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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE AT PUNE
ORIGINAL APPLICATION NO. 135 / 2024 (WZ)
[EARLIER ORIGINAL APPLICATION NO. 637 / 2024(PB)] (LP)].

IN THE MATTER OF

News item Titled "7 Flamingos spotted near
DPS Lake Wetland Killed activist blame
CIDCO's development plan" appearing in
The Indian Express dated 28.04.2024

..... APPLICANT



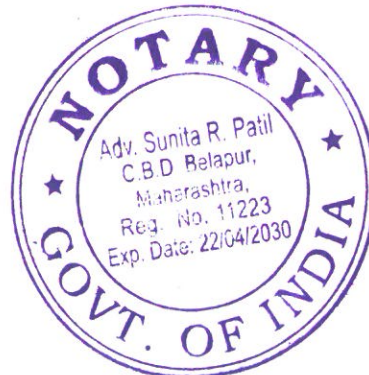
VERSUS

Principal Chief Conservator of
Forests and Head of Forest Force,
Maharashtra and Ors.

..... RESPONDENTS

REPLY ON BEHALF OF THE RESPONDENT NO. 3 - CITY AND
INDUSTRIAL DEVELOPMENT CORPORATION OF
MAHARASHTRA LIMITED (CIDCO) TO THE JOINT
COMMITTEE REPORT DATED 28th February 2026.

I, Gokul Madan Rathod, the authorized representative of Respondent No. 3,
Age - 51 Years, Occupation- as Assistant Executive Engineer (Kharghar-I)
Office At – CIDCO Ltd. Old Administrative Building, Sector – 4 Kharghar,,
Navi Mumbai, after verifying all the records do hereby state on the solemn
affirmation that –



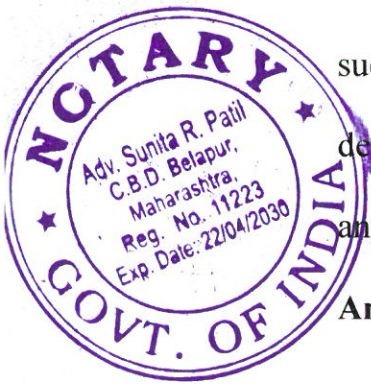
596

1. I say that the present Reply Affidavit is being filed in response to the Supplementary Joint Committee Report dated 28.02.2026, wherein certain observations have been made in relation to Respondent No. 3. The present Respondent is addressing the said observations with necessary factual clarifications.

2. I say that with reference to the observations pertaining to Pipe at Location No. 3, it is categorically submitted that the said pipe outlet has neither been installed nor constructed by Respondent No. 3, nor has it ever been operated, maintained, or controlled by Respondent No. 3 at any point in time. It is further submitted that the said pipe has been in existence at the subject location for approximately 20-25 years, much prior to the present developments, and therefore, no liability can be attributed to Respondent No. 3 in respect thereof. It is further submitted that, as recorded in the Joint Committee Report itself, water flow is observed to be free-flowing at the other two identified locations, and such condition has been prevailing consistently for the past two decades. Hence, it cannot be alleged that Respondent No. 3 has caused any obstruction to natural water flow in the area Annexed as

Annexure-1.

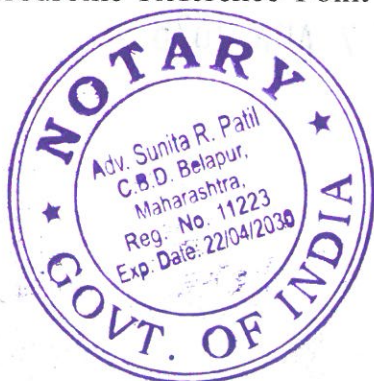
3. I say that with regard to the observations concerning the Nerul Jetty Project, it is submitted that the said project has been executed strictly in



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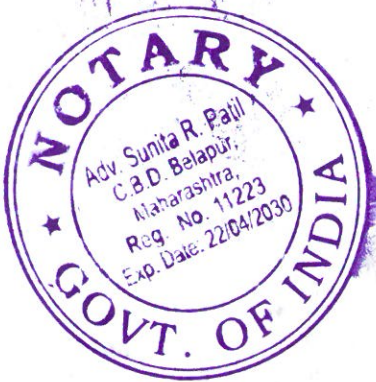
accordance with statutory approvals granted by the competent authorities. It is submitted that the entire structure of the Nerul Jetty is constructed on stilts (Bridge structure), thereby ensuring that the natural flow of water remains completely unobstructed. It is further submitted that, as per the findings of the site inspection conducted by experts, there exists no pipe connection linking Location No. 3 or the surrounding land parcel to the creek on the southern side, nor was any such connection observed on the adjoining road. In view of the above, it is submitted that the allegation that the construction of the Nerul Jetty has obstructed the natural flow of water, thereby causing harm or death to flamingos, is factually incorrect, baseless, and devoid of merit. It is further submitted that photographic evidence of the Nerul Jetty Project, annexed as **Annexure-2**, clearly demonstrates that the structure is functional and does not impede water movement in any manner.

4. Regarding Proximity to Airport – Safety Concern, I say that the vacant land parcel situated near Delhi Public School (DPS), Nerul, Navi Mumbai which is the subject matter of the present proceedings, lies within the critical vicinity of the Navi Mumbai International Airport. It is submitted that the said land parcel is located within approximately 2 km from the Airport site and falls within the broader 5 km radius of the Aerodrome Reference Point (ARP). In view of the same, any activity



that encourages congregation of birds, including flamingos, in the said area poses a serious and direct threat to aviation safety, including risk of bird strikes, thereby endangering human life and aircraft operations. A Google imagery map indicating the proximity of the subject land parcel to the airport is annexed hereto and marked as **Annexure-3**.

Whatever is stated hereinabove is true and correct to the best of my knowledge and information. Affirmed and signed on this 22nd Day of April, 2026:



Rad
22/04/2026
Gokul Madan Rathod
Assistant Executive Engineer (Kharghar-I)
For, Respondent No. 3 CIDCO
CIDCO LTD.
Kharghar Nodal Officer, Sector-4,
Kharghar, Navi Mumbai - 410210

seen & verified.
UID: 392689051006

BEFORE ME

Sunita Ram Patil
22/04/2026

Adv. SUNITA RAM PATIL
M.Com., M.A., LL.M., G.D.C. & A
ADVOCATE HIGH COURT
Membership No. MAH/2006/2000
NOTARY (GOVT. OF INDIA)
Shop No. 26, Prabhat Centre, Sector 1A
CBD Belapur, Navi Mumbai-400614,
MOB.: 9867688788
(SMS/WHATSAPP ONLY)

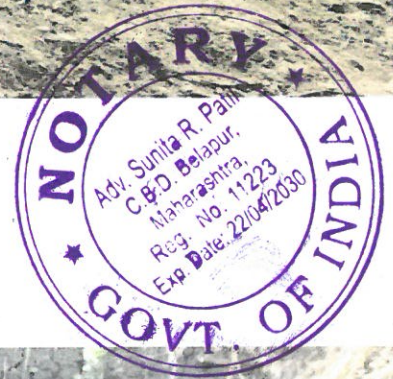


NOTARIAL REG. NO. 8294.....
PAGE NO. 17.....BOOK NO. 140.....
DATE.....22 APR 2026.....



Nodal site
(upstream site)

vivo Y400 Pro



Creek site
(Down Stream Site)

vivo Y400 Pro

pipe outlet location No. 1

NOTARY
INDIA
12030

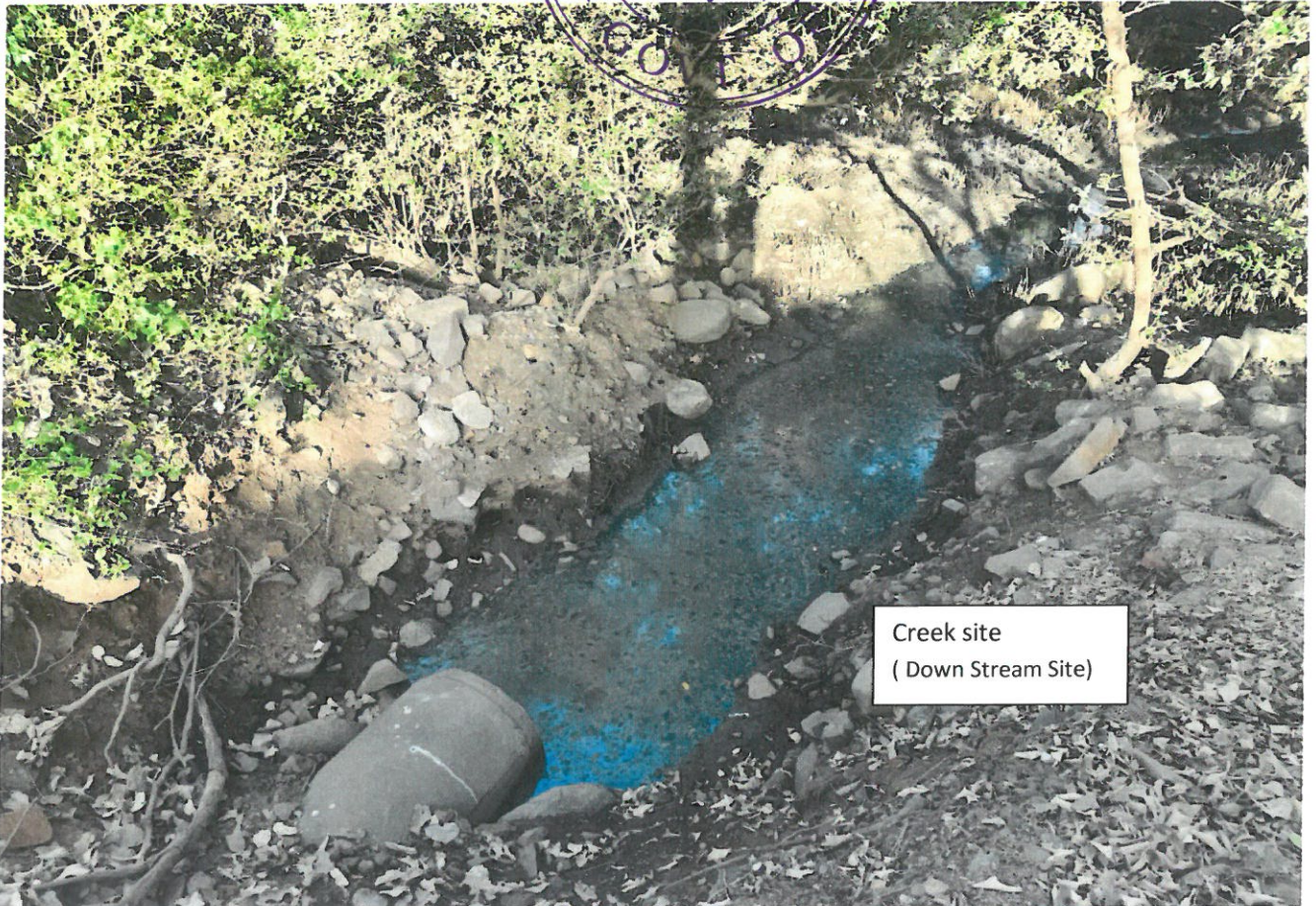


Nodal site
(upstream site)

vivo Y400 Pro 5G

NOTARY
INDIA
Adv. Sunita R. Patil
C.D. Belapur,
Maharashtra,
Reg. No. 11223
Date: 22/04/2030

26mm f/1.79 1/1898s ISO72
04/15/2026, 17:43



Creek site
(Down Stream Site)

pipeoutlet location No. 2



OF INDIA

vivo Y400 Pro

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04/15/2026, 17:57

NOTARY
Govt. of India
Adv. Sunita R. Patil
C.B.D. Belapur,
Maharashtra,
No. 11223
Date: 22/04/2020



vivo Y400 Pro

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04/15/2026, 17:58

pipe outlet location No. 3



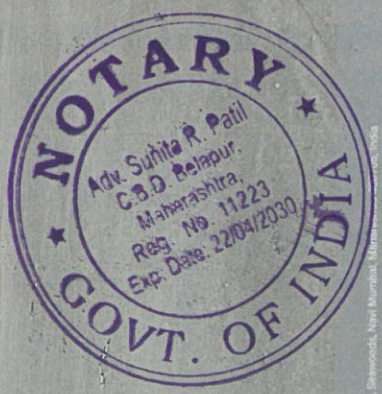
Belapur Fort
Tyde Cafe
Google

Belapur Fort, Sector 32, Seawoods, Navi Mumbai, Maharashtra 400716, India

Navi Mumbai
Maharashtra
India

2026-04-20(Mon) 12:59(pm)

35°C
95°F



Belapur Fort
Tyde Cafe
Google

Belapur Fort, Sector 32, Seawoods, Navi Mumbai, Maharashtra 400716, India

Navi Mumbai
Maharashtra
India

2026-04-20(Mon) 12:58(pm)

35°C
95°F



Public School, Navi Mumbai

SECTOR 56
थाने 56

Tyde Cafe
टिडे काफे

Navi Mumbai
Maharashtra
India

35°C
95°F

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Public School, Navi Mumbai

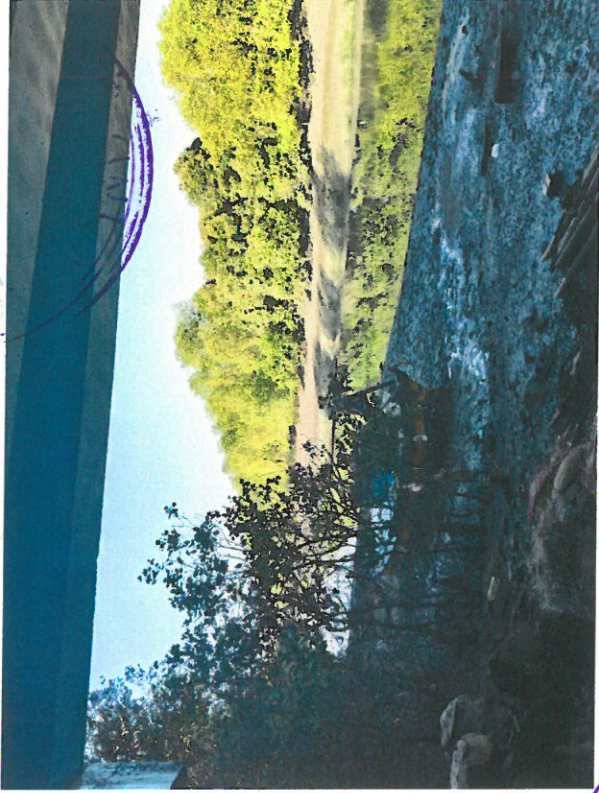
SECTOR 56
थाने 56

Tyde Cafe
टिडे काफे

Navi Mumbai
Maharashtra
India

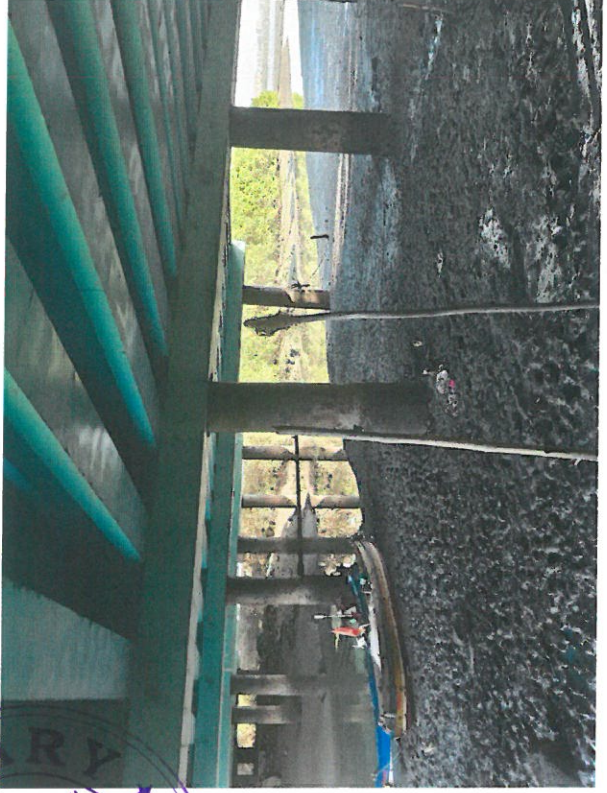
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95°F

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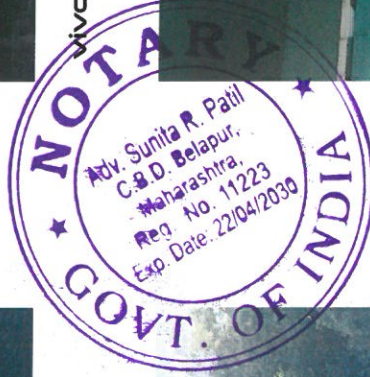
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vivo Y400 Pro



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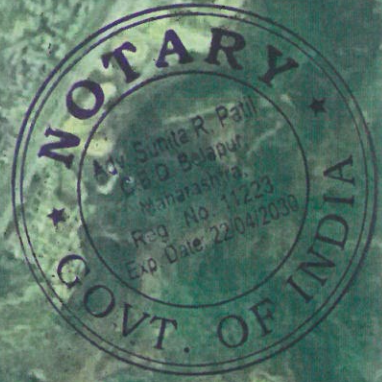
vivo Y400 Pro



vivo Y400 Pro



vivo Y400 Pro



Airodrome Ref Point
ARP

Navi Mumbai International Airport

From Airport Boundary

2KM

Land Near
DPS School



GOVT. OF INDIA



5KM

Airdrome Ref Point

ARP

Navi Mumbai International Airport

Land Near
DPS School

NOTARY
 Adv. Sunil R. Patil
 C.B.D. Belapur,
 Maharashtra,
 Reg. No. 11223
 Exp. Date. 22/04/2030
GOVT. OF INDIA