

Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 631/2019

(With report dated 05.09.2019)

Naveen Kakapuri

Applicant(s)

Versus

State of Maharashtra

Respondent(s)

Date of hearing: 06.11.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Respondent(s): Mr. Mukesh Verma, Advocate for MPCB

ORDER

1. A factual and action taken report was sought from the Municipal Corporation Pune and Maharashtra State PCB jointly with reference to the allegation that the lake at Yewalewadi, Pune-411048 had dried up on account of dumping of waste and illegal construction material.
2. Accordingly, report has been filed on 02.11.2019 acknowledging that excavated material from the project Mis. Pune Kondhwa Reality Pvt. Ltd. was dumped in patches along the village road and cart tracks leading towards the village temple. At places, where the village road crosses the stream, there are temporary hume pipes arrangements made by putting RCC pipes below road level to allow passage of storm water. The report further mentions that the natural path of rain water runoff from surrounding Hills needs to be cleared. To safeguard the

village roads, instead of small RCC pipes, proper culverts should be constructed. Where the natural stream crosses the village road, the pipes for these culverts should have larger diameter to accommodate storm water runoff from the natural stream emerging from the surrounding hills. The streams should be protected from any future encroachments or dumping by channclizing the streams with proper hydrologically calculated trapezoidal cross sections that will allow safe passage of rain water run-off. The edge lining for streams should be done using eco-friendly methods like gabions which will eventually allow growth of vegetation. The bed of streams to be kept in natural state so as to allow for percolation of rain water. A copy of the show cause notice under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 read with the C&D Waste Management Rules, 2016 has also been filed.

3. In view of the acknowledged violations, the State PCB may assess and recover compensation for the violations in accordance with law and ensure that remedial steps are taken.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

Saibal Dasgupta, EM

November 06, 2019
Original Application No. 631/2019
AK