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महाराष्ट्र शासन  
महसूल व वन विभाग  
अपर प्रधान मुख्य वनसंरक्षक  
वन्यजीव पश्चिम प्रदेश मुंबई

☎: ०२२-२८६९२६६८/ २८६९२५९६  
apccfwlmumbai@mahaforest.gov.in

जुनी एम.एच.बी. कॉलनी, एल.टी.रोड, बोरीवली  
(पश्चिम), मुंबई - 400091



जा.क्र. कक्ष-3/जमीन/ न्याया/प्र.क्र.112/ 655 /2024-25

दिनांक -30/11/2024

प्रति,

मा. प्रबंधक,  
राष्ट्रीय हरीत लवाद न्यायाधिकरण (पश्चिम क्षेत्र)  
खंडपीठ, पुणे

**विषय:- ORIGINAL APPLICATION NO. 100 OF 2024 (WZ)**

वनशक्ती विरुद्ध महानगरपालिका आयुक्त, बृहन्मुंबई महानगरपालिका व इतर.

**संदर्भ :-** या कार्यालयाचे पत्र जा.क्र.कक्ष-3/जमीन/न्याय/प्र.क्र.112/927, दिनांक 23/08/2024

विषयांकीत प्रकरणी मा. राष्ट्रीय हरीत लवाद न्यायाधिकरण (पश्चिम क्षेत्र) खंडपीठ पुणे यांचेसमोर दिनांक 10/05/2024 रोजी सुनावणी झालेली असून मा. न्यायाधिकरणाकडून प्रकरणी अहवाल सादर करणेचे निर्देश प्राप्त झालेले होते.


2.00 मा. न्यायाधिकरणाचे निर्देशानुसार सदर प्रकरणी खालीलप्रमाणे संयुक्त समिती स्थापन करण्यात आलेली होती.

अ.क्र.	अधिकाऱ्याचे नांव व पदनाम	
1	डॉ.व्ही. क्लेमेंट बेन, भा.व.से. अपर प्रधान मुख्य वनसंरक्षक, वन्यजीव पश्चिम प्रदेश मुंबई	केंद्रस्थ अधिकारी
2	श्री. नरेंद्र महाजन, कार्यकारी अभियंता, ठाणे लघुपाटबंधारे विभाग कळवा, ठाणे	सदस्य
3	श्रीमती भाग्यश्री कापसे, उपायुक्त (परिमंडळ-7) बृहन्मुंबई महानगरपालिका	सदस्य
4	श्री. जी. मल्लिकार्जुन, भा.व.से. मुख्य वनसंरक्षक व संचालक, संजय गांधी राष्ट्रीय उद्यान, बोरीवली	सदस्य सचिव

3.00 सदर प्रकरणी संयुक्त समितीने दिनांक 23/07/2024 रोजी स्थळ पाहणी केलेली आहे. तसेच त्याबाबत श्रीमती भाग्यश्री कापसे, उपायुक्त (परिमंडळ-7) बृहन्मुंबई महानगरपालिका व श्री. नरेंद्र महाजन, कार्यकारी अभियंता, ठाणे लघुपाटबंधारे विभाग कळवा, ठाणे यांनी त्यांचे विभागाकडील वस्तुस्थितीदर्शक अहवाल सादर केलेला आहे. त्याअनुषंगाने प्रकरणाची पार्श्वभूमी व प्राप्त अहवालाचे आधारे एक सविस्तर अहवाल समितीव्दारे तयार करण्यात आलेला असून तो अहवाल मा. न्यायाधिकरणाचे [ngt-pune@gov.in](mailto:ngt-pune@gov.in) या ई-मेल आयडीवर दिनांक 21/08/2024 रोजी सायंकाळी 06.54 वाजता सादर केलेला आहे. तसेच तदनंतर लगेच त्याची मुळ प्रत मा. न्यायालयास संदर्भान्वये सादर केलेली आहे.

4.00 आता सदर प्रकरणी पुरवणी / सुधारीत अहवाल मा. न्यायाधिकरणास आवश्यक त्या सहपत्रासह यासोबत पुढील कार्यवाहीसाठी ई-मेलव्दारे सादर करण्यात येत आहे.

सहपत्र : वरील प्रमाणे.

  
(डॉ.व्ही.क्लेमेंट बेन)  
अपर प्रधान मुख्य वनसंरक्षक  
वन्यजीव पश्चिम प्रदेश  
मुंबई

प्रतिलिपी:- प्रधान सचिव (वने), महसूल व वन विभाग, मंत्रालय, मुंबई यांना माहितीसाठी सविनय सादर.

प्रतिलिपी:- प्रधान मुख्य वनसंरक्षक ( वन बल प्रमुख), महाराष्ट्र राज्य, नागपूर यांना माहितीसाठी सविनय सादर.

प्रतिलिपी:-अपर प्रधान मुख्य वनसंरक्षक ( वन्यजीव), महाराष्ट्र राज्य, नागपूर यांना माहितीसाठी सादर.

प्रतिलिपी:- मुख्य वनसंरक्षक व संचालक, संजय गांधी राष्ट्रीय उद्यान, बोरीवली यांना माहिती व आवश्यक त्या तात्काळ कार्यवाहीसाठी.

2/- सदर अहवालाची मुळ प्रत मा. न्यायाधिकरणास तात्काळ सादर करुन या कार्यालयास अवगत करावे.

**ADDITIONAL REPORT OF THE JOINT COMMITTEE APPOINTED  
BY HON'BLE NATIONAL GREEN TRIBUNAL, WESTER ZONE  
BENCH, PUNE IN ORIGINAL APPLICATIONS NO. 100/2024 (WZ)**



**Land details: CTS 827A/4A/1 & 827A/4A/2, Malad,  
Mumbai Sub-Urban district**

**OFFICE OF THE ADDITIONAL PRINCIPAL CHIEF  
CONSERVATOR OF FORESTS (WILDLIFE),  
WESTERN REGION, MUMBAI**

## **1. ORIGINAL APPLICATION NO. 100/2024 (WZ)**

In Original Application No. 100/2024 (WZ), filed by Vanashakti and Another before the Hon'ble National Green Tribunal, Western Zone Bench, Pune, concerning the property at CTS 827A/4A/1 in Malad, Mumbai Suburban District, the Tribunal issued an order on 10<sup>th</sup> May 2024 to establish a Joint Committee for thorough investigation of the matter. This committee comprises representatives from:

- a) Respondent No. 1: Municipal Commissioner, Municipal Corporation of Greater Mumbai (MCGM)
- b) Respondent No. 5: Principal Secretary, Water Resources Department, State of Maharashtra
- c) Respondent No. 7: Additional Principal Chief Conservator of Forests (Wildlife), Western Region Mumbai

The Additional Principal Chief Conservator of Forests designated as the nodal agency for this investigation.

The Tribunal instructed the Joint Committee to conduct a site inspection, providing prior notification to the applicants regarding the date of inspection. The Committee was further directed to assess the validity of the claims raised by the applicants concerning the site and to recommend appropriate remedial actions for the Tribunal's consideration. The Joint Committee was required to submit its findings and recommendations within one month, with the Additional Principal Chief Conservator of Forests (Wildlife) responsible for ensuring the timely submission of the report.

### **1.1 Actions Undertaken in Compliance with the Tribunal's Directions**

**1.1.1 Formation of Joint Committee:** Following the Tribunal's order, the Additional Principal Chief Conservator of Forests (Wildlife), Western Region, Mumbai, issued a formal letter dated 14<sup>th</sup> June 2024 to constitute the Joint Committee as directed by the Tribunal.

**1.1.2 Site Inspection and Observations:** On 23<sup>rd</sup> July 2024, the Joint Committee conducted an on-site inspection at CTS 827A/4A/1, Malad. In compliance with the Tribunal's directions, prior notice was given to the applicants, and Mr. Stalin Dayanand, a representative of the applicant organization, Vanashakti, attended the inspection.

**1.1.3 Report Submission:** Upon completing the inspection and review process, the Joint Committee prepared a comprehensive report detailing its findings and observations regarding the environmental and regulatory issues at CTS 827A/4A/1, which was later subdivided into CTS Nos. 827A/4A/1 and 827A/4A/2. This finalized report, including the Committee's recommendations, was submitted to the Hon'ble National Green Tribunal through email on 21<sup>st</sup> August 2024 and the physical copy was submitted on 02<sup>nd</sup> September 2024. **For complete details, please refer to the full report.** A summary of the key observations and recommendations from the report is provided below:

**1.1.4 Joint Committee Observations:**

- 1) The plot CTS No. 827A/4A in Malad (East) was designated as a No Development Zone (NDZ) in the 1993 Development Plan for P/N Ward.
- 2) CTS Nos. 827A/4A/1 and 827A/4A/2 in Malad are adjacent to Sanjay Gandhi National Park (SGNP), located within a 100-meter-wide Eco-sensitive Zone (ESZ). Development in this area requires permission from the competent authority.
- 3) According to Government Notification No. TPB 4313/CR-191/2013/UD-11 (dated 05.04.2016), CTS No. 827A/4A/2 in Malad (East) is designated as a Residential Zone, reserved for "Police Housing," with an 18.3-meter road between SGNP and CTS No. 827A/4A/1. Construction has not yet begun, and the

necessary permissions under the SGNP ESZ notification are still pending.

- 4) CTS No. 827A/4A/1 in Malad (East), located within a No Development Zone (NDZ), is affected by an 18.3-meter D.P. Road as per the sanctioned Development Plan 2034. This road runs along the northern boundary of SGNP, providing access to CTS No. 827A/4A/2, reserved for Police Housing. The Municipal Corporation of Greater Mumbai (MCGM) took advance possession of this road on 27.07.2019.
- 5) M/s Ferrani Hotels Pvt., Ltd. received permission from the SGNP ESZ Monitoring Committee on 1<sup>st</sup> November 2018 to develop residential and commercial buildings on CTS No. 827A/4A/1.
- 6) On 3<sup>rd</sup> December 2018, a fire broke out at CTS 827A/4A/1. An inquiry led to a Maharashtra Pollution Control Board (MPCB) report dated 26.02.2019.
- 7) In response, the former SGNP Director instructed M/s Ferrani Hotels Pvt., Ltd. on 19.01.2019 to establish firelines on their property as a protective measure to safeguard the park from forest fires.
- 8) An FIR was filed by Mr. Mayuresh Dattatray Bhoir of MCGM's Garden Department at Dindoshi Police Station, calling for action against M/s Ferrani Hotels Pvt Ltd., for illegal tree felling on CTS 827A/4A/1. The investigation led to an 'A' summary report, based primarily on witness statements. As of now, there is no evidence of tree cover /cutting was witnessed.
- 9) The Joint Committee's site inspection confirmed no construction activity within the 100-meter Eco-sensitive Zone on the northern and eastern sides of CTS Nos. 827A/4A/1 and 827A/4A/2. Land levelling is ongoing for the 18.3-meter D.P. Road along the northern boundary next to SGNP. Five IT/ITES buildings and internal roads are already present within CTS 827A/4A/1, serving current and planned developments.
- 10) This land is vital for the Walbut Nalla watershed, which is crucial for rainwater drainage and hydrological balance. One of the Joint Committee member, the Executive Engineer, Thane Irrigation

Division, Kalwa (Thane) vide letter TID/PB-4/2737/2024 dated 01/08/2024 had opined that, “The terrain of the said land is hilly with Plateaus. As the terrain is hilly, small streams (2 units) originate at a higher level and flow downstream. These subsequently meet the Walbut Nalla. At present these streams are flowing unobstructed till the Walbut nalla. The care should be taken to protect these streams at the time of development of the said land under the advice of planning authorities.”

- 11) The water stream, Walbut Nalla, runs through CTS No. 827A and is part of the Development Plan 2034. Major nalla details are documented by the Deputy Engineer (Storm Water Drains), and part of the nalla has been constructed and trained, as confirmed by MCGM's Executive Engineer on 24.02.2019.
- 12) The Joint Committee observed hill cutting and soil excavation on the northern side of the land parcel for D.P. Road construction, raising risks of soil erosion and environmental instability.
- 13) CTS No. 827A/4A/2, owned by M/s D.B. Realty, is adjacent to CTS 827A/4A/1 and borders SGNP. Both plots are situated in the same ecological zone near SGNP and are governed by the same environmental regulations. The land use, vegetation cover, and environmental impacts of CTS 827A/4A/2 mirror those of CTS 827A/4A/1, including disruptions caused by human activities. Both parcels are within the SGNP Eco-sensitive Zone (ESZ) and subject to the same regulatory framework.

### **1.1.3.2 Joint Committee Recommendations**

- 1) The final Eco-sensitive notification dated 5<sup>th</sup> December 2016 issued by the Ministry of Environment, Forest and Climate Change (MoEFCC) required the State Government to prepare a Zonal Master Plan for the Eco-sensitive Zone (ESZ) surrounding Sanjay Gandhi National Park within two years to guide development and protect the park's ecological integrity. However, the plan has not yet been finalized, creating a regulatory

gap that could permit unregulated development. It is recommended that the Hon'ble Tribunal may direct the Monitoring Committee to expedite the plan's preparation within six-month period for completing and submitting the plan to ensure timely protection of the ESZ.

- 2) FIR No. 942/19 was filed by Mr. Mayuresh Dattatray Bhoir against M/s Ferrani Hotels Pvt Ltd., for illegal tree felling and burning. The investigation led to an 'A' summary report, based primarily on witness statements. However, such violations, including illegal tree cutting and persistent burning, cannot be fully investigated through conventional police investigation methods.
- 3) The Joint Committee has determined that the area within 100 meters of Sanjay Gandhi National Park lies within the notified ESZ. The Committee recommends all measures needs to be taken by the monitoring committee to protect the park's ecological integrity as per the ESZ notification.
- 4) Given the area's history of repeated burning, a comprehensive rejuvenation plan is needed to restore its ecological balance. The plan should include the creation of a 50-meter green belt within the ESZ of CTS 827A/4A/1 and CTS 827A/4A/2 by replanting native species along the Sanjay Gandhi National Park boundary. This will help restore habitat, support wildlife, and improve soil health. M/s Ferrani Hotels Pvt Ltd., and M/s D.B. Realty should fund this effort in consultation with the Forest Department.
- 5) As per the ESZ notification dated 05.12.2016, construction activities within the ESZ are allowed, provided they comply with the approved Development Plan and the regulations under the Maharashtra Regional and Town Planning Act. M/s Ferrani Hotels Pvt Ltd., was granted permission by the SGNP ESZ Monitoring Committee, as per their letter dated 1<sup>st</sup> November 2018, to develop residential and commercial buildings on plot CTS No. 827A/4A/1.

- 6) The Joint Committee recommends establishing a 50-meter buffer zone within the entire ESZ adjacent to Sanjay Gandhi National Park, densely planted with native vegetation. This buffer will serve as a protective barrier to mitigate the impacts of nearby construction and preserve the park's ecological integrity. It will also enhance local biodiversity, stabilize soil, reduce erosion, and improve environmental quality. The Committee suggests making this 50-meter buffer zone mandatory across the entire ESZ to ensure consistent protection of the park's ecological values.

## **2. ORIGINAL APPLICATION NO. 166/2024 (WZ)**

Another Original Application (OA), No. 166 of 2024, was filed by Mr. Nusli Neville Wadia regarding CTS 827 (part), Survey No. 239 (part), located in Malad, Mumbai Suburban District. This OA addresses issues of unauthorized tree cutting, illegal deforestation, unapproved construction, hill cutting, and alteration of the natural river course on the specified land.

On 5<sup>th</sup> August 2024, the Hon'ble National Green Tribunal issued the following directives in this OA:

*“7 Counsel for the applicant requested that a copy of this Original Application be provided to the members of the Joint Committee constituted in Original Application No. 100/2024 (WZ), as the Joint Committee's report in that matter is still pending. The applicant's counsel suggested that sharing this application may aid the Committee in preparing its report. The Tribunal granted this request, instructing the applicant's counsel to submit a copy of the Original Application to the Joint Committee members and to remain available for assistance if the Committee so desired.*

*8 Counsel for Respondents No. 7 and 8 requested that she also be permitted to assist the Committee if the applicant's counsel were allowed to do so. This request was also granted by the Tribunal.”*

## **2.1 Hearing before Joint Committee**

Following these directions, the Joint Committee scheduled a hearing on 29.10.2024, during which the applicant's counsel, appeared with two representatives. Additionally, counsel for Respondents No. 7 and 8 attended, accompanied by two other representatives. Both parties presented their submissions before the Joint Committee.

## **2.2 Submissions by the Applicant**

The counsel for Mr. Nusli Neville Wadia made several submissions, which closely aligned with the claims and concerns raised in Original Application No. 100/2024 (WZ). Specific arguments included:

- a) The applicant's counsel highlighted potential environmental impacts, and possible violations of Eco-sensitive Zone guidelines in CTS 827(pt), Survey No. 239 (pt).
- b) The applicant emphasized the need for strict adherence to existing environmental laws and guidelines to protect the eco-sensitive nature of the surrounding area.
- c) The applicant raised concerns regarding the unauthorised tree felling in the site.
- d) The applicant's counsel provided several new documents to substantiate these claims, requesting the Joint Committee to consider these materials as part of their assessment. These included land records, FIR document, letters addressed to the District Collectors , etc.
- e) All the aforementioned documents have been submitted as attachments to the Original application by the Applicant

## **2.3 Submissions by Respondents No. 7 and 8**

Counsel for Respondents No. 7 and 8 also provided detailed submissions in response, which included:

- a) The respondents argued that all activities undertaken around the site have adhered to the required zoning regulations, suggesting

that no violations of eco-sensitive zone guidelines have occurred and submitted concerned documents

- b) Respondents asserted that appropriate land use permits were in place, ensuring that construction and development activities complied with applicable regulations and submitted concerned documents.

## **2.4 Observations of the Joint Committee**

After reviewing submissions from both parties, the Joint Committee made the comprehensive observations based on the earlier Joint Committee report in OA 100/2024, and the new submissions made during the hearing on 29<sup>th</sup> November 2024. The observations of the committee are as follows:

### **A. Acknowledgment of New Documents Submitted by the Applicant's Counsel:**

The Joint Committee acknowledged and recorded the new documents provided by the applicant's counsel, which include the following:

- i. The records related to Developmental agreement and Power of Attorney (PoA) related to usage of CTS 827 (pt).
- ii. A copy of an FIR No. 1100/2022 dated 07/11/2022 related to the illegal felling of trees on the CTS 827 (pt), was submitted.
- iii. A study report regarding the Land use and Land cover change detection.

### **B. Similarity of Issues with OA 100/2024 (WZ)**

The Committee observed that the issues raised in this application were substantially similar to those in Original Application No. 100/2024 (WZ). The Joint Committee had previously conducted a detailed site inspection in connection with that case on 23<sup>rd</sup> July 2024. Given the recent and thorough inspection, the Committee found no need for an additional site visit, as the prior assessment had sufficiently addressed the conditions and issues at CTS

827 (pt). Therefore, further site inspections were considered unnecessary at this stage.

### **C. Details of the land in question**

The land in question, CTS 827 (pt), forms part of Survey No. 239 (pt) located in Village Malad, Mumbai. On 9<sup>th</sup> August 1975, a notice under Section 35(3) of the Indian Forest Act was issued to the F.E. Dinshaw Trust for the acquisition of 1,488 acres of land. As a result, the Trust and the State entered into consent terms on 3<sup>rd</sup> December 1979 (a copy of which is attached as **Annexure-1**), limiting the acquisition under the Maharashtra Private Forest (Acquisition) Act, 1975, to 848 acres, 29 gunthas, and 12 annas. Consequently, Sanjay Gandhi National Park took possession of 848 acres, 29 gunthas, and 12 annas from Survey No. 239/1 of Village Malad.

Furthermore, under the 1967 Development Plan for "P" Ward, MCGM reserved 572 acres from Survey No. 239 (pt) for the expansion of Aarey Milk Colony. However, as the land was deemed unsuitable, it was returned to the F.E. Dinshaw Trust in 1984.

On 2<sup>nd</sup> January 1995, an unregistered agreement duly stamped was executed by the Applicant (Nusli Neville Wadia) in favour of Ferani Hotels Pvt Ltd. (Ferani), which was modified by a supplementary agreement dated 12<sup>th</sup> April 1995, granting development rights for the said land (CTS 827 pt, Survey

No. 239 pt). Additionally, two unregistered Powers of Attorney (PoAs) were executed by the Applicant in favour of Sandeep Raheja and Sonali Raheja (the Rahejas). This matter regarding the unregistered agreement and PoAs is currently *sub judice* before the Hon'ble Bombay High Court in Suit No. 1628 of 2008.

### **D. Tree felling in CTS 827 (pt), Survey No. 239 (pt)**

- 1) The observations and recommendations of the committee regarding the tree felling is already mentioned in the earlier report by taking into consideration of report of the Deputy Regional Officer, MPCB., the FIR No. 942/19 by Mr. Mayuresh Dattatray Bhoir from Garden

Department, P/North Ward, MCGM, at Dindoshi Police Station, Mumbai, and its investigation report by the Senior Police Inspector, Dindoshi Police station.

2) The counsel for the Applicant has submitted the following additional documents to substantiate the tree felling:

- a. Copy of FIR No. 1100 of 2022 filed by Mr. Mayureshwar Dattraya Bhoir, Junior Tree Authority, Municipal Corporation of Greater Mumbai (MCGM), dated 07/11/2022 at Dindoshi Police station.
- b. A study report prepared by the Applicant dated 15/05/2024
- c. Copies of the representations submitted by the Applicant to the Deputy Conservator of Forests, Thane, dated 09/11/2022, and to the Collector of Mumbai Suburban District, dated 18/10/2023, along with related site inspection reports conducted by officials from the Thane Forest Division and officials from the Range Forest Office, Mumbai Mangrove Conservation Unit (MMCU), West Mumbai. All these documents are annexed to OA 166/2024.

3) Based on the above additional documents and the documents provided by the members have come to the following general recommendations:

- a. The committee has obtained a report from Dindoshi Police Station on the status of FIR No. 1100 of 2022, attached as **Annexure -2**. This FIR, filed by Mr. Mayuresh Dattatray Bhoir of the Garden Department, P/North Ward, MCGM, was registered at Dindoshi Police Station, Mumbai, against Dinshaw Trust and Ferani Hotels Pvt. Ltd. Following an investigation, the investigating officer submitted an 'C'

summary report to the competent authority, indicating that the case was closed due to a lack of prosecutable evidence

- b. This land is vital for the Walbut Nalla watershed, which is crucial for rainwater drainage and hydrological balance. One of the Joint Committee member, the Executive Engineer, Thane Irrigation Division, Kalwa (Thane) vide letter TID/PB-4/2737/2024 dated 01/08/2024 had opined that, “The terrain of the said land is hilly with Plateaus. As the terrain is hilly, small streams (2 units) originate at a higher level and flow downstream. These subsequently meet the Walbut Nalla. At present these streams are flowing unobstructed till the Walbut nalla. The care should be taken to protect these streams at the time of development of the said land under the advice of planning authorities.” (Annexure -3). Additionally, a portion of the Walbut Nalla has already been constructed, as confirmed in a letter from the Executive Engineer (Storm Water Drains) (P&R), MCGM, dated 24.02.2019 (Annexure-4)
- c. The applicant submitted a study report on vegetation changes, which contains highly technical findings. The Joint Committee lacks the specialized expertise required to analyze or interpret the technical aspects of the report. To effectively monitor vegetation changes within the eco-sensitive zone, the periodic assessments need to be carried out using the geomatic studies if required.
- d. The committee further recommends that the Eco-sensitive Zone (ESZ) Monitoring Committee prepare a Zonal Master Plan for the Sanjay Gandhi National Park and other National Parks and Wildlife Sanctuaries, in accordance with the notification dated 5<sup>th</sup> December 2016. This plan should be

completed within a stipulated time frame of six months and include detailed rules and regulations to safeguard the notified ESZs of the park. These zones act as vital buffers, enhancing the delivery of ecosystem services to the broader community.



(Dr. V. Clement Ben)

**Additional Principal Chief  
Conservator of Forests (Wildlife)  
Western Region, Mumbai**



(Bhagyashree Kapse)

**Deputy Municipal Commissioner,  
Zone-7, Municipal Corporation of  
Greater Mumbai**



(Narendra Mahajan)

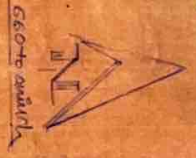
**Executive Engineer,  
Thane Irrigation Division,  
Kalwa (Thane)**



(G. Mallikarjuna)

**Chief Conservator of Forests & Director,  
Sanjay Gandhi National Park, Borivali,  
Mumbai.**

Plan showing the land being in 239 plots & the area was 140,105, 14, 147, 148, 149 & 150, one of which



Geometric



Land measuring 216-20-R shows  
Land belonging to the Govt.  
Land measuring 240-12-4 shows  
the private land belonging to the estate

- CHOW'S OLD LAND BOUNDARY
- SHOWS NEW LAND 230 OF AREA
- SHOWS THE LAND 171-7-2
- SUNG'S TIE
- SUNG'S TIE ST.
- SUNG'S TIE

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Department



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महाराष्ट्र शासन

27 NOV 2024  
3506

कम्यलिय अभिधक

पु.व.संचालक

सं.ग.रा.उ. बोरीवली



सदरक्षणाय खलनिग्रहणाय

दुरध्वनी क्रमांक -  ९१-२२ - २८७७०७८१

९१-२२ - २८७७७०१६

९१-२२ - २८७८६३००

Email ID : [dindoshi.ps@gmail.com](mailto:dindoshi.ps@gmail.com)

पोलीस विभाग  
दिंडोशी पोलीस ठाणे,  
३/ए, वृंदावन रोसायटी,  
मालाड, पुर्व, मुंबई.

जा.क्र. 10755/ सपोनि राऊत /दिंडोशी पो.ठाणे/२०२४

दिनांक १३/११/२०२४

प्रति,

मा. मुख्य वनसंरक्षक व संचालक,  
संजय गांधी राष्ट्रीय उद्यान,  
बोरीवली पुर्व, मुंबई.

विषय :- BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE  
BENCH PUNE ORIGINAL APPLICATION NO. 166 OF 2024 (WZ)  
Nusli Neville Wadia  
Versus  
State of Maharashtra & Others.

संदर्भ :- १) मा. राष्ट्रीय हरीत लवाद, पश्चिम प्रदेश, पूणे यांनी मुळ अर्ज क्र. १६६/२०२४  
मध्ये दि. ०५/०८/२०२४ रोजी पारीत केलेले आदेश.  
२) जा.क्र. कक्ष-२/जमीन/११२६/२०२४-२५, दि. ०६/११/२०२४.

महोदय,

उपरोक्त विषय व संदर्भास अनुसरून आपणास कळविण्यात येते की, दिंडोशी पोलीस ठाणे वि.स्था. गुन्हा नोंद क्रमांक ११००/२०२२ कलम २१,८ महाराष्ट्र (नागरी क्षेत्रे) झाडांचे संरक्षण व जतन अधिनियम १९७५ अन्वये गुन्हा दाखल असून सदर गुन्ह्याची सद्यस्थिती कळविण्याबाबत पत्र प्राप्त झाले असून सदरच्या गुन्ह्याच्या अनुषंगाने पुढील प्रमाणे माहिती सादर करण्यात येत आहे.

दिंडोशी पोलीस ठाणे वि.स्था. गुन्हा नोंद क्रमांक ११००/२०२२ कलम २१,८ महाराष्ट्र (नागरी क्षेत्रे) झाडांचे संरक्षण व जतन अधिनियम १९७५ या गुन्ह्याच्या तपासाअंती दिंडोशी पोलीस ठाणे मुंबई येथून मा. महानगर दंडाधिकारी, ३९ वे न्यायालय, विलेपार्ले, मुंबई यांच्या न्यायालयात कोर्ट केस क्रमांक सी.एस./०३/२०२३, दि. ०५/०४/२०२३ प्रमाणे "क वर्गीकरण" मंजुरी करिता अहवाल सादर करण्यात आला आहे.

आपला विश्वासु,

(सुरज हणमंत राऊत)  
सहाय्यक पोलीस निरीक्षक,  
दिंडोशी पोलीस ठाणे, मुंबई

634

Executive Engineer

Thane Irrigation Division, Kalwa (Thane)

Opp. Sahkar Vidyalya, Old Mumbai Pune Road, Kalwa (Thane)

Email:- eetmidkalwa@gmail.com



Outward No.TID/PB-4/2737 /2024

Date:- 01/08/2024

To,  
Chief Conservator of Forests,  
Sanjay Gandhi National Park,  
Borivali East Mumbai.

**Subject :** Order dated 10<sup>th</sup> May 2024 in Original Application No. 100 of 2024 in the Hon'ble National Green Tribunal at Pune.

**Reference :-** Chief Conservator of Forests, Sanjay Gandhi National Park, Borivali East Mumbai letter No कक्ष-2/जमीन/579/2024-25 दि. 18/07/2024.

With respect to the above subject matter and letter under reference, a joint site inspection was carried out on 23 July 2024 of the land bearing CTS No. 827A/4A/1 of Village Malad (E) (the said land). The undersigned was present at, and took part in the said joint site inspection along with the Additional Principal Chief Conservator of Forests, Deputy Municipal Commissioner (Z-VII) and others. My report with respected to the above inspection is as below.

The terrain of the said land is hilly with plateau's. As the terrain is hilly, small streams (2 Nos) originate at a higher level and flow downstream. These subsequently meet the Walbut Nalla. At present these streams are flowing unobstructed till the Walbut Nalla. The care should be taken to protect these streams at the time of development of the said land under the advice of planning Authorities.

Executive Engineer  
Thane Irrigation Division,  
Kalwa (Thane)

BRIHANMUMBAI MAHANAGAR PALIKA

No Dy.ChE /

1084 / SWD / WS / of 24/209

Office Of The

Dy.Ch.E (S.W.D)W.S

K/west Ward Office Bldg.

6<sup>th</sup> Floor, Paliram Road

Andheri (West) Mumbai -58

To,  
Shri S.P.Kher  
Construction House 'B',  
2<sup>nd</sup> Floor, 623, Linking Road,  
Opp. Khar Telephone Exchange,  
Khar (West), Mumbai-400 052

Sub: Part Completion Certificate for Storm Water Drains for the proposed development on plot bearing C.T.S No. 827A/4A (Pt), on Village Malad, Malad (East)

Ref.: i) This office remarks under Nos.Dy ChE / 7917/SWD/WS  
Dtd.: 17/05/2003.

Gentleman,

The site was inspected. The storm water drain arrangement provided on site is found partly completed.

The storm water Drain marked as on the accompanying plan/remarks plan is as per remarks and same is completed.

Works Completed:(Shown in green colour)

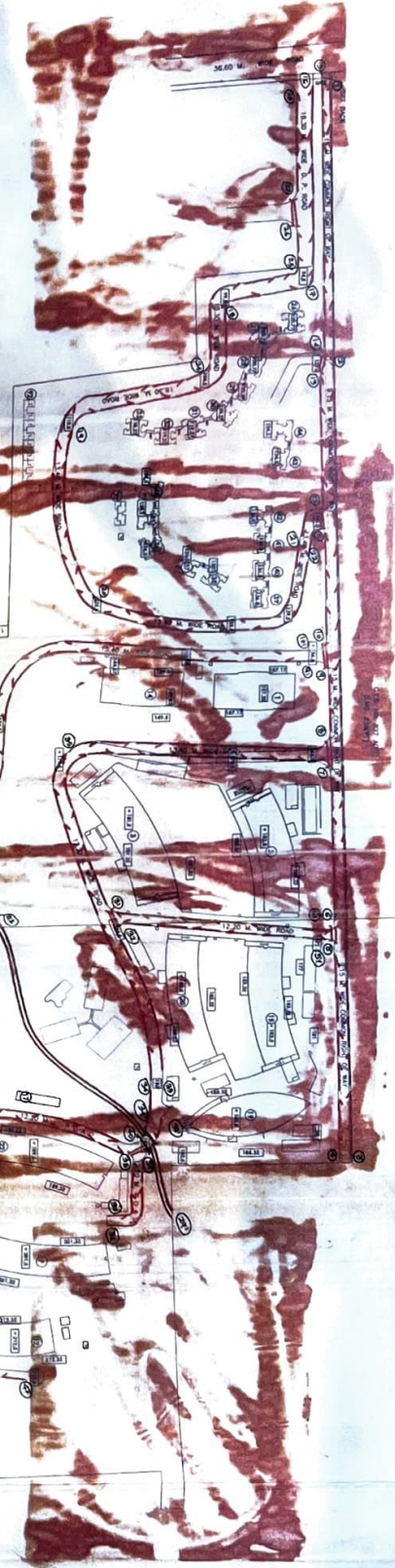
- |      |                                                                 |                                                                                                                                                                        |
|------|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| i)   | Z2-Z3-P1,<br>Z1-Z-U1                                            | To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c. |
| ii)  | B-A                                                             | Existing open S.W. drain of min c/s area 0.75 M <sup>2</sup> . (min 0.90M wide) and cover it with R.C.C. slab with inspection chamber @ 6.00 M c/c.                    |
| iii) | E-F-S, R-S,<br>D-C-B, J-K                                       | To construct the open S.W.Drain of min c/s area 0.27 M <sup>2</sup> . (min 0.60M wide),covered with Steel /R.C. gratings with inspection chamber @ 6.00M c/c.'         |
| iv)  | Q-R                                                             | To construct the open S.W.Drain of min c/s area 0.20 M <sup>2</sup> .(min 0.45 M wide),covered with Steel /R.C. gratings with inspection chamber @ 6.00M c/c.          |
| v)   | a-b, c-b, c-d, e-d,<br>e-f,Y-f, Y-X,<br>XI-X, XI -W<br>V-W, V-U | To construct the open S.W.Drain of min c/s area 0.48 M <sup>2</sup> . (min 0.45 M wide),covered with Steel /R.C. gratings with inspection chamber @ 6.00M c/c.         |
| vi)  | P - j                                                           | To construct the open S.W.Drain of min c/s area 0.48 M <sup>2</sup> . (min 0.45M wide).                                                                                |
| vii) | Q1-Q-11                                                         | To construct open S.W.D of min size 1.97 M wide and c/s area 3.88 M <sup>2</sup> covered with R.C.C slab with chamber cover at every 5.00 M c/c.                       |

- : 2 :
- viii) U-T-J1 To construct open S.W.D of min size 0.75M wide and c/s area 0.93 M<sup>2</sup> covered with R.C.C slab with chamber cover at every 5.00 M c/c.
- ix) S-G To construct open S.W.D of min size 0.90 M wide and c/s area 0.54 M<sup>2</sup> covered with R.C.C slab with chamber cover at every 5.00 M c/c.
- x) G-H-I To construct open S.W.D of min size 1.10 m wide and c/s area 2.30 M<sup>2</sup> covered with R.C.C slab with chamber cover at every 5.00 M c/c..
- xi) M-N To construct open R.C.C, S.W.D of min size 4.00 M wide and c/s area 4.00 M<sup>2</sup> covered with R.C.C slab with chamber cover at every 5.00 M c/c..
- xii) j=J1 To Construct R.C.C box type of culvert designed for 'AA' class loading to min c/s area 1.00 M<sup>2</sup> (min 1.00 M wide) with chamber at center of size 0.6 x 0.9 M. along with heavy duty frame and cover and locking arrangement and cover @7.50M c/c.
- xiii) I1=L To Construct R.C.C box type of culvert designed for 'AA' class loading to min c/s area 3.00 sq.m (min 1.50 m wide) with chamber at center of size 0.6 x 0.9 mtr. along with heavy duty frame and cover and locking arrangement and cover @7.50M c/c.
- xiv) L=M To Construct R.C.C box type of culvert designed for 'AA' class loading to min c/s area 4.00 M<sup>2</sup> (min 2.00 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @7.50M c/c.
- xv) Q2=Q1 To Construct R.C.C box type of culvert designed for 'AA' class loading to min c/s area 3.88 M<sup>2</sup> (min 1.97 m wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @7.50 M c/c.
- xvi) U1=U, P1=P To Construct R.C.C box type of culvert designed for 'AA' class loading to min c/s area 0.36 M<sup>2</sup> (min 0.60 M wide) with chamber at center of size 0.6 x 0.9 M. along with heavy duty frame and cover and locking arrangement and cover @7.50M c/c.
- xvii) Z-Z1, b-b1, d-d1, f-f1, X-X2, W-W1 Provide 300 mm dia NP-2 class pipe for outlet
- xviii) 66 - 67 - 68 600 M wide S. W. Drain.
- xix) To provide C.C. pavement in open spaces of the buildings with slope towards S.W.Drain. Also slope of pathway towards S.W.D

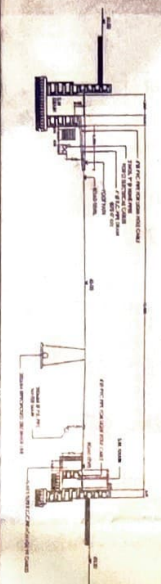
- xx) To allow to drain the storm water from upstream properties /slum into the new drain by diverting it into the new drain
- xxi) The above remarks are given as per your request and without prejudice . The said remarks are likely to be revised subject to contention raised at any instance in future
- xxii) Provide weep holes of 100 mm dia A.C. pipes @ 5.00M C/C along compound wall
- xxiii) If there is any amendment / changes in the plan / layout revised remarks will have to be obtained before completion.

**Balance Works: (Shown in red colour).**

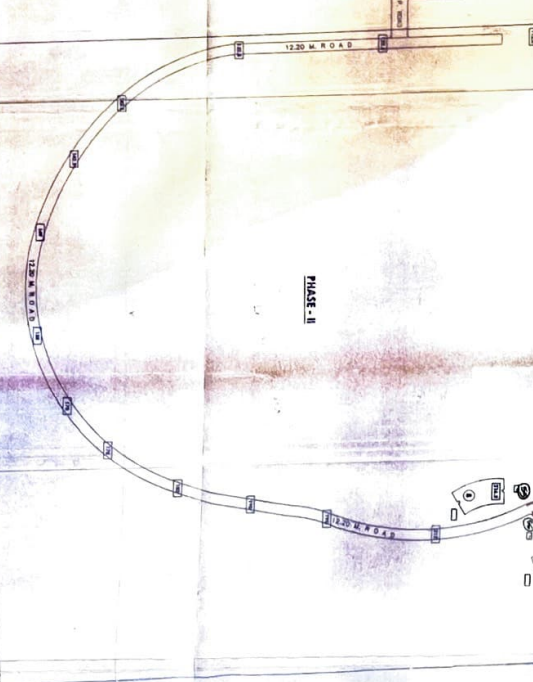
Sr.No.	Notation	S.W.D. Works
i)	3 - 2 - 1	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
ii)	4 - 5, 6 - 7, 8- 9, 10- 11, 12 - 13, 14 - 15	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
iii)	19 - 18 - 17 - 16, 23- 24 - 25 - 26, 27 - 28	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> . (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
iv)	22 - 23, 21 - 20 - 19	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
v)	9' - 29, 10' - 30, 6' - 31, 5' - 32, 33 - 32, 31 - 7, 34 - 35 - 8	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
vi)	36 - 39, 37- 38, 33' - 39, 34' - 40, 37 - 38, 40 - 41, 42 - 38	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> . (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
vii)	41- 44 - 45, 47 - 48, 48' - 46, 42- 43, 49 - 50 - 51 - 51'	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> . (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.
viii)	49 - 54 - 53 - 52, 55 - 52, 57 - 58, 59 - 60, 61 - 62, 63 - 58, 64 - 56	To construct the open S.W. drain of min c/s area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C Grating with inspection chamber @ 6.00M c/c.



LOCATION PLAN



PHASE - II



BLOCK PLAN

SCALE 1:1200



NOTE: -  
 PROVIDED LEVELS ARE IN H.D.  
 SEE MAIN DRAWING

PROVISION STORM WATER LAYOUT ON PLOT  
 AS PER S.I. NO. 877 AND S.I. NO. 878 AND 879  
 AT MCD 10 VILLAGE, MALAD (PART) MUNICIPAL

SCALE	AS SHOWN
DRG. BY	ANANDA
CHECK BY	
DATE	
PROJECT	
DESIGNER	
APPROVED	
DATE	
BY	
FOR	

ii)	B-A	Existing open S.W. drain of min. dia area 0.75 M <sup>2</sup> (min 0.90M wide) and cover it with R.C.C. slab with inspection chamber @ 6.00M etc.	xj)	S-Q	To construct open S.W.D of min size 4.00 M wide and dia 5.00 M etc.
iii)	E.S.S. R.S. D-C.B. J.K	To construct the open S.W. Drain of min. dia area 0.27 M <sup>2</sup> (min 0.60M wide) covered with Steel/R.C.C. gratings with inspection chamber @ 6.00M etc.	xk)	G-H-I	To construct open S.W.D of min size 1.10 m wide and dia area 2.30 M <sup>2</sup> covered with R.C.C. slabs with chamber cover at every 5.00 M etc.
iv)	Q-R	To construct the open S.W. Drain of min. dia area 0.20 M <sup>2</sup> (min 0.45 M wide) covered with Steel/R.C.C. gratings with inspection chamber @ 6.00M etc.	xli)	M-N	To construct open R.C.C. S.W.D of min size 4.00 M wide and dia 5.00 M etc.
v)	#b-c-h, c-d, e-d, e-F, Y, X, X1, X2, X3, X4, V, W, X, Y, Z	To construct the open S.W. Drain of min. dia area 0.48 M <sup>2</sup> (min 0.45 M wide) covered with Steel/R.C.C. gratings with inspection chamber @ 6.00M etc.	xlii)	J-K-L	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.
	Q1-Q11	To construct open S.W.D of min. dia 1.97 M wide and dia area 3.88 M <sup>2</sup> covered with R.C.C. slabs with chamber cover at every 3.00 M etc.	xliii)	L-M	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 3.00 sq.m (min 1.50 m wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.

xv)	Q2-Q1	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.	xvii)	U=U, P=P	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 0.36 M <sup>2</sup> (min 0.60 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.
xvi)	L-M	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.	xviii)	Z Z1, X-X1, 4-41, 4-42, X-X2, W-W1	Provide 300 mm dia NP-2 class pipe for outside
xvii)	L-M	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.	xix)	66-67-68	600 M wide S.W. Drain.
xviii)	L-M	To Construct R.C.C. box type of culvert designed for 'AA' class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at center of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.50M etc.	xx)		To provide C.C. pavement in open spaces of the building with slope towards S.W. Drain. Also slope of pathway towards S.W.D

ix)	5-6, 7, 8, 9-10, 11-12, 13-14, 15-16, 17-18, 19, 20-21, 22-23, 24-25, 26-27, 28-29, 30-31, 32-33, 34-35, 36-37, 38-39, 40-41, 42-43, 44-45, 46-47, 48-49, 50-51, 52, 53-54, 55-56, 57-58, 59-60, 61-62, 63-64, 65-66	To construct R.C.C. Box type culvert designed for 'AA' Class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at centre of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.5 M etc.	xii)	Provide weep holes of 100 mm dia A.C. pipes @ 5.00M OC along compound wall obtained before completion.
x)	39-40, 41-42, 43-44, 45-46, 47-48, 49-50, 51-52, 53-54, 55-56, 57-58, 59-60, 61-62, 63-64, 65-66	To construct R.C.C. Box type culvert designed for 'AA' Class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at centre of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.5 M etc.	xiii)	Balance Weir (shown in red colour)
xi)	46-48	To construct R.C.C. Box type culvert designed for 'AA' Class loading to min. dia area 1.00 M <sup>2</sup> (min 1.00 M wide) with chamber at centre of size 0.6 x 0.9 M along with heavy duty frame and cover and locking arrangement and cover @ 7.5 M etc.	xiv)	S.W.D. Works
xii)	29-29	To construct 6.00 M wide open S.W. Drain.	xv)	9' 10' - 30' To construct the open S.W. drain of min. dia area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C. Grating with inspection chamber @ 6.00M etc.
xiii)	65-66	To construct 6.00 M wide open S.W. Drain.	xvi)	12-23 To construct the open S.W. drain of min. dia area 0.36 M <sup>2</sup> (min 0.60M wide) and cover it with R.C.C. slab/R.C.C. Grating with inspection chamber @ 6.00M etc.

S.W.D.

The completed sheet should be maintained in good condition. This is Storm Water Drain Part  
 Completion Certificate Only.  
 Yours Faithfully,  
 (1 & N)