

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 23 OF 2025**

Lalitkumar N. Chaudhary

... Applicant

Versus

The Chief Secretary, State of Maharashtra & Ors.

... Respondents

**RESPONSE ON BEHALF OF THE RESPONDENT NO. 11 TO THE
REJOINDER OF THE APPLICANT.**

(FOR INDEX PLEASE SEE INSIDE)

ADVOCATE FOR THE RESPONDENT NO. 11

(NRUPAL A. DINGANKAR)

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Pune

Date: 25.11.2025



Advocate for the Respondent No. 11:
Nrupal A. Dingankar & Sanmitra Y. Pol
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**RESPONSE ON BEHALF OF THE RESPONDENT
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TO,

THE HON'BLE CHAIRPERSON AND

THE HON'BLE COMPANION JUDGES AND THE HON'BLE MEMBERS,

OF THE HON'BLE NATIONAL GREEN TRIBUNAL

THE HUMBLE REPLY OF THE
RESPONDENT ABOVENAMED,

MOST RESPECTFULLY SHOWETH

1. The present Application has been filed u/s 14 and 15 of the NGT Act, 2010 on 15.02.2025, challenging the alleged illegal and environmentally destructive activities undertaken by the Respondents at "Mouje Garkheda, Gat No. 121 (Old), Shingayat Shivar, Taluka: Jamner, District Jalgaon." (Hereinafter referred to as the

“*the said Project*”). It is submitted that the Answering Respondent is undertaking the said Project on a contractual basis.

2. Vide its order dated 06.03.2025, this Hon’ble Tribunal was pleased to constitute a Joint Committee comprising one member each from Respondent No. 7, Respondent No. 8, and Respondent No. 9, with Respondent No. 9 being designated as the Nodal Agency. The matter was thereafter heard on 03.06.2025 and this Hon’ble Tribunal was pleased to grant time to the present Respondent to file a Reply to O.A. No. 23 of 2025. The matter was next listed on 08.07.2025, when, upon perusal of the Joint Committee Report, this Hon’ble Tribunal was pleased to note that no violation appeared to have been committed by Respondent No. 10. Subsequently, on 21.08.2025, this Hon’ble Tribunal granted the Respondent time to file its response to the objections raised by the Applicant to the Joint Committee Report. The matter was again taken up on 27.10.2025, on which date this Hon’ble Tribunal granted liberty to the Answering Respondent to file its response to the Applicant’s objections to the Joint Committee Report, upon being duly served with the same. In view thereof, the Answering Respondent is filing the present Response to the Rejoinder submitted by the Applicant.

3. At the outset, it is submitted that all the contentions raised by the Applicant in Rejoinder to the Joint Committee Report are devoid of any merits and the same lacks

any merit to warrant a challenge to the Joint Committee Report. No contentions raised by the Applicant in Rejoinder to the Joint Committee Report are deemed to be admitted by the Answering Respondent for reasons of non-traverse.

4. The present Reply is being filed in compliance with the directions issued by this Hon'ble Tribunal vide order dated 27.10.2025 in Original Application No. 23 of 2025 (WZ), whereby, this Hon'ble Tribunal was pleased to direct the Answering Respondent to file a rejoinder/ reply to the Objections to the Joint Committee Report filed by the Applicant. Any Reply, Affidavit, and other document already on record for the Answering Respondent are not reiterated in the interest of brevity and shall be treated as part of this Reply. The Answering Respondent may be permitted to rely on and refer to these documents during arguments before this Hon'ble Tribunal.
5. The Joint Committee vide Report dated 26.06.2025 came to the conclusion that the site of the said Project is not affected by Ecologically Sensitive Zone (ESZ), as no such notification has been issued by the Central Government in this regard. Further, it was mentioned that the construction built up area of the said Project is 13,000 sq. m., which is less than 20,000 sq. m. and therefore, as per the EIA Notification, 2006, Environmental Clearance is not applicable. It is a matter of record that the Deputy Conservator of Forests, Jalgaon issued permission for the construction of an approach road vide Letter No. Land/3304/2022-23 dated 13.02.2023. In terms thereof, an

approach road on 0.45 hectares of forest land was constructed after due compliance. Further, it was also noted vide the said Report that the Answering Respondent has set up three 10 KLD STPs operating within its area. The Project Proponent has obtained Consent to Operate from the Maharashtra Pollution Control for the said STPs on 19.08.2024. Therefore, it was concluded by the Joint Committee that all necessary permissions were obtained by the Project Proponent and thus, no environmental violations were observed at the site.

6. PARA WISE REPLY:

- a) The contents of para 1 of the Rejoinder are a matter of record and thus, are not required to be responded to by the Answering Respondent.
- b) The contents of para 2 of the Rejoinder are false and fabricated and thus, are denied. It is submitted that the solid waste generated at the said Project is being processed and disposed of strictly in accordance with law by the Project Proponent. The biodegradable solid waste, is treated by way of pit composting in compost pits of 80 cubic feet (two pits in total). It is most respectfully submitted that composting is a recommended method under the Solid Waste Management Rules, 2016. Furthermore, the non-biodegradable solid waste, is transported to the local Grampanchayat, where it is processed in accordance with law. It is further submitted that the Project Proponent is undertaking all such measures required to process entire solid waste generated as a result of the

operation of the said Project and the Project Proponent is compliant with the Solid Waste Management as per the law.

c) The contents of para 3 of the rejoinder are false and concocted and are thus denied. It is pertinent to note that a perusal of the Joint Committee Report indicates that the Applicant had submitted two representations dated 19.05.2025 and 22.05.2025 respectively, to the office of the Respondent No. 9, for consideration of the objections of the Applicant during the Inspection by the Joint Committee and further that the said objections raised by the Applicant vide representations were taken into consideration and duly examined by the Joint Committee. The Applicant herein is making bald allegations and raising vague contentions as no illegality as such could be found during the site visit by the Joint Committee.

d) The contents of Para 4 of the Rejoinder are false and misleading and are denied. It is a matter of record that the said Project has three operational 10 KLD Sewage Treatment Plants. During the visit of the Joint Committee, it was also observed that the STPs were found in operation during the visit. The Project Proponent has also obtained Consent to Establish and First Consent to Operate from the Maharashtra Pollution Control Board for the said Sewage Treatment Plants on 19.08.2024, which is valid till 31.07.2026. It is submitted that the STPs are

operating and achieving the standards of water treatment as per the consent conditions dated 19.08.2024.

- e) The contents of para 5 of the Rejoinder are misleading and are nothing but an attempt by the Applicant to utilize this Hon'ble Tribunal as a vessel to carry out a fishing and roving enquiry. The Applicant, vide para 5 of the Rejoinder seeks to object to the Joint Committee not acting as a fact-finding committee to address the shortcomings in the pleadings of the Applicant. The Joint Committee observed that the site of the said Project does not fall within an Ecologically Sensitive Zone as no notification has been issued by the Central Government in that regard. In terms thereof, it is submitted that since the site of the said Project does not fall within an ESZ, there exists no question of existence of a buffer zone. Further, with respect to the authority of the Respondent No. 6 to issue No Objection Certificate, it is submitted that the Respondent Authorities are competent in law to grant permissions for the development of the said Project in accordance with State Laws.
- f) The contents of Para 6 & 7 of the Rejoinder are merely conjectures and bald allegations by the Applicant and the same are denied. Further, the contents of Para 6 & 7 have been adequately replied hereinabove and are not repeated herein for the sake of brevity and convenience.

- g) The contents of Para 8 & 9 of the Rejoinder, questioning the authority of the Respondent No. 6 to issue any No Objection Certificate and with respect to buffer land are also repetitive and have been adequately replied hereinabove and are not repeated herein for the sake of brevity. It is further submitted that the present Answering Respondent is undertaking the said activities in terms of valid authorizations issued by the Respondent Authorities.
- h) The contents of Para 10 of the Rejoinder are against the facts on record in the present matter and are denied. It is submitted that the approach road was constructed after obtaining the requisite permissions from the Forest Department and the same already form a part of the record before this Hon'ble Tribunal in Original Application No. 23 of 2025.
- i) The contents of Para 11 are false and vexatious and are thus, denied. It is submitted that the said Project has been granted permission by the relevant Authorities with acting within their competence and the operations of the said Project are being carried out without degrading the environment.
7. Therefore, in view of the findings in the Joint Committee Report, it is evident that no environmental degradation or violation has taken place at Mouje Garkheda Tourism

Development Project, Waghur Dam Island and thus, the Original Application No. 23 of 2025 deserves to be dismissed with costs, being devoid of merit.

Filed By:

Date: 25.11.2025



Advocate for the Respondent No. 11:
Nrupal A. Dingankar & Sanmitra Y. Pol
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE ORIGINAL
APPLICATION NO. 23 OF 2025

IN THE MATTER OF

Lalitkumar N. Chaudhary ... Applicant

Versus

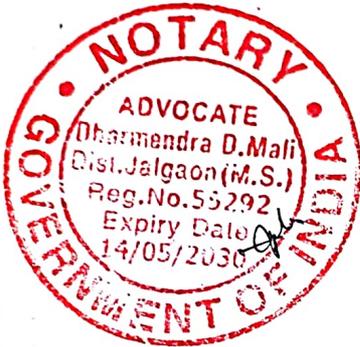
The Chief Secretary,
Maharashtra State & Ors. ... Respondents

AFFIDAVIT

I, Mr. Pankaj Shashikant Birla, Age- 49, Occ: Business
R/at: 28, Ganeshwadi, Jilhapeth, Jalgaon- 425 001 do hereby
solemnly affirm and state as under:

1. That I am the Respondent No. 11 in the above-named
Original Application. I am conversant with the facts and
circumstances of the case and as such competent to
swear the present Affidavit.

2. That the contents of the Paras 1 to 7 of the present
Reply are facts true to my knowledge and contains
submissions and prayers to this Hon'ble Tribunal based
on legal advice and the same is believed to be true and
correct.



[Handwritten signature]

3. That the annexures filed along with the present Reply are the true copies of their respective originals.

[Handwritten Signature]

DEPONENT

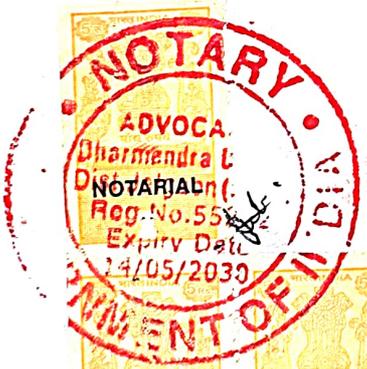
VERIFICATION

Verified at Jalgaon on this 21 st day of November, 2025 that the contents of the present affidavit are true and correct and nothing material has been concealed therefrom.

[Handwritten Signature]

DEPONENT

[Handwritten Signature]



NOTED AND REGISTERED
Sr.No. 18/2025
Contains Pages No.
Date: 21/11/2025

SIGN BEFORE ME

[Handwritten Signature]

AFFIDAVIT

Solemnly affirmed and signed before me by Shri. Pankaj Sheshu Kant Bisla of Jalgaon who is identified by Self whom I know Personally.



ADV. DHARMENDRA D. MALI
NOTARY PUBLIC, GOVT. OF INDIA
(Reg.No.55292)
GAT No.29,PLOT No.38
MUKTAINAGAR,JALGAON

PROOF OF SERVICE

Service: Response on behalf of the Respondent Nos. 11 to the Rejoinder by the Applicant to the Joint Committee Report in O.A. No 23 of 2025 (WZ) in the matter of Lalitkumar Chaudhary v. The Chief Secretary, Maharashtra State & Ors

1 message

Adv. Nrupal Dingankar <adv.nrupal@gmail.com>

Tue, Nov 25, 2025 at 4:46 PM

To: Lalitkumar Chaudhari <lalitic24@gmail.com>, cs@maharashtra.gov.in, psec@mahapwd.gov.in, psec.tourism@maharashtra.gov.in, pccfhoffngp@mahaforest.gov.in, collector.jalgaon@gmail.com, blackwoodsemerald@gmail.com, ms@mpcb.gov.in, Adv Sangramsingh Bhonsle <sangramsinghbhonsle@gmail.com>, srb.chambers@gmail.com

Ma'am/ Sir,

I am the Advocate for the Respondent Nos. 11 in the above mentioned matter pending before the Hon'ble National Green Tribunal, Western Zone Bench, Pune.

We are filing the Response on behalf of the Respondent No. 11 to the Rejoinder by the Applicant to the Joint Committee Report in the present matter. Please find attached herewith a copy of the same and kindly consider this email as service on your Office.

Regards,
Nrupal A. Dingankar
Advocate
Supreme Court of India
H-5, Second Floor, Lajpat Nagar III,
New Delhi, 110024.
Contact: 7773969845

 **Final Reply to Objections_R11.pdf**
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