



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
EXECUTION APPLICATION NO. 17/2023  
IN  
ORIGINAL APPLICATION NO. 34/2020**

Tanaji Balasaheb Gambhire

... Appellant

v.

Union of India & Ors.

... Respondents

**REPLY AFFIDAVIT BY RESPONDENT NO. 4, SEIAA**

I, Dattatray Suryakant Bhalerao, working as Scientist-I & Deputy 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

*sho*

inconsistent with the averments made and facts states in the present reply. It is submitted that nothing stated in the application may deemed to have been admitted by this respondent unless and until the same has been admitted by the respondent.

2. The present case seeks execution of this Hon'ble Tribunal's final order dated 24-02-2022 wherein a joint committee of SEIAA, Maharashtra, MPCB and PMC to take further remedial action to fix liability for the violations, including assessment and recovery of compensation. The Committee may also prepare plan for restoration out of the compensation, to be recovered from the PP. Compensation assessment and action plan preparation may be done within one month which may be executed in an appropriate manner, including with the association of the Project Proponent, if found viable.
3. The original application alleged that the Respondent no. 13 - "M/s. Padmavati Associates" (Project Proponent-"PP") is carrying out illegal building construction in residential project named "Pristine Privilege, Prism & Pristine Royale" without prior Environmental Clearance, Consent to Establish, Consent to Operate in their project situated at Survey No. 6/2, 6/3, 6/5 & 7, Near Spicer College, Village-Aundh, Pune City, District-Pune. The said construction is



*[Handwritten signature]*

alleged to be carried out despite the fact that total built-up area (TBUA) exceeded 20,000 sq.mtrs.

4. As per the records available with this office, PP had applied for Environment Clearance vide SIA/MH/MIS/117270/2019 on 09<sup>th</sup> September, 2019. Proposal was then listed in 96<sup>th</sup> meeting of SEAC-3 held on 15-18th October, 2019, however PP remained absent for the meeting.
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.

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 27/01/2025

**Dattatray Suryakant Bhalerao**  
Scientist-I & Deputy Secretary,  
Environment & CC Department,  
Government of Maharashtra



VERIFICATION

I, Dattatray Surayakant Bhalerao, Scientist-I & Deputy Secretary, Environment and Climate Change Department, Government of Maharashtra, having my office address at room no. 217, 2nd floor, 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 27<sup>th</sup> day of January 2025 at Mumbai.



**Dattatray Suryakant Bhalerao**  
Scientist-I & Deputy Secretary,  
Environment & CC Department,  
Government of Maharashtra

**BEFORE ME**

**Adv. S. N. Dhanage**  
Notary Govt. of India  
Regd. No. 15376, MUMBAI (MS)  
404-405, 4th Floor, Davar House,  
197/199, Near Central Camera Bldg.,  
D. N. Road, Fort, Mumbai - 400001.  
Mob.: 8788385738

**NOTED & REGISTERED**  
Page No. 176 Sr. No. 1855  
Date 27 JAN 2025



The case was discussed on the basis of the documents submitted and presentation made by the proponent. All issues relating to environment, including air, water, land, soil, ecology, biodiversity and social aspects were examined. The proposal is appraised as category 8(a)B2.

**During discussion following points emerged:**

1. PP has stated that though separate environmental parameters have been proposed for MHADA building, it will be part of Federation of the Society and will use RG, Club House etc. PP to incorporate relevant clause in the sale agreement.
2. PP to submit CFO NOC.

*SEAC decided to recommend the proposal for prior environmental Clearance, subject to PP complying with the above conditions.*

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39.	MIS/117270	"Prism and Pristine Royal" at Survey No. 6/2(Part)+7, Near Spicer college Aundhby PADMAVATI ASSOCIATES
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PP remained *absent*. The proposal was deferred.

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40.	MIS/117627	Swapnapurti at Handewadi Chowk, Katraj Saswad Bypass Road by PRIME PROPERTIES
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PP had submitted application for prior Environmental clearance for total plot area of 15500 m<sup>2</sup>, FSI area of 15310.14 m<sup>2</sup>, Non FSI area of 16079.31 m<sup>2</sup> and total BUA of 31389.45 m<sup>2</sup>.

The proposal was considered by the SEAC – III in its 45<sup>th</sup> meeting and recommended the proposal to SEIAA for prior Environment Clearance.

The proposal was further considered by SEIAA in its 107<sup>th</sup> meeting, wherein, the Authority observed as below:

“it was noted that, PP has not yet obtained permission for sustained water supply from competent authority. Presently the water supply to the village is from open well. PP to submit their plan and commitment for sustained water supply and disposal of treated STP water. PP also informed that the PMC will supply drinking water to the village Panchayat. PP shall submit copy of NOC from PMC for water supply to the village panchayat and the project there of. Hence the case is deferred till PP submits credible proposal for sustained water supply and disposal of treated STP water along with following information:-


- i) All fire escape stair case shall open directly out side the building.
- ii) E – Waste shall be disposed through authorized vendor as per E-waste (Management and Handling) Rules 2016.
- iii) STP capacity to be increased to 190 CMD.
- iv) From the information available it is noted that the present source of supply of water is proposed from open well & 120 mtr. deep tubewell. It is, therefore, not a sustainable source of ensuring water availability for the project details shall be furnished regarding availability of sustainable supply of water, sewer connectivity and proper disposal of treated water as per environmental norms.
- v) BOD of treated water shall be less than 5 mg/l.”

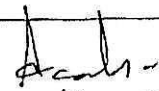
The PP was informed to comply with the aforesaid observations by SEIAA.

*PP requested for time to submit the information sought; after deliberations committee asked PP to comply with the observations and submit information to the committee for further discussion and consideration of SEAC.*

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41.	MIS/117660	Proposed new commercial building in plot .no.1, s. No. 113/2, at village Wadala Tal.
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Secretary, SEAC-3

  
Chairman, SEAC-3