

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

Original Application No.209/2020  
(Earlier O.A. 52/2018 (WZ))

IN THE MATTER OF:

KASHINATH SHETYE & ORS.

...APPLICANTS

VERSUS

THE CHIEF SECRETARY STATE OF  
GOA & ORS.

...RESPONDENTS

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Filed by:  


Ruchira Gupta

Counsel for the Respondent Nos. 3, 4, 6, 7, 9 & 14

E-3 1, Jangpura Extension (Basement)

New Delhi-110014

Mobile No. 9810350333

Email: ruchiragupta2010@gmail.com

New Delhi

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**WRITTEN SUBMISSIONS ON BEHALF OF RESPONDENT NOS. 3, 4, 6, 7,9 & 14**

1. That the subject OA has been filed interalia seeking the following reliefs:
  - a. Issue a stop order to the ongoing construction of the MRF factory on land bearing Survey no. 259;
  - b. Declare all Fresh Water Rivers including but not limited to River Khandepar and also Lakes/Tollem/Resviors/Tollexet including marsh, fen, peat-land or water, natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salty, including areas of marine water, the depth of which at low tide does not exceed six meters and including all inland waters such as lakes, reservoir, tanks, backwaters, lagoons, creeks, estuaries and manmade wetlands and the zone of direct influence on wetlands that is to say the drainage area or catchment region of the wetlands as a wetland site under Wetland Rules (2010) as well as Wetland (Conservation And Management) Rules, 2017 and the provisions Environmental Protection Act, 1986;
  - c. Order removal of the Encroachment by demolishing illegal construction/Development activities such as hill cutting, tree cutting, mangroves cutting, land filling, construction of all kinds of structures within the buffer zone around the fresh water Rivers/lakes/Tollems/Reservoirs/Tollemxets including around Khandepar River to be prohibited and the said areas to be maintained as unencumbered and unobstructed buffer zone upto 200 meters;
  - d. Direct inspection of the catchment area/paths of the rivers including Kahndepar River to ascertain whether the illegal underground channels/drain/pipelines which drain water to the MRF or chemical discharge done by MRF in the River Khandepar and to take forthwith remedial measures if needed;
  - e. Direct inspection of the catchment area and buffer zone (NDZ) of the River Kahndepar for its Bio-diversity potential and to take remedial measures if needed to conserve its biodiversity;
  - f. Ascertain the breaches in the embankments around the river Khandepar/Lakes/tank/reservoirs/tollems in Goa including cutting of mangroves and coconut trees to be ordered to be replanted by the offenders and violators (MRF) so that the banks of River Khandepar don't collapse;
  - g. Direct the Collectors of South and North Goa, the respective village Panchayats and other competent authorities to take immediate steps to ensure that the access to water bodies like River Khandepar, tanks, reservoirs, ponds and lakes for the members of the public which has been obstructed by MRF factory be restored immediately including by village Panchayat and the and other government authorities;
  - h. Order removal of the constructions/development undertaken by MRF (Respondent NO. 17) and others in Sy. Nos. 258 and 239 of village Usgao in the vicinity of the River Khandepar forthwith as it is constructed in Buffer Zone 200 meters in NDZ of the river bank;
  - i. Order the village Panchayat of Usgao/Khandepar, the Water Resources Department and the State Bio-diversity Board to undertake periodic inspections of the River Khandepar and take necessary measures for its