

**BEFORE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]**

Original Application No. 210/2024(WZ)

Sunil Ramchandra Shinde & Anr. Applicant(s)

Versus

State of Maharashtra & Ors. Respondent(s)

Date of hearing: 30.01.2026

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

Applicant: Mr. Tushar Kumar, Adv. for Applicant.
Respondent: Mr. Aniruddha Kulkarni, Adv. for R1
Mr. Pushkal Mishra, Adv. for R.2
Ms. Manasi Joshi, Adv. for R.4
Ms. Deepali Bagla, Adv. for R.5 to 7

ORDER

1. The report of the joint committee has been filed today and copy of which is said to have been served upon all the respondents.
2. From the side of respondent no.5- Sthanik Ashwal Sanghatana, respondent no.6- Mulvasi Ashwapal Sanghtna and respondent no.7- Dasturi (Matheran) Ashwapal Kalyankari Samajik Sanstha, Ms. Deepali Bagla, Learned Counsel has appeared and states that she has been served with copy of the joint committee report yesterday only, therefore, she should be granted sufficient time to file objection against the same. We allow two weeks' time for the same.
3. None has appeared to represent respondent no.3- Matheran Hill Station Municipal Council despite sufficient service. The respondent no.3 is a necessary party and their response in the present matter also appears to be necessary. Therefore, we direct the Learned Registrar to write a letter to Chief Officer, Matheran Hill Station Municipal Council to ensure that

somebody appears to represent respondent no.3 on the next date positively along with their reply, failing which we will direct personal appearance of the concerned officer.

4. From the side of respondent no.2-MoEF&CC, Mr. Pushkal Mishra Learned Counsel has appeared and states that respondent no.2 is a formal party and no relief is sought against it. Hence, no reply is required to be filed from the side of respondent no.2.

5. Similarly, from the side of respondent no.1- State of Maharashtra through Chief Secretary, Mr. Aniruddha Kulkarni, Learned Counsel states that he does not want to file reply, being a formal party.

6. Respondent no.4-MPCB is a nodal agency of the joint committee and they have relied upon the joint committee report.

7. The report which has been submitted and same has been perused by us. It is found that air quality assessment at the site in question was done on across pre-monsoon, monsoon and post-monsoon phases which reveals that PM₁₀ and PM_{2.5} level breached the CPCB's standards, root cause being equine dung emissions and dust from unpaved roads. SO₂ and NO₂ pollutants remain under control, highlighting that Matheran's air pollution is not industrial but rather a unique challenge of a vehicle-free yet horse-reliant ecosystem.

8. As regards water pollution, it is found that samples which have been collected from five sites i.e. WS1 to WS5, E. coli ranged from 5–10 CFU/100 mL in the lake sites (WS1–WS3), up to 25 CFU at the stream site WS4 and 100 CFU at the stagnant Simpson tank WS5. These counts violate drinking water norms (BIS and WHO both mandate 0 CFU in 100 mL). The presence of E. coli confirms fecal contamination, almost certainly from horse dung.

9. Further it is mentioned that in the samples collected from above five sites showed the presence of heavy metals.

10. With respect to soil contamination, it is recorded that Phase II (monsoon) soil quality assessment demonstrates that equine activity in Matheran poses highest environmental and public health risk during the rainy season. Fecal indicator bacteria and Salmonella were widely detected in soils. A final expert's conclusion has drawn which is as follows:

"7.6 Final Expert Conclusion

Based on comprehensive field data, regulatory standards, judicial precedent and environmental science, this report concludes that: Equine activity in its present scale and spatial form is environmentally unsustainable in Matheran Eco-Sensitive Zone. Effective protection of Matheran's air quality, drinking-water sources, soil health and ecological integrity cannot be achieved through downstream cleaning alone. It requires source-level intervention, namely:

- strict regulation and phased reduction of horse numbers,*
- relocation of stables outside ESZ limits,*
- zoning of routes and protection of water catchments,*
- Continuous monitoring over 3–5 years to validate outcomes.*

If implemented as recommended, Matheran can evolve into a national model for scientifically managed, pedestrian-only eco-tourism, fully consistent with the precautionary principle, carrying capacity doctrine and ESZ governance framework. Failure to act, on the other hand, will result in progressive, and potentially irreversible, degradation, undermining both environmental integrity and the very tourism economy that depends on it."

11. Put up for next consideration on 24.03.2026.

Dinesh Kumar Singh, JM

Dr. S.K. Bajpayee, EM

January 30, 2026
Original Application No. 210/2024(WZ)
JG.