



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

**MISC. APPLICATION No.11 OF 2023 (WZ)**

**IN**

**ORIGINAL APPLICATION No.194 OF 2018 (WZ)**

Ashish Rohidas Shinde  
& another

APPLICANTS

Vs.

Lonavla Municipal Corporation  
& others

RESPONDENTS

**AFFIDAVIT**

I, Shri Ashok Sabale, Age adult, Occ: Chief Officer, Lonavla Municipal Council having address at LMC Building, Lonavla, Taluka Maval, District Pune, do hereby state on solemn affirmation, as under :

- 1) I would like to place on record of the Hon'ble Tribunal that, I along with the Officers and staff of the Lonavla Municipal Council commenced the work of removal of the remaining

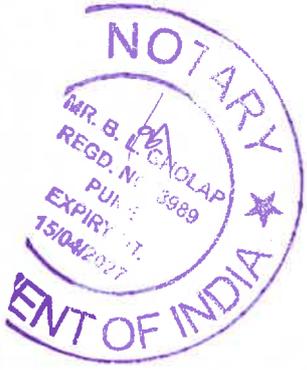
encroachment in the Indrayani River, abutting land bearing Survey No.24, Bhushi, viz., Swinging Foot Bridge, remove fencing from the North-West direction and remove the approach road constructed by illegal dumping in the River, as per the demarcation done by the Office of the TILR dated 24<sup>th</sup> December, 2019 under M.R. No.1443/2019. The said work was continued upto 4 A.M. next day, i.e., 24<sup>th</sup> November, 2023.

- 2) I would further like to place on record that the entire aforesaid work has been completed. The entire Swinging Foot Bridge has been dismantled and removed. Moreover, the fencing like structure constructed on the North-West direction is also removed. The approach road constructed to the land bearing Survey No.24 by dumping soil, debris, etc., has also been removed.
- 3) The photographs of the work are being annexed and marked as **EXHIBIT-A**, collectively.
- 4) I would further like to tender clarification regarding the order passed by the Lonavla Municipal Council dated 24<sup>th</sup> February, 2023. The said order was initially passed on 24<sup>th</sup>



February, 2023. However, the same could not be forwarded and carried out. Therefore, the date of the said order was changed from 24<sup>th</sup> February, 2023 to 24<sup>th</sup> March, 2023. The same was done without any ill-intention, also not to aid the Respondent No.5 to delay the execution. I tender my unconditional apology, in respect of any confusion created on account of the same, and seek pardon of this Hon'ble Tribunal. I further undertake that the Lonavla Municipal Council will strive, so that there will not be any latches in future.

- 5) The Hon'ble Tribunal, vide its order dated 5<sup>th</sup> October, 2023, had imposed a penalty of Rs.1,00,000/- on the Lonavla Municipal Council. The same has been paid on 10<sup>th</sup> October, 2023 by the Lonavla Municipal Council, by tendering a Cheque to the Regional Officer, MPCB, Pune. On that date, the Hon'ble Tribunal further was pleased to direct the work to be completed within a period of four weeks, i.e., on or before 2<sup>nd</sup> November, 2023.
- 6) I say that the work of removing the encroachment was completed on 24<sup>th</sup> November, 2023. The Lonavla Municipal Council took



additional 21 days to remove the encroachment. The said delay is on account of the appeal filed by the Respondent No.5 before the District Superintendent of Land Records who had granted stay to the demarcation dated 24<sup>th</sup> December, 2019 on 17<sup>th</sup> October, 2023, which was vacated on 8<sup>th</sup> November, 2023. However, the Lonavla Municipal Council, in compliance of the orders of this Hon'ble Tribunal had paid and deposited penalty @ Rs.25,000/- per day, aggregating to Rs.5,25,000/- with the Regional Officer, MPCB, Pune, vide a Demand Draft bearing No.988318 dated 4<sup>th</sup> December, 2023 issued by Canara Bank. The copy of the same is annexed and marked as **EXHIBIT-B**.

Whatever has been stated hereinabove is true and correct to the best of my knowledge, belief and information and, in witness whereof, I have signed this at Pune this 5<sup>th</sup> day of December, 2023.



**BEFORE ME**

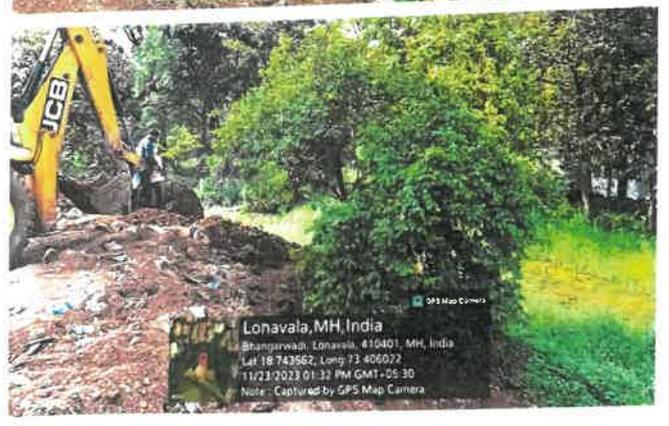
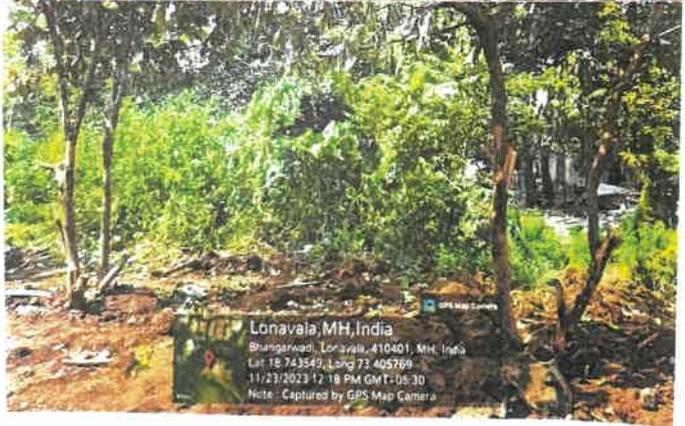
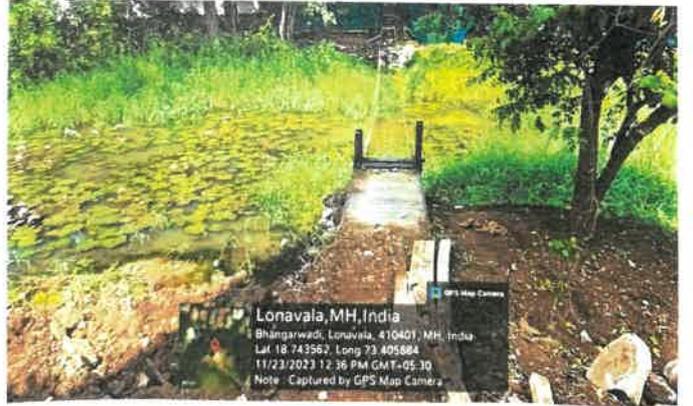
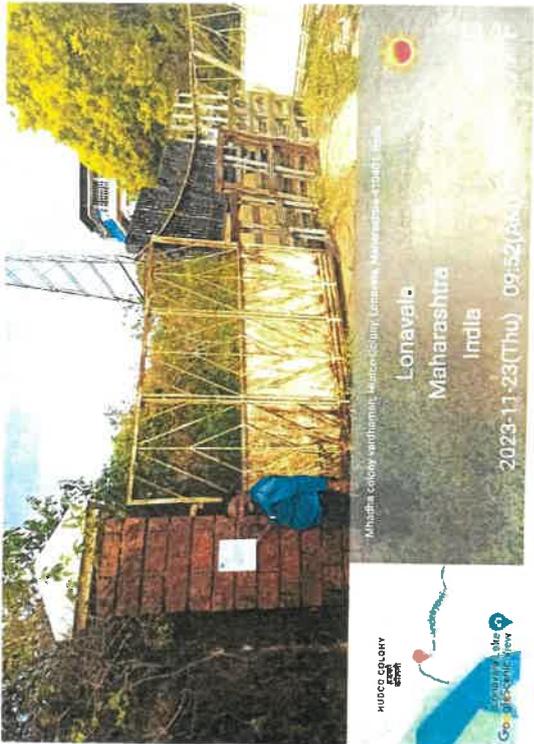
*[Signature]*  
**MR. B. L. GHOLAP**  
 NOTARY, GOVT. OF INDIA  
 PUNE

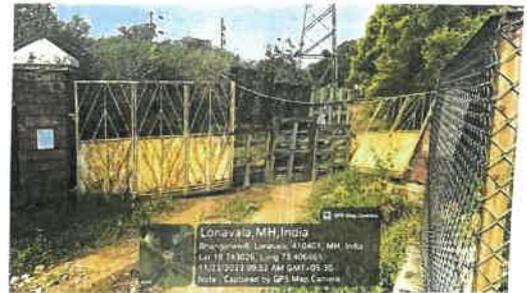
*[Signature]*

**AFFIANT**  
**Chief Officer**  
 Lonavla Municipal Council

Noted and Registered  
 at Serial Number 469/2023  
 Date 05 DEC 2023

Annexure A

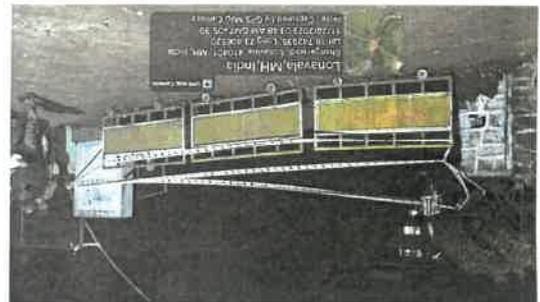
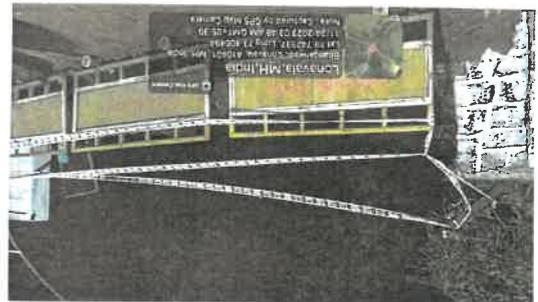














# लोणावळा नगरपरिषद

ता मावळ, जि पुणे, ४१० ४०१.

दुरध्वनी (०२११४) - अध्यक्ष - २७३७६३, उपाध्यक्ष - २७३८४३, मुख्याधिकारी - २७५४६३,  
कार्यालय - २७५४६४, २७३७६४, फॅक्स - २७५४६३, E-Mail : lonavlanagarparishad@yahoo.com

स्थापना : १८७७

जा.क्र.:- लोनप -09/भूशी/स.क्र.24,सि.स.क्र.1/एन.जी.टी.केस क्र.194/18/2023-24/743 दि.04/12/2023

प्रति,

मा.उपप्रादेशिक अधिकारी  
महाराष्ट्र प्रदुषण नियंत्रण मंडळ,मुंबई-पुणे महामार्ग  
जोग सेंटर, ३ रा मजला,वाकडेवाडी,शिवाजीनगर पुणे-३

विषय :- मा. हरित न्यायालय, नवी दिल्ली (WZ) केस क्र.194/2018

मौजे भूशी, लोणावळा, स.क्र.24, सि.स.क्र.1 या जागेवरील अनाधिकृत भरावाबाबत दंड जमा करित असलेबाबत.

संदर्भ :- 1) मा. राष्ट्रीय हरित लवाद न्यायालय (NGT) दि.05/10/2023 रोजीचा आदेश.

महोदय,

उपरोक्त विषयांस अनुसरून आपणांस कळविणेत येते की,मा.हरित न्यायालय,नवी दिल्ली (WZ) केस क्र.194/2018 लोणावळा नगरपरिषद विरुद्ध आशिप शिंदे व इतर,मौजे भूशी स.क्र.24, सि.स.क्र.1 या जागेवरील अनाधिकृत भरावाबाबत,मा.हरित न्यायालय,नवी दिल्ली (WZ) यांच्या दिनांक 05/10/2023 च्या आदेशान्वये रु.5,25000/- (रु.पाच लाख पंचवीस हजार फक्त) दंड आपणांकडे भरण्यास आदेशित केले आहे.

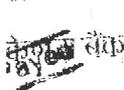
तरी, आपणांकडे डी.डी.क्र.988318 दिनांक 04/12/2023 अन्वये रु.5,25000/- (रु.पाच लाख पंचवीस हजार फक्त) आपले कार्यालयाकडे प्रस्तुत पत्राद्वारे जमा करित आहोत.तरी त्याचा स्वीकार व्हावा हि विनंती.



आपला  
4/12/23

सहायक नगररचनाकार  
लोणावळा नगरपरिषद





Canara Bank

लोणावला - 410 401 002733006543 988318  
LONAVALA - 410 401 (0273)

CB

Valid for three months only from the date of instrument

MAHARASHTRA POLLUTION CONTROL BOARD

ने पर On Demand Pay

FIVE LAKH TWENTY FIVE THOUSAND ONLY

को या उनके आदेश पर Or Order प्राप्त मूल्य के लिए

ये Rupees

₹

\*\*\*5,25,000.00

Purchaser Name:

LONAVALA MUNICIPAL COUNCIL  
\*\*\*\*\*NOT OVER Rs.5,25,000.00

अर्थात् For Value Received

कृते केनरा बैंक For Canara Bank

केनरा बैंक Canara Bank



RAMESH RAMWADI(261)

*(Signature)*

प्रधिकृत हस्ताक्षर के लिए  
AUTHO SIGNATORY

नाम पदनाम  
NAME DESIGNATION

स.प.नं.  
S.P.No.

प्रधिकृत हस्ताक्षर के लिए  
AUTHO SIGNATORY

नाम पदनाम  
NAME DESIGNATION

स.प.नं.  
S.P.No.

₹ एक लाख और उससे अधिक बीनांड ड्राफ्ट के लिए दो प्रधिकृत हस्ताक्षरकर्ता की हस्ताक्षर चाहिए।  
Demand Drafts of ₹ 1 Lakh and above require signature of two authorized signatories.  
Please sign above

18CTDNP  
RAWES BRANCH, D. P. CODE

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