

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH PUNE, AT PUNE

ORIGINAL APPLICATION NO. 114 OF 2025 (WZ)

IN THE MATTER OF

Sameer Mahadev Khale

...Applicant

VERSUS

M/s Kumbare Stone Crusher & Ors.

...Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1.

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATES FOR THE APPELLANT:

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Date: 25.02.2026

Place: New Delhi

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WESTERN ZONE BENCH PUNE, AT PUNE

ORIGINAL APPLICATION NO. 114 OF 2025 (WZ)

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Sameer Mahadev Khale

VERSUS

M/s Kumbare Stone Crusher & Ors.

...Applicant

...Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1.

I, Mr. Shivaji Namdeo Kumbare, Age: Adult, Occ.: Buisness, R/at: Shrinam Bunglow, S. No. 85, Azadnagar, Kothrud, Pune City, Ex-Servicemen Colony, Pune, Maharashtra-411038, the proprietor of the Respondent No.1 above named, state on solemn affirmation, as hereunder:

1. The present Application has been filed by the Applicant raising alleged substantial issue relating to the environment pertaining to the alleged illegal operation of Stone Crushing Unit by Kumbare Stone Crushers i.e. Respondent No.1 at Survey No. 735, Village Urawade, Taluka Mulashi, District Pune, (herein after referred to as the "Impugned site").
2. The Respondent No. 1 has already filed a Reply to the present Original Application on 07.12.2025. At the outset, it is submitted that the contents of the said Reply as well as the other documents forming a part of the records in the present Original Application have not been repeated herein for the sake of

convenience and brevity. The Respondent No 1 seeks to rely upon such records at the time of hearing, if need be.

5. This Hon'ble Tribunal was pleased to issue notice in the present matter vide order dated 18.09.2025. Thereafter, the present matter was listed before this Hon'ble Tribunal on 09.12.2025, whereby this Hon'ble Tribunal was pleased to consider the Reply filed on behalf of the Respondent No.1. During the hearing, the Counsel appearing on behalf of the Respondent No.1 specifically made a submission that since the Respondent No.1 unit was in existence since long back for last 30 years, there was no requirement to seek permission for carrying out activities of the Respondent No.1 unit from PMRDA i.e. the Respondent No.3. On such submission, this Hon'ble Tribunal was of the opinion that if the reliance is being placed on UDCPR,2020 updated as on 30.01.2025, then the Respondent No.1 ought to have sought permission from PMRDA i.e. Respondent No.3. Upon such query raised by this Hon'ble Tribunal, the Ld. Counsel undertook to file additional affidavit demonstrating that no separate permission as such is required to be obtained from the PMRDA i.e. Respondent No.3. In terms thereof, the Respondent No.1 is filing the present affidavit limited to the extent as explain in the present paragraph.

4. I state that the Respondent No.1 unit is undertaking the stone crushing activities in and around the Survey No. 734 of village Urawade since last 25 to 30 years. The Respondent No.1 is operating the said unit since 1999. At the relevant point of time, the activities within the village Urawade were under the control of the Village Panchaya, Urawade. Therefore, in the year 1999, the Respondent No.1 sought permission/NOC for conducting stone crushing activities through its Proprietor Mr. Shivaji Namdeo Kumbare. The village panchayat after due consideration, was pleased to grant No Objection Certificate dated 30.05.1999. A copy of the No Objection Certificate dated 30.05.1999 already forms a part of the

record as Annexure R-1 to the Reply of the Respondent No.1 dated 07.12,2025 at Page No.79-80 and thus, the same has not been Annexed herein again.

5. The Maharashtra Village Panchayat Act, 1959 deals with powers and functions of the Village Panchayats within the State of Maharashtra. Section 52 of the Maharashtra Village Panchayat Act deals with control on erection of building within the territory of the village. Section 52 (1A) of the Act reads as follows:

“...
(1A) No person shall erect or re-erect, or commence to erect or re-erect within the limits of the village, any building without the previous permission of the panchayat. Such permission may be granted with or without conditions or maybe refused.”

Thus, if the Regional Plan for particular Village was not published it was within the ambit of powers of the Village Panchayat to grant any permission for erection of building or any other such construction.

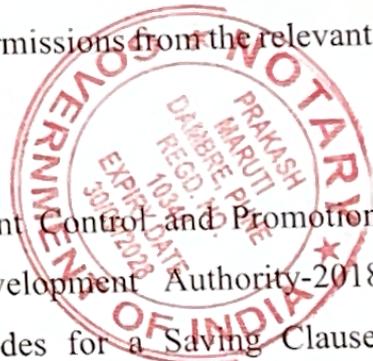
6. Also, Section 45 of the Act deals with Administrative Powers of Village Panchayats within State of Maharashtra. On a bare perusal Section 45 of the Act it is clear that the Village Panchayats had powers to take decision or grant permission in terms of the subject matters mentioned in Schedule 1 of the Act. Entry 47 of Schedule 1 of the Act stipulates that the Village Panchayat has powers in subject viz. “Promotion, Improvement and Encouragement of Cottage and Village Industries”. Thus, for any industries in the Village, Panchayat as powers has powers to grant permission. A copy of the relevant provisions of the Maharashtra Village Panchayat Act, 1959 is enclosed herewith and marked as ANNEXURE X-1.

7. Thus, on perusal of the Maharashtra Village Panchayat Act, it is clear that the permission granted by village panchayat Urawade to the Respondent No.1 dated 30.05.1999 was valid in law.

8. It is to be noted to the best of my knowledge the Pune Metropolitan Region Development Authority was established only in the year 2016 under the provisions of the Maharashtra Metropolitan Region Development Authority Act, 2016. It is submitted that the Respondent No.1 had already been operational for about 2 decades when the MMRDA Act, 2016 come into existence and the Respondent No.1 had already obtained the requisite permissions from the relevant authorities prior to the MMRDA Act, 2016.

9. Thereafter, Regulation 1.6 of the Final Development Control and Promotion Regulations for Pune Metropolitan Region Development Authority-2018 (hereinafter referred to as "**UDCPR-2018**") provides for a Saving Clause, whereby any development permissions granted prior to the UDCPR-2018 shall be valid and would continue to be valid even after the UDCPR-2018 coming into effect. In terms thereof, the No Objection Certificate dated 30.05.1999 granted by Village Panchayat, Urawade still holds ground and no fresh permission is required to be obtained by the Respondent No.1 from the PMRDA to carry out the stone crushing activities at the Impugned Site. A copy of the relevant extracts of the Final Development Control and Promotion Regulations for Pune Metropolitan Region Development Authority-2018 is enclosed here with and marked as **ANNEXURE X-2.**

10. Therefore, with respect to the query which had fallen from this Hon'ble Tribunal as to whether the fresh permission was required to be taken by the Respondent No.1 for continuation of operations, it is submitted that in terms of the provisions



of law as mentioned herein above, the Respondent No.1 was not required to take fresh permission from the Respondent No.3.

[Signature]
DEPONENT

VERIFICATION

Verified at Pune on this 25th day of February, 2026 that the contents of the present affidavit are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

[Signature]
DEPONENT



NOTED AND REGISTERED
AT SR. NO. 531/2026
DATE 25 FEB 2026



BEFORE ME

[Signature]
PRAKASH M. DAMBRE
NOTARY, GOVT. OF INDIA
PUNE

ACT No. III of 1959¹

[THE MAHARASHTRA VILLAGE PANCHAYATS ACT.]

[This Act received the assent of the President on 14th January 1959; assent was first published in the *Maharashtra Government Gazette*, Part IV, on the 23rd January 1959.]

An Act to amend and consolidate the law relating to the constitution and administration of village *panchayats* in the State of Bombay, and for certain other matters.

WHEREAS it is expedient to amend and consolidate the law relating to the constitution and administration of village *panchayats* in the State of Bombay with a view to establishing a village *panchayat* for every village or group of villages and investing them with such powers and authority as may be necessary to enable them to function as units of local self-government and of development activities in rural areas, and for certain other matters; It is hereby enacted in the Nineth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. Short title.— This Act may be called ²[the Maharashtra Village Panchayats Act].

2. Extent and commencement.— (1) It extends to the whole of the ³[State of Maharashtra], except the areas within the limits of a municipal corporation, municipality or cantonment established by or under any law for the time being in force.

(2) It shall come into force on such date⁴ as the State Government may, by notification in the *Official Gazette*, appoint.

3. Definitions.— In this Act, unless the context otherwise requires,—

⁵[* * * * *]

(a-2) “Auditor” means an Auditor as defined in the Bombay Local Fund Audit Act, 1930 (Bom. XXV of 1930) ⁶[and in relation to a *panchayat* having an annual income (including grant received from the State Government) of ⁷[not exceeding rupees Ten thousand includes a *Gram sabha* and exceeding rupees Ten thousand but less than rupees Twenty-five thousand] also includes an Extension Officer duly authorised in writing by the Chief Executive Officer] ;

⁸[(a-3) “Backward Class of citizens” means such classes or parts of or groups within such classes as are declared, from time to time, by the State Government to be Other Backward Classes and *Vimukta Jatis* and *Nomadic Tribes* ;]

⁹[(aa-1) “ballot box” or “ballot paper” includes an electronic voting machine used at an election for giving or recording of votes ;]

¹⁰[(a-4) “Beneficiary Level Sub-Committee” means a sub-committee constituted under section 49A for a particular programme, scheme, activity or utility having regard to the geographical, geohydrological, technological, economic, social and demographic situation of the habitation (ward,

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1958, Part V, pp. 279-289.

² This short title was substituted for “the Bombay Village Panchayats Act, 1958” by Mah. 24 of 2012, s. 2, Schedule, entry 74, with effect from 1st May 1960.

³ These words were substituted for the words “State of Bombay” by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

⁴ 1st day of June 1959, vide G. N., L. S. G. and P. H. D., No. VPA. 1059-P, dated 23rd May 1959.

⁵ This clause was deleted by Mah. 21 of 1994, s. 2(1).

⁶ This portion was added by Mah. 13 of 1975, s. 2(a).

⁷ These words were substituted for the words “less than Rs. 5,000” by Mah. 3 of 2004, s. 2.

⁸ Clause (a-3) was inserted by Mah. 21 of 1994, s. 2(2).

⁹ This clause was inserted by Mah. 20 of 2005, s. 2.

¹⁰ This clause was inserted by Mah. 23 of 2003, s. 2(a).

wasti, wadi, tanda, pada or by whatever name such independent habitation may be called) or part thereof in the *panchayat* ;]

(1) “building” includes a hut, shed, or other enclosure, whether used as a human dwelling or for any other purpose whatsoever and also includes walls, *verandahs*, fixed platforms, plinths, doorsteps and the like ;

(2) “by-laws” means the by-laws made by the ¹[*Zilla Parishad*] under section 177 ;

²[* * * * *]

(4) “Cattle” includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, swine, sheep, ewes, rams, lambs, goats and kids ;

³[(4A) “Commissioner” means the Commissioner of a revenue division appointed under section 6 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966) ;]

⁴[* * * * *]

⁵[(6) “*Zilla Parishad*” means a *Zilla Parishad* constituted under the Maharashtra *Zilla Parishads* and Panchayat Samitis Act, 1961 (Mah. V of 1962) ;]

⁶[* * * * *]

(8) “factory” means a factory as defined in the Factories Act, 1948 (LXIII of 1948) ;

⁷[(8A) “Finance Commission” means the Finance Commission constituted in accordance with the provisions of article 243-I of the Constitution of India ;]

⁸[(9) “*Gram Sabha*” means a body consisting of persons registered in the electoral rolls relating to village comprised within the area of the *panchayat* ;]

(10) “land” includes land which is built upon, or covered with water ;

(11) “list of voters” means a list of voters provided for and maintained under section 12 ;

⁹[* * * * *]

¹⁰[(11AA) “Local Panchayat Tax” means a tax on the entry of goods into the limits of any *panchayat* other than the area of *panchayat* included in the limits of the notified area within the meaning of clause (11B) for consumption, use or sale therein, levied in accordance with the provisions of section 124 ;]

¹¹[(11AAA) “member” means a member duly elected as a member of *panchayat* under section 11 and include the *Sarpanch* of *panchayat* elected directly under section 30A-1A ;]

¹²[* * * * *]

¹³[* * * * *]

(14) “*panchayat*” means a *panchayat* established or deemed to have been established under this Act ;

¹ These words were substituted for the words “District Village *Panchayat Mandal*” by Mah. 5 of 1962, s. 286, Tenth Schedule.

² Clauses (3), (5) and (12) were deleted by Mah. 13 of 1975, s. 2(b).

³ Clause (4A) was inserted by Mah. 38 of 2006, s. 2.

⁴ Clause (5) was deleted by Mah. 42 of 2017, s. 47.

⁵ Clause (6) was substituted by Mah. 5 of 1962, s. 286, Tenth Schedule.

⁶ Clause (7) was deleted by Mah. 5 of 1962.

⁷ Clause (8A) was inserted by Mah. 21 of 1994, s. 2(3).

⁸ Clause (9) was substituted by Mah. 21 of 1994, s. 2(4).

⁹ Clause (11A) was deleted by Mah. 42 of 2017, s. 47.

¹⁰ Clause (11AA) was inserted by Mah. 22 of 2012, s. 2, however this section yet to be brought into force.

¹¹ This clause was inserted by Mah. 54 of 2018, s. 2(a).

¹² Clause (11B) was deleted by Mah. 42 of 2017, s. 47.

¹³ Clause (13) was deleted by Mah. 6 of 2000, s. 2.

¹[(14A) “population” means the population as ascertained at the last preceding census of which the relevant figures, ²[* * *] have been published ;

(15) “prescribed” means prescribed by rules ;

(16) “rules” means rules made, or deemed to have been made, under this Act ;

(17) “Sarpanch” and “Upa-Sarpanch” means a Sarpanch and Upa-Sarpanch elected under section 30, ³[, 30A-1A] ⁴[30A,] ⁵* * or 43 ;

⁶[(17A) “Scheduled Areas” means the Scheduled Areas referred to in clause (1) of article 244 of the Constitution of India ;]

(18) “Scheduled Castes” means such castes, races or tribes or parts of, or groups within, such castes, races or tribes as are deemed to be Scheduled Castes in relation to the ⁷[State of Maharashtra] under article 341 of the Constitution of India ;

(19) “Scheduled Tribes” means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the ⁸[State of Maharashtra] under article 342 of the Constitution of India ;

(20) “Secretary” means a Secretary of a *panchayat* appointed or deemed to be appointed under section 60 of this Act ;

⁹[(20A) “State Election Commission” means the State Election Commission consisting of a State Election Commissioner appointed in accordance with the provisions of clause (1) of article 243-K of the Constitution of India ;]

(21) “street” means any road, footway, square, court, alley or passage accessible whether permanently or temporarily to the public, whether a thoroughfare or not ;

¹⁰[* * * * *]

(23) “tax” means a tax, cess, rate or other impost leviable under this Act, but does not include a fee ;

¹¹[(24) “village” and “a group of villages” means the village or, as the case may be, a group of villages specified in the notification issued under clause (g) of article 243 of the Constitution of India ;]

¹²[(24A) “Village Development Committee” means a committee constituted under section 49, which shall be deemed to be a committee of the *panchayat* ;]

(25) “ward” means an area into which a village is divided under clause (b) of sub-section (1) of section 10 for the purpose specified therein ;

(26) the expression “the term of a *panchayat*” means the period for which the members thereof elected or deemed to be elected shall hold office under section 27 ;

¹³[(27) the expressions “Standing Committee”, “Panchayat Samiti” ¹⁴[, “Chief Executive Officer”,] ¹⁵[“Block Development Officer” and “block grant”] shall have the meaning respectively assigned to them in the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962).]

¹ Clause (14A) was inserted by Mah. 13 of 1975, s. 2(c).

² The words “whether provisional or final” were deleted by Mah. 21 of 1994 s. 2(5).

³ These figures, letters and sign were inserted for the word and figures “section 30” by Mah. 54 of 2018, s. 2(b).

⁴ These figures and letter were inserted by Mah. 21 of 1994, s. 2(6).

⁵ The figures “41” were deleted by Mah. 22 of 1991, Second Schedule.

⁶ Clause (17A) was inserted by Mah. 40 of 1997, s. 2.

⁷ These words were substituted for the words “State of Bombay” by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

⁸ These words were substituted for the words “State of Bombay” by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

⁹ Clause (20A) was inserted by Mah. 21 of 1994, s. 2(7).

¹⁰ Clause (22) was deleted by Mah. 13 of 1975, s. 2(d).

¹¹ Clause (24) was substituted by Mah. 21 of 1994, s. 2(8).

¹² Clause (24A) was inserted by Mah. 23 of 2003, s. 2(b).

¹³ Clause (27) was inserted by Mah. 5 of 1962, s. 286, Tenth Schedule.

¹⁴ These words were substituted for the words and “Chief Executive Officer” by Mah. 36 of 1965, s. 2(b).

¹⁵ These words were substituted for the words and “Block Development Officer” by Mah. 34 of 1970, s. 2.

payment of compensation shall *mutatis mutandis* apply thereto as they apply in relation to the closure of a highway under section 52 of that Act.

52. Control on erection of buildings.— ¹[(1) In the village, for which a draft Regional plan or final Regional plan has been published under the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), no person shall erect or re-erect or commence to erect or re-erect any building,—

(i) in the *gaathan* area of the village, within the meaning of clause (10) of section 2 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), without obtaining the previous permission of the panchayat, in the prescribed manner ;

(ii) in other areas of the village, without obtaining the previous permission of the Collector or any other officer, not below the rank of Tahsildar to whom the powers of the Collector are delegated.

(1A) In the village for which a draft Regional plan or final Regional plan has not been published, no person shall erect or re-erect or commence to erect or re-erect any building, without obtaining the previous permission of the panchayat in the prescribed manner.

(2) Any permission under sub-section (1) or sub-section (1A), as the case may be, shall be granted by the panchayat, upon an application made for this purpose, only after obtaining the prior approval of the Town Planning Officer of the State Government, posted at the Panchayat Samiti level, or in case, no such officer has been posted at the Panchayat Samiti level, the Town Planning Officer at the Zilla Parishad level.

(2A) If the panchayat fails to communicate its permission or refusal in respect thereof, within sixty days from the date of receipt of such application or, within sixty days from the date of receipt of the reply from the applicant, in respect of the requisition, if any, made by the panchayat, whichever is later, such permission shall be deemed to have been granted to the applicant, on the day immediately following the expiry of the said period of sixty days :

Provided that, such permission shall be deemed to have been granted subject to the condition that, the erection or re-erection or commencement of erection or re-erection of any building, shall be in strict conformity with the relevant Development Control Regulations or the draft of final Regional plan, as the case may be, in accordance with the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) or any bye-laws or regulations framed under any other law for the time being in force :

Provided further that, any erection or re-erection or commencement of erection or recreation of any building, in contravention of the preceding proviso, shall be deemed to be unauthorised development.

(2B) Any applicant aggrieved by an order granting permission on conditions or for refusing permission under sub-section (1) or (1A), as the case may be, may within forty days from the date of communication of the order to him, prefer an appeal to the District Head of the Town Planning Department posted at the Zilla Parishad. The appeal shall be in such form and shall bear such court-fees as may be prescribed. Such District Head, after giving an Appellant a reasonable opportunity of being heard, may by order, passed within a period of ninety days from the date of receipt of appeal, either allow the appeal unconditionally or subject to such conditions, as he may deem fit, or reject the appeal. The decision of the District Head on such appeal shall be final and binding on all concerned.

(2C) Notwithstanding anything contained in any Judgment, order or decree of any court, on and with effect from the date of commencement of the Maharashtra Village Panchayats and the Maharashtra Regional and Town Planning (Amendment) Act, 2014 (Mah. XLIII of 2014), the Maharashtra Village Panchayats (Extension of Village Sites) Rules, 1967 shall, stand repealed.

(2D) On and with effect from the date of commencement of the Maharashtra Village Panchayats and the Maharashtra Regional and Town Planning (Amedment) Act, 2014 (Mah. XLIII of 2014), until the rules, under this section are made, the Standardised Development Control and Promotion

¹ These sub-sections were substituted for sub-sections (1) and (2) by Mah. 43 of 2014, s. 2(a).

Regulations for Regional Plans in Maharashtra, framed under sub-section (4) of section 20 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), in respect of grant of permission to erect or re-erect the buildings shall apply.]

(3) No person who becomes entitled under ¹[sub-sections (1), (1A), (2), (2A) or (2B)] to proceed with any intended work of erection or re-erection shall commence such work after the expiry of one year from the date on which he became entitled so to proceed therewith, unless he shall have again become so entitled by a fresh compliance with the provisions of the preceding sub-sections.

(4) Whoever erect or re-erects, or commences to erect or re-erect any building without such permission or in any manner contrary to the provisions of sub-section (1) or any by-law in force, or to any conditions imposed by the *panchayat* shall be punished with fine, or to any conditions imposed by the *panchayat* shall be punished with fine, which may extend to fifty rupees; and in the case of a continuing contravention, he shall be liable to an additional fine which may extend to five rupees for each day during which such contravention continues after conviction for the first such contravention.

(5) Without prejudice to the penalty prescribed in sub-section (4) the *panchayat* may,—

(a) direct that the erection or re-erection be stopped ;

(b) by written notice require such erection or re-erection to be altered or demolished as it may deem necessary;

and if the requirement under clause (b) is not complied with within the time fixed in the notice ²[(such time being not less than thirty days)], the *panchayat* may cause the alteration or demolition to be carried out by its officers and servants and all the expenses incurred by the *panchayat* therefore, shall be recoverable in the same manner as an amount claimed on account of any tax recoverable under Chapter IX.

(6) Nothing contained in this section shall apply to any building which is used or required for public service, or for any public purpose, and is the property of the State or Central Government or any local authority, or is to be erected or re-erected by the State or Central Government or the local authority; but reasonable notice of the proposed construction shall be caused to be given to the *panchayat*, and the objections or suggestions of the *Panchayat*, if any, shall be considered. ³[Nothing in this section shall also apply to any building erected or re-erected for any industrial or commercial purpose.]

Explanation.— The expression “erect” or “re-erect” with reference to a building in this section, includes—

(a) any material alteration, or enlargement of or in any building ;

(b) the conversion by structural alteration into a place for human habitation of any building not originally constructed for human habitation ;

(c) such alteration of a building as would effect a change in the drainage or sanitary arrangement or materially affect its security ;

(d) the addition of any rooms, buildings, out-houses or other structures to any building ;

(e) the conversion by any structural alteration, into a place of religious worship or into a sacred building of any place or building not originally meant or constructed for such purpose ;

(f) roofing or covering an open space between walls and buildings, as regards the structure which is formed by roofing or covering such space ;

(g) conversion into a stall, shop, warehouse, or godown of any building not originally constructed for use as such or *vice-versa* ;

(h) construction in a wall adjoining any street or land not vested in the owner of the wall, of a door opening on such street or land.

¹ These words, brackets, figures and letters were substituted by Mah. 43 of 2014, s. 2(b).

² These brackets and words were inserted by Mah. 36 of 1965, s. 27(3).

³ This portion was added by Mah. 36 of 1965, s. 27(4).

¹[SCHEDULE I]

(VILLAGE LIST)

(See section 45)

*Subjects of Activities (including Development Activities)**Agriculture.*

1. Making arrangement for co-operative management of lands and other resources in village, organisation of collective co-operative farming.
2. Improvement of agriculture (including provision of implements and stores) and establishment of model agricultural farms.
3. Bringing under cultivation waste and fallow lands vested by Government in the *panchayat*.
4. Reclamation of waste land and bringing waste land under cultivation with the previous permission of the State Government.
5. Establishment and maintenance of nurseries for production of improved seeds and encouraging their use.
6. Crop experiments.
7. Crop protection.
8. Ensuring conservation of manurial resources, preparing compost and sale of manure.
9. Securing minimum standards of cultivation in the village with a view to increasing agricultural production.
10. Assistance in the implementation of land reform schemes.
11. Establishment of granaries.

Animal Husbandry.

12. Improvement of cattle and cattle breeding and general care of livestock.

Forests.

13. Raising, preservation, improvement and regulation of the use of village forests and grazing lands including lands assigned under section 28 of the Indian Forest Act, 1927. Social Welfare.
14. Relief of the crippled, destitute and the sick.
15. Promotion of social and moral welfare of the village including promotion of prohibition, the removal of untouchability, amelioration of the condition of backward classes, eradication of corruption and the discouragement of gambling and useless litigation.
16. Women's and Childrens' organisations and welfare. Education.
17. Spread of education.
18. Other educational and cultural objects.
- ²[18-A. Maintenance and Repairs of Primary School Buildings ³[vesting for the time being in the *Zilla Parishad*]].
19. Provision of equipment and playgrounds for schools.

¹ Schedule I was inserted by Mah. 36 of 1965, s. 77.

² Entry 18-A was inserted by G. N. R. D. D., No. VPA. 1075/1949/XXIII, dated the 20th September 1971.

³ These words were substituted for the words "which may be vesting in the *Zilla Parishad* or *Panchayat Samiti*" by G.N.R.D.D., No. VPA. 1075/1949/XXIII, dated the 26th September 1977.

20. Adult literacy centres, libraries and reading rooms.

21. Rural Insurance.

Medical and Public Health.

22. Providing medical relief.

23. Maternity and child welfare.

24. Preservation and improvement of public health.

25. Taking of measures to prevent outbreak, spread or recurrence of any infectious disease.

26. Encouragement of human and animal vaccination.

27. Regulation by licensing or otherwise of tea, coffee and milk shops.

28. Construction and maintenance or control of slaughter houses.

29. Cleansing of public roads, drains, bunds, tanks and wells (other than tanks and wells used for irrigation) and other public places or works.

30. Reclaiming of unhealthy localities.

31. Removal of rubbish heaps, jungle growth, prickly pear, filling in of disused wells, insanitary ponds, pools, ditches, pits or hollows, prevention of water logging in irrigated areas and other improvement of sanitary conditions.

32. Construction and maintenance of public latrines.

33. Sanitation, conservancy, prevention and abatement of nuisance and disposal of unclaimed corpses and carcasses of dead animals.

34. ¹[* * * *]

35. Excavation, cleansing and maintenance of ponds for the supply of water to animals.

36. Management and control of bathing or washing ghats which are not managed by any authority.

37. Provision, maintenance and regulation of burning and burial grounds.

Buildings and Communications.

38. Maintenance and regulation of the use of public buildings, tanks and wells (other than tanks and wells used for irrigation) vesting in or under the control of the *panchayat*.

39. Removal of obstruction and projections in public streets or places and in sites, not being private property, which are open to the public whether such sites are vested in the *panchayat* or belong to Government ²[removal of unauthorised cultivation of any crop on any grazing land or any other land not being private property].

40. Construction, maintenance and repair of public roads, drains, bunds and bridges :

Provided that, if the roads, drains, bunds and bridges vest in any other public authority such works shall not be undertaken without the consent of that authority.

41. Planting of trees along roads, in market places and other public places and their maintenance and preservation.

42. Provision and maintenance of playgrounds, public parks and camping grounds.

¹ Entry 34 was deleted by Mah. 5 of 1997, s. 7.

² These words were added by Mah. 34 of 1970, s. 27.

43. Construction and maintenance of *dharmashalas*.

44. Extension of village sites and regulation of buildings in accordance with such principles as may be prescribed.

45. Lighting of village.

Irrigation.

46. Minor irrigation.

Industries and Cottage Industries.

47. Promotion, improvement and encouragement of cottage and village industries.

Co-operation.

48. Organisation of Credit Societies and Multi-purpose Co-operative Societies.

49. Promotion of Co-operative farming.

Self-Defence and Village Defence.

50. Watch and Ward of the village :

Provided that, the cost of watch and ward shall be levied and recovered by the *panchayat* from such person in the village, and in such manner, as may be prescribed.

51. Village Volunteer Force and Defence Labour Bank.

52. Rendering assistance in extinguishing fires and protecting life and property when fire occurs.

53. Regulating, checking and abating of offensive or dangerous trades or practices.

General Administration.

54. Preparation, maintenance and up-keep of *panchayat* records.

55. Numbering of premises.

56. Registration of births, deaths and marriages in such manner and in such form as may be laid down by Government by general or special order in this behalf.

57. Collection of land revenue ¹[when entrusted by the State Government under] section 169.

58. Maintenance of village records relating to land revenue in such manner and in such form as may be prescribed from time to time by or under any law relating to land revenue.

59. Preparation of plans for the development of the village.

60. Drawing up of programmes for increasing the output of agriculture and non-agricultural produce in the village.

61. Preparation of the statement showing requirement of supplies and finances needed for carrying out rural development schemes.

62. Establishment, control and management of cattle pounds.

63. Destruction of stray and ownerless dogs and pigs.

64. Disposal of unclaimed cattle.

65. Construction and maintenance of houses for the conservancy staff of the *panchayat*.

66. Reporting to proper authorities village complaints which are not removable by the *panchayat*.

¹ These words were substituted for the words "to the extent provided under" by Mah. 50 of 1965, s. 3(c).

67. Making Surveys.

68. Acting as a channel through which assistance given by the Central or State Government for any purpose reaches the village.

69. Establishment, maintenance and regulation of fairs, pilgrimages and festivals.

70. Establishment and maintenance of markets, provided no markets shall be established without prior permission of the *Zilla Parishad*.

71. Control of fairs, bazars, tanga stands and car stands.

72. Establishment and maintenance of ware-houses.

73. Establishment and maintenance of works or the provision of employment in times of scarcity.

¹[73-A. Provision of employment to needy local persons seeking manual work under any scheme for employment guarantee undertaken or adopted by, or transferred to, the *panchayat*.]

74. Preparation of statistics of unemployment.

75. Assistance to the residents when any natural calamity occurs.

76. Organising voluntary labour for community work and works for the up-lift of the village.

77. Opening fair price shops.

78. Control of cattle stands, threshing floors, grazing grounds and community lands.

²[79. Securing ³[or continuing] postal facilities of experimental post offices in the village by providing for payment of non-refundable contribution to the Posts and Telegraphs Department, wherever necessary.]



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¹ Entry 73-A was added by G.N., R.D.D., No. VPA. 1070/20354-E, dated 25th July 1970.

² Entry 79 was added by G.N., R.D.D., No. VPS. 1266/1737-E, dated 20th February 1969.

³ These words were inserted by G.N., R.D.D., No. VPS. 1266/1737-E, dated 24th November 1970.

PUNE METROPOLITAN REGION DEVELOPMENT AUTHORITY



FINAL

**DEVELOPMENT CONTROL
AND PROMOTION
REGULATIONS FOR PUNE
METROPOLITAN REGION
DEVELOPMENT AUTHORITY
(PMRDA)
(DCPR-2018)**

December 2018

**Metropolitan
Commissioner,
PMRDA**

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PART-I
ADMINISTRATION

1.0 SHORT TITLE, EXTENT, AND COMMENCEMENT

1.1 These Regulations shall be called as —Development Control and Promotion Regulations for **Pune Metropolitan Region (PMR), 2018, referred to herein after as these Regulations.**

1.2 Extent- These Regulations shall apply to the building activities and development works on lands within the **PMR under the jurisdiction of Pune Metropolitan Regional Development Authority (PMRDA).**

1.3 (a) These Regulations shall come into force from the date of notification.

1.3 (b) Repeal: These shall replace existing building bye-laws applicable in PMR Area, standardized development control and promotional regulations for regional plan areas in Pune, Maharashtra, Special Regulation related to areas falling under 10 kms from Pune and Pimpri-Chinchwad Municipal Corporations, development control rules / regulations of A, B and C municipal councils and the development control regulations of regional plan of Pune region with amendments made to them from time to time, and any guidelines/directions issued by any authorities in the past.

1.4 Provisions in Regional Plan:

Land use zoning provisions in the sanctioned Regional Plan of Pune shall govern unless otherwise specifically mentioned in these regulations. Special Provisions or Express Provisions made or Special Regulations as mentioned in Sanctioned Regional Plan which are not covered under these regulations shall prevail.

1.5 Conflicts in provisions: If there is any conflict between the provisions in sanctioned Regional Plan along with the provisions in the sanctioned Development Control and Promotion Regulations for Regional Plan area in Maharashtra and Development Control and Promotion Regulations for Pune Metropolitan Region (PMR) in that case, the matter shall be referred to the Director of Town Planning M.S., whose decision shall be final. Wherever, there is a discrepancy between the National Building Code and these Regulations, then in such cases these Regulations shall prevail.

1.6 Savings: Notwithstanding anything contained in these regulations, any development permission granted or any development proposal for which any action is taken under the erstwhile Regulations shall be valid and continue to be so valid, unless otherwise specified in these Regulations.

Provided that, permission granted earlier shall be eligible for renewal as per provisions of the Act. Provided further that, the words 'action taken' in this regulation shall also include the issuance of Demand note for granting the development permission;

Provided also that, it shall be permissible for the owner to –

- a) either continue to develop the project under the erstwhile regulations in toto and for that limited purpose erstwhile regulation shall remain in force, or
- b) apply for grant of revised permission under the new regulations, if the project is on-going and the occupation certificate, has not been granted fully.

2.0 DEFINITIONS:

2.1 General

2.1.1 In these Regulations, unless the context otherwise requires, the definitions given hereunder shall have meaning indicated against each of them.



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Adv Sangramsingh R Bhonsle <srb.chambers@gmail.com>

Service on the Respondents: Additional Affidavit on behalf of the Respondent and Rejoinder on behalf of the Respondent No. 1 to the Affidavit in Reply of the Respondent No. 2 in O.A. No. 114 of 2025 (WZ)

1 message

Adv Sangramsingh R Bhonsle <srb.chambers@gmail.com>

Wed, Feb 25, 2026 at 5:14 PM

To: "sameer.khale@mgklegal.com" <sameer.khale@mgklegal.com>, rahul.garg@mgklegal.com, adv.manasi.joshi@outlook.com, comm@pmrda.gov.in, Dattatarya Devale <dattadevale252@gmail.com>, "grampanchayaturawade3@gmail.com" <grampanchayaturawade3@gmail.com>, sec.forest@maharashtra.gov.in
Cc: Adv Sangramsingh Bhonsle <sangramsinghbhonsle@gmail.com>

Ma'am/ Sir,

I am the Advocate for the Respondent No. 1 in O.A. No. 114 of 2025 (WZ). I am filing an Additional Affidavit on behalf of the Respondent No. 1 in the abovementioned matter. I am also filing a Rejoinder to the Affidavit in Reply dated 08.12.2025 filed by the Respondent No. 2 in the present matter.

Please find enclosed herewith, a copy of both, the Additional Affidavit on behalf of the Respondent No. 1 as well as Rejoinder to the Affidavit in Reply dated 08.12.2025 of the Respondent No. 2.

Kindly consider the present email as service of the above-mentioned documents on your Ld. Office.

Regards,

Sangramsingh R. Bhonsle

Advocate On Record

Supreme Court of India

H-5, Second Floor, Lajpat Nagar III,

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2 attachments**Kumbare Rejoinder_24.02.2026.pdf**

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