

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

REVIEW APPLICATION NO. 06/2024

IN

OA No. 50/2020 (WZ)

IN THE MATTER OF:

M/s. V Square

... Applicant/  
Original Respondent No. 13

Versus

Tanaji Balashaheb Gambhire & Ors.

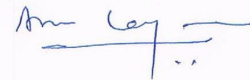
... Respondents

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Date: 4th September, 2024

Place: Pune



Advocate for Applicant

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

REVIEW APPLICATION NO. 06/2024  
IN  
OA No. 50/2020 (WZ)

IN THE MATTER OF:

M/s. V Square

... Applicant/  
Original Respondent No. 13

Versus

Tanaji Balashaheb Gambhire & Ors.

... Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT/  
ORIGINAL RESPONDENT NO. 13 (M/s. V Square), TO PLACE  
ON RECORD CERTAIN VITAL DOCUMENTS IN SUPPORT TO  
THE AFORESAID REVIEW APPLICATION.**

I, Vishwanath Vasant Jare, aged about 39 years, Occupation-  
Business, R/o More Vasti, Village: Chikhali, Gat No. 1358,  
Gurukrupa Housing Society, Pune - 411062, do hereby solemnly  
affirm and declare as under:

1. That I am the one of the partner of the Respondent No. 13 (M/s. V Square) in the aforesaid OA/50/2020 and the Applicant in Review Application No. 6 of 2024.
2. That I am well conversant with the facts of this case, and am competent to swear the present affidavit before this Hon'ble Tribunal.

3. That I have filed the aforesaid Review Application, before this Hon'ble Tribunal in pursuance to order dated 01.07.2024, passed by this Hon'ble Tribunal.

4. That the Respondent No. 13 in the OA No. 50/2020 (out of which Review Application No. 6 / 2024 has arisen), and he is also the Respondent No. 13 in another case OA No. 56 /2020 (listed for 08.01.2025) both filed by the same Original Applicant Mr. Tanaji Balasaheb Gambhire before this Hon'ble Tribunal, without disclosing that he has filed two different cases against same set of officials Respondents/ Governmental Authorities, on the basis of same legal notice and photographs, thereby not only playing a fraud upon this Hon'ble Tribunal, but also deliberately abusing the process of this Hon'ble Tribunal.

5. "River Villa" project land was purchased only on dated 25.12.2020. Copies of the Index-II of purchase of the said land is being filed for ready reference. The other project "River Residency" is on going project around 2010 which is under totally different PP and also a very huge sized project of multi storeyed expensive flats where as "River Villa" is a very small middle class project of residential houses of approx. 100 sq. yards each.

6. That in both the aforesaid OA bearing No. 50/2020 and 56/2020 number of documents are same in nature/replica which are relevant for the proper adjudication of the aforesaid Review Application No. 6/2024 filed before this Hon'ble Tribunal. The same photographs and documents in these two cases, are being filed with this additional affidavit, as compilation no. "A" (containing the photographs and

documents of OA/56/2020) and as compilation no. "B" (containing the photographs and documents of OA/50/2020).

7. That the following documents are relevant/vital as under:
- i. The case history/filing details of the OA/56/2020 titled "Tanaji Balasaheb Gambhire versus The Chief Secretary of Maharashtra & Ors. listed for 08.01.2025.
  - ii. The case history/filing details of the OA/50/2020 titled "Tanaji Balasaheb Gambhire versus The Chief Secretary of Maharashtra & Ors. decided on 01.07.2024, RA No. 6 of 2024 is pending before this Hon'ble Tribunal.
  - iii. The copy of OA/50/2020 titled "Tanaji Balasaheb Gambhire versus The Chief Secretary of Maharashtra & Ors."
  - iv. Applicant Tanaji Gambhire has relied upon Blue Line and Red Line demarcation relating to year 1989 and 2009 which is not relevant in view of the Government of Maharashtra notifications dated 02.03.2015 and 03.05.2018. To the best of knowledge of respondent no. 13 there has been no demarcation of blue and red flood lines by the regional chief engineer or by any equivalent or by superior officer from 2018 till date in relation to river Indrayani.

8. That the documents which are, common in nature filed by the original Applicant Mr. Tanaji Balasaheb Gambhire in both the aforesaid OA No. 56/2020 and 50/2020 are as under:

- i. Copy of Legal Notice dated 05.07.2017 with Postal Receipts (without tracking reports) containing page No. 310 to page No. 368 in OA/56/2020.
- ii. Copy of Legal Notice dated 05.07.2017 with Postal Receipts (without tracking reports) at page Nos. 138 to page No. 196 in OA/50/2020.
- iii. Copies of 28 photographs all dated 15.04.2017 in OA/56/2020 from page No. 249 to page No.262
- iv. Copies of 28 photographs all dated 15.04.2017 in OA/50/2020 containing from page No. 93 to page No. 106.
- v. Copies of 62 photographs all dated 15.04.2017 in OA/56/2020 containing from page No. and page No. 279 to page No. 309.
- vi. Copies of 62 photographs all dated 15.04.2017 in OA/50/2020 containing from page No. and page No. 107 to page No. 137.
- vii. Copies of in OA/56/2020 from page No. 502 to page No. 559

viii. Copies of photographs in OA/50/2020 from page No. 207 to page No. 264.

9. That the Respondent No. 13 is also placing on record the news clippings and related material in respect of no flooding in Indrayani river area in question during the month of July, 2024 when there was wide spread flood all over Pune but still in the Relevant area of Gat No. 90 in question, for the first time in 50 years there was flood hardly till shoe level which can be seen from the picture of Commisner PCMC and Local MLA who came for site visit in July, 2024.

10. That the Respondent No. 13 is also placing on record the photographs showing the table top and cliff type area in question, roughly 15- 20 feet's above the water level of Indrayani River. It may be noted that google satellite photo attached Applicant Tanaji Gambhire from the year 2010 onwards (page 243 in OA/50/2020), also shows that the same table top surface much above the Indirayani River level, was prevalent since than and there can be no question of any land filling or reclaiming of land from the low lying river area.

11. That the Applicant Tanaji Ghambire has mislead the Joint Committee by feeding wrong and false facts to the effect that Original Respondent No. 13's land falls entirely within the blue line area and further that Respondent No. 13 does not have any NA or plotting permission. The Joint Committee despite having contact details, did not associated Respondent No. 13 or any purchaser of small 100 yards plots of River Villa project. It is the stand of Joint Committee that during the

period of its consideration of the matter, there was ongoing construction in “River Villa” project and therefore JCR does not have any reason or justification for not associating even a single private person in relation to the ongoing construction of small residential houses. It is clear that the Joint Committee Report has not carried out any proper or genuine survey either as regards the false allegation of land filling/ alleged reclamation of River Belt land or of that matter in relation to the status of the land in question (River Villa project) falling between the Blue Line and the Red Line i.e (restricted zone and not prohibited zone), with NA and permission for plotting. Copy of the relevant documents including Abhipry as filed on record by PCMC. It is relevant to mention that translation into English were not filed with a view to mislead this Hon’ble Tribunal.

11A. I say that the screenshot of the Byte given by PCMC Engineer Dated 08.08.2024, is being filed along with this additional affidavit.

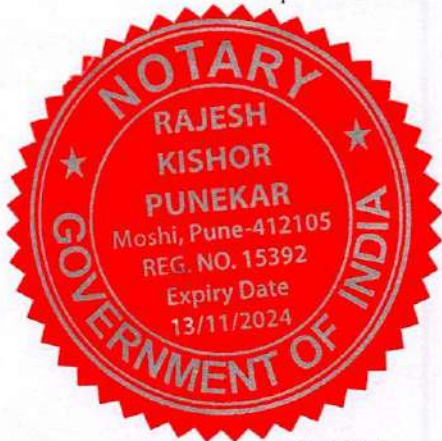
12. The government of Maharashtra has taken up River Bank development rejuvenation project for the rivers of Pune area including river Indrayani in particular with the budget of around Rs. 5000 Crore, to develop the river front which will involve a lot of construction along both sides of river Indrayani for which proper flood control and environmental measures will be taken by the government bodies. As such it is otherwise also contrary to the requirements of justice that the River Villa project which is situated on table top surface 15-20 feet above the Indrayani River level, should be subject to action of demolition when the entire exercise of demarcation of Blue line and Red line is yet to be carried out properly and comprehensively. Reference may be made to the recent orders of Hon’ble High Court of Bombay



directing the expert committee for demarcation of Blue Line and Red Line of Pune rivers.

13. That the Respondent No. 13 also craves leave permission from this Hon'ble Tribunal to place on record any other document which is relevant at the time of hearing of the aforesaid Review Application in the interest of justice.

14. That the all facts, information's, documents annexed with this affidavit are true copies to their respective originals, nothing is concealed or suppressed therefrom.



*[Signature]*  
Deponent

VERIFICATION:

I, Vishwanath Vasant Jare, aged about 39 years, Occupation-Business, R/o More Vasti, Village: Chikhali, Gat No. 1358, Gurukrupa Housing Society, Pune - 411062. That the contents of this Affidavit are true and correct to the best of my, nothing has been concealed therefrom.

*[Signature]*  
Deponent

**BEFORE ME**

**RAJESH KISHOR PUNEKAR**  
**ADVOCATE & NOTARY**  
**GOVERNMENT OF INDIA**  
**MOSHI, PUNE - 412105**

**NOTED & REGISTERED at**

**Serial No** 848/2024

**Date** 03/10/2024





07/05/2021

सूची क्र.2

दुस्यम निबंधक : सह दु.नि. हवेली 17

दस्त क्रमांक : 5333/2021

नोंदणी :

Regn:63m

गावाचे नाव : चिखली

(1) विलेखाचा प्रकार	धरेदीघत		
(2) मोबदला	9800000		
(3) बाजारभाव(भावेपट्टवाच्या बाबतितपट्टाकार आकारणी देतो की पट्टेदार ते नमुद करावे)	9255725.18		
(4) दू-मापन, पोटहिस्ता व घरक्रमांक (असल्यास)	1) पालिकेचे नाव: पिंपरी-चिंचवड म.न.पा. इतर वर्णन : इतर माहिती: गाव मोजे चिखली येथील मट नं 90 मधील मिहून देणार बांध्या मालकीचे धरेदी देत असलेले क्षेत्र 11250 चौ.फु. म्हणजेच 1045.53 चौ.मी मोजकी जमीन मिळकत ( ( GAT NUMBER : 90 ; ) )		
(5) क्षेत्रफळ	1) 0.1045 हेक्टर . आर		
(6) आकारणी किंवा जुही देण्यात असेल तेव्हा.			
(7) दस्तऐवज करून देणा-या/विहून ठेवणा-या पक्षकापचे नाव किंवा दिवाणी न्यायालयाचा हुकुमनामा किंवा आदेश असल्यास, प्रतिवादिचे नाव व पत्ता.	1): नाव:-श्री स्केजर लॉफे मागीदार म्हणून विधानाय वसंत जरे बय:-35; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: मनिपा हौसिंग सोसायटी मोरेवस्ती चिखली पुणे, महाराष्ट्र, पुणे. पिन कोड:-412114 पॅन नं:-AFZPJ5557K 2): नाव:-श्री स्केजर लॉफे मागीदार म्हणून विवाल मनोहर मुन्हे बय:-34; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: चौटाई नगर घमाचे सोमाटणे फाटा पुणे, महाराष्ट्र, पुणे. पिन कोड:-410506 पॅन नं:-ANBPM4488Q		
(8) दस्तऐवज करून घेणा-या पक्षकापचे व किंवा दिवाणी न्यायालयाचा हुकुमनामा किंवा आदेश असल्यास, प्रतिवादिचे नाव व पत्ता	1): नाव:-राजीव कुमार गौतम बय:-42; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: मोशी पुणे, महाराष्ट्र, पुणे. पिन कोड:-412105 पॅन नं:-AHVPG2494E 2): नाव:-धनंजय माऊराम पोखरकर बय:-31; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: आंबेगाव पुणे, महाराष्ट्र, पुणे. पिन कोड:-410503 पॅन नं:-BAXPP2709M 3): नाव:-शरद वसंतराव बोडे बय:-57; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: चिखली प्राधिकरण चिंचवड पुणे, महाराष्ट्र, पुणे. पिन कोड:-411019 पॅन नं:-AGRPB0488Q 4): नाव:-समुद्रा शरद बोडे बय:-50; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: चिखली प्राधिकरण चिंचवड पुणे, महाराष्ट्र, पुणे. पिन कोड:-411019 पॅन नं:-AGRPB1762H 5): नाव:-गोवामनेनी किताबुल्ला चौधरी बय:-52; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: कुदळवाडी चिखली पुणे, महाराष्ट्र, पुणे. पिन कोड:-412114 पॅन नं:-AJOPC5930G 6): नाव:-भरत बगाजीराव पाटील बय:-41; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: पिंपरी कोलनी पुणे, महाराष्ट्र, पुणे. पिन कोड:-411017 पॅन नं:-CDMPP5305G 7): नाव:-प्रदीप दारिव माळगे बय:-37; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: चिखली पुणे, महाराष्ट्र, पुणे. पिन कोड:-412114 पॅन नं:-BODPM4035B 8): नाव:-शाहीद मेहमूद शेख बय:-34; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: जाधववाडी चिखली पुणे, महाराष्ट्र, पुणे. पिन कोड:-412114 पॅन नं:-BZGPS2878N 9): नाव:-सीमा शाहीद शेख बय:-30; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: जाधववाडी चिखली पुणे, महाराष्ट्र, पुणे. पिन कोड:-412114 पॅन नं:-GRSPS0834M 10): नाव:-वैजेंद्र - पाराशर बय:-39; पत्ता:-प्लॉट नं:-, माळा नं:-, इमारतीचे नाव:-, ब्लॉक नं:-, रोड नं: गंगापूर सर्वाई माधोपुर राजस्थान, राजस्थान, सर्वाई माधोपुर. पिन कोड:-322201 पॅन नं:-APVPP2166E		
(9) दस्तऐवज करून दिल्याचा दिनांक	31/03/2021	मी नक्कल देली	दस्तावेजतपी प्रत
(10) दस्त नोंदणी केल्याचा दिनांक	05/05/2021	मी वाचली	श्री./सौ. राजीव गौतम
(11) अनुक्रमांक, खंड व पृष्ठ	5333/2021	मी रुज्जदात घेतली	वांग्ना दिली असे.
(12) बाजारभावाप्रमाणे मुद्रांक शुल्क	392000	अत्तल दारुलुम नक्कल	तारीख 06/04/2021
(13) बाजारभावाप्रमाणे नोंदणी शुल्क	30000		
(14) वेरा			

मुल्यांकनासाठी विचारात घेतलेला तपशील:-

मुद्रांक शुल्क आकारवताना निवडलेला अनुच्छेद :-

(i) within the limits of any Municipal Corporation or any other Government area annexed to it.



5333385	List No.2	Second Editor: Co-Mon.N. Mansion 17
26-08-2024		Dialogue Number : 5333/2021
Note:-Generated Through eSearch Module,For original report please contact concern SRO office.		Nodani : Rain: 63m

## Village Name : Chikhli

(1) Form of Deed	Purchase fertilizer
(2) Compensation	9800000
(3) Market price (whether the tenant charges the rent or the tenant should specify it)	9255725.18
(4) Land survey, subdivision and house number (if any)	1) Name of Municipality: Pimpri-Chinchwad M.N.P. Other Description:, Other Information: Area being purchased owned by the prescriber of Group No. 90 of village Mauje Chikhali is 11250 sq.ft. That is, 1045.53 sq.m free land income ((GAT NUMBER: 90; ))
(5) Area	0.1045 hectare. r
(6) When levy or levy is given.	
(7) Name of the party executing/recording the document or, if there is a decree or order of a civil court, the name and address of the defendant.	1): Name:-Vishwanath Vasant Jare as Partner by V Scare Age:-35 Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Manisha Housing Society Morevasti Chikhli Pune , Maharashtra, Pune. PIN CODE:-412114 PAN NO:-AFZPJ5557K 2): Name:-Vishal Manohar Murhe as Partner by V Scare Age:-34 Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Chaurai Nagar Dhamane Somatne Phata Pune , Maharashtra, Pune. PIN CODE:-410506 PAN NO:-ANBPM4468Q
(8) the name and address of the defendant, in case of decree or order of the party subpoenaing the document and or of the Civil Court;	1): Name:-Rajeev Kumar Gautam Age:-42; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Moshi Pune, Maharashtra, Pune. PIN CODE:-412105 PAN NO:-AHVPG2494E 2): Name:-Dhananjay Bhauram Pokharkar Age:-31; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Ambegaon Pune, Maharashtra, Pune. PIN CODE:-410503 PAN NO:-BAXPP2709M 3): Name:-Sharad Vasantrao Bonde Age:-57; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: CHIKHLI AUTHORITY Chinchwad Pune, Maharashtra, Pune. Pin Code:-411019 PAN No:-AGRPB0488Q 4): Name:-Yamuna Sharad Bonde Age:-50; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: CHIKHLI AUTHORITY Chinchwad Pune, Maharashtra, Pune. PIN CODE:-411019 PAN NO:-AGRPB1762H 5): Name:-MojamAli Kitabullah Chaudhary Age:-52; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Kudalwadi Chikhali Pune, Maharashtra, Pune. PIN CODE:-412114 PAN NO:-AJOPC5930G 6): Name:-Bharat Dagajirao Patil Age:-41; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Pimpri Colony Pune, Maharashtra, Pune. PIN CODE:-411017 PAN NO:-CDMPP5305G 7): Name:-Pradeep David Malge Age:-37; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Chikhali Pune, Maharashtra, Pune. PIN CODE:-412114 PAN NO:-BODPM4033B 8): Name:-Shaheed Mehmood Shaikh Age:-34; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Jadhavwadi Chikhali Pune, Maharashtra, Pune. PIN CODE:-412114 PAN NO:-BZGPS2878N 9): Name:-Seema Shahid Shaikh Age:-30; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Jadhavwadi Chikhali Pune, Maharashtra, Pune. PIN CODE:-412114 PAN NO:-GRSPS0834M 10): Name:-Shailendra - Parashar Age:-39; Address:-Plot No. -, Garland No. -, Building Name: -, Block No. -, Road No.: Gangapur Sawai Madhopur Rajasthan , Rajasthan, Sawai Madhopur. PIN Code:-322201 Pan No.:-APVPP2166E
(9) Date of documenting	31/03/2021
(10) Date of registration of document	05/05/2021
(11) Serial number, volume and page	5333/2021
(12)Stamp duty as per market rate	392000
(13)Registration fee as per market rate	30000
(14) Shera	
Details considered for assessment:-:	
Article selected while levying stamp duty :- :	(i) within the limits of any Municipal Corporation or any Cantonment area annexed to it.



01/2021

सूची क्र.2

दुय्यम निबंधक : सह दु.नि. हवेली 14  
दस्त क्रमांक : 14334/2020  
नोंदणी :  
Regn 63m

गावाचे नाव : चिखली

(1) विलेखाचा प्रकार	घरेदीखत	
(2) मोबदला	14500000	
(3) बाजारभाव (माडेपट्टयाच्या बाबतितपट्टाकार आकारणी देतो की पट्टेदार ते नमुद करावे)	10724800	
(4) मू-मापन, पोटहिस्सा व घरक्रमांक (असल्यास)	1) पालिकेचे नाव: चिपरी-चिंचवड म.न.पा. इतर वर्णन :; इतर माहिती: गाव मीजे चिखली येथील गट नं.90 मधील लिहून देणार यांचे मालकी हक्काचे घरेदी देत असलेले क्षेत्र 00 हे. 30.38 आर जमीन मिककत ( ( GAT NUMBER : 90 ; ) )	
(5) क्षेत्रफळ	1) 0.3038 हेक्टर . आर	
(6) आकारणी किंवा जुडी देण्यात असेल तेव्हा.		
(7) दस्तऐवज करून देणा-या/लिहून ठेवणा-या पक्षकाराचे नाव किंवा दिवाणी न्यायालयाचा हुकुमनामा किंवा आदेश असल्यास, प्रतिवादिचे नाव व पत्ता.	1): नाव:- विशाल दिलीप चोरडीया वय:-34; पत्ता:- प्लॉट नं. -, माळा नं. -, इमारतीचे नाव: -, ब्लॉक नं. -, रोड नं: सज्जन प्लाझा हिंदुस्तान बेकरीसमोर चाफेकर चौक चिंचवड पुणे, महाराष्ट्र, पुणे. पिन कोड:-411033 पॅन नं:-AHKPC0799B 2): नाव:- मान्यता देणार - इंद्रायणी प्रमोटर्स ऑड डेव्हलपर्स तर्फे अतुल बाळासाहेब बोराटे - वय:-18; पत्ता:- प्लॉट नं. -, माळा नं. -, इमारतीचे नाव: -, ब्लॉक नं. -, रोड नं: मोरी पुणे, महाराष्ट्र, पुणे. पिन कोड:-410501 पॅन नं:- 3): नाव:- मान्यता देणार - इंद्रायणी प्रमोटर्स ऑड डेव्हलपर्स तर्फे वासिम अख्तर शेख - वय:-18; पत्ता:- प्लॉट नं. -, माळा नं. -, इमारतीचे नाव: -, ब्लॉक नं. -, रोड नं: मोरी पुणे, महाराष्ट्र, पुणे. पिन कोड:-410501 पॅन नं:-	
(8) दस्तऐवज करून घेणा-या पक्षकाराचे व किंवा दिवाणी न्यायालयाचा हुकुमनामा किंवा आदेश असल्यास, प्रतिवादिचे नाव व पत्ता	1): नाव:- व्ही स्केअर तर्फे भागीदार म्हणून विघनाथ बसंत जरे वय:-36; पत्ता:- प्लॉट नं. -, माळा नं. -, इमारतीचे नाव: -, ब्लॉक नं. -, रोड नं: मनीषा हौसिंग सोसायटी मोरेवस्ती चिखली पुणे, महाराष्ट्र, पुणे. पिन कोड:-412114 पॅन नं:-AFZPJ5557K 2): नाव:- व्ही स्केअर तर्फे भागीदार म्हणून विशाल मनोहर मुन्हे वय:-34; पत्ता:- प्लॉट नं. -, माळा नं. -, इमारतीचे नाव: -, ब्लॉक नं. -, रोड नं: चौराईनगर घमाणे सोमाटणे फाटा पुणे, महाराष्ट्र, पुणे. पिन कोड:-410506 पॅन नं:-ANBPM4468Q	
(9) दस्तऐवज करून दिल्याचा दिनांक	25/12/2020	दस्तासोबतची नकळ
(10) दस्त नोंदणी केल्याचा दिनांक	25/12/2020	मी विवेकनाथ जाटे
(11) अनुक्रमांक, खंड व पृष्ठ	14334/2020	यांना दिले असे
(12) बाजारभावाप्रमाणे मुद्रांक शुल्क	435000	दिनांक:- 16/09/2021
(13) बाजारभावाप्रमाणे नोंदणी शुल्क	30000	
(14) शेर		

सह-दुय्यम निबंधक (वर्ग-२) हवेली क्र. १४, पुणे  
दिनांक:- 08/09/2021

मुल्यांकनासाठी विचारात घेतलेला तपशील:-

मुद्रांक शुल्क आकारताना निवडलेला अनुच्छेद :- (i) within the limits of any Municipal Corporation or any Cantonment area annexed to it.



14334332	List No.2	Second Essayist: Co-Mon.N. Mansion 14
26-08-2024		Dialogue Number : 14334/2020
Note:-Generated Through eSearch Module,For original report please contact concern SRO office.		Nodani :
		Rain: 63m
<b>Village Name : Chikhli</b>		
(1) Form of Deed	Purchase fertilizer	
(2) Compensation	14500000	
(3) Market price (whether the tenant charges the rent or the tenant should specify it)	10724800	
(4) Land survey, subdivision and house number (if any)	1) Name of Municipality: Pimpri-Chinchwad M.N.P. Other Description:, Other Information: Area 00 of which the owner is purchasing the ownership right of Group No.90 of village Mauje Chikhali. 30.38 Rs Land Revenue ( ( GAT NUMBER : 90 ; ) )	
(5) Area	0.3038 hectare. r	
(6) When levy or levy is given.		
(7) Name of the party executing/recording the document or, if there is a decree or order of a civil court, the name and address of the defendant.	1): Name:-Vishal Dilip Chordia Age:-34 Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Sajjan Plaza Opposite Hindustan Bakery Chafekar Chowk Chinchwad Pune, Maharashtra, Pune. PIN CODE:-411033 PAN NO:-AHKPC0799B 2): Name:-Approver - Atul Balasaheb Borate by Indrayani Promoters Odd Developers - Age:-18 Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Moshi Pune , Maharashtra, Pune. Pin Code:-410501 PAN No:- 3): Name:-Approver -Wasim Akhtar Shaikh by Indrayani Promoters Odd Developers -Age:-18 Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Moshi Pune , Maharashtra, Pune. Pin Code:-410501 PAN No:-	
(8) the name and address of the defendant, in case of decree or order of the party subpoenaing the document and or of the Civil Court;	1): Name:-Vishwanath Vasant Jare as Partner by V Scare Age:-36; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Manisha Housing Society Morevasti Chikhli Pune, Maharashtra, Pune. PIN CODE:-412114 PAN NO:-AFZPJ5557K 2): Name:-Vishal Manohar Murhe as Partner by V Scare Age:-34; Address:-Plot No: -, Mala No: -, Building Name: -, Block No: -, Road No: Chaurainagar Dhamane Somatne Phata Pune, Maharashtra, Pune. PIN CODE:-410506 PAN NO:-ANBPM4468Q	
(9) Date of documenting	25/12/2020	
(10) Date of registration of document	25/12/2020	
(11) Serial number, volume and page	14334/2020	
(12) Stamp duty as per market rate	435000	
(13) Registration fee as per market rate	30000	
(14) Shera		
Details considered for assessment:-:		
Article selected while levying stamp duty :- :	(i) within the limits of any Municipal Corporation or any Cantonment area annexed to it.	

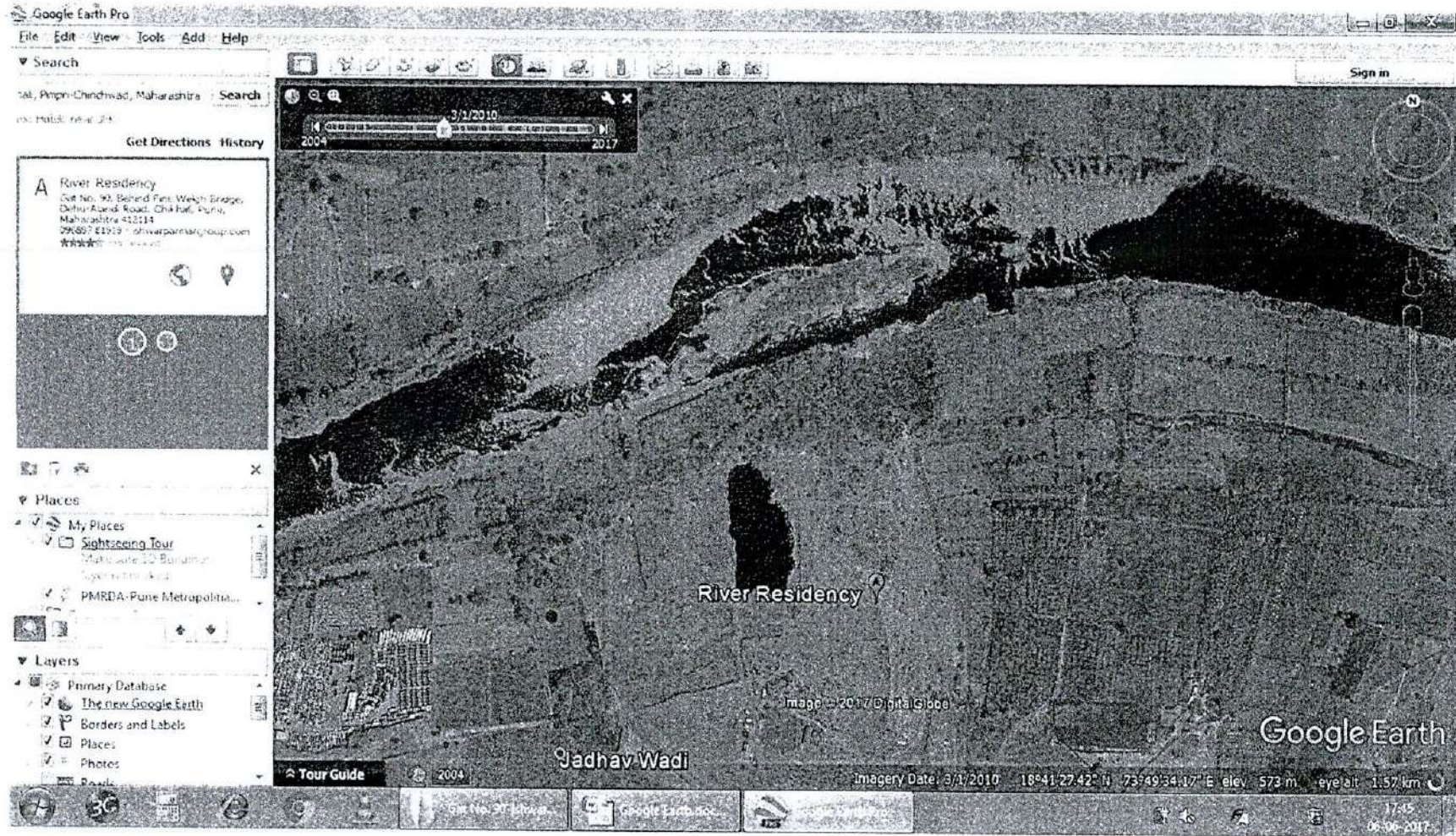
Original text

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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Regarding empowering  
Regional Chief Engineer to approve  
the maps of flood zones and flood lines

STATE GOV. OF MAHARASHTRA  
WATER RESOURCES DEPARTMENT,

Government Circular No. Dny.Ya.Pr.-2014/ (Chapter No.424/2014)Sin. Vya.

(Revenue)

Hutatma Rajguru Chouk, Madam Kama Road,

Mantralaya, Mumbai- 400 032,

Date: 2<sup>nd</sup> March, 2015.

Read :-

- 1) Government Circular No.: Irrigation Department No. FDW-1089/ (Chapter No.243/89)/Sin Vya (Works) Dt. 2.09.1989
- 2) Government Circular No.: Irrigation Department No. FDW-1089/ (Chapter No. 243/89)/Sin Vya (Works) Dt. 21.09.1989
- 3) Government Circular No.: Water Resource Department No. FDW-2013/ (Chapter No.281/2013)/Sin Vya (Revenue) Dt. 11.07.2014
- 4) Government Circular No.: Water Resource Department No. FDW-2013/ (Chapter No.281/2013)/Sin Vya (Revenue) Dt. 08.08.2014

FOREWORD:-

For any unavoidable works to be done by different departments in flood prone and prohibitive zone, it was required to obtain NOC from Regional Chief Engineer, Water Resource Department according to Gov. Circular Water Resource Department No. FDW-1089/(Chapter No.243/89)/Sin Vya (Works) Dt. 08.08.2014. It was also mentioned in the circular that, no powers to be delegated to officers below the rank of Chief Engineer. But in case no. 25/2014 filed in National Green Tribunal (Western Zone), Pune Bench. The Tribunal ordered on 03.02.2015 to revise the said circular issued by Water Resource Department Dt. 08.08.2014.

To avoid possible threat of flooding, with a view to demarcate flood lines to prohibit any type of construction inside flood lines, instructions have been given vide Irrigation Department Gov. Circular No. FDW-1089/ (Chapter No.243/89)/Sin Vya(Works) Dt. 02.09.1989. Also, with a view to avoid risk of floods, to prohibit any type of construction inside flood lines, demarcation of prohibitive and restrictive zones according to Blue line and Red line respectively is directed vide Gov. Circular No. FDW-1089/ (Chapter No.243/89)/Sin Vya (Works)Dt. 21/9/1989. The directions about the causes under which use of these zones is permitted are included in this circular. But the said circular does not specify the officer to be authorised to deliver final decision while demarcating the flood lines.

TC-\*

Also, some provisions are missing relating to decision of land use inside flood lines to be taken by Water Resource Department with respect to issuing NOC. Therefore, the scope of WRD (Water Resource Department) is restricted only to demarcate flood lines along the rivers. Accordingly, after receiving demand from other departments, WRD shall demarcate the flood lines after conducting necessary surveys.

Chief engineer, Superintending Engineer & Executive Engineer have rights to approve flood zones and flood lines for big, medium, and small projects respectively according to Dam Safety Manual Chapter 7 para. No. 10.9. Government was considering to give approval rights of flood zones; flood line maps and plans to Regional Chief Engineer in order to avoid possible threat of floods.

#### CIRCULAR-

Gov. Water Resource Department Circular No FDW-2013/(Chapter No.281/2013)/Sin Vya (Revenue) Dt. 08.08.2014 is being amended.

For avoiding possible threat of floods and with a view to prohibit any type of construction inside flood lines, after receiving demand to demarcate flood lines from respective District Collectors or any other department, Water Resource Department vide Gov. Circular No FDW-1089/ (Chapter No.243/89)/ Sin Vya (Works) Dt. 02.09.1989 and Dt. 21.09.1989 after considering prescribed directions; Flood line and Flood zone maps can be approved by respective Regional Chief Engineer. Flood line and flood zone approval rights should not be delegated to ranks lower than Chief Engineer.

Said Gov. Resolution is made available on the Maharashtra government's website [www.maharashtra.gov.in](http://www.maharashtra.gov.in) and its code No. is 201503021746171127. This order is digitally signed.

In the name and as per the orders of the Governor of Maharashtra.

Sanjiv A. Tatu,  
Dy. Secretary

TC-\*

"ANNEXURE A-9"

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पुराचा संभाव्य धोका टाळण्यासाठी पूररेषेच्या आत कोणतेही बांधकाम न होण्याच्या दृष्टिने पूररेषेची आखणी करणे व निषिद्ध व नियंत्रित क्षेत्राचा उपयोग करण्याबाबत मार्गदर्शक सूचना

महाराष्ट्र शासन  
जलसंपदा विभाग,

शासन परिपत्रक क्र पूरनि-२०१८/(१८२/२०१८) सि.व्य.(महसूल)

मंत्रालय, मुंबई ४०००३२,

दिनांक:-३ मे, २०१८

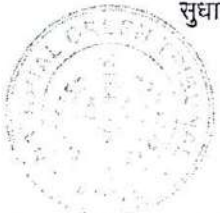
वाचावे :- शासन परिपत्रक क्र.एफडीडब्लू -१०८९/२४३/८९/ सि.व्य.(कामे), दि. २.०९.१९८९,  
दि.२९.९.१९८९

प्रस्तावना :-

पाटबंधारे विभाग शासन परिपत्रक क्र एफडीडब्लू १०८९/२४३/८९/ सिव्य (कामे) दि.२.९.१९८९ व दि.२९.९.१९८९ अन्वये पुराचा संभाव्य धोका टाळण्यासाठी पूररेषेच्या आत कोणतेही बांधकाम न होण्याच्या दृष्टिने पूररेषेची आखणी करण्याबाबत सूचना निर्गमित करण्यात आल्या आहेत.

नदीच्या निळ्या पूररेषेच्या आत निषिद्ध क्षेत्रात व लाल पूररेषा व निळी पूर रेषा यांच्यामधील नियंत्रित क्षेत्रात शहरांच्या, गावांच्या, तिर्थक्षेत्र विकासाच्या दृष्टिने नदीवर पूल बांधणे, पूलाचे दोन्ही बाजूने पोहोच रस्ते तयार करणे, शहराच्या विकास आराखडयानुसार नदीच्या बाजूने जाणारे रस्ते, उद्याने व जॉंगींग ट्रॅक तयार करणे तसेच पूरसंरक्षक कामांतर्गत नदीच्या तीरालगत पूर संरक्षक भित बांधणे, घाट बांधणे या शिवाय गॅस पाईपलाईन क्रॉसिंग करणे, विद्युत वाहिनी क्रॉसिंग करणे, नदीच्या कडेने ड्रेनेज पाईप लाईन टाकणे, मल:निसारण प्रकल्पाचे काम करणे, इ. प्रकारच्या सार्वजनिक स्वरुपाच्या अपरिहार्य कामांसाठी संबंधित शासकीय / निमशासकीय संस्था, स्थानिक स्वराज्य संस्था कडून ना-हरकत प्रमाणपत्रांची वाढती मागणी, जलसंपदा विभागामार्फत राज्यातील विविध नदीनाल्यांवर पूर्ण झालेल्या प्रकल्पांची संख्या व बांधकामाधीन प्रकल्पांची संख्या, काळानुरूप बदलेले पर्जन्यमानाचे स्वरुप, पूरनियंत्रण व पुराचे अंदाज वर्तवण्याबाबत उपलब्ध अत्याधुनिक यंत्रणा इत्यादी गोष्टींचा एकत्रित पणे विचार करण्याची आवश्यकता निर्माण झाली आहे.

शासन परिपत्रक क्र न्यायप्र -२०१४ प्र.क्र.४२४/२०१४ सिव्य (म), दि.२.३.२०१५, अन्वये जलसंपदा विभागामार्फत पूरक्षेत्र व पूररेषा नकाशे व आराखडयांना मान्यता देण्यात येते. तथापि पाटबंधारे विभाग शासन परिपत्रक क्र एफडीडब्लू १०८९/२४३/८९/ सिव्य (कामे), दि.२.९.१९८९ व दि.२९.९.१९८९ अन्वये नदीच्या निळ्या पूररेषेच्या (Blue Line) आत निषिद्ध क्षेत्रात (Prohibitive Zone) आणि लाल पूररेषा(Red Line) व निळी पूर रेषा(Blue Line) यांच्यामधील नियंत्रित क्षेत्रात(Restrictive Zone) सार्वजनिक सुविधांच्या दृष्टिने आवश्यक नेमकी कोणती अपरिहार्य कामे घ्यावीत याबाबत अधिक स्पष्टता आणण्याच्या दृष्टिने सुधारणा करण्याची बाब शासनाच्या विचाराधीन होती. यादृष्टिने एकत्रित सुधारित / अद्ययावत सूचनांचा समावेश करुन आता खालील प्रमाणे परिपत्रक निर्गमित करण्यात येत आहे.



TRUE COPY

T. C.  
Bombay

शासन परिपत्रक क्रमांक: पूरनि-२०१८/(१८२/२०१८) सि.व्य.(महसूल)

**परिपत्रक -**

१. पाटबंधारे विभाग शासन परिपत्रक क्र एफडीडब्लू १०८९/२४३/८९/ सिंव्य (कामे) दि.२.९.१९८९ व दि.२१.९.१९८९ अद्ययावत करण्यात येत आहे.

२. पूरक्षेत्रातील जमिनीच्या वापराबाबत धरण सुरक्षितता संहिता ( Dam safety Manual) प्रकरण ८/ १९८४ मध्ये दिलेल्या मार्गदर्शक सूचनांच्या आधारे महत्वाच्या पूररेषा ह्या मुख्यत्वेकरून दोन प्रकाराच्या आहेत. निषेधक पूररेषा ( Blue Line) व नियंत्रक पूररेषा ( Red Line) .

३. निळी पूररेषा (Blue Line) :-

निळी पूररेषा (Blue Line) ही खालीलपैकी येणाऱ्या जास्तीत जास्त विसर्गाच्या पाणी पातळीला आखलेल्या रेषेला संबोधण्यात यावी.

अ) सरासरीने २५ वर्षातून एकदा (१ in २५ year) या वारंवारीतेने (Frequency) येणारा पूर विसर्ग किंवा

ब) प्रस्थापित नदीपात्राच्या विसर्गक्षमतेच्या दिडपट विसर्ग.

४. लाल पूररेषा (Red Line) :-

लाल पूररेषा (Red Line) ही खालीलपैकी येणाऱ्या विसर्गाच्या पाणी पातळीला आखलेल्या रेषेला संबोधण्यात यावी.

अ) ज्या भागात धरण नसेल तेथे :- सरासरीने १०० वर्षातून एकदा (१ in १०० year) या वारंवारीतेने (Frequency) येणारा पूर विसर्ग.

ब) ज्या भागात धरण असेल तेथे :- प्रकल्पाच्या संकल्पनातील सांडव्यावरून वाहणारा संकल्पित महत्तम पूर विसर्ग अधिक धरणाखालील पाणलोट क्षेत्रातून येणारा अपेक्षित १०० वर्षातून येणारा (१ in १०० year) या वारंवारीतेने (Frequency) येणारा पूर विसर्ग.

५. निषिध्द क्षेत्र (Prohibitive Zone) :-

नदीच्या उजव्या तीरावरील निळी पूर रेषा (Blue Line) ते नदीपात्र ते डाव्या तीरावरील निळी रेषा (Blue Line) या मधील क्षेत्राला निषिध्द क्षेत्र (Prohibitive Zone) म्हणून संबोधण्यात यावे.

६. नियंत्रित क्षेत्र (Restrictive Zone) :-

नदीची निळी पूररेषा (Blue Line) ते त्याच तीरावरील लाल पूररेषा (Red Line) यामधील क्षेत्राला नियंत्रित क्षेत्र (Restrictive Zone) संबोधण्यात यावे.

७. निषिध्द क्षेत्राचा (Prohibitive Zone) उपयोग फक्त मोकळ्या जमिनीच्या स्वरूपात उदा. उदयाने, खेळाची मैदाने किंवा हलकी पिके घेणे , ज्याठिकाणी पिके घेण्याचा हक्क पारंपारिक वापरामुळे प्रस्थापित झाला आहे अशा ठिकाणी (उदा. नदीपात्राजवळ करण्यात येणारी कलींगड / टरबूज / खरबूज इ.ची लागवड सार्वजनिक शौचकूप व मल:निस्सारण सुविधा) अशा सारख्या कारणांसाठीच केला जावा की जेणे करून नदी प्रवाहात कोणताही अडथळा येणार नाही , नदीची वहनक्षमता कमी होणार नाही व नदीच्या काटछेदात कोणताही बदल होणार नाही .



पृष्ठ ५ पैकी २

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८. नियंत्रक क्षेत्राचा (Restrictive Zone) उपयोग खालील कारणांसाठीच केला जावा .

i) सार्वजनिक हिताच्या दृष्टीने आवश्यक व अपरिहार्य मलःस्सारण योजना .

ii) सार्वजनिक हिताच्या दृष्टीने आवश्यक व अपरिहार्य सार्वजनिक रस्ते की जेणेकरून सदर रस्त्याची माथा पातळी निळ्या पूररेषा पातळीच्या वर असेल. सदर पातळी किती वर असावी याची निश्चिती संबंधित Indian Road Congress Code मधील तरतुदीनुसार करावी.

iii) सार्वजनिक हिताच्या दृष्टीने आवश्यक व अपरिहार्य पाणीपुरवठा पाईपलाईन, गॅस पाईप लाईन , ड्रेनेज पाईपलाईन की जेणेकरून सदर पाईप लाईन भूमिगत असावी व त्यामुळे नियंत्रित क्षेत्रातील नदीच्या काटछेदात कोणताही अडथळा येऊन त्यात बदल होणार नाही.

iv) नियंत्रित क्षेत्रातील बांधकामांच्या तळमजल्याच्या जोत्याची पातळी लाल पूररेषा पातळीच्या वर सुरक्षित उंचीपर्यंत असावी की ज्यामुळे पूरपातळी नियंत्रक क्षेत्रात जास्त वाढण्यापूर्वी तेथील नागरिकांना सुरक्षितस्थळी सहजपणे जाता येईल. तसेच या क्षेत्रामध्ये येणारा संभाव्य पूर व तसेच पुरामुळे होणारी जिवित हानी व मालमत्तेचे नुकसान टाळण्यासाठी ह्या क्षेत्रातील लोकांना, जनावरांना व वस्तुंना अल्पावधीची पूरसूचना मिळताच हे क्षेत्र तातडीने सोडून सुरक्षित स्थळी जाणे शक्य होईल.

९. उपरोक्त मुद्दा क्र. ८ मध्ये नमूद उपयोगांमुळे नदी प्रवाहात कोणताही अडथळा येणार नाही , नदीची वहनक्षमता कमी होणार नाही व नदीच्या काटछेद क्षेत्रात कोणताही बदल होणार नाही , याची दक्षता घेण्यात यावी . प्रवाहाला अडथळा आणणारे बांधकामाविरुद्ध मुख्य अभियंता कारवाई करण्यास सक्षम असतील. निषिध्द (Prohibitive Zone) व नियंत्रित क्षेत्रात (Restrictive Zone) करावयाच्या सदर सार्वजनिक कामांच्या सुरक्षिततेची संपूर्ण जबाबदारी संबंधित विभागाची / स्थानिक स्वराज्य संस्थेची असेल व संभाव्य पुरामुळे होणाऱ्या जिवित व वित्त हानीस संबंधित विभाग/ स्थानिक स्वराज्य संस्था जबाबदार राहिल व त्याअनुषंगाने उद्भवणाऱ्या न्यायालयीन प्रकरणास संबंधित विभाग / स्थानिक स्वराज्य संस्था जबाबदार असेल.

१०. वरील बाबींचा विचार करून पुराचा संभाव्य धोका टाळण्यासाठी व निषिध्द व नियंत्रित क्षेत्राची निश्चिती करण्याच्या दृष्टीने आवश्यक पूररेषा आखून देण्याबाबत जलसंपदा विभागाकडे जिल्हाधिकारी , स्थानिक स्वराज्य संस्था अथवा अन्य विभागाकडून मागणी प्राप्त झाल्यास जलसंपदा विभागाच्या संबंधित क्षेत्रिय मुख्य अभियंता यांनी शासन परिपत्रक क्र न्यायप्र -२०१४ प्र.क्र.४२४/२०१४ सिंव्य (म), दि.२.३.२०१५ अन्वये कार्यवाही करावी.

११. जलसंपदा विभागाचे कार्यक्षेत्र नदी किनारी पूररेषेची आखणी करण्याइतपतच मर्यादित असल्याने निषिध्द क्षेत्रातील व नियंत्रित क्षेत्रातील उपरोक्त परिच्छेदात नमूद केलेली सार्वजनिक हिताच्या दृष्टीने अपरिहार्य व आवश्यक कामांना जलसंपदा विभागाच्या ना-हरकत प्रमाणपत्राची आवश्यकता राहणार नाही .



पृष्ठ ५ पैकी ३

शासन परिपत्रक क्रमांक: पूरनि-२०१८/(१८२/२०१८) सि.व्य.(महसूल)

तथापि, पर्यावरण विभाग/ इतर विभाग/ स्थानिक संस्था/ इतर शासकीय विभाग यांची वैधानिक मान्यता आवश्यक असेल तर ती स्वतंत्रपणे घेण्यात यावी.

१२. सदर शासन परिपत्रक विधी व न्याय विभागाचा अनौपचारिक संदर्भ क्र. ३८८-२०१८/E दि.१३.४.२०१८ व नगरविकास विभागाच्या अनौपचारिक संदर्भ क्र. टिपीएस -१०१८/अनौस.५/२०१८/ नवि -९ दि.१९.४.२०१८ नुसार निर्गमित करण्यात येत आहे .

१३. सदर शासन निर्णय महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेतांक २०१८०५०३१८०१५९५७२७ असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

C. A. Birajdar

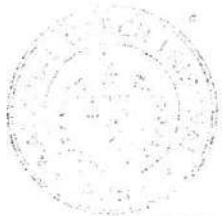
(च.आ.बिराजदार)  
सचिव (लाक्षेवि)

Digitally signed by C. A. Birajdar  
DN: c=IN, ou=Government Of Maharashtra, ou=Water  
Resources Department, postalCode=400032,  
st=Maharashtra,  
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Date: 2018.05.03 18:06:32 +05'30'

प्रत :- मा. राज्यपाल यांचे सचिव,

१. मा.मुख्यमंत्री यांचे कार्यालय,
२. मा.अध्यक्ष / उपाध्यक्ष, विधानसभा, विधानभवन, मुंबई,
३. मा.सभापती / उपसभापती, विधानपरिषद, विधानभवन, मुंबई,
४. मा.विरोधी पक्षनेते, विधानसभा, मुंबई, यांचे कार्यालय, विधानभवन, मुंबई,
५. मा.विरोधी पक्षनेते, विधानपरिषद, मुंबई, यांचे कार्यालय, विधानभवन, मुंबई,
६. मा. मंत्री, जलसंपदा यांचे खाजगी सचिव, मंत्रालय, मुंबई,
७. मा. राज्यमंत्री (जलसंपदा) यांचे खाजगी सचिव, मंत्रालय, मुंबई,
८. महालेखापाल १/२ (लेखा व अनुज्ञेयता) महाराष्ट्र राज्य, मुंबई/नागपूर
९. महालेखापाल १/२ (लेखा परीक्षा) महाराष्ट्र राज्य, मुंबई/नागपूर,
१०. अ.मु.स (गृह) यांचे स्वीय सहायक, गृह विभाग, मंत्रालय, मुंबई,
११. अ.मु.स (महसूल) यांचे स्वीय सहायक, महसूल व वन विभाग, मंत्रालय, मुंबई
१२. अ.मु.स. (पर्यावरण) यांचे स्वीय सहायक, पर्यावरण विभाग, मंत्रालय, मुंबई,
१३. प्रधान सचिव (जलसंपदा) यांचे स्वीय सहायक, जलसंपदा विभाग, मंत्रालय, मुंबई,
१४. प्रधान सचिव (नगरविकास) यांचे स्वीय सहायक, नगरविकास विभाग, मंत्रालय, मुंबई,
१५. सचिव (जसंव्य व लाक्षेवि) यांचे स्वीय सहायक, जलसंपदा विभाग, मंत्रालय, मुंबई,
१६. सचिव (प्रकल्प समन्वय) यांचे स्वीय सहायक, जलसंपदा विभाग, मंत्रालय, मुंबई,
१७. सर्व मंत्रालयीन विभाग, मंत्रालय, मुंबई,
१८. माहिती व जनसंपर्क महासंचालनालय, मंत्रालय, मुंबई,
१९. सर्व महासंचालक, जलसंपदा विभाग,

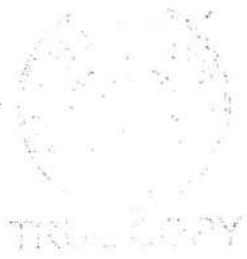
पृष्ठ ५ पैकी ४



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शासन परिपत्रक क्रमांक: पूरनि-२०१८/(१८२/२०१८) सि.व्य.(महसूल)

२०. सर्व विभागीय आयुक्त, महसूल विभाग, महाराष्ट्र राज्य,
२१. सर्व जिल्हाधिकारी, महाराष्ट्र राज्य,
२२. सर्व कार्यकारी संचालक, जलसंपदा विभाग,
२३. संचालक, नगररचनाकार, पुणे,
२४. सर्व मुख्य अभियंता/मुख्य अभियंता व मुख्य प्रशासक, जलसंपदा विभाग,
२५. जलसंपदा विभागातील सर्व सहसचिव व उपसचिव, मंत्रालय, मुंबई,
२६. सर्व अधीक्षक अभियंता/अधीक्षक अभियंता व प्रशासक, जलसंपदा विभाग,
२७. ग्रंथालय, विधानमंडळ सचिवालय, विधानभवन, मुंबई,
२८. सि.व्य. (महसूल) कार्यासन, संग्रहार्थ,



T.C.  
Bamburda

पृष्ठ ५ पैकी ५

- English Translation -

Directives to demarcate flood lines and use of Prohibitive and Restrictive Zones to not to allow any construction inside flood line to avoid possible risk of floods.

**STATE GOV. OF MAHARASHTRA  
WATER RESOURCES DEPARTMENT,**

Government Circular No. PuRaNi-2018/(182/2018) Sin. Vya.

(Revenue)

Mantralaya, Mumbai-32

Date: 3<sup>rd</sup> May 2018.

Read: Government Circular No.: FDW-1089/243/89/Sin Vya (Works)

Dt. 2/9/1989, Dt. 21/9/1989

**FOREWORD:-**

To avoid possible threat of flooding, with a view to demarcate flood lines to prohibit any type of construction inside flood lines, instructions have been given vide Irrigation Department Gov. Circular No. FDW-1089/243/89/Sin Vya (Works) Dt. 2/9/1989 and Dt. 21/9/1989.

There is increasing demand for No Objection Certificates from Gov./Semi Gov. organisations, local Gov. bodies for development of cities, towns and pilgrimage places to construct bridges, approach roads for bridges, roads on river banks as per the Development Plans, gardens and jogging tracks, flood protection wall on river edge, construction of Ghats, crossing of gas pipe lines and electrical cables, laying of drainage pipe lines on river edges, construction of sewage treatment plants etc. unavoidable works of public use on Prohibitive Zone inside Blue flood lines and on Restrictive Zone between Blue and Red Flood Lines. In light of this and also in view of various projects completed and under construction by Water Resources Dept. on streams and rivers, changes in rain pattern with time, flood control and modern flood prediction systems etc. need to be reviewed again.

T.T.  
By M. N. S.

As per Gov. circular No. Nyaypra-2014 Pra. Kra. 424/2014SinVya (M), Dt. 2.3.2015, approval to flood zones and flood maps is given by Water Resources Dept. But it was under consideration of the government to improve and to get more clarification with respect to which public utility works should be allowed Prohibitive Zone inside Blue Flood line and on Restrictive Zone between Red and Blue Flood line as per Gov. circular No. FDW-1089/243/89/Sin Vya (Works) Dt. 2/9/1989 and Dt. 21/9/1989. Accordingly following circular is published with collectively improved/latest instructions

**CIRCULAR-**

1. Gov. Irrigation Department circular No. FDW-1089/243/89/Sin Vya (Works) Dt. 2/9/1989 and Dt. 21/9/1989 is being modified.
2. With respect to the land use in flood prone zones, as per the guidelines given in the Dam Safety Manual Chapter 8/1984 important flood lines will be primarily of two types. Prohibitive Flood Line (Blue Line) and Restrictive Flood Line (Red Line).
3. Blue Flood Line:  
Blue Flood Line will be the line marked at the water level of the highest discharge of:
  - a) Flood discharge at the average frequency of 25 years.
  - b) One and half times the discharge of the established riverbed.
4. Red Flood Line:  
Red Flood Line will be the line marked at the water level of the water discharge as under:
  - a) Where there is no dam, flood discharge at the average frequency of 100 years.
  - b) Where there is a dam, maximum flood discharge over the spill way added with flood discharge from the free catchment area at the average frequency of 100 years.
5. Prohibitive Zone:



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The area between the Blue Flood line on the right bank of the river to riverbed to the Blue Flood line on the left bank of the river shall be called as Prohibitive Zone.

6. Restrictive Zone:

The area between the Blue Flood Line of the river and the Red Flood Line on the same bank shall be called as Restrictive Zone.

7. Prohibitive Zone can be used only in the form of open land e.g. gardens, play grounds, light crops; where there is established easement right to take crops (e.g. water melons, musk melons etc. public toilets and sewage discharge facilities), so that there will not be any obstruction to the flow of the river, there will not be reduction in the carrying capacity of the river and there will not be any change in the cross section of the river.

8. Restrictive Zone should be used only for the following:

- i) Sewage carrying projects unavoidable in public interest.
- ii) Public roads unavoidable in public interest; provided the top level of such road shall be above the level of Blue Flood line.
- iii) Water supply pipe lines, gas pipe lines, drainage pipe lines unavoidable in public interest provided such pipe lines shall be under ground and will not cause obstruction in the cross section of the Restrictive Zone.
- iv) The plinth level of the ground floor of the buildings in Restrictive Zone shall be safely above the level of Red Flood line so that the people could be evacuated to safe location before the flood level rises in the Restrictive Zone and it will be possible for the people and cattle to shift urgently to safe location with their belongings to avoid the loss of life and property due to floods.

9. Care shall be taken that there shall be no impediment to the flow of river, carrying capacity of the river shall not be reduced and there shall be no change in the cross section of the river due to the land used mentioned in para No. 8 above. Chief Engineer shall be



empowered to take action against the construction that causes obstruction to the flow of river. Concerned dept./Local Governing Body shall be responsible for the safety of the works done in the Prohibitive and Restrictive Zones. Concerned dept./Local Governing Body shall be responsible for the loss of life and property and possible litigations due to it because of the possible floods.

10. Considering all above mentioned points, to avoid possible flood risk, the regional Chief Engineer shall take necessary action as per Gov. circular No. Nyaypra-2014 Pra. Kra. 424/2014SinVya (M), Dt. 2.3.2015, to demarcate flood lines to identify Prohibitive Zone and Restrictive Zone as per the demand to Water Resources Dept. by Dist. Collector, Local Governing Body or other dept.
11. As the scope of work of Water Resources Dept. is limited only to demarcation of flood lines on river banks, works in Prohibitive Zone and Restrictive Zone as mentioned above shall not need No objection Certificates from Water Resources Dept. But if approval from Environmental Dept./other depts./Local bodies/other Gov. depts. is required, it shall be taken independently.
12. This Gov. circular is being issued as per Legal and Justice Dept. informal reference No. 388-2018/E Dt. 13.4.2018 and Town Planning dept. informal reference No. TPS-1018/Anaus.5/2018/Navi-9 Dt. 19.4.2018.
13. Said Gov. Resolution is made available on the Maharashtra government's website [www.maharashtra.gov.in](http://www.maharashtra.gov.in) and its code No. is 201805031801595727. This order is digitally signed.

In the name and as per the orders of the Governor of Maharashtra.

C. A. Birajdar,  
Secretary

T=T-  
*Bomkhise*

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पिंपरी चिंचवड महानगरपालिका  
पिंपरी, मुंबी ४११०१८  
नगर रचना व विकास विभाग  
नगर विकास विभाग  
दिनांक - ०५/०८/२०२१  
दो.कं. १०३३२१२२०००५८५७

प्रती,  
श्री. दत्ता विठ्ठल जरे  
सा. चिखली, पुणे.

विकास योजना अधिप्राय मिळण्यावरून  
महाराष्ट्र शासना दि. २६/०८/२०२१ मोजीचा अर्ज

महोदय,

विकास योजना अधिप्राय देण्यात येतो की, पिंपरी चिंचवड महानगरपालिकेच्या राष्ट्रीय  
सकाय्या महामार्ग शासन, नगर विकास विभाग अधिमुचना क्र. टीपीएम-१८०५/२०२० (प्रक्र-७१५/०५/पवि-  
२३) दिनांक - ३०/०५/२०२० व महाराष्ट्र शासन, नगर विकास विभाग अधिमुचना क्र. टीपीएम-  
४८०८/२०१९/सीआर-१३२/१९/नवि-१३, दि. २८/०८/२०१९ व अधिमुचना क्र. टीपीएम-१८२२/२०१९/सीआर-  
५८/२०१९ पूर्वकायणी नं. २७३/२०१९ मोजीचा अर्ज दि. २०/०८/२०२१ अन्वये मंजूर विकास योजना तसेच  
मा. आयुक्त, यांत्रिकी व आदर्श अ. नरविभागाच्या दि. २६/०८/२०२१ अन्वये विकास योजना  
मंजुरीचे अधिमुचनेतील तक्रारी क्र. १ नुसार केल्या गट इस्वी प्रमाणे व महाराष्ट्र शासन, नगर विकास विभाग  
अधिमुचना क्र. टीपीएम - १८२५/२०२० प्रक्र. १३८/१५/नवि-१३, दि. २०/०८/२०२१ अन्वये मंजूर  
फेरवदलासार सादर - चिखली येथील सा. नं. ९० पै. जमिनी खालीलप्रमाणे प्रस्तावित केलेली आहे

सा. चिखली नगर  
मोजी - चिखली  
सा. नं. ९० पै.  
सुखालव-महाराष्ट्र  
उपअधीक्षक, मुंबी  
अभिलेख नं. २४२/२०२१  
जि.पुणे शासकीय  
मोजी नयाथा  
हवेली, अ. ता. इ.  
मो. र. नं.  
१४८८११२०२१  
मो. दि.  
१८/०८/२०२१

- १) अर्थदण्ड प्रमाण व प्रयोग
- २) नियोजित रस्ते
- ३) नियोजित रचनारूढी
- ४) इ. तिथी
- ५) नगर प्रस्ताव
- ६) मंजूर वी.आर.टी. कॉपीडॉर (२०० मी. प्रमाणे)
- ७) मुरग्या
- ८) इ. इ. शासनावर
- ९) म. प्रा. व. न. अधिनिधम
- १०) इ. इ. व. क. व. इ. इ. अन्वये
- ११) न्यायिका

निरच.  
निरच.  
लगत १८.०० मी. रस्ता  
विद्यारी, हरीत प्रदेश  
दि. २०/०८/२०२१ चे शासन निर्णयानुसार सादर  
मिळकतीची नाल फेरवदलाखालील ३०६७.०० चौ. मी.  
ना विकास क्षेत्र विभागातील क्षेत्र अधिमूल्य भरणा  
करून घ्यावीत अटीस अधिन साहून रहिवास विभागात  
समाविष्ट केलेले आहे.  
शट - उत्तम फेरवदलाखालील ३०४० हेक्टर व्यापेक्षा  
जास्त क्षेत्राकरिता विभागात १५% क्षेत्र सुविधा क्षेत्र  
मंजूर देण्याकरीता देवणे अधिसूचना राहिल, सादर सुविधा  
क्षेत्रांमध्ये आयुक्त पिंपरी चिंचवड महानगरपालिका  
ठरवतील त्या प्रमाणे सुविधांचा विकास करणे  
बंधनकारक राहिल महानगरपालिकेस मार्गदर्शक  
सुविधाकरिता अशा सुविधा क्षेत्रांमधील जागा  
आवश्यक असले तर ती महानगरपालिकेस त्या  
कारणासाठी उपलब्ध करून देणे बंधनकारक राहिल.  
निरच.  
सादर मिळकतीचा काही भाग इंद्रायणी नदी ते निळी  
पुरेणा (निगिध क्षेत्र) कडून तर काही भाग  
इंद्रायणी नदीनी निळी पुरेणा ते नाल पुरेणा  
(निगिध क्षेत्र) यागाळे समाविष्ट होत असून उर्वरित  
मिळकत नाल पुरेणेबाहेर आहे.  
निरच.  
निरच.



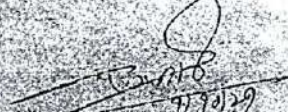
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674

१०) मन्त्रालय वा मन्त्रालया  
आस्थापनाचे इही भवन आहे निम्न  
किंदा नाही

शहराचा अधिपत्य मन्त्रालय क्षेत्रात एक अधीकरण, संपूर्ण अखिलच ना इवली जि पुणे यांचेकडील मन्त्रालय  
उत्कृष्टाद्वारा देण्यात आलेला आहे. परंतु मन्त्रालयी आस्थापना वट मन्त्रालयी इव वटियादी ही रूपा प्रथम संशयः  
आहे निर्माण झाल्यास त्यास प्रिन्सिपल मन्त्रालयी अर्थातद्वारा सहकार नाही  
सोबत - प्रस्ताव दृश्ये नकाशा

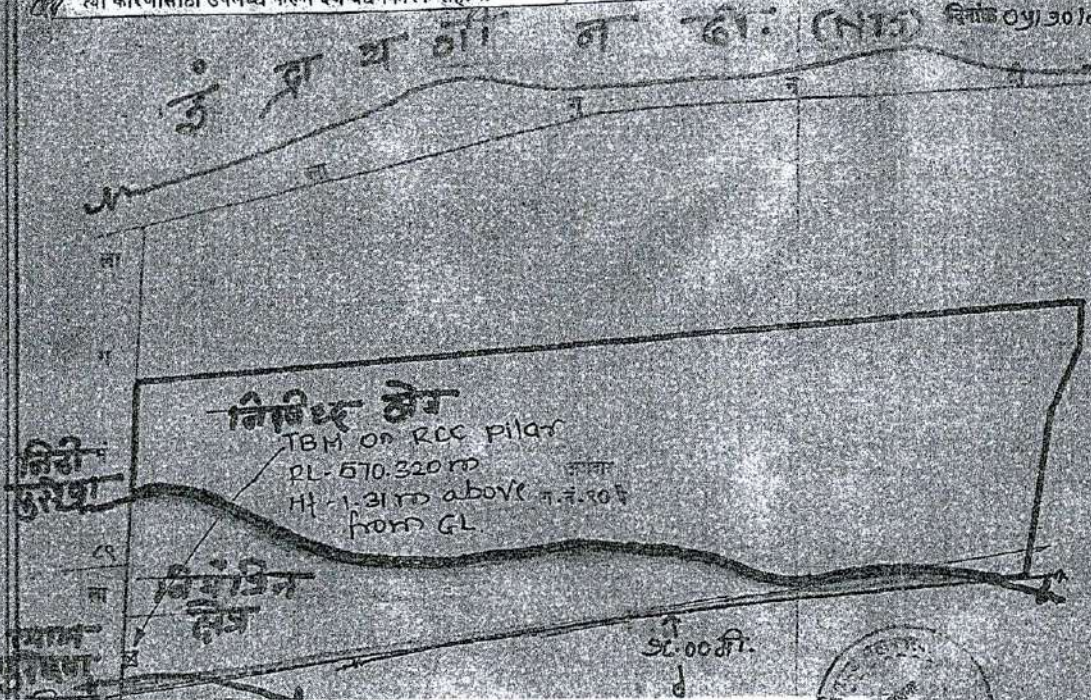
आपला

  
११/११/२१  
उपसंचालक, मन्त्रालयी  
मन्त्रालयी व विकास विभाग  
शिवाजी विठ्ठल महानगरपालिका  
पिंपरी, पुणे - १८



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नगरविकास विभाग अधिसूचना क्र. टिपीएस - १८१५/४२८. प्र.क्र.१३८/१५/नवि - १३, दि. १०/१२/२१ चे शासन निर्णयानुसार सदर मिळकतीमधील फेरबदलाखालील ३०६७.०० चौ. मी. नगरविकास बापर विभागातील क्षेत्र अधिमूल्य भरणा करून खालील अटीस अधिन राहून रजिस्ट्रार कार्यालयात समाविष्ट केलेले आहे.  
 अट - उक्त फेरबदलाखालील ०.४० हे. व त्यापेक्षा जास्त क्षेत्राकरिता किमान १५% क्षेत्र सुविधा क्षेत्र म्हणून रेखांकनात ठेवणे आवश्यक राहिल, सदर सुविधा क्षेत्रामध्ये आयुक्त पिंपरी चिंचवड महानगरपालिका ठरवतील त्या प्रमाणे सुविधांचा विकास करणे बंधनकारक राहिल महानगरपालिकेत सार्वजनिक सुविधांकरिता अशा सुविधां क्षेत्रापैकीची जागा आवश्यक असेल, तर ती महानगरपालिकेत त्या कारणासाठी उपलब्ध करून देणे बंधनकारक राहिल.



- टिपा:-
- या प्रमाणे मंजूर विकास योजनेतील प्रस्ताव असे.
  - याप्रमाणे निवासी विभाग असे.
  - याप्रमाणे हरितपट्टा असे.
  - याप्रमाणे इंद्रायणी नदी ते निळी पुरेणा यामधील निषिद्ध क्षेत्र असे.
  - याप्रमाणे निळी पुरेणा ते लाल पुरेणा यामधील नियंत्रित क्षेत्र असे.

नगरविकास विभाग  
 नगरविकास विभाग  
 पिंपरी चिंचवड महानगरपालिका  
 पिंपरी - १८

क पत्र

पौज : चिखली  
 तालुका : हवेली  
 जिल्हा : पुणे

अ.ता.ह.मो.र.नं ३४८८१/२०२१

मंजुरीचे काम अर्जदार जी स्वतःच तर्फे भागीदार विक्रेत्यास घेतले आहे. याची मंजूर दिखलेले रेथोड ग. नं. १० येथे मोजणी करणे कापी केलेल्या मोजणी अर्जावरून मोजणी करण केले जाते.

टिपा आणि खुलासा

या प्रमाणे ग.नं. चौ. हद्द अभिलेखा प्रमाण असे.  
 या प्रमाणे मोजणीद्वारे अर्जदार यांनी वाचवलेली चढीदार असे.

सदरचा मोजणी खबरास  
 याप्रमाणे मंजूर असे. (प्रमाणे टिपा १ ते २ असत.)  
 मंजूर अभिलेखात सामल असे.



मंजूर करणार: सती  
 मोजणी दिनांक १२/१२/२०२१

AREA STATEMENT

BOUNDING AREA OF ROAD (EACH PLOT)	REMAINING PLOT AREA (EACH PLOT)	50% AREA ON ROAD (EACH PLOT)	PERMISSIBLE 50% AREA (EACH PLOT)	TOTAL AREA PERMISSIBLE (SQ. M. ± 1%)
PLOT 01	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 02	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 03	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 04	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 05	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 06	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 07	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 08	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 09	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 10	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 11	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 12	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 13	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 14	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 15	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 16	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 17	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 18	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 19	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 20	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 21	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 22	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 23	10,341.85	5,170.93	5,170.93	10,341.85
PLOT 24	10,341.85	5,170.93	5,170.93	10,341.85
TOTAL	10,341.85	5,170.93	5,170.93	10,341.85

STAMP OF APPROVAL



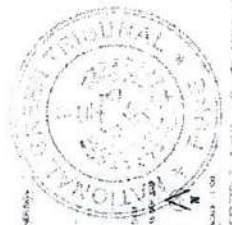
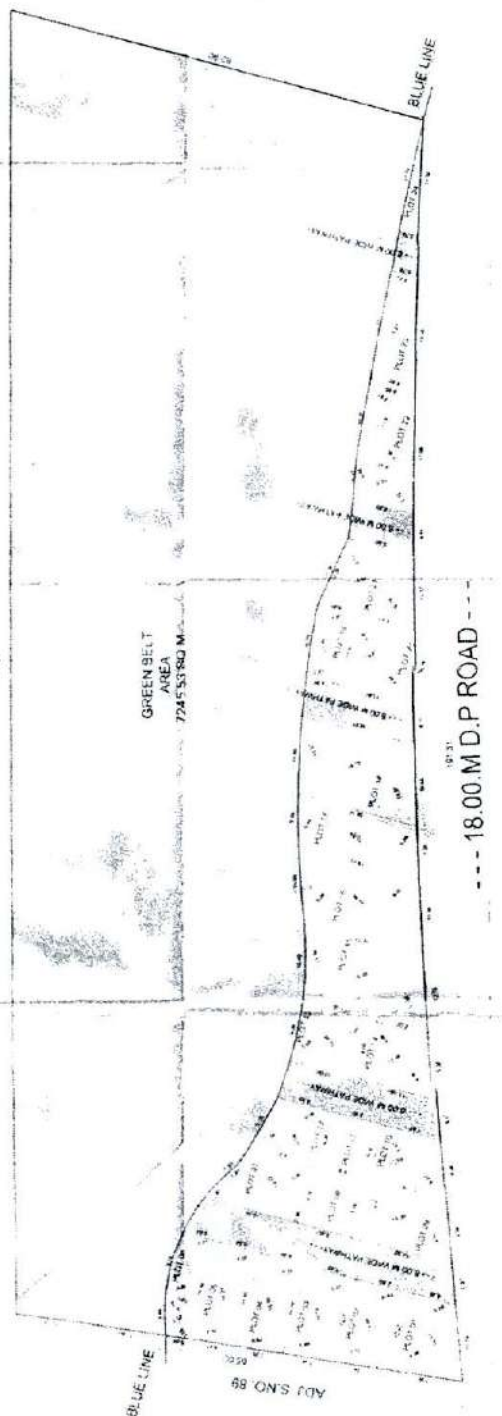
ANALYSIS OF AREA

- 1. Area of Plot: 10,341.85 sq. m.
- 2. Area of Plot: 10,341.85 sq. m.
- 3. Area of Plot: 10,341.85 sq. m.
- 4. Area of Plot: 10,341.85 sq. m.
- 5. Area of Plot: 10,341.85 sq. m.
- 6. Area of Plot: 10,341.85 sq. m.
- 7. Area of Plot: 10,341.85 sq. m.
- 8. Area of Plot: 10,341.85 sq. m.
- 9. Area of Plot: 10,341.85 sq. m.
- 10. Area of Plot: 10,341.85 sq. m.

TRIANGULATION - PLOT



AREA KEY PLAN - INT. ROAD





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#WATCH | Pune, Maharashtra: On Pimpri Chinchwad Municipal Corporation (PCMC) to demolish 29 bungalows for violating environmental laws after Supreme Court's order, PCMC Engineer Makarand Nikam says, "The matter was already in NGT (National Green Tribunal). NGT has already ordered to demolish the residential buildings built on the Blue Line and charge EDC (Environmental damage compensation) worth Rs. 5 crores from them (bungalow owners)... So, they (bungalow owners) appealed to the Supreme Court but the Supreme Court has rejected their appeal..."



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PUNE, 20 SEPTEMBER 2024

## Pune: NGT Dismisses Opposition Petition; Mula-Mutha Riverbank Rejuvenation Project To Speed Up Work

READ MORE AT

[www.punekarnews.in](http://www.punekarnews.in)

punekarnews Pune: NGT Dismisses Opposition Petition; Mula-Mutha Riverbank Rejuvenation Project To Speed Up Work

Pune, 20th September 2024: The National Green Tribunal (NGT) has dismissed the opposition petition against the Mula- Mutha riverbank rejuvenation project following the approval of revised environmental clearance. This decision enables the Pune Municipal Corporation (PMC) to expedite work on the project.

The PMC began rejuvenation work between Sangamvadi and Bund Garden, as well as from Bund Garden to Mundhwa Bridge, in March 2022. So far, 85 percent of the work from Sangamvadi to Bund Garden has been completed, while 27 percent of the work between Bund Garden and Mundhwa Bridge is finished.

Following the project's environmentally conscious citizens launched a campaign against it. Sarang Yadavakar filed a petition with the NGT as the PMC continued its activities.

During the hearing, various environmental concerns were raised, including river flooding and tree cutting. In response, the NGT ordered the PMC to carry out work only after obtaining the revised environmental permit. Consequently, activities such as tree trimming and replanting were halted, leading to further delays in other related work.

To secure the revised environmental clearance, the PMC submitted a report to the State Environment Impact Assessment Authority (SEIAA) along with technical information about the situation. However, delays occurred due to the lack of appointed SEIAA members, which postponed hearings and permission.

Recently, in a hearing at SEIAA, the PMC's plan was deemed suitable, and permission was granted. The PMC then submitted the revised environmental clearance to the NGT. In today's hearing, Yadavakar's Pet petition was rejected, with Advocate Rahul Garg representing the PMC.

The riverbank rejuvenation project involves cleaning 44 km of the river surface in 11 phases, with a total expenditure of ₹4,727 crore.



## National Green Tribunal

Filing Number	270413800415/2019	Filing Date	10-08-2020
Party Name	TANAJI BALASAHEB GAMBHIRE TANAJI BALASAHEB GAMBHIRE VS THE CHIEF SECRETARY GOVERNMENT OF MAHARASHTRA		
Petitioner Advocate(s)	IN PERSON	Respondent Advocate(s)	
Act	ENVIRONMENT (PROTECTION) ACT, 1986		
Case Number	Original Application No. 50/2020	Registered On	13-08-2020
Last Listed	01-07-2024		
Case Status	DISPOSED		
<input type="checkbox"/> All Parties			
<input type="checkbox"/> Listing History (Orders)			
<input type="checkbox"/> IA/MA			
<input type="checkbox"/> Connected Matters			


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National Green Tribunal  
 Faridkot House, Copernicus Marg, New Delhi-110001  
 011-23043528, 011-23043521, FAX-011-23077931  
 Email: publicgrievance-ngt[at]gov[dot]in, admin[dot]ngt[at]nic[dot]in

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH AT PUNE

MEMORANDUM OF APPLICATION

UNDER SECTIONS 14, 15 & 20 OF NGT ACT, 2010

APPLICATION NO. \_\_\_\_\_/2020

IN THE MATTER OF:

**MR. TANAJI BALASAHEB GAMBHIRE**

Age: Adult, Occupation: Self-employed,

R/o- CTS-296, Shukrawar Peth, Flat No-16,

Laxmi Apartment, White House Lane,

Near Shivaji Maratha High School,

Pune-411002, E-mail: tanaji\_9june@yahoo.com

...APPLICANT

VERSUS

1. **THE CHIEF SECRETARY,**  
Government of Maharashtra,  
Annex Building, Mantralaya, Fort,  
Madham Kama Road, Mumbai-400032, Maharashtra  
E-mail: chiefsecretary@maharashtra.gov.in
2. **THE PRINCIPAL SECRETARY, ENVIRONMENT DEPT.**  
Government of Maharashtra,  
Room No. 217, 2<sup>nd</sup> Floor, Annex Building,  
Mantralaya, Mumbai-400 032, Maharashtra  
E-mail: psec.env@maharashtra.gov.in
3. **STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY- MAHARASHTRA  
(SEIAA)**



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Through Member Secretary  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai-400 032, Maharashtra  
E-mail: psec.env@maharashtra.gov.in

**4. MAHARASHTRA POLLUTION CONTROL BOARD**

Through Member Secretary,  
Kalptaru Point, 3<sup>rd</sup> Floor, Near Sion Circle,  
Opp. Cine Planet Cinema, Sion (E),  
Mumbai-400 022, Maharashtra  
E-mail: ms@mpcb.gov.in

**5. MAHARASHTRA POLLUTION CONTROL BOARD**

Through Regional Officer  
Jog Centre, 3<sup>rd</sup> Floor, Mumbai-Pune Old Highway,  
Wakadewadi, Pune-411 003, Maharashtra  
E-mail: ropune@mpcb.gov.in

**6. THE SECRETARY, URBAN DEVELOPMENT DEPT.**

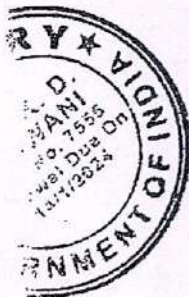
Government of Maharashtra,  
4<sup>th</sup> Floor, Annex Building,  
Mantralaya, Mumbai-400 032, Maharashtra  
E-mail: sec\_ud1@maharashtra.gov.in

**7. MUNICIPAL COMMISSIONER-PCMC**

Pimpri-Chinchwad Municipal Corporation,  
PCMC Building, Old Mumbai-Pune Highway,  
Pimpri, Pune-411 018  
E-mail: commissioner@pcmcindia.gov.in

**8. CITY ENGINEER-PCMC**

Pimpri-Chinchwad Municipal Corporation,



PCMC Building, Old Mumbai-Pune Highway,  
Pimpri, Pune-411 018  
E-mail: bldp@pcmcindia.gov.in

**9. WATER RESOURCES DEPARTMENT**

Through Chief Engineer (Irrigation Department),  
Sinchan Bhavan, Barne Road, Mangalwar Peth,  
Pune Irrigation Circle, Pune-411011  
E-mail: ceidpune@vsnl.com, cewrpune@rediffmail.com

**10. COLLECTOR OF PUNE**

As Collector and President of District Environment  
protection Committee-Pune, Collector office, Bund Garden,  
Pune-411001, E-mail: rdc.pune-mh@gov.in

**11. M/s. RIVER RESIDENCY DEVELOPERS**

Joint Ventures Through  
10A. M/s. Ishwar Construction Pvt. Ltd.,  
10B. Trade Centre Developers & Builders Pvt. Ltd.  
10C. M/s. Vijay-Laxmi Developers,  
10D. Vishal Associates,  
Having their Office Address at: Ishwar Parmar Group,  
Parmar Trade Center, C Wing, Sadhu Vaswani chowk, Pune-  
411001, E-mail: ishwar@iparmar.com.  
Having Project Address at: Gut No. 90(P), Village-Chikhali,  
Tal-Haveli, District-Pune

**12. M/s. JARE GROUP (JARE WORLD)**

Having Office Address: Manisha Society, Behind Sai  
Mandir, More Vasti, Village: Chikhali, Taluka: Haveli,  
District: Pune, Maharashtra-411062



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Having Site Office: Survey No. 90, Behind River Residency,  
 Village: Chikhali, Taluka: Haveli, District: Pune,  
 Maharashtra-411062  
 E-mail: jaregroup9997@gmail.com,  
 Mobile No. 9890192530/9096900907.

13. M/s. V SQUARE

Having Site Office: Survey No. 90, Behind River Residency,  
 Village: Chikhali, Taluka: Haveli, District: Pune,  
 Maharashtra-411062,  
 E-mail: vishwanathjare@gmail.com  
 Mobile: 9604253434, 8390909033.

....RESPONDENTS

AND IN THE MATTER OF

AN APPLICATION SEEKING RESTITUTION  
 AND RESTORATION OF ENVIRONMENT &  
 ECOLOGY CAUSED DUE TO ILLEGAL  
 BUNGALOW PLOTS CONSTRUCTION IN  
 PROHIBITED ZONE OF BLUE FLOOD LINE  
 OF INDRAYANI RIVER ON THE LAND  
 RECLAIMED BY DUMPING OF  
 CONSTRUCTION WASTE BY GROSS  
 INTENTIONAL VIOLATIONS OF VARIOUS  
 ENVIRONMENTAL AND POLLUTION  
 CONTROL ACTS, RULES AND  
 REGULATIONS RESPONDENT NO. 12 & 13-



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PP WITH THE HELP OF OTHER  
RESPONDENTS

TO,

HON'BLE CHAIRPERSON OF NGT AND

HIS COMPANION HON'BLE JUDICIAL MEMBER AND

HON'BLE EXPERT MEMBERS OF NGT.

THE HUMBLE APPLICATION OF THE APPLICANT ABOVE  
NAMED AND IT IS MOST RESPECTFULLY SHOWETH:

1. The address of the applicant is as given above for the service of notices of this application.
2. The addresses of the respondents are as given above for service of notices of this application.
3. The applicant above named begs to submit this memorandum of application with principle contention of illegal construction of bungalows project in prohibited area of blue flood line of "Holy Indrayani River" under taken by the Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents (PP's) of their "River Villa" on Survey / Gut No. 90(P) of Village: Chikhali, Taluka: Haveli, District: Pune situated in local limits and jurisdiction of Pimpri-Chinchwad Municipal Corporation (PCMC).



4. This illegal activity of Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents (PP's) gives rise to substantial question relating to implementation of the environment protection & improvement enactment listed in schedule-I of the NGT Act, 2010.

5. **Importance of the Indrayani River:**

It is submitted that, the river Indrayani is passing through the town Alandi, which is the place of worship and spirited by the presence of entrancement of "Sant and Great philosopher Dnyaneshwara". At this place this applicant and Hindu religious people are conducting their worship and religious ritual on the bank of river Indrayani. As there is huge water pollution of river from the present project proponent including pollution by other polluter, it is becoming difficult to conduct the same and as there is common sharing of environment as it is polluted by the present Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents.

6. Being aggrieved and dissatisfied due to illegal construction undertaken by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents (PP's) in the prohibited area of blue flood line of Holy Indrayani River without any permission and non-actions by



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the concern authorities, this applicant prefers this application inter-alia on the following grounds.

7. PARTICULARS OF PROJECT UNDER CHALLENGE AND PROJECT PROPONENT:

- a. It is submitted that, the project under challenge "*River Villa*" is the residential bungalow plots construction project undertaken by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents (PP's) situated at the Survey No. 90(P), Near River Residency, Village-Chikhali, Taluka-Haveli, District-Pune within the limit and jurisdiction of PCMC as local & sanctioning authority and total project land area is admeasuring of 22000 Sq. Mtrs.
- b. Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents (PP's) are responsible for all illegal activity committed during the construction phase as well as for the damage caused to environment and ecology due to operation of this project activity and such damage must be imposed on PP, as PP is the beneficiary of project and PP is the profit making company.

8. GROUNDS FOR APPLICATION:

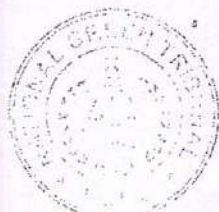


- a. Because the construction of bungalow project under taken by the Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents is totally illegal and not permissible by any law as the project land is restricted for such type of project.
- b. Because the Irrigation department submitted their flood line marking plans for Indrayani River to PCMC near about January 2009 and project site is shown as affected by prohibited blue flood line.
- c. Because the project land is part and parcel of Indrayani River and reserved as Green Zone and prohibited bungalow construction under DC rules of PCMC.
- d. Because the PCMC incorporated the marking of flood line on their development plan on 18.08.2009 vide EP-87 and project site is shown as affected by prohibited blue flood line.
- e. Because the Respondent PP's have under taken construction of entire bungalow plots project in prohibited zone of blue flood line of the Holy Indrayani River.
- f. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents in connivance of Respondents No. 11-M/s. River Residency (JV) dumped construction waste and reclaimed the area of project land.



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- g. Because the Respondent PP's have completed the construction of one bungalow, compound wall and bungalow plots boundary walls in prohibited area of blue flood line.
- h. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents are extracting ground water from two bore wells without permission from concern authority.
- i. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents are dumping construction waste in Indrayani River.
- j. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have blocked the natural flow of Indrayani River.
- k. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have diverted the natural flow of Indrayani River.
- l. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents are discharging construction waste water into the natural flow of Indrayani River.
- m. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents



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have damaged the top soil of project land and there is preservation of top fertile soil.

- n. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have caused air pollution due to illegal operation of One DG Sets.
- o. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have constructed the internal roads with asphalts causing soil pollution.
- p. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have consumed huge quantity of natural resources as by way of processed fine building material.
- q. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have made tree cutting.
- r. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have completed construction of one bungalow and proposed 100 bungalows in total.
- s. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents



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have proposed this project on 5.5 Acre (i.e. 5.5 x 4000 Sq. Mtrs = 22000 Sq. Mtrs.).

- t. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have not obtained any layout & building sanction from PCMC.
- u. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have not obtained any non-agricultural permission for Land use change from Collector of Pune.
- v. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have made illegal Land use change from Green Zone to Residential Zone.
- w. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have not obtained any permission form Water Resource Department (Irrigation Department)
- x. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have not obtained any permission form Maharashtra Real Estate Regulatory Authority-MAHA RERA.
- y. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents



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have not obtained any permission from the MoEF & CC, Environment Department, SEIAA, SEAC and MPCB.

- z. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have violated the principle of sustainable development.
- aa. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents in connivance with PCMC officer has violated the provisions of Environment enactment and PCMC officers are also equally responsible.
- bb. Therefore the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents as well as Respondent authorities has violated the provisions Environment Acts-1986, Water (P & CP) Act-1974 and Air (P & CP) Act-1981.
- cc. Because the conduct of Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents is unapologetic and PP's has adopted careless and reckless attitude towards the environment protection.
- dd. Because the conduct of Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents are cheating public at large.
- ee. Because the conduct of Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents



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have cause huge financial loss to the exchequer by duping the various charges to be paid for construction.

- ff. Because the Respondents No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents has caused substantial damage to environment and ecology more than Rs. 100 Crores, which shall be recovered from PP.
- gg. Thus it is mandatory to demolish the project construction and stop further construction permanently.

9. SUBSTANTIAL QUESTION OF ENVIRONMENT:

- a. Whether the illegal construction of project is permissible in prohibited area of blue flood line of major water body i.e. Holy Indrayani River?
- b. Whether the PP is allowed to dump hazardous construction waste in blue flood line of Indrayani River?
- c. Whether the development is legal, wherein the ground water is extracted for construction & daily use without obtaining permission from the appropriate authority?
- d. Whether the mighty and resourceful PP is allowed to violate the provisions of environmental norms and further to cause irreparable damage to the environment & ecology for his profit making at the cost of "Mother Nature"?

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10. BRIEF FACTS LEADING TO THE PROJECT UNDER CHALLENGE AND FACTS LEADING TO THIS APPLICATION:

A. NO CONSTRUCTION IS PERMITTED IN BLUE FLOOD LINE AND RIVER:

- i. It is submitted that, there was many incidents of flood due to heavy rain and dam breaks causing harm to the human habitants, wildlife etc. in the State of Maharashtra earlier to the 1980, therefore Government of Maharashtra decided to prohibit the development in the vicinity of the rivers in view to protect the environment and inhabitant from the floods of the rivers.
- ii. It is submitted that, the Government of Maharashtra issued notification on 21.09.1989 defining the areas of blue flood line imposing restrictions on any constructions between this line and river bed and red flood line regulating the constructions activity with certain guidelines and directed every concern department to implement this regulations in the state of Maharashtra.
- iii. Therefore, any construction in the range between blue flood line and river bed is illegal since 21.09.1989 and proposed construction of the PP will not be survive by any means.

Copy of the Government Circular No.: FDW-1089/243/89/Sin Vya (Work) regarding marking of flood



line to restrict any type of construction inside dated 21.09.1989 is attached herewith and marked as ANNEXURE-A-1 (Page- 41 to 43).

B. ILLEGAL DUMPING OF MORE THAN 200000 CU. MTRS. CONSTRUCTION WASTES IN INDRAYANI RIVER AFFECTING GREEN BELT AND STP RESERVATION PLOTS AND ILLEGAL CONSTRUCTION IS CARRIED OUT ON GREEN BELT AREA PROHIBITED BY BLUE FLOOD LINE OF INDRAYANI RIVER:.

i) It is submitted that, the Irrigation department submitted their flood line marking plans for Indrayani River to PCMC near about January 2009, wherein in it is clearly shown this Survey No. 90 is affected by the blue flood line.

{ANNEXURE-A-2, Page-44}

ii) It is submitted that, the PCMC incorporated the marking of flood line on their development plan Under Section 31 of M.R. & T.P. Act 1966 Vide Notice No.TPS-1808/894/CR-09/UD-13 on 18.08.2009 vide EP-87. Also this development plan shows this Survey No. 90 of Village: Chikhali is affected by Green Belt reservation & blue flood line of Indrayani River. {ANNEXURE-A-3, Page-45}



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4. *Red Flood Line: Red Flood Line will be the line marked at the water level of the water discharge as under:*
  - a) *Where there is no dam, flood discharge at the average frequency of 100 years.*
  - b) *Where there is a dam, maximum flood discharge over the spill way added with flood discharge from the free catchment area at the average frequency of 100 years.*
5. *Prohibitive Zone: The area between the Blue Flood line on the right bank of the river to riverbed to the Blue Flood line on the left bank of the river shall be called as Prohibitive Zone.*
6. *Restrictive Zone: The area between the Blue Flood Line of the river and the Red Flood Line on the same bank shall be called as Restrictive Zone.*
7. *Prohibitive Zone can be used only in the form of open land e.g. gardens, play grounds, light crops; where there is established easement right to take crops (e.g. water melons, musk melons etc. public toilets and sewage discharge facilities), so that there will not be any obstruction to the flow of the river, there will not be reduction in the carrying capacity of the river and there will not be any change in the cross section of the river."*

iv. It is submitted that, the flood line marking plans prepared for Village-Bopodi clearly shows that, the project land is following in restricted zone and no construction is permitted at all.

Copy of the Government Circular No. PuRaNi-2018/(182/2018) Sin. Vya. (Revenue) for not to allow any construction inside flood line to avoid possible risk of floods

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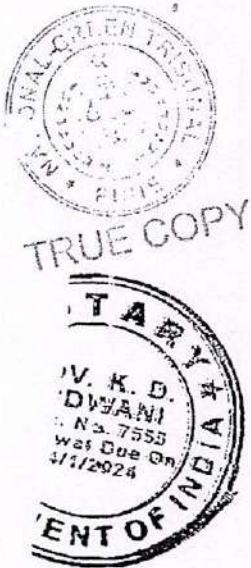
dated 03.05.2018 is attached herewith and marked as ANNEXURE-A-9 (Page-197 to 205).

**E. PHOTOGRAPHS SHOWING DUMPING OF CONSTRUCTION WASTE BY M/S. RIVER RESIDENCY:**

- a. It is submitted that, the M/s. River Residency were started their construction near about 2012 and started dumping of construction waster and excavated waste material on the green belt of remaining land in the same survey number on which the present bungalow project is under construction.

**Photographs Dated 15.04.2017:**

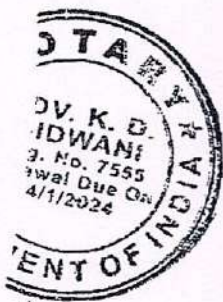
- b. It is submitted that, the photographs from Photo No. 05/28 to 12/28 dated 15.04.2017 clearly shows the ongoing dumping of the construction waste on the Green Belt and STP reservation plot is done by the M/s. River Residency (JV) on which Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have under taken bungalow plotting & its construction.
- c. It is submitted that, the photographs from Photo No. 25/28 to 26/28 dated 15.04.2017 clearly shows illegal installation of RMC plant causing air pollution in the area and Photo No. 27/28 to 28/28 dated 15.04.2017 clearly shows air particles spared over the area causing air pollution M/s. River



Residency (JV). Copy of the Photographs dated 15.04.2017 of the project sites captured by the applicant with "Canon Power shot A470" are attached herewith and marked as ANNEXURE-A-7 {Page-93 to 106}.

**Photographs Dated 09.06.2017:**

- d. It is submitted that, the photographs from vide Photo No. 07/62, 15/62, to 21/62 dated 09.06.2017 clearly shows the ongoing dumping of the construction waste on the Green Belt and STP reservation plot is done by the M/s. River Residency (JV) on which Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have under taken bungalow plotting.
- e. It is submitted that, the photographs from vide Photo No. 21/62 to 31/62 dated 09.06.2017 clearly shows the illegal construction of Ghat or so called nature park in to the Indrayani River bed creating pollution and obstacle to the water flow by M/s. River Residency (JV).
- f. It is submitted that, the photographs from vide Photo No. 32/62 to 38/62 dated 09.06.2017 clearly shows illegal dumping of the hazardous waste like Gypsum, POP, Cement & Concrete generated from the Construction of M/s. River Residency (JV), specifically Photo No. 36/62



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showing tractor carrying construction waste for dumping into river bed.

- g. It is submitted that, the photographs from vide Photo No. 40/62 to 52/62 dated 09.06.2017 clearly shows green belt reservation area affected by prohibited blue flood line under construction waste dumping and trees standing there, on which illegal bungalow plotting construction is done by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents.
- h. It is submitted that, the photographs from vide Photo No. 53/62 to 54/62 dated 09.06.2017 clearly shows storage of Cement yard and cement blocks storage into in to Indrayani River bed by Respondent No. 11-M/s. River Residency (JV).
- i. It is submitted that, the photographs from vide Photo No. 55/62 to 60/62 dated 09.06.2017 clearly shows storage of construction waste dumping into in to Indrayani River bed by M/s. River Residency (JV).
- j. It is submitted that, the photographs from Photo No. 61/62 to 62/62 dated 09.06.2017 clearly shows illegal installation of RMC plant causing air pollution in the area and air particles spared over the area causing air pollution M/s. River Residency (JV) and also shows the equipments like tractors, JCB utilised for construction waste dumping. Copy of the Photographs dated 09.06.2017 of the project sites captured by



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the applicant with "Canon Power shot A470" are attached herewith and marked as ANNEXURE-A-8 {Page-107 to 137}.

**Photographs Dated 17.12.2019:**

- k. It is submitted that, the photographs from Photo No. 01/08 dated 17.12.2019 clearly shows ongoing illegal construction of One Bungalow, Photo No. 02/08 to 06/08 dated 17.12.2019 clearly shows ongoing illegal construction of compound wall, bungalow plot boundaries etc. and Photo No. 07/08 & 08/08 are showing hoardings, advertisement, display at project site. Copy of the Photographs dated 17.12.2019 of the project sites captured by the applicant with Samsung phone having model no. "SM-M307F" are attached herewith and marked as ANNEXURE-A-11 {Page-207 to 211}.

**Photographs from Facebook Account of M/s. Jare World:**

- l. It is submitted that, the photographs uploaded by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents on the Facebook account of M/s. Jare World having web link address "<https://www.facebook.com/media/set/?vanity=jareworld&set=a.2310738055699992>" clearly shows ongoing illegal construction of boundary wall, compound wall, one



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bungalow, asphalt roads, site office, online advertisement of project etc. at the project site carried out by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents and this is illegal act is admitted by these project proponents themselves. Copy of the site photographs downloaded by Project Proponents on their Facebook account and down loaded by this Applicant are attached herewith and marked as ANNEXURE-A-12 {Page-212 to 222}.

Google Earth Images from 2014 to 2020:

- m. It is submitted that, the Google Earth Images from year 2014 to 2020 clearly shows the dumping of the construction waste into the river bed as well as in blue flood line of the Indrayani River and affecting green belt STP Reservation and copy of the Google Earth Images from 2014 to 2020 are attached herewith and marked as ANNEXURE-A-13 {Page-223 to 234}.



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Google Earth Images from 2004 to 2017:

- n. It is submitted that, the Google Images from year 2004 to 2017 clearly shows the tree cutting, dumping of construction waste, illegal construction of Ghat or So called Nature Park and PCMC STP Plant into the prohibited blue flood line of



the Holly Indrayani River and Copy of the Google Earth Images from 2014 to 2020 are attached herewith and marked as ANNEXURE-A-14 {Page-235 to 264}.

**11. DAMAGE TO ENVIRONMENT AND ECOLOGY ON ACCOUNT OF ILLEGAL CONSTRUCTION:**

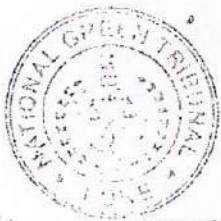
- a. It is submitted that, the PP has undertaken the illegal construction of bungalow project in blue flood line of the Holy Indrayani River without any permission.
- b. It is submitted that, the PP is dumping hazardous construction waste in river bed.
- c. It is submitted that, the PP has diverted river flow and created blockages of natural water flow.
- d. It is submitted that, the PP has made illegal tree cutting.
- e. It is submitted that, the PP has used huge quantity of the natural resources for the illegal construction of one bungalow, compound wall of bungalow plots, boundary wall without obtaining any requisite permission and caused irreparable damage to the environment and ecology in substantial nature.
- f. It is submitted that, the GHG emission especially carbon from the material process and its use during the construction and operation phase is huge and it has adverse impact on the environment and caused huge damage to environment.



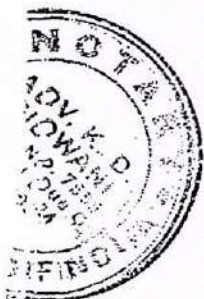
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- g. It is submitted that, the PP is extracting the ground water from two (2) number of bore wells without permission form concern Authority.
- h. It is submitted that, the environmental issues are very complex and its restoration is more difficult than complexity. But PP has callous attitude for environmental protection and adopted careless & reckless attitude with unapologetic behaviour and manipulated the government authorities, therefore exemplary damages having deterrent effect must be imposed on this PP to teach lesson.
- i. Therefore considering the serious violations of illegal construction in prohibited area of blue flood line of Indrayani River, dumping of construction waste in river bed, diversion of river flow, blockages of natural water flow, illegal tree cutting, illegal ground water extraction without CGWA permission, the amount of environmental damage required to be imposed on PP for restoration of this area should be more Rs. 100 Crores.
12. It is submitted that, this entire illegal activity shows that inherent lack of coordination between the local authority/ sanctioning authority and irrigation department and this act cannot be neglected for betterment of environment.



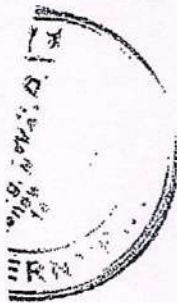
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- b. It is submitted that, the PP has undertaken the illegal construction of bungalow plots in the prohibited zone of blue flood line without obtaining any prior sanction from any authority and Applicant has noticed this illegal activity on 17.12.2019 in full swing and captured the photographs in his mobile phone and therefore this is the triggered cause of action first arose to file this application.

**20. LIMITATION TO FILE PRESENT APPLICATION:**

- a. It is submitted that, the present application is filed under section 14, 15 and 20 of the NGT Act, 2010 and there is limitation 6 (six) months under section-14 and 5 (Five) years under section-15 from the cause of action first arose and Principal prayer of the applicant is for restoration and restitution of the Indrayani River to its original position by demolition of the illegal construction.
- b. It is submitted that, the present applicant has raised substantial questions relating to protection of environment and its restitution & restoration and this application is filed within six months from cause of action first arose on 17.12.2019 excluding the period of lockdown from 23.03.2020 to 15.06.2020 and 13.07.2020 to 24.07.2020 due to COVID-19 pandemic and its triggered cause of action.

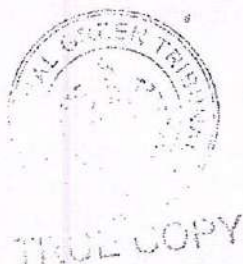


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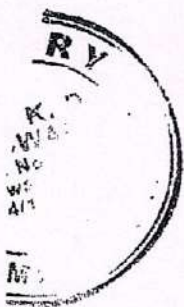
- c. It is submitted that, there was closure of entrepreneurs providing non-essential services like Xerox, scanning, paper sale, computer services, notary for affidavit etc. in Pune from 13.03.2020 due to COVID-19 pandemic and thereafter Central Government and state Government passed an Order directing LOCKDOWN from 23.03.2020 till 15.06.2020 and again from 14.07.2020 to 23.07.2020 in the city of Pune.

Sr.	Period	Days	Remark
1	17.12.2019 To 22.03.2020	97	
2	23.03.2020 to 15.06.2020	0	Lockdown
3	16.06.2020 To 13.07.2020	28	Unlock-1
4	14.07.2020 To 23.07.2020	0	Lockdown
5	24.07.2020 To 09.08.2020	16	Unlock-2
6	On Line submission 10.08.2020	0	Case Filed
7	Total Days from 17.12.2019	141	
8	Permissible days	180	
9	Application is filed on 142 <sup>nd</sup> day	-49	

- d. It is submitted that, the period of lockdown is exempted by the Hon'ble Supreme Court of India and also by government of India.
- e. The present application is filed within 6 months from 17.12.2019 i.e. on 142<sup>nd</sup> day out of permissible 180<sup>th</sup> days excluding the period of lockdown and thus the application filed is within the prescribed period of limitation.



21. PRAYERS: In the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass an order thereby:
- A. Direct the Respondents to demolish the illegal structures constructed in the prohibited area of blue flood line of Indrayani River at the project site in question and restore the area to its original position.
  - B. Direct the Respondents to remove all the construction and demolition waste dumped into the river & blue line and dispose of it in scientific manner.
  - C. Having regard to the damage to the public health, property and environment and as per the principles of sustainable development and polluter pays principles, Direct the Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents to deposit a heavy amount of compensation to the environment relief fund.
  - D. Direct the Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents to deposit a heavy amount for violating the environment enactments and carrying out such Prohibitory activities causing environmental degradation.
  - E. Direct Respondent No. 7 & 8-PCMC to forfeit all the benefits arising from present project site including FSI, TDR, DCR etc., with permanent prohibition on construction.



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- F. Direct Respondents to initiate appropriate legal action of prosecution against the PP for violation of the provisions of environmental enactments and other applicable pollution control laws.
- G. Appropriate legal actions may kindly be taken against erring Officers of PCMC & Water Resource Department/ Irrigation Department for their intentional negligence.
- H. Cost of this application may kindly be granted to this applicant
- I. Pass any other just and equitable orders in the interest of justice.

DATE: 10/08/2020

PLACE: PUNE

*Bombhise*  
 APPLICANT

VERIFICATION:

Verified at Pune on this 10<sup>th</sup> day of August, 2020 that the contents of the aforesaid application are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

*Bombhise*  
 DEPONENT



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-01/28



Photo-02/28



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T.C.  
*(Signature)*

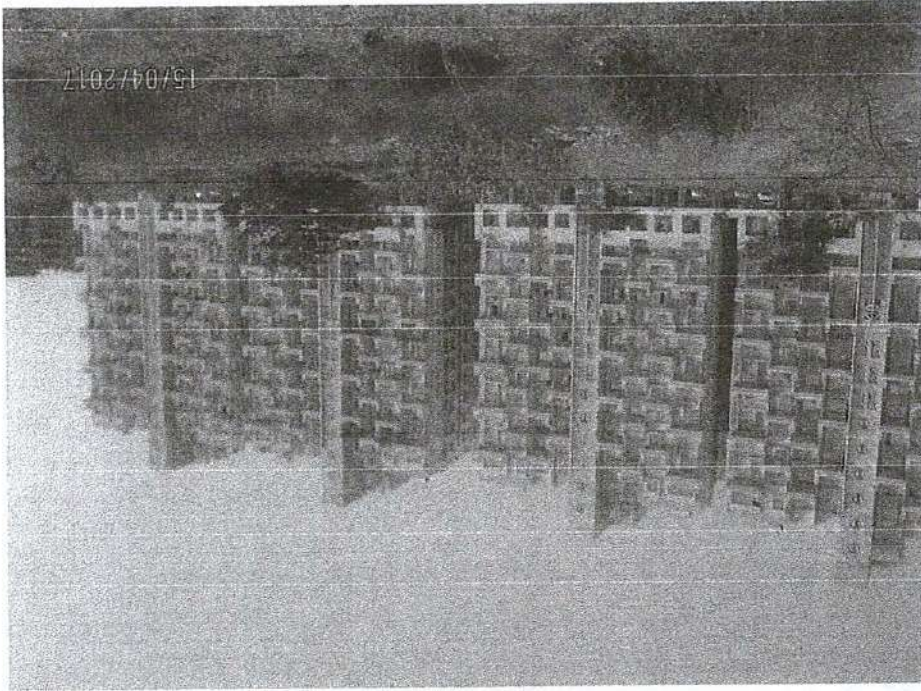


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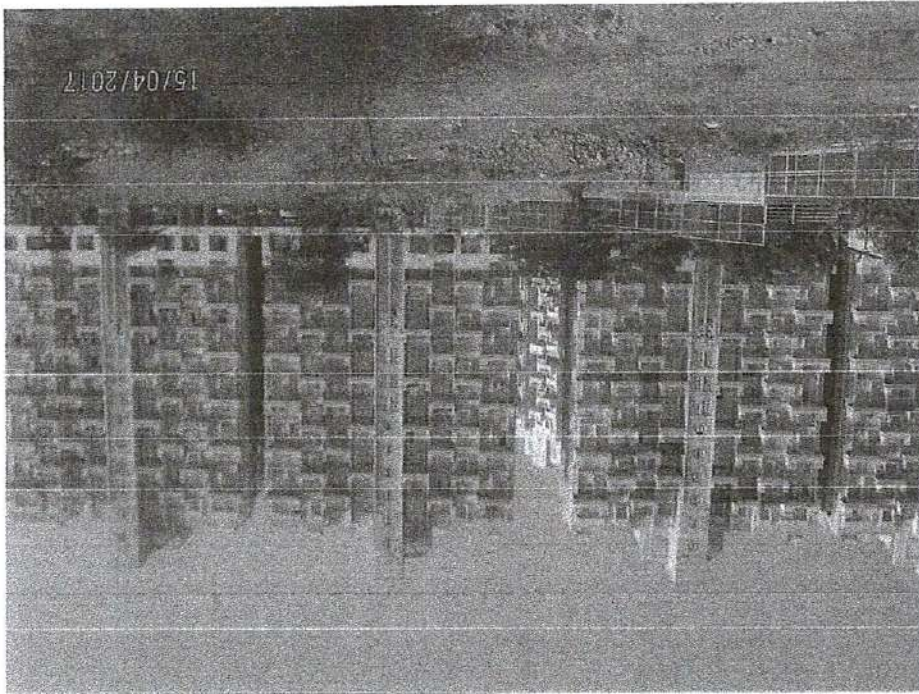


Photo-03/28

Project Site: "River Villa" by I. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal-Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

ANNEXURE-A-7

ANNEXURE-A-7

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-05/28



Photo-06/28



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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-07/28

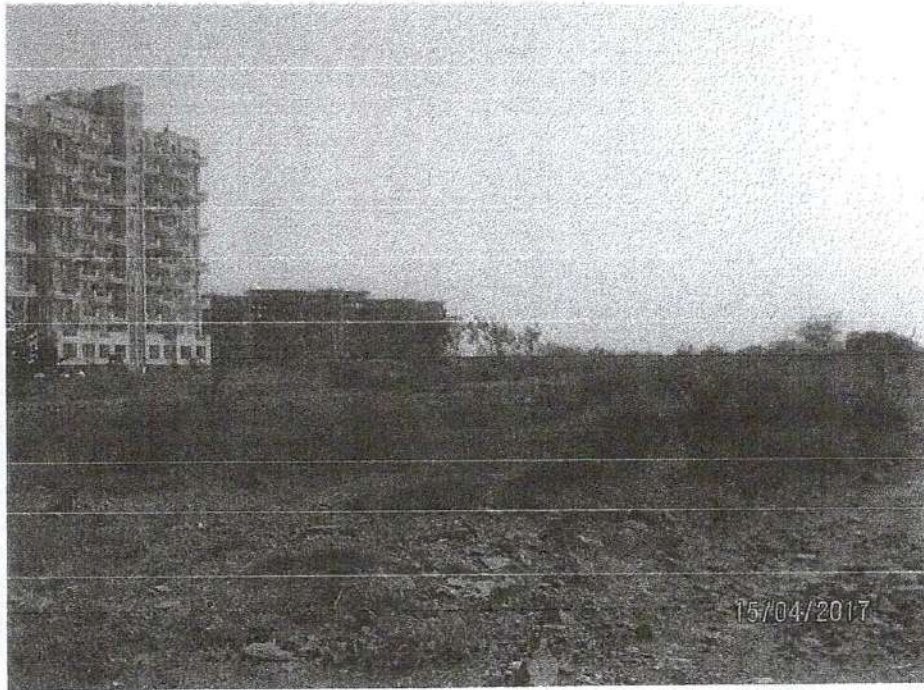
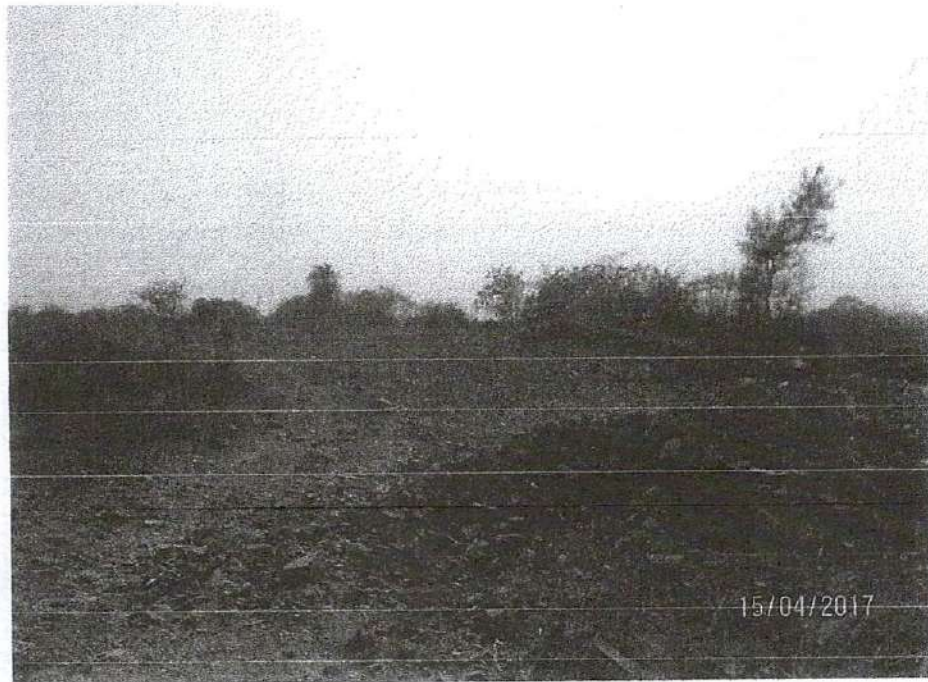


Photo-08/28



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ANNEXURE-A-7

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-09/28



Photo-10/28



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-15/28



Photo-16/28



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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-17/28



Photo-18/28



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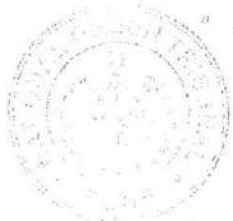
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-19/28



Photo-20/28



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Photo-22/28

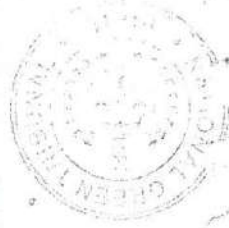


Photo-21/28

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
 Village-Chikhali, Tal-Haveli, District-Pune  
 "Entire Project is in Blue flood line of Indrayani River"

ANNEXURE-A-7

TRUE COPY



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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-23/28

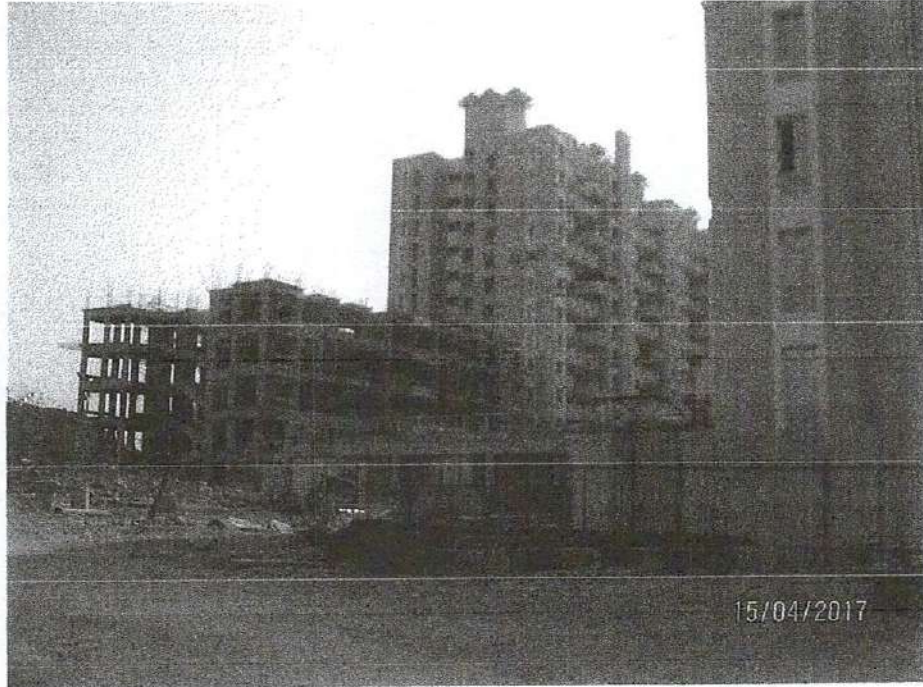


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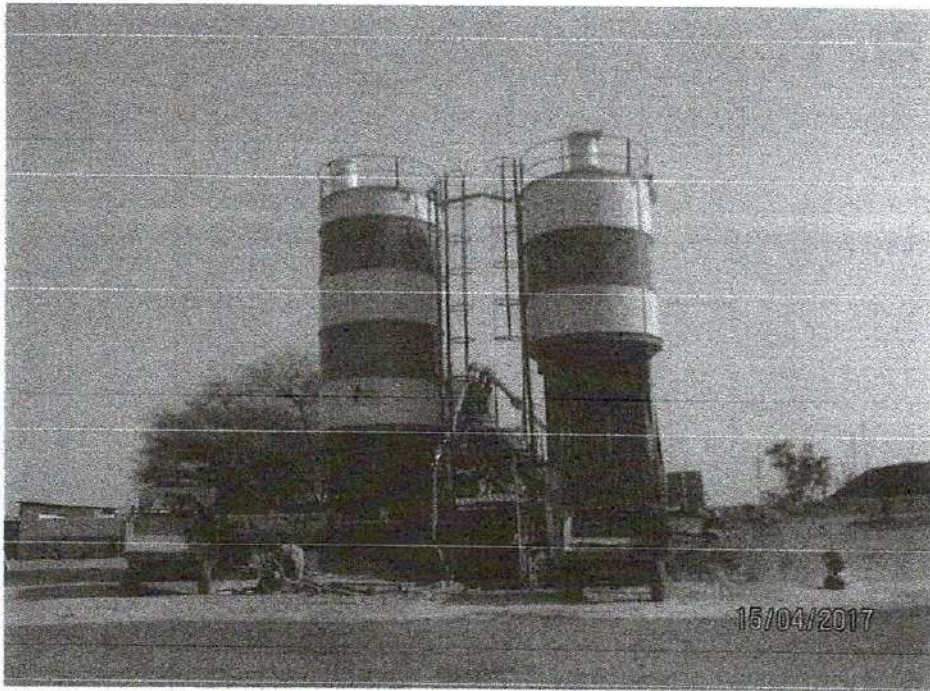
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-25/28



Photo-26/28



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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-27/28

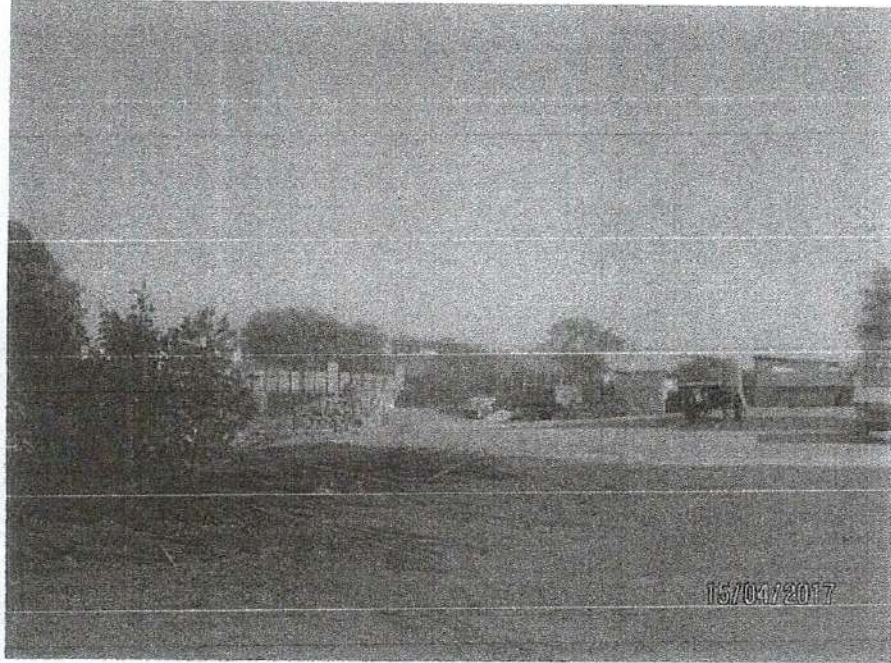
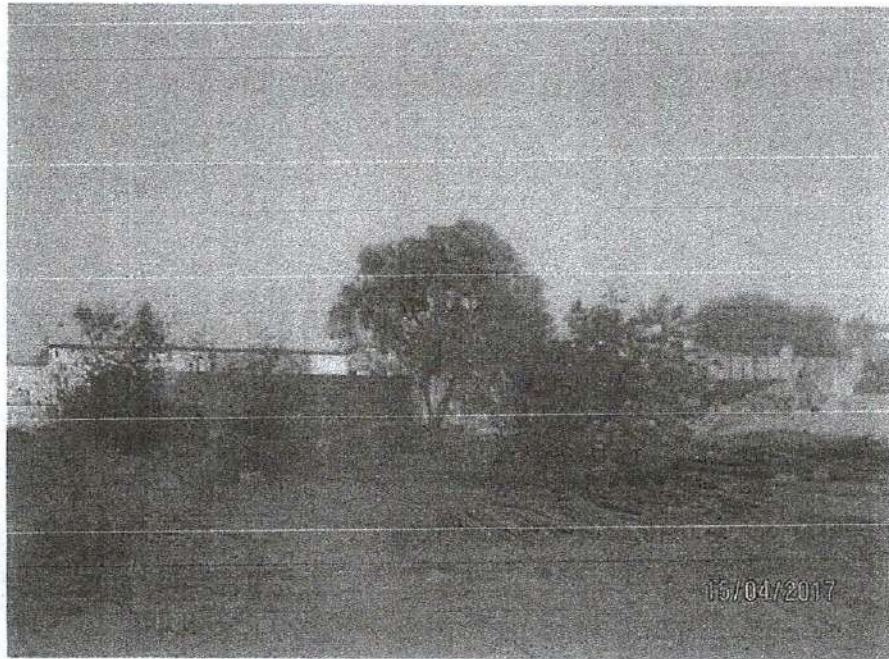


Photo-28/28



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T.C.  
*Ramdas*

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-01/62



Photo-02/62



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T.C  
Ramkishore

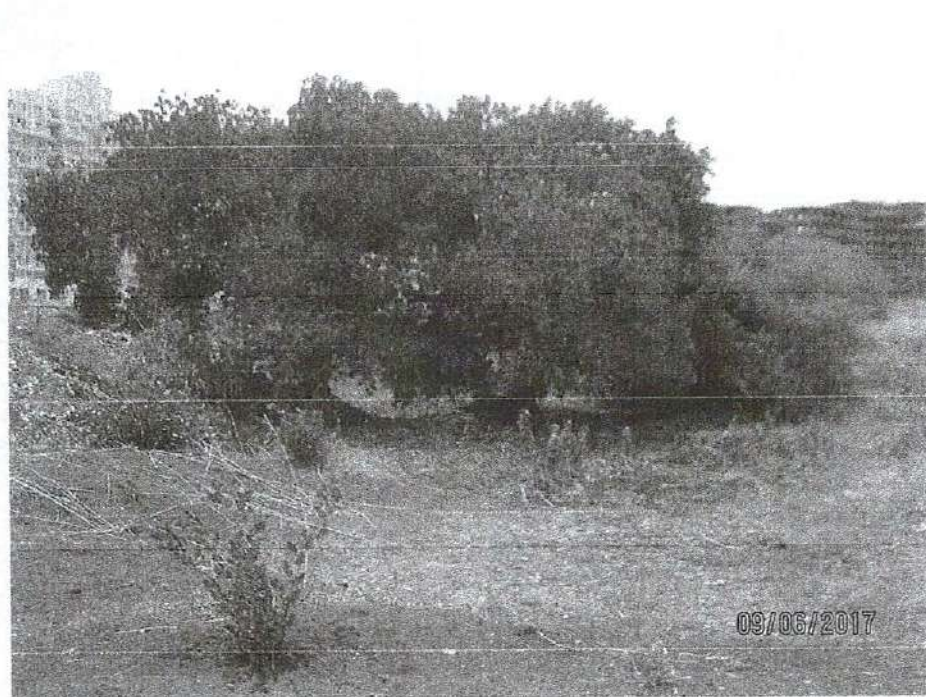
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Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-03/62



Photo-04/62



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ANNEXURE-A-08

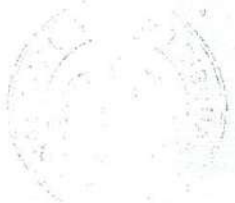
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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"Entire Project is in Blue flood line of Indrayani River"

Photo-05/62



Photo-06/62



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ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-09/62

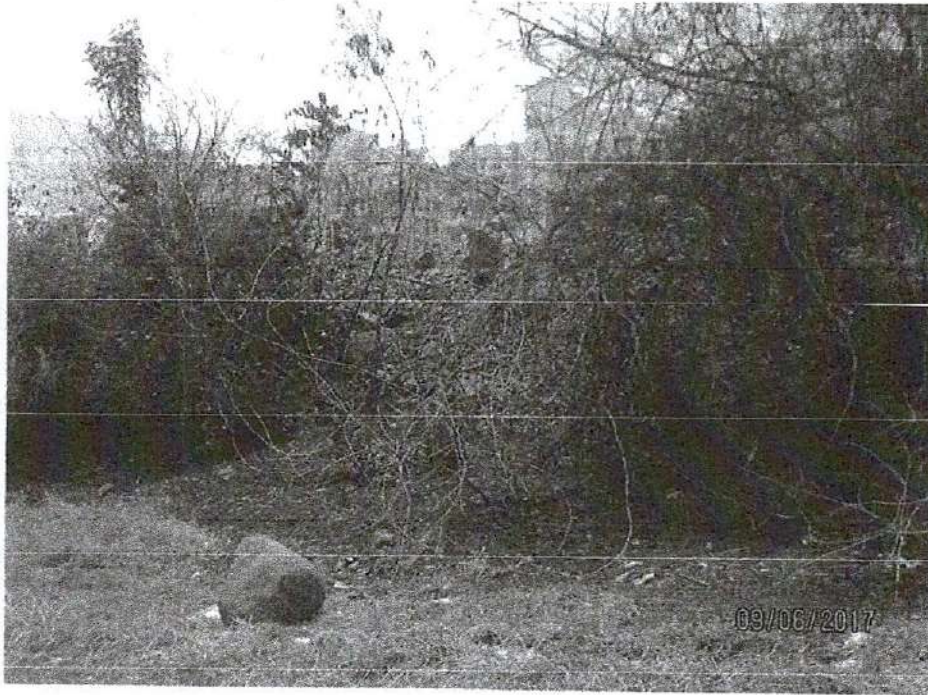
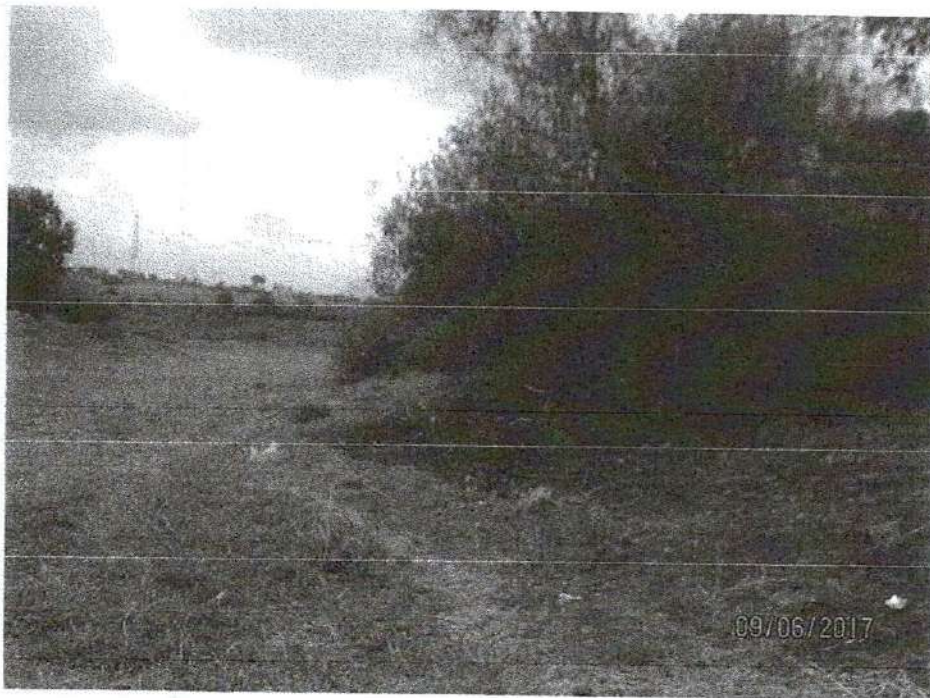


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ANNEXURE-A-08

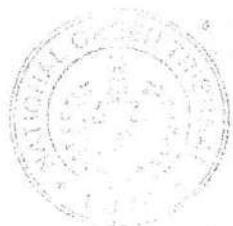
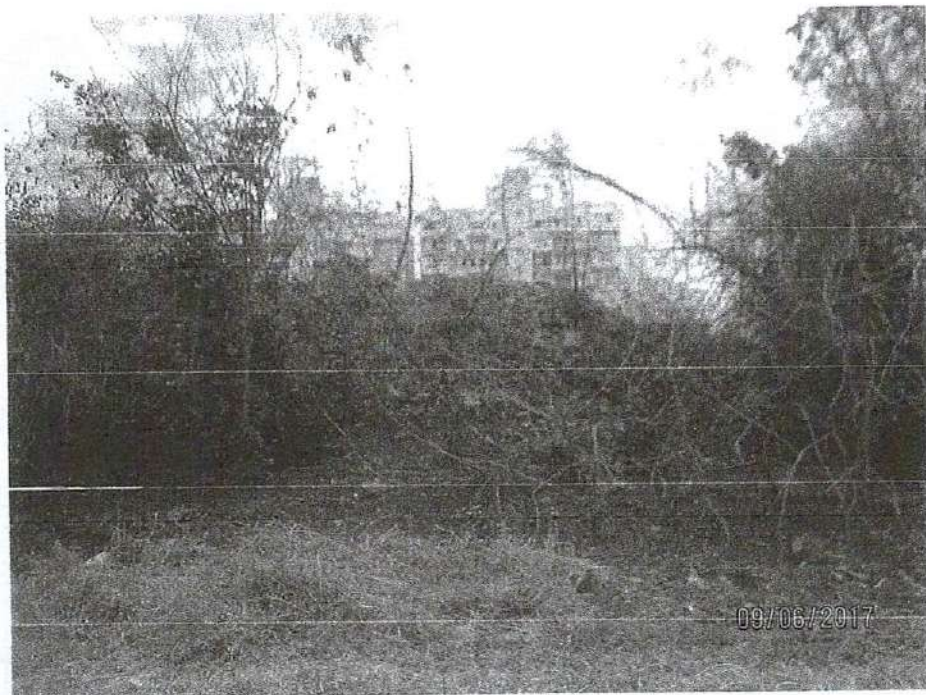
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-11/62



Photo-12/62



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**ANNEXURE-A-08**

Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-13/62



Photo-14/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-15/62



Photo-16/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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"Entire Project is in Blue flood line of Indrayani River"

Photo-17/62



Photo-18/62



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ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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Photo-19/62



Photo-20/62



ANNEXURE-A-08

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Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-21/62



Photo-22/62



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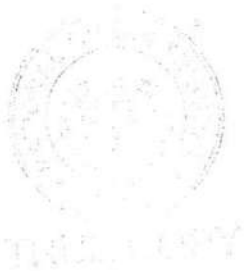
ANNEXURE-A-08

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"Entire Project is in Blue flood line of Indrayani River"

Photo-23/62



Photo-24/62



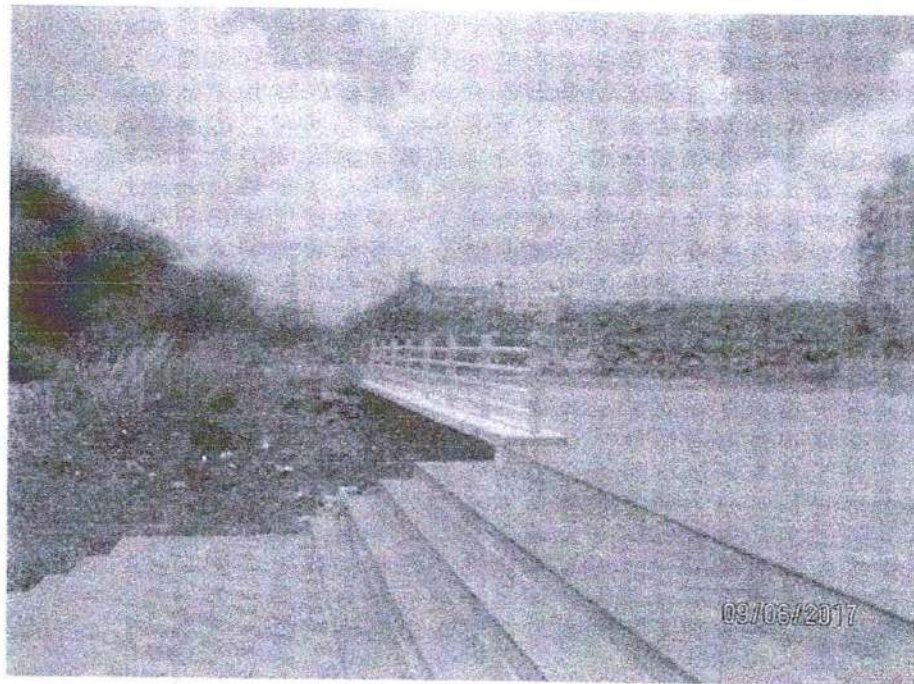
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"Entire Project is in Blue flood line of Indrayani River"

Photo-25/62



Photo-26/62



ANNEXURE-A-08

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"Entire Project is in Blue flood line of Indrayani River"

Photo-27/62

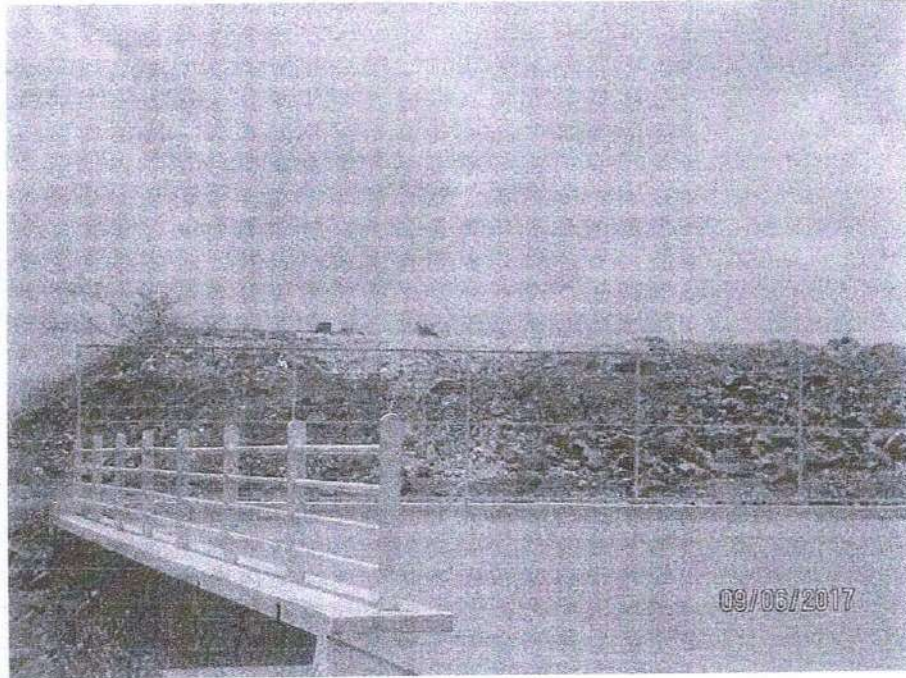


Photo-28/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-29/62



Photo-30/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-31/62



Photo-32/62



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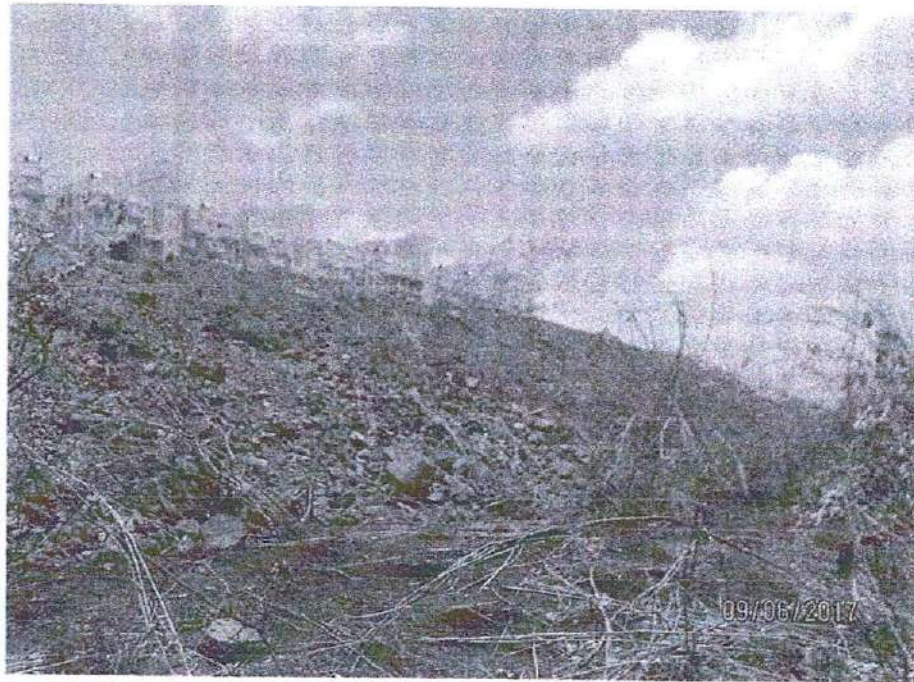
ANNEXURE-A-08

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"Entire Project is in Blue flood line of Indrayani River"

Photo-33/62



Photo-34/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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"Entire Project is in Blue flood line of Indrayani River"

Photo-35/62

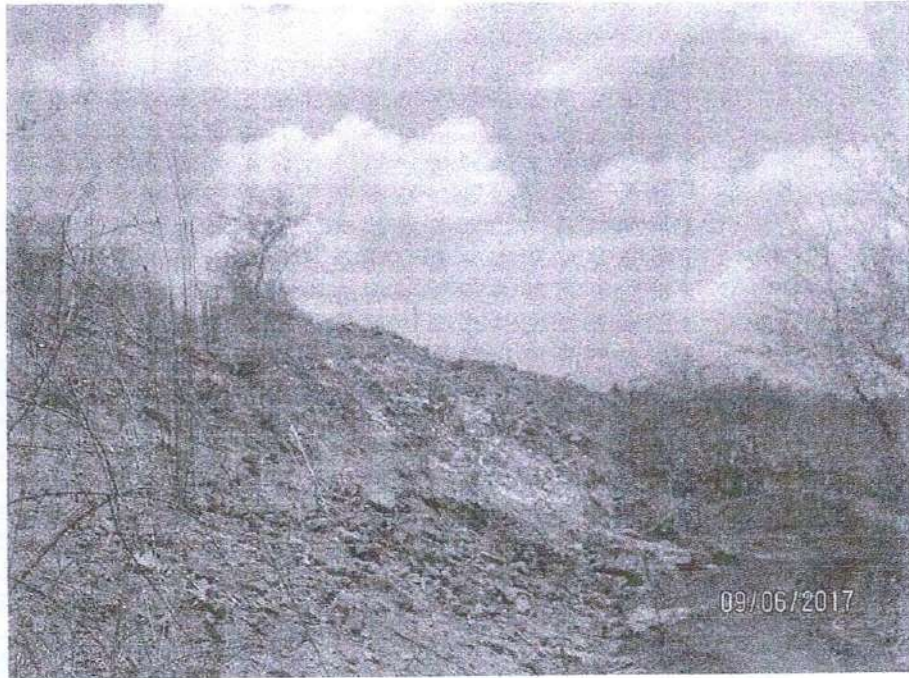


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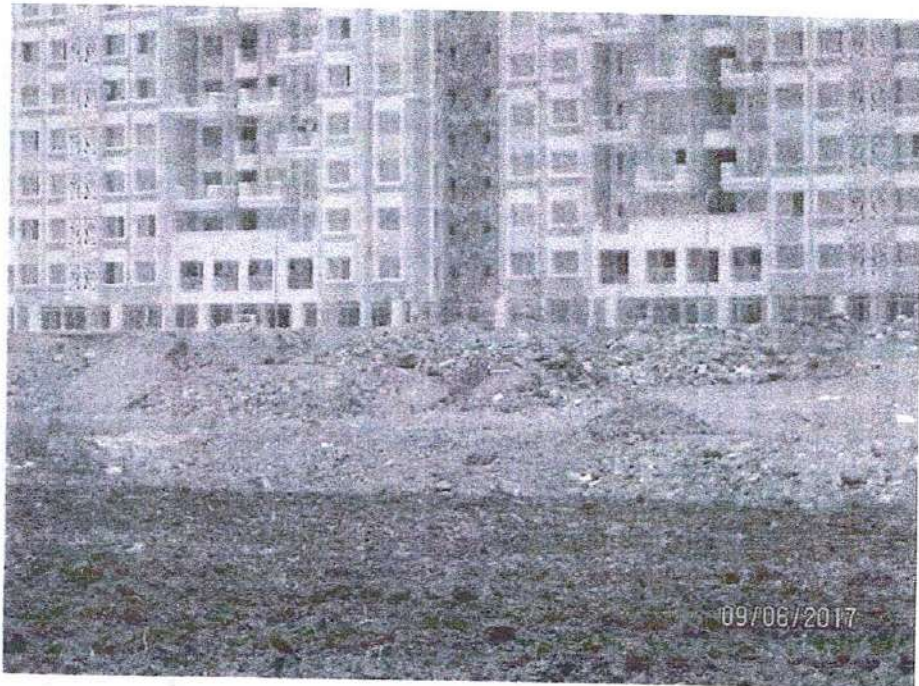
ANNEXURE-A-08

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"Entire Project is in Blue flood line of Indrayani River"

Photo-37/62



Photo-38/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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"Entire Project is in Blue flood line of Indrayani River"

Photo-39/62

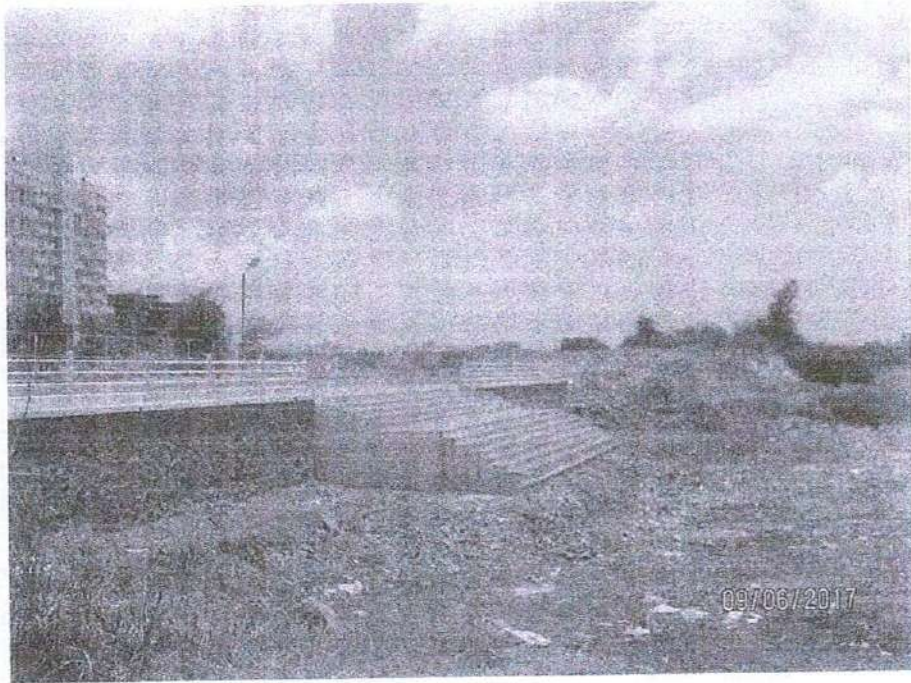
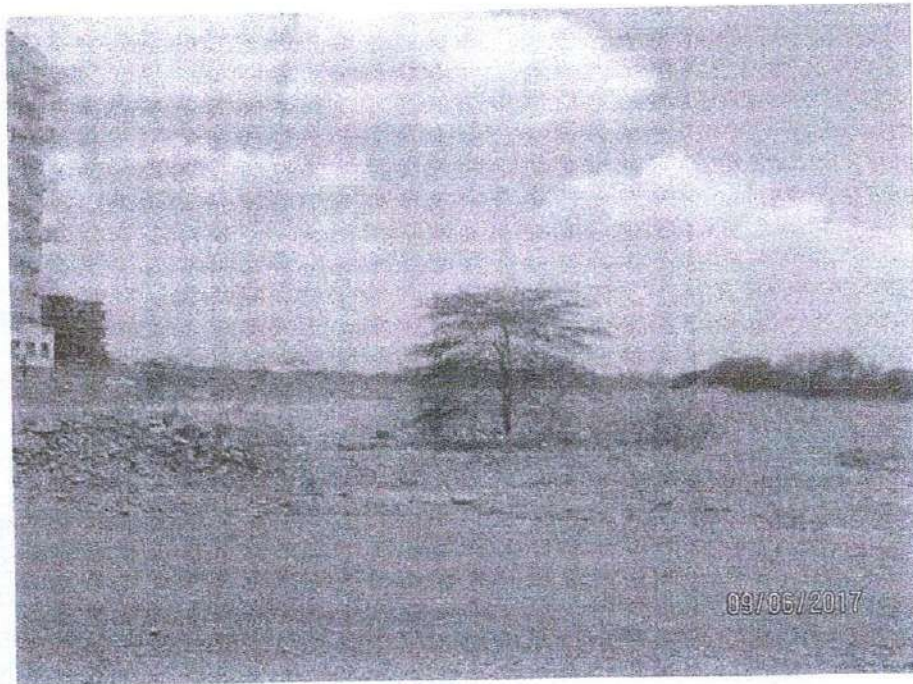


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ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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"Entire Project is in Blue flood line of Indrayani River"

Photo-41/62



Photo-42/62



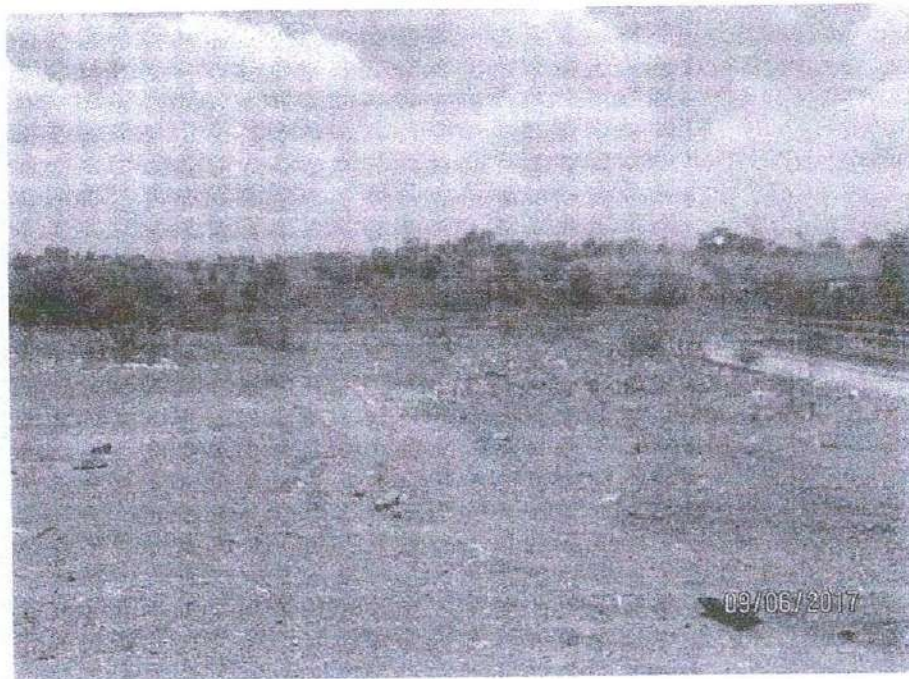
ANNEXURE-A-08

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"Entire Project is in Blue flood line of Indrayani River"

Photo-43/62



Photo-44/62



ANNEXURE-A-08

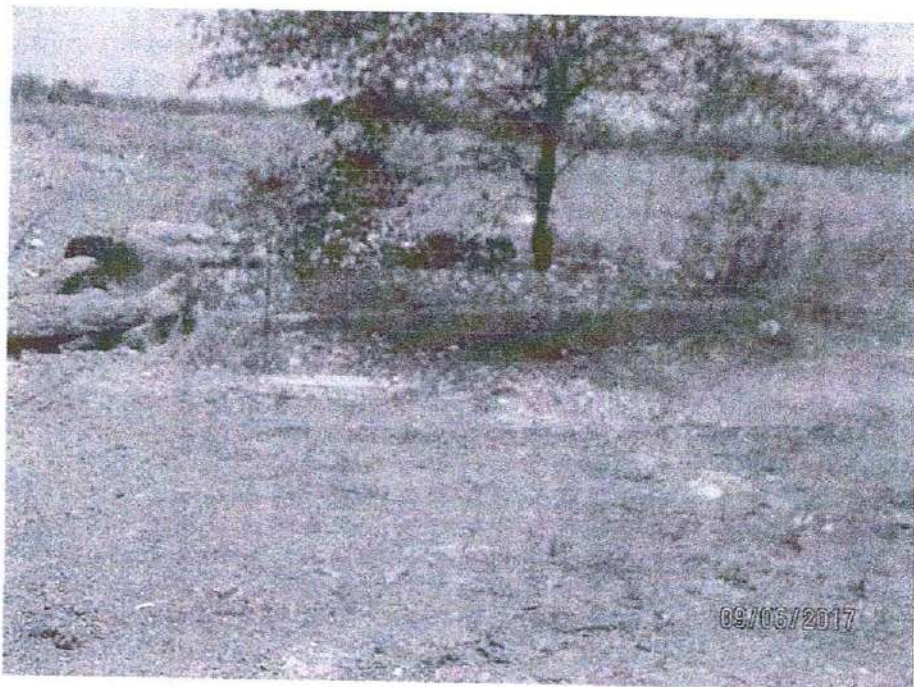
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Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-45/62



Photo-46/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-47/62

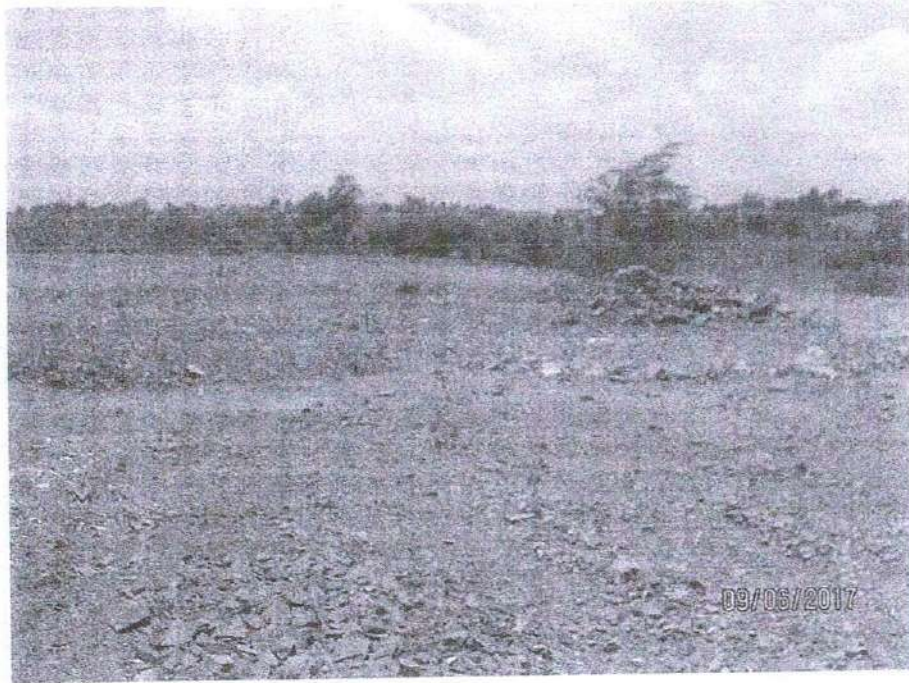


Photo-48/62



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ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-49/62



Photo-50/62



ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-51/62



Photo-52/62



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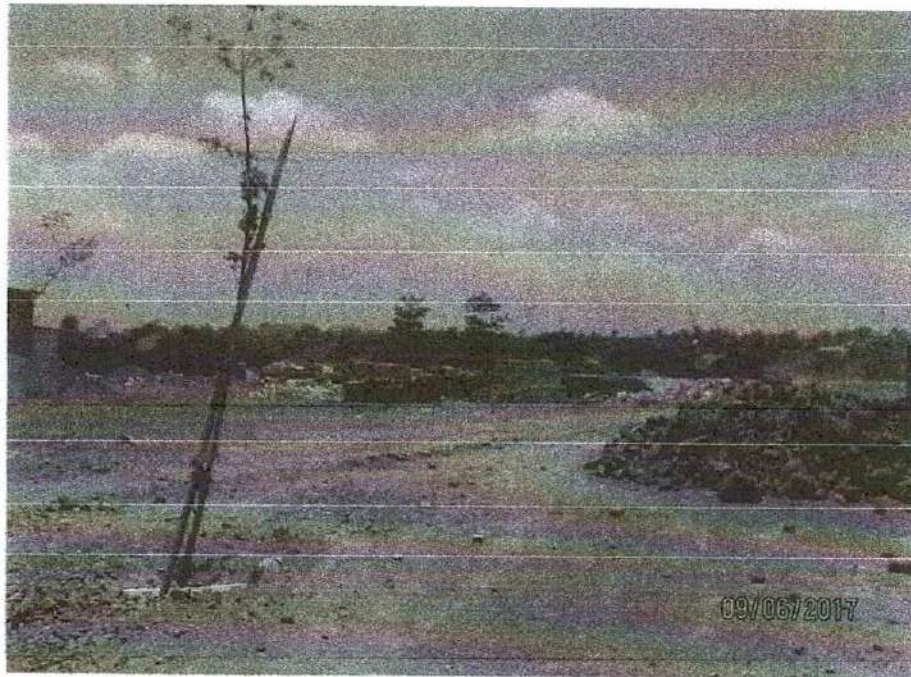
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Photo-53/62



Photo-54/62



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ANNEXURE-A-08

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
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Photo-55/62

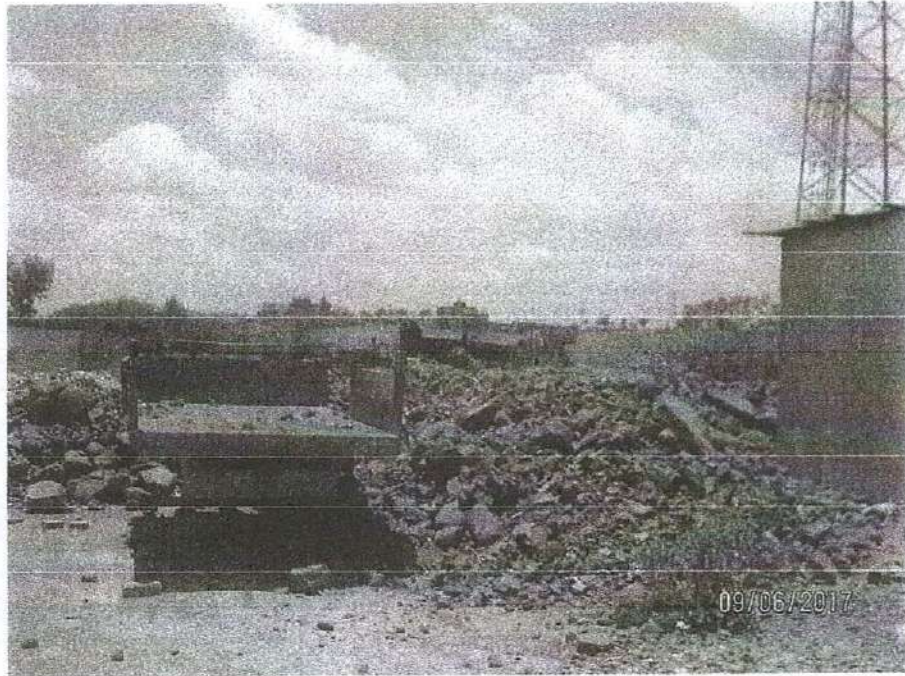


Photo-56/62



**ANNEXURE-A-08**

Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-57/62



Photo-58/62



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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-59/62



Photo-60/62



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Photo-61/62

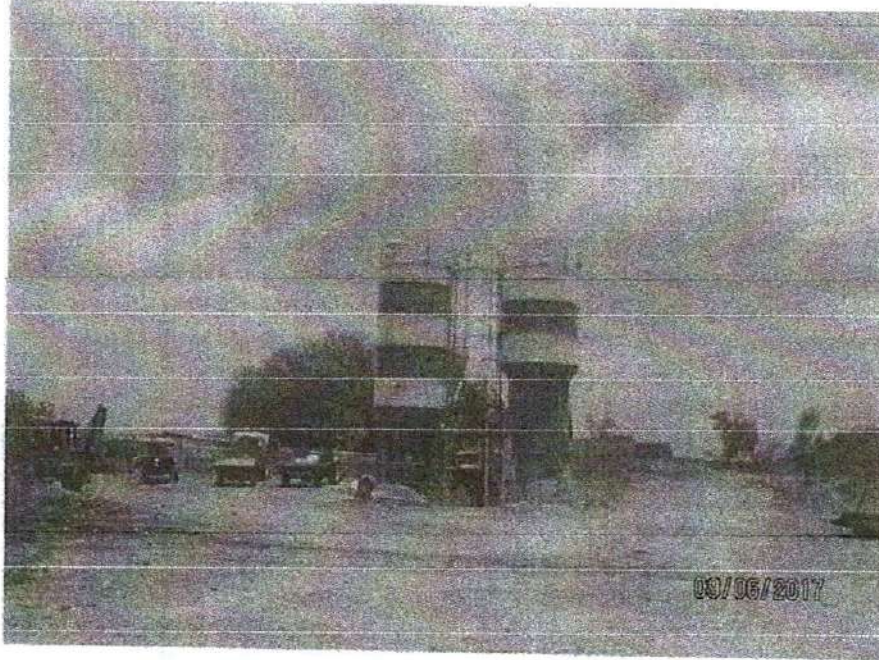


Photo-62/62



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T.C.  
*Bamdhise*

**Bhandari & Patekar Law Associates**

Nilesh Kishor Bhandari  
B.A., LL.B



Mohanish Mahendra Patekar  
LL.M., D.J.P.R.

+91 9372622127, 9850332170

+91 9822847123

Advocates

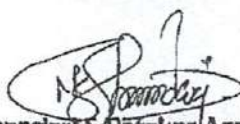
Date: 05.07.2017

**Notice/ Complaint**


(R.P.A.D.)

To,

1. **The Secretary**  
**Environment Department**  
Government of Maharashtra,  
Room No-217, 2<sup>nd</sup> Floor, Annex Building,  
Mantralaya, Mumbai-400 032
2. **Member Secretary-SEIAA**  
**Environment Department**  
Government of Maharashtra,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai-400 032
3. **Member Secretary-SEAC**  
**Environment Department**  
Government of Maharashtra,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai-400 032
4. **Member Secretary-MPCB**  
**Maharashtra Pollution Control Board,**  
Kalptaru Point, 3<sup>rd</sup> Floor, Near Sion Circle,

  
**Bhandari & Patekar Associates**  
Advocates

Sundar Apartment, Ground Floor, Sundar Apts., Ground Floor, 391, Narayan Peth, Pune 411 030. Ph.. 020-24430647 55  
391, Narayan Peth, Pune-411 030. Nileshbhandari1985@yahoo.co.in | mohanishpatekar@gmail.com  
Ph.No. 020-24430647

T.C.  


2 COPY

Opp. Cine Planet, Cinema, Sion (E),  
Mumbai-400 022

5. **Regional Officer,**  
**Maharashtra Pollution Control Board,**  
Jog Centre, 3<sup>rd</sup> Floor, Old Mumbai-Pune Road,  
Wakadewadi, Pune-411003
6. **The Secretary**  
**Urban Development Department**  
Government of Maharashtra,  
4<sup>th</sup> Floor, Main Building,  
Mantralaya, Mumbai-400 032
7. **Pimpri-Chinchwad Municipal Corporation**  
**Through Municipal Commissioner,**  
PCMC Main Building,  
Old-Mumbai Pune Highway,  
Pimpri-411 018
8. **City Engineer,**  
**Pimpri-Chinchwad Municipal Corporation,**  
PCMC Main Building,  
Old-Mumbai Pune Highway,  
Pimpri-411 018
9. **The Secretary**  
**Water Resource Department**  
Government of Maharashtra,



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Ph.No. 020-24430647

Mantralaya, Mumbai-400 032

**10. Chief Engineer**

Pune Irrigation Circle

Sinchan Bhavan

Mangalwar Peth, Pune

**11. District Collector - Pune**

As Collector and President-District Environment  
Committee, Pune

SUBJECT: - NON- COMPLIANCE OF THE TERMS AND  
CONDITON OF ENVIRONMENT CLEARANCE VIDE NO.  
SEAC-2011/CR.620/TC.2 DATED-07.10.2011 AND  
INTENTIONAL VIOLATION OF ENVIRONMENT  
PROTECTION ACT AND POLLUTION CONTROL ACT BY  
M/S RIVER RESIDENCY BY ISWAR PARMAR  
CONSTRUCTION & OTHERS IN THE BUILDING  
CONSTRUCTION PROJECT SITUATED AT GUT NO. 90(P),  
VILLAGE-CHIKHALI, TAL-HAVELI, DISTRICT-PUNE IN THE  
LIMIT OF PIMPRI-CHINCHWAD MUNICIPAL CORPORATION



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Sir/ Madam,

1. Under the instruction of my client **Mr. Tanaji Balasaheb Gambhire** presently R/O- Flat No-16,

*(Signature)*

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391, Narayan Peth, Pune-411 032  
Ph.No. 020-24430647

CTS-296, Laxmi Apartment, Near Shivaji Maratha High School, White House Lane, Shukrawar Peth, Pune-411002, I have to address you by this notice as under;

2. That the my client would like to bring to the notice of the above mentioned authorities .by this notice regarding the many irregularities, illegal activity, intentional violations, breaches of law, cheating, fraud and many more violations which causes huge financial loss to the government machinery by various way as well as the very serious violations like Environment Protection Act and Pollution Control Act and my client would like to bring entire scam to your notice for investigation and further strongest action against builder then such practices by other builder will be automatically getting stop.

3. **BRIEF INFORMATION OF BUILDER/ DEVELOPER/ PROJECT PROPONENT: -**

**M/s. River Residency (Joint Venture)** is the builder having his registered office at Parmar Trade Centre, 12 Cannought Road, Sadhu Vaswani Chowk, Pune-



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411001 carrying the business of builder, promoter and developer through joint ventures

1. M/s. Ishwar Construction Pvt. Ltd.,
2. Trade Centre Developers & Builders Pvt. Ltd.
3. M/s. Vijay-Laxmi Developers,
4. Vishal Associates, as the responsible firms & company and Mr. Iswar Chandulal Parmar is responsible for M/s. River Residency, Ishwar Construction Pvt. Ltd. & Trade Centre Developers & Builders Pvt. Ltd., Mr. Dilip Motilal Choradiya is responsible for M/s. Vijay-Laxmi Developers alias Vijaya-Laxmi Developers and Vishal Associates for every activities for their respective firms and their construction activity carried out on respective land owned by them and joint venture development or river residency.

**4. DETAIL ADDRESS OF PROJECT SITE UNDER VIOLATION: -**

That the M/s. Iswar Parmar Construction Pvt. Ltd. and Trade Centre Developers & Builders Pvt. Ltd. are developing the property Gut No. 90 (P) at Village-

*(Signature)*

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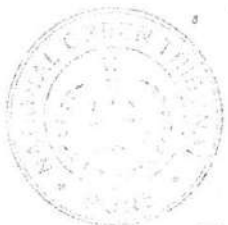
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Chikhali, Taluka-Haveli, District- Pune through the registered joint venture M/s. River Residency and the present site falls within the limit of Pimpri-Chinchwad Municipal Corporation.

The project site under violation and part of this Notice/ complaint is known as "M/s. River Residency" and this joint venture is undertaken the development of an total area of 144000 Sq. Mtrs. vide registered agreement No. 4966/2010 dated 12.05.2010 in the office of Sub-registrar Haveli-8 (Yerwada).

**5. ILLEGALITIES, VIOLATIONS, FRAUD ETC BY PROJECT PROPONENTS**

It is to be noted that, the following are the important and serious violations, illegalities, cheating and frauds played up on the authorities by the Project Proponents in relation to the Environment Protection Act-1986 r.w. EIA Notification-2006, Air Pollution Control Act, Water Pollution Control Act, Construction Waste Disposal Rules-2000, Government of Maharashtra Resolution for Prohibition of Construction in Blue Line-198FPW/1089/243/89/SI.



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VYA. (KAME), Dated 21.9.1989, DC Rules-PCMC, MR & TP Act-1966, Terms & Conditions of EC, Consents etc.

- i. Misleading Information Submitted to the SEAC and SEIAA for obtaining EC
- ii. Non-Compliance to the Environment Clearance and Consent to Establish
- iii. Illegal dumping of more than 200000 Sq. Mtrs. construction wastes in Indrayani River, Green Belt and STP Reservation Plot.
- iv. Illegal Construction of parking complex on mandatory 10% Open Space in total violation of conditions in Environment clearance
- v. Top soil is not preserved which is amount to violation of EC condition and also soil pollution is committed
- vi. Illegal construction on account of FSI benefits for Stone Quarry for an area admeasuring 8840 Sq. Mtrs is Non-Development Zone
- vii. Farce marking of Blue Line and read line on DP plan to provide illegal help for project construction in blue line



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- viii. Illegal Construction in Blue Line
- ix. Only 489 trees planted against 1300 trees promised in EC and its amounts to violation
- x. Illegal Acquisition of STP reservation land by PCMC that comes under blue line area and part of river and PCMC is giving illegal benefits in terms of TDR
- xi. Illegal of Construction **Ghat** in green belt and blue line of Holy River Indrayani
- xii. Illegal increase in Ground Coverage Area as against 15985.24 Sq. Mtrs
- xiii. Illegal installation of the RMC plant at site and carrying out operations without due permission from the MPCB
- xiv. Violation of Non-Agricultural Permission
- xv. Intentional Blindness of PCMC, Irrigation / Water Resource Department And Mining Department-Collector Pune on Account of Intentional Negligence And damaging Mother Nature



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xvi. Nala No. 23 shown on Irrigation Plant and passing from the project land is completely closed by dumping of construction waste

xvii. Reservations Affected by Blue Line in the various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated out of Blue Line Area to avoid the damage to environment and ecology.

**6. Details of Land ownership and Title, Deduction of Reservations and Non-Development Areas of Gut No. 90:**

- It is to be noted that, it is important to understand the land ownership, title, reservation details, non-development areas before dealing with the allegations/ defects / illegalities / violations/ cheatings / frauds stated above;
- That the total area of the Gut No. 90 (Old Survey No. 27 & 29) of Village- Chikhali, Tal- Haveli, District- Pune is 231000 Sq. Mtrs.
- Out of the said total Land 7900 Sq. Mtrs. is the Pot-Kharaba (Non-development Zone).



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- Then only land area admeasuring 223100 Sq. Mtrs. will remain for any further transfer or development.

**Table No. 1: - Land Ownership as per Various Agreements**

Sr. No.	Reg. No.	Reg. Office	Date	Purchaser	Area
1	821/2009	HVL-5	13.02.2009	A. Dilip Choradiya B. Vijayalaxmi Developers	57750
2	824/2009	HVL-5	13.02.2009	A. Dilip Choradiya B. Vijayalaxmi Developers	57750
3	3619/2010	HVL-5	06.04.2010	Vijayalaxmi Developers	32750
4	3621/2010	HVL-5	06.04.2010	Vishal Associates (Green Belt)	13000
5	4318/2010	HVL-5	12.05.2010	Vijayalaxmi Developers	32750
6	4320/2010	HVL-5	12.05.2010	Dilip Choradiya	21000
Total Land belongs to Vijaya-Laxmi, Vishal Associates and Dilip Choradiya (Including Pot-Kharaba-7900 Sq. Mtrs.)					<b>215000</b>
7	2146/2009	HVL-5	13.04.2009	Sapana Vikas Sane	4000
8				More Family	4000
9				Sane Family	100
10				Sane Family	7900

- An area admeasuring 464.511 Sq. Mtrs & 100 Sq. Mtrs. have been leased out to MSEDCL for electric sub-station vide agreement no. 9190/2011 (Haveli-5), 10327/2012 (Haveli-1) and this area shall be deducted from total area for the project. But the



project proponent has claimed & Utilized FSI of the leased out land and committed fraud up on PCMC.

**Table No. 2: - Total Plot Area Statement as per Sanction No. BP/Chikhali/56/2014 Dated 26.09.2014**

Sr. No.	Description	Area in Sq. Mtrs.
1	Total Plot Area	231000.00
	<b>Deductions</b>	
2	Green Belt	42934.69
3	STP Reservation 1/130	42747.07
4	24 M WD DP Road(East)	727.92
5	<b>Balance Plot Area</b>	144590.32
6	<b>Area As Per P.O.A.</b>	143500.00
7	<b>Deduct Owners Plot</b>	13000.00
8	<b>Balance Plot Area</b>	130500.00
	<b>Reservations</b>	
9	Resv. No. 1/133 Secondary School	2486.59
10	Resv. No. 1/137 Play Ground	222.83
11	Resv. No. 1/134 Shopping & Market	999.99
12	Resv. No. 1/135 Parking	24.48
13	Resv. No. 1/131 Primary School	4000.00
14	Resv. No. 1/132 Maternity Hospital	1000.00
	<b>DP Roads</b>	
15	18 M WD DP Road(North)	21240.56
16	18 M WD DP Road(South)	856.20
17	24 M WD DP Road(South)	3110.55
	<b>Total Deduction</b>	33941.20
18	<b>Gross Plot Area</b>	96558.80



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- Take note that, the non-development area of stone quarry 8840 Sq. Mtrs is not deducted from this area statement by project proponent and also

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Sanction No.	2/2011	23/2012	56/2014	122/2016	2/2017
Description	24.2.2011	6.9.2012	26.9.2014	10.11.2016	
1	Area of Plot	124000	135000	130500	131000
2	Deduction for				
	(a). Road Set back				
	(b). Proposed Road	24367.06	25207.31	25207.31	25207.31
	(c). Any Reservation	8733.89	8733.89	8733.89	8733.89
	(d). NDZ Area				
	(e). Encroachment Area				
	(f). Others				
	Total (a+b+c+d+e+f)	33100.96	33941.20	33941.20	33943.20
3	Balance Area Of Plot (1-2)	90899.05	101558.80	96558.80	97058.81
4	Deduction For				
	(a). Amenity Space	4945.12	5077.95	5077.95	4852.94
	(b). Open Space	9089.92	10155.89	9655.90	9705.88
	Physical OS Provided				
	(c). Internal Road Area	0	2994.38	2994.38	3090.38
	Net Area Of the Plot (3-4)	76864.01	83330.57	78830.57	79409.61
5	Perm. Ground Coverage	15372.80	16666.11	15766.12	15881.92
	20%				
	Ground Coverage Used	2292.04	9322.66	12848.50	13030.39

Table No. 3: - Area Statement as per PCMC Sanction

PCMC has neglected to deduct this non-development area, reasons best known to them. But this negligence smells corruption going on in the local authority like PCMC is at the pick and PCMC is not able to protect the interest of its citizen.

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- It is observed from the above area statement, that PCMC & project Proponent has neglected to deduct the stone quarry area of non-development zone.
- At this stage it is important to deduct Area of 8840 Sq. Mtrs. for Stone Quarry as Non-development Zone from the available plot area and following actual area statement will arrive.

**Table No. 4: - Actual Area Statement after deduction of Non-Development Area of Stone Quarry**

	Description	Area in Sq. Mtrs.
1	<b>Total Area of Gut No. 90</b>	<b>231000</b>
2	Deduct Green Belt	42934.69
3	Deduct STP Reservation	43299.37
4	Deduct 24 Mtrs. DP Road (Blue Line Affected)	693.75
5	Deduct 18 Mtrs. DP Road (Blue Line Affected)	3152.87
6	Deduct Stone Quarry/ NDZ	8840
7	Deduction for Owners Plot	13000
8	<b>Total Deduction</b>	<b>111920.68</b>
9	<b>Balance Area of Plot for Development</b>	<b>119079.32</b>
10	Deduction for	
	(a). Road Set back	0
	(b). Proposed Road	22054.44
	(c). Any Reservation	8733.89
13	Total (a+b+c)	30788.33

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14	Available Balance Area Of Plot	88290.99
15	Deduction For	
	(a). Amenity Space (As Per PP)	4852.94
	(b). Open Space (As Per PP)	9705.88
	(c). Internal Road Area	3090.38
16	Available Net Area Of the Plot	70641.68
17	Perm. Ground Coverage 20%	14128.34
18	Ground Coverage Used (Buildings: 13030.39 + Open Space A,B, C: 5266.49+2020.92 + Covered Parking: 549.01)	20866.81

- Thus it is clear that, the total area for development is only **119079.32 Sq. Mtrs.** after the deduction of Stone Quarry area, blue line affected area of the road, STP reservation, Green Belt and Owners Plot Area.
- Thus it is clear that, the total net plot area is only 70641.68 Sq. Mtrs. and Project Proponent has illegally claimed net plot area is 79409.61 Sq. Mtrs.
- Thus it is clear that, the total project proponent has illegally constructed ground coverage of 20866.81 Sq. Mtrs. against available 14128.34 Sq. Mtrs. and Project Proponent has illegally claimed 15881.92 Sq. Mtrs.
- Thus it is clear that, the project proponent has intentionally not deducted an area of Stone



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Quarry/NDZ, Blue Line Affected Area of DP Roads  
etc.

**7. Misleading Information Submitted to the SEAC  
and SEIAA for obtaining EC**

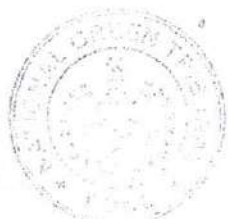
-Take note that, the project "River Residency" is undertaken by the joint venture between various firms stated in the registered agreement vide no. 4966/2010 dated 12.05.2010 in the office of Sub-registrar Haveli-8 (Yerwada) and the area of joint venture was 144000 Sq. Mtrs. out of which 4000 Sq. Mtrs was Green Belt Area.

-But Project Proponent has misled the authorities by stating that, the total area of the development is 231000 Sq. Mtrs. while obtaining EC.

-Further Project Proponent has misled the authorities by stating that, the net plot area of development is 101891.43 Sq. Mtrs.

-Further Project Proponent has misled the authorities by stating that, the FSI of 145241.63 Sq. Mtrs.

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-Further Project Proponent has misled the authorities by not stating the stone quarry area which is Non-Development Zone and said area of the stone quarry area shall not be considered towards the calculation of FSI, but the Project proponent has not deducted an area of 8840 sq. Mtrs. of stone quarry and played fraud on PCMC, Public and Authorities.

-Further Project Proponent has misled the authorities by not stating the area affected by the blue line of the Indrayani River and taken illegal benefits of the FSI of Blue Line Area.

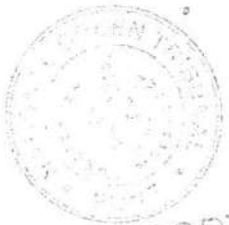
Further Project Proponent has misled the authorities and made construction of building "G to L, P, N1, N2" and proposed to construct building N3 and N4. In fact project proponent has dumped the huge quantity of construction waste in the Indrayani River to manipulate the actual marking of the Blue Line & Red Line marking.

**8. Non-Compliance to the Environment Clearance and Consent to Establish**



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- It is to be noted that, the EC was obtained by PP vide No. SEAC-2011/CR.620/TC.2 dated 07.11.2011 by misleading and suppressing the actual facts from the authorities and further PP has violated the major terms & condition of the said EC as stated below;

- **Disposal:-**

- Construction debris shall be used for back filling and leveling of the plot and remaining will be disposed to authorized sites.

- Top soil shall be preserved and reused within site for landscaping.

- **Energy Conservation**

- Use of fly ash bricks & pavement blocks

- Green boundary wall instead of stone wall

- **Green Belt Development**

- Ground Coverage area: 15985.24 Sq. Mtrs.

- Green Cover Area: 10543.80 Sq. Mtrs.

- Total 1300 no. of trees to be planted

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- **3(xi)** All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- **3(xiii)** Green Belt Development shall be carried out considering CPCB guideline including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- **3(xiv)** Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- **3(xv)** Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by latching of heavy metals and other toxic contaminants.
- **3(xvi)** Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourse and dump sites for such material must be secured so that they should not leach into the ground water.

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- 3(xvii) Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- 3(xxvii) The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- 3(xxix) Local body should ensure that no occupation certification is issued prior to operation of STP/ MSW site etc. with due permission of MPCB.
- 3(xxx) Permission to draw ground water shall be obtained from the competent Authority prior to construction / operation of the project.
- 3(xlviii) The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the

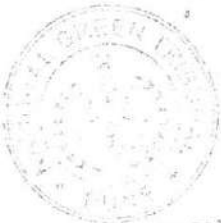


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Maharashtra Pollution Control Board and may also be seen at Website at <https://envis.maharashtra.gov.in>.

- **3(i)** A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representation, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.
- **3(ii)** The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including result of monitoring data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, respective zonal office of CPCB and SPCB.
- **3(iii)** The environmental statement for each financial year ending 31<sup>st</sup> March in form-V as is mandated to be submitted by the project proponent to the concerned state Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also



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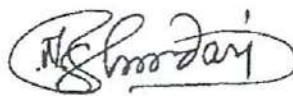
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be put on the website of the company along with the status of Compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

- 5. In case of submission of false document and non compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.
9. **Illegal dumping of more than 200000 Sq. Mtrs. construction wastes in Indrayani River, Green Belt and STP Reservation Plot.**

- It to be noted that, the present project site is affected by stone quarry having an area admeasuring 8840 sq. Mtrs. and this information is suppressed by the project proponent and the said non development area is not deducted from the plot area of the project.
- It is to be noted that, the said project site is affected by a green belt area admeasuring



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42934.69 sq. Mtrs. and STP reservation no.130 having an area admeasuring 42747.07 sq. Mtrs. in fact both these areas are part of the river flow and effected by the blue line marking of Indrayani River.

- It is to be noted that, the project proponent has dumped the construction waste material in the Indrayani river even after the complaint of one of Environment Protection Organization namely "Vanrai" on 04.03.2013 and PCMC has neglected to act on the same complaint and supported to the project proponent to dump the construction waste in river.
- That the natural area of Indrayani river more than 86824.80 Sq. Mtrs. is environmentally and ecologically damaged by dumping of construction waste of 3 Meters and the quantity of the said construction waste is more than 200000 Sq. Mtrs.



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- 10. Illegal Construction of parking complex on mandatory 10% Open Space in total violation of conditions in Environment clearance**

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- It is important to note that, as per the DC-Rules of PCMC and its approved plan for project, it is mandatory to keep 10% open space for the purpose of recreational development and plantation of trees.
- ***That the said area of the 10% open space area comes to 9655.90 Sq. Mtrs., but the project proponent has illegally constructed raised parking complex on this recreational space.***
- As per the Rule 11.3 of the Development Control Rules for Pimpri-Chinchwad Municipal Corporation,
- "11.3.1 For land admeasuring 0.3 ha or more, layouts or sub-division or amalgamation proposals shall be submitted..
- In any layout or sub-division of land admeasuring 0.20 Ha or more 10% of the entire holding area shall be reserved as recreational space, which shall be as far as possible be provided in one place.
- Notwithstanding anything contained in this rule the shape and location of such open space shall be such that it can be properly utilised as playground. No deduction in F.S.I. for Road / Open Spaces shall be



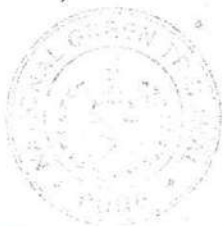
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*made in layout for area between 0.20 Ha to 0.36 Ha. However for the areas above 0.36 Ha deduction shall be made for open space and not for the road for computation of F.S.I."*

- It is to be noted that, our Constitution gives right of decent life to every citizen having at least basic facilities to be provided by the developers in their developments. But here the project proponent have intentionally and purposefully committed the contravene the provisions of Law, Acts & Rules with open eyes, in the manner of insulting and challenging the entire systems. It is not possible to take place such type of illegal activity without connivance of the Local Authority i.e. sanctioning officers. Basically the open space is required for the gardening, to plant some trees, so there will be the positive effect on the livelihood by reducing the temperature of surrounding by absorbing of Carbon Dioxide and on other hand the unit purchasers shall have sitting out for enjoyment, kids have play-ground many more purposes of



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Open spaces are classified in the view of decent life.

- On the issue of Recreational Ground, as per Hon'ble Supreme Court order in SLP (Civil) No. 33402/2012 dated 25.07.2013 observed that.
- **“(A) The problem concerning reduction in the recreational area at the ground level:-**
- 10. *Having dealt with the actual controversy between the parties which led to this SLP, we deem it proper to take cognizance of a few important issues, which arose in the course of this proceeding concerning the impact of excessive construction and higher FSI on the urban environment. The concept of Floor Space Index (FSI) implies the buildable potential of a plot of land. The FSI to be allowed must take into consideration the availability of civic infrastructure including open spaces, transport facilities, requirements for protection against fire, and water supply and sewerage as well as electricity. An increase in FSI is likely to result into an increase in the density of population. FSI has an important bearing on the quality of urban life. A*

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relaxation of FSI norms or, as the case may be, an enhancement of FSI by urban planners cannot be removed from the issue of adequacy, or as the case may be, inadequacy of civic services.

- 11. The requirement of keeping open spaces at the ground level should be read in this context. The recreational areas and greens in the multi-storied buildings have to be scrupulously safeguarded. The problem with the existing Municipal and Town Planning statutes is that they factor only two out of the three compelling needs. The first need is that of increasing housing stock – which is undeniable. The second need is that of keeping recreational areas for residents. The third entirely different and equally, if not more compelling, is the need to assess the sustainable capacity of the city and to balance the development with this capacity. The principle of sustainable development which has been construed by this Court as an integral part of Article 21 of the Constitution deserves to be applied to town and urban planning throughout the country. This requires a thorough assessment of the



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environmentally sustainable capacity of every city/urban area. The preparation of Master Plan/Town Planning Schemes has to be made keeping in view the issue of sustainable capacity of the particular city/urban area.

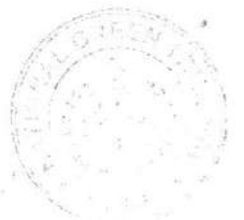
- 12. Clause 23 of DCR for Greater Mumbai lays down the minimum requirement for providing the recreational ground. The area to be retained as recreational ground varies depending upon the size of the plot. The present position under the DCR is as follows:-

(i)	Area from 1001 SQ.M. to 2500 SQ.M.	15 per cent
(ii)	Area from 2501 SQ.M. to 10,000 SQ.M.	20 per cent
(iii)	Area above 10,000 SQ.M.	25 per cent

- 13. In the present case, we find that as per the approved plan, the recreational space available at the ground level is only 7.7% of the area of the plot and respondent No.1 has accordingly raised construction. The respondents' plea, which appears to have been accepted by the Corporation, is that under DCR 38(34) the recreational area can be provided on the podium. We may add that since the

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petitioners and respondents have arrived at a settlement, we do not propose to go into this issue with respect to the construction of the respondent. We are, however, surprised that the Municipal Corporation did not look into the reduction in the recreational area at the ground level very seriously, probably because the rule permits recreational space on the podium. If this is treated as a correct interpretation, then it is quite possible that the recreational area left at the ground level could simply be zero. It may leave no space on the ground floor for the residents/occupants of the apartments constructed in the particular building, and that will have serious adverse impact on the right to life not only of the residents / occupants of the apartments but also of the people in the adjoining areas because all of them will have to only fall back on the public parks or play grounds and gardens for their minimum recreational requirements. When the cities are overcrowded, the roads are narrow and the traffic is increasing, the situation will be extremely hazardous for the children and senior citizens. There



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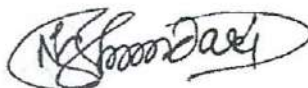
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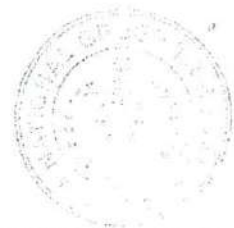
*will be no greens in the buildings and the people will always crave for fresh and pure air. The buildings without greens will add to the ever increasing temperature of the overcrowded cities and urban areas. To put it differently, all constructions without adequate green and recreational areas will have serious impact on the environment and human life. If the recreational area is on 20th or 40th floor, the residents of the apartments may be able to access the same only through an elevator and that could never be a substitute for any such activity at the ground level."*

**OBSERVATIONS OF HON'BLE SUPREME COURT  
IN CIVIL APPEAL NO. 11150 OF 2013 DATED 17  
DECEMBER 2013 (@ OUT OF SLP (CIVIL) NO.  
33402/2012)**

- In Para. 27 of the Judgment, "the requirement of having trees and open land around them is necessary from an environmental point of view, since there is already excessive concretization, and a very serious reduction in open spaces at the ground level. It must be noted that the right to a



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clean and healthy environment is within the ambit of Article 21, as has been noted in **Court on its Own Motion v. Union of India** reported in 2012 (12) SCALE 307 in the following words:-

- *"The scheme under the Indian Constitution unambiguously enshrines in itself the right of a citizen to life under Article 21 of the Constitution. The right to life is a right to live with dignity, safety and in a clean environment."*
- The right to a clean and pollution free environment, is also a right under our common-law jurisprudence, as has been held by this Court in **Vellore Citizen's Welfare Forum v. Union of India and Ors** reported in (1996)5SCC647 where this Court held:-
  - *"The Constitutional and statutory provisions protect a persons right to fresh air, clean water and pollution free environment, but the source of the right is the inalienable common law right of a clean environment."*
  - In the same judgment the Court emphasized the importance of **Sustainable Development**, and the



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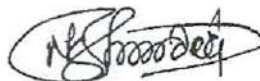
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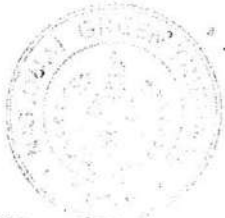
need for a balance between development and ecological considerations, in the following words:-

- *"The traditional concept that development and ecology are opposed to each other, is no longer acceptable.... 'Sustainable Development' is the answer...Sustainable Development as defined by the Brundtland Report means "development that meets the needs of' the present without compromising the ability of the future generations to meet their own needs". We have no hesitation in holding that "Sustainable' Development' as a balancing concept between ecology and development has been accepted as a part of the Customary International Law though its salient features are yet to be finalised by the International Law jurists."*

- 28. Therefore, after reflecting upon the legal position, we are clearly of the opinion that having 15%, 20% or 25% of the area (depending upon the size of the lay-out) as the recreational/amenity area at the ground level is a minimum requirement, and it will have to be read as such.



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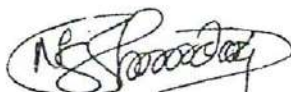
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We therefore answer the issue no. 1 by holding that it is not permissible to reduce the minimum recreational area provided under DCR 23 by relying upon DCR 34). However, if the developers wish to provide recreational area on the podium, over and above minimum area mandated by DCR 23 at the ground level, they can certainly provide such additional recreational area.

**11. Top soil is not preserved which is amount to violation of EC condition and also soil pollution is committed**

- It is important to note that, the soil from top layer shall be preserved and utilized for the development of recreational spaces, and tree plantation. But the project proponent has constructed the parking complex on the 10% open spaces and there is plantation of the tree as directed by the environment department in the EC.
- By dumping of the construction waste in the river and green belt, project proponent has covered the soil and damaged the soil with construction waste.



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- That the Area of the plot as stated by the Project proponents is 215000 Sq. Mtrs. & the area of the stone quarry is 8840 Sq. Mtrs. so the total area is 206160 Sq. Mtrs. and the soil layer on project site 2.5 Mtrs. and therefore the total soil quantity damaged is **515400 Cu. Mtrs.**

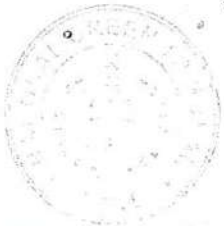
**12. Illegal construction on account of FSI benefits for Stone Quarry for an area admeasuring 8840 Sq. Mtrs is Non-Development Zone**

- It is important to note that, the project site is having the stone quarry of an area admeasuring more than 8840 Sq. Mtrs. as per goggle earth plan and same quarry area is shown as the part of the development as shown on the PCMC approved plan and same quarry area is nothing but the non-development area and same area shall be deducted from the total area of development.
- It is important to note that, the Project Proponent has not deducted this stone quarry area from the total plot area for development like green belt area, STP reservation area etc.



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- On the contrary, the project proponent has played fraud by claiming the FSI of stone quarry by not deducting from the total area and cheated the PCMC.
- Further it is important to note that, the construction carried out by 8840 Sq. Mtrs. is completely illegal & also caused to damage environment & ecology and there are no legal provisions to use this FSI on non-development area and this attract penal action on Project Proponent as well as errant officers of PCMC.
- Thus it is important to deduct the said area from the development area under taken by the project proponent and it is also necessary to demolish the illegal structure constructed on account of this stone quarry.



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**13. Farce marking of Blue Line and red line on DP plan to provide illegal help for construction in blue line**

- It is important to note that, it is very clear that the blue line marking by irrigation department at gut

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no. 90 is totally false and shifted towards the river side only in view to help the project proponent.

- In fact the blue line marking on the gut no. 84 & 85 was required to be straight passing through the gut no. 90 as per the site condition. And made construction of building "G to L, P, N1, N2" and proposed to construct building N3 and N4. In fact project proponent has dumped the huge quantity of construction waste in the Indrayani River to manipulate the actual marking of the Blue Line & Red Line marking.



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That there was natural depth in the gut no. 90 in the part of Indrayani River and same deep area is made rise by height of 4 Mtrs from the river level at which dump of construction waste which is thrown.

- Due to this dumping of construction waste & stone quarry waste, actual blue line marking is also diverted.

#### 14. Illegal Construction in Blue Line

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- It is important to note that, as per the Government of Maharashtra Resolution for Prohibition of Construction in Blue Line-198FPW/1089/243/89/SI. VYA. (KAME), Dated 21.9.1989, no construction is permitted in the blue line.
- But the project proponent has managed the false blue line marking with help of irrigation department and blue line is shifted towards the river side to legalise its constriction.
- PCMC is well aware of this facts of blue line marking and entire STP reservation No. 1/130 & 18 Mtrs DP road is affected by the blue line and it is the part of river, even then the PCMC is accepting the possession of blue line affected reservation from Mr. Dilip Choradiya on account of TDR and other benefits.
- Also the National Green Tribunal in its various Judgments has issued clear cut directions regarding restriction of non development in blue line.



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- This act of PCMC to purchase the river is nothing but clearly illegal and attracts the penal action of fraud and cheating to the government and in this case the PCMC- Commissioner shall take serious action against "errant officers of Urban Development Department of PCMC and the project proponent like Iswar Parmar and Dilip Choradiya for committing such fraud on the government.
- It is important to cancel the documents executed to take possession of the blue line affected reservation and DP road and not to carry any construction on such blue line affected area and further not to issue any benefits to the project proponents on any account.
- Thus the construction carried out building "G to L, P, N1, N2" and proposed to construct building N3 & N4 along with STP reservation development & 18 Mtrs DP road is completely illegal and damaging the environment and ecology.

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**15. Only 389 trees planted against 1300 trees promised in EC and its amounts to violation**



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- As per the Environment clearance no. SEAC-2011/CR.620/TC.2 dated 07.10.2011, the project proponent was promised to plant 1300 trees for development of green belt, but only 389 trees have been planted by the project proponent and also the planted tress area not in state to be alive for long.
- That the project proponent has made construction of the parking complex on the 10 % mandatory open space. And no space for tree plantation is remaining.

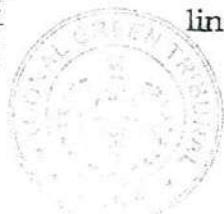
**16. Illegal Acquisition of STP reservation land by PCMC that comes under blue line area and part of river and PCMC is giving illegal benefits in terms of TDR**

- That the reservation no. 1/130 for the STP is having total area of 50000 Sq. Mtrs. and out of which 42747.07 sq. Mtrs. is on part of the project proponents from Gut No. 90 of present development under various violations.
- That the entire reservation is affected by the blue line marking of the Indrayani River and also as per

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the site condition also that the said reservation is clearly & completely part of the river. In any circumstances, this reservation area is not able to develop for any purpose.

Table 5: - Total Blue line Affected Area acquired by PCMC from the present Project Proponent

Agreement	STP	18 Mtr DP Road	24 Mtr DP Road
3056/2016 (Haveli-5) 05.04.2016	8294.87 Sq. Mtrs.		66 Sq. Mtrs.
574/2017 (Haveli-5) 23.01.2017	34934.50 Sq. Mtrs.		627.75 Sq. Mtrs.
3658/2017 (Haveli-5) 26.05.2017		3152.87 Sq. Mtrs.	
<b>Total</b>	<b>43299.37</b> <b>Sq. Mtrs.</b>	<b>3152.87</b> <b>Sq. Mtrs.</b>	<b>693.75</b> <b>Sq. Mtrs.</b>

- Thus the PCMC intentionally providing illegal benefits of an area admeasuring 43299.37 Sq. Mtrs, on account of STP, 3152.87 Sq. Mtrs. on account of 18 Mtrs DP road, 693.75 Sq. Mtrs on account of 24 Mtrs. DP Road to the project proponent on account of purchase of river area,

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which is non development zone and affected by the blue line of the Indrayani river.

**17. Illegal of Construction River Ghat in green belt and blue line of Holy River Indrayani**

- That the project proponent has made the illegal construction of the Ghat in the river on an area admeasuring more than 8000 sq. Mtrs. for the enjoyment.
- That the said illegal construction of ghat has made the substantial water pollution of the river
- That the project proponent has made encroachment in the river for construction of this Ghat.
- As project proponent has carried out the substantial construction of ghat in the river with the help of PCMC officers and it can be observed from act of blindness played by irrigation department as well as PCMC officers.

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**18. Illegal increase in Ground Coverage Area as against 15985.24 Sq. Mtrs**



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- It is clear from the table No. 4 as stated above, that the total project proponent has illegally constructed ground coverage of 20866.81 Sq. Mtrs. against available 14128.34 Sq. Mtrs. and Project Proponent has illegally claimed 15881.92 Sq. Mtrs.
- In fact this illegal ground coverage area is affecting the rain water harvesting and its resulting in the ground water damage & continues decrease in the water level.

**19. Illegal installation of the RMC plant at site and carrying out operations without due permission from the MPCB**

- It is to be noted that, the Project Proponent has illegally installed the Ready Mix Plant for the construction of the said project without prior permission from the Pollution Control Board.
- That the project proponent has not followed the norms of pollution control board and given rise to Air Pollution, Noise Pollution, Dust Pollution, Water Pollution etc.

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*Ms. Sooder*

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- That the project proponent has admitted in his application for revised EC that, he has carried out construction of BUA 199000 Sq. Mtrs.
- For construction of 199000 Sq. Mtrs, the quantity of RMC product concrete is 30327.6 Cu. Mtrs.
- It is clear that, the Project proponent has substantially damaged the environment by illegal operation of RMC Plant.

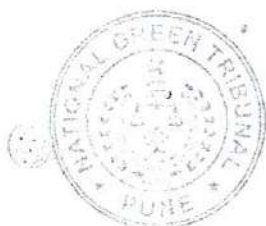
#### 20. Violation of Non-Agricultural Permission

- As per the NA Order no. PMA/NA/SR/872/10 dated 18.05.2011, total land proposed for NA permission is 215000.00 Sq. Mtrs.
- But collector Pune after verification of documents and land records, plans sanctioned by PCMC and after deduction of the reservations, other Non-development areas only an area 124000.00 sq. Mtrs. was considered for NA Permission.

Table 6: -

Gut No.	Area (Sq. Mtrs.)
90 (p)	124000
Total Area	124000
Sanctioned Area In Layout	124000

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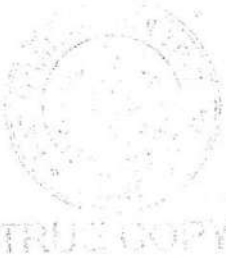


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(-) Road Area	24367.06
(-) Reservation Area	8733.89
Residential Use Area	90899.05

- It is to be noted that, in terms & condition No. 1 of NA, clearly speaks that out of 124000 Sq. Mtrs. only Built-up area 13484.75 sq. Mtrs. is sanctioned by said NA order.
- Further condition No. 3, clearly state that, the applicant shall made the use of building only for the purpose for which this permission is granted. In fact the NA permission was granted for the residential purpose, but the applicant project proponent has constructed commercial buildings and 39 shops also in violation of this NA order.
- Thus following violations of NA permissions are observed;
- Area considered by NA permission was 124000 sq. Mtrs. but project proponent has made construction on 131000 sq. Mtrs. without obtaining any amendment in NA order. and it amounts to violation.



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- NA permission has granted only for residential purpose but the project proponent has constructed commercial buildings for 39 shops and also PP has commenced it use illegally and its amount to violation of NA permission.
- Total BUA sanctioned is only 13484.75 sq. Mtrs. but project proponent has carried out the construction of 199000 sq. Mtrs. (as admitted by PP in its revised application for EC) and its clear cut violation of NA Permission.
- Further it is important to note that, the project proponent has suppressed the area 8840 Sq. Mtrs. of stone quarry and this area of stone quarry is nothing but the non development area and shall be deducted from the 124000 sq. Mtrs. but the project proponent as well as collector Pune has intentionally overlooked such NDZ area from the layout and gave illegal benefits to the project proponent.
- Further it is to be noted that, it seems that the stone quarry was illegal and collector Pune has intentionally negated to put heavy fine for such



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illegal exaction of minor minerals and caused loss to the Government.

- Collector Pune also not made the site survey and allowed project proponent to damage the Holy Indrayani River by encroaching in river and allowing construction waste dumping in the river.
- Thus the project proponent has violated the NA Permission, illegal enjoyed benefits of stone Quarry Area, made construction in blue line by managing the false making of blue line, dumped huge construction waste in river.

**21. Intentional Blindness of PCMC, Irrigation / Water Resource Department And Mining Department- Collector Pune On Account of Intentional Negligence And damaging Mother Nature**

**A. Illegality by PCMC:**

- PCMC officers intentionally neglected to perform their duties while granting sanctions to this project & carrying out the contraction.
- PCMC committed illegality by Non Deduction of Stone Quarry Area,



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- PCMC committed illegality by accepting Blue line affecting area of STP Reservation Area
- PCMC committed illegality by 18 DP Road Area and issuing TDR on same account,
- PCMC committed illegality by allowing to installed RMC Plant without permission of MPCB.
- PCMC committed illegality by allowing project proponent to construct the Ghat in the Indrayani River.
- PCMC committed illegality by allowing project proponent to dump construction waste in Indrayani River.
- PCMC committed illegality by allowing project proponent to construct parking complex on 10% open Space.
- PCMC committed illegality by allowing project proponent to make misleading area statement, ground coverage.

**B. Irrigation / Water Resource Department**

- Irrigation Department with connivance of PCMC committed illegality by allowing project proponent to construct the Ghat in the Indrayani River.



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- Irrigation Department with connivance of PCMC committed illegality by allowing project proponent to dump construction waste in Indrayani River.
- Irrigation Department with connivance of PCMC committed illegality on account of false marking of blue line for Indrayani River in gut no. 90.
- Irrigation Department with connivance of PCMC committed illegality by issuing false NOC project proponent to carry out construction in blue line marking of Indrayani River.
- Irrigation Department with connivance of PCMC committed illegality by neglecting to perform their duties even the construction waste dumping in Indrayani River by project proponent.

#### C. Collector Pune

- Collector Pune has committed illegality by neglecting to look on the issue of illegal excavation of stone quarry and caused huge loss to environment and also caused loss to government revenue for minor minerals.




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- Collector Pune has also committed illegalities by not considering deduction of non-development area of stone quarry.

- Collector Pune has also committed illegalities & negligence on account of violation of terms and condition of NA permission by Project Proponent and also not recovered necessary charges from project proponent & caused loss to government revenue.

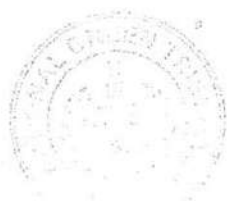
**22. Nala No. 23 shown on Irrigation Plant and passing from the project land is completely closed by dumping of construction waste**

-It is to be noted that, the Blue Line & Red Line marking plans/ maps released by the irrigation department clearly shows that, there is NALA no. 23 passing through the Gut No. 90.

-But it is very shocking that, the development plans with blue line & red line marking dose not shows any NALA passing through the gut no. 90.

- In fact there was NALA at site created due to the slope zone in the gut no. 90, but the project

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proponent has covered that NALA and land was made plain by dumping the construction waste.

- But the Science and Technology Park Department of PCMC has issued the remark stating that, there no natural NALA passing through the Gut No. 90. And this act clearly shows connivance between the project proponent and the PCMC on account of the Mother Nature.

**23. Reservations Affected by Blue Line of various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated out of Blue Line Area to avoid damage to environment & ecology.**

- It is to be noted that, there are many proposed reservations affected by the blue line marking of Pawana, Indrayani & Mula River passing through the jurisdiction of the PCMC Area.

- It is to be noted that, no construction is permitted in the blue line at any cost, but the PCMC and irrigation (Water Resource) department are neglecting towards such issue of prohibition of

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construction in blue line and acquiring the land coming under blue line for the proposed reservations in view to develop such reservations.

- In fact the no development is allowed in the blue line even though, the acquisition of such blue line affected reservations is clearly pointing towards the negligence of these department for causing to environment and ecology by avoiding principles of sustainable developments.
- That the intention of the PCMC towards the environment protection is seems to be careless and reckless as shown by themselves by acquiring the land from present project proponents for the Sewage Treatment Plant reservation No. 1/130 and proposing such development.
- Thus by this notice, my client would like to brought to the notice of Secretary, UDD-GoM, Secretary, Water Resource/ Irrigation Dept-GoM, Commissioner PCMC, the development undertaken is against the nature and will cause the damage to the environment and ecology.

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- In view to the protect the environment & ecology of the rivers, the following reservations in PCMC area needs to be relocated on the suitable nearest location on urgent basis and related changes to be made in the development plans of the corresponding planning units.

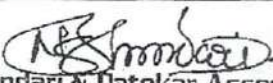
Table No. 7: - List of Reservations Affected By Blue Line marking .

Sr. No.	Village	Reservation No	Reservation Name	River	Survey / Gut No.	Area (Hector)
1	Bopkhel	2/162-G	Garden/ Park	Mula	4, 5 (P)	1.30
2	Bopkhel	2/163-ESR	Elevated Service Reservoir	Mula	5, 154 (P)	0.50
3	Bopkhel	2/164-SSP	Sewage Sump & Pump House	Mula	2, 5	0.46
4	Bopkhel	2/165-PS	Primary School	Mula	2, 154	0.40
5	Bopkhel	2/166-CG	Cremation Ghat/ Shed	Mula	5	0.10
6	Charholi	2/62-CS	Cattle Shed	Indrayani	990, 991, 993	2.40
7	Charholi	2/63-BG	Burial Ground	Indrayani	1015, 1017, 1019, 1020, 1021	2.00
8	Charholi	2/64-G	Garden	Indrayani	1022, 1032	0.79
9	Charholi	2/65-CM	Crematorium	Indrayani	Gavthan	0.40
10	Charholi	2/93-STP	Sewage Treatment Plant	Indrayani	14, 15, 16, 17, 21, 22, 24, 25, 26, 27	6.07
11	Charholi	2/93A-STP	Sewage Treatment Plant	Indrayani	32, 33	
12	Charholi	2/94-SH	Slaughter House	Indrayani	29, 30, 35	1.60
13	Chikhali	1/76-SSP	Sewage Sump & Pump House	Indrayani	1564 (p)	0.50
14	Chikhali	1/77-WTP	Water Treatment Plant	Indrayani	1564 (P)	4.91
15	Chikhali	1/79-CS	Cattle Shed	Indrayani	1655/2(P)	2.00
16	Chikhali	1/98-BG	Burial Ground	Indrayani	1636(P)	1.75
17	Chikhali	1/123-CG	Cremation Ghat	Indrayani	Gavthan	0.10
18	Chikhali	1/124-P	Parking	Indrayani	Gavthan	0.05

  
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19	Chikhali	1/125-G	Garden/ Park	Indrayani	1, 2	1.00
20	Chikhali	1/126-ESR	Elevated Service Reservoir	Indrayani	2, 19, 41 (p)	0.70
21	Chikhali	1/130-STP	Sewage Treatment Plant	Indrayani	90, 91, 92	5.0
22	Dapodi	3/1-G	Garden/ Park	Pawana	27, 28	1.69
23	Dapodi	3/2-SS	Secondary School	Pawana	24, 28, 29	1.52
24	Dapodi	3/3-ESR	Elevated Service Reservoir	Pawana	27, 28	0.40
25	Dapodi	3/4-BG	Burial Ground	Pawana	11, 15, 16, 17, 24, 26	2.54
26	Dapodi	3/5-PG <sup>o</sup>	Play Ground	Pawana	16 to 18	1.40
27	Dapodi	3/6-SS	Secondary School	Pawana	11, 15, 16, 18	2.02
28	Dapodi	3/15-G	Garden/ Park	Pawana	9 to 11, 16	1.39
29	Dapodi	3/16-PS	Primary School	Pawana	11	1.21
30	Dapodi	3/17-PSN	Police Station	Pawana	11	0.05
31	Dapodi	3/18-P	Post Office	Pawana	11	0.06
32	Dapodi	3/19-ZO <sup>o</sup>	PCMC Zonal Office	Pawana	11	0.23
33	Dapodi	3/29-DMH	Dispensary Cum Maternity Hospital	Pawana	85	0.20
34	Dapodi	3/30-PS	Primary School	Pawana	85A (P)	0.40
35	Dapodi	3/31-G	Garden/ Park	Pawana	84, 85A, 85B	2.00
36	Dapodi	3/37-SPG	Swimming Pool and Gymnasium	Pawana	78, 81, 82, 85	0.90
37	Dapodi	3/38-OP	Octroi Post	Pawana	79, 80	0.20
38	Dapodi	3/39-P	Parking	Pawana	80	0.10
39	Dapodi	3/40-CM	Crematorium	Pawana	79, 80, 84	0.37
40	Dudulgaon	1/222-CG	Cremation Ghat	Indrayani	248, 249	0.10
41	Dudulgaon	1/230-SSP	Sewage Sump & Pump House	Indrayani	22, 24	0.50
42	Kiwale	4/137-SSP	Sewage Sump & Pump House	Pawana	96	0.50
43	Kiwale	4/138-CG	Cremation Ghat	Pawana	97	0.08
44	Mamurdi	4/161-CG	Cremation Ghat		7	0.10
45	Mamurdi	4/162-SSP	Sewage Sump & Pump House		9	0.50
46	Moshi	1/168-CG	Cremation Ghat		51	0.35
47	Moshi	1/169-AI	Animal Incinerator		51	0.40
48	Moshi	1/173-RPR	River Front Recreation	Indrayani	89, 90, 91, 93, 94, 145 to 153	2.00
49	Moshi	1/174-SSP	Sewage Sump & Pump House	Indrayani	155 to 160	0.50
50	Punawale	4/60-RFP	River Front Recreation	Pawana	54	2.76
51	Punawale	4/75-BG	Burial Ground	Pawana	3	1.00
52	Punawale	4/74-A&B-STP	Sewage Treatment Plant	Pawana	5	2.00
53	Ravet	4/80-SSP	Sewage Sump &	Pawana	27, 28, 33	0.50

  
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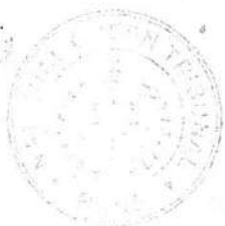
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			Pump House			
54	Ravet	4/79-CM	Crematorium	Pawana	17	0.40
55	Talawade	1/74-RPR	River Front Recreation	Indrayani	9 to 14	2.10
56	Talawade	1/75-SSP	Sewage Sump & Pump House	Indrayani	11, 14, 15	0.50
57	Tathawade	1-S&PH	Sewage Sump & Pump House	Pawana	173	0.40
58	Tathawade	2-CG	Cremation Ghat	Pawana	174	0.40
59	Tathawade	6-STP	Sewage Treatment Plant	Pawana	19	1.0
60	Wakad	4/1-SSP	Sewage Sump & Pump House	Mula	4	0.28

**24. APPLICATION DATED 03.02.2017 FOR  
AMENDMENT IN ENVIRONMENT CLEARANCE**

- In above circumstances of violations of terms and conditions of previous EC Vide No. SEAC-2011/CR.620/TC.2 dated 07.10.2011, and non-complying to the directions stipulated in the previous EC by project proponent.
- That the Environment Department, SEAC, SEIAA, MPCB are here by invited attentions towards the application dated 03.02.2017 for amendment in EC and to take appropriate decision as per the law as in view that there will not be further damage to environment & ecology as there is serious violation by the project proponent in his building



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construction project and caused the substantial damage to surrounding environment & ecology.

## 25. ILLEGAL CONSTRUCTION

- It is to be noted that, after study of the project under this notice, it reveals that the project proponent has no sufficient Net Plot Area and FSI to made the construction as he has done and to propose the further construction.
- Even by tentative view that the illegal construction made by the project proponent is near about 200 flats and 4 buildings and this construction is in total violation of the DC rules of PCMC.

## 26. IF NON-ACTION BY CONCERN AUTHORITY AND FURTHER LEGAL ACTION

Thus all noticee are called upon to take legal action against the Project Proponents as per the law for the violations committed by them and in view to stop further damage and degradation caused by PP to environment and ecology on priority. In addition to that further legal actions against Project Proponent

  
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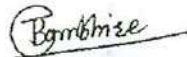
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needs to be initiated by PCMC for violations of DC rules, MR & TP Act and taking benefits of illegal FSI & TDR of Non-Development zone by misleading the authorities. Failing on part of authorities my client will proceed for further legal recourse without any further notice, which will be very harmful for all concerns. Please take note.



ADV. NILESH K. BHANDARI

BHANDARI & PATEKAR LAW ASSOCIATES



TANAJI BALASAHEB GAMBHIRE

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**Enclosures**

- a. Photographs dated- 15.04.2017
- b. Photographs dated- 09.06.2017
- c. Google Earth Photos (Annexure-III & IV)
- d. Application for Revised EC dated 03.02.2017



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ANNEXURE-A-11

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-01/08



Photo-02/08



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ANNEXURE-A-11

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photo-03/08



Photo-04/08



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ANNEXURE-A-11

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-05/08



Photo-06/08

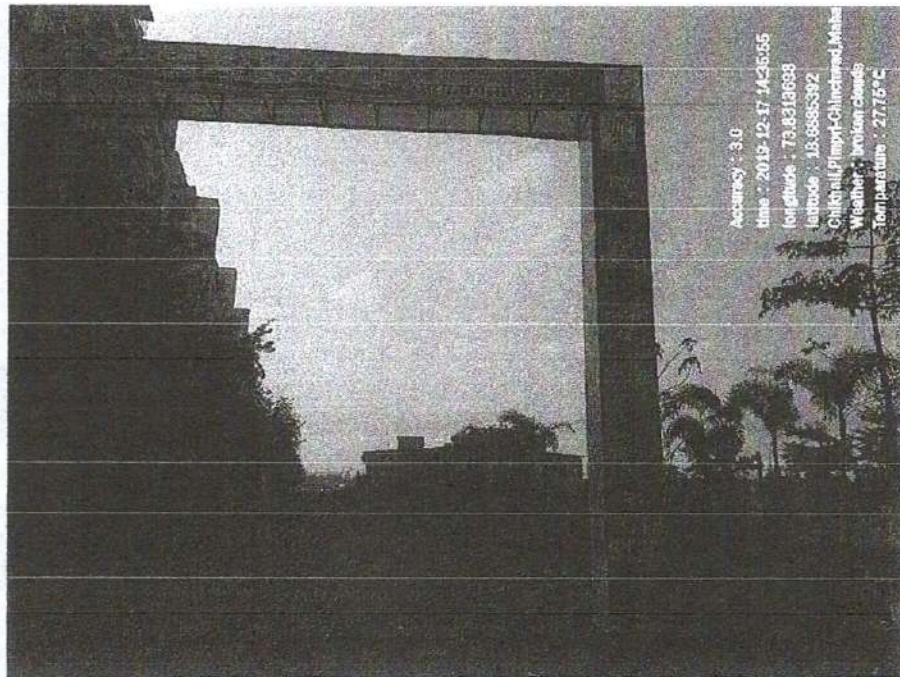


ANNEXURE-A-11

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

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ANNEXURE-A-11

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-08/08



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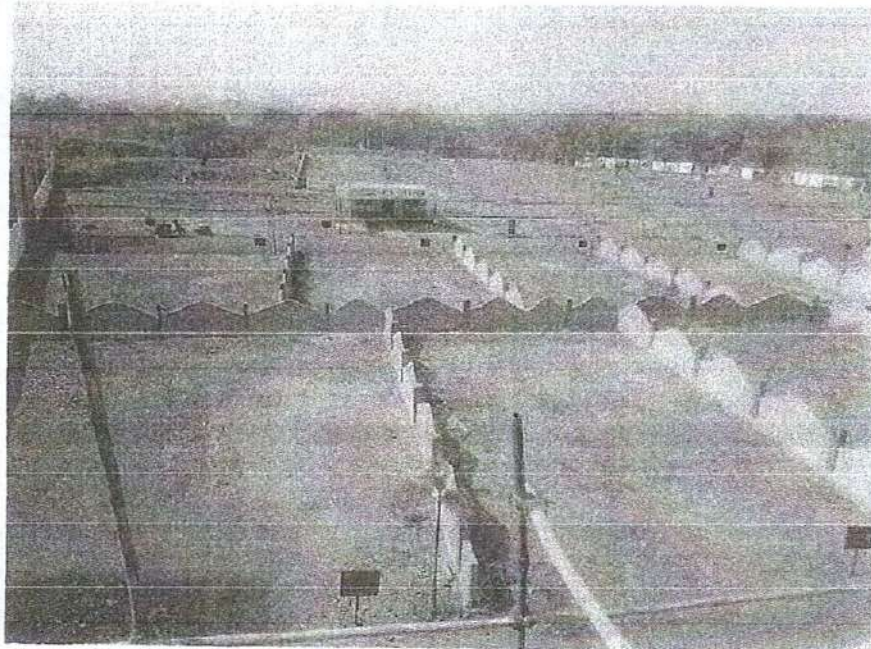
ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

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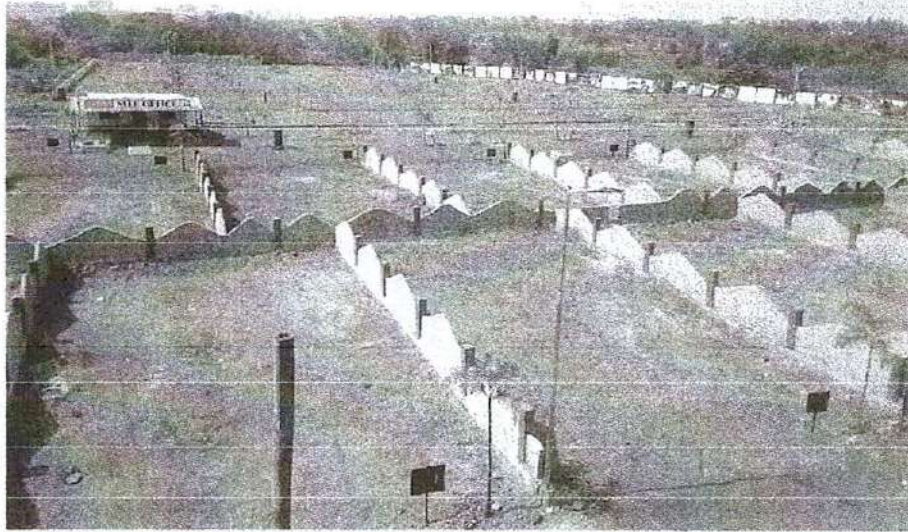
## ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

**"Entire Project is in Blue flood line of Indrayani River"**

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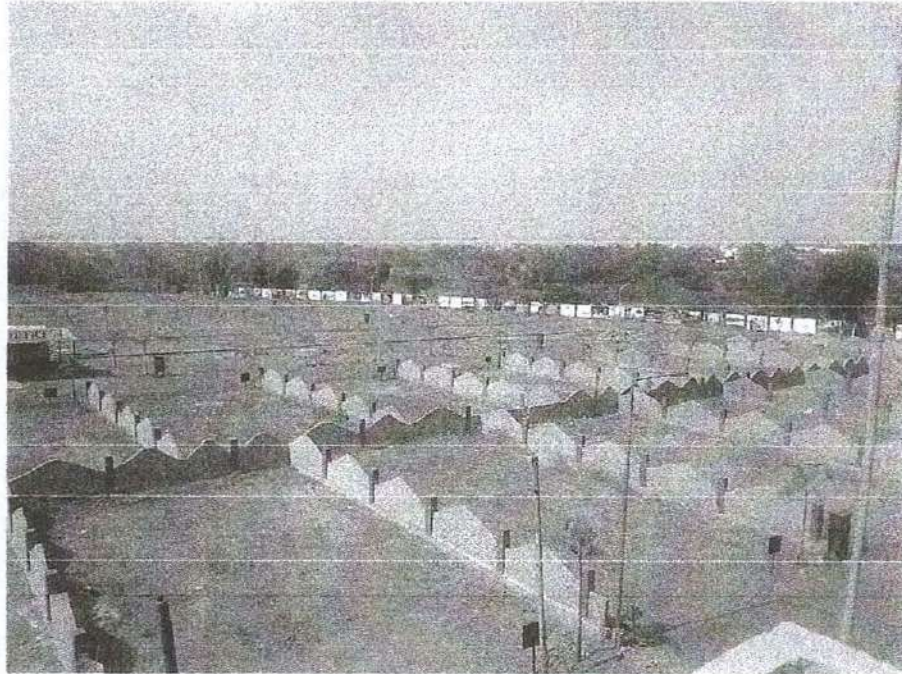
ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

**"Entire Project is in Blue flood line of Indrayani River"**

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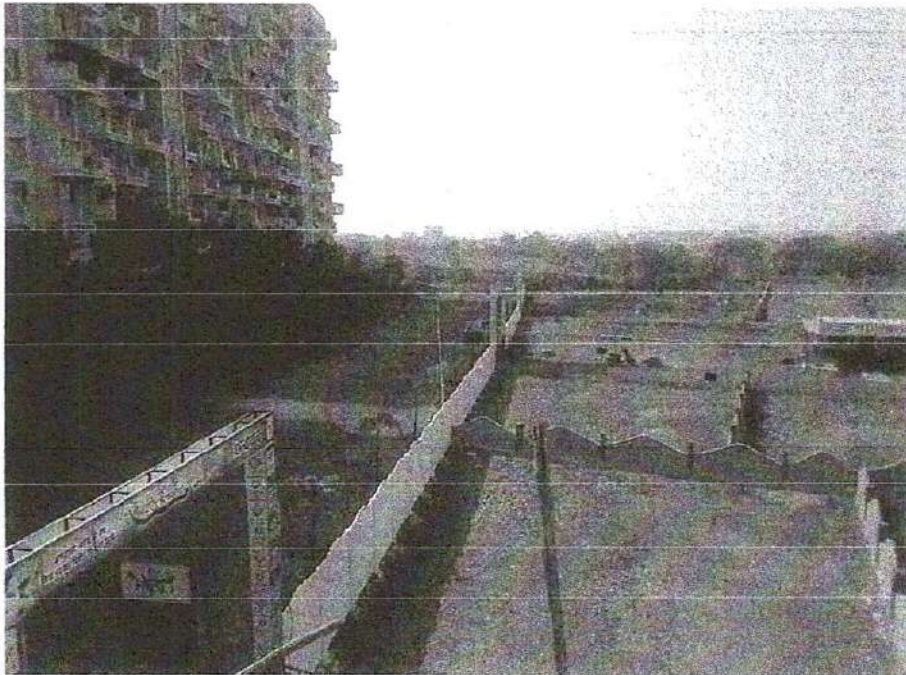
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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

**"Entire Project is in Blue flood line of Indrayani River"**

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ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

**"Entire Project is in Blue flood line of Indrayani River"**

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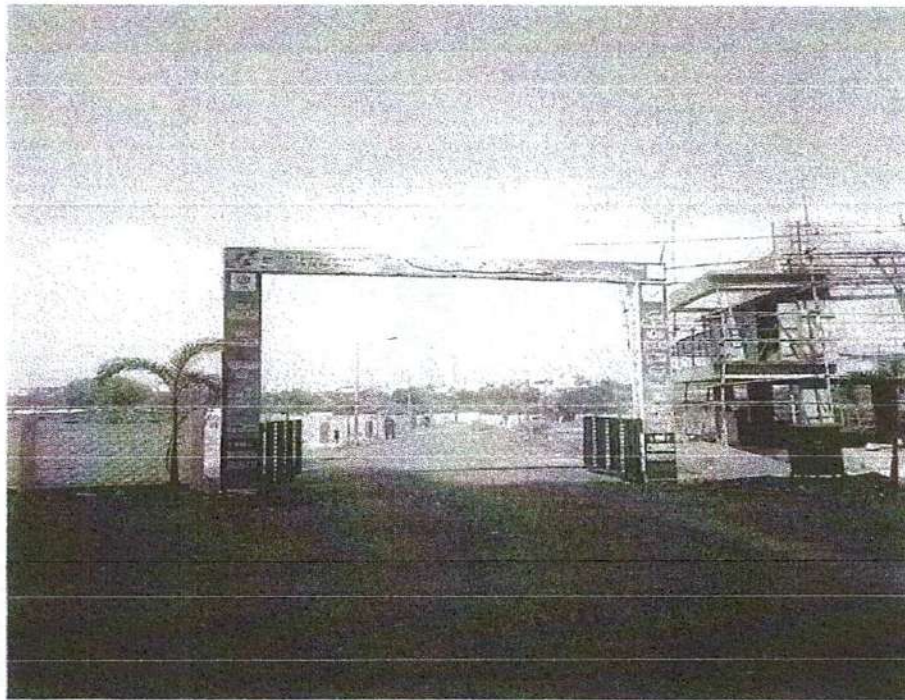
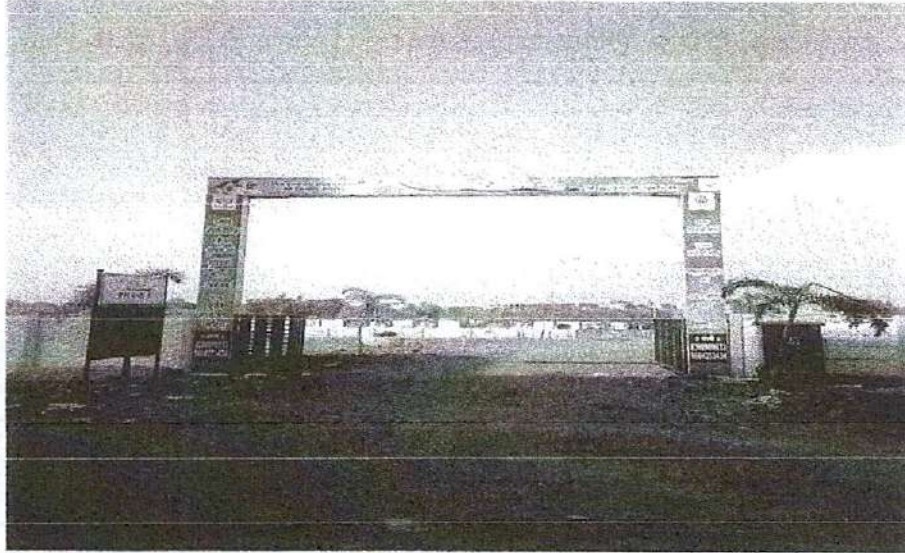
## ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

**"Entire Project is in Blue flood line of Indrayani River"**

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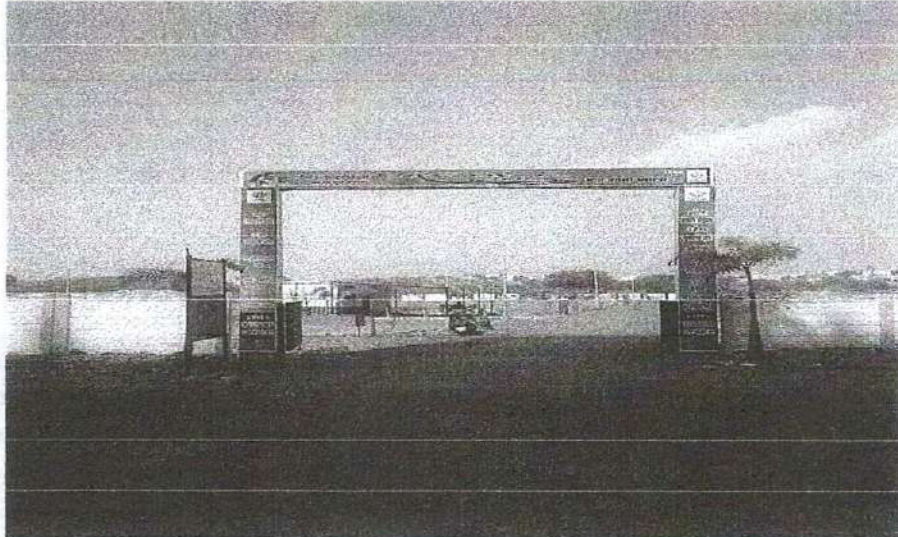
ANNEXURE-A-12

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"Entire Project is in Blue flood line of Indrayani River"

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**निवेदनकर्त्याने दिलेली स्थळी स्थान**

अनुसंधान क्षेत्रातील  
 अडवणी नदीच्या उर्वरित भागात  
 अडवणी नदीच्या उर्वरित भागात  
 अडवणी नदीच्या उर्वरित भागात  
 अडवणी नदीच्या उर्वरित भागात  
 अडवणी नदीच्या उर्वरित भागात

प्लॉट नं.	एरिया (sq. ft.)
1	20000 sq. ft.
2	20000 sq. ft.
3	20000 sq. ft.
4	20000 sq. ft.
5	20000 sq. ft.
6	20000 sq. ft.
7	20000 sq. ft.
8	20000 sq. ft.
9	20000 sq. ft.
10	20000 sq. ft.
11	20000 sq. ft.
12	20000 sq. ft.
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25	20000 sq. ft.
26	20000 sq. ft.
27	20000 sq. ft.
28	20000 sq. ft.
29	20000 sq. ft.
30	20000 sq. ft.
31	20000 sq. ft.
32	20000 sq. ft.
33	20000 sq. ft.
34	20000 sq. ft.
35	20000 sq. ft.
36	20000 sq. ft.
37	20000 sq. ft.
38	20000 sq. ft.
39	20000 sq. ft.
40	20000 sq. ft.
41	20000 sq. ft.
42	20000 sq. ft.
43	20000 sq. ft.
44	20000 sq. ft.
45	20000 sq. ft.
46	20000 sq. ft.
47	20000 sq. ft.
48	20000 sq. ft.
49	20000 sq. ft.
50	20000 sq. ft.
51	20000 sq. ft.
52	20000 sq. ft.
53	20000 sq. ft.
54	20000 sq. ft.
55	20000 sq. ft.
56	20000 sq. ft.
57	20000 sq. ft.
58	20000 sq. ft.
59	20000 sq. ft.
60	20000 sq. ft.
61	20000 sq. ft.
62	20000 sq. ft.
63	20000 sq. ft.
64	20000 sq. ft.
65	20000 sq. ft.
66	20000 sq. ft.
67	20000 sq. ft.
68	20000 sq. ft.
69	20000 sq. ft.
70	20000 sq. ft.
71	20000 sq. ft.
72	20000 sq. ft.
73	20000 sq. ft.
74	20000 sq. ft.
75	20000 sq. ft.
76	20000 sq. ft.
77	20000 sq. ft.
78	20000 sq. ft.
79	20000 sq. ft.
80	20000 sq. ft.
81	20000 sq. ft.
82	20000 sq. ft.
83	20000 sq. ft.
84	20000 sq. ft.
85	20000 sq. ft.
86	20000 sq. ft.
87	20000 sq. ft.
88	20000 sq. ft.
89	20000 sq. ft.
90	20000 sq. ft.
91	20000 sq. ft.
92	20000 sq. ft.
93	20000 sq. ft.
94	20000 sq. ft.
95	20000 sq. ft.
96	20000 sq. ft.
97	20000 sq. ft.
98	20000 sq. ft.
99	20000 sq. ft.
100	20000 sq. ft.

एरिया: 20000 sq. ft.



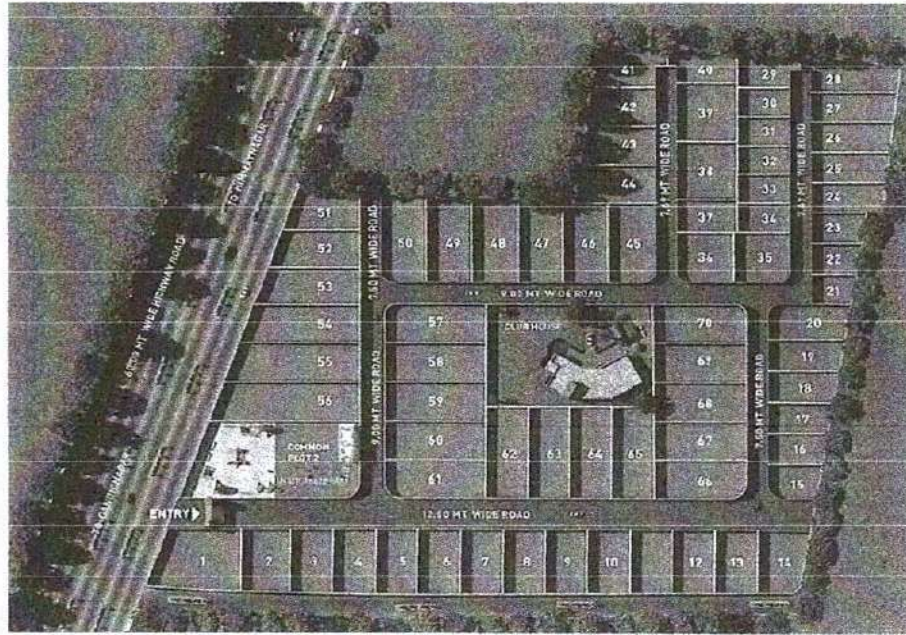
ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photographs from Facebook Portal:

"https://www.facebook.com/media/set/?vanity=jareworld&set=a.2310738055699992"



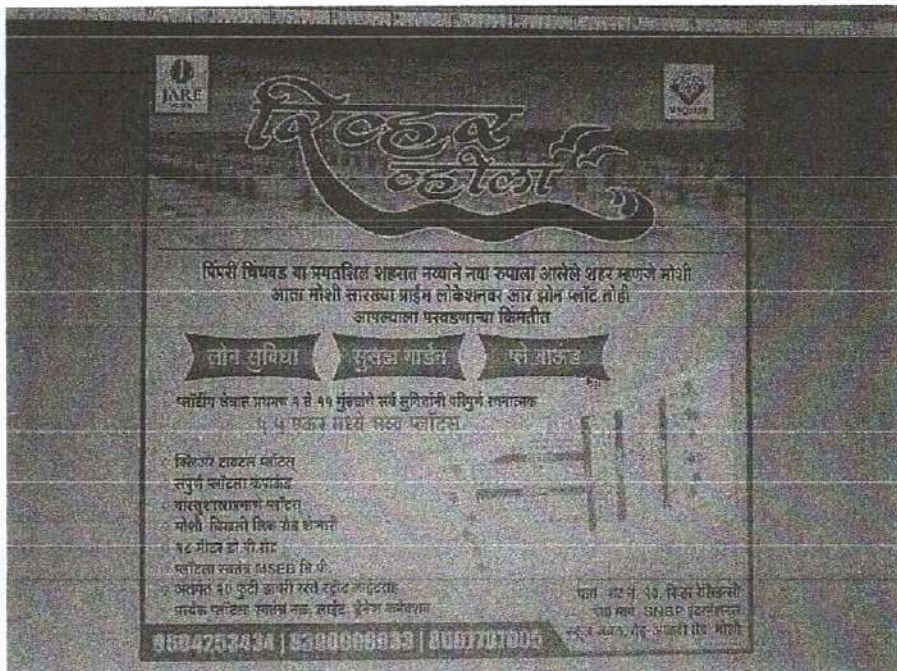
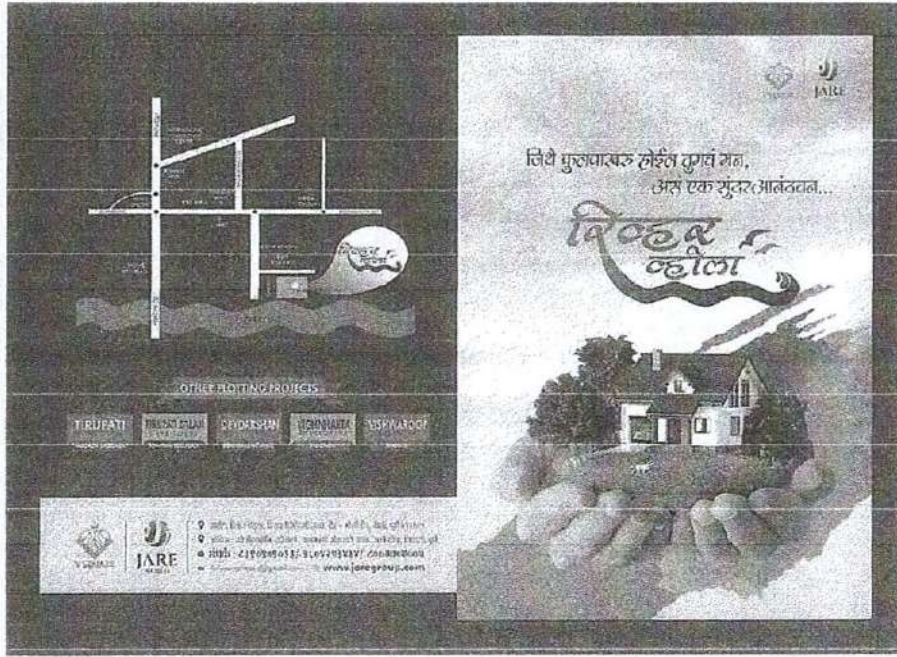
ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photographs from Facebook Portal:

"https://www.facebook.com/media/set/?vanity=jareworld&set=a.2310738055699992"



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## ANNEXURE-A-12

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photographs from Facebook Portal:

"https://www.facebook.com/media/set/?vanity=jareworld&set=a.2310738055699992"



**JARE**  
WORLD

**HAVE YOU  
LOOKING FOR**

**FLAT  
&  
BUNGLOWS PLOT**

**CONTACT**  
8530007306, 9822621616  
8390909033

[www.jaregroup.com](http://www.jaregroup.com)  
[vishwanathjare@gmail.com](mailto:vishwanathjare@gmail.com)

**OFFICE ADDRESS**  
JARE BUILDING, JARE WORLD  
NEAR AANGANWADI SOCIETY SANE CHOWK  
CHIKHALI PUNE



**JARE**  
WORLD

**V SQUARE**

**विठ्ठल  
व्हील**

तर्फे सर्वांना  
**मकर संक्रांती**

निमित्त मंगलमय शुभेच्छा...!

तिळगुळ  
गोंड गोंड वाळा

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

Photographs from Facebook Portal:

"https://www.facebook.com/media/set/?vanity=jareworld&set=a.2310738055699992"

**गुंतवणुकीसाठी आपला एक प्लॉट तर हवाच...!**

रिव्हर व्हिला  
येणाऱ्या सणांचा आनंद  
विद्युत्नीत कारण्याची  
सुवर्ण संधी...  
अप्रतिम लोकेशनसह बेगलो प्लॉट  
अगदी २० माराबापर्यंत  
मासिक हप्त्याच्या सोईसह  
उपलब्ध पिंपरी - चिंचवड  
पासून जवळच

- २० फुट अंतर्गत डॅबरी रोड
- सॉर्ट व अंतर्गत रस्ते
- पाणी सुविधा
- वृक्षरोपण
- शारसकीय हॉस्पिटल
- पारवर्षिक व्यवहार
- सुलभ हप्त्याची सुविधा
- गुंतवणुकीसाठी उपयुक्त
- सॉर्ट विज्जिट सुविधा उपलब्ध

साईट: रिव्हर व्हिला, रिव्हर एम्प्लेन्सी जवळ, गेट - मोशी रोड, मोशी पुणे ४११००५

**रिव्हर व्हिला**

MAINTENANCE COPY

T.C.  
Sambhise

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

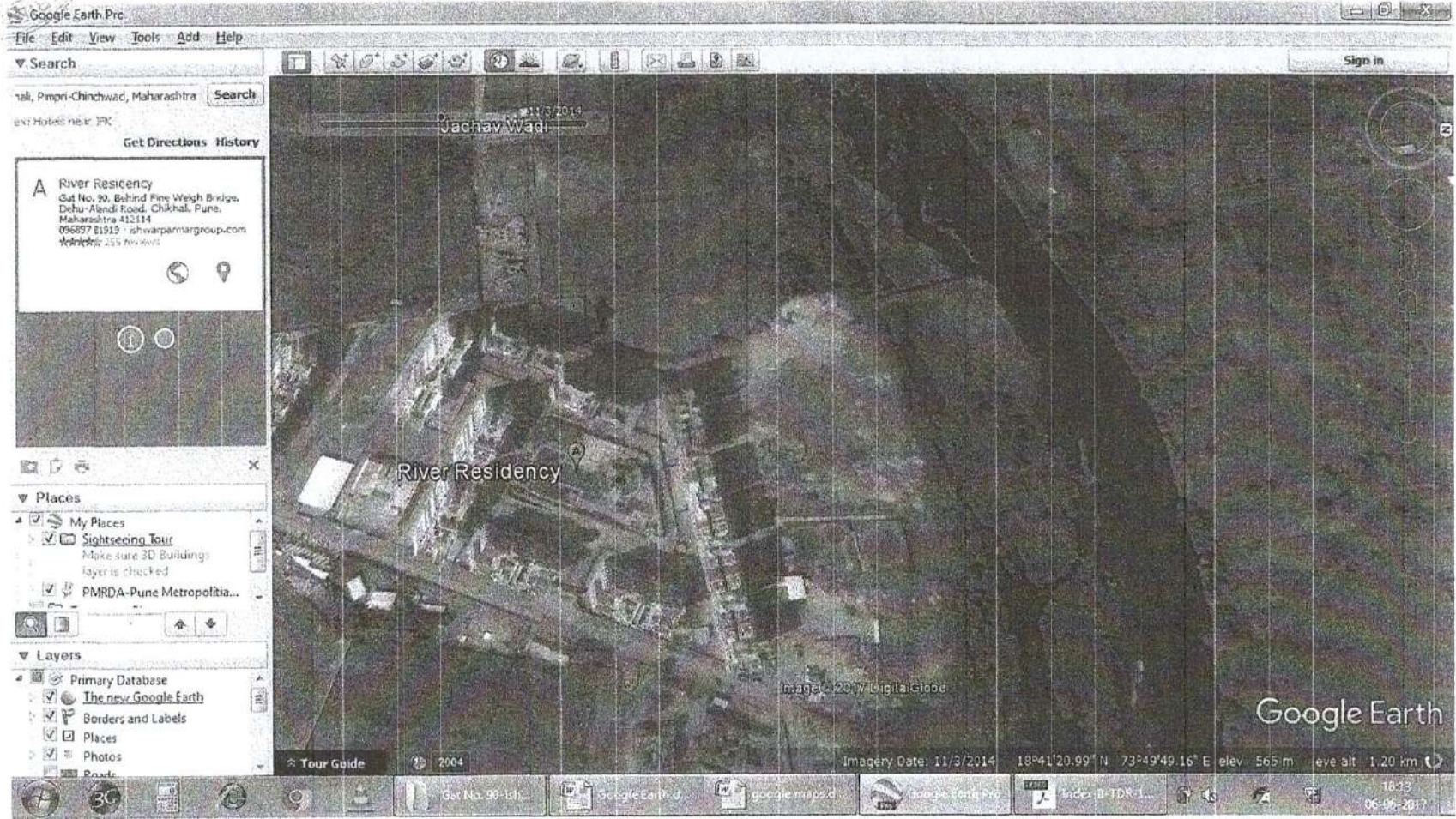
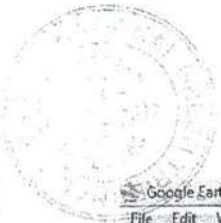


T.C.  
*Bombhina*

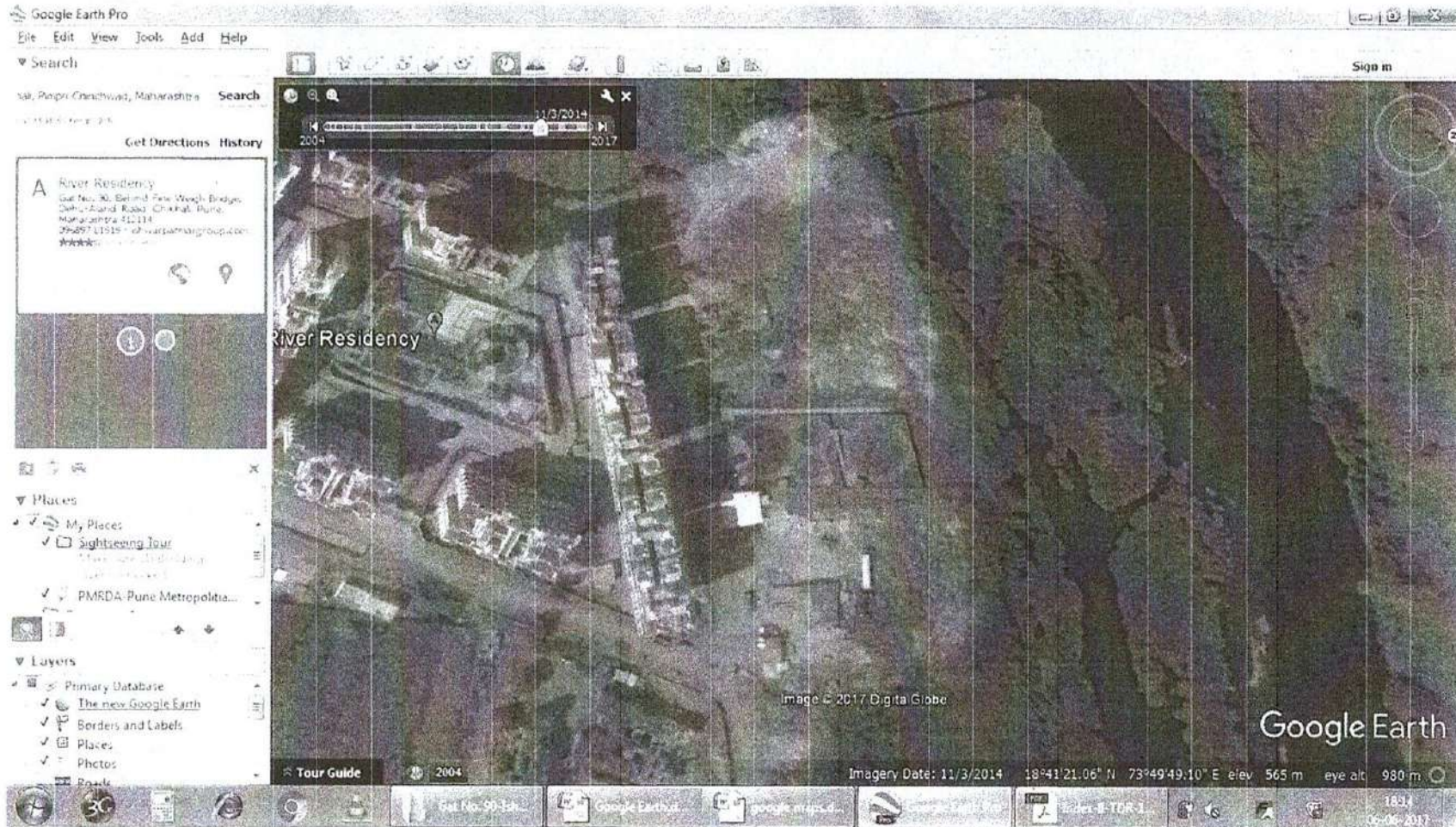
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

TRUE COPY



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

TRUE COPY



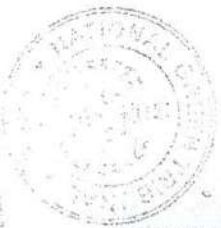
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"Entire Project is in Blue flood line of Indrayani River"



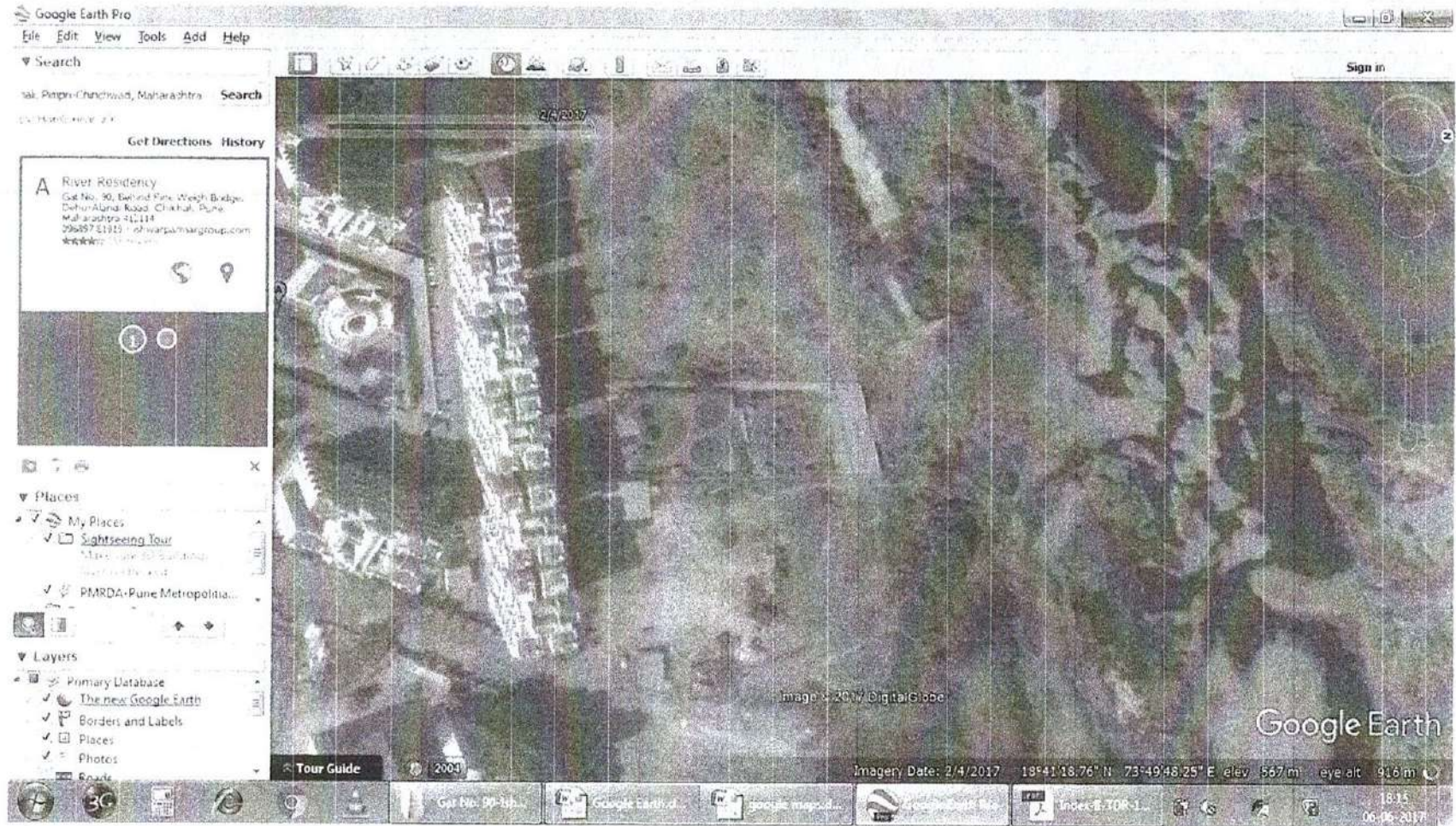
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune

"Entire Project is in Blue flood line of Indrayani River"

TRUE COPY



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

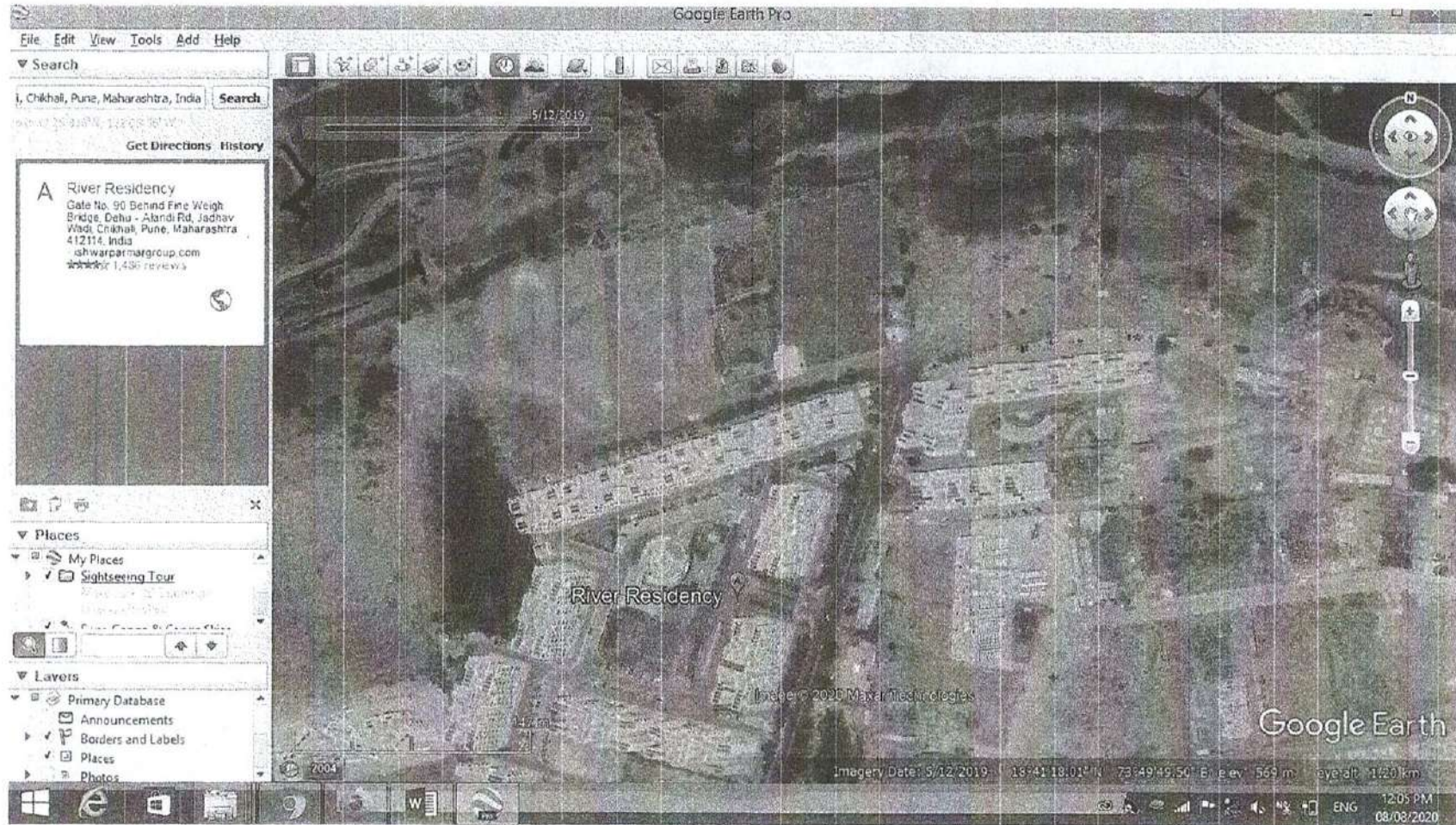
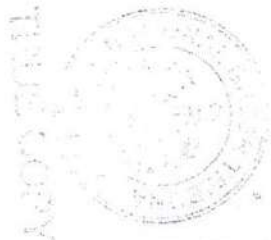
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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



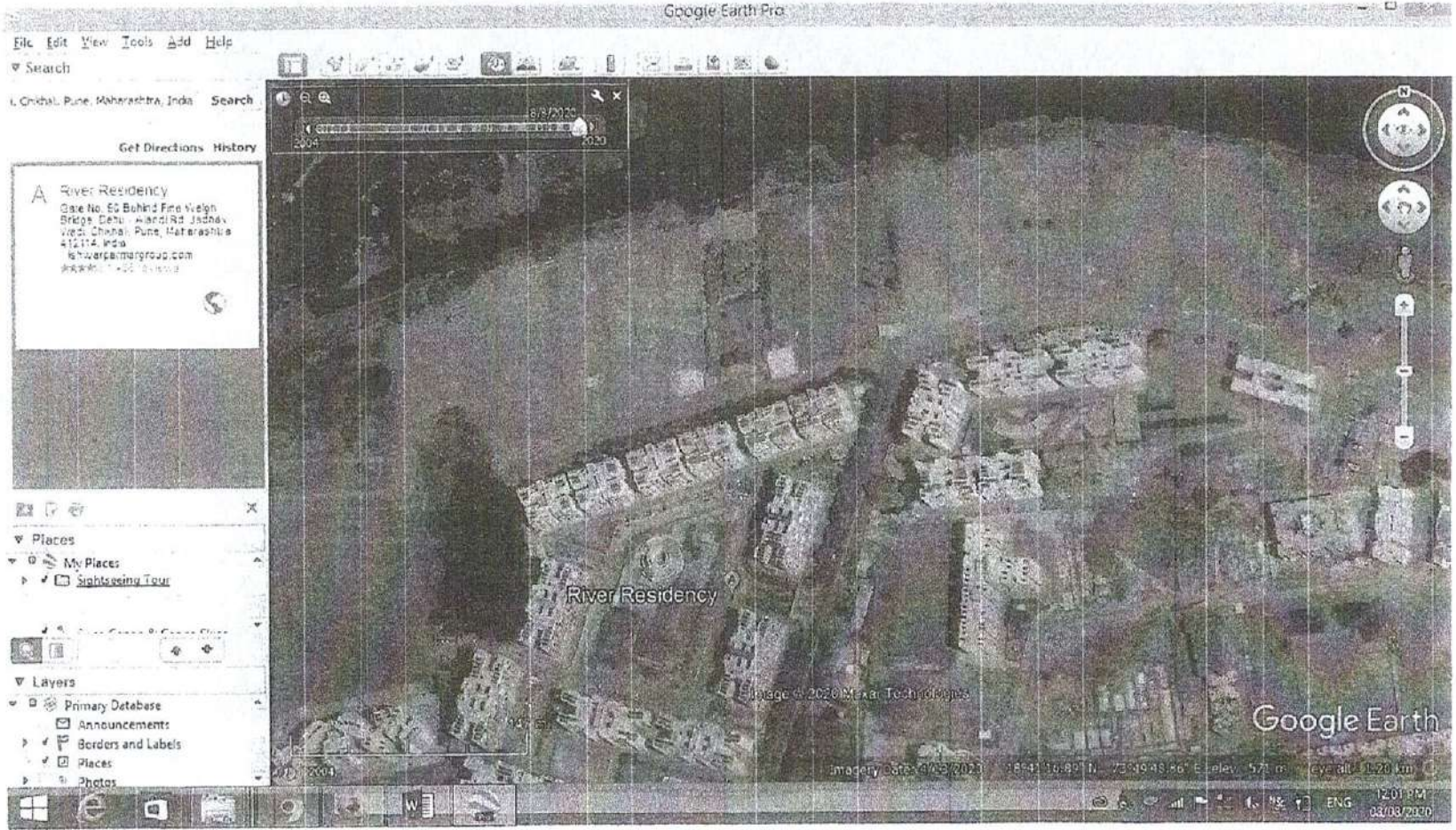
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"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



T.C.  
Bambhise

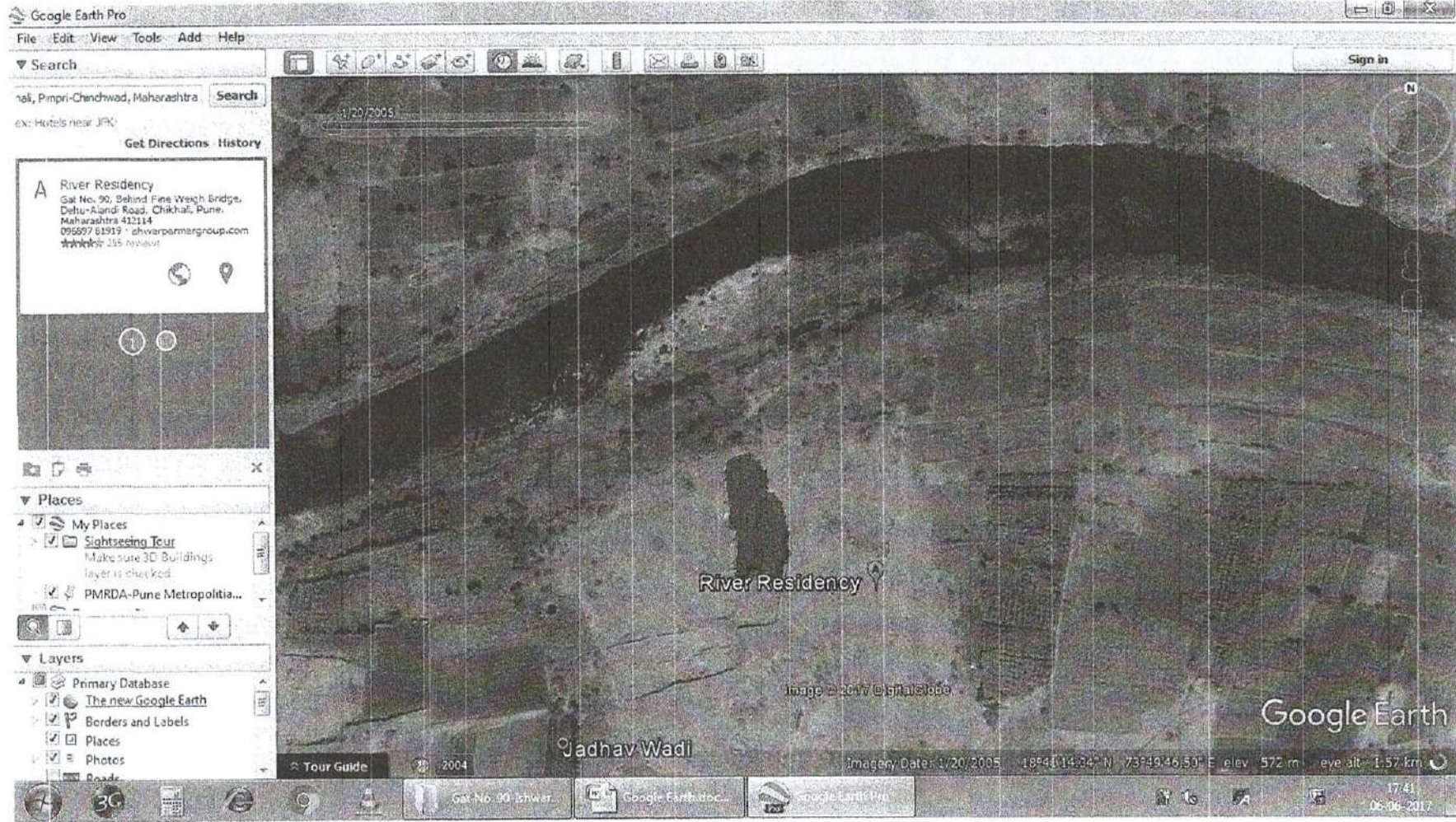
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"Entire Project is in Blue flood line of Indrayani River"



T.C.  
Cambridge

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Addendum

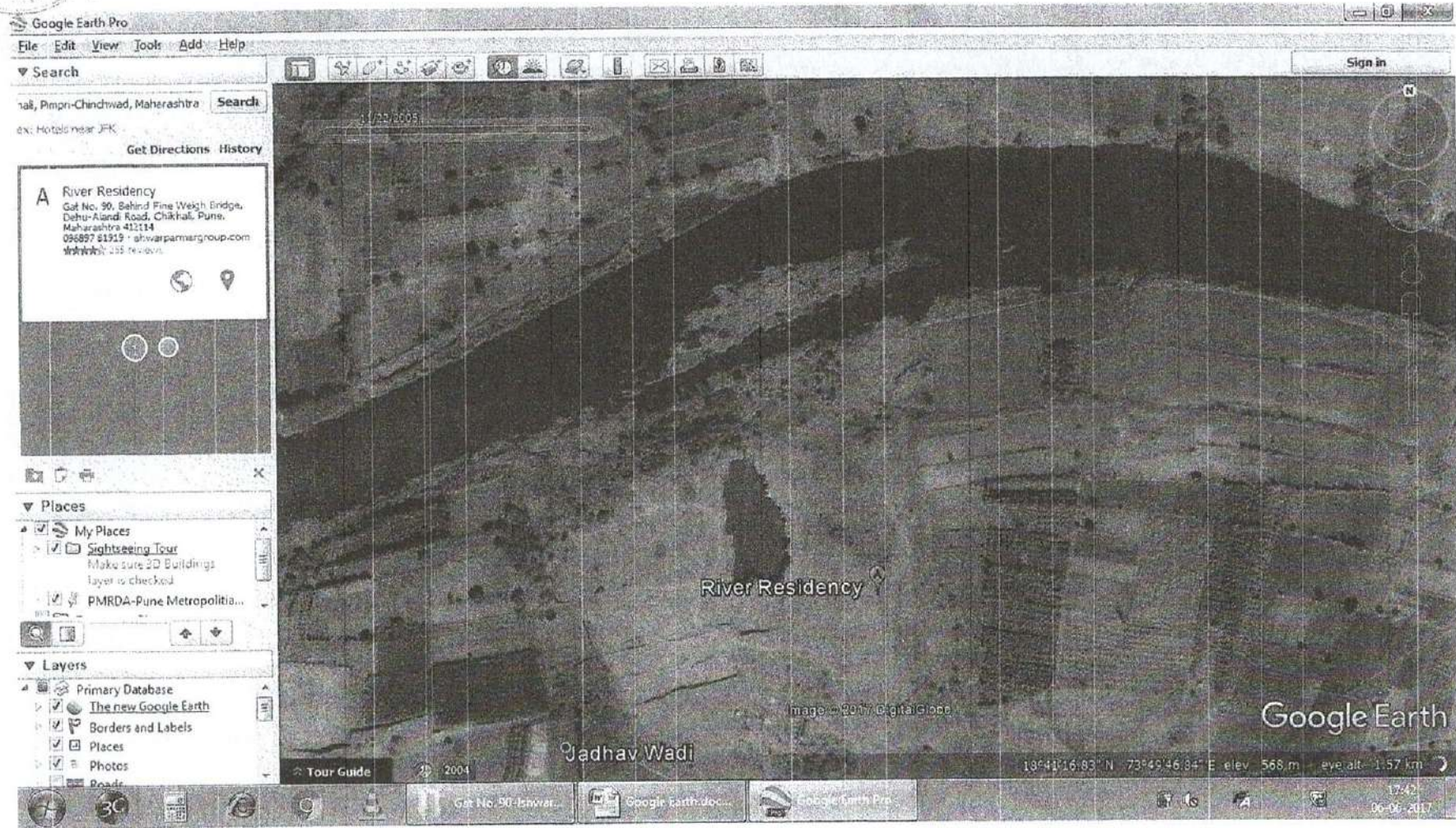


Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Final Copy



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

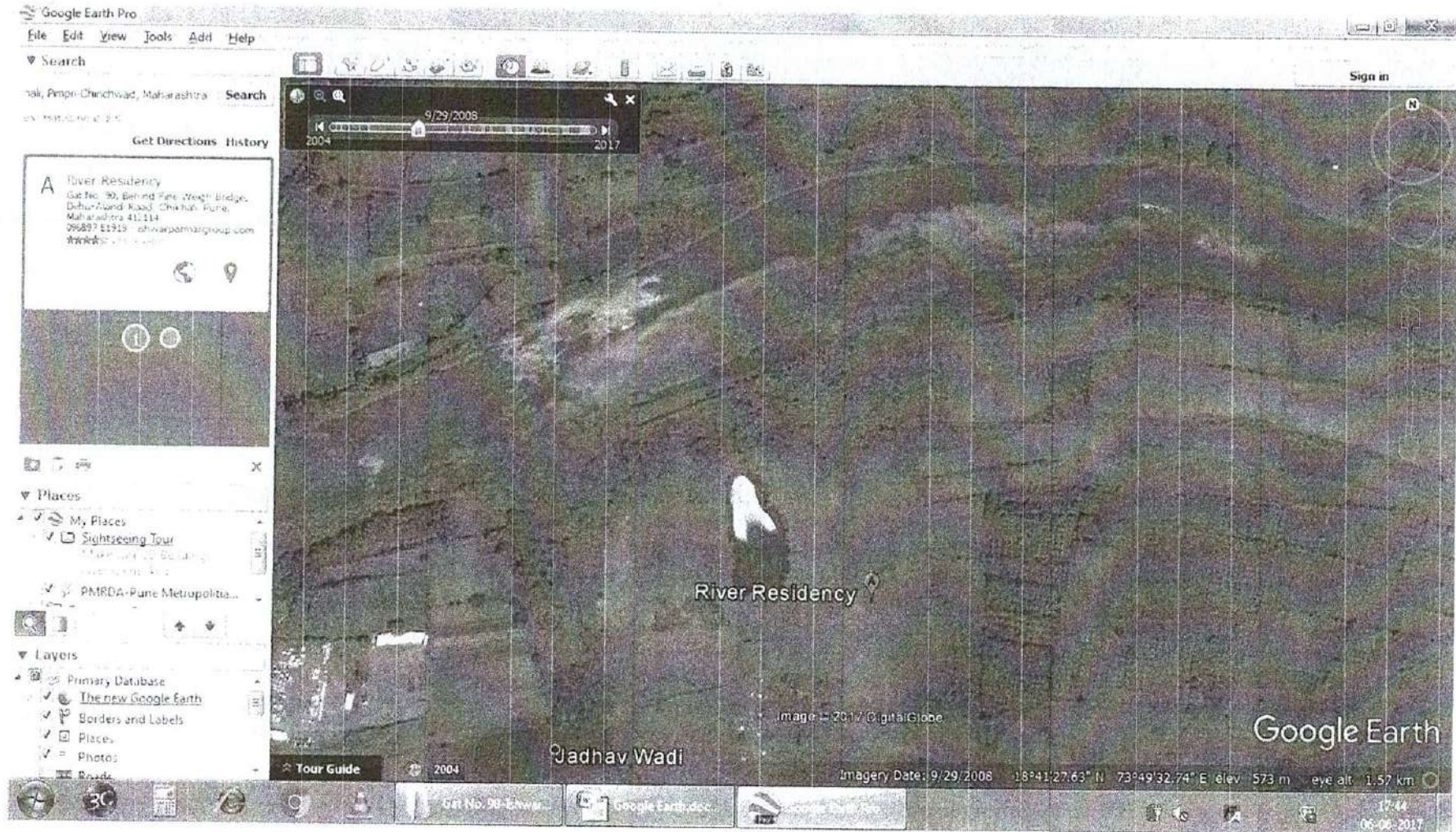


Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

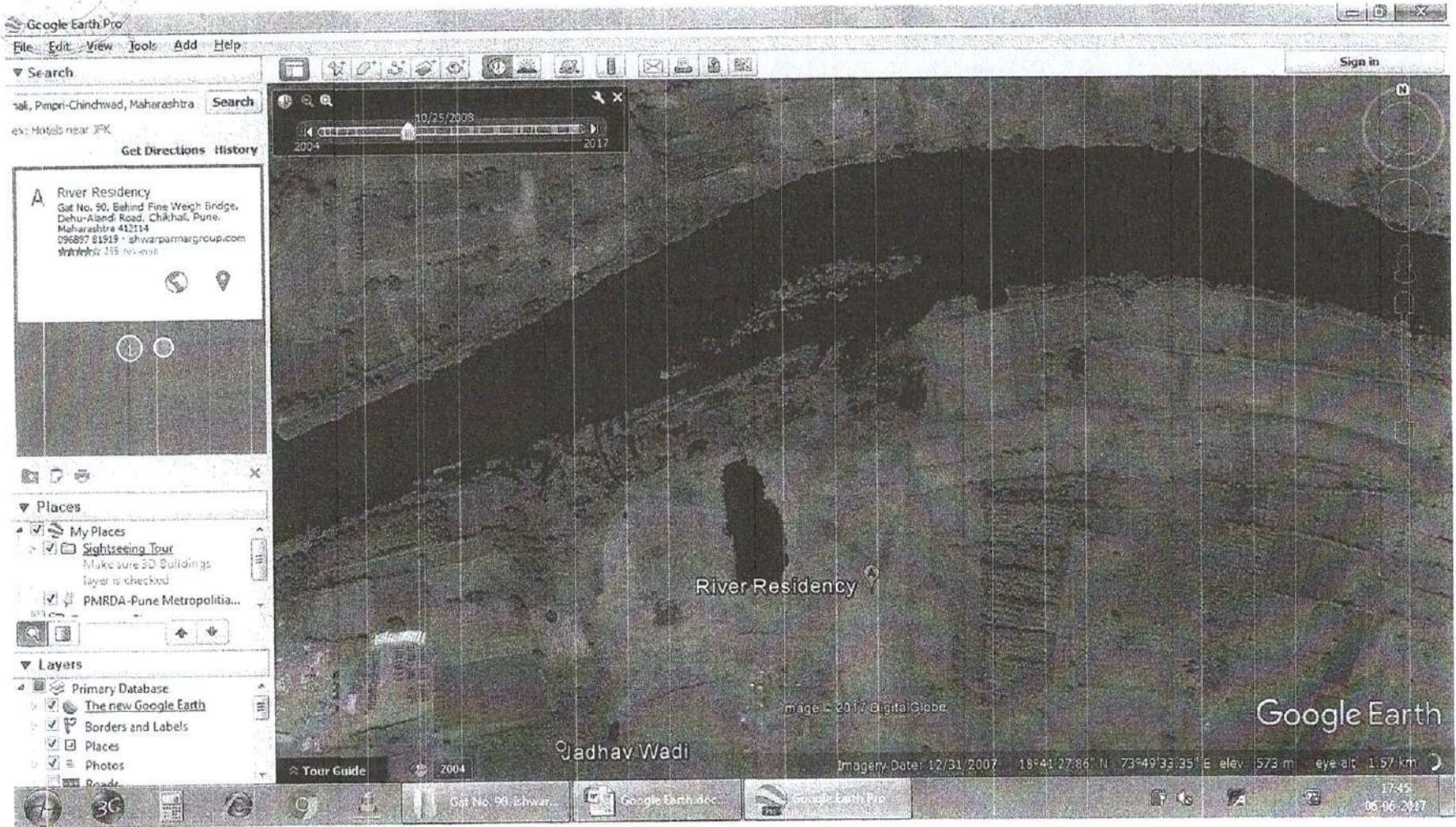
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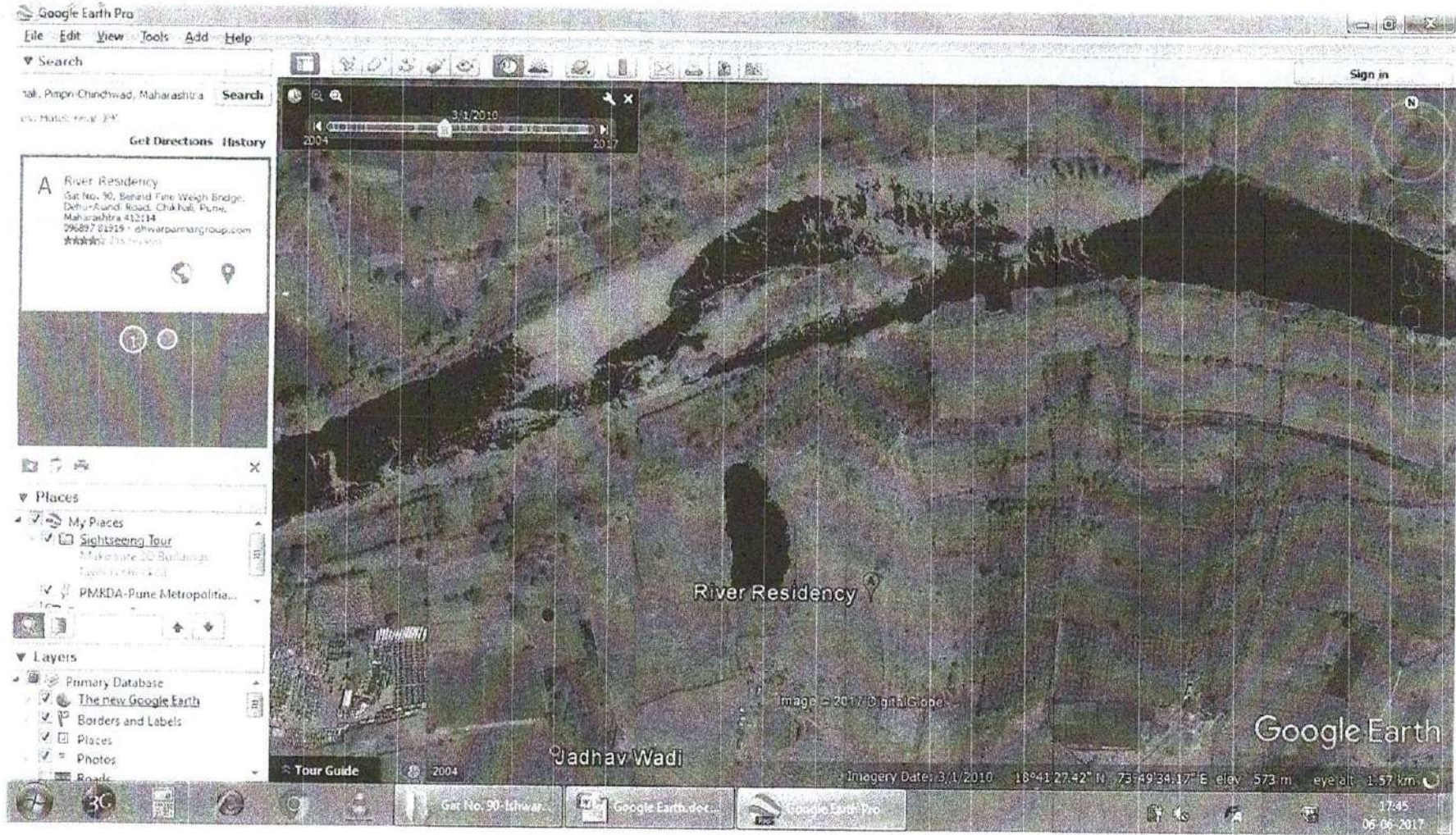
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"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

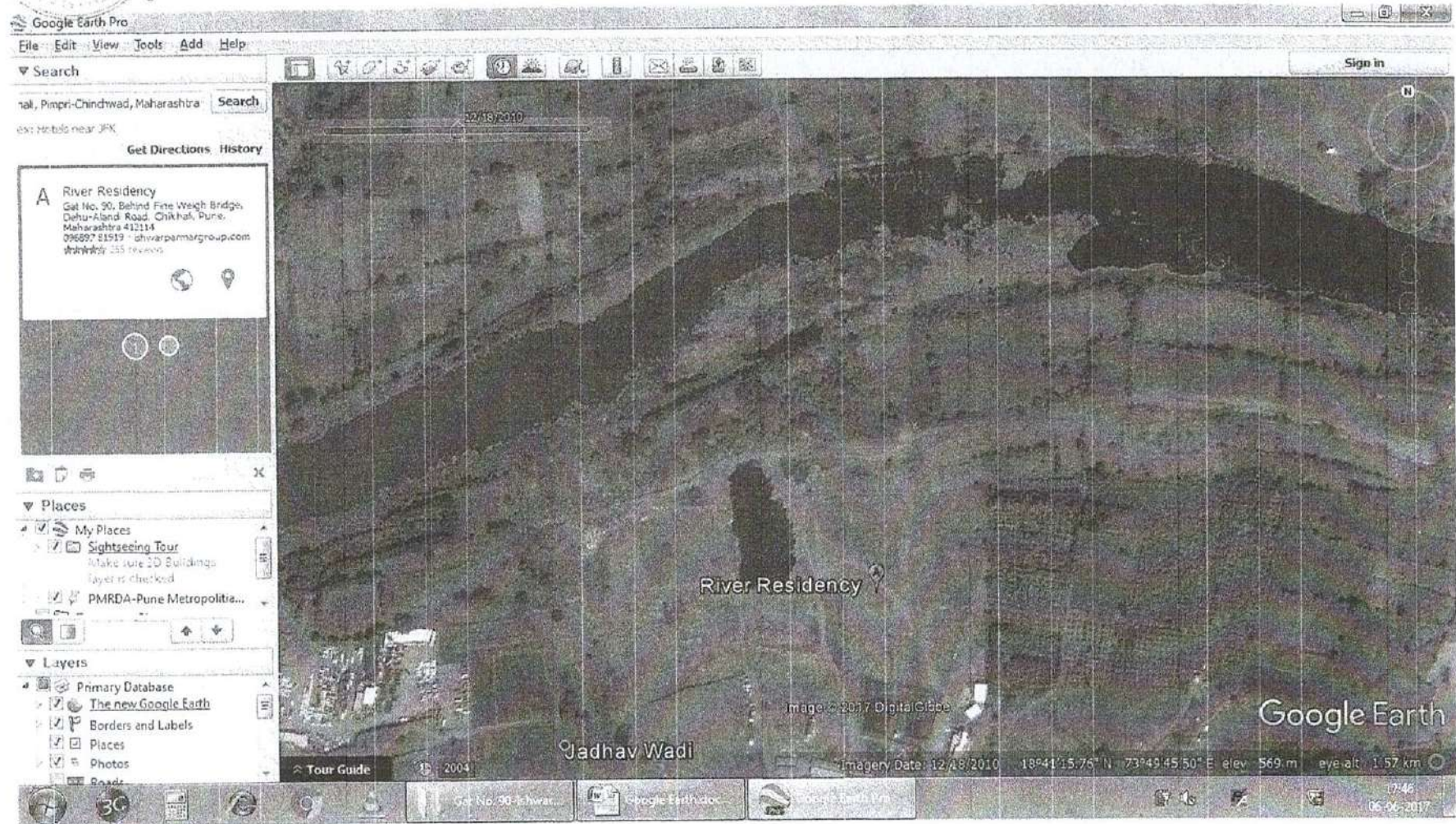


Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

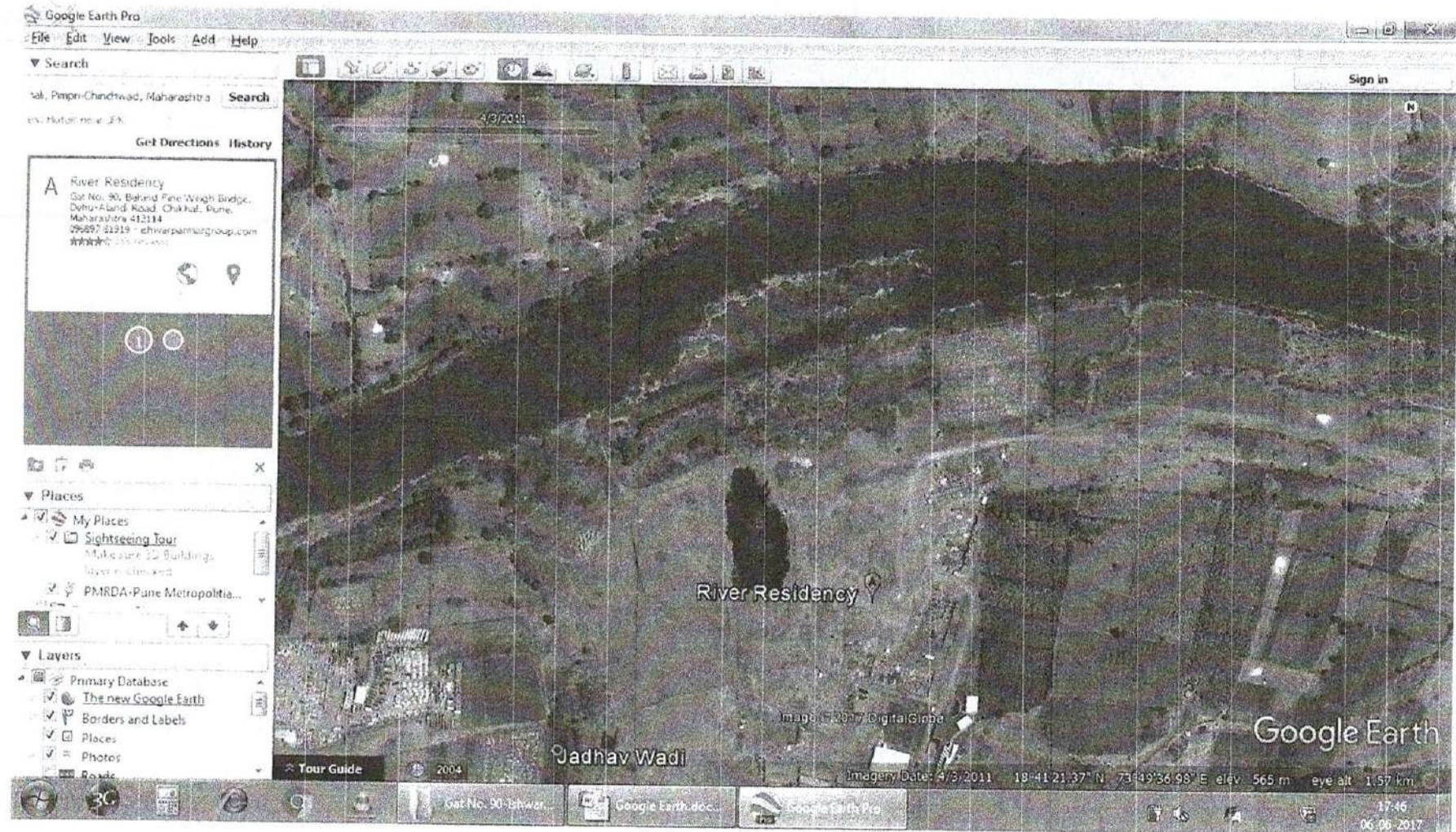


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"Entire Project is in Blue flood line of Indrayani River"

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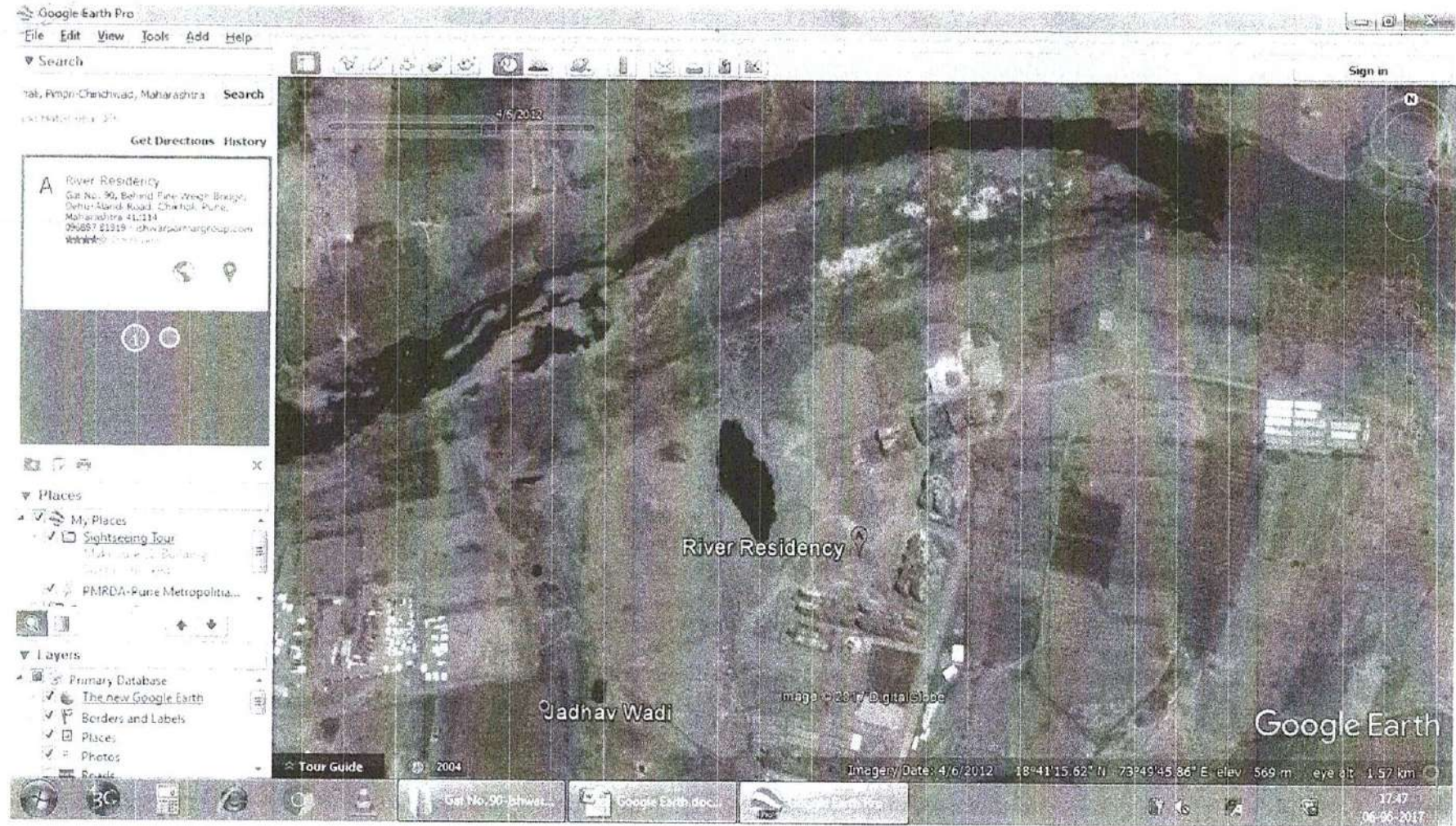
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"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



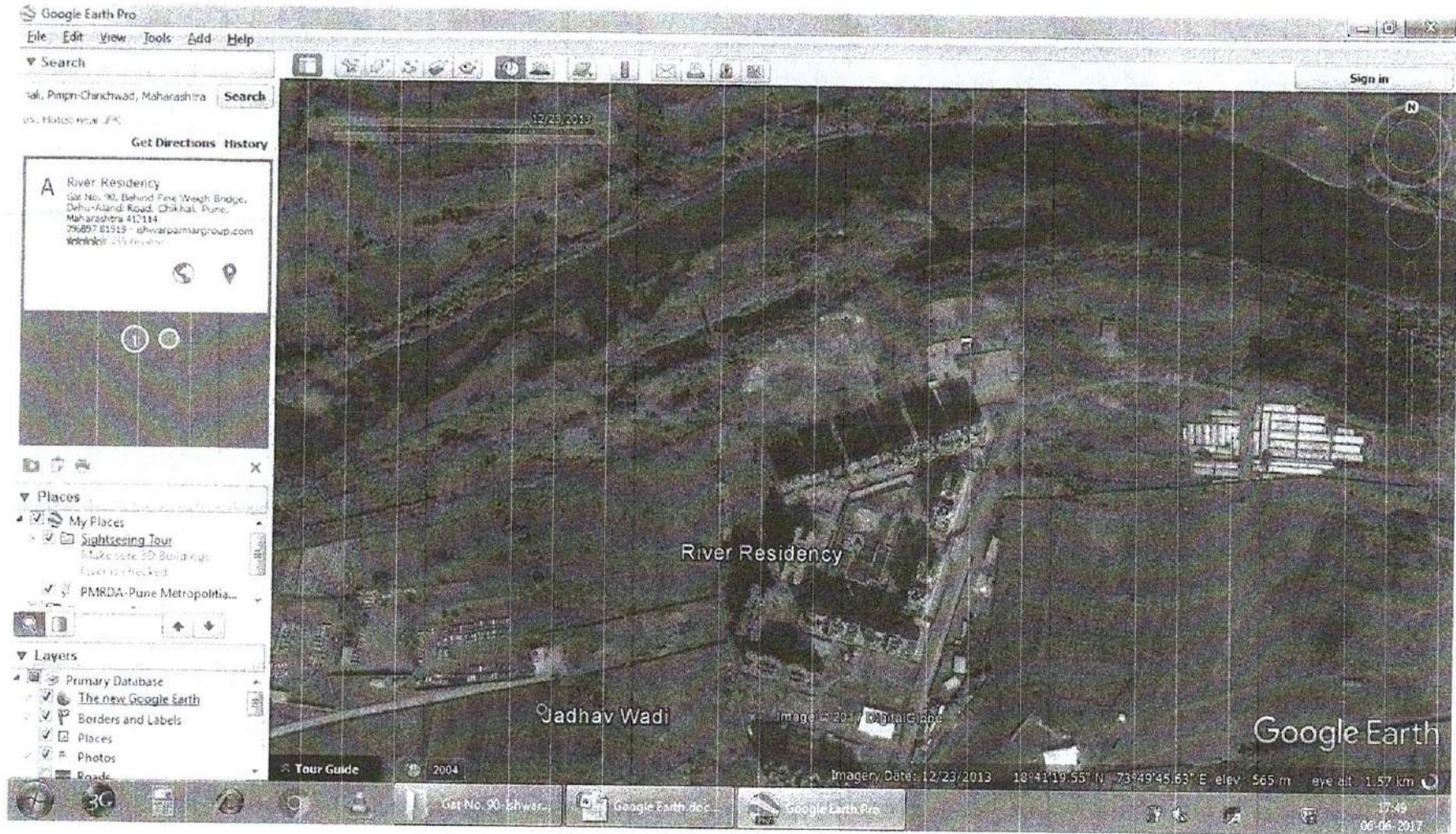
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"Entire Project is in Blue flood line of Indrayani River"

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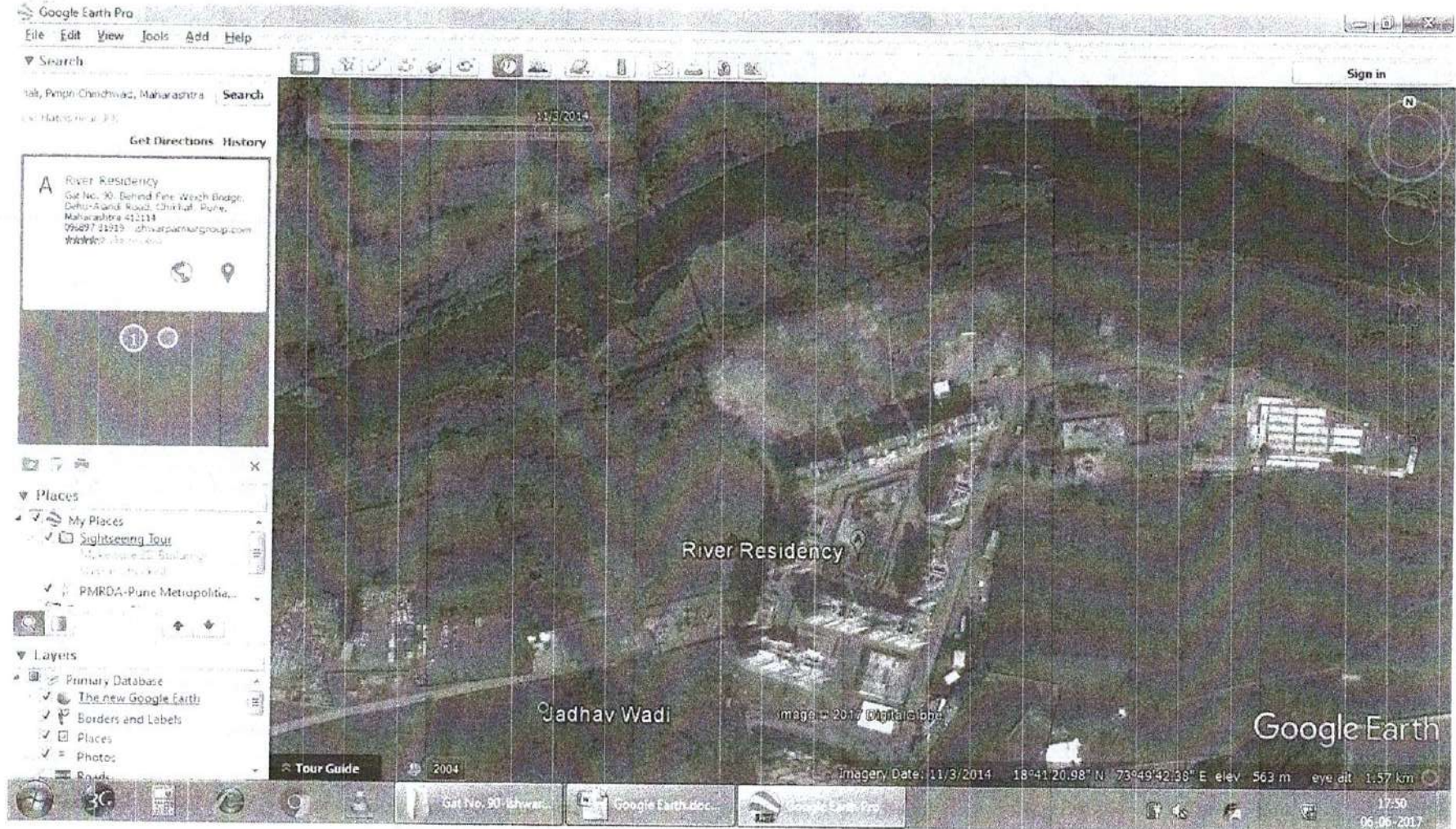
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

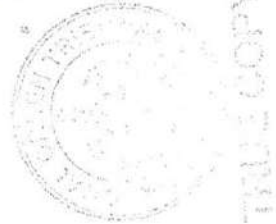


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"Entire Project is in Blue flood line of Indrayani River"



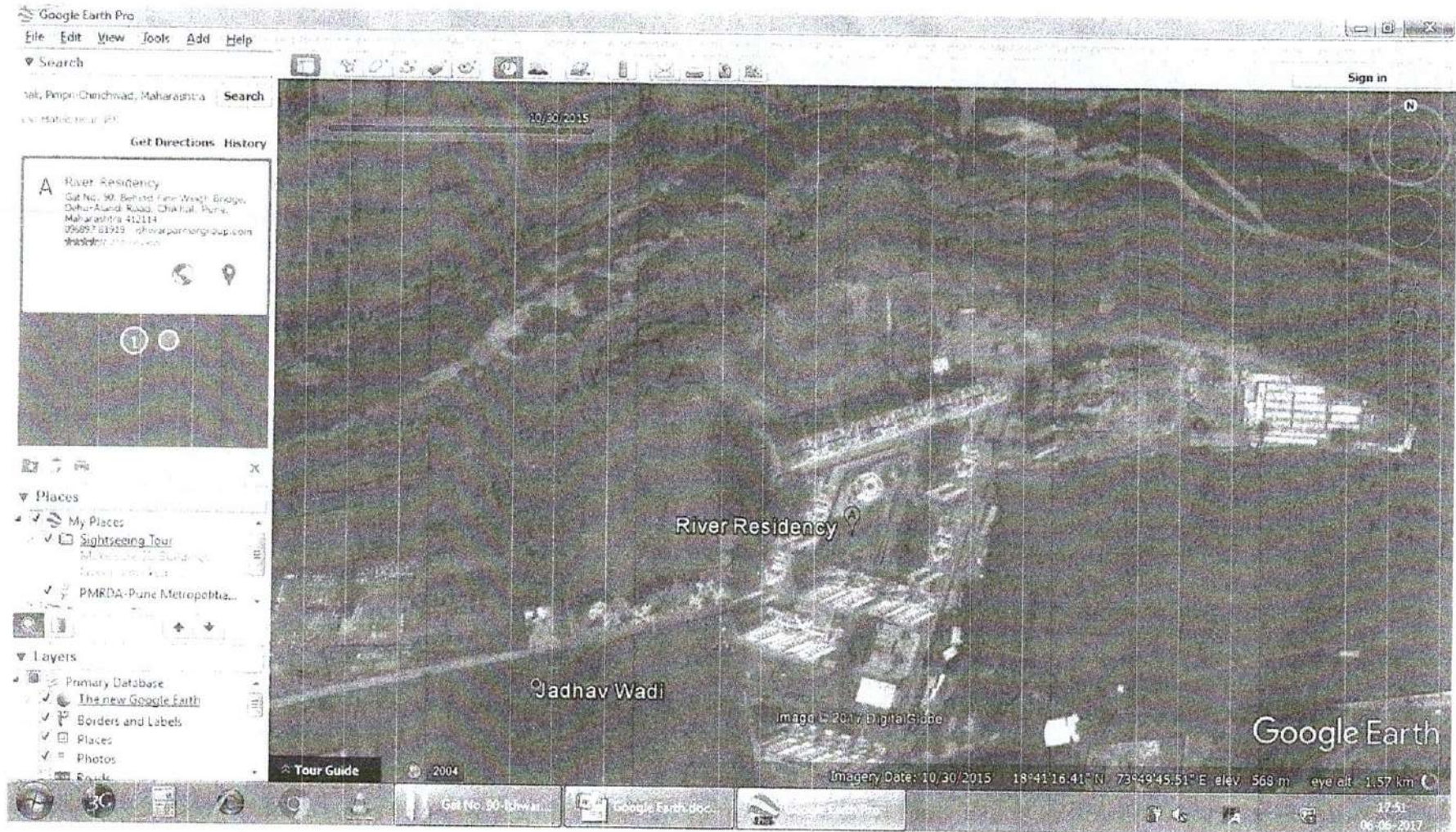


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 "Entire Project is in Blue flood line of Indrayani River"

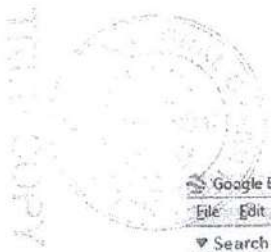
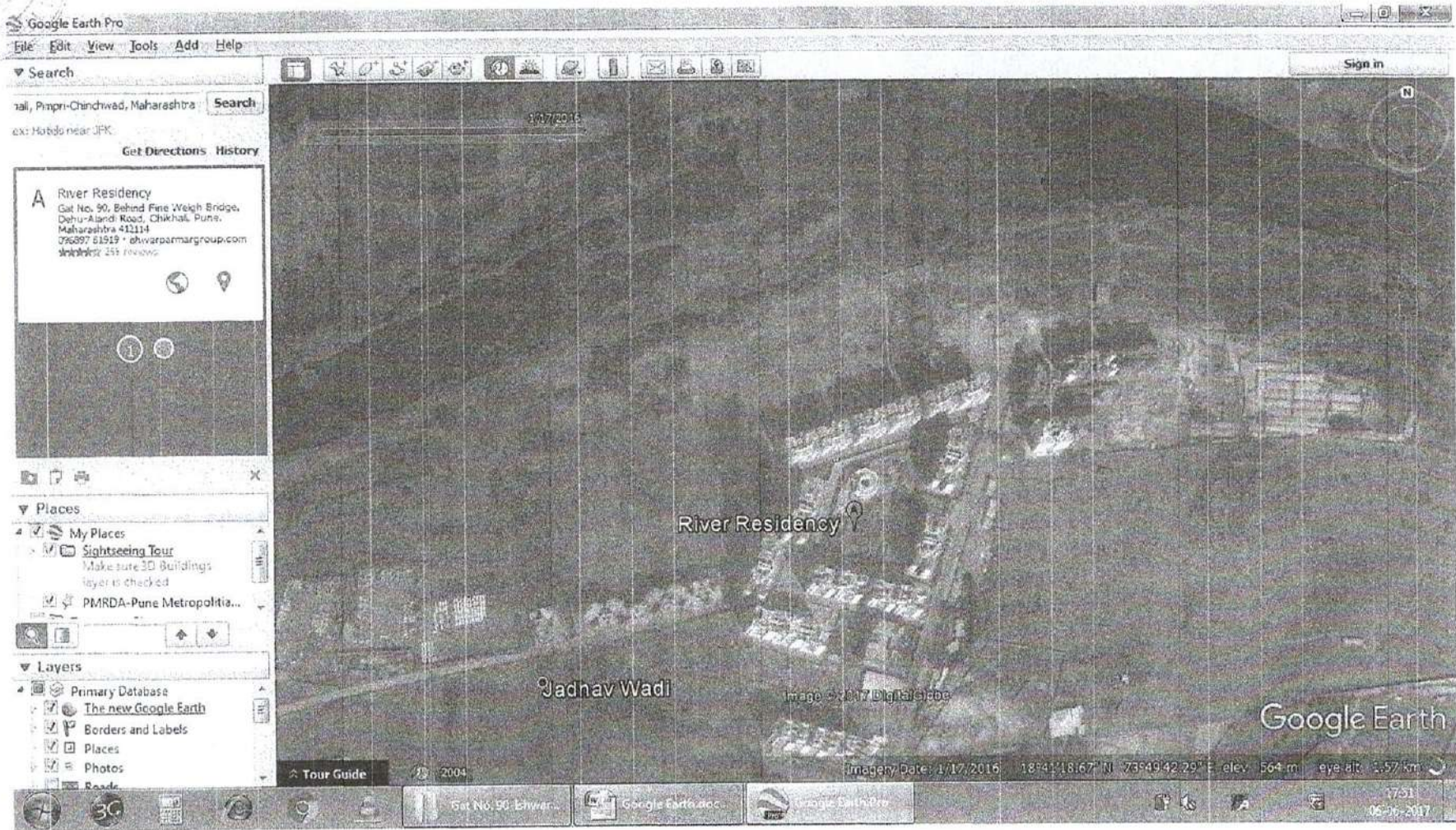


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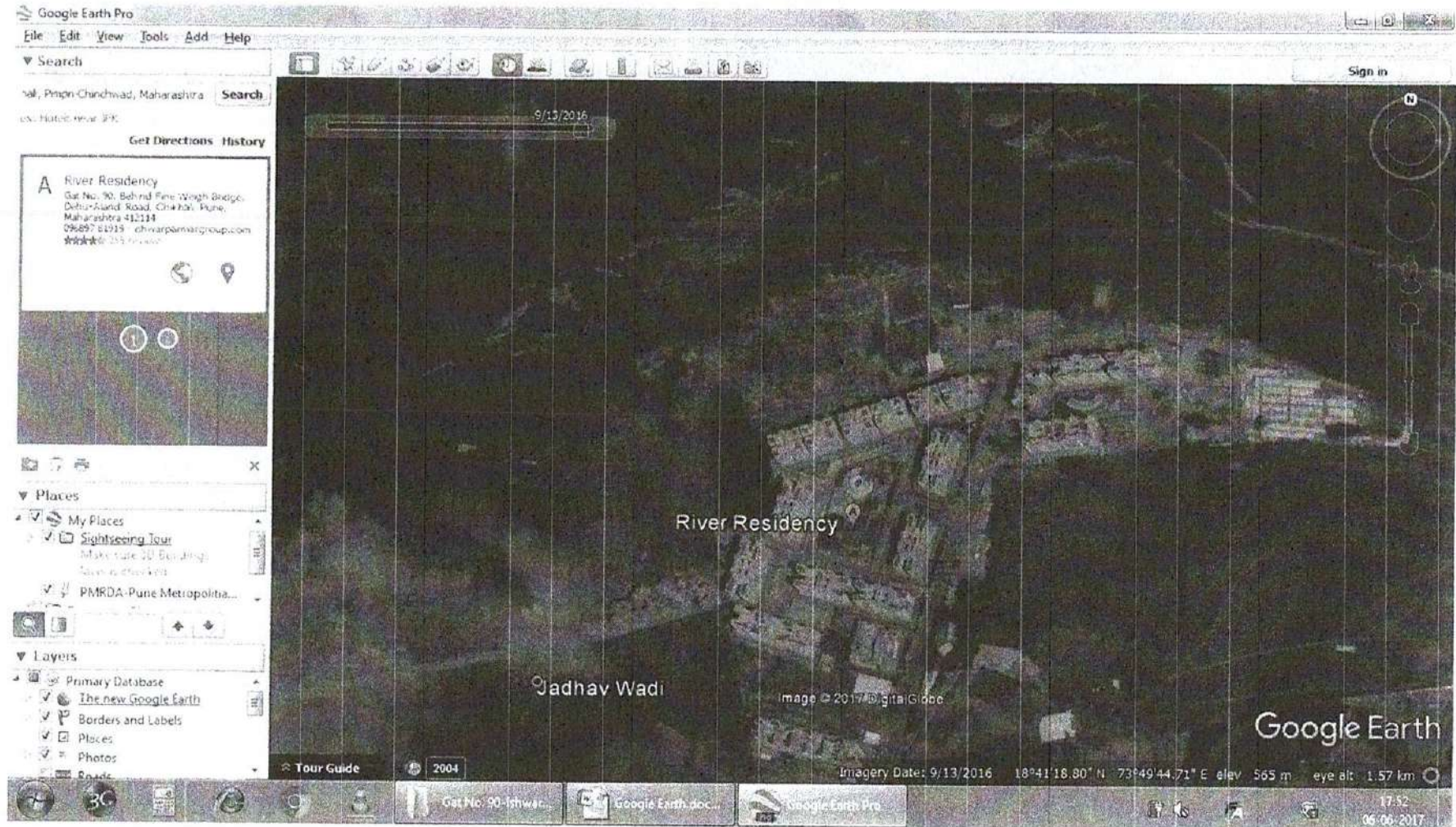
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"Entire Project is in Blue flood line of Indrayani River"



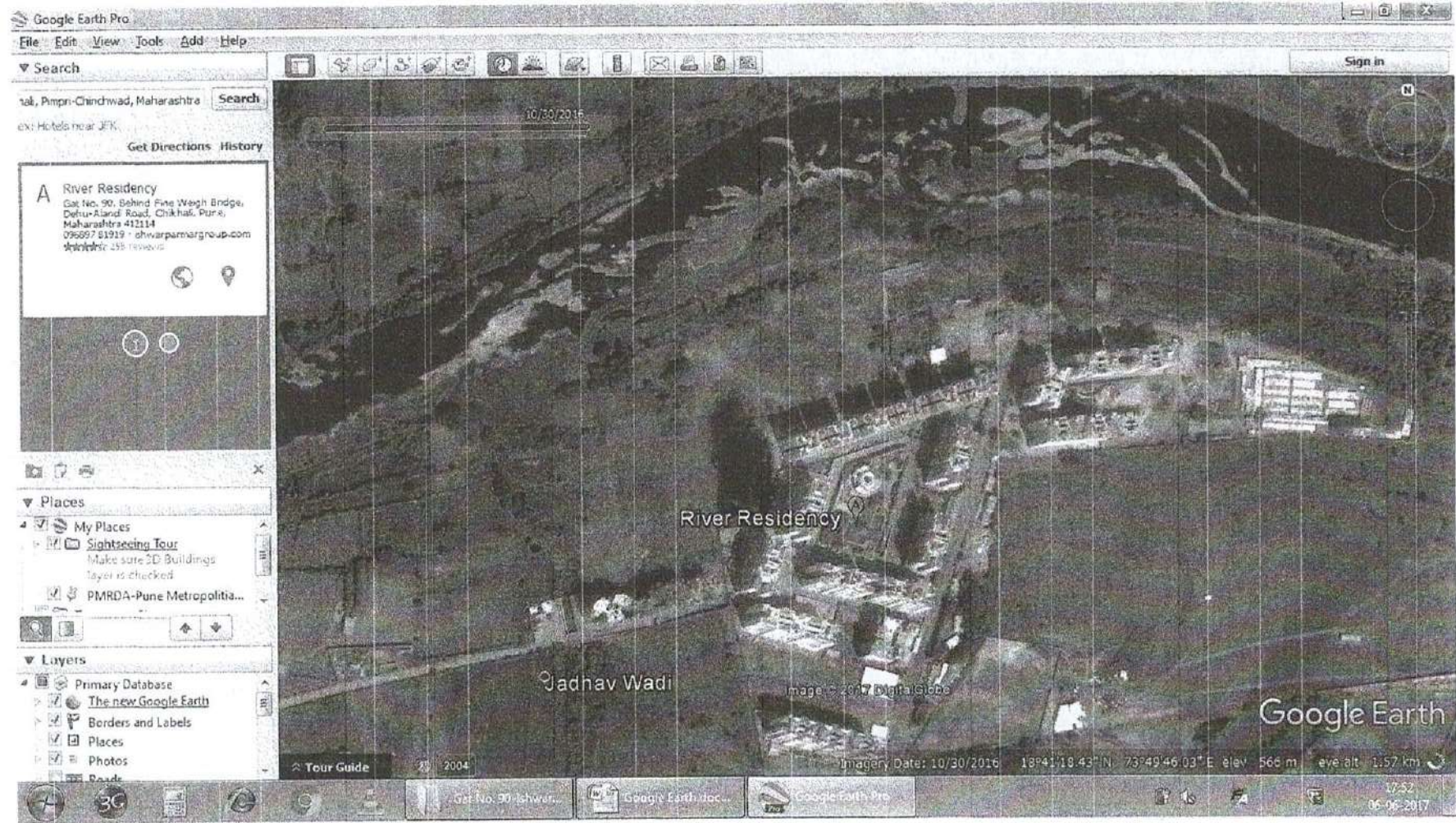
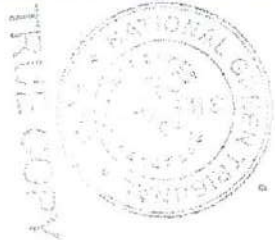
Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



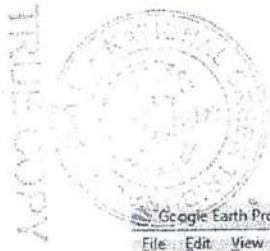
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"Entire Project is in Blue flood line of Indrayani River"



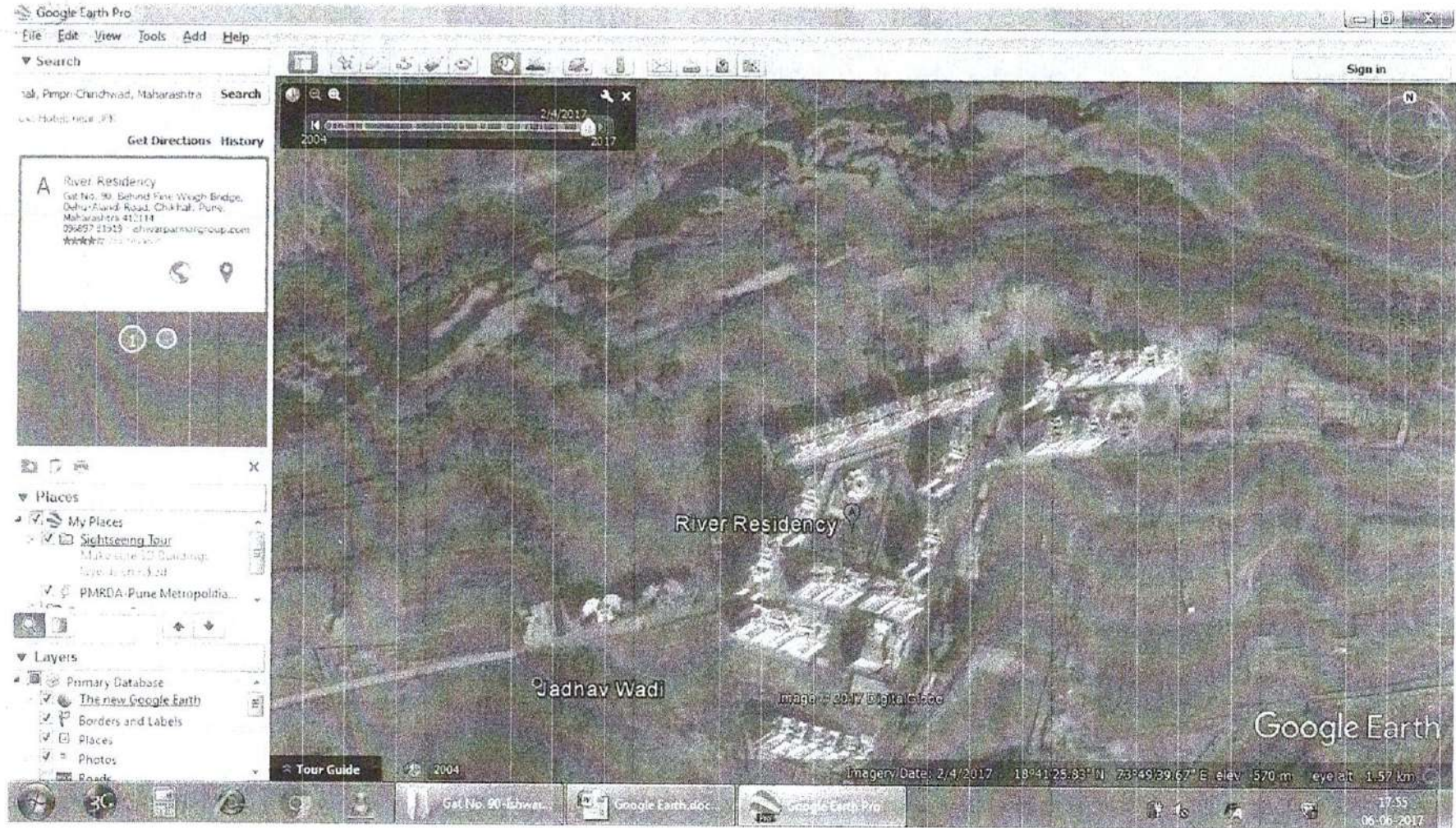
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"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World. 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"





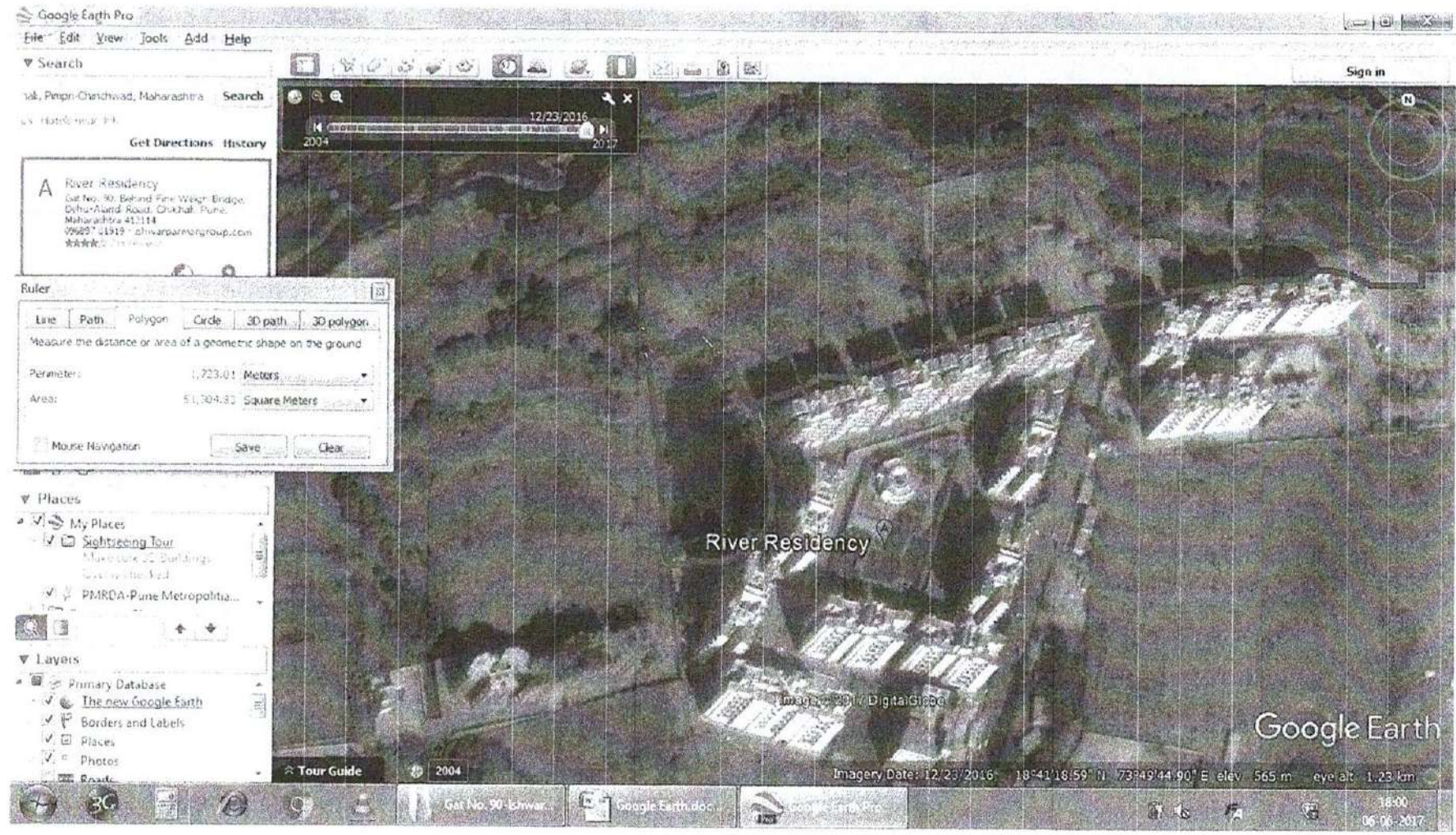
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ANNEXURE-A-14

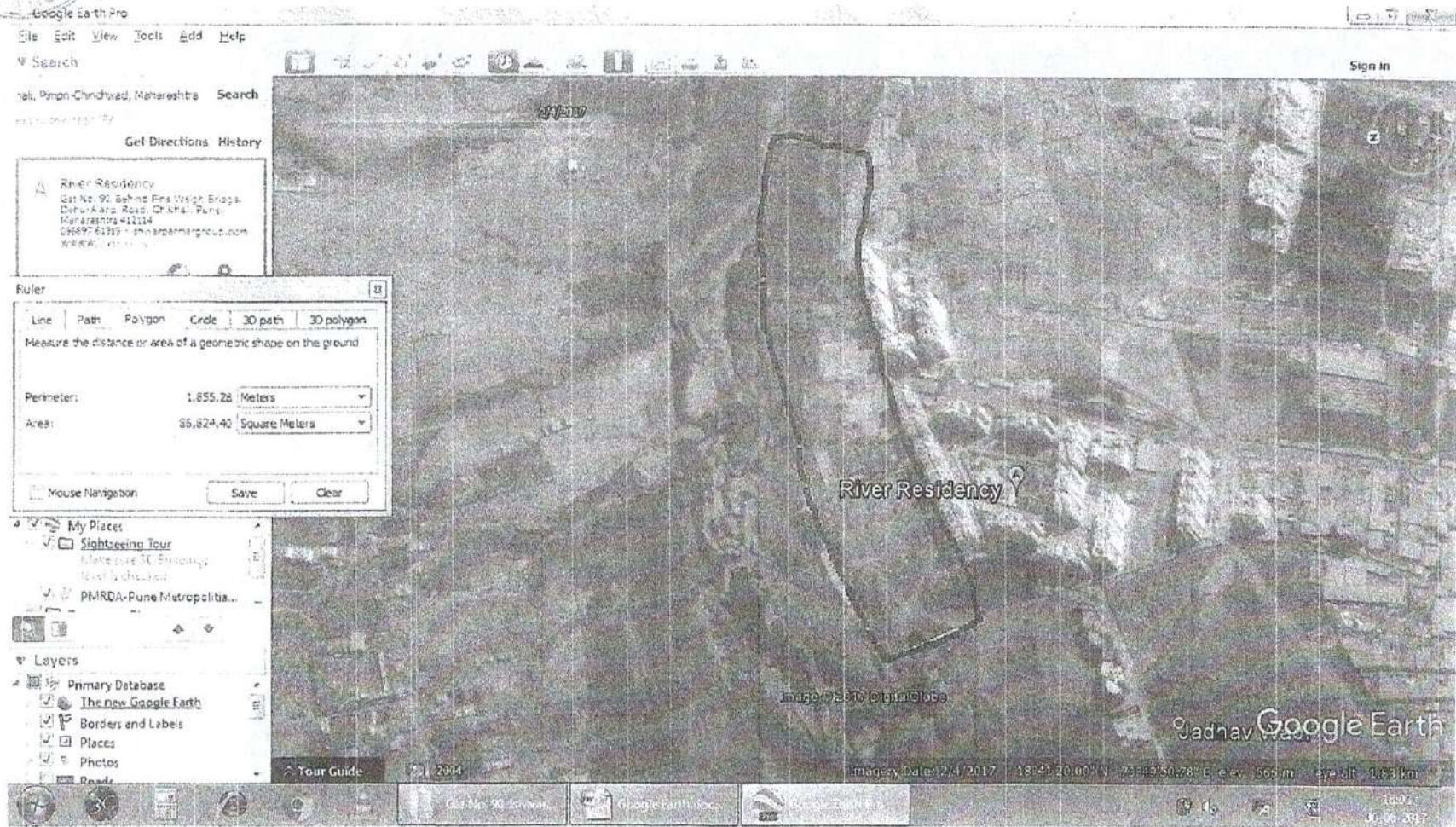


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Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 9C (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"



T.C.  
Bamhise



having any money with myself. It is wrong to suggest that I had borrowed money from a financier to give it to the accused. It is wrong to suggest that I had admitted the...

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH AT PUNE  
MEMORANDUM OF APPLICATION  
UNDER SECTIONS 14, 15, 18 & 20 OF NGT ACT, 2010  
ORIGINAL APPLICATION NO. 56/2020

IN THE MATTER OF:

**MR. TANAJI BALASAHFB GAMBHIRE**

Age: Adult, Occupation: Self-employed,

R/o- CTS-296, Shukrawar Peth, Laxmi Apartment,

White House Lane, Near Shivaji Maratha High School,

Pune-411002, Mobile No.: 9420181896

E-mail: tanaji\_9june@yahoo.com

...APPLICANT

VERSUS

1. **THE CHIEF SECRETARY,**  
Government of Maharashtra,  
Annex Building, Mantralaya, Fort,  
Madham Kama Road, Mumbai-400032, Maharashtra  
E-mail: chiefsecretary@maharashtra.gov.in
2. **THE PRINCIPAL SECRETARY, ENVIRONMENT DEPT.**  
Government of Maharashtra,  
Room No. 217, 2<sup>nd</sup> Floor, Annex Building,  
Mantralaya, Fort, Madham Kama Road,  
Mumbai-400032, Maharashtra,  
E-mail: psec.env@maharashtra.gov.in
3. **STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT  
AUTHORITY- MAHARASHTRA (SEIAA)**  
Through Member Secretary  
15<sup>th</sup> Floor, New Administrative Building,

Mantralaya, Fort, Madham Kama Road,  
Mumbai-400032, Maharashtra,  
E-mail: psec.env@maharashtra.gov.in

4. **MR. ANIL U. DIGGIKAR**  
Former Principal Secretary of DoE and Member Secretary-  
SEIAA, Government of Maharashtra  
Room No. 217, 2<sup>nd</sup> Floor, Annex Building,  
Madam Kama Road, Mantralaya,  
Mumbai-400 032, Maharashtra  
E-mail: psec.env@maharashtra.gov.in
5. **MAHARASHTRA POLLUTION CONTROL BOARD**  
Through Member Secretary,  
Kalptaru Point, 3<sup>rd</sup> Floor, Near Sion Circle,  
Opp. Cine Planet Cinema, Sion (E),  
Mumbai-400022, Maharashtra,  
E-mail: ms@mpcb.gov.in
6. **MAHARASHTRA POLLUTION CONTROL BOARD**  
Through Regional Officer  
Jog Centre, 3<sup>rd</sup> Floor, Mumbai-Pune Old Highway,  
Wakadewadi, Pune-411003, Maharashtra,  
E-mail: ropune@mpcb.gov.in
7. **THE SECRETARY, URBAN DEVELOPMENT DEPT.**  
Government of Maharashtra,  
4<sup>th</sup> Floor, Annex Building,  
Mantralaya, Mumbai-400 032, Maharashtra  
E-mail: sec\_ud1@maharashtra.gov.in
8. **THE MUNICIPAL COMMISSIONER**  
Pimpri-Chinchwad Municipal Corporation

PCMC Main Building, Old-Mumbai Pune Highway, Pimpri-411  
018, E-mail: commissioner@pcmcindia.gov.in

9. **THE CITY ENGINEER-PCMC**

Pimpri-Chinchwad Municipal Corporation,  
PCMC Building, Old Mumbai-Pune Highway,  
Pimpri, Pune-411 018,  
E-mail: bldp@pcmcindia.gov.in

10. **THE CHIEF ENGINEER**

Water Resources Department (Irrigation Department),  
Sinchan Bhavan, Barne Road, Mangalwar Peth,  
Pune Irrigation Circle, Pune-411011  
E-mail: ceidpune@vsnl.com, cewrpune@rediffmail.com

11. **THE COLLECTOR OF PUNE**

As Collector and President of District Environment protection  
Committee-Pune, Collector office, Bund Garden, Pune-411001,  
E-mail: rdc.pune-mh@gov.in

12. **M/s. JARE GROUP (JARE WORLD)**

**Having Office Address:** Manisha Society, Behind Sai Mandir,  
More Vasti, Village: Chikhali, Taluka: Haveli, District: Pune,  
Maharashtra-411062

**Having Site Office:** Survey No. 90, Behind River Residency,  
Village: Chikhali, Taluka: Haveli, District: Pune, Maharashtra-  
411062

E-mail: jaregroup9997@gmail.com,

Mobile No. 9890192530/9096900907.

13. **M/s. V SQUARE**

**Having Site Office:** Survey No. 90, Behind River Residency,  
Village: Chikhali, Taluka: Haveli, District: Pune, Maharashtra-  
411062.

E-mail: vishwanathjare@gmail.com

Mobile: 9604253434, 8390909033.

**14. MR. DILIP MOTILAL CHORADIYA**

R/o: 12/13, Sajjan Plaza, In front of Hindustan Bakery,

Chaphekar Chowk, Village: Chinchawad, Pune-411033,

Mobile No. Nil, E-mail: Nil,

**15. FEDERATION OF RIVER RESIDENCY CO-OP HSG SOC.**

Through its President - Secretary, Chairman

**Having Project Address at:** River Residency, Gut No. 90(P),

Village-Chikhali, Tal-Haveli, District-Pune

**16. MR. VIKAS ACHALKAR-ARCHITECT**

1221, B/1, Wrangler Paranjape Road,

Behind Bhawe X-Ray Clinic, Off F.C. Road

Pune - 411004, E-mail: vikas@achalakar-tatooskar.com

**17. M/s. RIVER RESIDENCY DEVELOPERS**

Joint Ventures Through

17A. M/s. Ishwar Construction Pvt. Ltd.,

17B. Trade Centre Developers & Builders Pvt. Ltd.

17C. M/s. Vijay-Laxmi Developers,

17D. Vishal Associates,

**Having their Office Address at:** Ishwar Parmar Group, Parmar

Trade Center, C Wing, Sadhu Vaswani chowk, Pune- 411001, E-

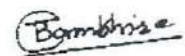
mail: ishwar@iparmar.com.

**Having Project Address at:** Gut No. 90(P), Village-Chikhali, Tal-

Haveli, District-Pune

....RESPONDENTS

DATE: 15/07/2023



APPLICANT



## National Green Tribunal

## Case Details

[Back](#)

Filing Number	270413800426/2019	Filing Date	21-09-2019
Party Name	TANAJI BALASAHEB GAMBHIRE VS THE CHIEF SECRETARY GOVERNMENT OF MAHARASHTRA		
Petitioner Advocate(s)	IN PERSON	Respondent Advocate(s)	
Act	ENVIRONMENT (PROTECTION) ACT, 1986		
Case Number	Original Application No. 56/2020	Registered On	25-08-2020
Last Listed	06-09-2024	Next Hearing Date	08-01-2025
Case Status	PENDING		

 All Parties

 Listing History (Orders)

 IA/MA

 Connected Matters

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National Green Tribunal  
 Faridkot House, Copernicus Marg, New Delhi-110001  
 011-23043528, 011-23043521, FAX-011-23077931  
 Email: publicgrievance-ngt[at]gov[dot]in, admin[dot]ngt[at]nic[dot]in

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH AT PUNE  
MEMORANDUM OF APPLICATION

UNDER SECTIONS 14, 15, 18 & 20 OF NGT ACT, 2010

APPLICATION NO. \_\_\_\_\_/2020

IN THE MATTER OF:

MR. TANAJI BALASAHEB GAMBHIRE

Age: Adult, Occupation: Self-employed,

R/o- CTS-296, Shukrawar Peth, Laxmi Apartment,

White House Lane, Near Shivaji Maratha High School,

Pune-411002, Mobile No.: 9420181896

E-mail: tanaji\_9june@yahoo.com

...APPLICANT

VERSUS

1. **THE CHIEF SECRETARY,**  
Government of Maharashtra,  
Annex Building, Mantralaya, Fort,  
Madham Kama Road, Mumbai-400032, Maharashtra  
E-mail: chiefsecretary@maharashtra.gov.in
2. **THE PRINCIPAL SECRETARY, ENVIRONMENT DEPT.**  
Government of Maharashtra,  
Room No. 217, 2<sup>nd</sup> Floor, Annex Building,  
Mantralaya, Fort, Madham Kama Road,  
Mumbai-400032, Maharashtra,  
E-mail: psec.env@maharashtra.gov.in
3. **STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT  
AUTHORITY- MAHARASHTRA (SEIAA)**  
Through Member Secretary  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Fort, Madham Kama Road,  
Mumbai-400032, Maharashtra,



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E-mail: psec.env@maharashtra.gov.in

4. MR. ANIL U. DIGGIKAR

Former Principal Secretary of DoE and Member Secretary-  
SEIAA, Government of Maharashtra

Room No. 217, 2<sup>nd</sup> Floor, Annex Building,

Madam Kama Road, Mantralaya,

Mumbai-400 032, Maharashtra

E-mail: psec.env@maharashtra.gov.in

5. MAHARASHTRA POLLUTION CONTROL BOARD

Through Member Secretary,

Kalptaru Point, 3<sup>rd</sup> Floor, Near Sion Circle,

Opp. Cine Planet Cinema, Sion (E),

Mumbai-400022, Maharashtra,

E-mail: ms@mpcb.gov.in

6. MAHARASHTRA POLLUTION CONTROL BOARD

Through Regional Officer

Jog Centre, 3<sup>rd</sup> Floor, Mumbai-Pune Old Highway,

Wakadewadi, Pune-411003, Maharashtra,

E-mail: ropune@mpcb.gov.in

7. THE SECRETARY, URBAN DEVELOPMENT DEPT.

Government of Maharashtra,

4<sup>th</sup> Floor, Annex Building,

Mantralaya, Mumbai-400 032, Maharashtra

E-mail: sec\_ud1@maharashtra.gov.in

8. THE MUNICIPAL COMMISSIONER

Pimpri-Chinchwad Municipal Corporation

PCMC Main Building, Old-Mumbai Pune Highway, Pimpri-411

018, E-mail: commissioner@pccmcindia.gov.in



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9. **THE CITY ENGINEER-PCMC**  
Pimpri-Chinchwad Municipal Corporation,  
PCMC Building, Old Mumbai-Pune Highway,  
Pimpri, Pune-411 018,  
E-mail: bldp@pcmcindia.gov.in
10. **THE CHIEF ENGINEER**  
Water Resources Department (Irrigation Department),  
Sinchan Bhavan, Barne Road, Mangalwar Peth,  
Pune Irrigation Circle, Pune-411011  
E-mail: ceidpune@vsnl.com, cewrpune@rediffmail.com
11. **THE COLLECTOR OF PUNE**  
As Collector and President of District Environment protection  
Committee-Pune, Collector office, Bund Garden, Pune-411001,  
E-mail: rdc.pune-mh@gov.in
12. **M/s. JARE GROUP (JARE WORLD)**  
Having Office Address: Manisha Society, Behind Sai Mandir,  
More Vasti, Village: Chikhali, Taluka: Haveli, District: Pune,  
Maharashtra-411062  
Having Site Office: Survey No. 90, Behind River Residency,  
Village: Chikhali, Taluka: Haveli, District: Pune, Maharashtra-  
411062  
E-mail: jaregroup9997@gmail.com,  
Mobile No. 9890192530/9096900907.
13. **M/s. V SQUARE**  
Having Site Office: Survey No. 90, Behind River Residency,  
Village: Chikhali, Taluka: Haveli, District: Pune, Maharashtra-  
411062,  
E-mail: vishwanathjare@gmail.com  
Mobile: 9604253434, 8390909033.



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14. **MR. DILIP MOTILAL CHORADIYA**  
R/o: 12/13, Sajjan Plaza, In front of Hindustan Bakery,  
Chaphekar Chowk, Village: Chinchawad, Pune-411033,  
Mobile No. Nil, E-mail: Nil,
15. **FEDERATION OF RIVER RESIDENCY CO-OP HSG SOC.**  
Having Project Address at: River Residency, Gut No. 90(P),  
Village-Chikhali, Tal-Haveli, District-Pune
16. **MR. VIKAS ACHALKAR-ARCHITECT**  
1221, B/1, Wrangler Paranjape Road,  
Behind Bhawe X-Ray Clinic, Off F.C. Road  
Pune - 411004, E-mail: vikas@achalacr-tatooskar.com
17. **M/s. RIVER RESIDENCY DEVELOPERS**  
Joint Ventures Through  
17A. M/s. Ishwar Construction Pvt. Ltd.,  
17B. Trade Centre Developers & Builders Pvt. Ltd.  
17C. M/s. Vijay-Laxmi Developers,  
17D. Vishal Associates,  
Having their Office Address at: Ishwar Parmar Group, Parmar  
Trade Center, C Wing, Sadhu Vaswani chowk, Pune- 411001, E-  
mail: ishwar@iparmar.com.  
Having Project Address at: Gut No. 90(P), Village-Chikhali, Tal-  
Haveli, District-Pune

....RESPONDENTS

AND IN THE MATTER OF

AN APPLICATION SEEKING RESTITUTION  
AND RESTORATION OF ENVIRONMENT &  
ECOLOGY CAUSED DUE TO DUMPING OF  
CONSTRUCTION WASTE AND ILLEGAL  
BUILDING CONSTRUCTION PROJECT IN  
PROHIBITED ZONE OF FLOOD LINE OF



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INDRAYANI RIVER BY VIOLATING TERMS AND CONDITIONS OF ENVIRONMENT CLEARANCES AND CONSENTS AND RELIEF AGAINST GROSS INTENTIONAL VIOLATIONS OF VARIOUS ENVIRONMENTAL AND POLLUTION CONTROL LAWS BY RESPONDENT NO. 14 & 17-PP WITH THE HELP OF OTHER RESPONDENTS

To,  
HON'BLE CHAIRPERSON OF NGT AND  
HIS COMPANION JUDICIAL MEMBER AND  
HON'BLE EXPERT MEMBERS OF NGT.

AN APPLICATION OF THE APPLICANT ABOVE NAMED. IT IS MOST RESPECTFULLY SHOWETH:

1. The address of the applicant is as given above for the service of notices of this application.
2. The addresses of the respondents are as given above for service of notices of this application.
3. The applicant above named begs to submit this memorandum of application with the principal contention of illegal dumping of construction waste in Holy Indrayani River, illegal construction of "Ghat or Nature Park & residential buildings" in prohibited area of Blue Flood Line of Holy Indrayani River, complete blockage of Natural Water Body merging into Indrayani River, illegal construction of parking complex on RG Area, illegal ground water extraction and illegal installation & operation of RMC Plant and illegal construction of D.P. Roads



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in blue flood line by PCMC with sub-ordinate allegations of gross intentional violations of terms and conditions of Environment Clearances dated 07.10.2011, & 03.01.2019 procured under EIA Notification-2006 r/w Environment (Protection) Act-1986 and Consent to Establish dated 03.12.2011 & 14.08.2018 & Consent to Operates dated 25.11.2013, 06.11.2015 & 02.08.2018 procured under Water (Prevention and Pollution Control) Act-1974, Air (Prevention and Pollution Control) Act-1981 and Solid waste & Hazardous Waste Handling Rules for carrying out illegal building construction in project "*River Residency*" by Respondent No. 17-"M/s. River Residency (JV)" (Project Proponent-"PP") in their Residential & Commercial building construction project situated at Survey No. 90(P), Village-Chikhali, Taluka-Haveli, District-Pune within the limit and jurisdiction of Pimpri-Chinchwad Municipal Corporation (in short "PCMC"). This gives rise to substantial question relating to implementation of the environment protection & improvement enactment.

4. It is respectfully submitted that, the illegal acts of the Respondent No.17-PP are in violation to its brim with the active aid of the officers of various government authorities appointed for the protection of environment & interest of public at large. These violations needs to be dealt with sternly hands so that a clear and unambiguous message to be delivered to the entire community of unapologetic, maneuvered, mighty & resourceful



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"PP" and the issue of one such gross violation by the developers and turning deaf ears to such violations despite bringing it to the notice of authorities responsible for upholding the law is the reason and basis of this application.

5. That the applicant would like to brought this entire environmental violations to the notice of this Hon'ble NGT by way of this Original Application for further investigation and strongest action against Respondent No.17-PP with a hope that, the further illegalities will be prevented as the government officer as acting like mute spectators. It seems that the government machinery in various offices are trying their level best to help and facilitate developer to developer, builder, project proponents to violate laws left, right and centre for reasons best known to these authorities inspite their being the complaint or notice dated 05.07.2017.

6. **Importance of the Holy Indrayani River:**

It is submitted that, the river Indrayani is passing through the town Alandi, which is the place of worship and spirited by the presence of entrancement of "Sant and Great philosopher Dnyaneshwara". At this place this applicant and Hindu religious people are conducting their worship and religious ritual on the bank of river Indrayani. As there is huge water pollution of river from the present project proponent including pollution by other polluter, it is becoming difficult to conduct



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the same and as there is common sharing of environment as it is polluted by the present Project Proponents.

7. Being aggrieved and dissatisfied by non-actions and undue involvement of Respondent Authorities appointed for environment protection for protecting the violator Project Proponents, this applicant prefers this application inter-alia on the following grounds.
8. PARTICULARS OF PROJECT UNDER CHALLENGE AND PROJECT PROPONENT:
  - a. It is submitted that, the Respondent No. 17-M/s. River Residency (Joint Venture) is the developer, builder & Project Proponent (PP) having his registered office at "Parmar Trade Centre, 12 Cannought Road, Sadhu Vaswani Chowk, Pune-411001" carrying the business of builder, promoter and developer through joint ventures of 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd., 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates.
  - b. It is submitted that, the Mr. Iswar Chandulal Parmar is responsible for M/s. River Residency, Ishwar Construction Pvt. Ltd. & Trade Centre Developers & Builders Pvt. Ltd., Mr. Dilip Motilal Choradiya is responsible for M/s. Vijay-Laxmi Developers alias Vijaya-Laxmi Developers and M/s. Vishal Associates for every activities for their respective firms and their construction activity carried out on respective land owned by them and joint venture development as River Residency.



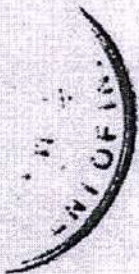
3.	Parking Area (M <sup>2</sup> )	28173	Supressed	48576.80
4.	RG Area on Virgin Land (M <sup>2</sup> )	10543.80	Supressed	0, Entire Open Space is provided on podium

10. VIOLATIONS OF PROJECT PROPONENTS &  
RESPONDENT AUTHORITIES AS BELOW:

- a. Because number of reservations shown on development Plans of PCMC are affected by prohibited zone of Blue Flood Line of various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated outside the Blue Flood Line Area to avoid the damage to environment and ecology.
- b. Because illegal acquisition of STP reservation land by PCMC that comes between prohibited zone of blue flood line area of Holy Indrayani River & Indrayani River bed and PCMC is giving illegal benefits in terms of TDR. Which is leading illegal construction.
- c. Because intentional Blindness of PCMC, Irrigation / Water Resource Department And Mining Department-Collector Pune on Account of Intentional Negligence And damaging Mother Nature
- d. Because Respondent No. 14 & 17 have done illegal dumping of more than 200000 Cu. Mtrs. excavation and construction wastes in Indrayani River bed, Green Belt and STP Reservation Plot in Gut No. 90 (p) causing substantial damage to the environment and ecology.



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- c. It is submitted that, the project under challenge "River Residency" is the Residential, Commercial & Amenity building construction project undertaken by "M/s. River Residency (JV)" situated at the Survey No. 90(P), Village: Chikhali, Taluka: Haveli, District: Pune within the limit and jurisdiction of PCMC as local & sanctioning authority.
- d. It is submitted that, this joint venture has undertaken the development of total area admeasuring of 144000 Sq. Mtrs. out of total area of 232584 Sq. Mtrs. from Gut No. 90 vide registered agreement No. 4966/2010 dated 12.05.2010 in the office of Sub-registrar Haveli-8 (Yerwada).
- e. It is submitted that, the PP is responsible for all illegal activity committed during the construction phase as well as for the damage caused to environment and ecology due to operation of this project activity and such damage must be imposed on PP, as the PP is the beneficiary of project and profit making company.

9. CONSTRUCTION IS BEING CARRIED OUT IN VIOLATION OF TERMS & CONDITIONS OF ENVIRONMENTAL CLEARANCES AND CONSENTS

Sr.	Description	EC 07.10.2011	EC 03.01.2019	Actual Construction vide PCMC sanction No. 15.05.2018
1.	Total BUA (M <sup>2</sup> )	239049.92	244251.74	263805.59, due to suppression of Non-FSI Area
2.	Ground Coverage (M <sup>2</sup> )	15985.24	14776.33	20866.81, Illegal parking complexes on RG Area



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RG Area, illegal construction of Ghat or Nature Park and to remove and scientific disposal of dumped waste and stop further construction permanently.

BRIEF FACTS LEADING TO THE PROJECT UNDER CHALLENGE AND FACTS LEADING TO THIS APPLICATION:

11. NO CONSTRUCTION IS PERMITTED IN BLUE FLOOD LINE AND RIVER BED:

- i. It is submitted that, there was many incidents of flood due to heavy rain and dam breaks causing harm to the human habitants, wildlife etc. in the State of Maharashtra earlier to the 1980, therefore Government of Maharashtra decided to prohibit the development in the vicinity of the rivers in view to protect the environment and inhabitant from the floods of the rivers.
- ii. It is submitted that, the Government of Maharashtra issued notification on 21.09.1989 defining the areas of blue flood line imposing restrictions on any constructions between this line and river bed and red flood line regulating the constructions activity with certain guidelines and directed every concern department to implement this regulations in the state of Maharashtra.
- iii. Therefore, any construction in the range between blue flood line and river bed is illegal since 21.09.1989 and construction of the PP for some buildings will not be survive by any means.

12. ILLEGAL DUMPING OF MORE THAN 200000 CU. MTRS. CONSTRUCTION WASTES IN INDRAYANI RIVER

- t. Because Respondent No. 17-PP has not made tree plantation as promised in EC and its amounts to violation.
- u. Because Respondent No. 14 & 17-PP has committed the illegal activities and given rise to the violations causing degradation of environment & ecology intentionally.
- v. Because Respondent No. 14 & 17-PP has violated the principle of sustainable development.
- w. Because Respondent No. 14 & 17-PP in connivance with PCMC officer has violated the provisions of Environment enactment and PCMC officers are also equally responsible.
- x. Because there is involvement of bureaucratic nexus in the illegal act of Respondent No. 14 & 17-PP by misuse of their position.
- y. Because Respondent No. 14 & 17-PP as well as Respondent Authorities has violated the provisions of EIA Notification-2006 r/w Environment Acts-1986, Water (P & CP) Act-1974 and Air (P & CP) Act-1981 and have committed other illegal acts of damaging the Indrayani River Bank.
- z. Because Respondent No. 14 & 17-PP has caused substantial irreparable damage to environment and ecology to the tune of more than Rs. 500 Crores, which shall be recovered from PP.
- aa. Because Respondent No. 14 & 17-PP are unapologetic and they has adopted careless and reckless attitude towards the environment protection.
- bb. Thus it is mandatory to demolish the illegal project construction coming under blue flood line, illegal parking complexes on 10%

- e. Because Respondent No. 14 & 17 have done illegal Construction of parking complex on mandatory 10% Open Space in total violation of conditions in Environment clearance and there is no open space on virgin land.
- f. Because there is farce marking & imposition of Blue flood line and Red line on Development Plan of PCMC to provide illegal benefits to project for construction in blue flood line.
- g. Because Respondent No. 17-PP have carried out illegal Construction in prohibited zone of Blue flood line & Green Belt of Holy Indrayani River for Ghat or Nature Park.
- h. Because Respondent No. 17-PP have carried out illegal of Construction Residential buildings in prohibited zone of Blue flood line of Holy River Indrayani.
- i. Because Respondent No. 17-PP have made illegal installation of the RMC plant at site and carried out operations without due permission from the MPCB. Obtained ex-post facto consent to operate on 25.09.2017. Therefore there is illegal operation of RMC from 01.01.2012 to 24.09.2017.
- j. Because Respondent No. 14 & 17-PP have completely closed "Nala No. 23" shown on Irrigation Plan and passing through the project land by dumping of construction waste.
- k. Because Respondent No. 17-PP have carried out illegal construction to the tune of 263805.59 Sq. Mtrs. against permissible construction area of 244251.74 Sq. Mtrs in EC dated 03.01.2019.



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- l. Because Respondent No. 17-PP have carried out construction with illegal increase in Ground Coverage Area as against permissible ground coverage of 15985.24 Sq. Mtrs in EC dated 07.10.2011, whereas 14776.33 Sq. Mtrs in EC dated 03.01.2019.
- m. Because Respondent No. 17-PP has admitted that there is illegal ground water extraction, but deliberately avoiding to take the responsibility of same and pointed figure towards the Respondent No. 15-Federation of River Residency
- n. Because Respondent No. 17-PP have violated the terms and conditions of Non-Agricultural Permission dated 18.05.2011 and made illegal land use change as prohibited in Form-1 & 1A.
- o. Because Respondent No. 17-PP has submitted misleading information to the SEAC and SEIAA for obtaining EC.
- p. Because Respondent No. 17-PP has committed non-compliance to the conditions imposed by SEAC & SEIAA in their meetings.
- q. Because Respondent No. 17-PP has not submitted misleading EIA and EC dated 07.10.2011 is granted prior to submission of EIA and on the basis of false EIA.
- r. Because Respondent No. 17-PP has committed non-compliance to the terms and conditions of the Environment Clearances, Consents to Establish and Consents to Operate.
- s. Because Respondent No. 17-PP has not preserved fertile top soil and same is amount to violation of EC condition and also top soil is pollution due to contamination form construction waste.



AFFECTING GREEN BELT AND STP RESERVATION PLOTS AND ILLEGAL CONSTRUCTION IS CARRIED OUT ON GREEN BELT AREA PROHIBITED BY BLUE FLOOD LINE OF INDRAYANI RIVER.:

- i) It is submitted that, the Irrigation department submitted their flood line marking plans for Indrayani River to PCMC near about January 2009, wherein in it is clearly shown this Survey No. 90 is affected by the blue flood line. {ANNEXURE-A-1, Page-90}
- ii) It is submitted that, the PCMC incorporated the marking of flood line on their development plan Under Section 31 of M.R. & T.P. Act 1966 Vide Notice No.TPS-1808/894/CR-09/UD-13 on 18.08.2009 vide EP-87. Also this development plan shows this Gut No. 90 of Village: Chikhali is affected by Green Belt reservation & blue flood line of Indrayani River. {ANNEXURE-A-2, Page-91}
- iii) It is submitted that, the said project site is affected by a green belt area admeasuring 42934.69 M<sup>2</sup>, Nature Park Construction of 4000 M<sup>2</sup> and STP reservation no.130 having an area admeasuring 42747.07 M<sup>2</sup> in fact both these areas are part of the river flow and effected by the blue line marking of Indrayani River as shown in demarcation Plan dated 06.09.2012.
- iv) It is submitted that, the present project site is affected by stone quarry having an area admeasuring more than 8840 Sq. Mtrs. (Measured from Google Earth) and this information is suppressed by the project proponent and the said non-



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development area is not deducted from the plot area of the project and effected by the blue line marking of Indrayani River as shown in demarcation Plan dated 26.09.2014.

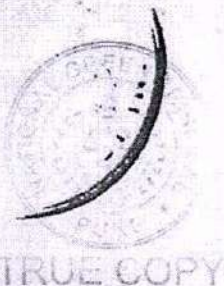
- v) It is submitted that, the Respondent No. 17-M/s. River Residency-PP has dumped the construction waste material in the Indrayani River even after the complaint of this complainant dated 05.07.2017 and PCMC has neglected to act on the complaint and supported to the project proponents to dump the construction waste in river and to carry on the illegal construction in prohibited area of blue flood line.
- vi) It is submitted that, the environmentally and ecologically sensitive area of Indrayani River admeasuring more than 86824.80 Sq. Mtrs. is damaged by dumping of construction waste of 3 Meters heights by Respondent No. 15 & 17-PP and the quantity of the said construction waste is more than 200000 Sq. Mtrs.
- vii) It is submitted that, the Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square are carrying out the bungalow project on green belt area affected by blue flood line of Indrayani River and reclaimed by dumping of construction waste by M/s. River Residency.
- viii) It is submitted that, Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square have not obtained any measurement plan from superintendent of land record, also not

obtained any sanction form PCMC, also not obtained any NOC from Irrigation department.

- ix) Therefore entire development of the Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square for bungalow plotting project is illegal and needs to be prohibited from any construction and third party rights permanently.

**13. FARCE MARKING OF BLUE LINE AND RED LINE ON DP PLAN TO PROVIDE ILLEGAL HELP FOR CONSTRUCTION IN BLUE LINE:**

- a. It is submitted that, the blue line marking by irrigation department at Gut no. 90 is totally false and shifted towards the river side only in view to help the project proponent.
- b. In fact the blue line marking on the Gut no. 84 & 85 was required to be straight passing through the Gut no. 90 as per the site condition and In fact Respondent No. 17-M/s. River Residency (JV)-PP has dumped the huge quantity of construction waste towards the stone quarry & in the Indrayani River to manipulate the actual marking of the Blue Line & Red Line marking.
- c. It is submitted that, under this manipulated blue flood line PP has made illegal construction of building "G to L, P, N1, N2" and proposed to construct building N3 and N4 in the blue flood line.
- d. It is submitted that, the contour level at major part of Gut no. 90 and Indrayani River are of same level and therefore area towards the river side including green belt, STP etc. is reclaimed



by height of 3 to 4 Mtrs from the river level by dumping of construction waste.

- e. Due to this dumping of construction waste & stone quarry waste, actual blue line marking is also diverted.

**14. ILLEGAL CONSTRUCTION OF RIVER GHAT OR SO CALLED NATURE PARK IN GREEN BELT AND BLUE LINE OF HOLY RIVER INDRAYANI:**

- a. It is submitted that, the Respondent No. 17-M/s. River Residency (JV)-PP has made the illegal construction of the Ghat or Nature Park in the river on an area admeasuring more than 4000 sq. Mtrs. for the enjoyment and said illegal construction of Ghat or Nature Park has made the substantial blockage of natural water flow of river and caused water pollution of the river
- b. It is submitted that, the Respondent No. 17-M/s. River Residency (JV)-PP has made encroachment in the river for construction of this Ghat or so called Nature Park.
- c. It is submitted that, the Respondent No. 17-M/s. River Residency (JV)-PP has carried out the substantial construction of Ghat in the river with the help of PCMC officers and it can be observed from act of blindness played by irrigation department as well as PCMC officers.

**15. NALA NO. 23 SHOWN ON FLOOD LINE MAPS AND PASSING THROUGH THE PROJECT LAND IS COMPLETELY CLOSED BY DUMPING OF CONSTRUCTION WASTE:**



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- a. It is submitted that, the Blue Line & Red Line marking plans/ maps released by the irrigation department clearly shows that, there is "NALA No. 23" passing through the Gut No. 90.
- b. It is submitted that, the development plans with imposition of blue line & red line marking dose not shows any said "NALA No. 23" passing through the Gut No. 90 and it is very shocking and surprising illegality on account of PP, PCMC and irrigation Department.
- c. It is submitted that, in fact there was "NALA No. 23" at project site carrying rainy water and it was created due to the sloppy zone in the Gut no. 90, but the Respondent No. 17-PP has covered the said "NALA No. 23" in illegal manner and land was made plain by reclaiming and dumping of construction waste.
- d. It is submitted that, the Science and Technology Park Department of PCMC has issued the remark stating that, there is no natural "NALA No. 23" passing through the Gut No. 90 and this act clearly shows connivance between the project proponent and the PCMC on account of the Mother Nature.

16. ILLEGAL CONSTRUCTION CARRIED OUT BY PP IN BLUE FLOOD LINE:

- a. It is submitted that, as per the Government of Maharashtra Resolution for Prohibition of Construction in Blue Line-198FPW/1089/243/89/Sl. VYA. (KAME), Dated 21.9.1989, no construction is permitted in the blue line. Irrigation Department submitted the flood line plans to the PCMC in 2009 and



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thereafter PCMC imposed this flood line marking on their Development Plan in February 2009.

- b. It is submitted that, but Respondent No. 17-M/s. River Residency (JV)-PP has managed the false blue line marking with help of irrigation department and blue line is shifted towards the river side to legalise its constriction.
- c. It is submitted that, the PCMC is well aware of this facts of blue line marking and entire STP reservation No. 1/130 & 18 Mtrs DP road is affected by the blue line and it is the part of Indrayani River, even then the PCMC is accepting the possession of blue line affected reservation from Mr. Dilip Choradiya on account of TDR and other benefits.
- d. It is submitted that, also the National Green Tribunal in its various Judgments has issued clear cut directions regarding restriction of no development in blue line.
- e. It is submitted that, this act of PCMC to purchase the river is nothing but clearly illegal and attracts the penal action of fraud and cheating to the government and in this case the PCMC-Commissioner shall take serious action against "errant officers of Urban Development Department of PCMC and the project proponent like Ishwar Parmar and Dilip Choradiya for committing such fraud on the government.
- f. It is submitted that, it is important to cancel the documents executed to take possession of the blue line affected reservation and DP road and not to carry any construction on such blue line



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affected area and further not to issue any benefits to the project proponents on any account.

- g. Thus the construction carried out building "G to L, P, N1, N2" and proposed to construct building N3 & N4 along with STP reservation development & 18 Mtrs DP road is completely illegal and damaging the environment and ecology.

**17. ILLEGAL ACQUISITION OF STP RESERVATION LAND BY PCMC THAT COMES UNDER BLUE LINE AREA AND PART OF RIVER AND PCMC IS GIVING ILLEGAL BENEFITS IN TERMS OF TDR**

- a. It is submitted that, the reservation no. 1/130 for the STP is having total area of 50000 Sq. Mtrs. and out of which 42747.07 sq. Mtrs. is on part of the Respondent No. 14-Mr. Dilip Motilal Choradiya and who is also the part of Respondent No. 17-M/s. River Residency joint venture and this Respondent No. 17 project proponents from Gut No. 90 of present development under various violations.
- b. It is submitted that, the dumping of the construction waste is done by the Respondent No. 17-PP on the land of Respondent No. 15 reserved for STP and Green Belt in connivance with each other and same land of STP Reservation is handed over to the PCMC against the TDR. Therefore Respondent No. 14- Mr. Dilip Choradiya is also equally responsible for dumping of construction waste and damaging the natural resources.
- c. It is submitted that, the entire reservation is affected by the blue line marking of the Indrayani River and also as per the site



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condition also that the said reservation is clearly & completely part of the river. In any circumstances, this reservation area is not able to develop for any purpose.

Table 5: Total Blue line Affected Area acquired by PCMC from the present Project Proponent

Agreement	STP	18 Mtrs DP Road	24 Mtrs DP Road
3056/2016, (HVL-5) 05.04.2016	8294.87 M <sup>2</sup>		66 M <sup>2</sup>
574/2017, (HVL-5) 23.01.2017	34934.50 M <sup>2</sup>		627.75 M <sup>2</sup>
3658/2017, (HVL-5) 26.05.2017		3152.87 M <sup>2</sup>	
<b>Total</b>	<b>43299.37 M<sup>2</sup></b>	<b>3152.87 M<sup>2</sup></b>	<b>693.75 M<sup>2</sup></b>

- d. Thus the PCMC intentionally providing illegal benefits of an area admeasuring 43299.37 Sq. Mtrs, on account of STP, 3152.87 Sq. Mtrs. on account of 18 Mtrs DP road, 693.75 Sq. Mtrs on account of 24 Mtrs. DP Road to the project proponent by purchase of river area for providing benefits of TDR, which is non-development zone and affected by the blue flood line of the Indrayani River.

18. RESERVATIONS AFFECTED BY BLUE FLOOD LINE OF VARIOUS RIVERS PASSING THROUGH THE JURISDICTION OF PCMC AND THESE RESERVATIONS NEEDS TO BE RELOCATED OUT OF BLUE FLOOD LINE AREA TO AVOID DAMAGE TO ENVIRONMENT & ECOLOGY.



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- a. It is submitted that, there are many reservations affected by the blue flood line marking of Pawana, Indrayani & Mula River passing through the jurisdiction of the PCMC Area.
- b. It is submitted that, no construction is permitted in the blue flood line at any cost, but the PCMC and irrigation (Water Resource) department are neglecting towards such issue of prohibition of construction in blue line and acquiring the land coming under blue flood line for the proposed reservations in view to develop such reservations impermissible eyes of law.
- c. It is submitted that, in fact the no such development is allowed in the blue flood line even though and the acquisition of such blue flood line affected reservations is clearly pointing towards the corruption and negligence of these departments for causing to environment and ecology by avoiding principles of sustainable developments.
- d. It is submitted that, the intention of the PCMC towards the environment protection is seems to be careless and reckless as shown by themselves by acquiring the land from present project proponents for the Sewage Treatment Plant reservation No. 1/130 and proposing such development.
- e. It is submitted that, this applicant has already to brought to the notice of Secretary UDD-GoM, Secretary Water Resource/ Irrigation Dept-GoM, Commissioner PCMC, wrt to development undertaken is against the nature and will cause the damage to the environment and ecology.



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- f. In view to the protect the environment & ecology of the rivers, the following reservations in PCMC area needs to be relocated on the suitable nearest location on urgent basis and related changes to be made in the development plans of the corresponding planning units.

Table No. 7: List of Reservations Affected by Blue flood Line marking in PCMC Area

Sr. No.	Village	Reservation No	Reservation Name	River	Survey / Gut No.	Area (Hector)
1	Bopkhel	2/162-G	Garden/ Park	Mula	4, 5 (P)	1.30
2	Bopkhel	2/163-ESR	Elevated Service Reservoir	Mula	5, 154 (P)	0.50
3	Bopkhel	2/164-SSP	Sewage Sump & Pump House	Mula	2, 5	0.46
4	Bopkhel	2/165-PS	Primary School	Mula	2, 154	0.40
5	Bopkhel	2/166-CG	Cremation Ghat/ Shed	Mula	5	0.10
6	Charholi	2/62-CS	Cattle Shed	Indrayani	990, 991, 993	2.40
7	Charholi	2/63-BG	Burial Ground	Indrayani	1015, 1017, 1019, 1020, 1021	2.00
8	Charholi	2/64-G	Garden	Indrayani	1022, 1032	0.79
9	Charholi	2/65-CM	Crematorium	Indrayani	Gavthan	0.40
10	Charholi	2/93-STP	Sewage Treatment Plant	Indrayani	14, 15, 16, 17, 21, 22, 24, 25, 26, 27	6.07
11	Charholi	2/93A-STP	Sewage Treatment Plant	Indrayani	32, 33	
12	Charholi	2/94-SH	Slaughter House	Indrayani	29, 30, 35	1.60
13	Chikhali	1/76-SSP	Sewage Sump & Pump House	Indrayani	1564 (p)	0.50
14	Chikhali	1/77-WTP	Water Treatment Plant	Indrayani	1564 (P)	4.91
15	Chikhali	1/79-CS	Cattle Shed	Indrayani	1655/2(P)	2.00
16	Chikhali	1/98-BG	Burial Ground	Indrayani	1636(P)	1.75
17	Chikhali	1/123-CG	Cremation Ghat	Indrayani	Gavthan	0.10
18	Chikhali	1/124-P	Parking	Indrayani	Gavthan	0.05
19	Chikhali	1/125-G	Garden/ Park	Indrayani	1, 2	1.00
20	Chikhali	1/126-ESR	Elevated Service Reservoir	Indrayani	2, 19, 41 (p)	0.70
21	Chikhali	1/130-STP	Sewage Treatment Plant	Indrayani	90, 91, 92	5.0
22	Dapodi	3/1-G	Garden/ Park	Pawana	27, 28	1.69



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23	Dapodi	3/2-SS	Secondary School	Pawana	24, 28, 29	1.52
24	Dapodi	3/3-ESR	Elevated Service Reservoir	Pawana	27, 28	0.40
25	Dapodi	3/4-BG	Burial Ground	Pawana	11, 15, 16, 17, 24, 26	2.54
26	Dapodi	3/5-PG	Play Ground	Pawana	16 to 18	1.40
27	Dapodi	3/6-SS	Secondary School	Pawana	11, 15, 16, 18	2.02
28	Dapodi	3/15-G	Garden/ Park	Pawana	9 to 11, 16	1.39
29	Dapodi	3/16-PS	Primary School	Pawana	11	1.21
30	Dapodi	3/17-PSN	Police Station	Pawana	11	0.05
31	Dapodi	3/18-P	Post Office	Pawana	11	0.06
32	Dapodi	3/19-ZO	PCMC Zonal Office	Pawana	11	0.23
33	Dapodi	3/29-DMH	Dispensary Cum Maternity Hospital	Pawana	85	0.20
34	Dapodi	3/30-PS	Primary School	Pawana	85A (P)	0.40
35	Dapodi	3/31-G	Garden/ Park	Pawana	84, 85A, 85B	2.00
36	Dapodi	3/37-SPG	Swimming Pool and Gymnasium	Pawana	78, 81, 82, 85	0.90
37	Dapodi	3/38-OP	Octroi Post	Pawana	79, 80	0.20
38	Dapodi	3/39-P	Parking	Pawana	80	0.10
39	Dapodi	3/40-CM	Crematorium	Pawana	79, 80, 84	0.37
40	Dudulgaon	1/222-CG	Cremation Ghat	Indrayani	248, 249	0.10
41	Dudulgaon	1/230-SSP	Sewage Sump & Pump House	Indrayani	22, 24	0.50
42	Kiwale	4/137-SSP	Sewage Sump & Pump House	Pawana	96	0.50
43	Kiwale	4/138-CG	Cremation Ghat	Pawana	97	0.08
44	Mamurdi	4/161-CG	Cremation Ghat		7	0.10
45	Mamurdi	4/162-SSP	Sewage Sump & Pump House		9	0.50
46	Moshi	1/168-CG	Cremation Ghat		51	0.35
47	Moshi	1/169-AI	Animal Incinerator		51	0.40
48	Moshi	1/173-RPR	River Front Recreation	Indrayani	89, 90, 91, 93, 94, 145 to 153	2.00
49	Moshi	1/174-SSP	Sewage Sump & Pump House	Indrayani	155 to 160	0.50
50	Punawale	4/60-RFP	River Front Recreation	Pawana	54	2.76
51	Punawale	4/75-BG	Burial Ground	Pawana	3	1.00
52	Punawale	4/74-A&B-STP	Sewage Treatment Plant	Pawana	5	2.00
53	Ravet	4/80-SSP	Sewage Sump & Pump House	Pawana	27, 28, 33	0.50
54	Ravet	4/79-CM	Crematorium	Pawana	17	0.40
55	Talawade	1/74-RPR	River Front Recreation	Indrayani	9 to 14	2.10
56	Talawade	1/75-SSP	Sewage Sump &	Indrayani	11, 14, 15	0.50



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			Pump House			
57	Tathawade	1-S&PH	Sewage Sump & Pump House	Pawana	173	0.40
58	Tathawade	2-CG	Cremation Ghat	Pawana	174	0.40
59	Tathawade	6-STP	Sewage Treatment Plant	Pawana	19	1.0
60	Wakad	4/1-SSP	Sewage Sump & Pump House	Mula	4	0.28

**19. ILLEGAL CONSTRUCTION OF PARKING COMPLEX ON MANDATORY 10% OPEN SPACE IN TOTAL VIOLATION OF CONDITIONS IN ENVIRONMENT CLEARANCES**

- a. It is submitted that, PP has to provide mandatory 10% Open Space (RG Area) for the purpose of recreational purposes and plantation of trees as per the EC Conditions and said RG Area of the 10% open space area comes to 10543.80 M<sup>2</sup>, but the PP has illegally constructed parking complex on this recreational space and RG Area is provided on podium.
- b. It is to be noted that, our Constitution gives right of decent life to every citizen having at least basic facilities to be provided by the developers in their developments. But here the project proponent have intentionally and purposefully committed the contravention of the provisions of Law, Acts & Rules with open eyes, in the manner of insulting and challenging the entire systems. It is not possible to take place such type of illegal activity without connivance of the Local Authority i.e. sanctioning officers. Basically the open space is required for the gardening, to plant some trees, so there will be the positive effect on the livelihood by reducing the temperature of surrounding by absorbing of Carbon Dioxide and on other hand



the unit purchasers shall have sitting out for enjoyment, kids have play-ground many more purposes of Open spaces are classified in the view of decent life.

**20. ILLEGAL INCREASE IN GROUND COVERAGE AREA AS AGAINST 14128.34 SQ. MTRS**

- a. It is clear from the table No. 4 as stated above, that the total PP has illegally constructed ground coverage of 20866.81 Sq. Mtrs. against available 14128.34 Sq. Mtrs. and PP has illegally claimed ground coverage to 15881.92 Sq. Mtrs.
- b. In fact this illegal ground coverage area is affecting the rain water harvesting and its resulting in the ground water damage & continues decrease in the water level.

**PP HAS SUBMITTED MISLEADING INFORMATION TO THE SEAC AND SEIAA FOR OBTAINING EC AND VIOLATED THE CONDITIONS IMPOSED BY SEAC & SEIAA:**

**21. VIOLATIONS OF SEAC CONDITIONS:**

- a. It is submitted that, the PP filed an application seeking prior environment clearance before SEIAA Maharashtra under category 8(b)-B(1) with following configuration:

*Total plot area: 2,31,000 sq.m.*

*Net plot area: 94,768 sq.m.*

*Built up area as per FSI: 1,67,800 sq.m.*

*Total construction area: 2,41,727 sq.m.*

*No. of buildings: 30 (S+12).*

*No. of flats: 2,360.*

*No. of parking spaces required: 1,363;*

*No. of parking spaces proposed: 1859.*



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*Parking area proposed: 13,983 sq.m.*

*Green cover area: 16,364 sq.m.*

*Proposed no. of trees: 1,300.*

- b. It is submitted that, the said application was considered by SEAC in its 36<sup>th</sup> meeting at item No. 22 held on 15.11.2010 and directed PP to comply with following Conditions:

- (i) *Change of name from Ishwar Construction to River Residency has been noted. The same may be confirmed.*
- (ii) *The proposed project is on the bank of the river Indrayani and a number of buildings are located in the high flood zone. Prior clearance from the Water Resources Department is required for construction of these buildings. Also cross sections showing the ground levels and flood levels in relation to the plot may be submitted.*
- (iii) *Consent of the PCMC/PMC may be obtained for supply of required water and location of the municipal drain for discharge of the surplus treated effluent may be indicated.*
- (iv) *Details of all relevant aspects like water balance, STPs, roads, energy requirement, parking, BUA etc may be furnished for each of the phases along with the total for the entire project.*
- (v) *The proposed parking area may be restricted to that worked out on the basis of norms. The total construction area may be accordingly reduced and revised area statements and drawings may be submitted.*
- (vi) *The issue of rain water harvesting needs to be dealt with in greater detail. The number, size and depth of the recharge bores need to be furnished as also the quantity of rain water to be stored in the proposed water body. The possibility of storing and using terrace water also needs to be studied and indicated.*



(vii) *It may be clarified why the terrace area is included in the non-FSI calculations and also the owner's plot area was deducted.*

(viii) *The ground coverage area shown as 21,250 sq. m. needs to be checked and revised details furnished."*

Therefore, from the Condition No. (ii) SEAC directed to PP to submit prior clearance form water resource department for construction of such buildings in high flood line. As per Condition No. (v) SEAC also directed to PP to reduce the parking area wrt to norms and to submit the reduced total construction area. Also as per Condition No. (viii) SEAC also directed to PP to check & revise the ground coverage area from 21250 M<sup>2</sup>.

Copy of the Minutes of 36<sup>th</sup> SEAC meeting dated 15.11.2010 is attached herewith as ANNEXURE-A-3 [Page-92 to 94].

c. It is submitted that, the said EC application was considered by SEAC in its 40<sup>th</sup> meeting at item No. 9 held on 14.02.2011 and directed PP to comply with following Conditions which was not complied from 36<sup>th</sup> meetings:

- (i) *The proposed project is on the bank of the river Indrayani and a number buildings are located in the high flood zone. Buildings proposed in the flood control between the blue and red flood lines indicated by the Water Resources Department should be shifted beyond the flood zone.*
- (ii) *STP should be modular considering phase wise completion of the residential buildings. Location of STP should be shifted away from the river to avoid possible water pollution.*
- (iii) *PCMC's letter dated 15<sup>th</sup> December 2010 indicates that the NOC for use of the sewerage line is only for a built up area of 14,177.14 sq.m, as against the proposed built up area of*



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1,67,800 sq.m. This position is not acceptable, as it is not possible to consume the entire balance quantity for flushing and gardening. This issue needs to be satisfactorily resolved.

- (iv) Consent of PCMC for water supply may also be submitted, as PCMC's letter dated 1.10.2010 has not indicated clear availability of water.

Therefore, from the Condition No. (i), SEAC directed to PP to shift the buildings proposed in the flood control between the blue and red flood lines indicated by the Water Resources Department. But PP did not comply with the same and carried out the illegal construction in flood line of Holy Indrayani River. Also there is no sufficient water supply by the PCMC and therefore PP is extracting ground water from bore wells in illegal manner without prior permissions from CGWA.

Copy of the Minutes of 40<sup>th</sup> SEAC meeting dated 14.02.2011 is attached herewith as ANNEXURE-A-4 [Page-95 to 96].

- d. It is submitted that, the said EC application was considered by SEAC in its 43<sup>rd</sup> meeting at item No. 14a held on 19.04.2011 and noted the false, baseless and misleading compliances with following decision:

*"Decision: The project proponent has furnished a statement complying with the points raised in the 40<sup>th</sup> meeting. Regarding construction between the blue and red flood lines, they have produced the clearance given by the Commissioner of PCMC. They have agreed to shift the location of the STP as suggested by the Committee. They have also produced NOC issued by PCMC for disposal of the entire (surplus) treated sewage. Consent of PCMC for water supply has also been submitted. It was decided to recommend the proposal for grant of prior environmental clearance."*



Therefore, as per the Condition of SEAC in 36<sup>th</sup> and 40<sup>th</sup> meeting, PP was directed to submit the NOC from water Resource department for the construction of building in high flood line, but PP has submitted the NOC from Commissioner of PCMC and there is no shifting of such buildings from the high flood line to beyond flood line. Thus PP has carried out the illegal construction in blue flood line of the Indrayani River.

A copy of the Minutes of 43<sup>rd</sup> SEAC meeting dated 19.04.2011 is attached herewith and marked as ANNEXURE-A-5 [Page-97].

**22. VIOLATION OF NON-AGRICULTURAL PERMISSION RESULTING INTO ILLEGAL LAND USE CHANGE:**

- a. It is submitted that, the M/s. River Residency (JV)-PP has procured the Non-Agricultural permission vide Order No. PMA/NA/SR/872/10 dated 18.05.2011 for total land 215000.00 M<sup>2</sup>.
- b. It is submitted that, the collector Pune after verification of documents and land records, plans sanctioned by PCMC has granted the Non-Agricultural permission to only 90899.05 M<sup>2</sup> after deduction of the reservations, other Non-development areas and considering total plot area admeasuring to the 124000.00 M<sup>2</sup>.

**Table No. 6: - Non-Agricultural Permission**

Gut No.	Area (M <sup>2</sup> )
90 (p)	124000
Total Area	124000
Sanctioned Area In Layout	124000
(-) Road Area	24367.06



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(-) Reservation Area	8733.89
Residential Use Area	90899.05

- c. It is submitted that, as per terms & condition No. 1 of Non-Agricultural permission only 13484.75 M<sup>2</sup> of Built-up area is sanctioned by said order.
- d. It is submitted that, as per condition No. 3 permissible use of building is only for residential purpose. In fact the NA permission was granted for the residential purpose, but the project proponent has constructed commercial buildings and 39 shops also in violation of this NA Permission and this is nothing but illegal land use change.
- e. Thus following violations of NA permissions are observed;
- f. It is submitted that, Area considered by NA permission was 124000 sq. Mtrs. but project proponent has made construction on 131000 sq. Mtrs. without obtaining any amendment in NA order and it amounts to violation.
- g. It is submitted that, NA permission has granted only for residential purpose but the project proponent has constructed commercial buildings for 39 shops and also PP has commenced its use illegally and its amount to violation of NA permission.
- h. It is submitted that, Total BUA sanctioned is only 13484.75 sq. Mtrs. but project proponent has carried out the construction of 199000 sq. Mtrs. (as admitted by PP in its revised application for EC) and its clear cut violation of NA Permission.



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- i. Further it is submitted that, the project proponent has suppressed the area 8840 Sq. Mtrs. of stone quarry and this area of stone quarry is nothing but the non-development area and shall be deducted from the 124000 sq. Mtrs. but the Respondent No. 17-PP as well as collector Pune has intentionally overlooked such non-development zone (NDZ) area from the layout and gave illegal benefits to the project proponent.
  - j. Further it is submitted that, it seems that the stone quarry was illegal and collector Pune has intentionally negated to put heavy fine for such illegal exaction of minor minerals and caused loss to the Government.
  - k. It is submitted that, the Collector Pune also not made the site survey and allowed Respondent No. 17-PP to damage the Holy Indrayani River by encroaching in river and allowing construction waste dumping in the river.
1. Thus the Respondent No. 17-PP has violated the NA Permission, illegal enjoyed benefits of stone Quarry Area, made construction in blue line by managing the false making of blue line, dumped huge construction waste in river.  
Copy of the Non-Agricultural permission vide Order No. PMA/NA/SR/872/10 dated 18.05.2011 is attached herewith and marked as ANNEXURE-A-6, [Page-98 to 105].
23. VIOLATIONS OF SEIAA CONDITIONS:
- a. It is submitted that, the said EC application was considered by SEIAA in its 39<sup>th</sup> meeting at Table Item No. 1 held on 15.09.2012



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and decided to accord the EC and it was surprising to note that there was no EIA submitted by PP for this Proposal and following condition was imposed:

*"the project proponent may, in due course, submit EIA".*

- b. It is submitted that, there was no issuance of Terms of Reference (TOR) and also there was no submission of mandatory EIA and grant of EC was without following due course.
- c. It is submitted that, the project "River Residency" is undertaken by the joint venture between various firms stated in the registered agreement vide no. 4966/2010 dated 12.05.2010 in the office of Sub-registrar Haveli-8 (Yerwada) and the area of joint venture was 144000 Sq. Mtrs. out of which 4000 Sq. Mtrs was Green Belt Area.
- d. It is submitted that, the PP has misleded the authorities while obtaining EC by stating that the total area of the development is 231000 Sq. Mtrs.
- e. It is submitted that, the PP has misleded the authorities by stating that, the net plot area of development is 101891.43 Sq. Mtrs.
- f. It is submitted that, the PP has misleded the authorities by stating that, the FSI of 145241.63 Sq. Mtrs.
- g. It is submitted that, the PP has misleded the authorities by not stating the stone quarry area which is Non-Development Zone and said area of the stone quarry area shall not be considered towards the calculation of FSI, but the Project proponent has not



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deducted an area of 8840 sq. Mtrs. of stone quarry and played fraud on PCMC, Public and Authorities.

- h. It is submitted that, the PP has misled the authorities by not stating the area affected by the blue line of the Indrayani River and taken illegal benefits of the FSI of Blue Line Area.
- i. It is submitted that, the PP has misled the authorities and made construction of building "G to L, P, N1, N2" and proposed to construct building N3 and N4. In fact project proponent has dumped the huge quantity of construction waste in the Indrayani River to manipulate the actual marking of the Blue Line & Red Line marking.

A copy of the Minutes of 39<sup>th</sup> SELAA meeting dated 14.09.2011 is attached herewith as ANNEXURE-A-7 [Page-106 to 108].

**24. PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF ENVIRONMENT CLEARANCE DATED 07.10.2011:**

- a. It is submitted that, the PP procured the EC vide No. SEAC-2011/CR.620/TC.2 dated 07.11.2011 by misleading and suppressing the actual facts from the authorities and further PP has violated the major terms & condition of the said EC as stated below;
  - b. Disposal:
    - Construction debris shall be used for back filling and levelling of the plot and remaining will be disposed to authorized sites.



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- Top soil shall be preserved and reused within site for landscaping.
  - Segregation of dry and wet garbage will be done at source.
  - Dry garbage will be disposed off through recycler
  - Wet garbage will be composted OWC and treated waste will be used as manure
- c. Energy Conservation
- Solar power for water heating.
  - Use of fly ash bricks & pavement blocks
  - Green boundary wall instead of stone wall
- d. Green Belt Development
- Ground Coverage area: 15985.24 Sq. Mtrs.
  - Green Cover Area: 10543.80 Sq. Mtrs.
  - Total 1300 no. of trees to be planted
- e. 3(xi) All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- f. 3(xiii) Green Belt Development shall be carried out considering CPCB guideline including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- g. 3(xiv) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.



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- h. 3(xv) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by latching of heavy metals and other toxic contaminants.
- i. 3(xvi) Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourse and dump sites for such material must be secured so that they should not leach into the ground water.
- j. 3(xvii) Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- k. 3(xxvii) The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- l. 3(xxx) Permission to draw ground water shall be obtained from the competent Authority prior to construction / operation of the project.
- m. 3(xl) The building should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
- n. 3(liii) The environmental statement for each financial year ending 31st March in form-V as is mandated to be submitted by the project proponent to the concerned state Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website



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of the company along with the status of Compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

o. 5. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.

p. 8. In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.

q. Therefore PP has committed violation of Environment Clearance dated 07.10.2011.

Copy of Environment Clearance dated 07.10.2011 is attached herewith and marked as ANNEXURE-A-8, (Page-109 to 116).

25. PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF CONSENT TO ESTABLISH DATED 03.12.2011:

a. "3. No quarrying activities shall be commenced in the area unless appropriate permissions are obtained for a limited quarrying material required for construction of local residential housing and traditional road maintenance work, provided that such quarrying is not done on Forest Lands and the material is



- not exported to the outside area." PP has carried out substantial deep quarrying into the existing quarry and blocked the natural water flow to change the blue flood line.
- b. "5. Extraction of ground water for the project shall require prior permission of the State Ground Water Authority or other relevant authorities, as applicable;" PP is extracting ground water from more than 5 (Five) bore wells without prior permission from concern authority.
- c. "15. Ready mix concrete used in building construction should apply separately for consent from the board." PP has established and operated RMC plant since 01.01.2012 to 24.09.2017 in illegal manner and caused the damage to the environment and ecology.
- d. "9. The applicant shall adopt environment friendly technology in development of the project." PP has dumped construction waste in water body for reclamation, PP has also constructed Ghat or so called Nature Park, PP has operated RMC without due permission, PP is extracting ground water, PP has made construction in prohibited blue flood line, PP has carried out illegal construction of Parking Complex of 10% RG Area etc.
- e. "12. Energy conservation measures like installation of solar panels for lighting the area outside the building should be integrated part of the project design." PP has not provided solar panels for lighting.



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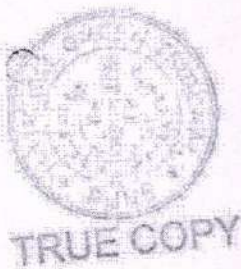
- f. "15. This is issued pursuant to the decision of Consent Committee of the Board in its meeting held on 28<sup>th</sup> November, 2011 and approval of the Chairperson of the Board." There is involvement of bureaucratic nexus and there is no consideration to the construction in blue flood line and adverse impact on Indrayani River.
- g. Therefore PP has committed violation of Consent to Establish dated 03.12.2011.

A Copy of Consent to Establish dated 03.12.2011 is attached herewith as ANNEXURE-A-9, (Page-117 to 121).

**26. DEMARCATION PLAN DATED 06.09.2012 ISSUED BY PCMC SHOWING FLOOD LINE AFFECTED AREA OF THE GREEN BELT, STP RESERVATION, 18 MTRS D.P. ROAD & 24 MTRS D.P. ROAD:**

- a. It is submitted that, the PCMC has issued the demarcation plan vide No. BP/Chikhali/23/2012 dated 06.09.2012 to the entire project land at Gut No. 90 showing the manipulated flood line marking, stone quarry, green belt, STP reservation, 18 Mtrs D. P. Road, 24 Mts. D. P. Road affected by blue flood line, raised Open spaces A & B, Amenity Spaces etc.
- b. It is submitted that, the area of the above stated reservations and open spaces and amenity space is given below:

Sr.	Description	Area (M <sup>2</sup> )
1.	Stone Quarry	Not Disclosed
2.	18 Mtrs. D. P. Road	Not Disclosed
3.	24 Mtrs. D. P. Road	Not Disclosed
4.	Open Space-A	Not Disclosed





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e. It is submitted that, the Respondent No. 12-M/s. Jare Group and Respondent No. 13-V Square has proposed the illegal bungalow project with construction internal bungalow boundary, Boundary wall of project land i.e. green Belt and One Bungalow in connivance of Respondent No. 17-PP M/s. River Residency and Respondent-PCMC & Irrigation Department.

flood line of Indrayani River.  
and both these reservations are affected by the prohibited blue Reservation area admeasuring to the tune of 42747.07 Sq. Mtrs. admeasuring to the tune of 42934.69 Sq. Mtrs. and STP Mrs. is dumped on the Green Belt reservation of an area from the excavation and construction of more than 200000 Sq. Residency Developers has dumped the solid waste generated

d. It is submitted that, the Respondent No. 17-PP M/s. River of raised open spaces is not tenable in the eyes of law.  
therefore, the construction of parking complexes and providing such Open Spaces / RG area on virgin land mandatorily and conditions of EC dated 07.10.2011. It is important to provide parking complexes on RG area in violation of terms and Residency Developers has carried out the illegal construction of  
c. It is submitted that, the Respondent No. 17-PP M/s. River

5.	Raised Open Space-B	5266.49
6.	Amenity Space	5077.95
7.	Green Belt	42934.69
8.	STP Reservation-1/130	42747.07

Copy of the demarcation plan obtained by Respondent No. 17-PP M/s. River Residency dated 06.09.2012 is attached herewith and marked as ANNEXURE-A-10 {Page-122}.

27. PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF FIRST CONSENT TO OPERATE DATED 25.11.2013:

- a. It is submitted that, this first Consent to Operates was granted on 25.11.2013 and same was valid for the period upto 31.02.2015.
- b. It is submitted that, this CTO was granted for 75270.21 Sq. Mtrs out of 239049.92 M<sup>2</sup>. But completed built-up area was more than this.
- c. It is submitted that, as per condition No. 7 (i) page-4 of this CTO, PP was prohibited form generating any hazardous waste, but PP himself has admitted in Compliance Report dated 31.05.2017 at Page-5 of said report at item (xvi) that there is generation of hazardous waste from the project.
- d. It is submitted that, as per condition No. 9 page-5 of this CTO, PP was bound to make application for renewal of consent to operate at least 60 days prior to expiry of this CTO. But PP failed to such application for renewal.
- e. It is submitted that, as per condition No. 11 page-5 of this CTO, PP was bound to comply with the Conditions of EC dated 07.10.2011. But PP has violated the same.
- f. Therefore PP has committed violation of Consent to Operate dated 25.11.2013.



Copy of Consent to Operate dated 25.11.2013 is attached herewith and marked as ANNEXURE-A-11, [Page-123 to 127].

28. DEMARCATION PLAN DATED 29.09.2014 ISSUED BY PCMC SHOWING FLOOD LINE AFFECTED AREA OF THE GREEN BELT, STP RESERVATION, 18 MTRS D.P. ROAD & 24 MTRS D.P. ROAD:

- a. It is submitted that, the PCMC has issued the demarcation plan vide No. BP/Chikhali/56/2014 dated 26.09.2014 to the entire project land at Gut No. 90 showing the manipulated flood line marking, stone quarry, green belt, STP reservation, 18 Mtrs D. P. Road, 24 Mts. D. P. Road affected by blue flood line, Raised Open spaces A, B, C, D & E, Amenity Spaces etc.
- b. It is submitted that, the area of the above stated reservations of Green belt, STP, raised open spaces, D.P. Roads and amenity space are given below:

Sr.	Description	Area (M <sup>2</sup> )
1.	Stone Quarry	Not Disclosed
2.	18 Mtrs. D. P. Road	Not Disclosed
3.	24 Mtrs. D. P. Road	Not Disclosed
4.	Raised Open Space-A	2020.92
5.	Raised Open Space-B	5266.49
6.	Open Space-C	1988.14
7.	Open Space-E	338.35
8.	Amenity Space	5077.95
9.	Green Belt	42934.69
10.	STP Reservation-1/130	42747.07

- c. It is submitted that, the Respondent No. 17-PP M/s. River Residency Developers has carried out the illegal construction of parking complexes on RG area (Open Spaces) in violation of

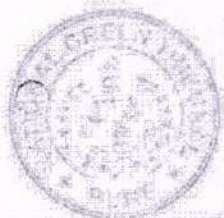


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terms and conditions of EC dated 07.10.2011. It is important to provide such Open Spaces / RG area on virgin land mandatorily and therefore, the construction of parking complexes and providing of raised open spaces is not tenable in the eyes of law.

- d. It is submitted that, the Respondent No. 17-PP M/s. River Residency Developers has dumped the solid waste generated from the excavation and construction of more than 200000 Sq. Mtrs. is dumped on the Green Belt reservation of an area admeasuring to the tune of 42934.69 Sq. Mtrs. and STP Reservation area admeasuring to the tune of 42747.07 Sq. Mtrs. and both these reservations are affected by the prohibited blue flood line of Indrayani River.
- e. It is submitted that, the Respondent No. 12-M/s. Jare Group and Respondent No. 13-V Square has proposed the illegal bungalow project with construction internal bungalow boundary, Boundary wall of project land i.e. green Belt and One Bungalow in connivance of Respondent No. 17-PP M/s. River Residency and Respondent-PCMC & Irrigation Department.
- Copy of the demarcation plan obtained by Respondent No. 17-PP M/s. River Residency dated 26.09.2014 is attached herewith and marked as ANNEXURE-A-12 [Page-128].
29. PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF SECOND CONSENT TO OPERATE DATED 06.11.2015:



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- g. It is submitted that, as PP has procured this Second CTO on 06.11.2015 against his application dated 07.04.2015, so there was no CTO from 01.02.2015 to 05.11.2015 and PP has operated the project without Consent to operate.
- h. It is submitted that, this CTO was granted for 79847.36 Sq. Mtrs out of 239049.92 M<sup>2</sup>. But completed built-up area was more than this.
- i. It is submitted that, this second Consent to Operates was procured on 06.11.2015 and same was valid for the period upto 31.01.2017.
- j. It is submitted that, as per condition No. 12 page-6 of this CTO, PP was bound to make application for renewal of consent to operate at least 60 days prior to expiry of this CTO. But PP failed to such application for renewal and renewal application was made on 07.04.2015 to obtain this consent.
- k. It is submitted that, as per condition No. 9 page-2 of this CTO, PP was bound to comply with the Conditions of EC dated 07.10.2011. But PP has violated the same.
- l. Therefore PP has committed violation of Consent to Operate dated 06.11.2015.
- Copy of Consent to Operate dated 06.11.2015 is attached herewith as ANNEXURE-A-13, [Page-129 to 134].
30. APPLICATION DATED 03.02.2017 FOR AMENDMENT IN ENVIRONMENT CLEARANCE
- a. In above circumstances of violations of terms and conditions of previous EC Vide No. SEAC-2011/CR.620/TC.2 dated



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07.10.2011, and non-complying to the directions stipulated in the previous EC by project proponent.

- b. It is submitted that, the Environment Department, SEAC, SEIAA, MPCB were informed and their attention were invited towards the application dated 03.02.2017 for amendment in EC to regularize the illegal construction and to take appropriate decision as per the law as in view that there will not be further damage to environment & ecology as there is serious violation by the project proponent in his building construction project and caused the substantial damage to surrounding environment & ecology.

Copy of the Application dated 10.02.2017 for revised EC is attached herewith and marked as ANNEXURE-A-14, [Page-135 to 248].

**31. PHOTOGRAPHS DATED 15.04.2017 SHOWING DUMPING OF CONSTRUCTION WASTE BY M/S. RIVER RESIDENCY:**

- a. It is submitted that, the M/s. River Residency were started their construction near about 2012 and started dumping of construction waster and excavated waste material on the green belt of remaining land in the same survey number on which the present bungalow project is under construction.
- b. It is submitted that, the photographs from Photo No. 05/28 to 12/28 dated 15.04.2017 clearly shows the ongoing dumping of the construction waste on the Green Belt and STP reservation plot is done by the M/s. River Residency (JV) on which Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s.



V Square i.e. Project Proponents have under taken bungalow plotting & its construction.

- c. It is submitted that, the photographs from Photo No. 25/28 to 26/28 dated 15.04.2017 clearly shows illegal installation of RMC plant causing air pollution in the area and Photo No. 27/28 to 28/28 dated 15.04.2017 clearly shows air particles spared over the area causing air pollution M/s. River Residency (JV).

A Copy of the Photographs dated 15.04.2017 of the project sites captured by the applicant with "Canon Power shot A470" are attached herewith and marked as ANNEXURE-A-15 (Page-249 to 262).

**32. FALSE AND MISLEADING COMPLIANCE REPORT DATED 31.05.2017:**

- a. It is submitted that, the PP has submitted the compliance report wrt to the EC dated 07.10.2011 after filling of complaint with Respondent Authority to overcome the violation and he himself is admitted that the excavated material and construction waste generated from the project site is used within site for levelling, hazardous waste & bituminous material generated from site is handed over to the vendor but no vendor is disclosed, till compliance only 603 out of 1300 trees, no ground water is extracted, No deviation in project.
- b. It is submitted that, the PP has parking area of 28173 M<sup>2</sup> against the restricted parking area of 57,272.80 M<sup>2</sup> and same is illegal parking complex area constructed on 10% RG Area.



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Copy of the compliance report dated 31.05.2017 is attached herewith and marked as ANNEXURE-A-16, [Page-263 to 278].

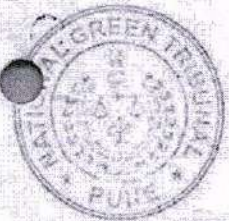
**33. PHOTOGRAPHS DATED 09.06.2017 SHOWING DUMPING OF CONSTRUCTION WASTE BY M/S. RIVER RESIDENCY:**

- (i) It is submitted that, the M/s. River Residency were started their construction near about 2012 and started dumping of construction waster and excavated waste material on the green belt of remaining land in the same survey number on which the present bungalow project is under construction.
- (ii) It is submitted that, the photographs from vide Photo No. 07/62, 15/62, to 21/62 dated 09.06.2017 clearly shows the ongoing dumping of the construction waste on the Green Belt and STP reservation plot is done by the M/s. River Residency (JV) on which Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents have under taken bungalow plotting.
- (iii) It is submitted that, the photographs from vide Photo No. 21/62 to 31/62 dated 09.06.2017 clearly shows the illegal construction of Ghat or so called nature park in to the Indrayani River bed creating pollution and obstacle to the water flow by M/s. River Residency (JV).
- (iv) It is submitted that, the photographs from vide Photo No. 32/62 to 38/62 dated 09.06.2017 clearly shows illegal dumping of the hazardous waste like Gypsum, POP, Cement & Concrete generated from the Construction of M/s. River Residency (JV),



specifically Photo No. 36/62 showing tractor carrying construction waste for dumping into river bed.

- (v) It is submitted that, the photographs from vide Photo No. 40/62 to 52/62 dated 09.06.2017 clearly shows green belt reservation area affected by prohibited blue flood line under construction waste dumping and trees standing there, on which illegal bungalow plotting construction is done by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents.
- (vi) It is submitted that, the photographs from vide Photo No. 53/62 to 54/62 dated 09.06.2017 clearly shows storage of Cement yard and cement blocks storage into in to Indrayani River bed by Respondent No. 11-M/s. River Residency (JV).
- (vii) It is submitted that, the photographs from vide Photo No. 55/62 to 60/62 dated 09.06.2017 clearly shows storage of construction waste dumping into in to Indrayani River bed by M/s. River Residency (JV).
- (viii) It is submitted that, the photographs from Photo No. 61/62 to 62/62 dated 09.06.2017 clearly shows illegal installation of RMC plant causing air pollution in the area and air particles spared over the area causing air pollution M/s. River Residency (JV) and also shows the equipments like tractors, JCB utilised for construction waste dumping.
- Copy of the Photographs dated 09.06.2017 of the project sites captured by the applicant with "Canon Power shot A470" are



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attached herewith and marked as ANNEXURE-A-17 (Page-279 to 309).

34. RESPONDENTS WERE REQUESTED TO TAKE APPROPRIATE LEGAL ACTION AGAINST THE PP FOR RESTORATION AND RESTITUTION OF THE ENVIRONMENT AND ECOLOGY DAMAGED BY THEM INTENTIONALLY VIDE NOTICE DATED 05.07.2017:

- a. It is submitted that, this applicant were sent legal notice/ Complaint to the various respondent government authorities for further legal actions on 05.07.2017, but none of the respondent authorities acted diligently.
- b. It is submitted that, the Respondents authorities herein where called for initiate legal action:

*"All Noticee are called upon to take legal action against the Project Proponents as per the law for the violations committed by them and in view to stop further damage and degradation caused by PP to environment and ecology on priority. In addition to that further legal actions against Project Proponent needs to be initiated by PCMC for violations of DC rules, MR & TP Act and taking benefits of illegal FSI & TDR of Non-Development zone by misleading the authorities."*

- c. It is submitted that, the PCMC has made called false and misleading reply from PP and there is no action till date.
- d. It is submitted that, the SEIAA has issued show cause notice & proposed directions dated 29.08.2019 under section-5 of EPA Act-1986 and but there is no action till date.



- e. It is submitted that, the MPCB has issued warning notice dated 14.04.2018 and but there is no action till date.
- f. It is submitted that, there is no action from Water Resource department for dumping of construction waste, illegal construction in prohibited zone of blue flood line till date.
- g. Therefore the gross negligence of the authorities cannot be tolerated to protect the public at large.

Copy of the Notice dated 05.07.2017 sent to the government authority including PP for their illegality, is attached herewith and marked as ANNEXURE-A-18, (Page-310 to 368).

35. MINUTES OF 63<sup>RD</sup> SEAC-III MEETING FOR AMENDMENT IN EC:

- a. It is submitted that, the SEAC-III considered the application dated 10.02.2017 for amendment in EC in its 63<sup>rd</sup> Meeting and ToR were issued. Said ToR has no reference to the flood line of Indrayani River, there is no site visit for compliance of existing construction in view to cross check the compliance of previous EC.
- b. It is submitted that, the SEAC-III has ignored the disposal of construction waste and its dumping in River Bed in green belt reservation for reclamation of land.
- c. It is submitted that, the SEAC-III has ignored the illegal construction of parking complex on RG Area and no RG area is provided on virgin Land.



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S. No. 7555  
New at Due On  
14/1/2024

AMENDMENT OFFICE

- d. It is submitted that, the SEAC-III has issued the ToR for 37 points but excluding the Ground Water Extraction, Concretization of entire plots and this act indicates the gross negligence of the SEAC-III committee.

Copy of the Minutes of 63<sup>rd</sup> SEAC-III meeting dated 11.09.2017 is attached herewith and marked as ANNEXURE-A-19 [Page-369 to 383].

**36. FALSE AND MISLEADING REPLY OF PP & HIS ARCHITECT DATED 13.09.2017 TO THE NOTICE OF THIS APPLICANT:**

- a. It is submitted that, the PCMC provided the copy of reply submitted by PP dated 13.09.2017 wrt to the complaint of this applicant on 09.02.2018. It is to be noted that, the PP has filed absolutely false and misleading reply as expected by the corrupt bureaucrats of the PCMC. Even the higher bureaucrats from state ministry also seating in line with their subordinates or they are closing their eyes having chain of corruption between them.
- b. Important facts admitted, omitted, suppressed by in his reply dated 13.09.2017 are given below.
- (i) Admitted that, the Project of Respondent No. 15 is affected by Stone Quarry of an area admeasuring 5289.95 Sq. Mtrs out of 6388.24 Sq. Mtrs. and remaining area is located in Green Zone. In actual the stone quarry area is more than 8840 Sq. Mtrs. and is in the project area and 18 Mtrs. DP Road passing though the Project land.



{Ref: Para-2 & 3, Page-8 of PP reply}

- (ii) No such stone quarry is not marked on DP Plan, Land Record Plans and Zone Plan. Stone Quarry is falling in residential Zone and therefore PP has utilised its full FSI. In fact, this is illegal stone quarry and PP cannot take benefits on both accounts by sale of minerals and further claiming its FSI for raising illegal construction. Basically PP in connivance with Corrupt PCMC officer has played this fraud.

{Ref: Para-1 (i) to (iv), Technical Aspects- (a) to (c), Page-9 of PP reply}

- (iii) PP has admitted there are bore wells in the project and refused to take responsibility of same and PP stated that the bore wells are dug by Residents members of the society. In fact PP has dug these bore wells and has also utilised the ground water extracted for construction purpose.

{Ref: Page-11, Para- (d) of PP reply.

- (iv) PP has stated that, the Net Plot area is 79406.61 Sq. Mtrs. and ground coverage is 14128.34 Sq. Mtrs. but in fact Net Plot Area is 70641.68 Sq. Mtrs. and actual ground coverage is 20866.81 Sq. Mtrs. PP has provided false area statement calculation by suppressing the stone quarry area as non-development area as per the Appendix stated in DC Rules of PCMC.



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{Ref: Page-12, Para-1 & 2 of PP reply}

- (v) PP admitted that the total area of Gut No. 90 is 231000 Sq. Mtrs. and total plot area of the project is 144000 Sq. Mtrs. as the various joint venture agreements.
- (vi) PP has misled on account of net plot area and mentioned total net plot area is 79409.61 Sq. Mtrs. as the Deduction for proposed road is shown as 25207.30 Sq. Mtrs. in table-4, but PCMC sanction plan shows 26791.30 Sq. Mtrs. Therefore the net plot area calculations are wrong & false.
- (vii) PP is misleading on account of dumping of construction waste in green zone and STP reservation by stating that, the said land is outside purview of Joint Venture of 144000 Sq. Mtrs. but in fact the One of the JV partner Dilip Choradiya has holding the land of STP reservation and to protect his land this Respondent No. 15 has dumped the waste in Indrayani River and in blue flood line on which Respondent No. 12 & 13 are developing bungalow project.
- (viii) Top soil preservation is not done and GRIHA Organisation is not appointed to monitor the compliance of EC, but certification of GRIHA is procured for getting benefits of reimbursement of premium payments from PCMC. However the GRIHA certification clearly shows that, there is only 3 star rating to the project out of 5 star



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rating. This means there is no compliance to the 2 star. Which is no tolerable.

{Ref: Page-18, Para-iii of PP reply}

- (ix) PP has admitted that he has constructed Stone Wall, which is prohibited in EC condition under "Energy Conservation", Green Boundary wall is not constructed at site.

{Ref: Page-19, Para-ii-Green Boundary Wall of PP reply}

- (x) PP has misled on account of Green Cover Area of 12152.05 Sq. Mtrs. but in fact there is construction of Parking complexes on the Green Cover Area and raised Green Area is provided which is not permissible as per the Environment Clearance dated 07.10.2011. Also the so called Nature Park of 4000 Sq. Mtrs. is constructed in Prohibited Zone of Blue Flood Line of Indrayani River.

{Ref: Page-19, Para-ii-Green Belt Development of PP reply}

- (xi) PP has admitted that there is ground water extraction from bore wells at project site.

{Ref: Page-20, Para-g (ii) of PP reply}

- (xii) PP has admitted that, he has provided 10% raised Open Space as per DC Rules, Basically this raised Open Space is in violation of EC condition and EC dated 07.10.2011 do not permits to provide the raised Open Space and this is serious environmental issue. PCMC Commissioner



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circular dated 15.01.2007 is not the law passed in the Parliament to overrule the provisions of EC Conditions.

{Ref: Page-27 & 28, Para-a & b of PP reply}

- (xiii) PP has admitted that, he has constructed "River Ghat" on 4000 Sq. Mtrs. area with walking pathways and lawns as permissible under DCR and necessary permission for boat club have been obtained from concerned authority. In fact no such construction in blue flood line is permissible and no authority have power to issue any permission for boat club.

{Ref: Page-34, Para-1 & 2 of PP reply}

- (xiv) PP has admitted the installation of the RMC plant. And at the time of reply PP has no requisite permission from concern authority to operate this RMC plant.

{Ref: Page-35, Para-a of PP reply}

- (xv) PP has misled on account of Non-agricultural permission and there is no mention of revised NA Permission. But the total NA-permission area is increased from 124000 Sq. Mtrs to 131000 Sq. Mtrs. and also residential purpose is converted into mixed use of residential as well as commercial with amenity of school etc.

{Ref: Page-37, Para-a to c of PP reply}

- (xvi) PP is misleading on account of Nala No. 23 by taking support of D.P. Plan and therefore Irrigation Flood line



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maps clearly shows the Nala No. 23 passing through Gut No. 23 and it is clear that PP has blocked this Nala No. 23 by dumping of construction waste and illegal construction of Buildings, roads, and River Ghat.

{Ref: Page-39 & 40, Para-a to b of PP reply}

(xvii) PP has misled on account of illegal building construction of 200 flats and 4 building and this illegal construction is due to illegal increase in FSI and net plot area by suppressing the total non-development area of the stone quarry. Therefore the construction carried out by suppressing the area of stone quarry is illegal and PP cannot take benefits on both count by carrying illegal stone quarry and sale of its minerals and FSI benefits.

{Ref: Page-45, Para-a to b of PP reply}

- c. It is submitted that, the PCMC provided the copy of reply dated Nil submitted by architect of PP wrt the Complaint / Notice dated 05.07.2017, which is absolutely false and misleading.

Sr.	Allegations in Complaint	Reply of Architect of PP
iv.	Illegal Construction of parking complex on mandatory 10% Open Space in total violation of conditions in Environment clearance	Open Space as per sanctioned raised open space with covered parking
vi.	Illegal construction on account of FSI benefits for Stone Quarry for an area admeasuring 8840 Sq. Mtrs is Non-Development Zone	Quarry shown as per sanctioned plan and no construction on it. FSI taken as per Zone.
vii.	Farce marking of Blue Line and read line on DP plan to provide illegal help for project construction in blue line	Blue Line and Red Line as per TP Opinion received from TP office vide no. TP/CD/Chikhali/170/10, dated



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10 JAN 2017

		12/08/2010
viii.	Illegal Construction in Blue Line	There is no construction in blue line
xii.	Illegal increase in Ground Coverage Area as against 15985.24 Sq. Mtrs	Ground Coverage Area is 13030.39 sq. mtrs. as per sanctioned Plan
xvi.	Nala No. 23 shown on Irrigation Plant and passing from the project land is completely closed by dumping of construction waste	Development is done on site as per the sanctioned Plan
xvii.	Reservations Affected by Blue Line in the various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated out of Blue Line Area to avoid the damage to environment and ecology.	All reservations is as per Development Plan of PCMC & TP Opinion received from TP office vide No. TP/CD/Chikhali/170/10, dated 12/08/2010

d. It is submitted that, the high confidence to file such false baseless, cursory, casual, unscientific and misleading reply by professional like this Respondent No. 16-Architect is due to their unholy nexus with the corrupt bureaucrats from the PCMC acting as agent of the polluter Project Proponents and these officers are acting against the duty casted upon them by law and this is only for getting benefits other than remuneration.

Copy of the PP & his Architect reply dated 13.09.2017 is attached herewith and marked as an ANNEXURE-A-20, [Page-384 to 431].

37. ILLEGAL INSTALLATION AND OPERATIONS OF THE RMC PLANT AT SITE WITHOUT DUE PERMISSION FROM THE MPCB:



- a. It is submitted that, the Respondent No. 17-PP has illegally installed the Ready Mix Plant (RMC) for preparation of concrete to be utilised for his construction of the said project without prior permission from the Pollution Control Board.
- b. It is submitted that, it is mandatory to obtain the prior consent to establish under section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.
- c. It is submitted that, it is mandatory to obtain the prior consent to operate under section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.
- d. It is submitted that, the Respondent No. 17-PP has not obtained the Consent to establish and consent to operate for installation and operation of this RMC Plant from 01.01.2012 to 24.09.2017.
- e. It is submitted that, the Respondent No. 17-PP has not followed the norms of pollution control board and given rise to Air Pollution, Noise Pollution, Dust Pollution and Water Pollution for more than five years since 01.01.2012 to 24.09.2017 etc.
- f. It is submitted that, the Respondent No. 17-PP has procured the Consent to Operate on 25.09.2017 from MPCB in illegal manner and after the complaint of the this Applicant dated 05.07.2017.
- g. It is submitted that, the Respondent No. 17-PP has admitted in his application for revised EC that, he has carried out construction of BUA 199000 M<sup>2</sup> and the required quantity of



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concrete comes to the tune of 30327.6 Cu. Mtrs. for this construction

- h. Therefore it is clear that, the Respondent No. 17-PP has cause irreparable & substantially damage to the environment & ecology by illegal operation of RMC Plant from 01.01.2012 to 24.09.2017.

Copy of the Consent to Operated dated 25.09.2017 is attached herewith and marked as ANNEXURE-A-21 {Page-432 to 436}.

**38. TOTAL BUA OF EXPANSION VIDE PCMC SANCTION DATED 15.11.2017:**

- a. It is submitted that, the Respondent No. 17-M/s. River Residency procured the revised building sanction vide no. B.P./F.P./Chikhali/29/2017 dated 15.11.2017 and decided to expand the project with following configuration:

Sr.	Description	Quantity
1.	Buildings	N3, N4, S, T, U, V
2.	Proposed FSI (M <sup>2</sup> )	32972.52
3.	Balcony (M <sup>2</sup> )	4950.48
4.	Terrace (M <sup>2</sup> )	2644.06
5.	Stair-Paid (M <sup>2</sup> )	988.18
6.	Stair-Free (M <sup>2</sup> )	1213.88
7.	Passage-Paid (M <sup>2</sup> )	5003.45
8.	Lift-Paid (M <sup>2</sup> )	58.84
9.	Parking (M <sup>2</sup> )	41601.86
10.	Refugee-N3 (M <sup>2</sup> )	141.06
11.	Refugee-N4 (M <sup>2</sup> )	166.00
12.	Refugee-S (M <sup>2</sup> )	116.65
13.	Refugee-T (M <sup>2</sup> )	138.90
14.	Refugee-U (M <sup>2</sup> )	166.89
15.	Refugee-V (M <sup>2</sup> )	124.35
16.	Total Proposed BUA (M <sup>2</sup> )	90287.12
17.	Existing FSI (M <sup>2</sup> )	101706.21
18.	Total BUA (M <sup>2</sup> )	191993.3



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21.	OWC	164
22.	Substation	706.07
23.	Security Cabin	30
24.	Sump Area	116.05
25.	Non-Accessible Terrace	5500.00
26.	Temple	10
<b>Proposed BUA (Now Completed)</b>		
27.	Proposed FSI	33096.78
28.	Balcony	4962.14
29.	Terrace	2541.70
30.	Stair-Paid	988.18
31.	Stair-Free	1213.88
32.	Passage-Paid	5061.11
33.	Lift-Paid	71.40
34.	Parking Proposed	16164.56
35.	Refugee	1016.31
36.	Club House-3	53.98
37.	<b>Total BUA</b>	<b>263805.59</b>

- b. It is submitted that, the Respondent No. 17-PP M/s. River Residency is misleading on account of total BUA of project by suppressing illegal parking complexes on RG Area and total BUA of project is 263805.59 M<sup>2</sup>.

Copy of the revised building sanction vide no. B.P./ENV/1/2018 dated 15.05.2018 is attached herewith and marked as ANNEXURE-A-26, (Page-443).

41. PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF THIRD CONSENT TO OPERATE DATED 02.08.2018:

- a. It is submitted that, the It is submitted that, as PP has procured this third CTO on 02.08.2018 against his application dated 28.08.2016 & 14.02.2017, so there was no CTO from 01.02.2017 to



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01.08.2018 and PP has operated the project without Consent to operate.

- b. It is submitted that, this CTO was granted for 194583.38 Sq. Mtrs out of 239049.92 M<sup>2</sup>. But completed built-up area was more than this.
- c. It is submitted that, this third Consent to Operates was procured on 02.08.2018 and same was valid for the period upto 31.01.2020.
- d. It is submitted that, as per condition No. 10 page-6 of this CTO, PP was bound to make application for renewal of consent to operate at least 60 days prior to expiry of this CTO. But PP failed to file such application for renewal.
- e. It is submitted that, as per condition No. 11 page-2 of this CTO, PP was bound to comply with the Conditions of EC dated 07.10.2011. But PP has violated the same.
- f. Therefore PP has committed violation of Consent to Operate dated 02.08.2018.

Copy of Consent to Operate dated 02.08.2018 is attached herewith as ANNEXURE-A-27, [Page-444 to 449].

42. PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF CONSENT TO ESTABLISH DATED 14.08.2018:

- a. "(iv) PP shall install online monitoring system for the parameters BOD, SS and flow at the outlet of STP." PP has not installed online monitoring System.



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- b. "(v) PP shall achieve the treated domestic effluent standard for the parameter BOD- 10 mg/lit.", PP has not achieved standard.
- c. Therefore PP has committed violation of Consent to Establish dated 14.08.2018.

Copy of Consent to Establish dated 14.08.2018 is attached herewith as ANNEXURE-A-28, {Page-450 to 455}.

**43. MINUTES OF 68<sup>TH</sup> SEAC-III MEETING FOR AMENDMENT IN EC:**

- a. It is submitted that, the SEAC-III considered the application dated 10.02.2017 for amendment in EC in its 68<sup>th</sup> Meeting held on 23.08.2018 for appraisal and decided to recommend the proposal for grant of EC. PP has admitted that the total plot area of 231000 Sq. Mtrs. is deducing area and therefore SEAC-III sought revised consolidated Statement.
- b. It is submitted that, the SEAC-III imposed the conditions of showing distance and space left for SWD, Plantation of trees, Compound Wall, implementation of renewable energy along with terrace plan etc.
- c. It is submitted that, the SEAC-III appraisal is casual, cursory, and unscientific and there is no site visit to check the actual violations of PP.

Copy of the Minutes of 68<sup>th</sup> SEAC-III meeting dated 23.08.2018 is attached herewith and marked as ANNEXURE-A-29 {Page-456 to 470}.



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44. MINUTES OF 146<sup>TH</sup> SEIAA MEETING FOR AMENDMENT  
IN EC:

- a) It is submitted that, the SEIAA considered the proposal in its 146<sup>th</sup> meeting held on 05.12.2018 and blindly decided to grant the EC for: FSI area: 134802.99 m<sup>2</sup>, Non FSI area: 109448.75 m<sup>2</sup> & Total BUA: 244251.74 m<sup>2</sup> on the condition of submission of energy saving calculations, water balance statement, CER Plan.
- b) It is submitted that, the total RG Area shown in item#43 of this minutes is 16152.05 Sq. Mtrs. after excluding the 4000 Sq. Mtrs. of illegal nature park construction in prohibited blue flood line RG Area come to the 12152.05 Sq. Mtrs. but the PP has carried out the illegal construction of parking complexes on the RG Area. No such parking complex is permitted on RG area in this EC or no such raised RG area is permissible in this EC.
- c) It is submitted that, the total parking area shown at item# 53 traffic management in meeting is to the tune of 48576.80 Sq. Mtrs. accommodating 4808 number of 2-wheelers and 1206 numbers of 4-wheelers. Whereas PCMC sanction plan dated 15.05.2018 have mentioned 43544.56 Sq. Mtrs. (16164.56+27380) accommodating 4808 number of 2-wheelers and 1206 numbers of 4-wheelers. There is no sanction to the tune of total parking area of 5032.24 Sq. Mtrs.
- d) It is submitted that, the SEIAA intentionally and deliberately avoided to take cognizance of the complaint dated 05.07.2017 against this project.



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Copy of the Minutes of 147<sup>th</sup> SEAC-III meeting dated 05.12.2018 is attached herewith and marked as ANNEXURE-A-30, [Page-471 to 485].

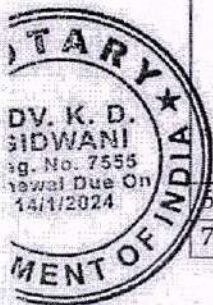
45. ILLEGAL GRANT OF AMENDED EC AND PP HAVE COMMITTED VIOLATION OF TERMS AND CONDITIONS OF EC DATED 03.01.2019:

- a. It is submitted that, the SEIAA suppressed the item No# 43 Green Belt Development i.e. RG Area while granting this EC.
- b. It is submitted that, the SEIAA suppressed the item No# 53 Traffic Management i.e. total parking area while granting this EC.
- c. It is submitted that, the SEIAA issued the EC on 03.01.2019 on condition No. "LV: This EC is granted for FSI area 134802.99 m<sup>2</sup>, Non FSI area: 109448.75 m<sup>2</sup> & Total BUA: 244251.74 m<sup>2</sup>."
- d. It is submitted that, the drastic change in the project and false & misleading calculations of PP can be seen from below table:

Sr.	Description	EC-07.10.2011	EC-03.01.2019
1.	Name of Project	"River Residency" by M/s River Residency	"River Residency" by M/s River Residency Developers
2.	Location	Gat No. 90	Gat No. 90 & 75 Part
3.	Note on the initiated work		1,89,291.66 m <sup>2</sup> out of 2,39,049.92 m <sup>2</sup>
4.	Total Plot Area	231000	232584.00 M <sup>2</sup>
5.	Deductions	Not disclosed	153174.40 (including Reservation Area 8733.89, Green Belt including nature Park to be handed over 42934.69 and STP reservation 42747.07)
6.	Net Plot area	101891.43	79409.60
7.	FSI area	145241.63	134802.99



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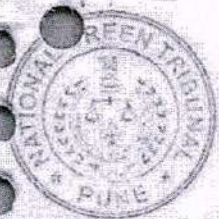
8.	Non FSI area	93808.29	109448.75
9.	Total BUA area	239049.92	244251.74
10.	Total ground coverage	15985.24	14776.33
11.	Ground-coverage Percentage	Not disclosed	18.60
12.	Total Buildings	32	Supressed while granting EC, 146 <sup>th</sup> SEIAA meeting: 28 Club House-1, 2 & 3
13.	Floors	Stilt +12 & G+11	Supressed while granting EC, 146 <sup>th</sup> SEIAA meeting: P+12,
14.	Tenements	Flats: 2259 Shops: 39	Supressed while granting EC, 146 <sup>th</sup> SEIAA meeting: 2379-Tenements; 39-Shops
15.	Population	Not disclosed	Supressed while granting EC, 146 <sup>th</sup> SEIAA meeting: 12025 people
16.	Nearest fire	Not disclosed	PCMC Fire Station - 10km away from proposed site.
17.	Total Water Requirement (CMD)	1599	1694
18.	Swimming Pool	Not disclosed	Phase-1: 2,05,000 lits Phase-3: 43,200 lits
19.	Waste Water	1378	1469 KLD
20.	Rain Water Harvesting	Water Body: 3500 Sq. Mtrs. 20 No. of recharge pits	One quarry having capacity 30,000m <sup>3</sup> Existing: 7 pits (Phase III) Proposed:13 pits (Phase IV)
21.	Sewage and Waste water	Two STP: 820 & 575 SAFF	Two streams of 750m <sup>3</sup> each; Total 1500m <sup>3</sup> , MBBR
22.	Waste generation in the Pre Construction and Construction phase:	Construction waste reused for back filling, Top Soil shall be preserved, Segregation of dry & wet waste, Dry waste to recyclers	81,257m <sup>3</sup> Quantities shall be reused for filling if remained shall be disposed to authorized recycler.



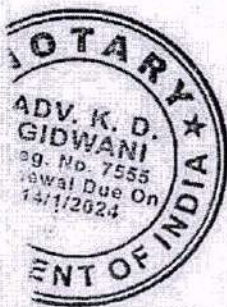
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		Wet waste treated in OWC Sludge as manure Waste Oil form DG sets to authorised agencies	
23.	Waste generation: Dry	1582	2091, Handed over to PCMC
24.	Waste generation: Wet	3582	3412, Smart Organic waste composter
25.	STP Sludge	207	89
26.	DG Sets	5	6
27.	Power requirement: Demand load	12000 kVA	8005KW / 8548 KVA
28.	Energy Conservation Measures	CFL for common area Transformers & Motors of high Efficiency Electronic Ballasts Solar Power for water heating Fly ash bricks & pavement blocks Green Boundary Wall instead stone wall	LED for common area lighting: 37% Solar powered water heating: 5,994 KW
29.	Green Belt Development	Green Cover Area: 10543.80	Total RG area : 16,152.05 m2 (including 4000 Sq. m area of Nature Park)
30.	Number of trees to be planted:	1300	1327
31.	Total Parking area:	28173	48576.80
32.	2-Wheelers:	4616	4808
33.	4-Wheelers	1146	1206



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- e. It is submitted that, there is drastic increase in the all the environmental parameters and PP has violated the terms and condition of this EC dated 03.01.2019 on account of illegal parking complexes on RG Area, dumping of construction waste

in river, Ground Water Extraction, increase in total BUA, increase in ground coverage, illegal stone quarry etc.

A copy of the Environment Clearance dated 03.01.2019 is attached herewith and marked as an ANNEXURE-A-31, [Page-486 to 499].

46. FARCE OF SHOW CAUSE NOTICE DATED 15.06.2019 BY MR. ANIL DIGGIKAR, MS-SEIAA & PS-DoE:

a. It is submitted that, the MS-SEIAA & PS-DoE has issued the show cause notice dated 15.06.2019 wrt to the notice/ complaint dated 05.07.2017, which is after the lapse of the 2 years. However there is no action from MS-SEIAA & PS-DoE and it is just farce & show off of action taken.

b. It is submitted that, the Respondent No. 4-Mr. Anil Diggikar in connivance with his office bearer has done illegal activity prohibited under Prevention of Corruption Act, 1986. To protect the PP by non-action.

Copy of the show cause notice dated 15.06.2019 is attached herewith and marked as ANNEXURE-A-32, [Page-500 to 501].

47. NO PERMISSION FOR GROUND WATER EXTRACTION, NO GROUND WATER TEST AND NO PERMISSION FOR CONSTRUCTION OF BASEMENTS:

a. It is submitted that, the PP has to obtain the prior permission for ground water extraction and PP has not obtained any permission for ground water extraction from the Competent Authority. In fact there is no permission for ground water extraction.



- b. It is submitted that, the PP has drilled 5 bore wells from which PP is extracting water for construction and daily without any permission from the authority.
- c. It was obligatory on part of PP to check ground water level & its quality alongwith permission to draw ground water. PP has not obtained any such permission for extraction of ground water and also not conducted any ground water test.
- d. It is submitted that, the PP without any environment assessment is continuously extracting ground water from five bore wells and thus PP has committed serious violation.

**48. PP HAS NOT PRESERVED TOP SOIL AMOUNTING TO VIOLATION OF EC CONDITION:**

- a. It is submitted that, the soil from top layer shall be preserved and utilized for the development of recreational spaces and tree plantation. But the PP has constructed the parking complex on the 10% open spaces and there is plantation of the tree as directed by the environment department in the EC.
- b. It is submitted that, the PP has dumped construction waste in the river bed & green belt and covered the top soil contaminating with construction waste.
- c. It is submitted that, the Area of the plot as alleged by the PP is 215000 M<sup>2</sup> & the area of the stone quarry is 8840 M<sup>2</sup> and therefore the total project land area is admeasuring to 206160 M<sup>2</sup> and the top soil layer on project site is 2.5 Mtrs. and therefore the total soil quantity damaged is 515400 Cu. Mtrs.



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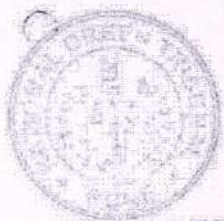


49. PP HAS NOT PLANTED TREES AS PROMISED IN EC AND ITS AMOUNTS TO VIOLATION

- a. As per the Environment clearance no. SEAC-2011/CR.620/TC.2 dated 07.10.2011, the PP promised to plant 1300 trees for development of green belt and as per the EC dated 03.01.2019 PP has promised to plant 1327 trees, but PP have not planted the tree as per the EC Conditions.
- b. It is submitted that, the PP has made illegal construction of the parking complex on the 10 % mandatory RG-Open Spaces and no space for tree plantation is provided on virgin land.
- c. It is submitted that, the both ECs have not permitted to provide the RG Area or Open Space on podium and therefore there is no tree plantation carried out by PP to the tune of 1327 as directed in EC dated 03.01.2019.

50. PHOTOGRAPHS DATED 17.12.2019 SHOWING DUMPING OF CONSTRUCTION WASTE BY M/S. RIVER RESIDENCY AND ILLEGAL CONSTRUCTION OF BUNGALOW PROJECT BY RESPONDENT NO. 12- M/S. JARE WORLD & RESPONDENT NO. 13-M/S. V SQUARE:

- a. It is submitted that, the M/s. River Residency were started their construction near about 2012 and started dumping of construction waster and excavated waste material on the green belt of remaining land in the same survey number on which the present bungalow project is under construction.
- b. It is submitted that, the photographs from Photo No. 01/08 dated 17.12.2019 clearly shows ongoing illegal construction of



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One Bungalow, Photo No. 02/08 to 06/08 dated 17.12.2019 clearly shows ongoing illegal construction of compound wall, bungalow plot boundaries etc. and Photo No. 07/08 & 08/08 are showing hoardings, advertisement, display at project site. Copy of the Photographs dated 17.12.2019 of the project sites captured by the applicant with Samsung phone having model no. "SM-M307F" are attached herewith and marked as ANNEXURE-A-33 [Page-502 to 506].

51. PHOTOGRAPHS FROM FACEBOOK ACCOUNT OF M/S. JARE WORLD SHOWING ILLEGAL CONSTRUCTION OF BUNGALOW PROJECT BY RESPONDENT NO. 12- M/S. JARE WORLD & RESPONDENT NO. 13-M/S. V SQUARE:

- a. It is submitted that, the photographs uploaded by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents on the Facebook account of M/s. Jare World having web link address "<https://www.facebook.com/media/set/?vanity=jareworld&set=a.2310738055699992>" clearly shows ongoing illegal construction of boundary wall, compound wall, one bungalow, asphalt roads, site office, online advertisement of project etc. at the project site carried out by Respondent No. 12-M/s. Jare World & Respondent No. 13-M/s. V Square i.e. Project Proponents and this is illegal act is admitted by these project proponents themselves.

Copy of the site photographs downloaded by Project Proponents on their Facebook account and down loaded by this



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Applicant are attached herewith and marked as ANNEXURE-A-34 [Page-507 to 517].

52. GOOGLE EARTH IMAGES FROM 2014 TO 2020:

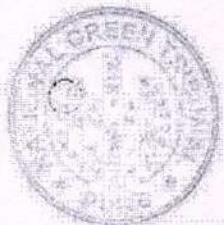
It is submitted that, the Google Earth Images from year 2014 to 2020 clearly shows the dumping of the construction waste into the river bed as well as in blue flood line of the Indrayani River and affecting green belt STP Reservation and copy of the Google Earth Images from 2014 to 2020 are attached herewith and marked as ANNEXURE-A-35 [Page-518 to 529].

53. GOOGLE EARTH IMAGES FROM 2004 TO 2017:

It is submitted that, the Google Images from year 2004 to 2017 clearly shows the tree cutting, dumping of construction waste, illegal construction of Ghat or So called Nature Park and PCMC STP Plant into the prohibited blue flood line of the Holly Indrayani River and Copy of the Google Earth Images from 2014 to 2020 are attached herewith and marked as ANNEXURE-A-36 [Page-530 to 559].

54. INTENTIONAL ILLEGALITIES, NEGLIGENCE, BLINDNESS AND VIOLATIONS OF PCMC DAMAGING MOTHER NATURE:

- a. PCMC officers intentionally neglected to perform their duties while granting sanctions to this project & carrying out the contraction.
- b. PCMC committed illegality by Non-Deduction of Stone Quarry Area,



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- c. PCMC committed illegality by accepting Blue line affecting area of STP Reservation Area
- d. PCMC committed illegality by 18 DP Road Area and issuing TDR on same account,
- e. PCMC committed illegality by allowing to install RMC Plant without permission of MPCB.
- f. PCMC committed illegality by allowing project proponent to construct the Ghat in the Indrayani River.
- g. PCMC committed illegality by allowing project proponent to dump construction waste in Indrayani River.
- h. PCMC committed illegality by allowing project proponent to construct parking complex on 10% open Space.
- i. PCMC committed illegality by allowing project proponent to make misleading area statement, ground coverage.

55. INTENTIONAL ILLEGALITIES, NEGLIGENCE, BLINDNESS AND VIOLATIONS OF IRRIGATION / WATER RESOURCE DEPARTMENT DAMAGING MOTHER NATURE:

- a) Irrigation Department with connivance of PCMC committed illegality by allowing project proponent to construct the Ghat in the Indrayani River.
- b) Irrigation Department with connivance of PCMC committed illegality by allowing project proponent to dump construction waste in Indrayani River.



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- c) Irrigation Department with connivance of PCMC committed illegality on account of false marking of blue line for Indrayani River in gut no. 90.
- d) Irrigation Department with connivance of PCMC committed illegality by issuing false NOC project proponent to carry out construction in blue line marking of Indrayani River.
- e) Irrigation Department with connivance of PCMC committed illegality by neglecting to perform their duties even the construction waste dumping in Indrayani River by project proponent.

56. INTENTIONAL ILLEGALITIES, NEGLIGENCE, BLINDNESS AND VIOLATIONS OF COLLECTOR PUNE DAMAGING MOTHER NATURE:

- (i) Collector Pune has committed illegality by neglecting to look on the issue of illegal excavation of stone quarry and caused huge loss to environment and also caused loss to government revenue for minor minerals.
- (ii) Collector Pune has also committed illegalities by not considering deduction of non-development area of stone quarry.
- (iii) Collector Pune has also committed illegalities & negligence on account of violation of terms and condition of NA permission by Project Proponent and also not recovered necessary charges from project proponent & caused loss to government revenue.

57. DAMAGE TO ENVIRONMENT AND ECOLOGY ON ACCOUNT OF ILLEGAL CONSTRUCTION:



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- (I) It is submitted that, the Respondent No. 14 & 17-PP has dumped hazardous construction waste of more than 200000 Cw. Mtrs. in Holy Indrayani River bed.
- (II) It is submitted that, the Respondent No. 14 & 17-PP completely blocked the Nala No. 23 passing through the project land and merging into Indrayani River.
- (III) It is submitted that, the Respondent No. 17-PP has undertaken the illegal construction of Ghat or so called Nature Park in blue flood line of the Holy Indrayani River without any permission.
- (IV) It is submitted that, the Respondent No. 14 & 17-PP has diverted river flow and created blockages of natural water flow.
- (V) It is submitted that, the Respondent No. 17-PP has used huge quantity of the natural resources for the illegal construction of illegal Parking Complexes on RG Area, River Ghat in total violation of terms and conditions of EC & Consents and caused irreparable damage to the environment and ecology in substantial nature.
- (VI) It is submitted that, the Respondent No. 17-PP has illegally installed and operated the RMC plant from 01.01.2012 to 24.09.2017 for more than six years without consent to operate.
- (VII) It is submitted that, the Respondent No. 15 & 17-PP is extracting the ground water from five (5) number of bore wells without permission form concern Authority.
- (VIII) It is submitted that, the Respondent No. 17-PP have carried out illegal construction to the tune of 263805.59 Sq. Mtrs. against



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permissible construction area of 244251.74 Sq. Mtrs in EC dated 03.01.2019.

- (IX) It is submitted that, the Respondent No. 17-PP have carried out construction with illegal increase in Ground Coverage Area as against permissible ground coverage of 15985.24 Sq. Mtrs in EC dated whereas 14776.33 Sq. Mtrs in EC dated 03.01.2019.
- (X) It is submitted that, the GHG emission especially carbon from the material process and its use during the construction and operation phase is huge and it has adverse impact on the environment and caused huge damage to environment.
- (XI) It is submitted that, the environmental issues are very complex and its restoration is more difficult than complexity. But PP has callous attitude for environmental protection and adopted careless & reckless attitude with unapologetic behaviour and manipulated the government authorities, therefore exemplary damages having deterrent effect must be imposed on this PP to teach lesson.
- (XII) Therefore considering the serious violations of illegal construction in prohibited area of blue flood line of Indrayani River, dumping of construction waste in river bed, diversion of river flow, blockages of natural water flow, illegal ground water extraction without CGWA permission, the amount of environmental damage required to be imposed on PP for restoration of this area should be more Rs. 500 Crores.



58. It is submitted that, this entire illegal activity shows that inherent lack of coordination between the local authority/sanctioning authority and irrigation department and this act cannot be neglected for betterment of environment.
59. It is submitted that, the applicant have made out prima-facie case and situation will be unbridle uncontrolled if stay is not granted.
60. PP cannot stare in the eyes of the law to continue his illegal construction activity and crating of third party right cheating public at large and PP must be prohibited from going ahead.
61. It is submitted that, the applicant have no personal interest of any type in the project and also there is no enmity against the PP or other respondents in this application.
62. It is submitted that, the applicant crave leaves of this Hon'ble NGT to amend, add, delete the pleading as and when required.
63. LOCUS TO FILE PRESENT APPLICATION:
- a. Applicant being an environmental activist has filed this Original Application for the questions of public importance and significance of environmental jurisprudence, in relation to environmental damage and pollution caused by the PP due to his illegal dumping of construction waste and illegal construction of Ghat or nature park in prohibited area of blue flood line of Indrayani River in the Industrial capital city of Pimpri-Chinchwad, in the modern state of Maharashtra and



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consequences of such environmental damage and liabilities of the PP.

- b. It is submitted that, the person aggrieved and person injured are the different concept and this applicant is not injured but aggrieved due to violation of his legal rights of clean and decent environment as PP is damaging common sharing's like Air, Water, Energy, Building Materials and natural water courses as common sharing's etc.
- c. Despite there being compliant dated 05.07.2017 of this applicant inviting attention of Respondents authorities, but there is no action by these authorities to protect environment, even after knowledge of violation.
- d. Further it is submitted that, it is not necessary to be a person injured to file an application or appeal before the Hon'ble Tribunal.
- e. Further it is submitted that, there is no boundary to the environment and ecology issues and there is chain interconnected within, therefore the boundaries of residences of applicant cannot restrict him from filling the present application as there is blatant violation of the environmental enactments and also activities prohibited but coming under the grant of prayer of Section 15 (1) (b) & (1) (c) of NGT Act, 2010 and PP causing irreparable damage to the environment & ecology for his ulterior motive to get financial benefits on account of



"Mother Nature" and Respondent authorities have connivance with the PP

- f. It is submitted that, the locus standi is not the acid test to be apply strictly and it is well settled principle that the meaning of word 'aggrieved person' or 'person aggrieved' shall receive very liberal interpretation and shall not be hyper technical to exclude bonafide individual to seek redressal at the hands of Tribunal to protect environment in the large interest of the society and this applicant being informer to the court of law have locus to file present application.
- g. It is submitted that, the Locus shall not be interpreted applying acid litmus test or straight jacket formula. The interpretation must be tailor made keeping in mind liberality of legal remedies provided under the provisions of the NGT Act for which enactment has been legislated.
- h. It is submitted that, Applicant is performing their constitutional duties under article 48A, 51A(g) to protect environment and Applicants have shown dare to bring this violation before Hon'ble Tribunal, as the conduct of authorities appointed for protection of environment is against their statutory duties and helping PP for cause pollution.
- i. It is submitted that, the NGT, Act 2010 specifically states that, "any person aggrieved, including any representative body or organization" and the term any person aggrieved is having the broad implication and definitely not limited its range



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- j. Applicant has filed bona fide application and is filed after studying the relevant documents obtained under online search & RTI.
- k. Applicant is a Common man and got hurts from this blatant violation of environmental law and degradation of ecology and non-action of government authorities.
- l. Therefore applicant is common man and vigilant citizen is an aggrieved person performing his constitutional duties promptly & diligently to protect environment & having legal right to enforce the environmental enactments to protect the common sharing of natural resources.
- m. It is submitted that, the Hon'ble Apex court is also observed in (1996) 5 SCC 281, Indian Council for Enviro-Legal Action Vs Union of India & Ors;

*"(47) WITH increasing threat to the environmental degradation taking place in different parts of the country, it may not be possible for any single authority to effectively control the same. Environmental degradation is best protected by the people themselves. In this connection, some of the non-governmental organisations (NGOs) and other environmentalists are doing singular service. Time has perhaps come when the government can usefully draw upon the resources of such NGOs to help and assist in the implementation of the laws relating to protection of the environment. ...."*

- n. Thus this applicant have locus to file present application
- 64. HON'BLE NGT HAVE CLEAR JURISDICTION TO DECIDE PRESENT APPLICATION



- a. It is submitted that, the present application is filed under section 14, 15 and 20 of the NGT Act-2010 for protection of Holy Indrayani River being damaged by illegal construction activity of Project Proponent in prohibited area of Blue flood line without any requisite permission and prohibited such activity under the Environment (Protection) Act-1986, Air (P&CP) Act-1981, Water (P&CP) Act-1974 listed in schedule-I and also the activities not listed in schedule-I of NGT Act, 2010 but causing damage to the environment and ecology as the NGT Act, 2101 prevails the jurisdiction over the all local laws having priority to protect the environment and ecology, wherein restitution and restoration is sought at the hands of this Tribunal. And this application is inequitable to the public interest litigation as this applicant being vigilant citizen and whistle blower fighting against the illegalities by PP and authorities are not acceptable in law.
- b. It is submitted that, from plain reading of the original application it clears that the application is filed for the for protection of natural water body and river getting damage due to dumping of construction waste and illegal Construction by PP is prohibited by various judgment of Hon'ble Supreme Court and this Hon'ble NGT.
- c. It is submitted that, PP is carrying out the illegal construction activity and Application is dealing with violation of environmental protection enactments by the PP and Application



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is filed for intentional damage caused to environment and ecology by the PP.

- d. It is submitted that, Application is not filed for limited with the violation of Environmental Enactment listed in the Schedule-I of the NGT Act-2010 and therefore, issues raised in the Original Application are related to the substantial question related to environment and ecology being damaged by PP.
- e. It is submitted that, PP is carrying out the construction activity causing intentional damage to environment and ecology.
- f. It is submitted that, the applicant resides and the respondents have their area of operations within the jurisdiction of this Hon'ble Tribunal and the project under challenge is located within the jurisdiction of this Hon'ble Tribunal and therefore this Hon'ble Tribunal has jurisdiction to try and entertain present application.
- g. It is submitted that, the PP has dumped construction waste and carried out the construction in natural water course by its reclamations from dumping of construction waste and Therefore Hon'ble NGT have clear jurisdiction to deal with the present application.



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65. CAUSE OF ACTION TO FILE PRESENT APPLICATION:

- a. It is submitted that, the cause of action is bundle of actions, therefore entire pleadings of the original application shall be considered



- b. It is submitted that, the PP has undertaken the illegal dumping of construction waste in the prohibited zone of blue flood line without obtaining any prior sanction from any authority and Applicant has further noticed this illegal activity on 17.12.2019 inspite the notice dated 05.07.2017 in full swing and captured the photographs in his mobile phone and therefore this is the triggered cause of action first arose to file this application.

66. LIMITATION TO FILE PRESENT APPLICATION:

- a. It is submitted that, the present application is filed under section 14, 15 and 20 of the NGT Act, 2010 and there is limitation 6 (six) months under section-14 and 5 (Five) years under section-15 from the cause of action first arose and Principal prayer of the applicant is for restoration and restitution of the Indrayani River to its original position by demolition of the illegal construction.
- b. It is submitted that, the present applicant has raised substantial questions relating to protection of environment and its restitution & restoration and this application is filed within six months from cause of action first arose on 17.12.2019 excluding the period of lockdown from 23.03.2020 to 15.06.2020 and 13.07.2020 to 24.07.2020 due to COVID-19 pandemic and its triggered cause of action.
- c. It is submitted that, there was closure of entrepreneurs providing non-essential services like Xerox, scanning, paper sale, computer services, notary for affidavit etc. in Pune from 13.03.2020 due to COVID-19 pandemic and thereafter Central



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Government and state Government passed an Order directing LOCKDOWN from 23.03.2020 till 15.06.2020 and again from 14.07.2020 to 23.07.2020 in the city of Pune.

Sr.	Period	Days	Remark
1	17.12.2019 To 22.03.2020	97	
2	23.03.2020 to 15.06.2020	0	Lockdown
3	16.06.2020 To 13.07.2020	28	Unlock-1
4	14.07.2020 To 23.07.2020	0	Lockdown
5	24.07.2020 To 23.08.2020	30	Unlock-2
6	On Line submission 24.08.2020	0	Case Filed
7	Total Days from 17.12.2019	155	
8	Permissible days	180	
9	Application is filed on 155 <sup>th</sup> day	-35	

- d. It is submitted that, the period of lockdown is exempted by the Hon'ble Supreme Court of India and also by government of India.
- e. Therefore, the present application is filed within 6 months from 17.12.2019 i.e. on 155<sup>th</sup> day out of permissible 180<sup>th</sup> days excluding the period of lockdown and thus the application filed is within the prescribed period of limitation.

67. PRAYERS:

In the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass an order thereby:

- A. Direct the Respondent PCMC to relocate the reservations affected by blue flood lines of various rivers to the outside of prohibited zone under their jurisdiction and restrain PCMC from carrying out any construction thereon permanently.



- B. Direct the Respondents to demolish the illegal structures at project site in question and restore the area to its original position.
- C. Having regard to the damage to the public health, property and environment, principles of sustainable development and polluter pays principles, Direct the Respondent No. 14 & 17-PP to deposit a heavy amount of compensation to the environment relief fund.
- D. Direct Respondent No. 17-PP to deposit exemplary and deterrent special damages on account of non-developing 10% RG area as per norms and also for illegal parking Complexes thereon, concretization of marginal spaces, open spaces, damage to ground water level due to illegal extraction.
- E. Direct Respondent No. 7-UDD and Respondent No. 8 to 9-PCMC to forfeit all the benefits of Respondent No. 14 & 17, arising from present Project & Reservations in prohibited zone of flood line including FSI & TDR, DCR/DRC etc., with permanent prohibition on construction.
- F. Direct Respondent No. 3-DoE & 4-SEIAA and Respondent No. 7 & 8-MPCB and Respondent No. 10-Chief Engineer-Irrigation to initiate appropriate legal action of prosecution against the Respondent Project Proponents for illegal activity of dumping of construction waste in flood line, blockage of River Flow, Nala-23, illegal Construction of Ghat & Parking Complexes.



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- G. Direct the Respondent No. 1, Chief Secretary-GoM to take appropriate legal action against Respondent No. 4-Mr. Anil U. Diggikar, Principal Secretary and Member Secretary-SEIAA for illegal activity of granting the EC to the project in violation and for not taking action and impose the Fine/Cost & recover it from salary of Respondent No. 4-Mr. Anil U. Diggikar.
- H. Cancel the licence of Respondent No. 16-Mr. Vikas Achalkar- Architect of PP and further impose heavy amount of damages, fine/cost upon him for his illegality of promoting and proving shield to illegal structures.
- I. Appropriate actions may kindly be taken against erring Officers of Irrigation, PCMC, SEIAA Members and MPCB for their intentional negligence.
- J. Cost of this application may kindly be granted to this applicant.
- K. Pass any other just and equitable orders in the interest of environmental justice.

DATE: 24/08/2020  
PLACE: PUNE

*Bombhise*  
APPLICANT

VERIFICATION

Verified at Pune on this 24<sup>th</sup> day of August, 2020 that the contents of the aforesaid application are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

*Bombhise*  
DEPONENT



ANNEXURE-A-17

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi  
Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

Photo-01/62

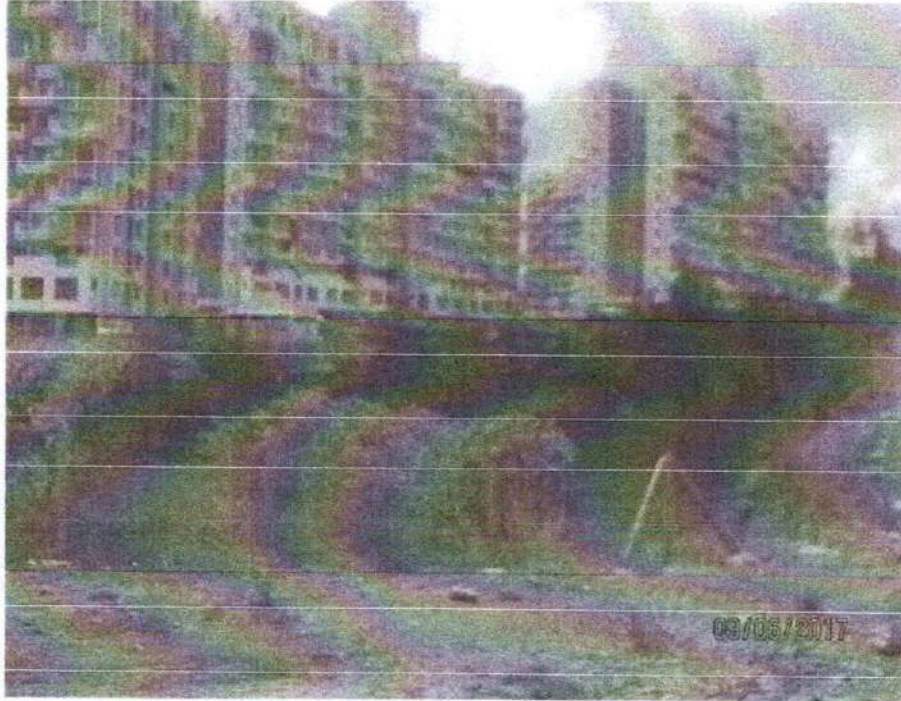


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**ANNEXURE-A-17**

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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-04/62



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ANNEXURE-A-17

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-Haveli, Dist-Pune

Photo-05/62

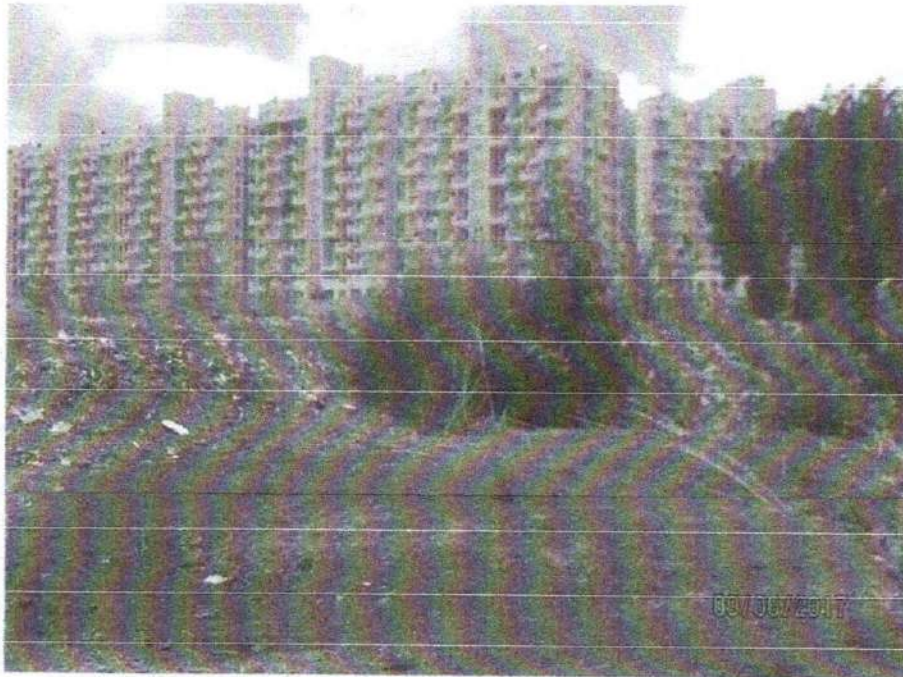
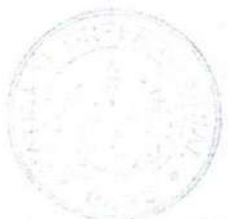


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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

Photo-07/62



Photo-08/62



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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

Photo-09/62



Photo-10/62



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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-12/62



  
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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-14/62



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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-16/62



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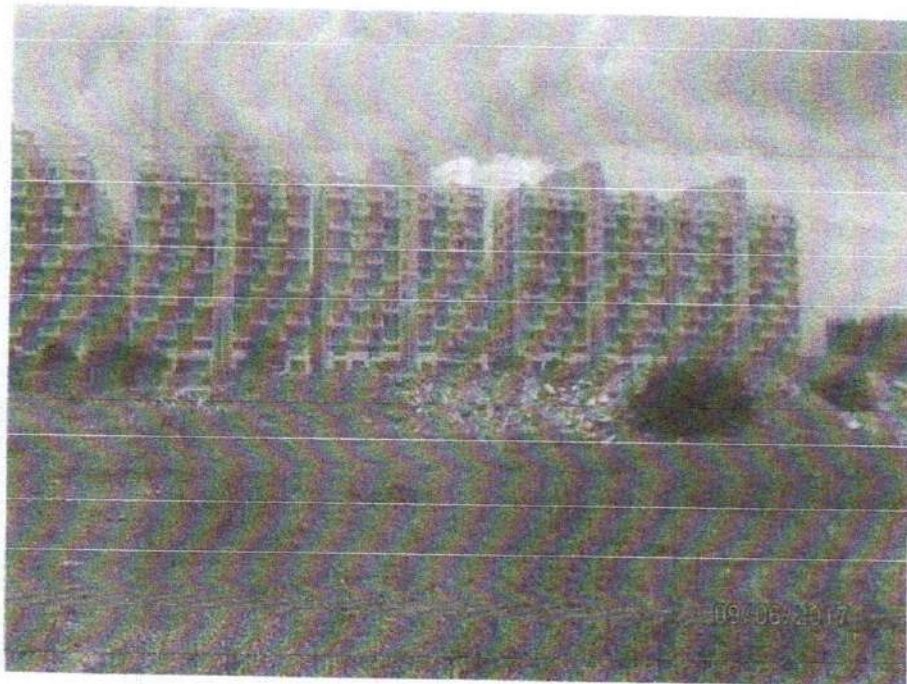
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

Photo-17/62



Photo-18/62



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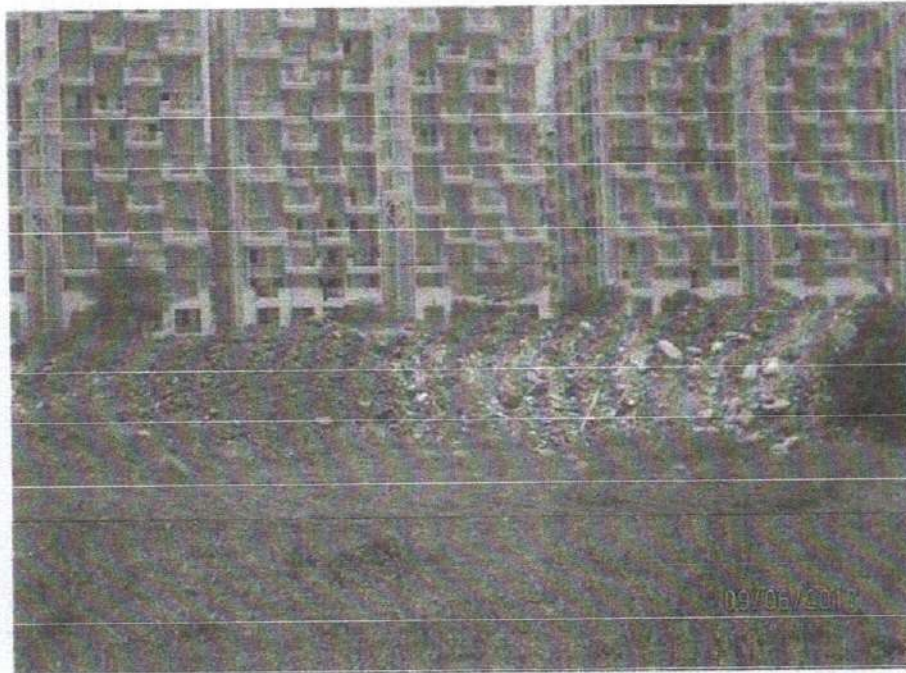
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-20/62



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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-22/62



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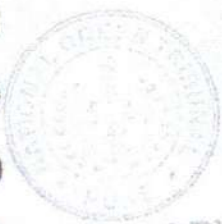
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Photo-24/62



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ANNEXURE-A-17

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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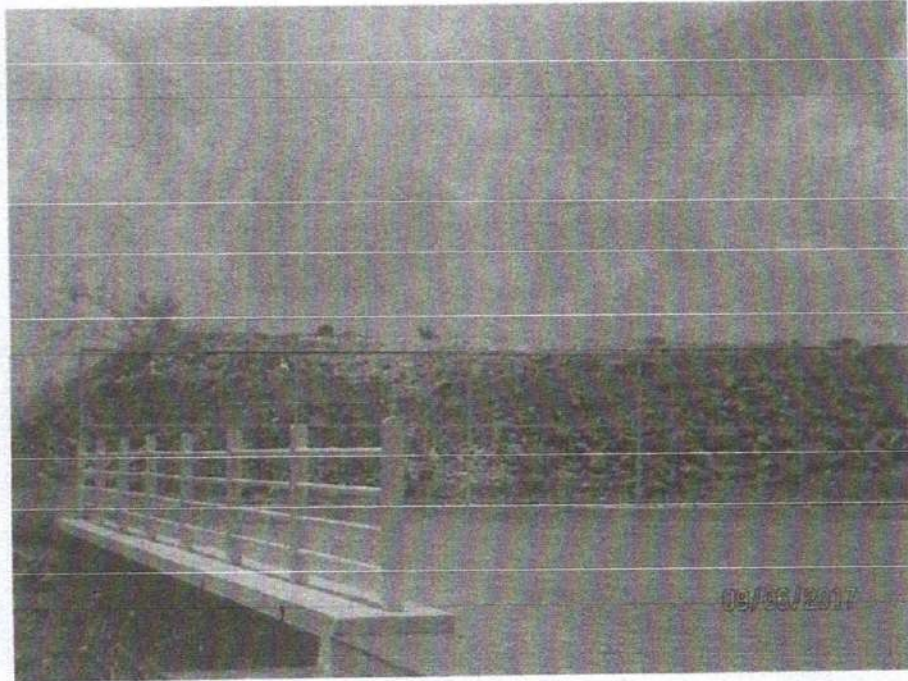
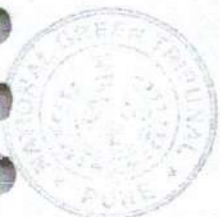


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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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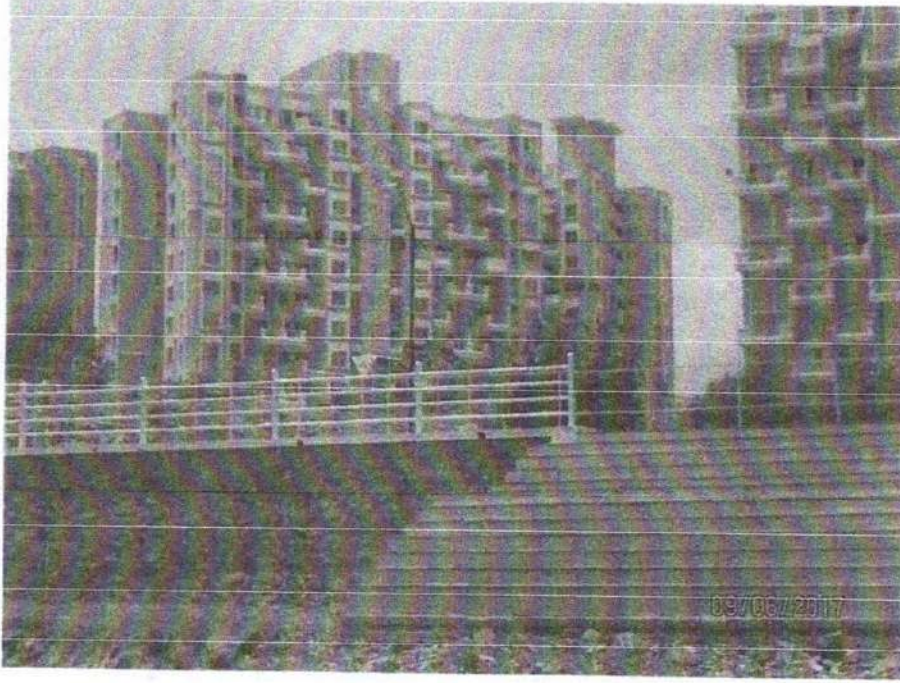


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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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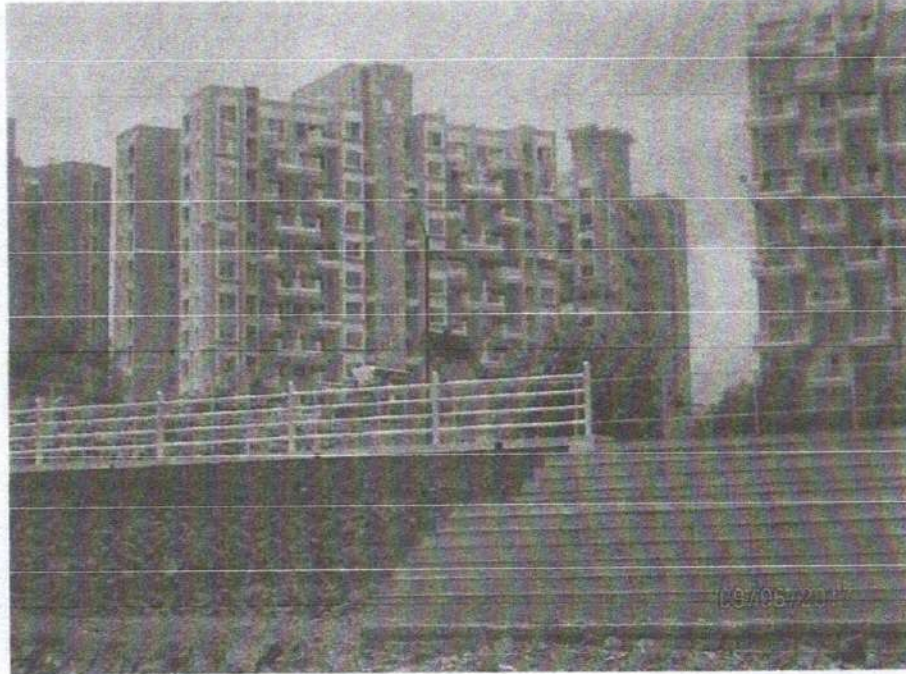


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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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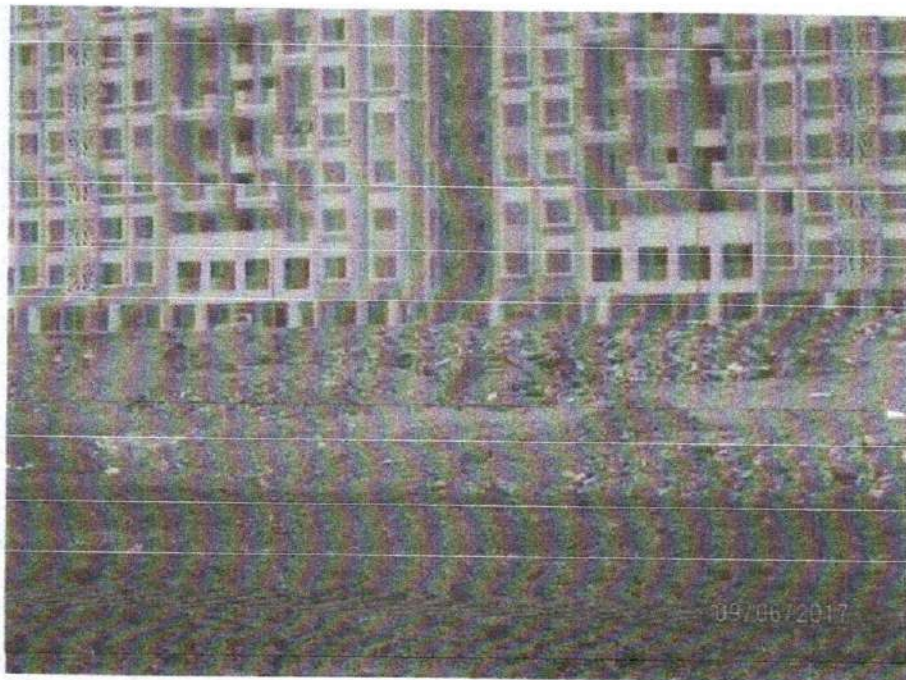
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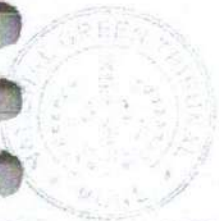
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

Photo-53/62

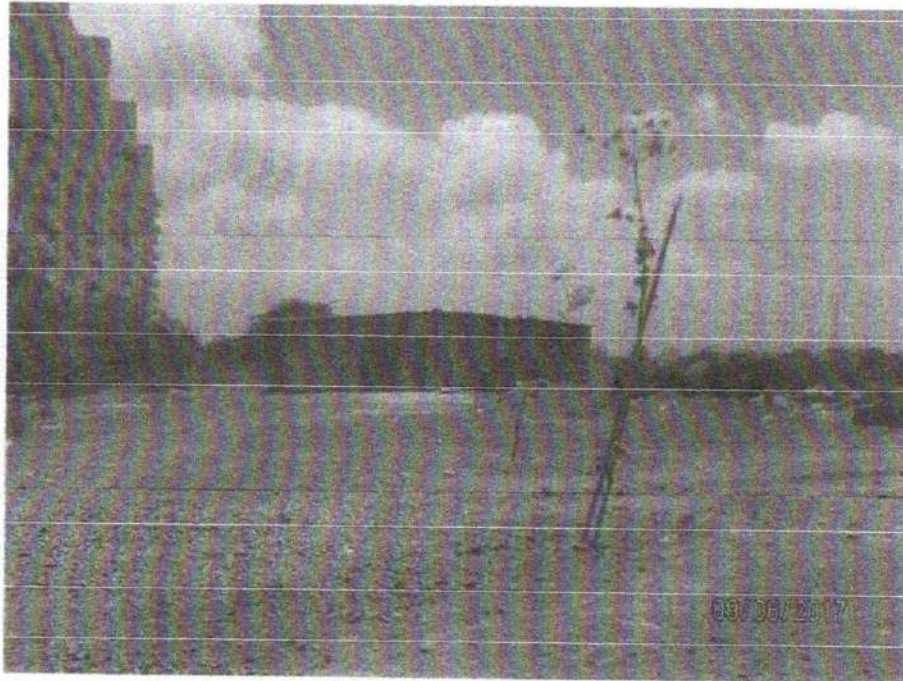


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**ANNEXURE-A-17**

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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ANNEXURE-A-17

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd.,  
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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

Photo-59/62



Photo-60/62



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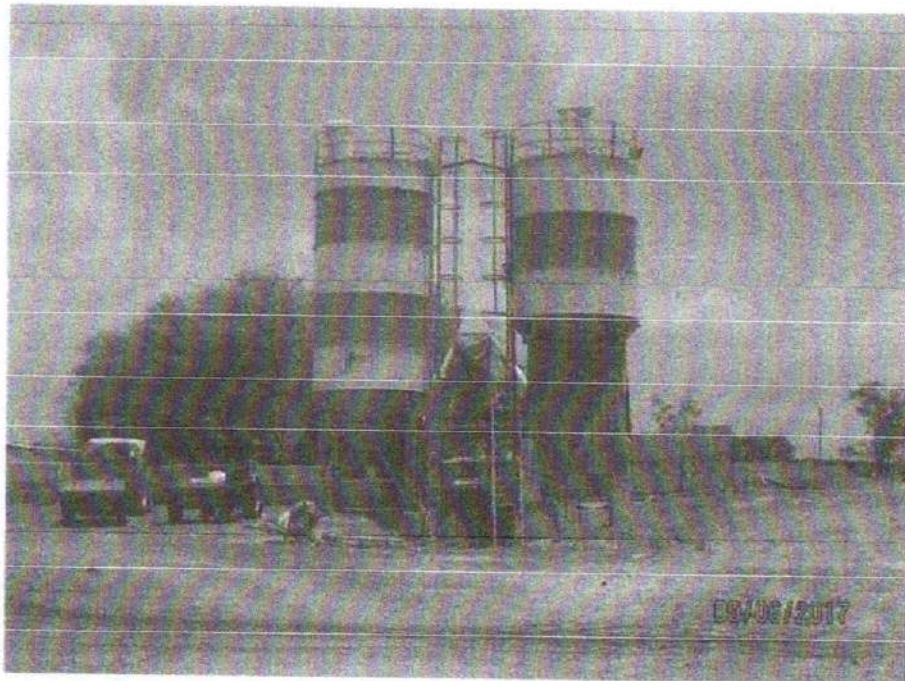
**ANNEXURE-A-17**

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Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal-  
Haveli, Dist-Pune

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**Bhandari & Patekar Law Associates**

Nilesh Kishor Bhandari  
B.A., LL.B



Mohanish Mahendra Patekar  
LL.M., D.I.P.R.

+91 9372622127, 9850332170

+91 9822847123

Advocates

Date: 05.07.2017

Notice/ Complaint

(R.P.A.D.)

To,

1. **The Secretary**  
**Environment Department**  
Government of Maharashtra,  
Room No-217, 2<sup>nd</sup> Floor, Annex Building,  
Mantralaya, Mumbai-400 032
2. **Member Secretary-SEIAA**  
**Environment Department**  
Government of Maharashtra,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai-400 032
3. **Member Secretary-SEAC**  
**Environment Department**  
Government of Maharashtra,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai-400 032
4. **Member Secretary-MPCB**  
**Maharashtra Pollution Control Board,**  
Kalptaru Point, 3<sup>rd</sup> Floor, Near Sion Circle,

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**Bhandari & Patekar Associates**  
Advocates

Sundar Apartment, Office, Sundar Apts., Ground Floor, 391, Narayan Peth, Pune 411 030. Ph.: 020-24430647  
391, Narayan Peth, Pune-411 030. Nileshbhandari1985@yahoo.co.in | mohanishpatekar@gmail.com  
Ph.No. 020-24430647

Opp. Cine Planet, Cinema, Sion (E),  
Mumbai-400 022

5. **Regional Officer,**  
**Maharashtra Pollution Control Board,**  
Jog Centre, 3<sup>Rd</sup> Floor, Old Mumbai-Pune Road,  
Wakadewadi, Pune-411003
6. **The Secretary**  
**Urban Development Department**  
Government of Maharashtra,  
4<sup>th</sup> Floor, Main Building,  
Mantralaya, Mumbai-400 032
7. **Pimpri-Chinchwad Municipal Corporation**  
**Through Municipal Commissioner,**  
PCMC Main Building,  
Old-Mumbai Pune Highway,  
Pimpri-411 018
8. **City Engineer,**  
**Pimpri-Chinchwad Municipal Corporation,**  
PCMC Main Building,  
Old-Mumbai Pune Highway,  
Pimpri-411 018
9. **The Secretary**  
**Water Resource Department**  
Government of Maharashtra,

Bhandari & Patekar Associates

Advocates

Sundar Apartment, Ground Floor,  
391, Narayan Peth, Pune-411 033,  
Ph.No. 020-24430647



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Mantralaya, Mumbai-400 032

**10. Chief Engineer**

Pune Irrigation Circle  
Sinchan Bhavan  
Mangalwar Peth, Pune

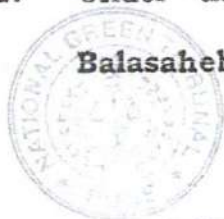
**11. District Collector - Pune**

As Collector and President-District Environment  
Committee, Pune

SUBJECT: - NON- COMPLIANCE OF THE TERMS AND  
CONDITION OF ENVIRONMENT CLEARANCE VIDE NO.  
SEAC-2011/CR.620/TC.2 DATED-07.10.2011 AND  
INTENTIONAL VIOLATION OF ENVIRONMENT  
PROTECTION ACT AND POLLUTION CONTROL ACT BY  
M/S RIVER RESIDENCY BY ISWAR PARMAR  
CONSTRUCTION & OTHERS IN THE BUILDING  
CONSTRUCTION PROJECT SITUATED AT GUT NO. 90(P),  
VILLAGE-CHIKHALI, TAL-HAVELI, DISTRICT-PUNE IN THE  
LIMIT OF PIMPRI-CHINCHWAD MUNICIPAL CORPORATION

Sir/ Madam,

- Under the instruction of my client **Mr. Tanaji  
Balasaheb Gambhire** presently R/O- Flat No-16,



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CTS-296, Laxmi Apartment, Near Shivaji Maratha High School, White House Lane, Shukrawar Peth, Pune-411002, I have to address you by this notice as under;

2. That the my client would like to bring to the notice of the above mentioned authorities by this notice regarding the many irregularities, illegal activity, intentional violations, breaches of law, cheating, fraud and many more violations which causes huge financial loss to the government machinery by various way as well as the very serious violations like Environment Protection Act and Pollution Control Act and my client would like to bring entire scam to your notice for investigation and further strongest action against builder then such practices by other builder will be automatically getting stop.
3. **BRIEF INFORMATION OF BUILDER/ DEVELOPER/ PROJECT PROPONENT: -**

**M/s. River Residency (Joint Venture)** is the builder having his registered office at Parmar Trade Centre, 12 Cannought Road, Sadhu Vaswani Chowk, Pune-

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Advocates  
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391, Narayan Peth, Pune-411 030.  
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411001 carrying the business of builder, promoter

and developer through joint ventures

1. M/s. Ishwar Construction Pvt. Ltd.,
2. Trade Centre Developers & Builders Pvt. Ltd.
3. M/s. Vijay-Laxmi Developers,

4. Vishal Associates, as the responsible firms & company and Mr. Iswar Chandulal Parmar is responsible for M/s. River Residency, Ishwar Construction Pvt. Ltd. & Trade Centre Developers & Builders Pvt. Ltd., Mr. Dilip Motilal Choradiya is responsible for M/s. Vijay-Laxmi Developers alias Vijaya-Laxmi Developers and Vishal Associates for every activities for their respective firms and their construction activity carried out on respective land owned by them and joint venture development or river residency.

**4. DETAIL ADDRESS OF PROJECT SITE UNDER VIOLATION: -**

That the M/s. Iswar Parmar Construction Pvt. Ltd. and Trade Centre Developers & Builders Pvt. Ltd. are developing the property Gut No. 90 (P) at Village-

Chikhali, Taluka-Haveli, District- Pune through the registered joint venture M/s. River Residency and the present site falls within the limit of Pimpri-Chinchwad Municipal Corporation.

The project site under violation and part of this Notice/ complaint is known as "M/s. River Residency" and this joint venture is undertaken the development of an total area of 144000 Sq. Mtrs. vide registered agreement No. 4966/2010 dated 12.05.2010 in the office of Sub-registrar Haveli-8 (Yerwada).

**5. ILLEGALITIES, VIOLATIONS, FRAUD ETC BY PROJECT PROPONENTS**

It is to be noted that, the following are the important and serious violations, illegalities, cheating and frauds played up on the authorities by the Project Proponents in relation to the Environment Protection Act-1986 r.w. EIA Notification-2006, Air Pollution Control Act, Water Pollution Control Act, Construction Waste Disposal Rules-2000, Government of Maharashtra Resolution for Prohibition of Construction in Blue Line-198FPW/1089/243/89/SI.

VYA. (KAME), Dated 21.9.1989, DC Rules-PCMC, MR & TP Act-1966, Terms & Conditions of EC, Consents etc.

- i. Misleading Information Submitted to the SEAC and SEIAA for obtaining EC
- ii. Non-Compliance to the Environment Clearance and Consent to Establish
- iii. Illegal dumping of more than 200000 Sq. Mtrs. construction wastes in Indrayani River, Green Belt and STP Reservation Plot.
- iv. Illegal Construction of parking complex on mandatory 10% Open Space in total violation of conditions in Environment clearance
- v. Top soil is not preserved which is amount to violation of EC condition and also soil pollution is committed
- vi. Illegal construction on account of FSI benefits for Stone Quarry for an area admeasuring 8840 Sq. Mtrs is Non-Development Zone
- vii. Farce marking of Blue Line and read line on DP plan to provide illegal help for project construction in blue line



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Sundar Apartment, Ground Floor,  
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Ph.No. 020-24430647

- viii. Illegal Construction in Blue Line
- ix. Only 489 trees planted against 1300 trees promised in EC and its amounts to violation
- x. Illegal Acquisition of STP reservation land by PCMC that comes under blue line area and part of river and PCMC is giving illegal benefits in terms of TDR
- xi. Illegal of Construction **Ghat** in green belt and blue line of Holy River Indrayani
- xii. Illegal increase in Ground Coverage Area as against 15985.24 Sq. Mtrs
- xiii. Illegal installation of the RMC plant at site and carrying out operations without due permission from the MPCB
- xiv. Violation of Non-Agricultural Permission
- xv. Intentional Blindness of PCMC, Irrigation / Water Resource Department And Mining Department-Collector Pune on Account of Intentional Negligence And damaging Mother Nature

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- xvi.** Nala No. 23 shown on Irrigation Plant and passing from the project land is completely closed by dumping of construction waste
- xvii.** Reservations Affected by Blue Line in the various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated out of Blue Line Area to avoid the damage to environment and ecology.

**6. Details of Land ownership and Title, Deduction of Reservations and Non-Development Areas of Gut No. 90:**

- It is to be noted that, it is important to understand the land ownership, title, reservation details, non-development areas before dealing with the allegations/ defects / illegalities / violations/ cheatings / frauds stated above;
- That the total area of the Gut No. 90 (Old Survey No. 27 & 29) of Village- Chikhali, Tal- Haveli, District- Pune is 231000 Sq. Mtrs.
- Out of the said total Land 7900 Sq. Mtrs. is the Pot-Kharaba (Non-development Zone).

PCMC has neglected to deduct this non-development area, reasons best known to them. But this negligence smells corruption going on in the local authority like PCMC is at the pick and PCMC is not able to protect the interest of its citizen.

**Table No. 3: - Area Statement as per PCMC Sanction**

Sanction No.	2/2011	23/2012	56/2014	122/2016	/2017
Description	24.2.2011	6.9.2012	26.9.2014	10.11.2016	
1 Area of Plot	124000	135000	130500	130500	131000
2 Deduction for					
(a). Road Set back					
(b). Proposed Road	24367.06	25207.31	25207.31	25207.31	25207.31
(c). Any Reservation	8733.89	8733.89	8733.89	8733.89	8733.89
(d). NDZ Area					
(e). Encroachment Area					
(f). Others					
Total (a+b+c+d+e+f)	33100.96	33941.20	33941.20	33941.20	33941.20
3 Balance Area Of Plot (1-2)	90899.05	101558.80	96558.80	96558.80	97058.81
4 Deduction For					
(a). Amenity Space	4945.12	5077.95	5077.95	5077.95	4852.94
(b). Open Space	9089.92	10155.89	9655.90	9655.90	9705.88
Physical OS Provided					
(c). Internal Road Area	0	2994.38	2994.38	2994.38	3090.38
5 Net Area Of the Plot (3-4)	76864.01	83330.57	78830.57	78830.57	79409.61
Perm. Ground Coverage 20%	15372.80	16666.11	15766.12	15766.12	15881.92
Ground Coverage Used	2292.04	9322.66	12848.50	13389.13	13030.39

xvi. Nala No. 23 shown on Irrigation Plant and passing from the project land is completely closed by dumping of construction waste

xvii. Reservations Affected by Blue Line in the various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated out of Blue Line Area to avoid the damage to environment and ecology.

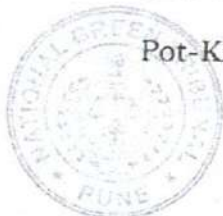
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- Out of the said total Land 7900 Sq. Mtrs. is the Pot-Kharaba (Non-development Zone).

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- Then only land area admeasuring 223100 Sq. Mtrs. will remain for any further transfer or development.

**Table No. 1: - Land Ownership as per Various Agreements**

Sr. No.	Reg. No.	Reg. Office	Date	Purchaser	Area
1	821/2009	HVL-5	13.02.2009	A. Dilip Choradiya B. Vijayalaxmi Developers	57750
2	824/2009	HVL-5	13.02.2009	A. Dilip Choradiya B. Vijayalaxmi Developers	57750
3	3619/2010	HVL-5	06.04.2010	Vijayalaxmi Developers	32750
4	3621/2010	HVL-5	06.04.2010	Vishal Associates (Green Belt)	13000
5	4318/2010	HVL-5	12.05.2010	Vijayalaxmi Developers	32750
6	4320/2010	HVL-5	12.05.2010	Dilip Choradiya	21000
Total Land belongs to Vijaya-Laxmi, Vishal Associates and Dilip Choradiya (Including Pot-Kharaba-7900 Sq. Mtrs.)					<b>215000</b>
7	2146/2009	HVL-5	13.04.2009	Sapana Vikas Sane	4000
8				More Family	4000
9				Sane Family	100
10				Sane Family	7900

- An area admeasuring 464.511 Sq. Mtrs & 100 Sq. Mtrs. have been leased out to MSEDCL for electric sub-station vide agreement no. 9190/2011 (Haveli-5), 10327/2012 (Haveli-1) and this area shall be deducted from total area for the project. But the

project proponent has claimed & Utilized FSI of the

leased out land and committed fraud up on PCMC.

**Table No. 2: - Total Plot Area Statement as per Sanction**

**No. BP/Chikhali/56/2014 Dated 26.09.2014**

Sr. No.	Description	Area in Sq. Mtrs.
1	Total Plot Area	231000.00
	<b>Deductions</b>	
2	Green Belt	42934.69
3	STP Reservation 1/130	42747.07
4	24 M WD DP Road(East)	727.92
5	<b>Balance Plot Area</b>	144590.32
6	<b>Area As Per P.O.A.</b>	143500.00
7	<b>Deduct Owners Plot</b>	13000.00
8	<b>Balance Plot Area</b>	130500.00
	<b>Reservations</b>	
9	Resv. No. 1/133 Secondary School	2486.59
10	Resv. No. 1/137 Play Ground	222.83
11	Resv. No. 1/134 Shopping & Market	999.99
12	Resv. No. 1/135 Parking	24.48
13	Resv. No. 1/131 Primary School	4000.00
14	Resv. No. 1/132 Maternity Hospital	1000.00
	<b>DP Roads</b>	
15	18 M WD DP Road(North)	21240.56
16	18 M WD DP Road(South)	856.20
17	24 M WD DP Road(South)	3110.55
	<b>Total Deduction</b>	33941.20
18	Gross Plot Area	96558.80

- Take note that, the non-development area of stone quarry 8840 Sq. Mtrs is not deducted from this area statement by project proponent and also

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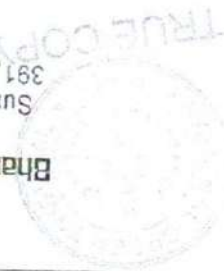
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 391, Narayan Peth, Pune-411 030.  
 Ph.No. 020-24430647

*M. S. Bhandari*



Sanction No.	2/2011	23/2012	56/2014	122/2016	/2017
Description	24.2.2011	6.9.2012	26.9.2014	10.11.2016	
1	124000	135000	130500	130500	131000
2					
Deduction for					
(a). Road Set back					
(b). Proposed Road	24367.06	25207.31	25207.31	25207.31	25207.31
(c). Any Reservation	8733.89	8733.89	8733.89	8733.89	8733.89
(d). NDZ Area					
(e). Encroachment Area					
(f). Others					
Total (a+b+c+d+e+f)	33100.96	33941.20	33941.20	33941.20	33943.20
3	90899.05	101558.80	96558.80	96558.80	97058.81
Balance Area Of Plot (1-2)					
4					
Deduction For					
(a). Amenity Space	4945.12	5077.95	5077.95	5077.95	4852.94
(b). Open Space	9089.92	10155.89	9655.90	9655.90	9705.88
Physical OS Provided					
(c). Internal Road Area	0	2994.38	2994.38	2994.38	3090.38
5	76864.01	83330.57	78830.57	78830.57	79409.61
Net Area Of the Plot (3-4)					
Perm. Ground Coverage	15372.80	16666.11	15766.12	15766.12	15881.92
20%					
Ground Coverage Used	2292.04	9322.66	12848.50	13389.13	13030.39

Table No. 3: - Area Statement as per PCMC Sanction

PCMC has neglected to deduct this non-development area, reasons best known to them. But this negligence smells corruption going on in the local authority like PCMC is at the pick and PCMC is not able to protect the interest of its citizen.

- It is observed from the above area statement, that PCMC & project Proponent has neglected to deduct the stone quarry area of non-development zone.
- At this stage it is important to deduct Area of 8840 Sq. Mtrs. for Stone Quarry as Non-development Zone from the available plot area and following actual area statement will arrive.

**Table No. 4: - Actual Area Statement after deduction of Non-Development Area of Stone Quarry**

	Description	Area in Sq. Mtrs.
1	<b>Total Area of Gut No. 90</b>	<b>231000</b>
2	Deduct Green Belt	42934.69
3	Deduct STP Reservation	43299.37
4	Deduct 24 Mtrs. DP Road (Blue Line Affected)	693.75
5	Deduct 18 Mtrs. DP Road (Blue Line Affected)	3152.87
6	Deduct Stone Quarry/ NDZ	8840
7	Deduction for Owners Plot	13000
8	<b>Total Deduction</b>	<b>111920.68</b>
9	<b>Balance Area of Plot for Development</b>	<b>119079.32</b>
10	Deduction for	
	(a). Road Set back	0
	(b). Proposed Road	22054.44
	(c). Any Reservation	8733.89
13	<b>Total (a+b+c)</b>	<b>30788.33</b>

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Sundar Apartment, Ground Floor

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Ph.No. 020-2443777



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14	Available Balance Area Of Plot	88290.99
15	Deduction For	
	(a). Amenity Space (As Per PP)	4852.94
	(b). Open Space (As Per PP)	9705.88
	(c). Internal Road Area	3090.38
16	Available Net Area Of the Plot	70641.68
17	Perm. Ground Coverage 20%	14128.34
18	Ground Coverage Used (Buildings: 13030.39 + Open Space A,B, C: 5266.49+2020.92 + Covered Parking: 549.01)	20866.81

- Thus it is clear that, the total area for development is only **119079.32 Sq. Mtrs.** after the deduction of Stone Quarry area, blue line affected area of the road, STP reservation, Green Belt and Owners Plot Area.
- Thus it is clear that, the total net plot area is only 70641.68 Sq. Mtrs. and Project Proponent has illegal claimed net plot area is 79409.61 Sq. Mtrs.
- Thus it is clear that, the total project proponent has illegally constructed ground coverage of 20866.81 Sq. Mtrs. against available 14128.34 Sq. Mtrs. and Project Proponent has illegally claimed 15881.92 Sq. Mtrs.
- Thus it is clear that, the project proponent has intentionally not deducted an area of Stone

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Quarry/NDZ, Blue Line Affected Area of DP Roads  
etc.

**7. Misleading Information Submitted to the SEAC  
and SEIAA for obtaining EC**

-Take note that, the project "River Residency" is undertaken by the joint venture between various firms stated in the registered agreement vide no. 4966/2010 dated 12.05.2010 in the office of Sub-registrar Haveli-8 (Yerwada) and the area of joint venture was 144000 Sq. Mtrs. out of which 4000 Sq. Mtrs was Green Belt Area.

-But Project Proponent has misled the authorities by stating that, the total area of the development is 231000 Sq. Mtrs. while obtaining EC.

-Further Project Proponent has misled the authorities by stating that, the net plot area of development is 101891.43 Sq. Mtrs.

-Further Project Proponent has misled the authorities by stating that, the FSI of 145241.63 Sq. Mtrs.

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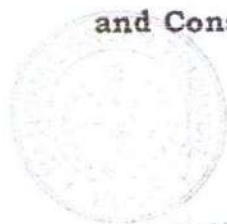
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-Further Project Proponent has misleded the authorities by not stating the stone quarry area which is Non-Development Zone and said area of the stone quarry area shall not be considered towards the calculation of FSI, but the Project proponent has not deducted an area of 8840 sq. Mtrs. of stone quarry and played fraud on PCMC, Public and Authorities.

-Further Project Proponent has misleded the authorities by not stating the area affected by the blue line of the Indrayani River and taken illegal benefits of the FSI of Blue Line Area.

Further Project Proponent has misleded the authorities and made construction of building "G to L, P, N1, N2" and proposed to construct building N3 and N4. In fact project proponent has dumped the huge quantity of construction waste in the Indrayani River to manipulate the actual marking of the Blue Line & Red Line marking.

**8. Non-Compliance to the Environment Clearance and Consent to Establish**



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- It is to be noted that, the EC was obtained by PP vide No. SEAC-2011/CR.620/TC.2 dated 07.11.2011 by misleading and suppressing the actual facts from the authorities and further PP has violated the major terms & condition of the said EC as stated below;

- **Disposal:-**

- Construction debris shall be used for back filling and leveling of the plot and remaining will be disposed to authorized sites.

- Top soil shall be preserved and reused within site for landscaping.

- **Energy Conservation**

- Use of fly ash bricks & pavement blocks

- Green boundary wall instead of stone wall

- **Green Belt Development**

- Ground Coverage area: 15985.24 Sq. Mtrs.

- Green Cover Area: 10543.80 Sq. Mtrs.

- Total 1300 no. of trees to be planted

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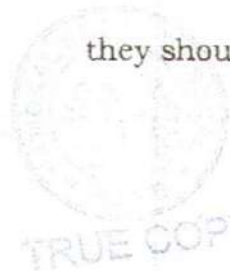
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- **3(xi)** All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.
- **3(xii)** Green Belt Development shall be carried out considering CPCB guideline including selection of plant species and in consultation with the local DFO/ Agriculture Dept.
- **3(xiv)** Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- **3(xv)** Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by latching of heavy metals and other toxic contaminants.
- **3(xvi)** Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourse and dump sites for such material must be secured so that they should not leach into the ground water.

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- **3(xvii)** Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- **3(xxvii)** The ground water level and its quality should be monitored regularly in consultation with Ground Water Authority.
- **3(xxix)** Local body should ensure that no occupation certification is issued prior to operation of STP/ MSW site etc. with due permission of MPCB.
- **3(xxx)** Permission to draw ground water shall be obtained from the competent Authority prior to construction / operation of the project.
- **3(xlviii)** The project management shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in Marathi language of the local concerned within seven days of issue of this letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the

Maharashtra Pollution Control Board and may also be seen at Website at <https://envis.maharashtra.gov.in>.

- **3(i)** A copy of the clearance letter shall be sent by proponent to the concerned Municipal Corporation and the local NGO, if any, from whom suggestions/representation, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.
- **3(ii)** The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including result of monitoring data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, respective zonal office of CPCB and SPCB.
- **3(iii)** The environmental statement for each financial year ending 31<sup>st</sup> March in form-V as is mandated to be submitted by the project proponent to the concerned state Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also

be put on the website of the company along with the status of Compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

- 5. In case of submission of false document and non compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the Environmental Clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.

**9. Illegal dumping of more than 200000 Sq. Mtrs. construction wastes in Indrayani River, Green Belt and STP Reservation Plot.**

- It to be noted that, the present project site is affected by stone quarry having an area admeasuring 8840 sq. Mtrs. and this information is suppressed by the project proponent and the said non development area is not deducted from the plot area of the project.
- It is to be noted that, the said project site is affected by a green belt area admeasuring

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42934.69 sq. Mtrs. and STP reservation no.130 having an area admeasuring 42747.07 sq. Mtrs. in fact both these areas are part of the river flow and effected by the blue line marking of Indrayani River.

- It is to be noted that, the project proponent has dumped the construction waste material in the Indrayani river even after the complaint of one of Environment Protection Organization namely "Vanrai" on 04.03.2013 and PCMC has neglected to act on the same complaint and supported to the project proponent to dump the construction waste in river.
- That the natural area of Indrayani river more than 86824.80 Sq. Mtrs. is environmentally and ecologically damaged by dumping of construction waste of 3 Meters and the quantity of the said construction waste is more than 200000 Sq. Mtrs.

**10. Illegal Construction of parking complex on mandatory 10% Open Space in total violation of conditions in Environment clearance**



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- It is important to note that, as per the DC-Rules of PCMC and its approved plan for project, it is mandatory to keep 10% open space for the purpose of recreational development and plantation of trees.
- *That the said area of the 10% open space area comes to 9655.90 Sq. Mtrs., but the project proponent has illegally constructed raised parking complex on this recreational space.*
- As per the Rule 11.3 of the Development Control Rules for Pimpri-Chinchwad Municipal Corporation,
- "11.3.1 For land admeasuring 0.3 ha or more, layouts or sub-division or amalgamation proposals shall be submitted..
- In any layout or sub-division of land admeasuring 0.20 Ha or more 10% of the entire holding area shall be reserved as recreational space, which shall be as far as possible be provided in one place.
- Notwithstanding anything contained in this rule the shape and location of such open space shall be such that it can be properly utilised as playground. No deduction in F.S.I. for Road / Open Spaces shall be

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*made in layout for area between 0.20 Ha to 0.36 Ha. However for the areas above 0.36 Ha deduction shall be made for open space and not for the road for computation of F.S.I."*

- It is to be noted that, our Constitution gives right of decent life to every citizen having at least basic facilities to be provided by the developers in their developments. But here the project proponent have intentionally and purposefully committed the contravene the provisions of Law, Acts & Rules with open eyes, in the manner of insulting and challenging the entire systems. It is not possible to take place such type of illegal activity without connivance of the Local Authority i.e. sanctioning officers. Basically the open space is required for the gardening, to plant some trees, so there will be the positive effect on the livelihood by reducing the temperature of surrounding by absorbing of Carbon Dioxide and on other hand the unit purchasers shall have sitting out for enjoyment, kids have play-ground many more purposes of

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Open spaces are classified in the view of decent life.

- On the issue of Recreational Ground, as per Hon'ble Supreme Court order in SLP (Civil) No. 33402/2012 dated 25.07.2013 observed that.

- **“(A) The problem concerning reduction in the recreational area at the ground level:-**

- 10. *Having dealt with the actual controversy between the parties which led to this SLP, we deem it proper to take cognizance of a few important issues, which arose in the course of this proceeding concerning the impact of excessive construction and higher FSI on the urban environment. The concept of Floor Space Index (FSI) implies the buildable potential of a plot of land. The FSI to be allowed must take into consideration the availability of civic infrastructure including open spaces, transport facilities, requirements for protection against fire, and water supply and sewerage as well as electricity. An increase in FSI is likely to result into an increase in the density of population. FSI has an important bearing on the quality of urban life. A*



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*relaxation of FSI norms or, as the case may be, an enhancement of FSI by urban planners cannot be removed from the issue of adequacy, or as the case may be, inadequacy of civic services.*

11. *The requirement of keeping open spaces at the ground level should be read in this context. The recreational areas and greens in the multi-storied buildings have to be scrupulously safeguarded. The problem with the existing Municipal and Town Planning statutes is that they factor only two out of the three compelling needs. The first need is that of increasing housing stock - which is undeniable. The second need is that of keeping recreational areas for residents. The third entirely different and equally, if not more compelling, is the need to assess the sustainable capacity of the city and to balance the development with this capacity. The principle of sustainable development which has been construed by this Court as an integral part of Article 21 of the Constitution deserves to be applied to town and urban planning throughout the country. This requires a thorough assessment of the*



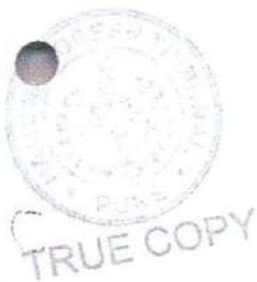
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environmentally sustainable capacity of every city/urban area. The preparation of Master Plan/Town Planning Schemes has to be made keeping in view the issue of sustainable capacity of the particular city/urban area.

- 12. Clause 23 of DCR for Greater Mumbai lays down the minimum requirement for providing the recreational ground. The area to be retained as recreational ground varies depending upon the size of the plot. The present position under the DCR is as follows:-

(i)	Area from 1001 SQ.M. to 2500 SQ.M.	15 per cent
(ii)	Area from 2501 SQ.M. to 10,000 SQ.M.	20 per cent
(iii)	Area above 10,000 SQ.M.	25 per cent

- 13. In the present case, we find that as per the approved plan, the recreational space available at the ground level is only 7.7% of the area of the plot and respondent No.1 has accordingly raised construction. The respondents' plea, which appears to have been accepted by the Corporation, is that under DCR 38(34) the recreational area can be provided on the podium. We may add that since the



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clean and healthy environment is within the ambit of Article 21, as has been noted in **Court on its Own Motion v. Union of India** reported in 2012 (12) SCALE 307 in the following words:-

- *"The scheme under the Indian Constitution unambiguously enshrines in itself the right of a citizen to life under Article 21 of the Constitution. The right to life is a right to live with dignity, safety and in a clean environment."*
- The right to a clean and pollution free environment, is also a right under our common-law jurisprudence, as has been held by this Court in **Vellore Citizen's Welfare Forum v. Union of India and Ors** reported in (1996)5SCC647 where this Court held:-
  - *"The Constitutional and statutory provisions protect a persons right to fresh air, clean water and pollution free environment, but the source of the right is the inalienable common law right of a clean environment."*
  - In the same judgment the Court emphasized the importance of **Sustainable Development**, and the



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need for a balance between development and ecological considerations, in the following words:-

*"The traditional concept that development and ecology are opposed to each other, is no longer acceptable.... 'Sustainable Development' is the answer...Sustainable Development as defined by the Brundtland Report means 'development that meets the needs of the present without compromising the ability of the future generations to meet their own needs'. We have no hesitation in holding that 'Sustainable' Development as a balancing concept between ecology and development has been accepted as a part of the Customary International Law though its salient features are yet to be finalised by the International Law jurists."*

28. Therefore, after reflecting upon the legal position, we are clearly of the opinion that having 15%, 20% or 25% of the area (depending upon the size of the lay-out) as the recreational/amenity area at the ground level is a minimum requirement, and it will have to be read as such.



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We therefore answer the issue no. 1 by holding that it is not permissible to reduce the minimum recreational area provided under DCR 23 by relying upon DCR 34). However, if the developers wish to provide recreational area on the podium, over and above minimum area mandated by DCR 23 at the ground level, they can certainly provide such additional recreational area.

**11. Top soil is not preserved which is amount to violation of EC condition and also soil pollution is committed**

- It is important to note that, the soil from top layer shall be preserved and utilized for the development of recreational spaces and tree plantation. But the project proponent has constructed the parking complex on the 10% open spaces and there is plantation of the tree as directed by the environment department in the EC.
- By dumping of the construction waste in the river and green belt, project proponent has covered the soil and damaged the soil with construction waste.

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- That the Area of the plot as stated by the Project proponents is 215000 Sq. Mtrs. & the area of the stone quarry is 8840 Sq. Mtrs. so the total area is 206160 Sq. Mtrs. and the soil layer on project site 2.5 Mtrs. and therefore the total soil quantity damaged is **515400 Cu. Mtrs.**

**12. Illegal construction on account of FSI benefits for Stone Quarry for an area admeasuring 8840 Sq. Mtrs is Non-Development Zone**

- It is important to note that, the project site is having the stone quarry of an area admeasuring more than 8840 Sq. Mtrs. as per goggle earth plan and same quarry area is shown as the part of the development as shown on the PCMC approved plan and same quarry area is nothing but the non-development area and same area shall be deducted from the total area of development.
- It is important to note that, the Project Proponent has not deducted this stone quarry area from the total plot area for development like green belt area, STP reservation area etc.



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- On the contrary, the project proponent has played fraud by claiming the FSI of stone quarry by not deducting from the total area and cheated the PCMC.
- Further it is important to note that, the construction carried out by 8840 Sq. Mtrs. is completely illegal & also caused to damage environment & ecology and there are no legal provisions to use this FSI on non-development area and this attract penal action on Project Proponent as well as errant officers of PCMC.
- Thus it is important to deduct the said area from the development area under taken by the project proponent and it is also necessary to demolish the illegal structure constructed on account of this stone quarry.

**13. Farce marking of Blue Line and red line on DP plan to provide illegal help for construction in blue line**

- It is important to note that, it is very clear that the blue line marking by irrigation department at gut





- no. 90 is totally false and shifted towards the river side only in view to help the project proponent.
- In fact the blue line marking on the gut no. 84 & 85 was required to be straight passing through the gut no. 90 as per the site condition. And made construction of building "G to L, P, N1, N2" and proposed to construct building N3 and N4. In fact project proponent has dumped the huge quantity of construction waste in the Indrayani River to manipulate the actual marking of the Blue Line & Red Line marking.
  - That there was natural depth in the gut no. 90 in the part of Indrayani River and same deep area is made rise by height of 4 Mtrs from the river level at which dump of construction waste which is thrown.
  - Due to this dumping of construction waste & stone quarry waste, actual blue line marking is also diverted.

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#### 14. Illegal Construction in Blue Line



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- It is important to note that, as per the Government of Maharashtra Resolution for *Prohibition of Construction in Blue Line-198FPW/1089/243/89/SI. VYA. (KAME)*, Dated 21.9.1989, no construction is permitted in the blue line.
- But the project proponent has managed the false blue line marking with help of irrigation department and blue line is shifted towards the river side to legalise its construction.
- PCMC is well aware of this facts of blue line marking and entire STP reservation No. 1/130 & 18 Mtrs DP road is affected by the blue line and it is the part of river, even then the PCMC is accepting the possession of blue line affected reservation from Mr. Dilip Choradiya on account of TDR and other benefits.
- Also the National Green Tribunal in its various Judgments has issued clear cut directions regarding restriction of non development in blue line.

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- This act of PCMC to purchase the river is nothing but clearly illegal and attracts the penal action of fraud and cheating to the government and in this case the PCMC- Commissioner shall take serious action against "errant officers of Urban Development Department of PCMC and the project proponent like Iswar Parmar and Dilip Choradiya for committing such fraud on the government.
- It is important to cancel the documents executed to take possession of the blue line affected reservation and DP road and not to carry any construction on such blue line affected area and further not to issue any benefits to the project proponents on any account.
- Thus the construction carried out building "G to L, P, N1, N2" and proposed to construct building N3 & N4 along with STP reservation development & 18 Mtrs DP road is completely illegal and damaging the environment and ecology.

15. Only 389 trees planted against 1300 trees promised in EC and its amounts to violation

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- As per the Environment clearance no. SEAC-2011/CR.620/TC.2 dated 07.10.2011, the project proponent was promised to plant 1300 trees for development of green belt, but only 389 trees have been planted by the project proponent and also the planted trees area not in state to be alive for long.
- That the project proponent has made construction of the parking complex on the 10 % mandatory open space. And no space for tree plantation is remaining.

**16. Illegal Acquisition of STP reservation land by PCMC that comes under blue line area and part of river and PCMC is giving illegal benefits in terms of TDR**

- That the reservation no. 1/130 for the STP is having total area of 50000 Sq. Mtrs. and out of which 42747.07 sq. Mtrs. is on part of the project proponents from Gut No. 90 of present development under various violations.
- That the entire reservation is affected by the blue line marking of the Indrayani River and also as per

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the site condition also that the said reservation is clearly & completely part of the river. In any circumstances, this reservation area is not able to develop for any purpose.

Table 5: - Total Blue line Affected Area acquired by PCMC from the present Project Proponent

Agreement	STP	18 Mtr DP Road	24 Mtr DP Road
3056/2016 (Haveli-5) 05.04.2016	8294.87 Sq. Mtrs.		66 Sq. Mtrs.
574/2017 (Haveli-5) 23.01.2017	34934.50 Sq. Mtrs.		627.75 Sq. Mtrs.
3658/2017 (Haveli-5) 26.05.2017		3152.87 Sq. Mtrs.	
<b>Total</b>	<b>43299.37</b> <b>Sq. Mtrs.</b>	<b>3152.87</b> <b>Sq. Mtrs.</b>	<b>693.75</b> <b>Sq. Mtrs.</b>

- Thus the PCMC intentionally providing illegal benefits of an area admeasuring 43299.37 Sq. Mtrs, on account of STP, 3152.87 Sq. Mtrs. on account of 18 Mtrs DP road, 693.75 Sq. Mtrs on account of 24 Mtrs. DP Road to the project proponent on account of purchase of river area,

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which is non development zone and affected by the blue line of the Indrayani river.

**17. Illegal of Construction River Ghat in green belt and blue line of Holy River Indrayani**

- That the project proponent has made the illegal construction of the Ghat in the river on an area admeasuring more than 8000 sq. Mtrs. for the enjoyment.
- That the said illegal construction of ghat has made the substantial water pollution of the river
- That the project proponent has made encroachment in the river for construction of this Ghat.
- As project proponent has carried out the substantial construction of ghat in the river with the help of PCMC officers and it can be observed from act of blindness played by irrigation department as well as PCMC officers.

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**18. Illegal increase in Ground Coverage Area as against 15985.24 Sq. Mtrs**



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- It is clear from the table No. 4 as stated above, that the total project proponent has illegally constructed ground coverage of 20866.81 Sq. Mtrs. against available 14128.34 Sq. Mtrs. and Project Proponent has illegally claimed 15881.92 Sq. Mtrs.
- In fact this illegal ground coverage area is affecting the rain water harvesting and its resulting in the ground water damage & continues decrease in the water level.

**19. Illegal installation of the RMC plant at site and carrying out operations without due permission from the MPCB**

- It is to be noted that, the Project Proponent has illegally installed the Ready Mix Plant for the construction of the said project without prior permission from the Pollution Control Board.
- That the project proponent has not followed the norms of pollution control board and given rise to Air Pollution, Noise Pollution, Dust Pollution, Water Pollution etc.

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- That the project proponent has admitted in his application for revised EC that, he has carried out construction of BUA 199000 Sq. Mtrs.
- For construction of 199000 Sq. Mtrs, the quantity of RMC product concrete is 30327.6 Cu. Mtrs.
- It is clear that, the Project proponent has substantially damaged the environment by illegal operation of RMC Plant.

#### 20. Violation of Non-Agricultural Permission

- As per the NA Order no. PMA/NA/SR/872/10 dated 18.05.2011, total land proposed for NA permission is 215000.00 Sq. Mtrs.
- But collector Pune after verification of documents and land records, plans sanctioned by PCMC and after deduction of the reservations, other Non-development areas only an area 124000.00 sq. Mtrs. was considered for NA Permission.

Table 6: -

Gut No.	Area (Sq. Mtrs.)
90 (p)	124000
Total Area	124000
Sanctioned Area In Layout	124000

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(-) Road Area	24367.06
(-) Reservation Area	8733.89
Residential Use Area	90899.05

- It is to be noted that, in terms & condition No. 1 of NA, clearly speaks that out of 124000 Sq. Mtrs. only Built-up area 13484.75 sq. Mtrs. is sanctioned by said NA order.
- Further condition No. 3, clearly state that, the applicant shall made the use of building only for the purpose for which this permission is granted. In fact the NA permission was granted for the residential purpose, but the applicant project proponent has constructed commercial buildings and 39 shops also in violation of this NA order.
- Thus following violations of NA permissions are observed;
- Area considered by NA permission was 124000 sq. Mtrs. but project proponent has made construction on 131000 sq. Mtrs. without obtaining any amendment in NA order. and it amounts to violation.

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- NA permission has granted only for residential purpose but the project proponent has constructed commercial buildings for 39 shops and also PP has commenced its use illegally and its amount to violation of NA permission.
- Total BUA sanctioned is only 13484.75 sq. Mtrs. but project proponent has carried out the construction of 199000 sq. Mtrs. (as admitted by PP in its revised application for EC) and its clear cut violation of NA Permission.
- Further it is important to note that, the project proponent has suppressed the area 8840 Sq. Mtrs. of stone quarry and this area of stone quarry is nothing but the non development area and shall be deducted from the 124000 sq. Mtrs. but the project proponent as well as collector Pune has intentionally overlooked such NDZ area from the layout and gave illegal benefits to the project proponent.
- Further it is to be noted that, it seems that the stone quarry was illegal and collector Pune has intentionally negated to put heavy fine for such



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illegal exaction of minor minerals and caused loss to the Government.

- Collector Pune also not made the site survey and allowed project proponent to damage the Holy Indrayani River by encroaching in river and allowing construction waste dumping in the river.
- Thus the project proponent has violated the NA Permission, illegal enjoyed benefits of stone Quarry Area, made construction in blue line by managing the false making of blue line, dumped huge construction waste in river.

**21. Intentional Blindness of PCMC, Irrigation / Water Resource Department And Mining Department- Collector Pune On Account of Intentional Negligence And damaging Mother Nature**

**A. Illegality by PCMC:**


- PCMC officers intentionally neglected to perform their duties while granting sanctions to this project & carrying out the contraction.
- PCMC committed illegality by Non Deduction of Stone Quarry Area,




- PCMC committed illegality by accepting Blue line affecting area of STP Reservation Area
- PCMC committed illegality by 18 DP Road Area and issuing TDR on same account,
- PCMC committed illegality by allowing to installed RMC Plant without permission of MPCB.
- PCMC committed illegality by allowing project proponent to construct the Ghat in the Indrayani River.
- PCMC committed illegality by allowing project proponent to dump construction waste in Indrayani River.
- PCMC committed illegality by allowing project proponent to construct parking complex on 10% open Space.
- PCMC committed illegality by allowing project proponent to make misleading area statement, ground coverage.

**B. Irrigation / Water Resource Department**

- Irrigation Department with connivance of PCMC committed illegality by allowing project proponent to construct the Ghat in the Indrayani River.



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- Irrigation Department with connivance of PCMC committed illegality by allowing project proponent to dump construction waste in Indrayani River.
- Irrigation Department with connivance of PCMC committed illegality on account of false marking of blue line for Indrayani River in gut no. 90.
- Irrigation Department with connivance of PCMC committed illegality by issuing false NOC project proponent to carry out construction in blue line marking of Indrayani River.
- Irrigation Department with connivance of PCMC committed illegality by neglecting to perform their duties even the construction waste dumping in Indrayani River by project proponent.

**C. Collector Pune**

- Collector Pune has committed illegality by neglecting to look on the issue of illegal excavation of stone quarry and caused huge loss to environment and also caused loss to government revenue for minor minerals.



  
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- Collector Pune has also committed illegalities by not considering deduction of non-development area of stone quarry.

- Collector Pune has also committed illegalities & negligence on account of violation of terms and condition of NA permission by Project Proponent and also not recovered necessary charges from project proponent & caused loss to government revenue.

**22. Nala No. 23 shown on Irrigation Plant and passing from the project land is completely closed by dumping of construction waste**

-It is to be noted that, the Blue Line & Red Line marking plans/ maps released by the irrigation department clearly shows that, there is NALA no. 23 passing through the Gut No. 90.

-But it is very shocking that, the development plans with blue line & red line marking dose not shows any NALA passing through the gut no. 90.

- In fact there was NALA at site created due to the slope zone in the gut no. 90, but the project



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proponent has covered that NALA and land was made plain by dumping the construction waste.

- But the Science and Technology Park Department of PCMC has issued the remark stating that, there no natural NALA passing through the Gut No. 90. And this act clearly shows connivance between the project proponent and the PCMC on account of the Mother Nature.

**23. Reservations Affected by Blue Line of various Rivers passing through the jurisdiction of PCMC and these reservations needs to be relocated out of Blue Line Area to avoid damage to environment & ecology.**

- It is to be noted that, there are many proposed reservations affected by the blue line marking of Pawana, Indrayani & Mula River passing through the jurisdiction of the PCMC Area.
- It is to be noted that, no construction is permitted in the blue line at any cost, but the PCMC and irrigation (Water Resource) department are neglecting towards such issue of prohibition of





construction in blue line and acquiring the land coming under blue line for the proposed reservations in view to develop such reservations.

- In fact the no development is allowed in the blue line even though, the acquisition of such blue line affected reservations is clearly pointing towards the negligence of these department for causing to environment and ecology by avoiding principles of sustainable developments.
- That the intention of the PCMC towards the environment protection is seems to be careless and reckless as shown by themselves by acquiring the land from present project proponents for the Sewage Treatment Plant reservation No. 1/130 and proposing such development.
- Thus by this notice, my client would like to brought to the notice of Secretary, UDD-GoM, Secretary, Water Resource/ Irrigation Dept-GoM, Commissioner PCMC, the development undertaken is against the nature and will cause the damage to the environment and ecology.



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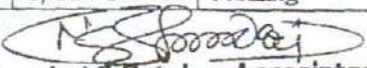
*(Signature)*

- In view to the protect the environment & ecology of the rivers, the following reservations in PCMC area needs to be relocated on the suitable nearest location on urgent basis and related changes to be made in the development plans of the corresponding planning units.

Table No. 7: - List of Reservations Affected By Blue Line marking.

Sr. No.	Village	Reservation No	Reservation Name	River	Survey / Gut No.	Area (Hector)
1	Bopkhel	2/162-G	Garden/ Park	Mula	4, 5 (P)	1.30
2	Bopkhel	2/163-ESR	Elevated Service Reservoir	Mula	5, 154 (P)	0.50
3	Bopkhel	2/164-SSP	Sewage Sump & Pump House	Mula	2, 5	0.46
4	Bopkhel	2/165-PS	Primary School	Mula	2, 154	0.40
5	Bopkhel	2/166-CG	Cremation Ghat/ Shed	Mula	5	0.10
6	Charholi	2/62-CS	Cattle Shed	Indrayani	990, 991, 993	2.40
7	Charholi	2/63-BG	Burial Ground	Indrayani	1015, 1017, 1019, 1020, 1021	2.00
8	Charholi	2/64-G	Garden	Indrayani	1022, 1032	0.79
9	Charholi	2/65-CM	Crematorium	Indrayani	Gavthan	0.40
10	Charholi	2/93-STP	Sewage Treatment Plant	Indrayani	14, 15, 16, 17, 21, 22, 24, 25, 26, 27	6.07
11	Charholi	2/93A-STP	Sewage Treatment Plant	Indrayani	32, 33	
12	Charholi	2/94-SH	Slaughter House	Indrayani	29, 30, 35	1.60
13	Chikhali	1/76-SSP	Sewage Sump & Pump House	Indrayani	1564 (p)	0.50
14	Chikhali	1/77-WTP	Water Treatment Plant	Indrayani	1564 (P)	4.91
15	Chikhali	1/79-CS	Cattle Shed	Indrayani	1655/2(P)	2.00
16	Chikhali	1/98-BG	Burial Ground	Indrayani	1636(P)	1.75
17	Chikhali	1/123-CG	Cremation Ghat	Indrayani	Gavthan	0.10
18	Chikhali	1/124-P	Parking	Indrayani	Gavthan	0.05

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19	Chikhali	1/125-G	Garden/ Park	Indrayani	1, 2	1.00
20	Chikhali	1/126-ESR	Elevated Service Reservoir	Indrayani	2, 19, 41 (p)	0.70
21	Chikhali	1/130-STP	Sewage Treatment Plant	Indrayani	90, 91, 92	5.0
22	Dapodi	3/1-G	Garden/ Park	Pawana	27, 28	1.69
23	Dapodi	3/2-SS	Secondary School	Pawana	24, 28, 29	1.52
24	Dapodi	3/3-ESR	Elevated Service Reservoir	Pawana	27, 28	0.40
25	Dapodi	3/4-BG	Burial Ground	Pawana	11, 15, 16, 17, 24, 26	2.54
26	Dapodi	3/5-PG	Play Ground	Pawana	16 to 18	1.40
27	Dapodi	3/6-SS	Secondary School	Pawana	11, 15, 16, 18	2.02
28	Dapodi	3/15-G	Garden/ Park	Pawana	9 to 11, 16	1.39
29	Dapodi	3/16-PS	Primary School	Pawana	11	1.21
30	Dapodi	3/17-PSN	Police Station	Pawana	11	0.05
31	Dapodi	3/18-P	Post Office	Pawana	11	0.06
32	Dapodi	3/19-ZO	PCMC Zonal Office	Pawana	11	0.23
33	Dapodi	3/29-DMH	Dispensary Cum Maternity Hospital	Pawana	85	0.20
34	Dapodi	3/30-PS	Primary School	Pawana	85A (P)	0.40
35	Dapodi	3/31-G	Garden/ Park	Pawana	84, 85A, 85B	2.00
36	Dapodi	3/37-SPG	Swimming Pool and Gymnasium	Pawana	78, 81, 82, 85	0.90
37	Dapodi	3/38-OP	Octroi Post	Pawana	79, 80	0.20
38	Dapodi	3/39-P	Parking	Pawana	80	0.10
39	Dapodi	3/40-CM	Crematorium	Pawana	79, 80, 84	0.37
40	Dudulgaon	1/222-CG	Cremation Ghat	Indrayani	248, 249	0.10
41	Dudulgaon	1/230-SSP	Sewage Sump & Pump House	Indrayani	22, 24	0.50
42	Kiwale	4/137-SSP	Sewage Sump & Pump House	Pawana	96	0.50
43	Kiwale	4/138-CG	Cremation Ghat	Pawana	97	0.08
44	Mamurdi	4/161-CG	Cremation Ghat		7	0.10
45	Mamurdi	4/162-SSP	Sewage Sump & Pump House		9	0.50
46	Moshi	1/168-CG	Cremation Ghat		51	0.35
47	Moshi	1/169-AI	Animal Incinerator		51	0.40
48	Moshi	1/173-RPR	River Front Recreation	Indrayani	89, 90, 91, 93, 94, 145 to 153	2.00
49	Moshi	1/174-SSP	Sewage Sump & Pump House	Indrayani	155 to 160	0.50
50	Punawale	4/60-RFP	River Front Recreation	Pawana	54	2.76
51	Punawale	4/75-BG	Burial Ground	Pawana	3	1.00
52	Punawale	4/74-A&B-STP	Sewage Treatment Plant	Pawana	5	2.00
53	Ravet	4/80-SSP	Sewage Sump &	Pawana	27, 28, 33	0.50

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			Pump House			
54	Ravet	4/79-CM	Crematorium	Pawana	17	0.40
55	Talawade	1/74-RPR	River Front Recreation	Indrayani	9 to 14	2.10
56	Talawade	1/75-SSP	Sewage Sump & Pump House	Indrayani	11, 14, 15	0.50
57	Tathawade	1-S&PH	Sewage Sump & Pump House	Pawana	173	0.40
58	Tathawade	2-CG	Cremation Ghat	Pawana	174	0.40
59	Tathawade	6-STP	Sewage Treatment Plant	Pawana	19	1.0
60	Wakad	4/1-SSP	Sewage Sump & Pump House	Mula	4	0.28

**24. APPLICATION DATED 03.02.2017 FOR  
AMENDMENT IN ENVIRONMENT CLEARANCE**

- In above circumstances of violations of terms and conditions of previous EC Vide No. SEAC-2011/CR.620/TC.2 dated 07.10.2011, and non-complying to the directions stipulated in the previous EC by project proponent.
- That the Environment Department, SEAC, SEIAA, MPCB are here by invited attentions towards the application dated 03.02.2017 for amendment in EC and to take appropriate decision as per the law as in view that there will not be further damage to environment & ecology as there is serious violation by the project proponent in his building

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construction project and caused the substantial damage to surrounding environment & ecology.

## 25. ILLEGAL CONSTRUCTION

- It is to be noted that, after study of the project under this notice, it reveals that the project proponent has no sufficient Net Plot Area and FSI to made the construction as he has done and to propose the further construction.
- Even by tentative view that the illegal construction made by the project proponent is near about 200 flats and 4 buildings and this construction is in total violation of the DC rules of PCMC.

## 26. IF NON-ACTION BY CONCERN AUTHORITY AND FURTHER LEGAL ACTION

Thus all noticee are called upon to take legal action against the Project Proponents as per the law for the violations committed by them and in view to stop further damage and degradation caused by PP to environment and ecology on priority. In addition to that further legal actions against Project Proponent



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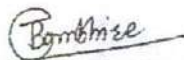
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needs to be initiated by PCMC for violations of DC rules, MR & TP Act and taking benefits of illegal FSI & TDR of Non-Development zone by misleading the authorities. Failing on part of authorities my client will proceed for further legal recourse without any further notice, which will be very harmful for all concerns. Please take note.



ADV. NILESH K. BHANDARI

BHANDARI & PATEKAR LAW ASSOCIATES

  
TANAJI BALASAHEB GAMBHIRE

**Bhandari & Patekar Associates**  
Advocates  
Sundar Apartment, Ground Floor,  
391, Narayan Peth, Pune-411 030.  
Ph.No. 020-24430647

**Enclosures**

- a. Photographs dated- 15.04.2017
- b. Photographs dated- 09.06.2017
- c. Google Earth Photos (Annexure-III & IV)
- d. Application for Revised EC dated 03.02.2017



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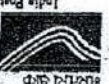
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**ANNEXURE-A-33**

Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune  
"Entire Project is in Blue flood line of Indrayani River"

Photo-01/08

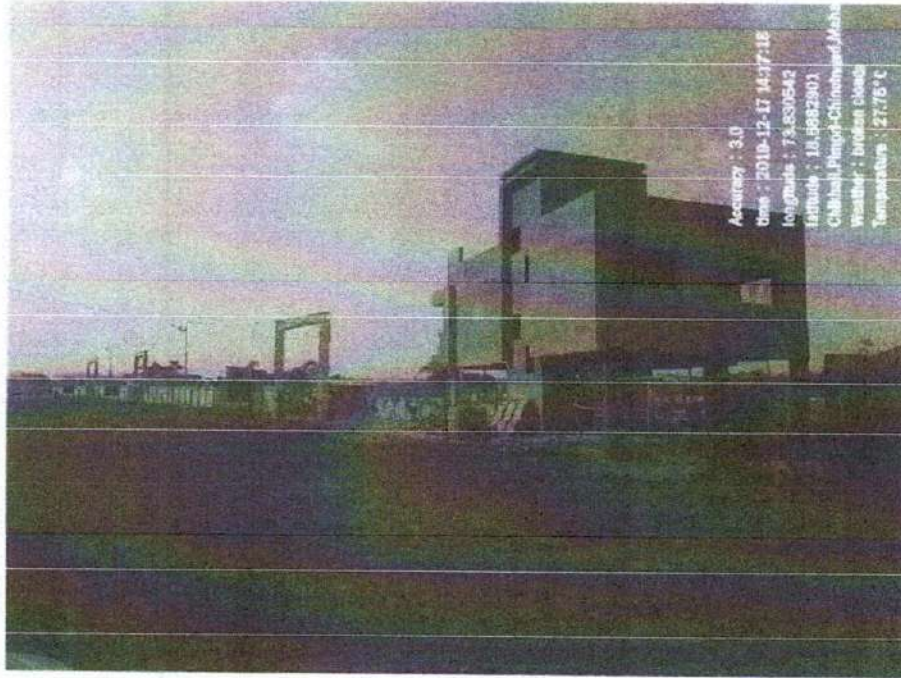
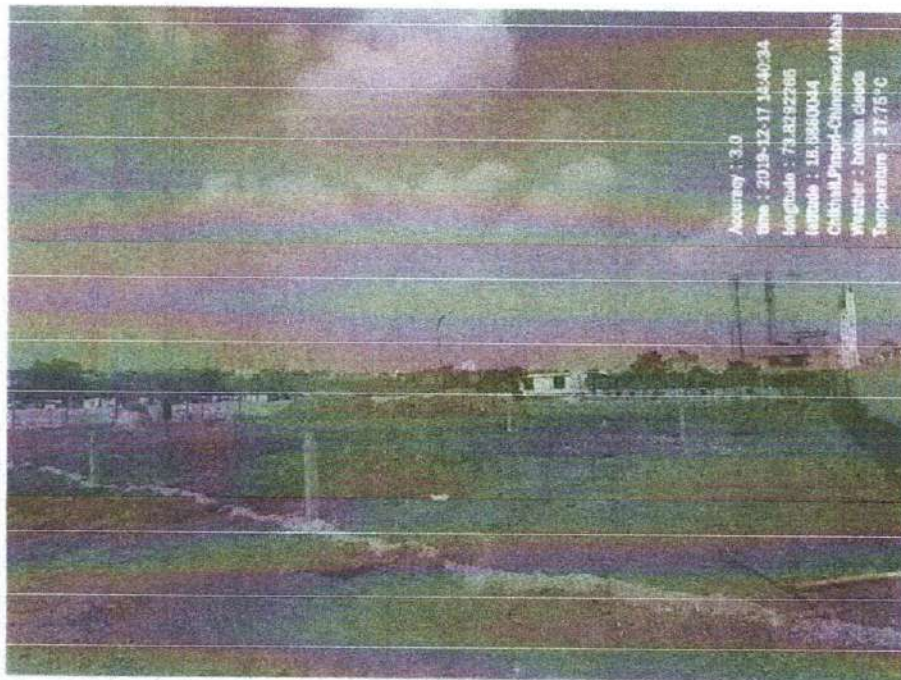


Photo-02/08



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ANNEXURE-A-33

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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"Entire Project is in Blue flood line of Indrayani River"

Photo-03/08



Photo-04/08

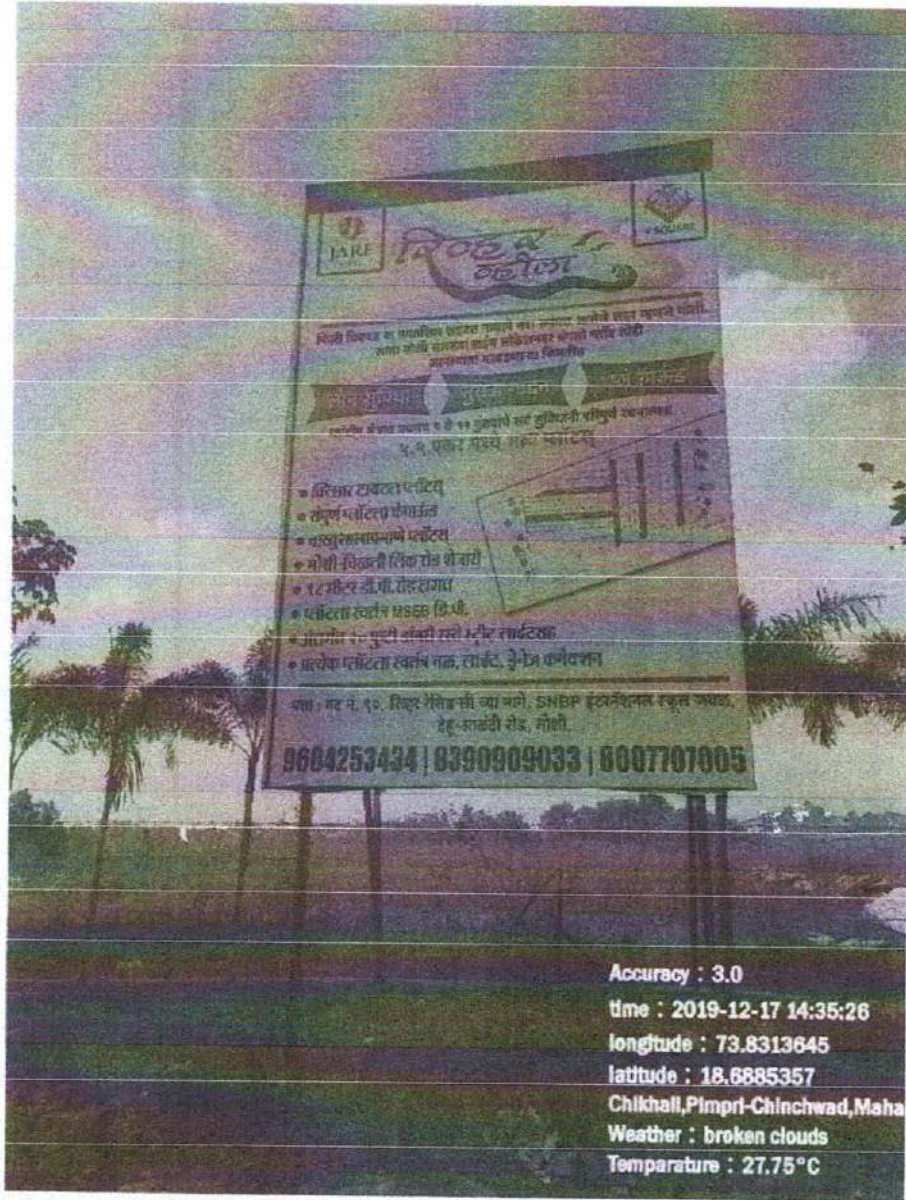


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ANNEXURE-A-33

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, District-Pune  
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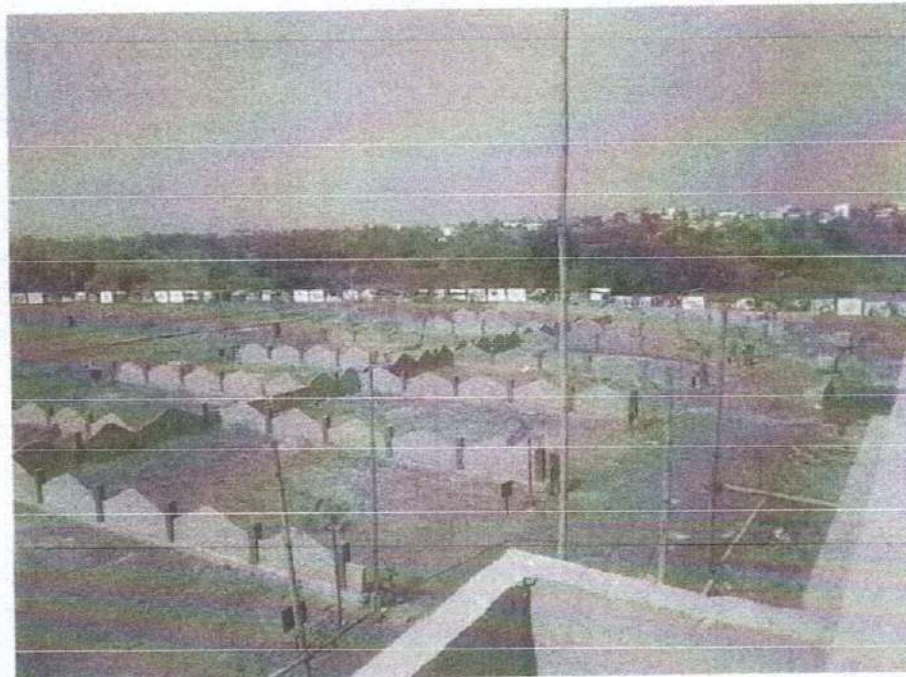
**ANNEXURE-A-34**

Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

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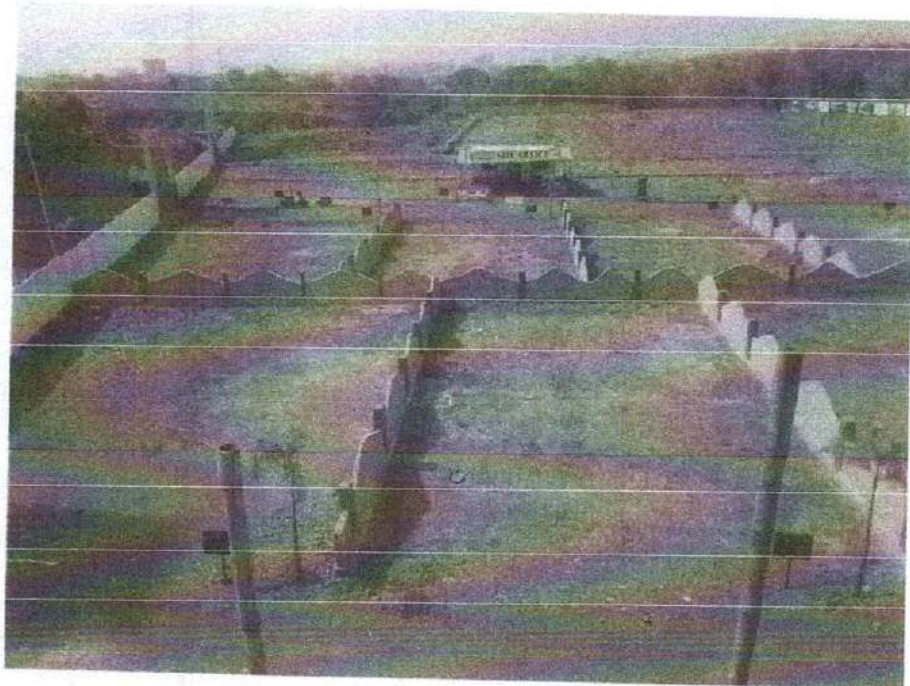
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Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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**ANNEXURE-A-34**

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
Village-Chikhali, Tal- Haveli, District-Pune

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Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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**ANNEXURE-A-34**

Project Site: **"River Villa"** by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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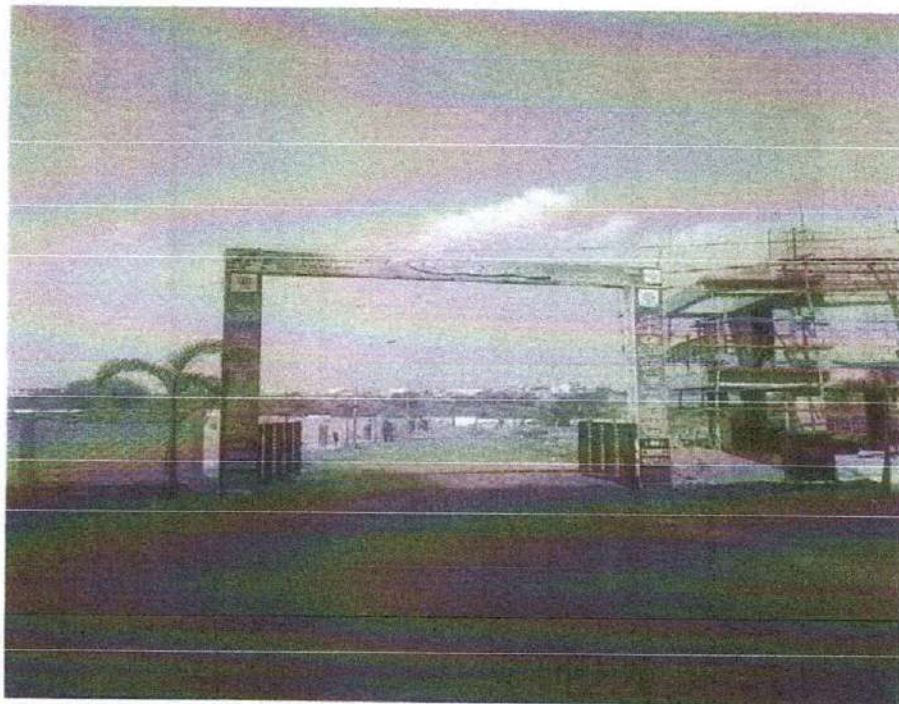
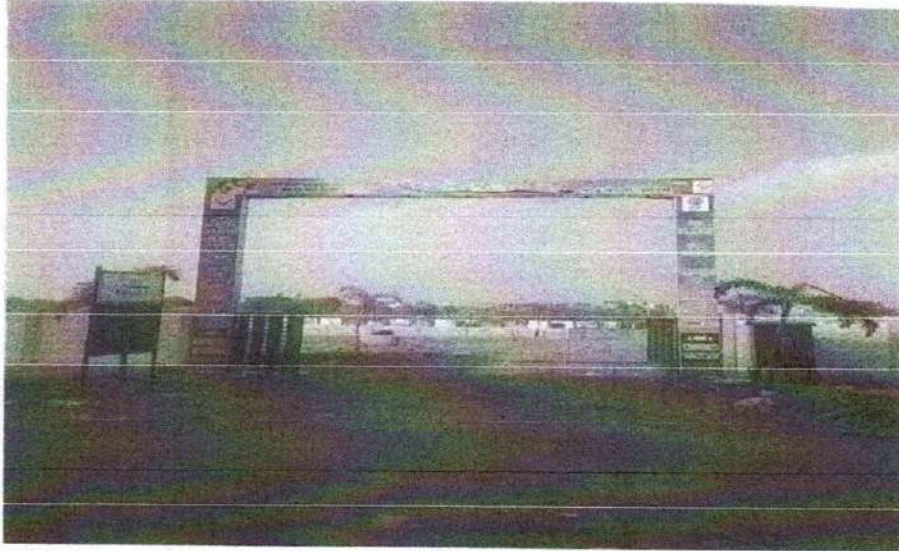
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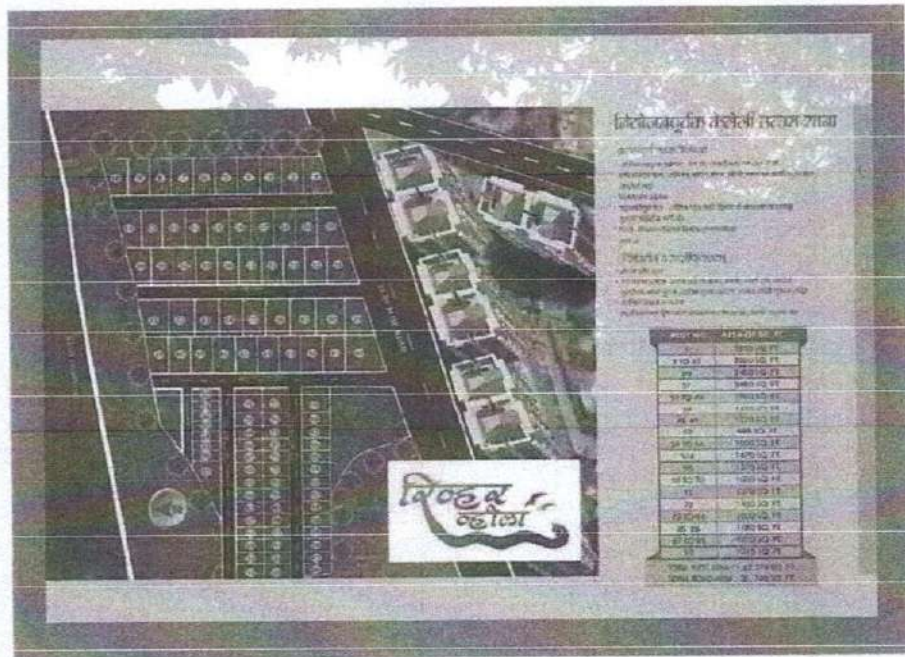
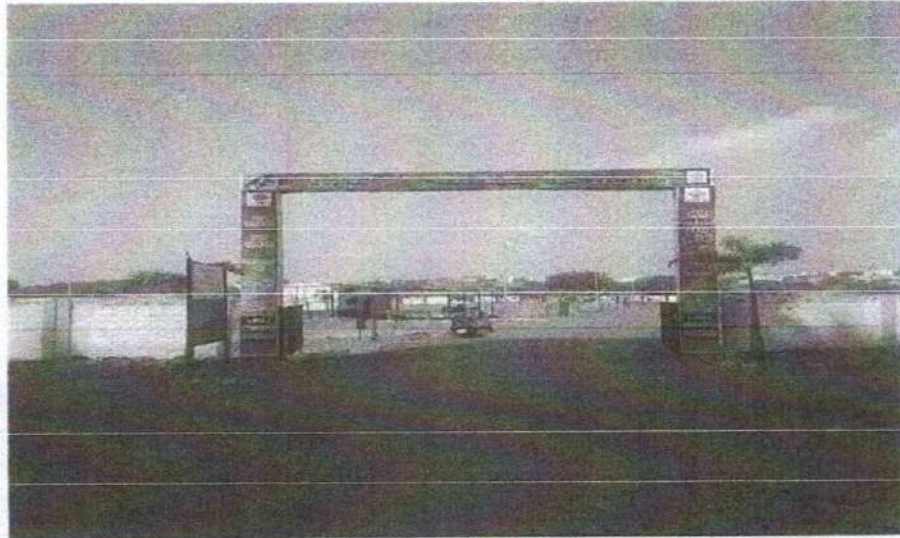
**ANNEXURE-A-34**

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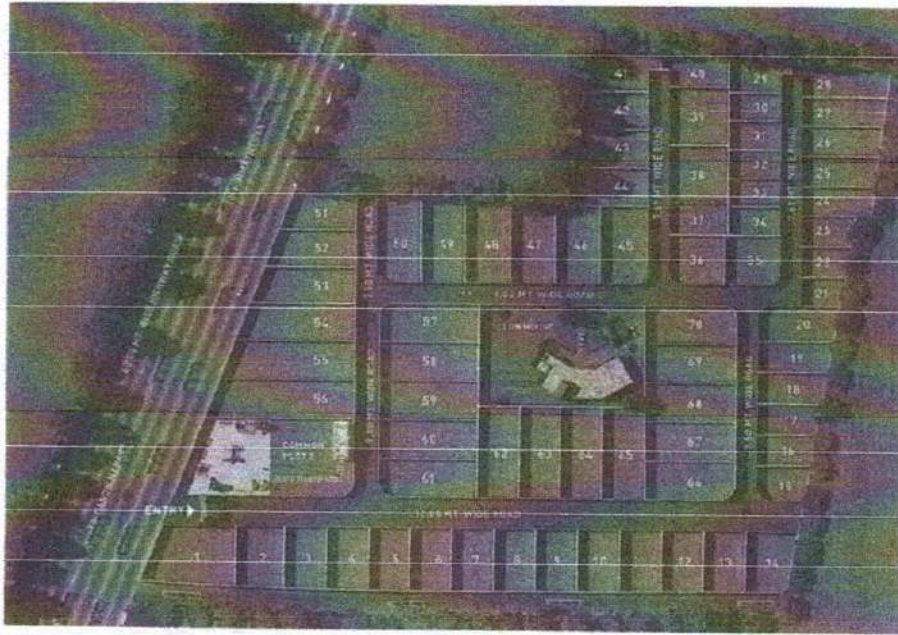
ANNEXURE-A-34

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"Entire Project is in Blue flood line of Indrayani River"

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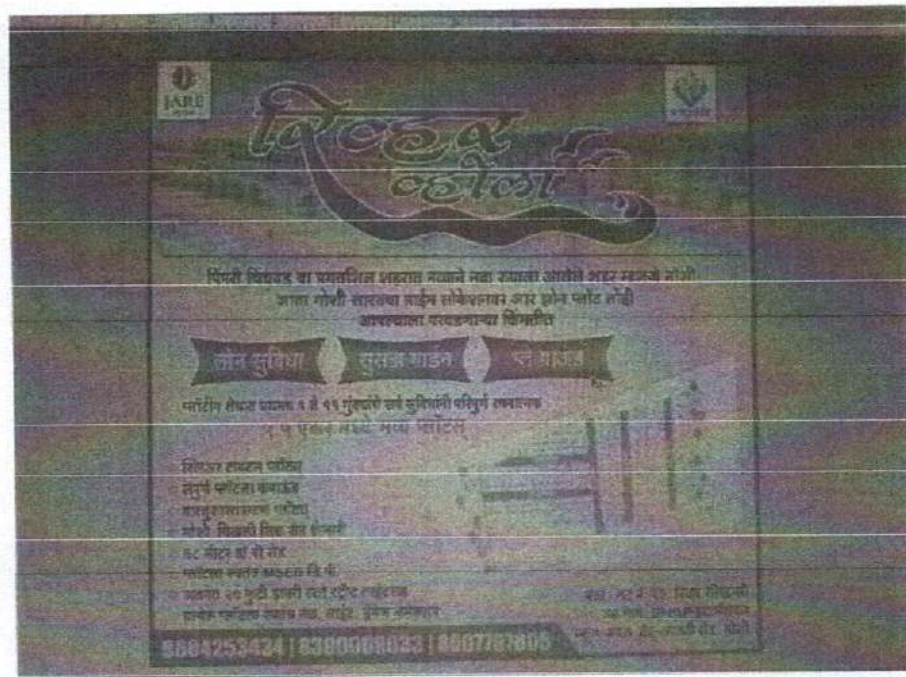
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"Entire Project is in Blue flood line of Indrayani River"

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## ANNEXURE-A-34

Project Site: "River Villa" by 1. Jare World, 2. V Square, Gut No. 90 (p),  
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8390909033

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[vishwanathjare@gmail.com](mailto:vishwanathjare@gmail.com)

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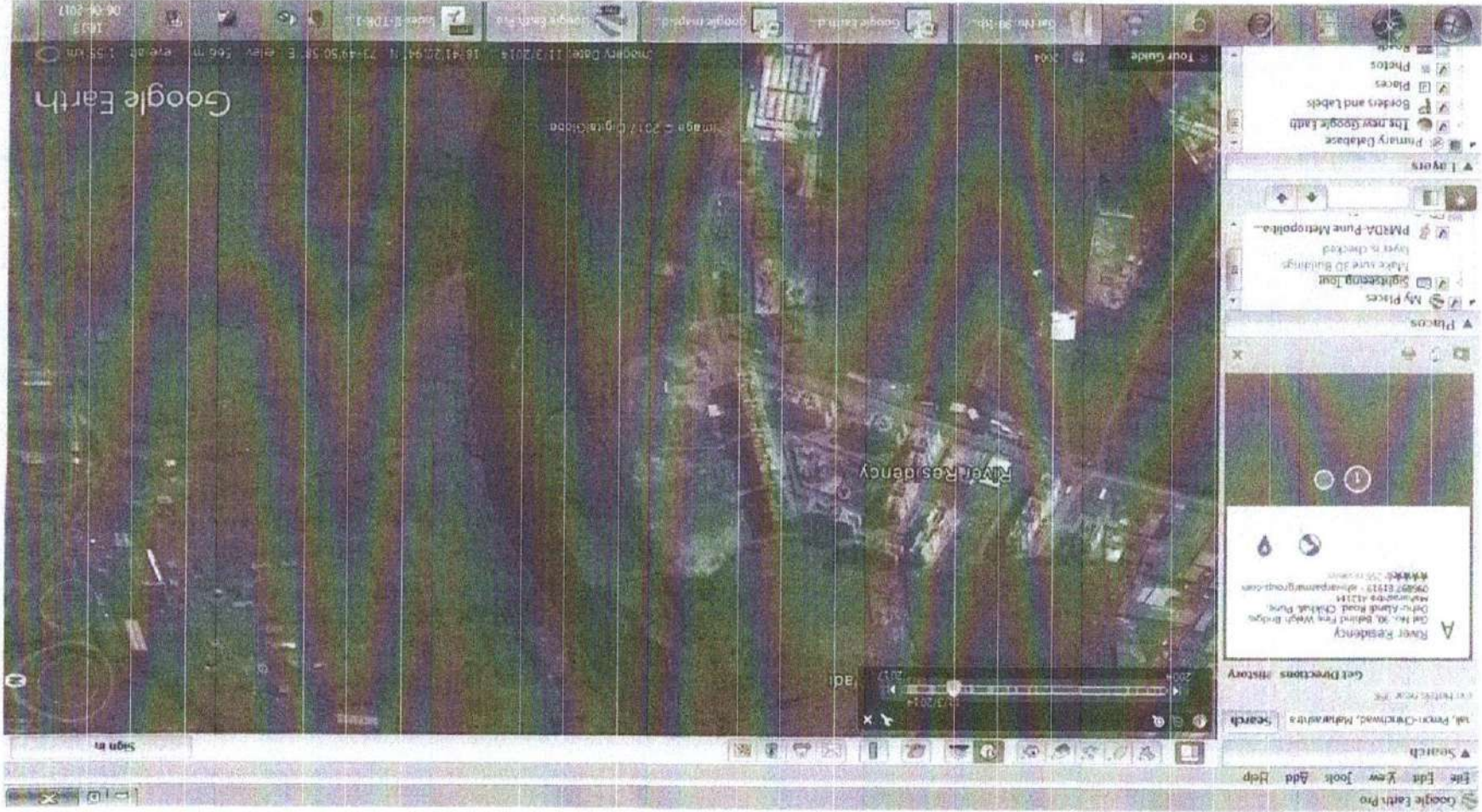
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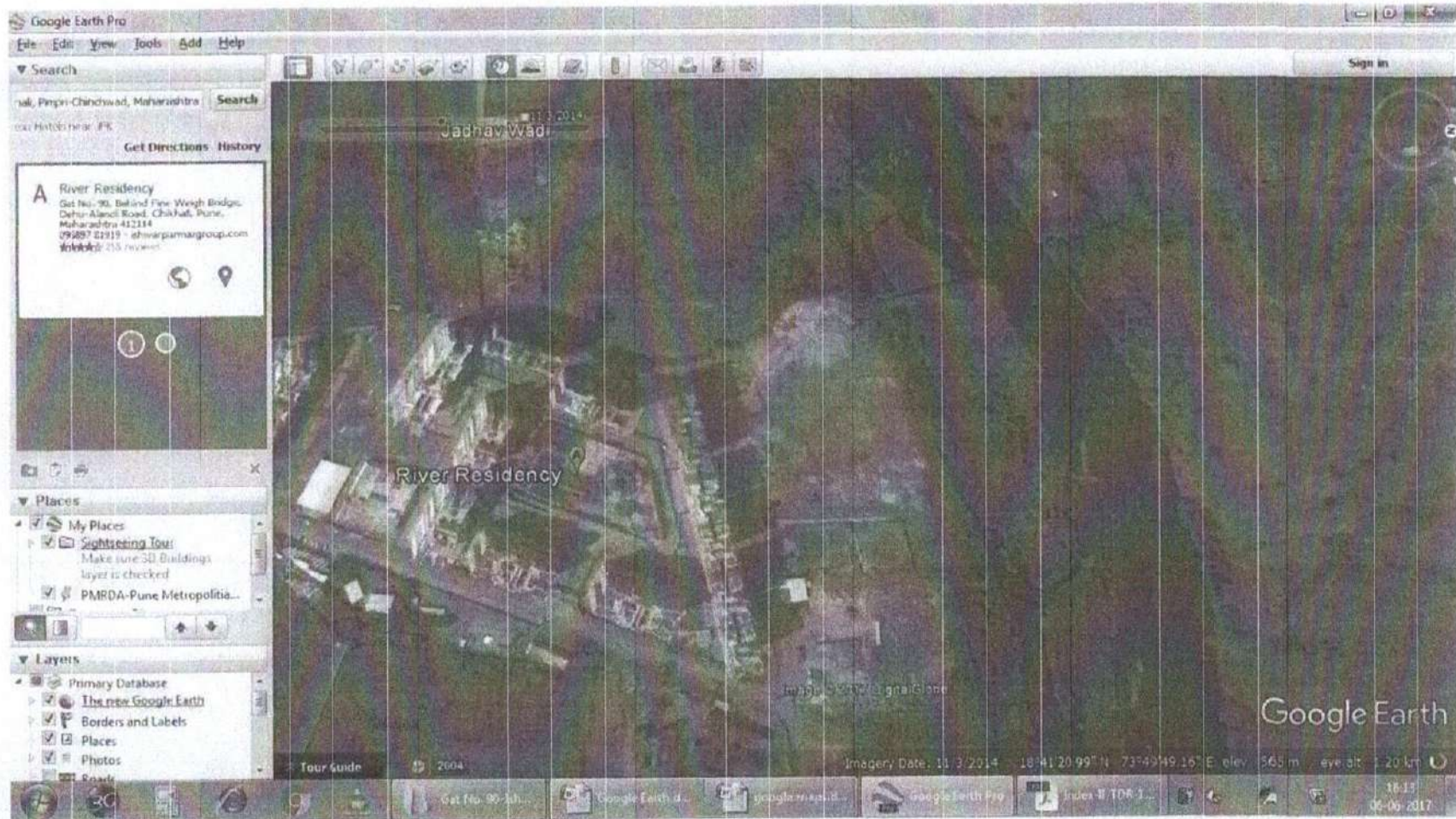


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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd., 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Survey No. 90 (p), Village-Chikhal, Tal- Haveli, Dist-Pune

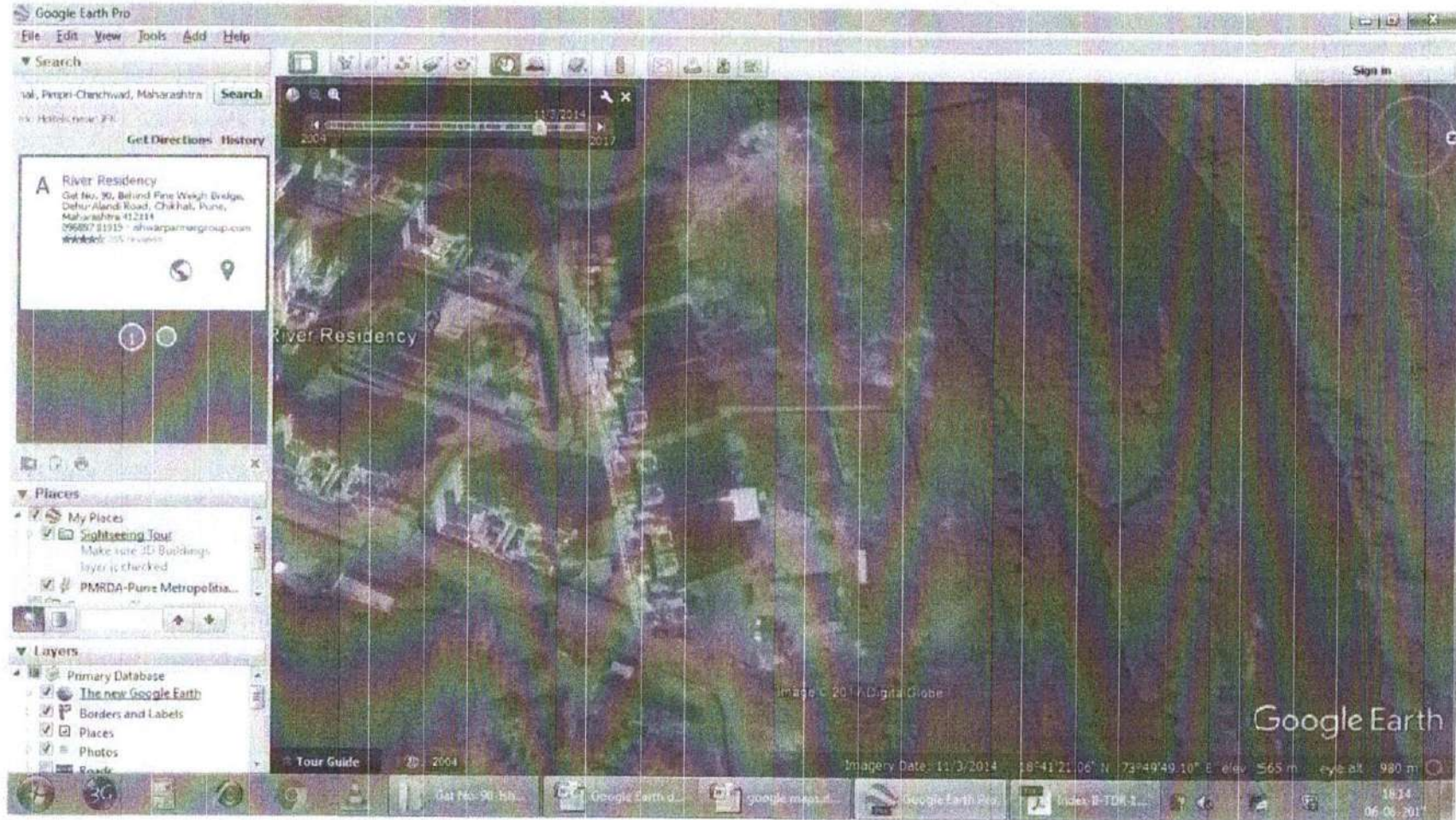
ANNEXURE-A-35

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Survey No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



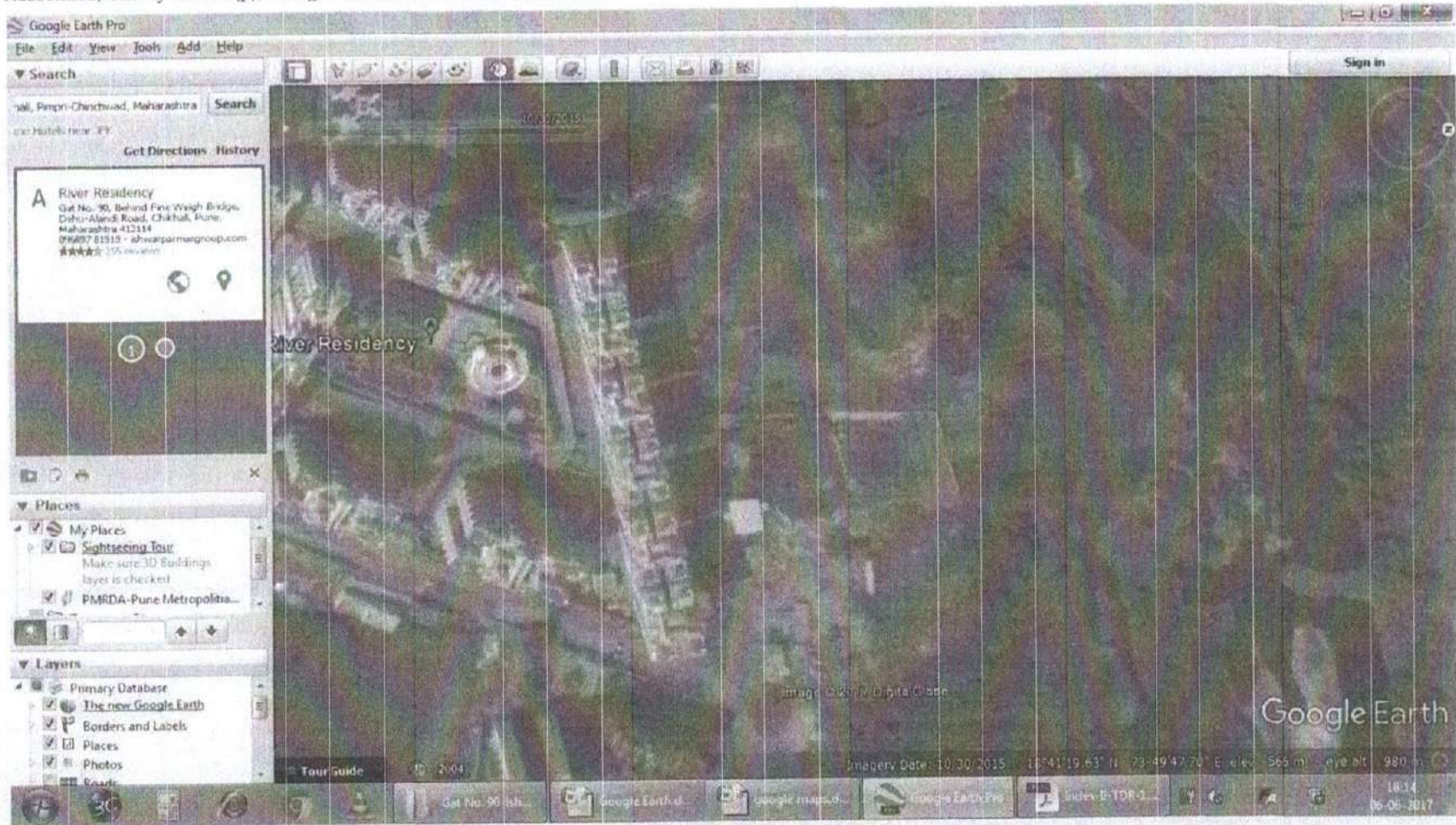
ANNEXURE-A-35

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Survey No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



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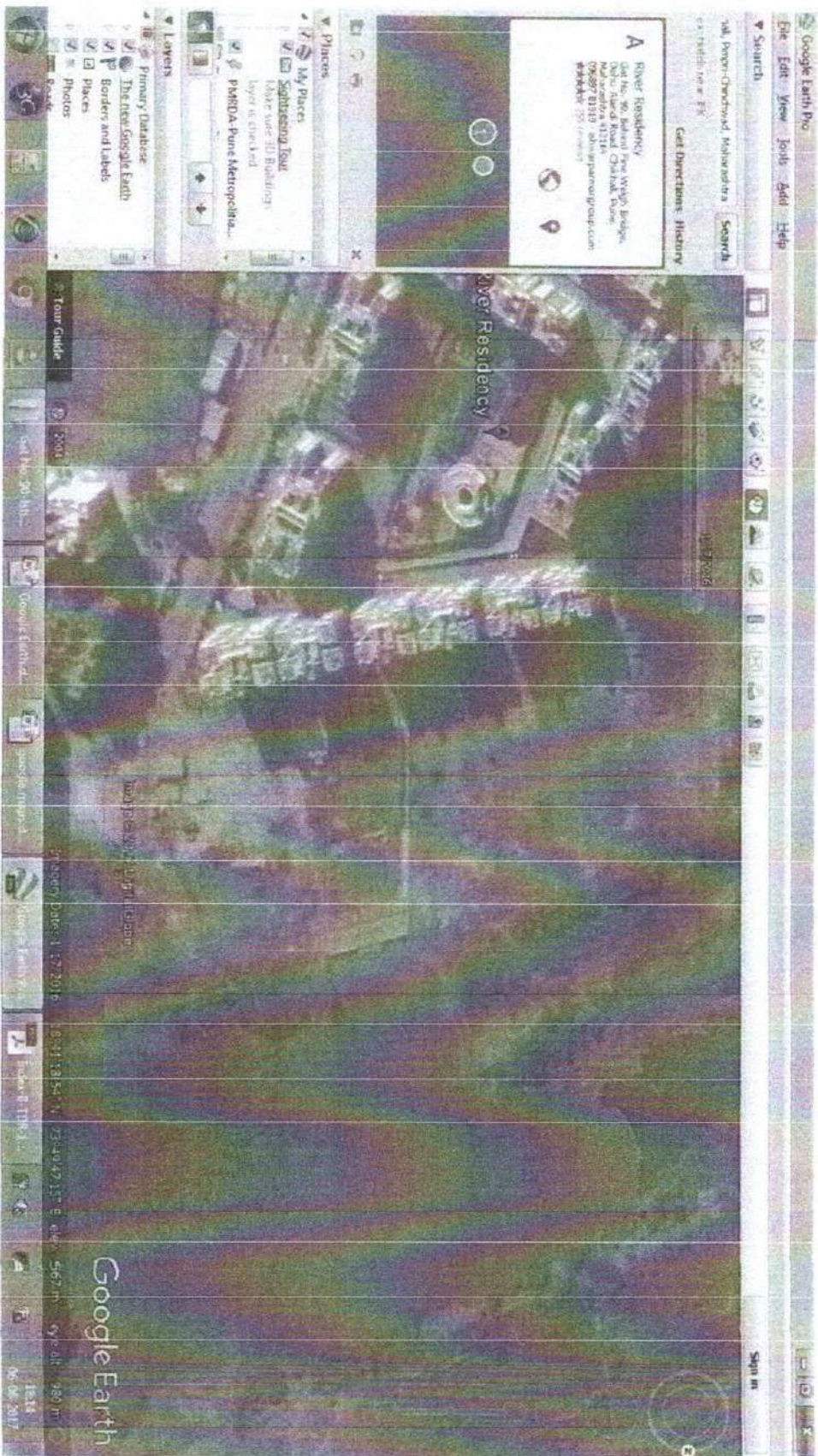


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ANNEXURE-A-35



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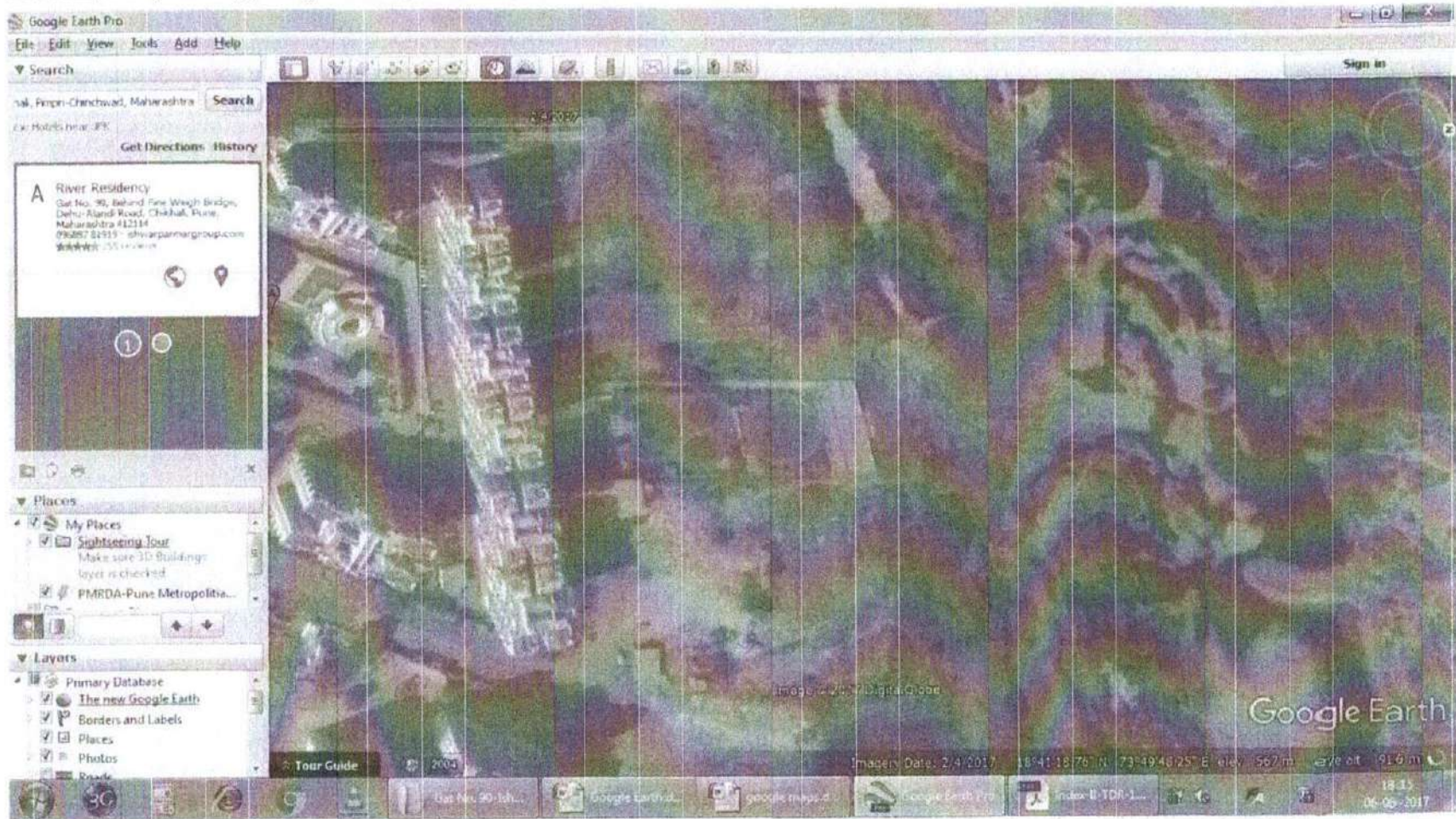
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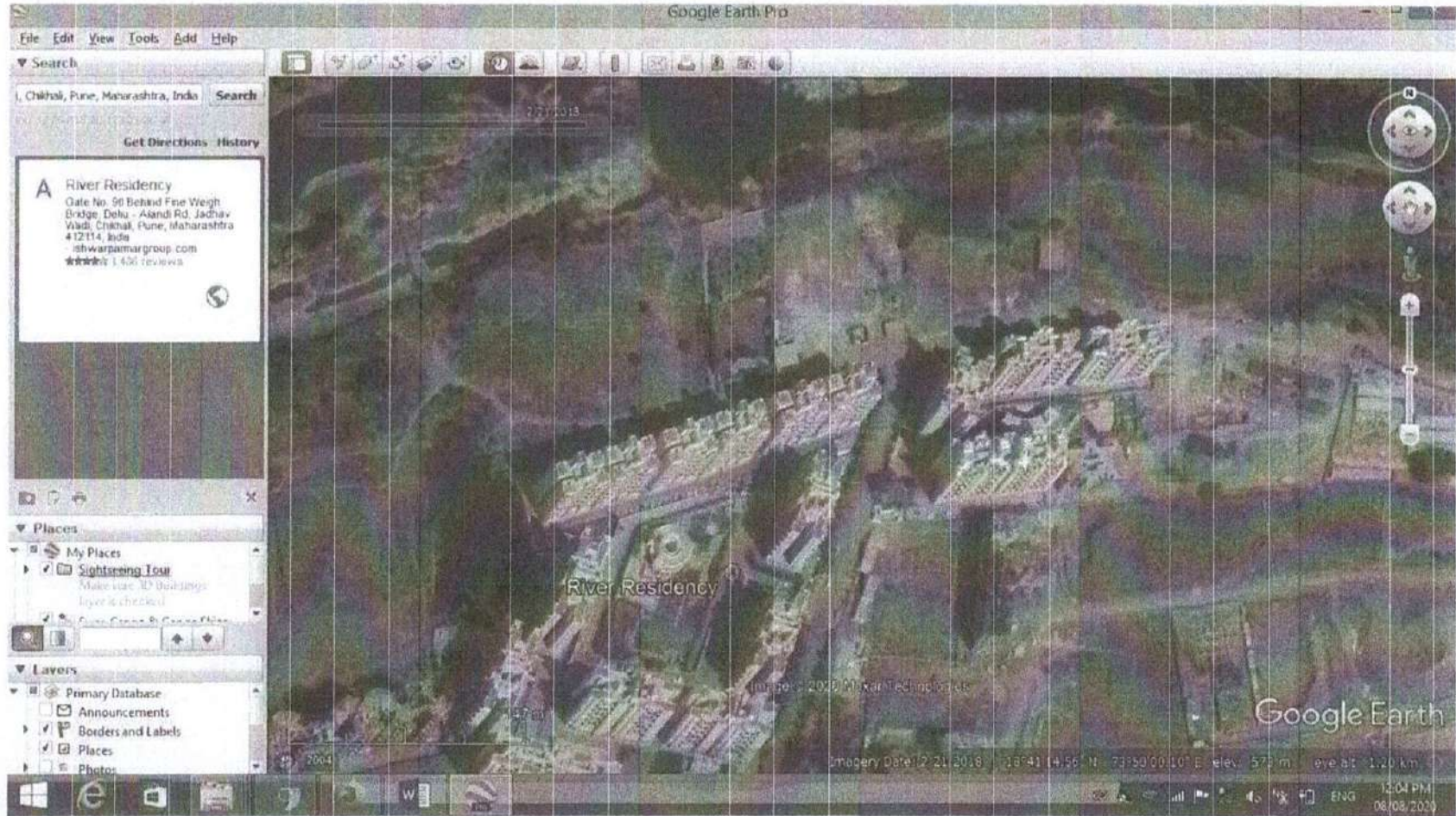
ANNEXURE-A-35

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Survey No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



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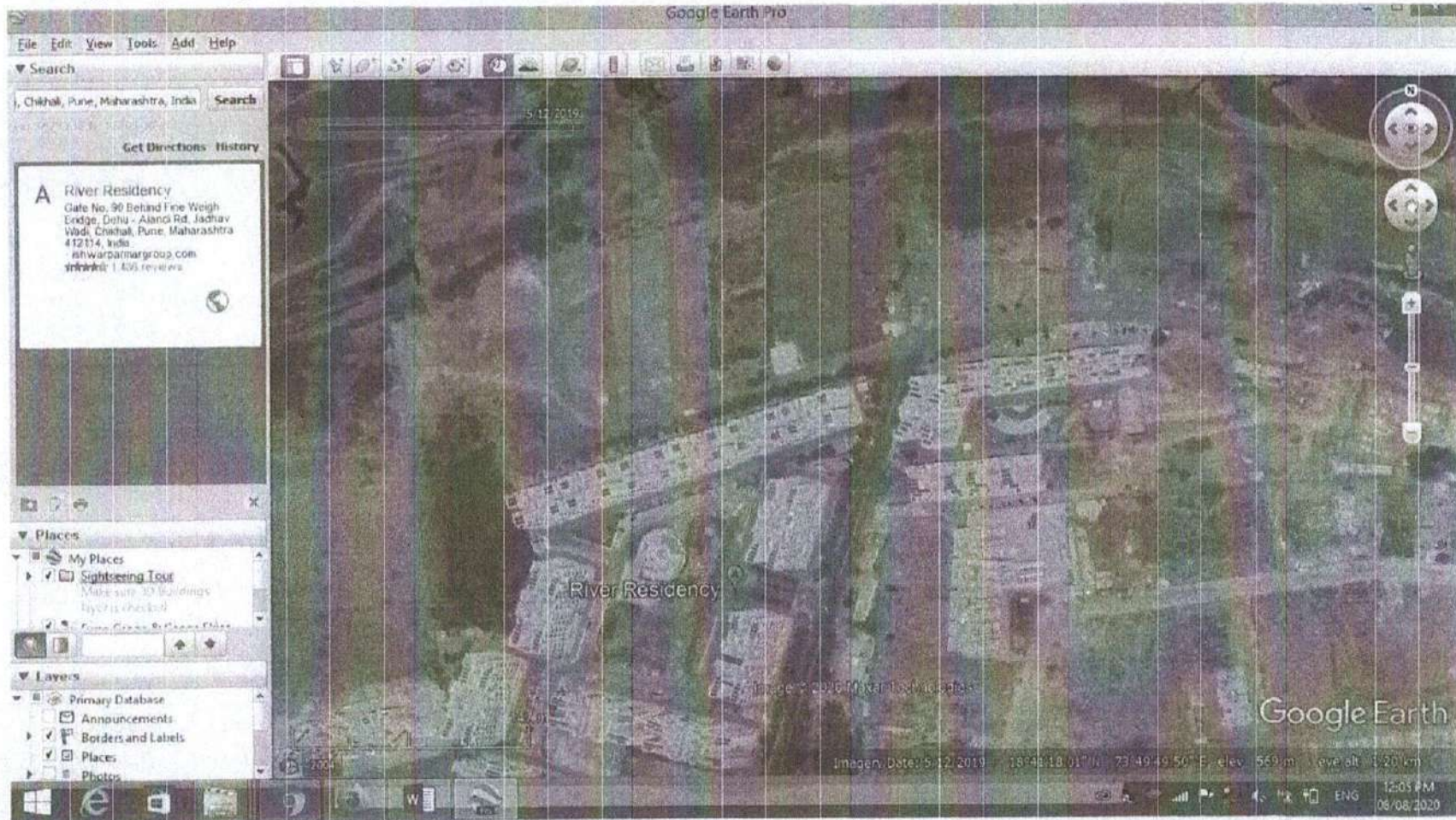
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ANNEXURE-A-35



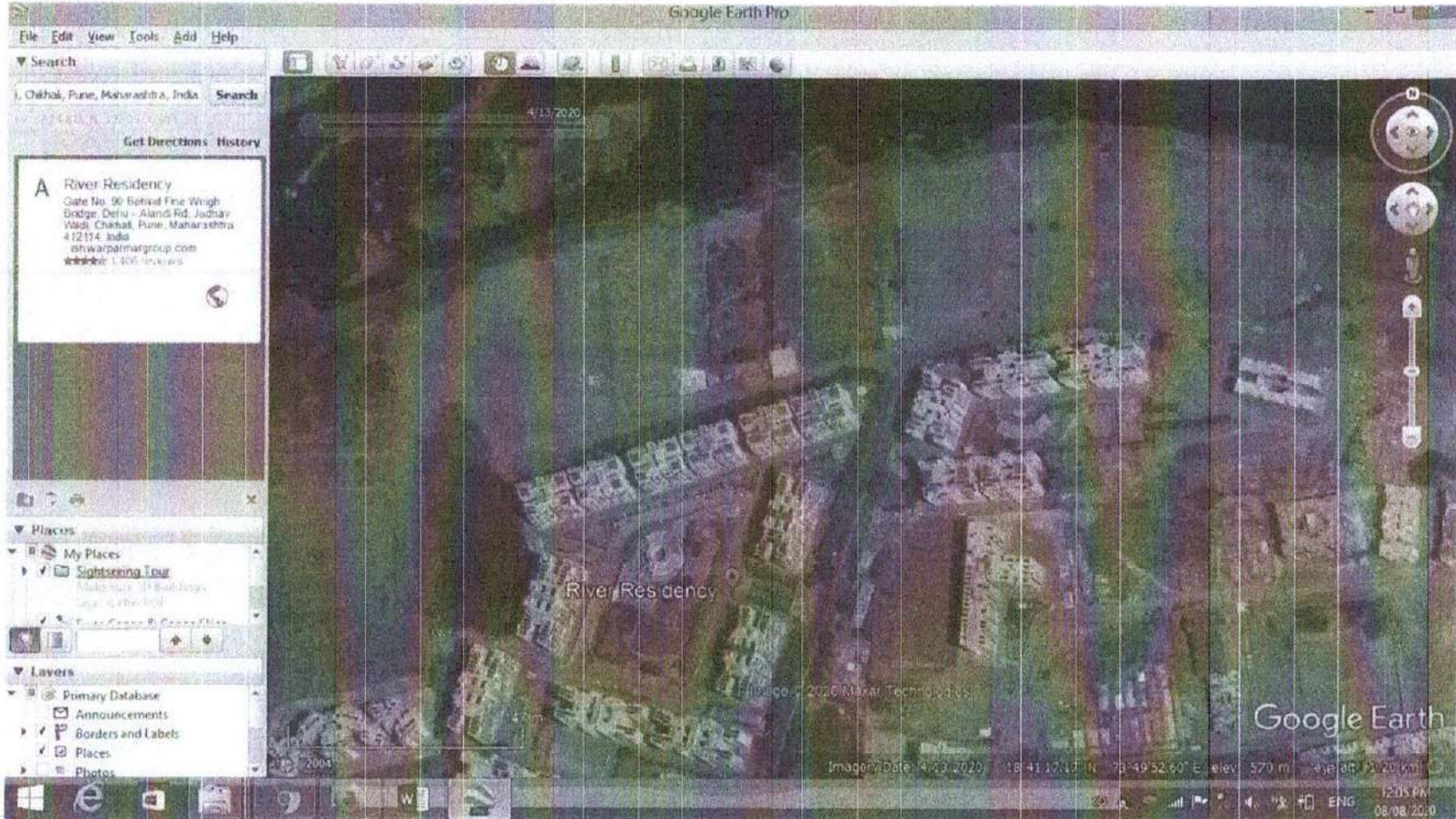
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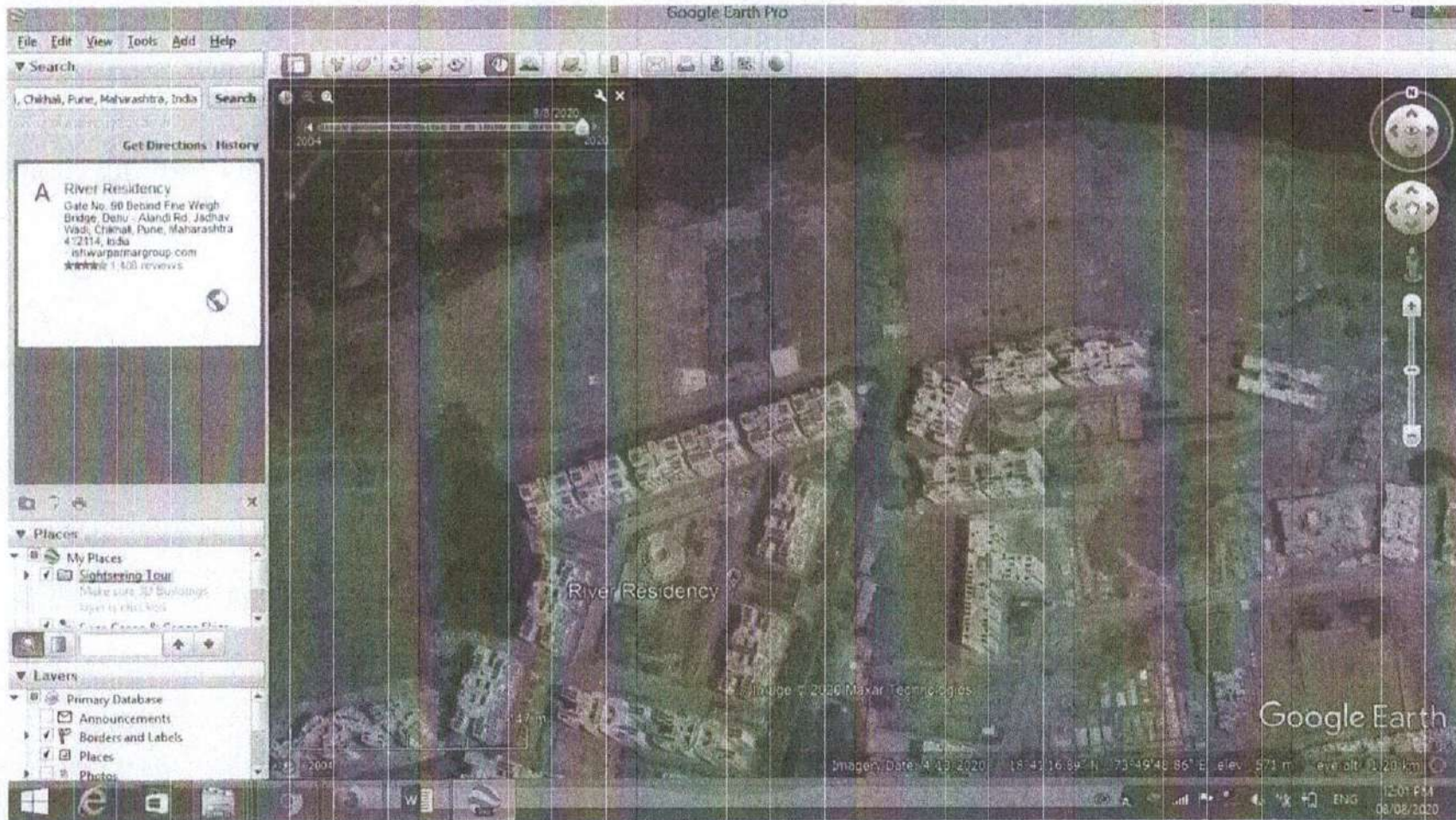
ANNEXURE-A-35

Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Survey No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



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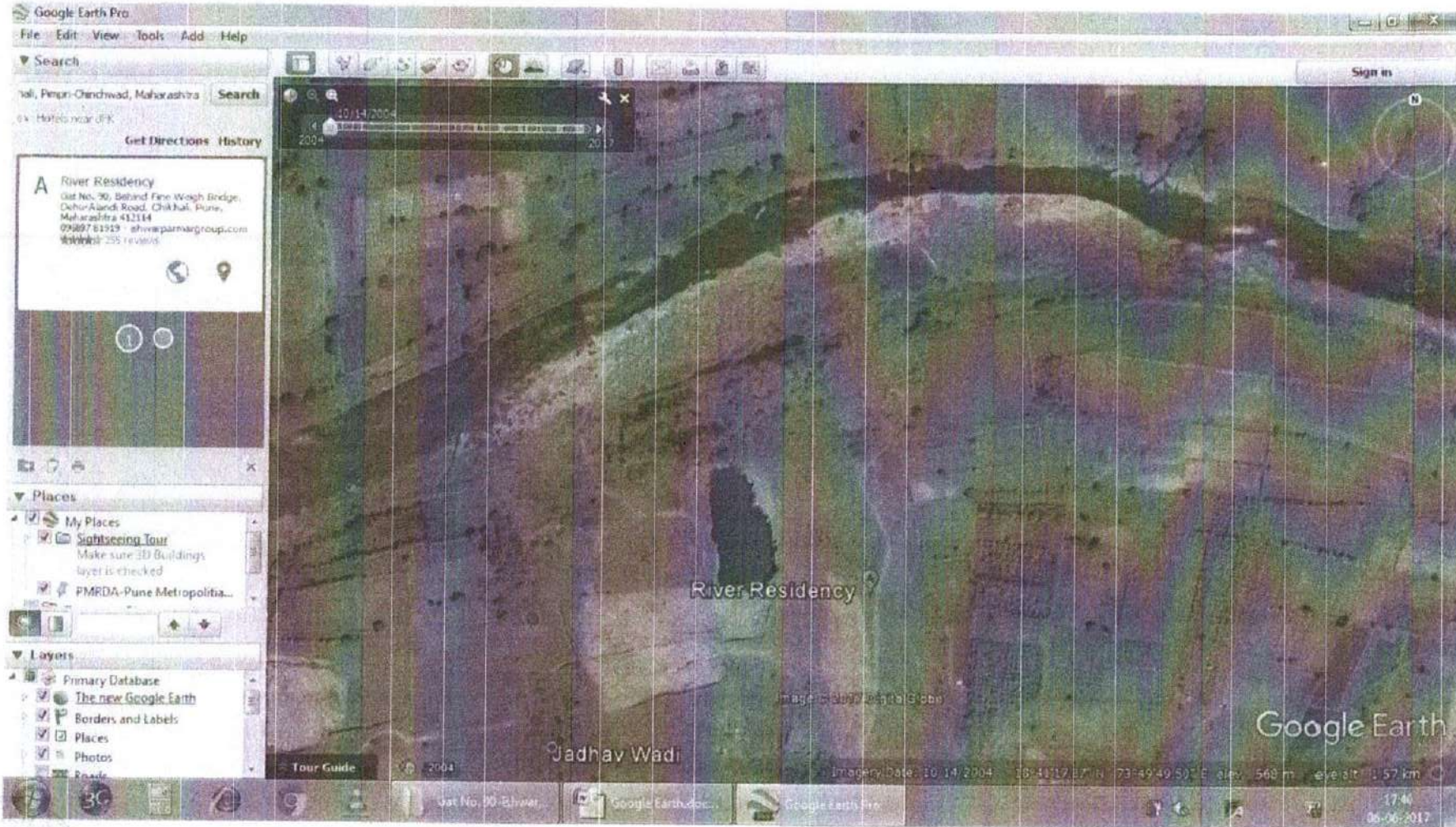
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune

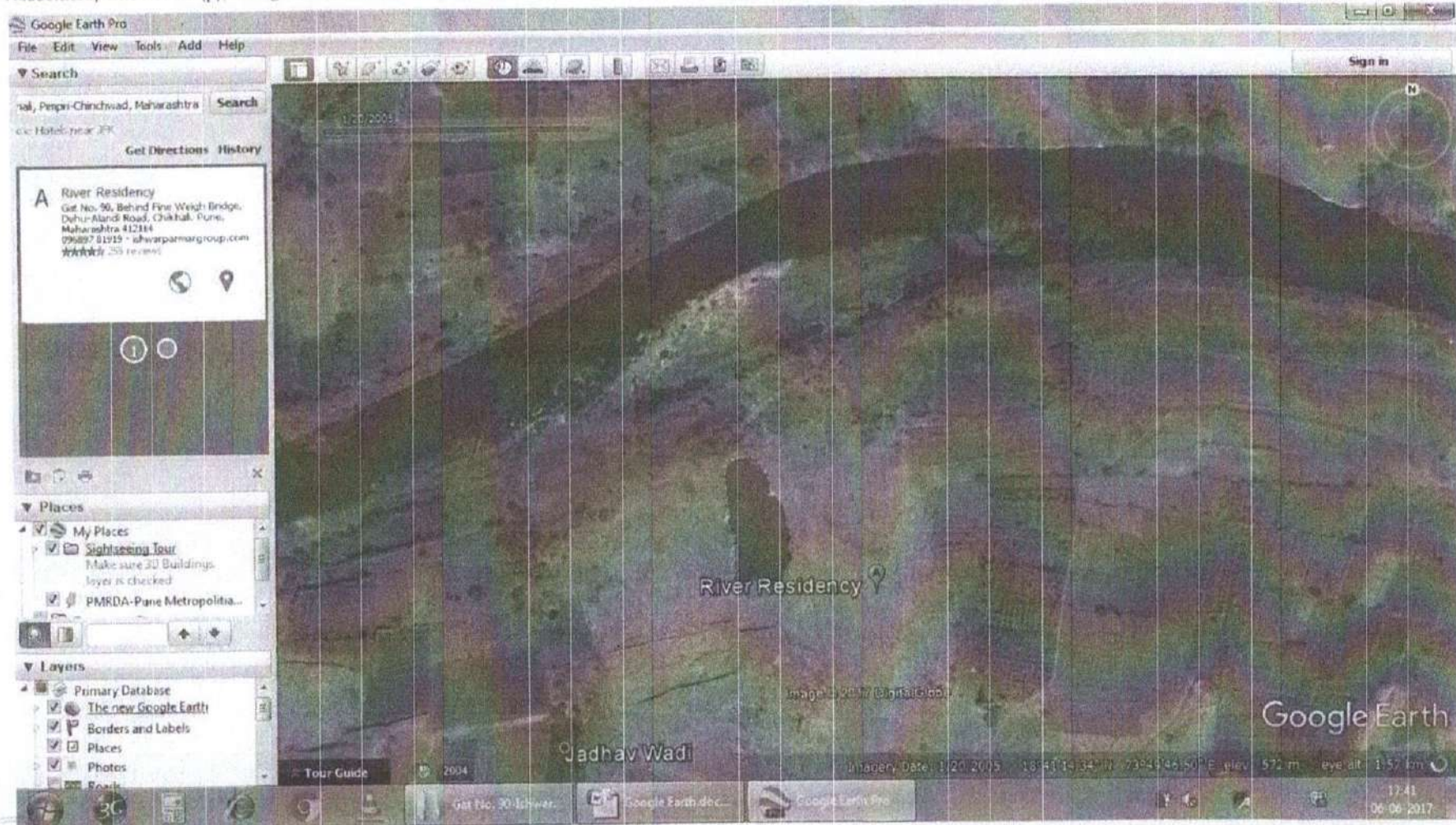


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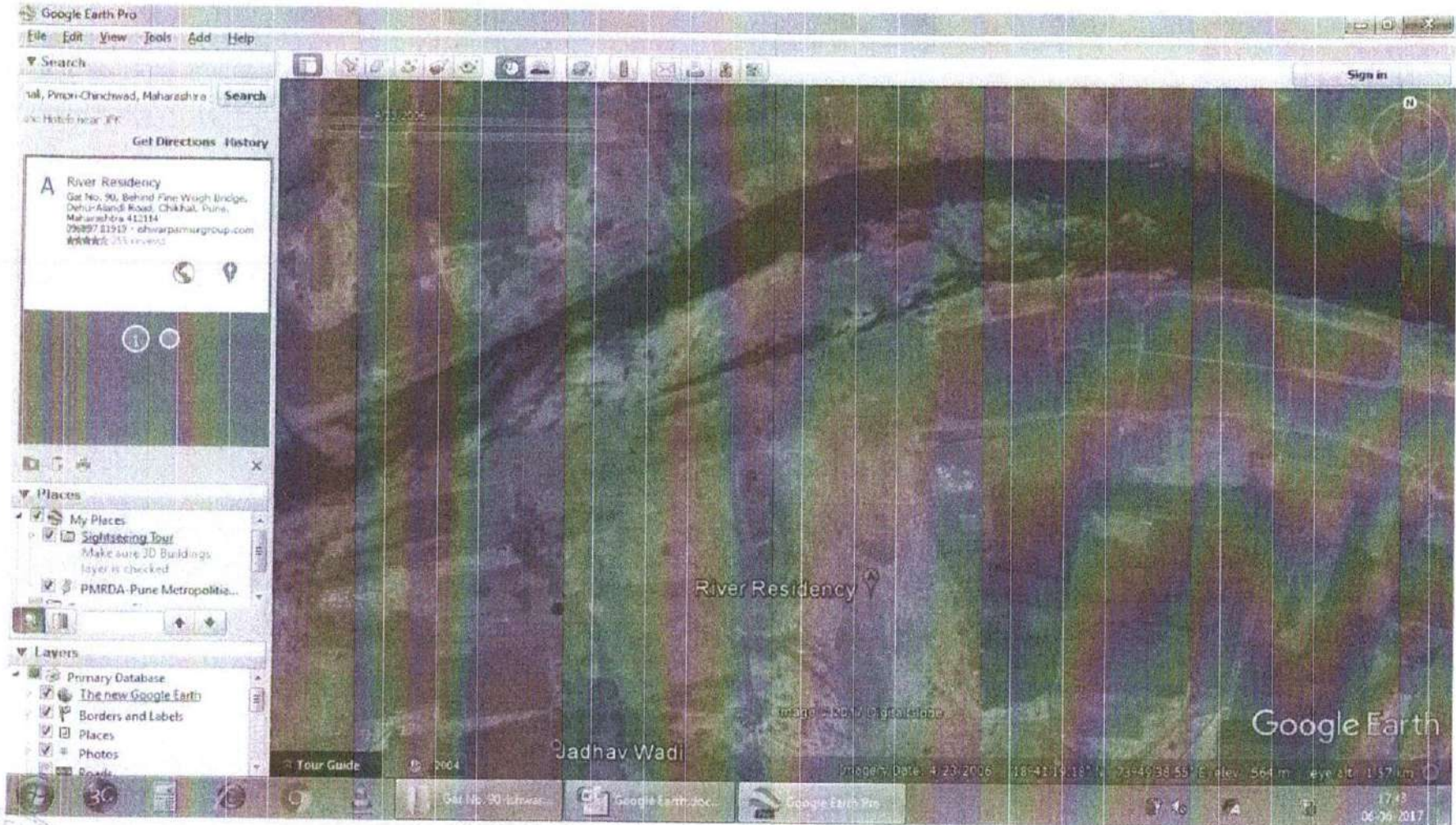
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



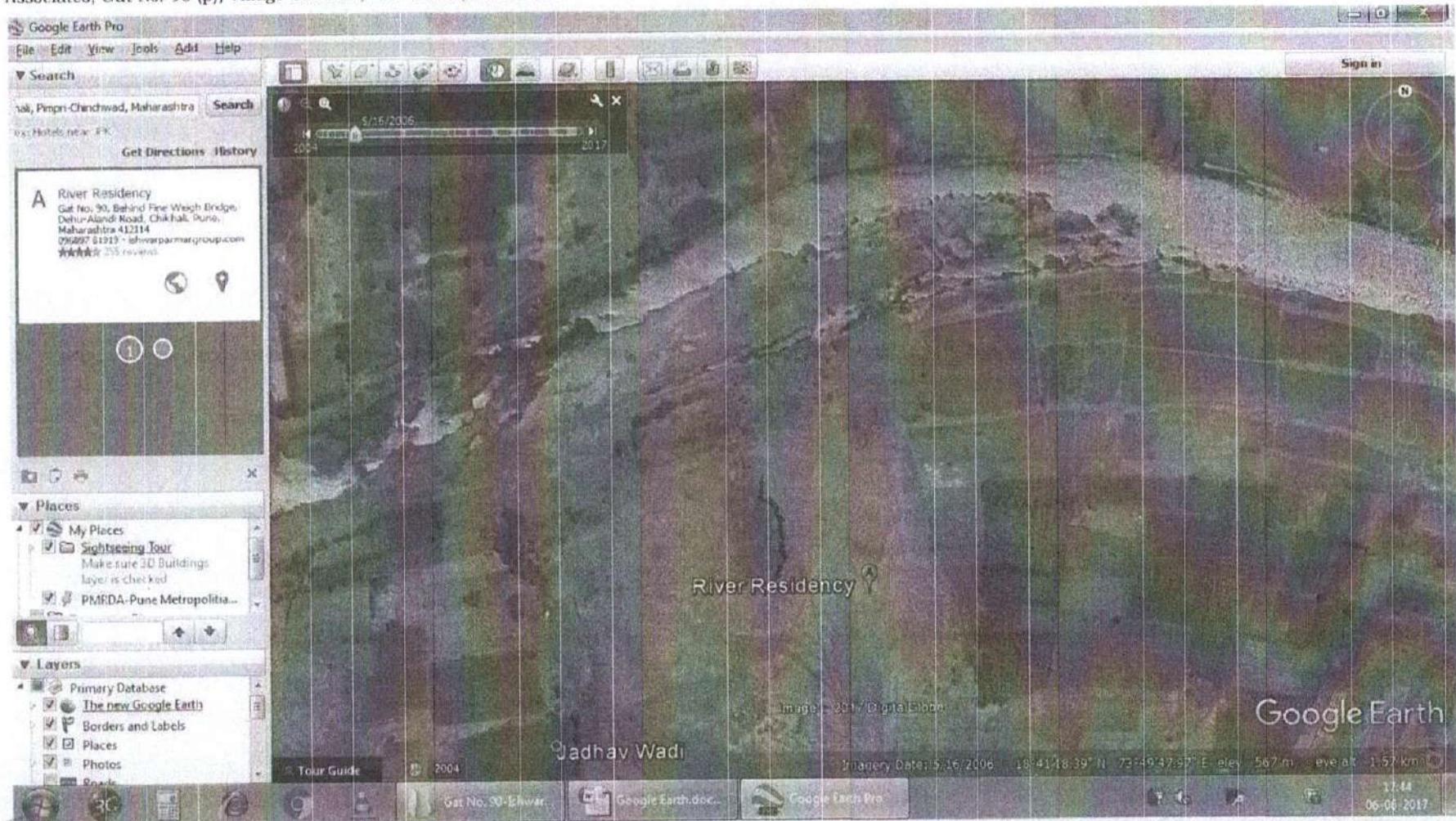
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



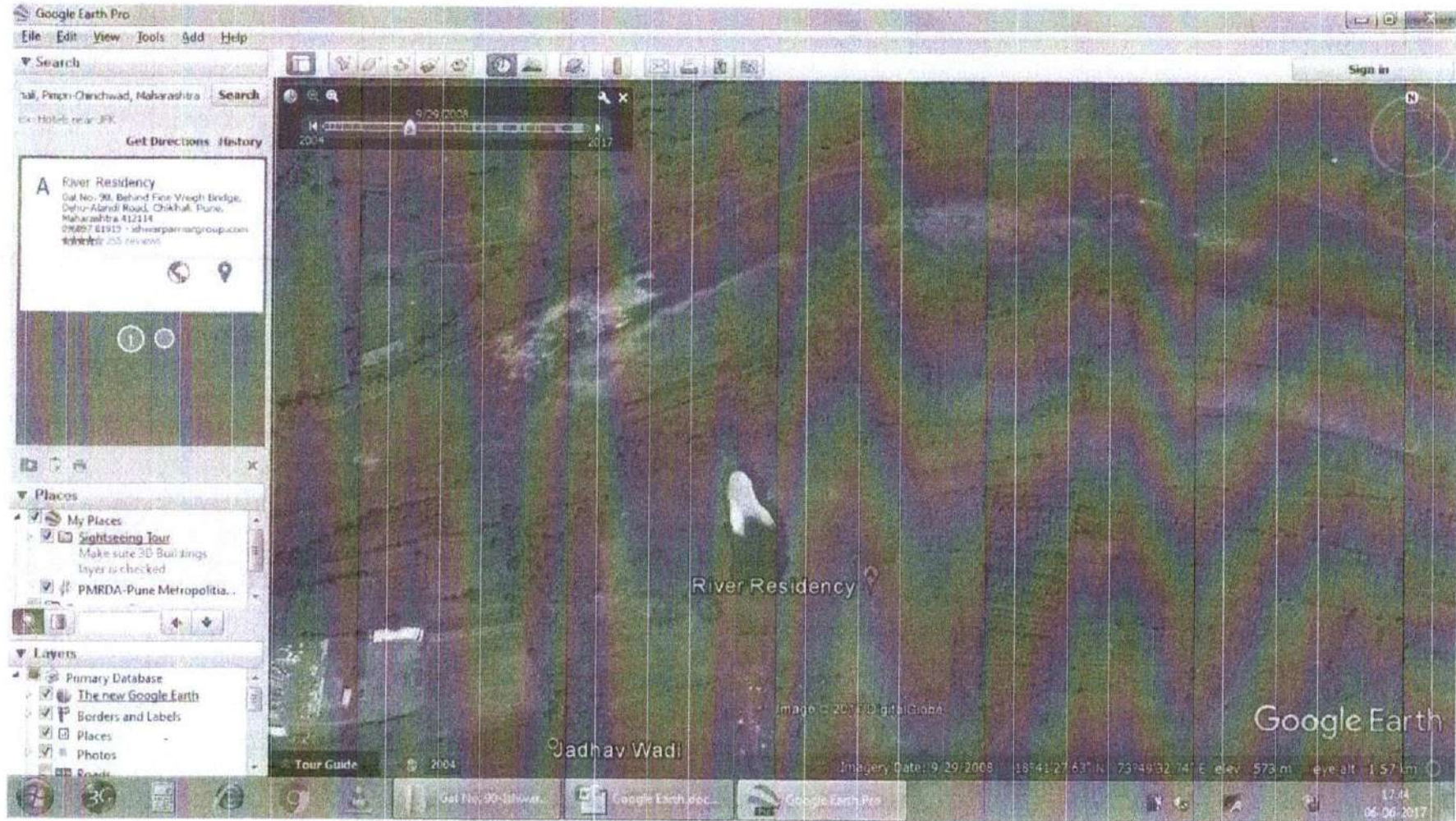
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune

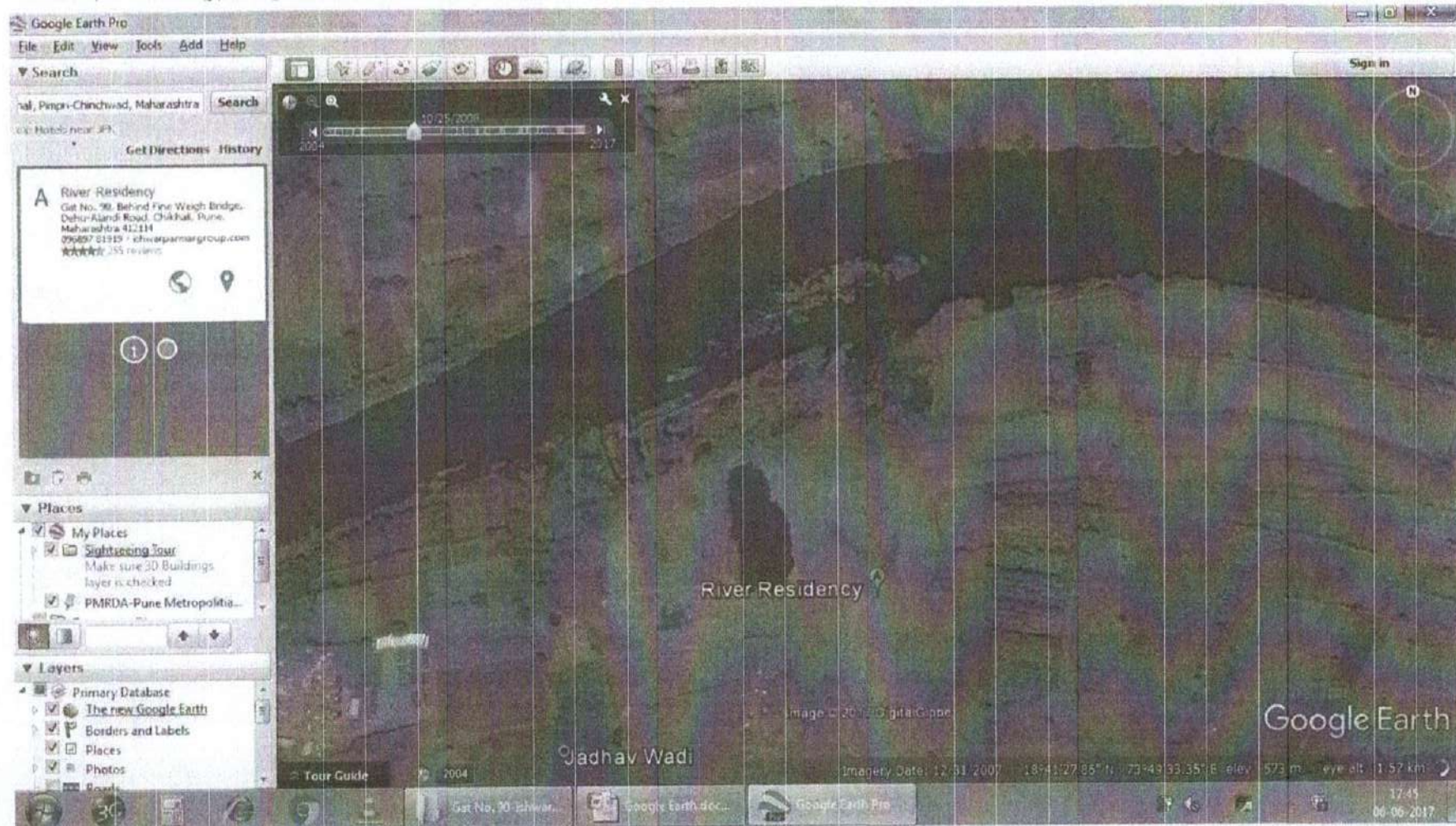


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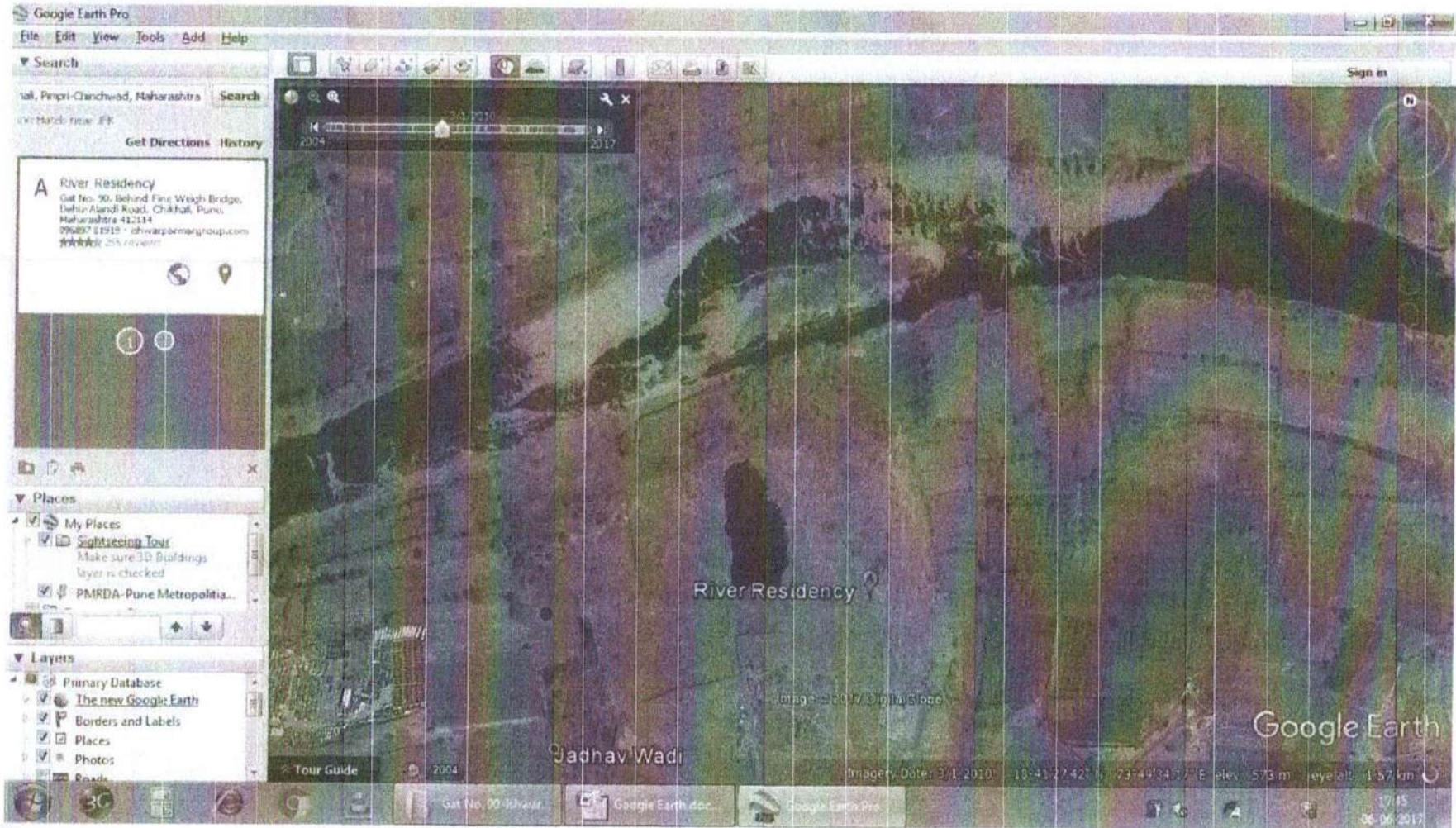
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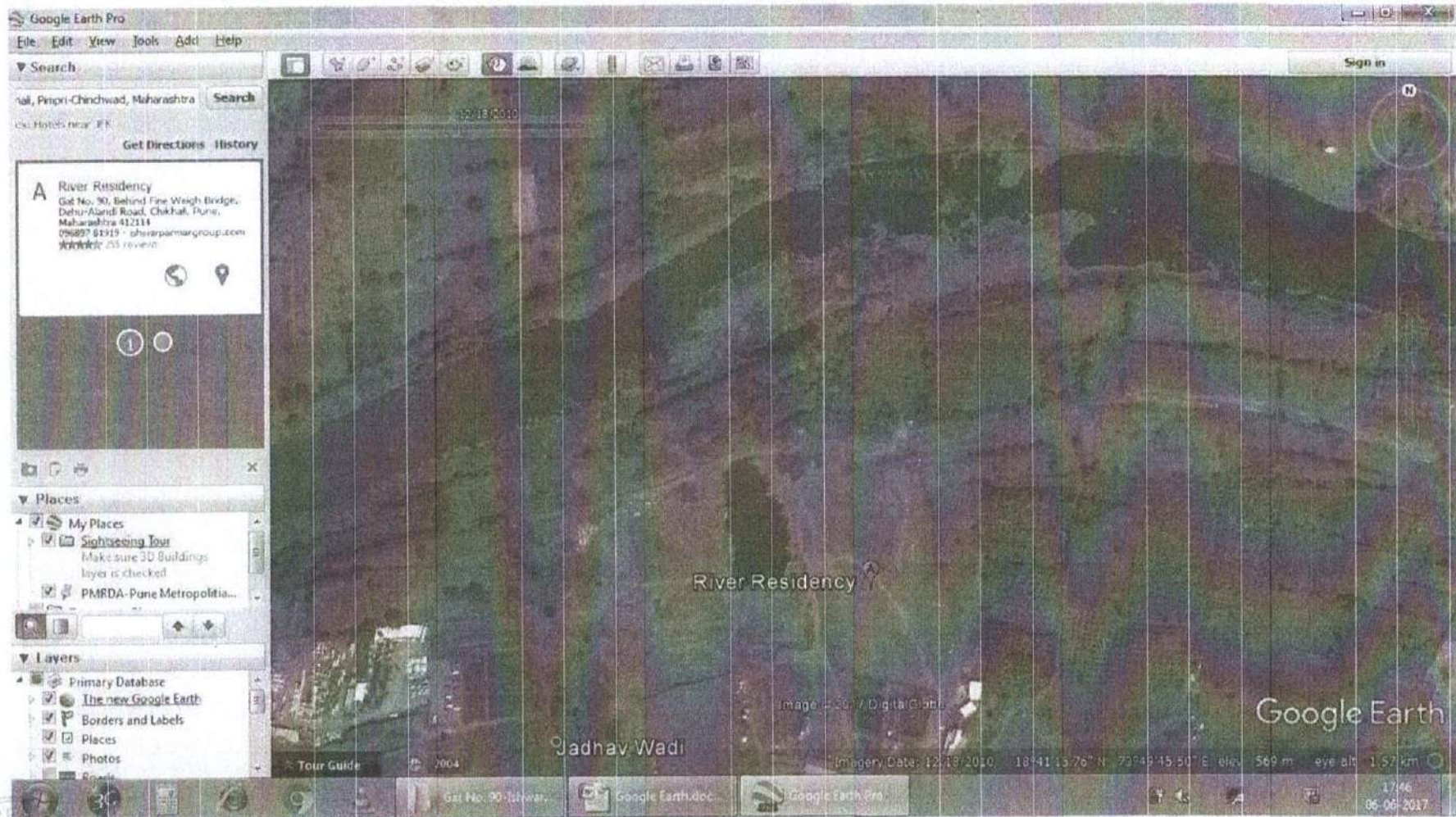


Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



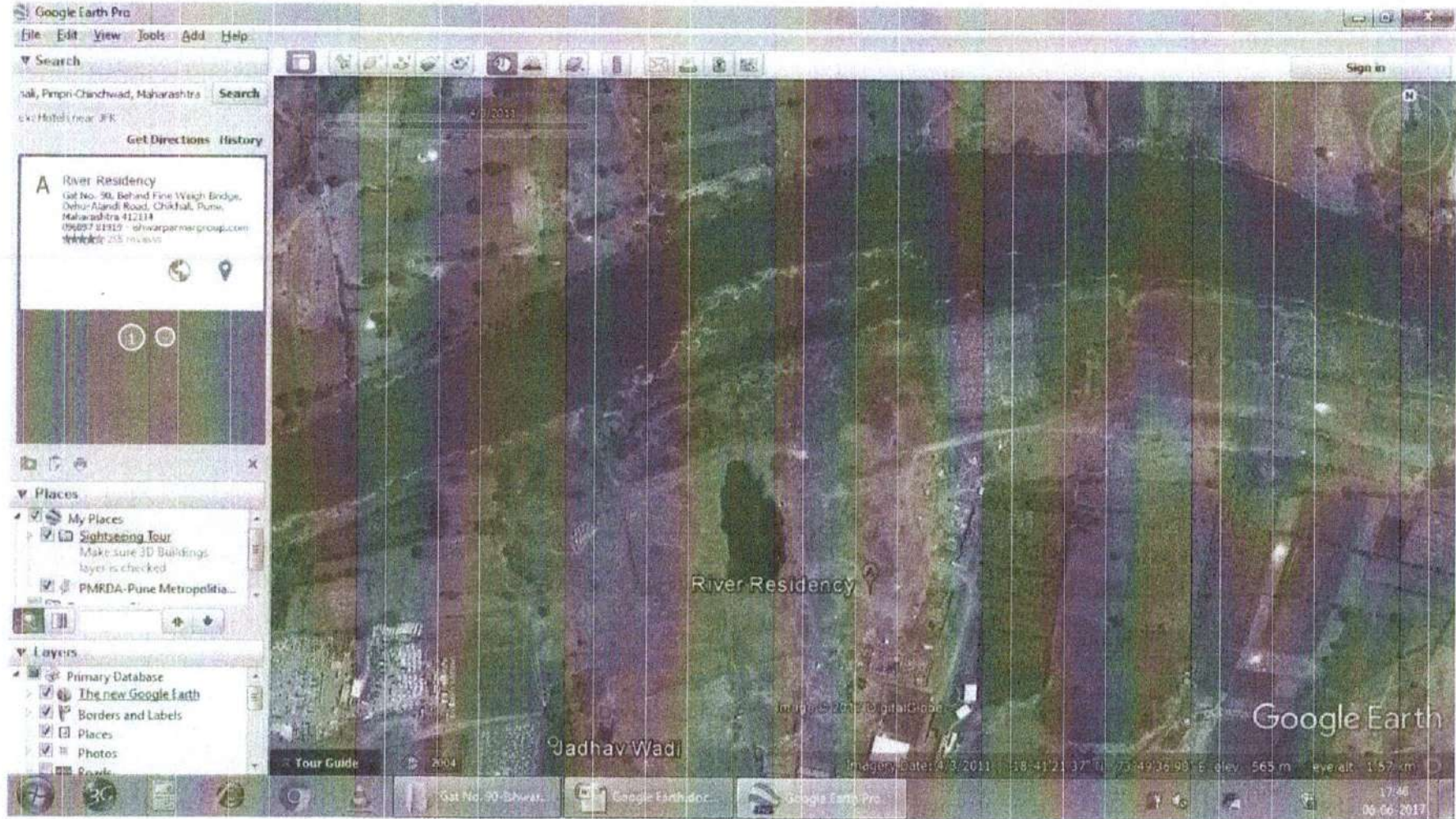
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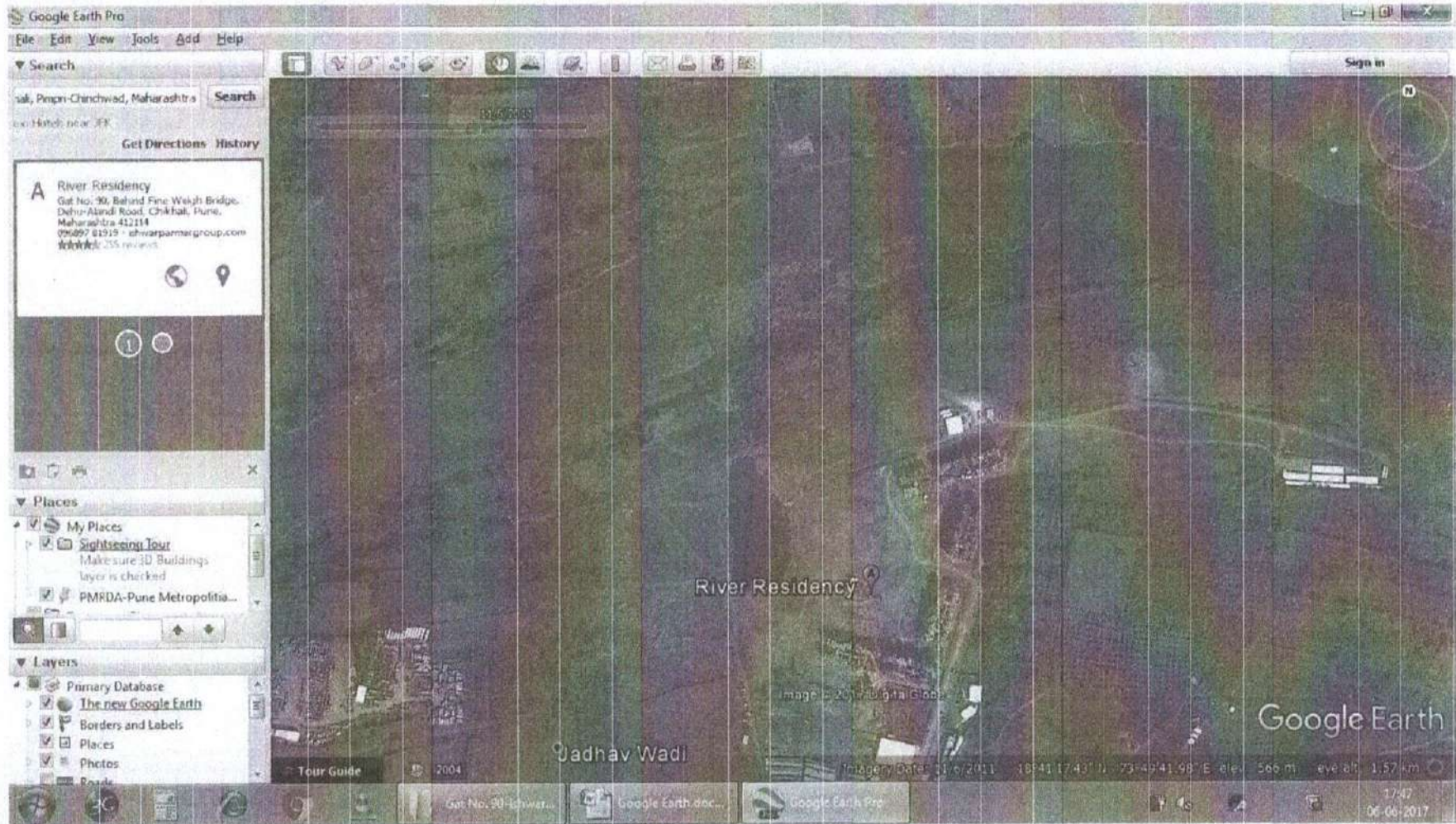


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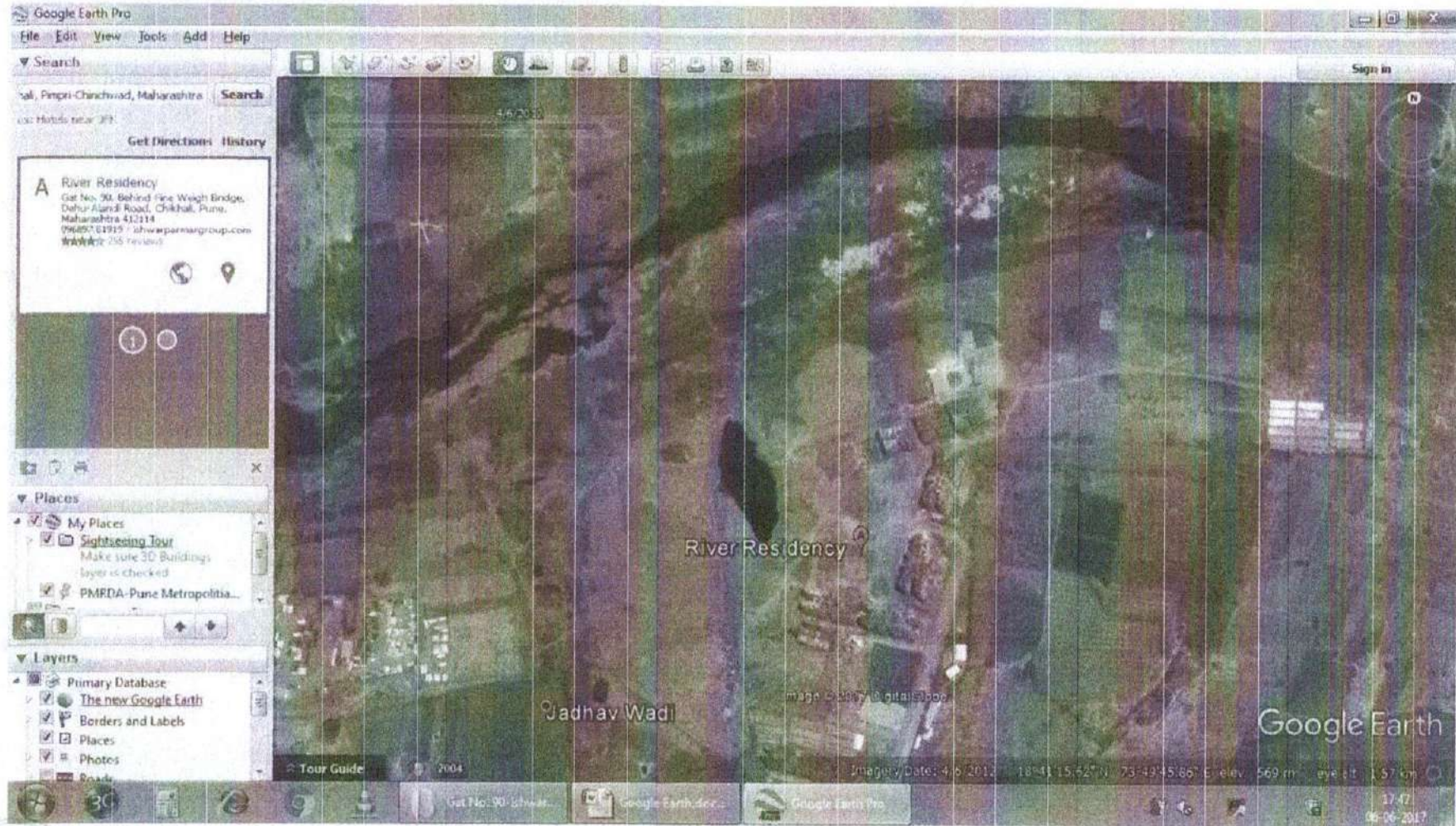


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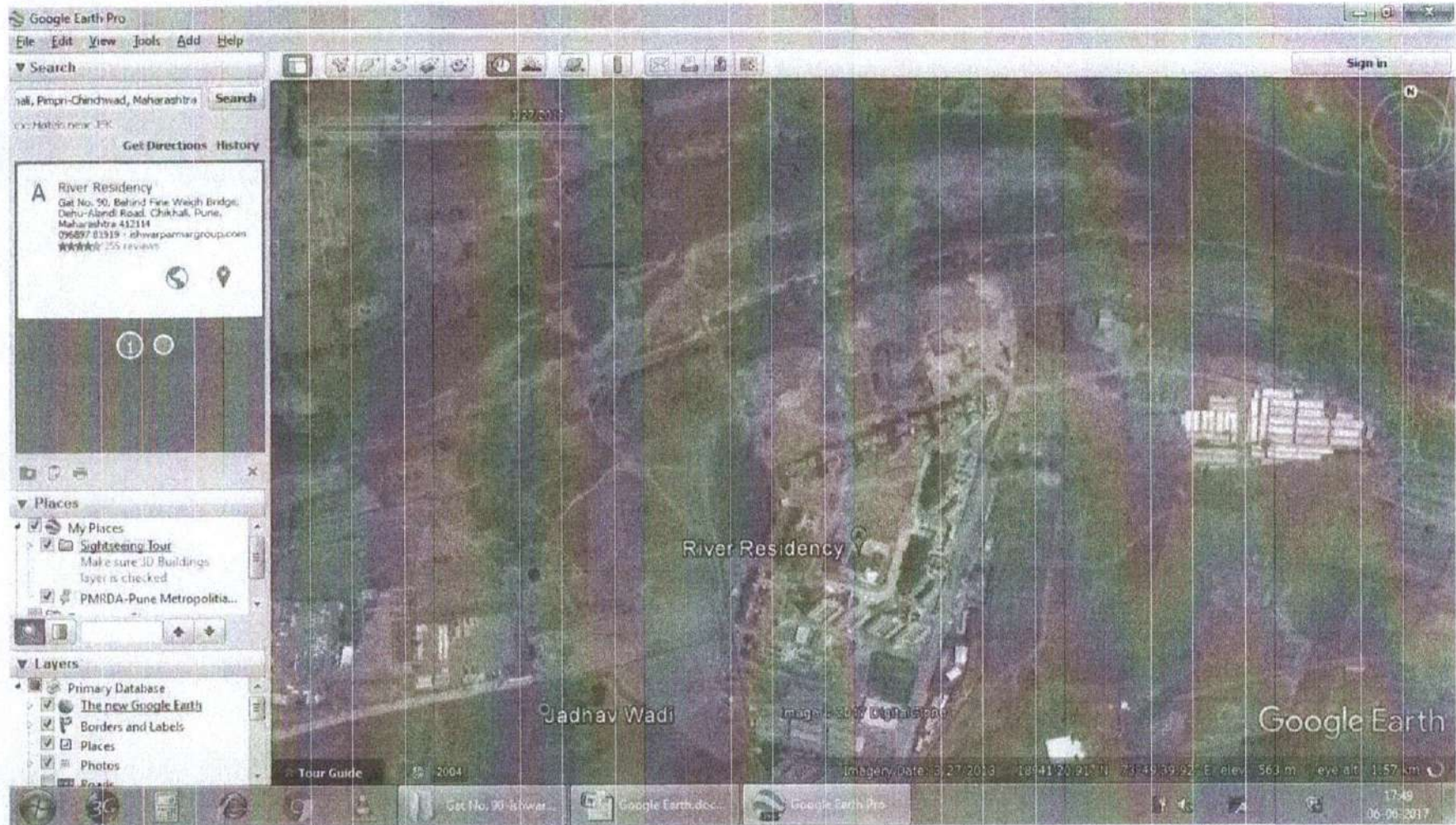
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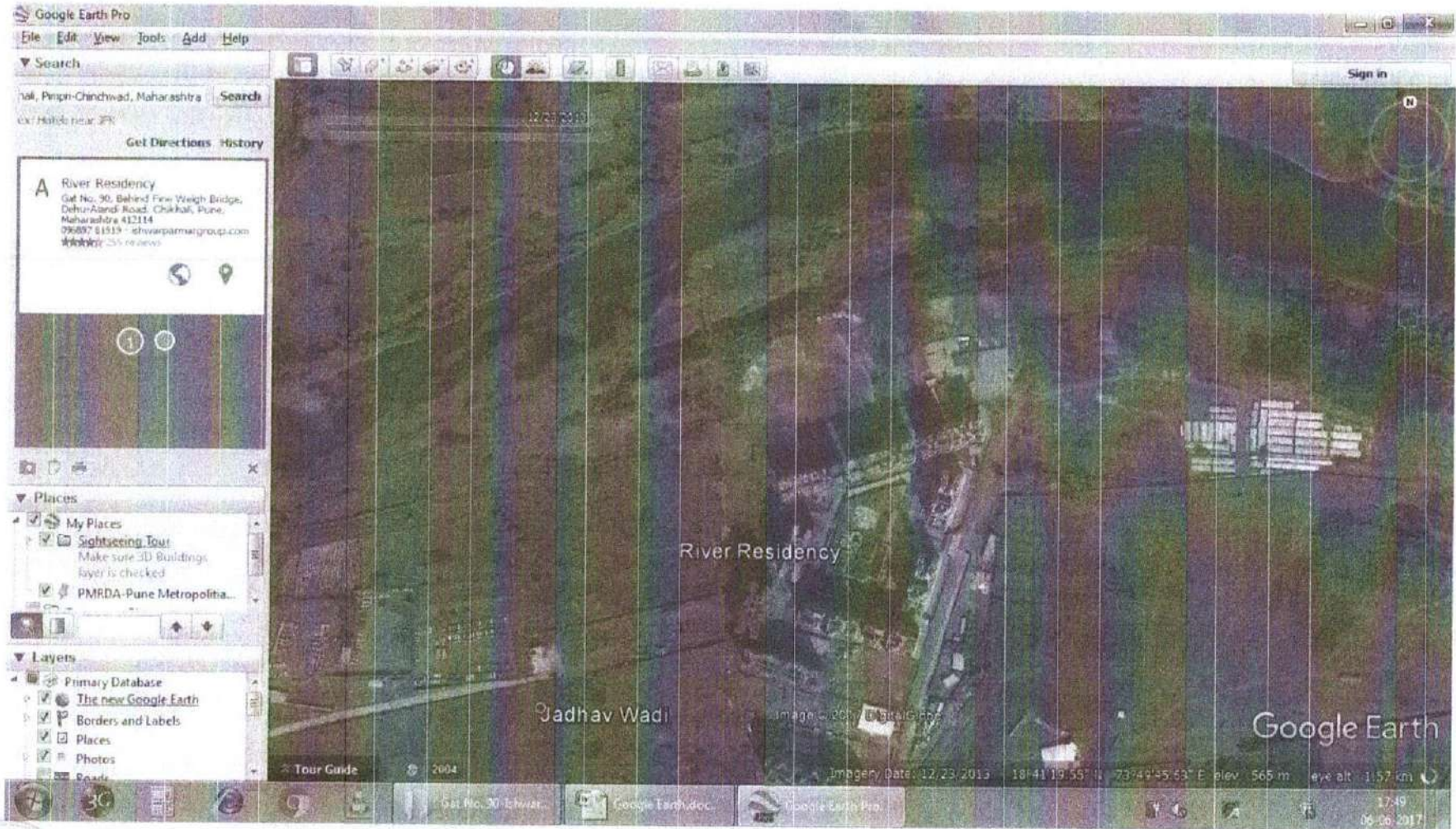
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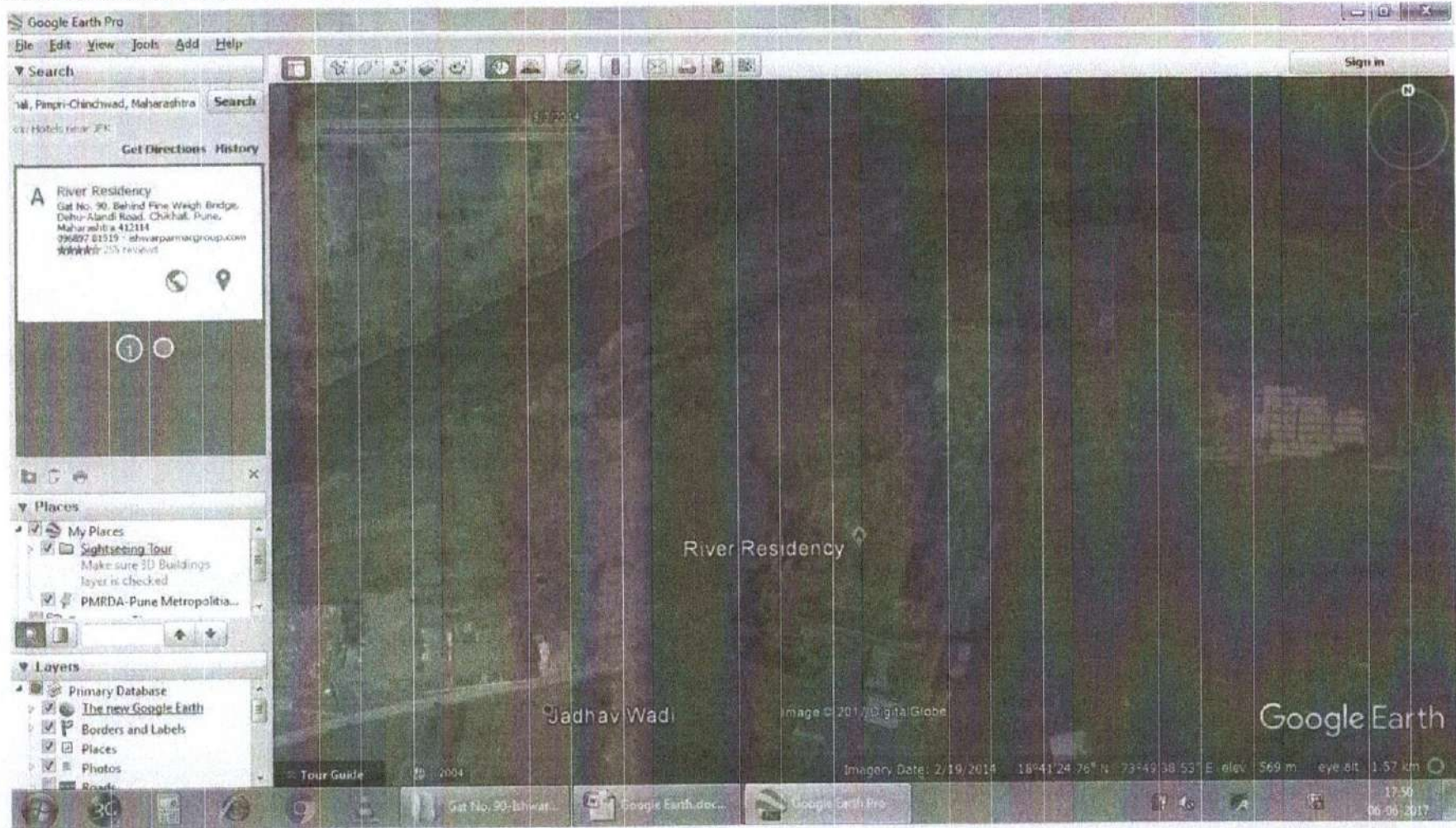
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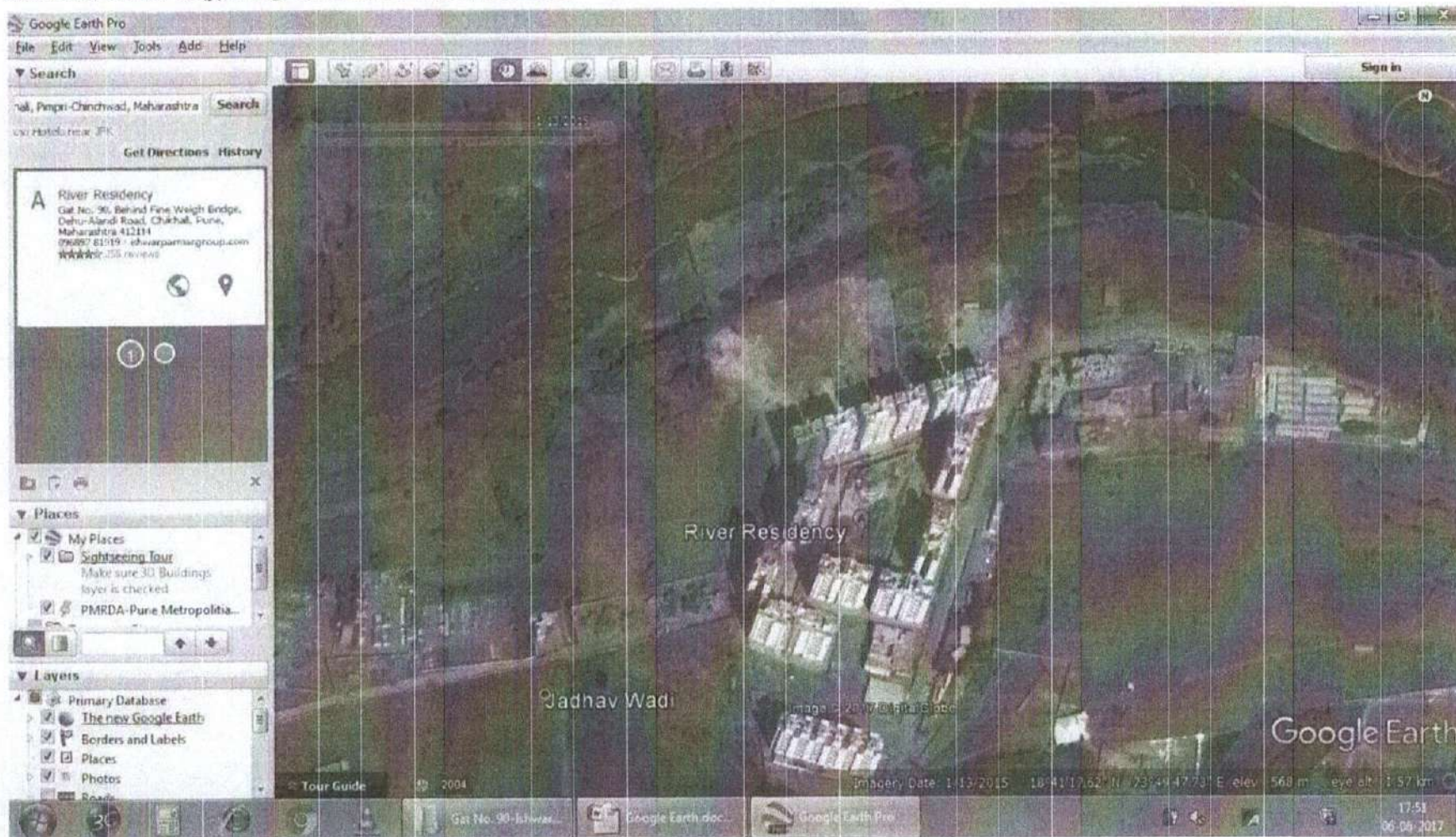
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ANNEXURE-A-36

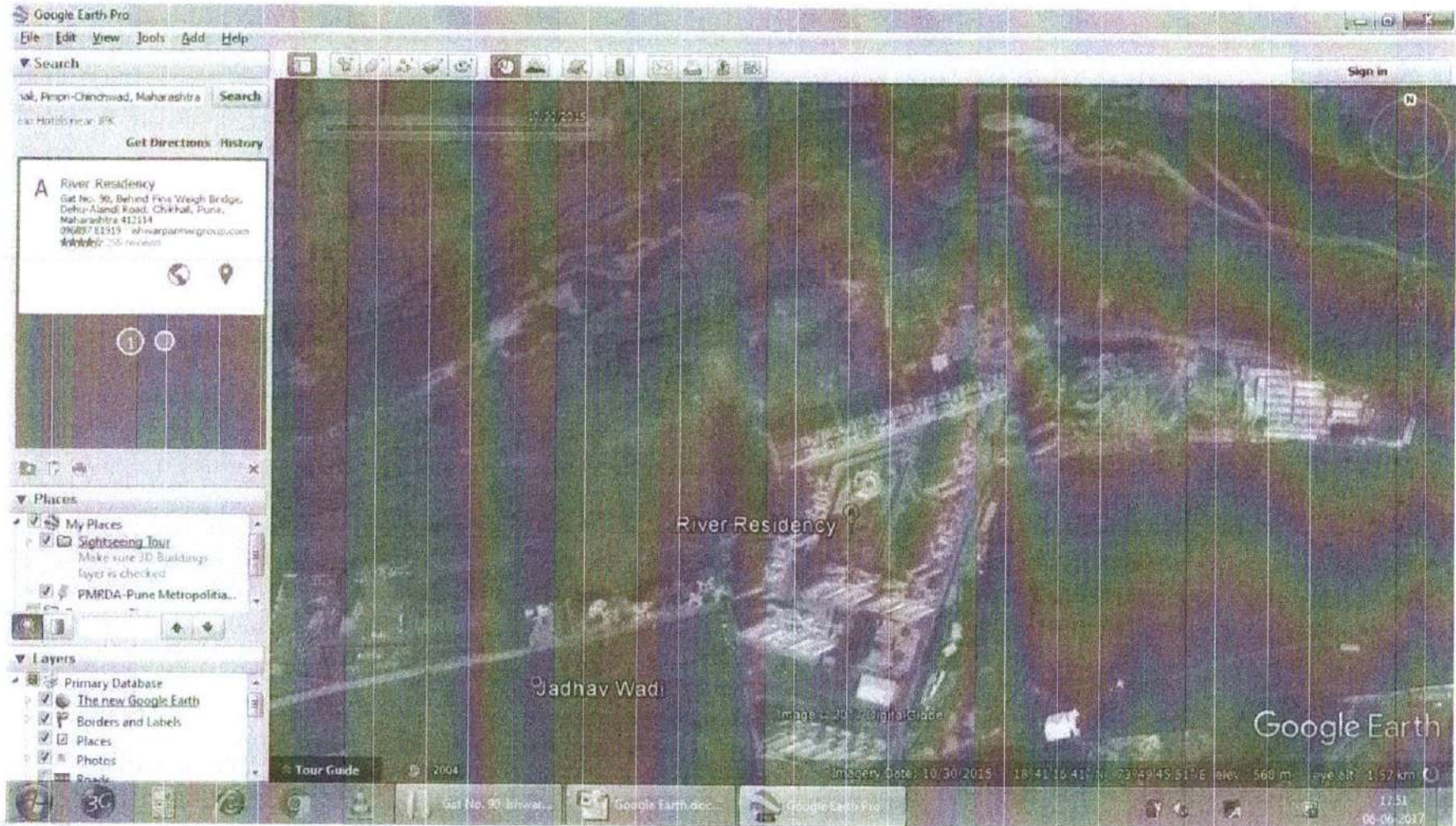
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune

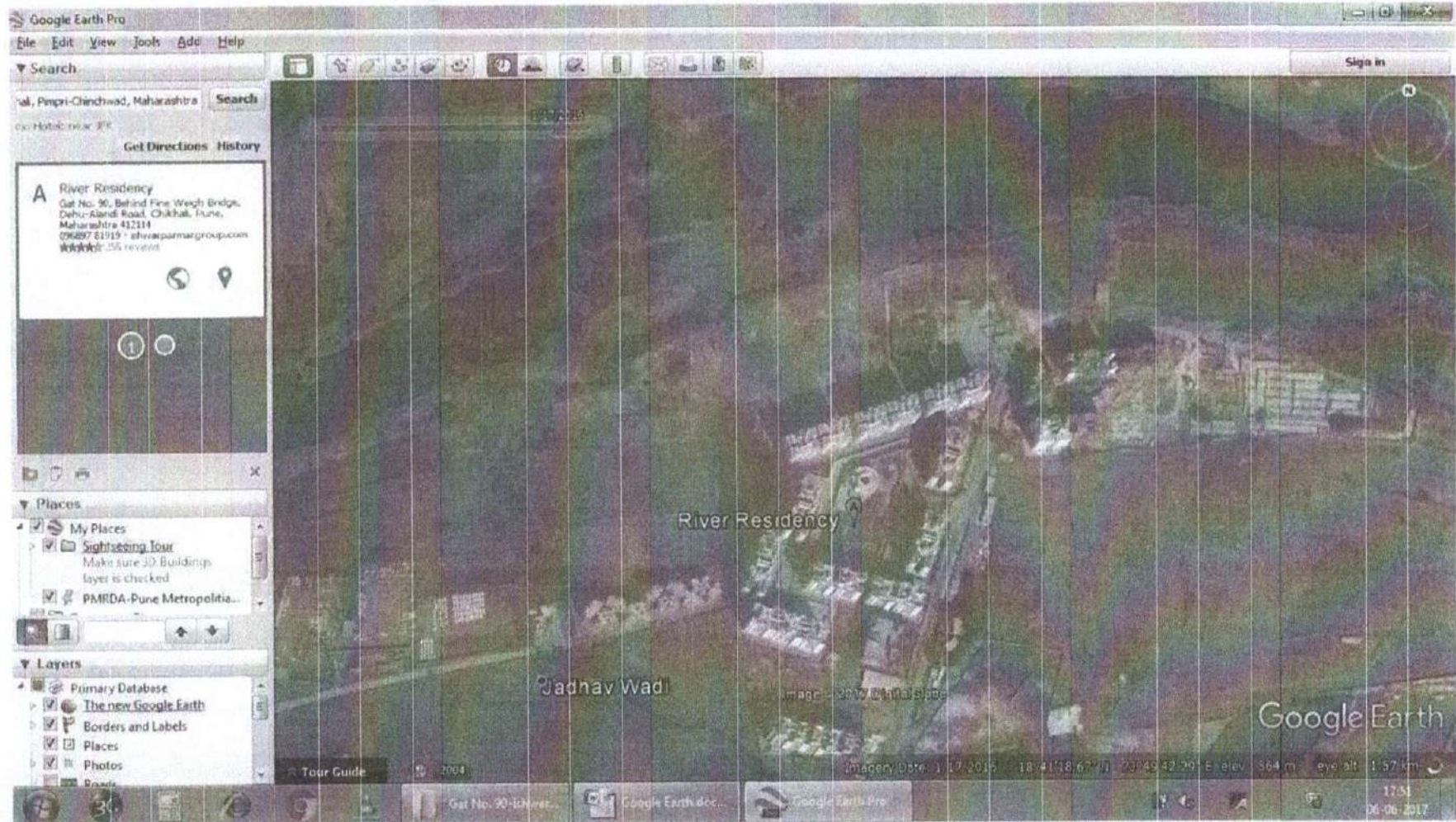


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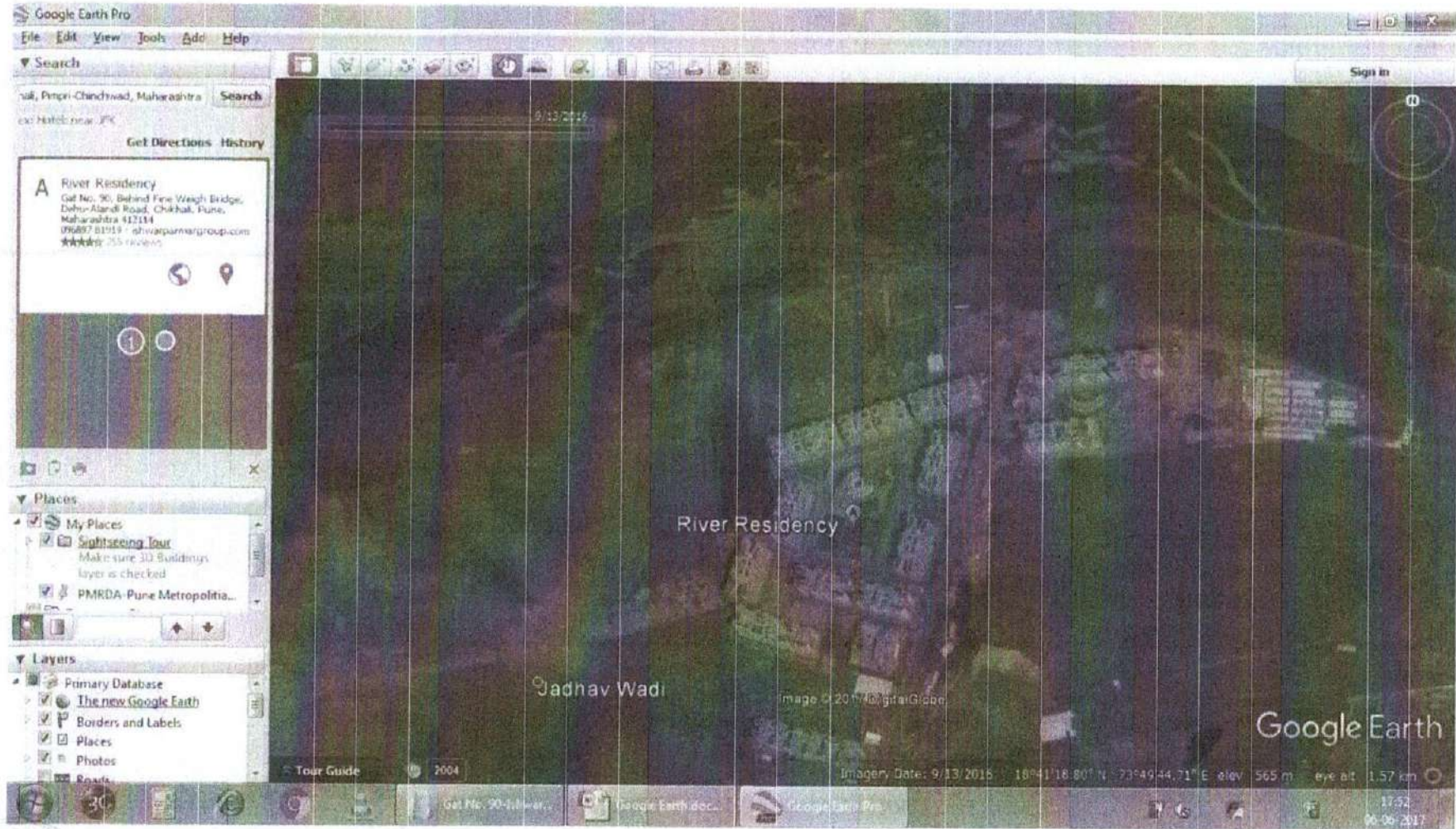
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Project Site: "River Residency" by 1. M/s. Ishwar Construction Pvt. Ltd., 2. Trade Centre Developers & Builders Pvt. Ltd. 3. M/s. Vijay-Laxmi Developers, 4. Vishal Associates, Gut No. 90 (p), Village-Chikhali, Tal- Haveli, Dist-Pune



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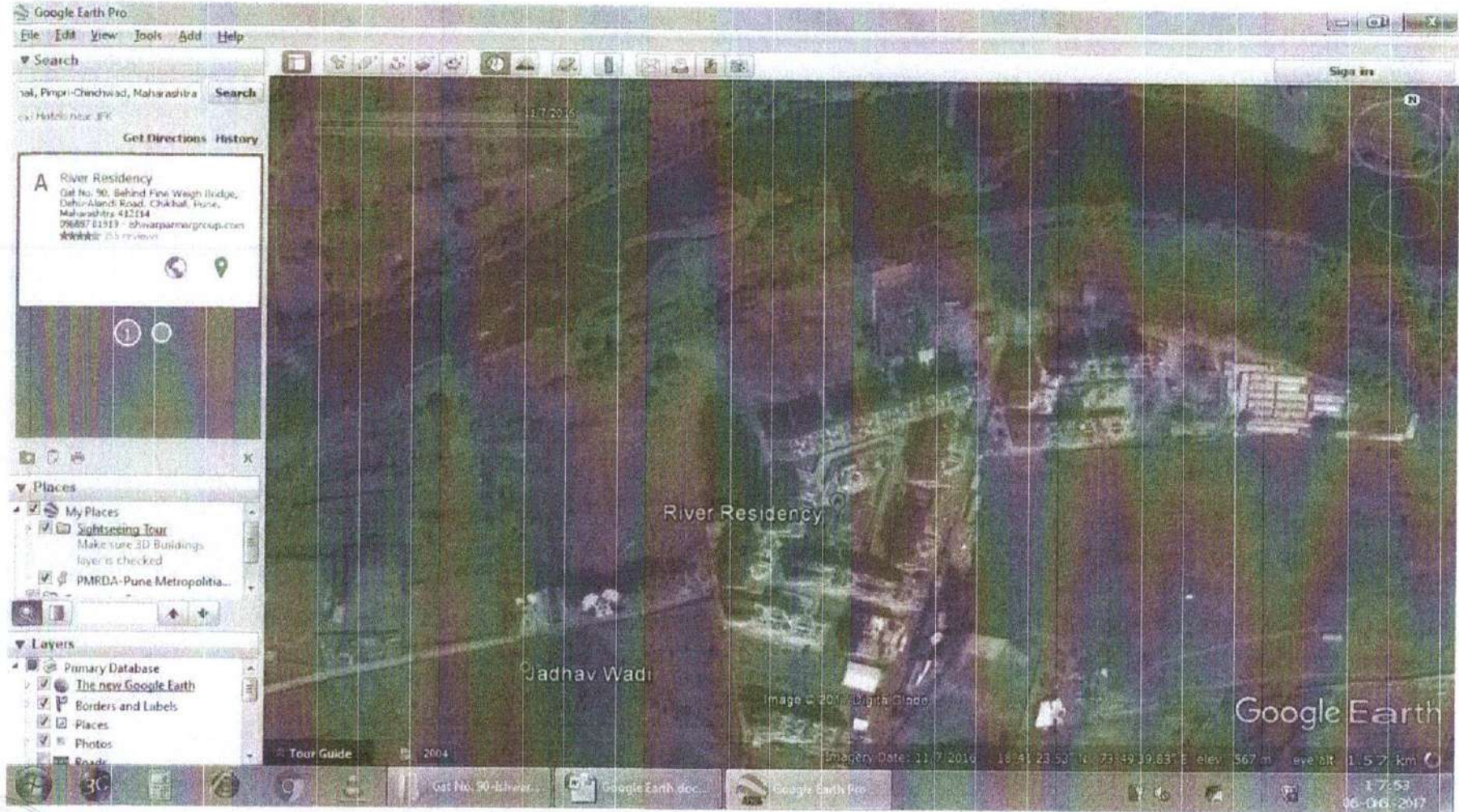
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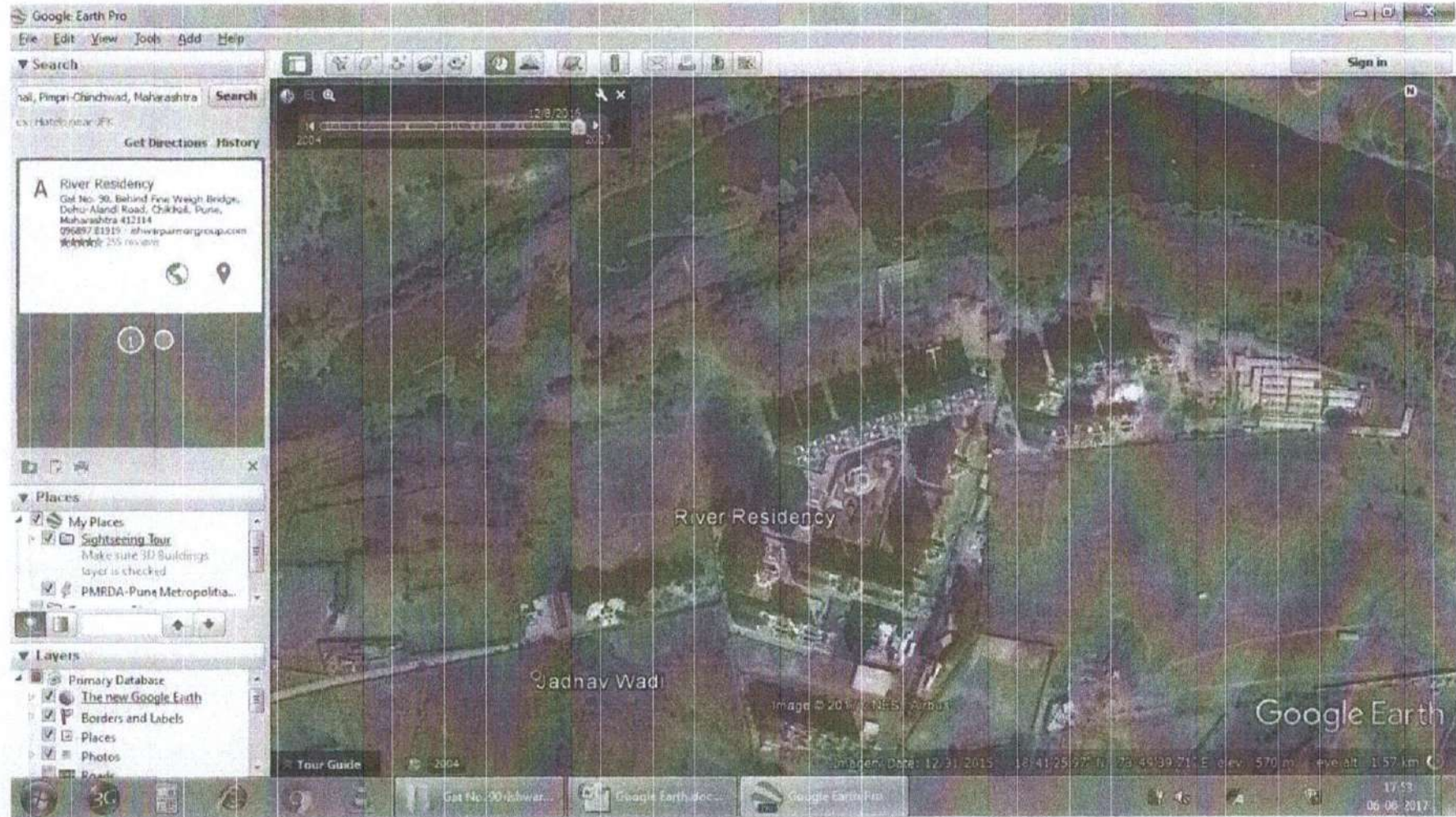
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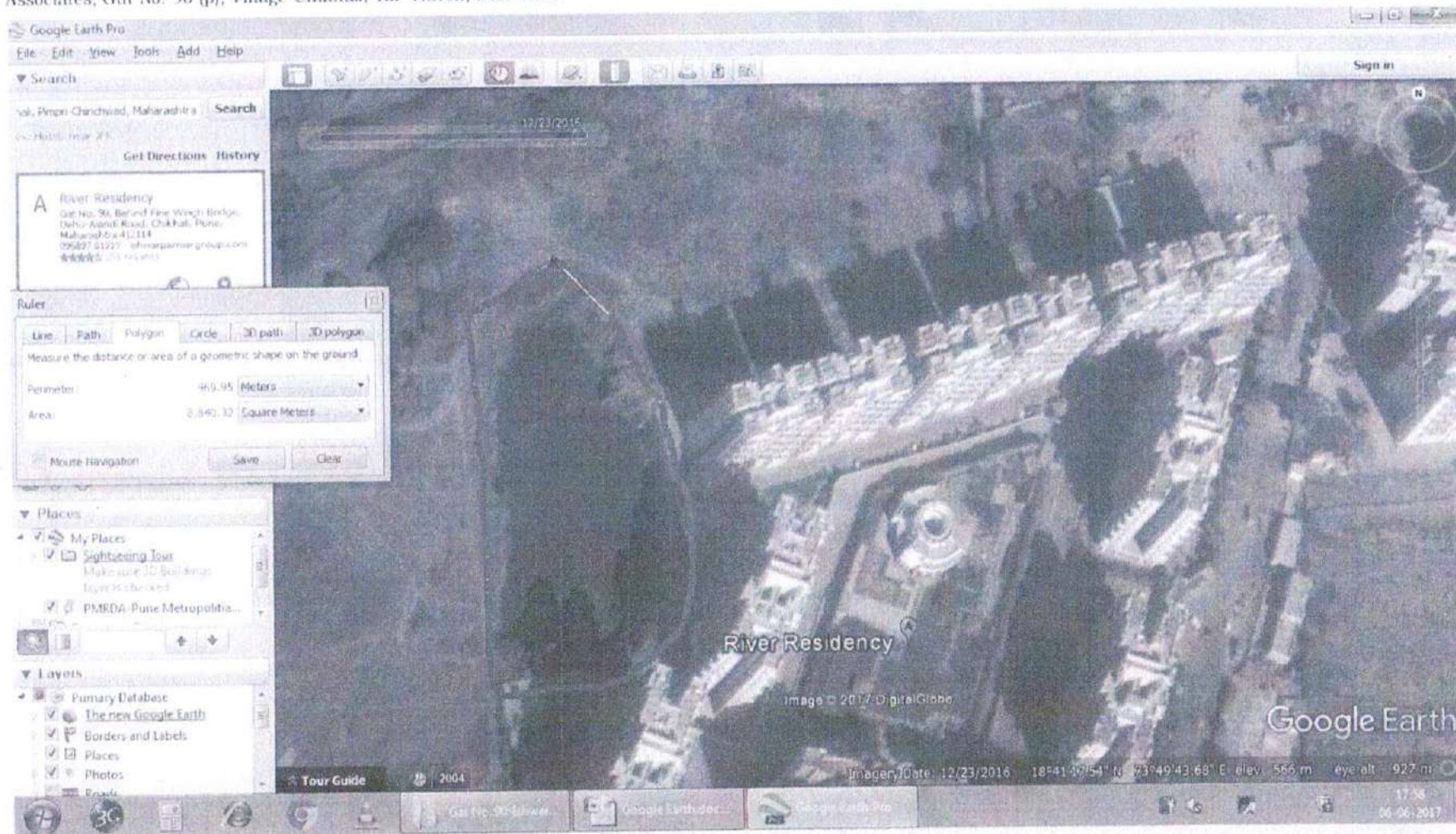


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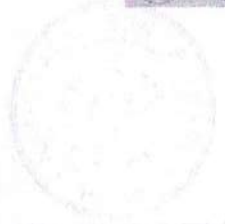


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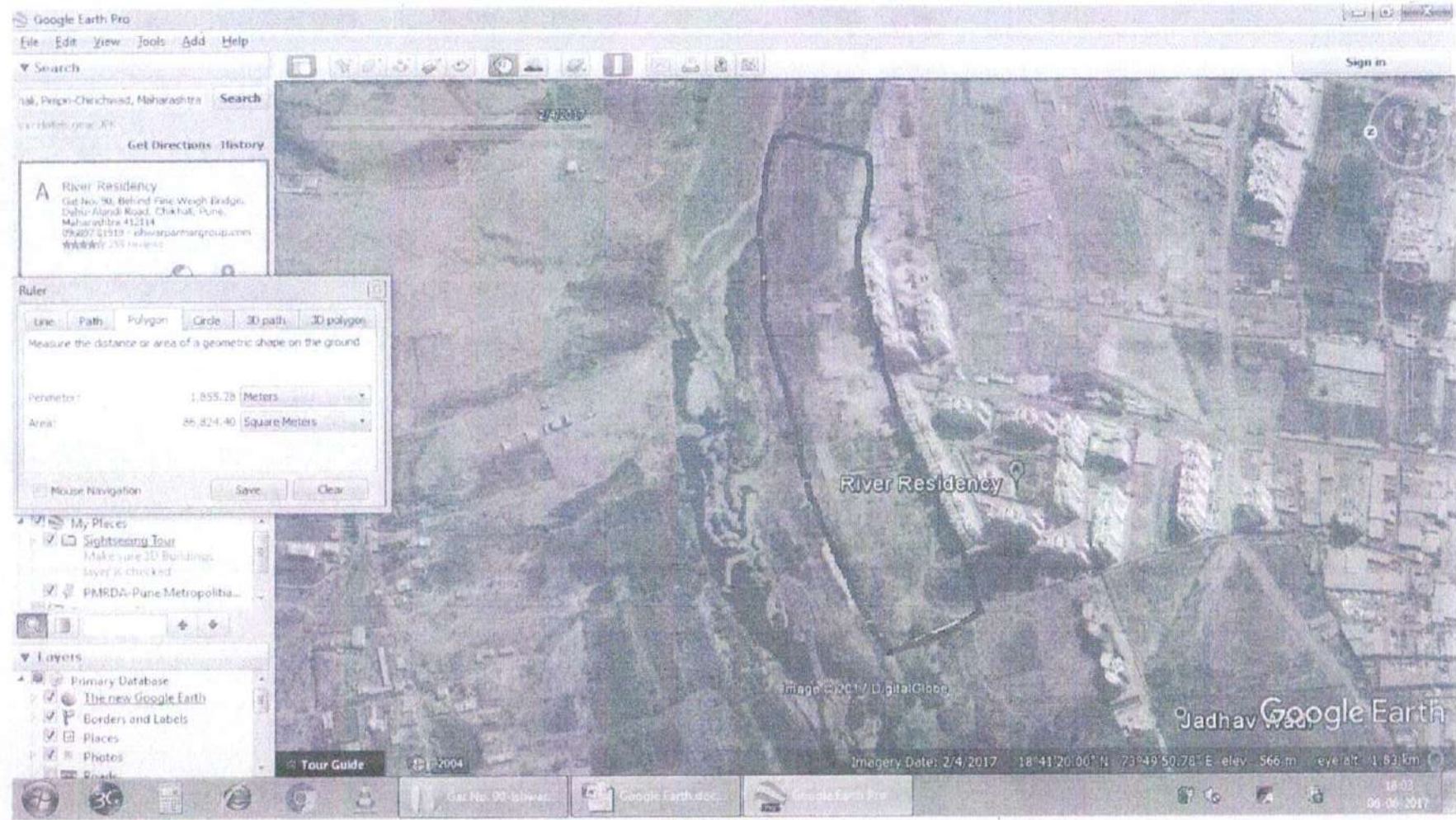
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