

Item No.3

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO.127 OF 2025 (WZ)

Pandurang Sahebrao Memane & 9 Ors.

.....Applicants

Versus

The Maharashtra Airport Development Company Ltd. & 9 Ors.

....Respondents

Date of hearing: 07.11.2025

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. SUJIT KUMAR BAJPAYEE, EXPERT MEMBER**

Applicants : Ms. Shriya Awale, Advocate h/f
Mr. Asim Sarode, Advocate

ORDER

1. This Original Application has been filed with the prayers that a direction may be issued to Respondent No.1- The Maharashtra Airport Development Company (MADC), Respondent No.8- The State of Maharashtra through its Chief Secretary and Respondent No.9- The Airport Authority of India (AAI) to reconsider the proposed location of the Purandar Airport and shift the project to another location, based on ecological and feasibility consideration; Respondent No.8 may be directed to set up Biodiversity Management Committees, in accordance with Sections 22 and 41 of the Biological Diversity Act, 2002.

2. The submission made by the applicants in the present Original Application is that the applicants are the representatives of seven Villages, namely- Pargaon, Ekhatpur, Munjvadi, Kumbharvalan, Vanpuri,

Udachiwadi and Khanvadi, whose agricultural lands are being acquired for the project in question.

3. It is further submitted in this Original Application that Respondent No.1- Maharashtra Airport Development Company Limited (MADC) vide letter dated 21.09.2022 declared 2,832 acres of land to be acquired for the project, encompassing above-mentioned seven villages. Soon thereafter, farmers raised concern about losing their fertile land, which had become cultivable due to newly established irrigation lines. The issue relating to biodiversity was completely neglected, as no assessment of loss and degradation of biological diversity was conducted and the Purandar Airport Project was pushed forth with such illegality. The said Respondents have never consulted the State Biological Diversity Board for any such survey or assessment.

4. It is further submitted in this Original Application that as soon as the Purandar was identified as the airport project site, wildlife experts raised serious concern about potential habitat destruction. The region, consisting of grasslands and agricultural fields, is home to endangered species, like the Indian grey wolf (a Schedule I species), as well as jackals, hares, reptiles, and various bird species. It is further submitted that considering the fact that the said area is fertile agricultural land and is a home for Schedule I species, the applicants along-with approximately 4,000 villagers gathered in Pargaon immediately to protest.

5. It is further submitted in this Original Application that Respondent No.5- MoEFCC is responsible to carry out the EIA study before approving the said Project. Respondent No.1- MADC till date has kept the applicants in dark by not disclosing the EC, if granted by the MoEFCC including the EIA Report. As per the knowledge of the applicants, NOC from the Defence

Ministry is also acquired for the said Project. The issue, concerning the permanent locking of fertile agricultural land, requires serious and urgent consideration by this Tribunal. Once the said land is converted for Airport use, this land cannot be restored to its original agricultural purpose, resulting in an irreversible loss of a valuable natural resource. On behalf of the villagers and farmers, various letters, opposing the site selection of the said Purandar Airport Project, were submitted to the Collector expressing refusal to part with land for a luxury project that primarily benefits urban elites. But no adequate responses were received as to why alternatives, including expansion of the existing Lohegaon Airport, are not being considered.

6. It is further submitted in this Original Application that the applicants are not concerned for compensation. The applicants have come to understand that the Pune Purandar International Airport (PPIA) is being developed through a Special Purpose Vehicle (SPV) structured as a joint venture between Respondent Nos.1 and 3. The said fact is mentioned in the Government Resolution dated 17.03.2025 issued by the Department of Industry, Energy, Labour and Mining, Maharashtra.

7. It is further submitted in this Original Application that Section 10 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 places restrictions on the acquisition of multi-cropped irrigated land. It states that such land shall not be acquired, except under exceptional circumstances, as a last resort, and even then, subject to the condition that no other suitable land is available for the project. In the present case, this legislative intent has been violated. The acquisition of fertile and multi-cropped agricultural land for the said Airport Project infringes the safeguards mandated by the

said Section 10. Therefore, the NGT has the legal authority to examine whether the Respondents have conducted a transparent, genuine and lawful pre-feasibility study before authorising the said project. The applicants have consistently raised objections highlighting that about 3,000 acres of land, which is targeted for the project, is extremely fertile and used to cultivate high-value cash crops, such as custard apple, fig (anjir), sugarcane, onion, tomato and pomegranate.

8. It is further submitted in this Original Application that Respondent No.5- MoEFCC has published a Notification dated 21.08.2025 under Rule 5 of the Environment Protection Rules and under Section 3 Sub-Section 1, 2 (v) of the Environment Protection Act and mandated that, Environment Audit of any such project like the construction of the Airport is necessary. The stipulated safeguards and compliances of environmental obligations under various environmental laws are necessary to prevent, control and abate environmental pollution. The word prevent and control are directly related to the statutory provision mentioned under Section 20 of the NGT Act which speaks about the Precautionary measures. The green approvals including EC, Consent to Operate and authorizations are considered as important control mechanisms to initiate any project.

9. It is further submitted in this Original Application that the concept of environmental audit already exists in law but now the Environmental audit Rules have defined a process of carrying environmental audit. It has been mentioned in the Rules that, EIA and Environmental Management Plan (EMP) are obligatory part for preparation of the environmental audit. In absence of any EIA and EMP initiating the project with force and conducting land measurements to acquire the fertile agricultural land stands illegal.

10. It is further submitted in this Original Application that the Biological Diversity Act, 2002 mandates that the State Biodiversity Board (SBB) plays a critical advisory role by offering technical and financial guidance on biodiversity conservation and sustainable use. However, in the case in hand, despite the project's large-scale impact on biological resources, the SBB has not been consulted at any stage for consideration, sanction, or finalisation of the said Project. Section 22 mandates the establishment of State Biodiversity Boards (SBBs), and Section 41 requires the formation of Biological Management Committees (BMCs) for biodiversity regulation and documentation. In this case, the absence of both, renders the process non-compliant with the provisions of the Biological Diversity Act. Therefore, considering its obligation and responsibility towards the preservation of the bio-diversity, ecology and the environment, this Tribunal needs to stop the initiation of the Airport Project at Purandar and direct the concerned Authorities to submit Environment Management Plan and to follow the Environmental Audit Rules.

11. It is further submitted in this Original Application that the applicants have procured a copy of the Notice i.e. Public disclosure dated 22.08.2025 by Respondent No.10- Collector, Land Acquisition, Pune which declares that land acquisition shall be undertaken either by consent or by force. Therefore, the applicants have approached this Tribunal against such forceful acquisition of agricultural land, without proper scientific and analytical study of ecology, environment and biodiversity of the said area.

12. It is further submitted in this Original Application that the MIDC in its reply to the applicants has disclosed that the EIA is being conducted in

accordance to the EIA Notification 2006 under the supervision of the MoEF&CC. But unfortunately, no such document is available and hence, this Tribunal may direct the MoEF&CC to submit the EIA Report. The applicants have tried to search for the EC and the EIA of the said Project on PARIVESH Portal, Portal 1.0, 2.0, Google, website of MoEF&CC where the copies should have been uploaded for the public at large, but no such documents are uploaded on the website. Hence, above prayers have been made by the applicants.

13. During argument, learned counsel for the applicants has produced a letter dated 30.09.2025 issued by the CPIO & Scientist- D, Ministry of Environment, Forest & Climate Change (MoEF&CC), New Delhi, wherein it was informed in reply to the RTI application dated 11.09.2025 that no information is available with respect to Environmental Clearance, EIA/EMP report and Public Hearing regarding the proposed Airport Project at Purandar, Pune.

14. Having drawn our attention to the above letter, it is urged by learned counsel for the applicants that till now, no EIA/EMP report has been prepared nor has it been granted for the said project. Therefore, he pressed for invoking the precautionary principle in force, even at the stage, when the project is an initial stage so far and no acquisition of land has been done, rather the same is said to be in process of being done. The study, which are stated by the applicants, is necessary to be conducted in respect of the environmental degradation, which would certainly be done at the relevant point of time. As of now, we do not find any reasonable ground for invoking the jurisdiction of this Tribunal.

15. The present Original Application is found to be premature for issuance of any such directions, which are prayed by the applicants to be

issued to the Government Authorities and accordingly, it is disposed of at the initial stage itself, with the liberty to the applicants to approach us at an appropriate stage as per the law.

Dinesh Kumar Singh, JM

Dr. Sujit Kumar Bajpayee, EM

November 07, 2025

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