

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
INTERLOCUTORY APPLICATION NO . 116 OF 2021 (WZ)  
IN  
APPEAL NO.33/2021**

1) Mr. Gurudev Gunaji Sawant

Age. 51 yrs. Occu. Agriculturist

R/o Bebiwadi, Madkhol, Tal. Sawantwadi,

Dist. Sindhudurg-416531

Email. [Gurudevsvant70@gmail.com](mailto:Gurudevsvant70@gmail.com)

Mo.No. 9405199883

..... Applicant/Intervener

**IN THE MATTER BETWEEN**

1. Bio Dye India Pvt.Ltd.

Through Director Dr. Bosco Henrigues-, Age abt.

Occu. Service. Address-No.1101, Bebiwadi, Madkhol.

Tal. Sawantwadi, Dist, Sindhudurg-416531

..... Appellant

Email:- [naturaldye@bsnl.in](mailto:naturaldye@bsnl.in)

**VERSUS**

1) Maharashtra Pollution Control Board,)

Office at: Kalpataru Point, 2<sup>nd</sup> -4<sup>th</sup> floor,

Opposite of Cine Planet Cinema,

Near Sion East Mumbai,

Maharashtra Pin 400022

...Respondent

**WRITTEN SUBMISSIONS ON  
BEHALF OF INTERVENER**

MAY IT PLEASE THE HON'BLE TRIBUNAL

Written Submission on behalf of the abovenamed Applicant/Intervener are as under:-

I would like to satisfy to Lordship on the point of why I am entered in this matter as a necessary party? First of all I would like to give submission before this Hon'bel Tribunal that I am original founder about disputed fact in this matter. I am Senior Citizen as well as Original Aggrieved person in this matter.

Hon'ble Lordship, I am residing at Bebiwadi, Madkhol, Taluka Sawantwadi, District Sindhudurg, State of Maharashtra from my Birth. I am well agriculturalist as well as environmentalist and working social spirited person, specially of the betterment in the field of the Environmental Activities. An Area surrounding at Village Madhkhol is situated at the foot of of a hill, mountainous land and Natures Blessing to Village Madhkhol by pure and hygienic Air and Water; that means there is nothing any kind of pollution. So, by way of this, I am try to save our Indian Great Natures Surrounding at Village Madkhol, Taluka Sawantwadi, District Sindhudurg, State of Maharashtra now which is in danger position due to illegal Activities of Appellant i. e. Bio Dye India Pvt. Ltd.

Hon'ble Lordship, I would like point out that, Hon'bel Tribunal kindly observe that not only my permanently residence but also other peoples residence at very near where this company established or is in existence situated at Village Madkhol, Taluka Sawantwadi, District Sindhudurg, State of Maharashtra. This Company situated at very crowed area in Village Madkhol. At this surrounding area is originally

agricultural as well as Gavthan boundry. There is one of very beautiful Stream passing nearby which is passed through a main river in the village. The company is situated at the land baring Survey No. 247 Hissa No. 39 in village Madkhol. The Company is running a factory of fabric dyeing as well as manufacturing colors in the said land. There is a fabric dyeing process in the factory and for that purpose various machinery and furnaces are ignited and the sewage effluents are released of passed in the stream nearby without making any process. The same malodorous polluted water is flowing through a main river and in consequences there is foul smelling atmosphere in the vicinity.

Hon'ble Lordship, the existing project of this Appellant create Water Pollution, Air Pollution, Land Pollution, Noise Pollution etc.. After giving so many complaints to Maharashtra State Pollution Control Board, the project of this Appellant still not stop to causing all kind of pollution. Then Lordship I filed petition against this Appellant on the various grounds for saving nature as Original Application No. 47/2020 before Hon'ble this Tribunal. And thereafter, Hon'ble Lordship, this Hon'ble Tribunal give me a justice with passing order in favor of Nature with giving directions to Maharashtra State Pollution Control Board to take appropriate remedial measures for compliance of rule of law and protection of environment with due process of law. **(Kindly See Annexure A/1 Page No.16to32).**

Thereafter Tahsildar/ Executive Magistrate Office, Sawantwadi Taluka-Sawantwadi, District- Sindhudurga take an action against land owner of this project of Appellant and imposed total fine of Rs. 2,12,210/- for using the Agriculture land for Industrial purpose **(Kindly See Annexure A/2 page No.35-36).**

This Appellant and Respondent in Appeal No.33/2021(wzb) are also party as a Respondent No.1 and 2 in the Original Application No. 47/2020(wzb) and

order passed by the Hon'ble NGT,WZB, Pune by Video Conferencing dt 25-05-2021  
**(Kindly See Annexure A/3 Page No.39-40).**

Maharashtra Pollution Control Board Regional Office, Kolhapur. passed  
 Closer Directions dt 06-08-2021to this Appellant. **(Kindly See Annexure A/4 Page  
 No.41-42).**

Hon'ble Lordship, if Hon'ble Tribunal grant permission and allowed my  
 Application, I disclosed all basic material facts relating to this disputed matter in my  
 Reply in Affidavit in Appeal No. 33/2021. Whether Appellant comes before this Hon'ble  
 Tribunal with clean hand. ? The answer of this question is NO. Lordship if this Appellant  
 comes before this Hon;bel Tribunal with Clean Hand when this appellant followed the  
 Closer Order of Maharashtra State PCB, but till today this Appellant not Stop their  
 Project.

Like this so many valuable facts I want to give in my Reply in Affidavit.

The Applicant/Intervener therefore prays that the Hon'ble Tribunal grant  
 permission and allowed my Application, Hon'bel Lordship may kindly be permitted to  
 intervene in the present proceeding as a necessary party and it be impleaded as a party  
 Respondent and to craves leave to file a detailed reply on merits of the Appeal.

Pune:-

Date:- 06-12-2021



Advocate of the Applicant/Intervener