies each averment made in the present application which is contrary to and inconsistent with the averments made and facts stated in the present reply. It is submitted that nothing stated in the application may be deemed to have been admitted by this respondent unless and until the same has been admitted by the respondent.
2. The present case pertains to the construction of the national highway undertaken by the National Highway Authority of India who have appointed respondent no. 9 as the contracting agency to carry out the said project.
3. Applicability and scope of Environment Impact Assessment Notification, 2006 to any project, and the interpretation of the notification can be done by the Ministry of Environment, Forests and Climate Change, Government of India.
4. In the present case, no application for environment clearance was received by SEIAA nor any environment clearance has been granted by SEIAA.
5. This respondent craves leave to file any additional reply as and when required. In light of the above submissions, it is respectfully prayed that Environment Department shall abide by any orders and directions issued by the Hon'ble Tribunal.

*Am* (M)



Whatever is stated above is true and correct to the best of my knowledge, ability and belief and I affirm it to be true.

Mumbai  
Date 5/9/23  
*[Signature]* (M)

*[Signature]*

**Dattatray Suryakant Bhalerao**  
Scientist II & Under Secretary,  
Environment & CC Department,  
Government of Maharashtra

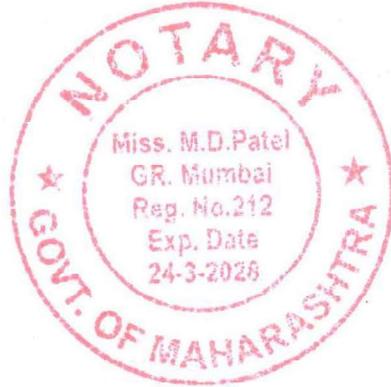


VERIFICATION

I, Dattatray Suryakant Bhalerao, Age-40, working as Scientist II & Under Secretary, Environment and Climate Change Department, Government of Maharashtra, having my office address at 15<sup>th</sup> Floor, New Administrative Building, Mantralaya, Mumbai – 400 032 do hereby verify and declare that the statements made in the aforesaid paras are true and correct to the best of my knowledge and information and I believe the same to be true and that no material is has been concealed therefrom.

Solemnly affirmed on this 5<sup>th</sup> day of Sept., 2023 at Mumbai.

(P) Shri.



**Dattatray Suryakant Bhalerao**  
Scientist II & Under Secretary,  
Environment & CC Department,  
Government of Maharashtra

**BEFORE ME**

M. D. Patel  
5-9-2023  
Sr. No. 598  
Bk. No. 4

**MISS M. D. PATEL**  
**ADVOCATE & NOTARY**  
Kohlar House,  
4, Dhuswadi, Dhobitalao,  
**MUMBAI - 400 002.**