

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 100/2024 (WZ)**

Vanashakti & Others Applicants

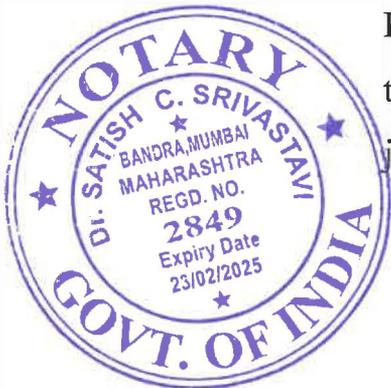
Vs.

Municipal Corporation of Greater Mumbai & Ors. Respondents

Affidavit in Reply on behalf of Respondent No. 11

I, Dattratray Digamber Bhagwat, Age - 60 years, Authorized Representative of Respondent No.11, having registered office at – Construction House, B, 2nd Floor, Opposite to Khar Telephone Exchange, 623 Linking Road, Khar (West), Mumbai 400052 do hereby state on solemn affirmation as under –

1. I am the authorized Representative of Ferani Hotels Pvt. Ltd. Enclosed herewith is a copy of the Board Resolution No.06/2024 dated 20th June 2024 as **Annexure R-1** authorizing me to represent Respondent No.11 in the above matter. I have read the application filed by the Applicant, which was served on Respondent No.10 & 11 on 27/5/2024, and I am filing the affidavit in reply.
2. At the outset, I state that Respondent No.10 i.e. K. Raheja Realty is not concerned with the project under reference. I say that Respondent No.10 is neither a necessary party nor a proper party to the present Application. The Application is bad in law for mis-joinder of parties and its name should be deleted.



3. I say that on the following grounds the application under reply is not maintainable:

3.1 Limitation – The present application is signed on 22/04/2024 invoking the provisions of Section 15 of the National Green Tribunal Act. The applicant has stated in the application at Clause 41 “the present application has been filed under section 15 of the NGT Act 2010 and the Applicant has sought restitution of the environment of Dindoshi Hills which has been continuously and intentionally destroyed by Respondent No.10 and 11 every few years” however intentionally the date and year have not been stated by the Applicant. For applying Section 15 of the National Green Tribunal Act, 5 years limitation is prescribed from the date of cause, however, the applicant has no specific date or year of arising cause of action mentioned. I say that the development on the plot bearing CTS No.827A/4A/1 of Village: Malad [East] was commenced in the year 1997 i.e. since more than last two decades. Some of the buildings are completed and are existing since then while the balance work is in progress. I say that continued cause of action will not give the right to the applicant to file the present Application, which is otherwise barred by law of limitation.

3.2 No Jurisdiction - Applicant has pleaded in the application that the trees are illegally felled and also relied upon the provisions of Maharashtra (Urban Area) Protection & Preservation of Tree Act 1975 in Paragraph no. 27 & 28 of the Petition. After perusing the



schedule of National Green Tribunal Act, the Maharashtra (Urban Area) Protection & Preservation of Tree Act 1975 is not included. Thus the Hon'ble Tribunal has no jurisdiction to entertain the grievances raised under Maharashtra (Urban Area) Protection & Preservation of Tree Act 1975.

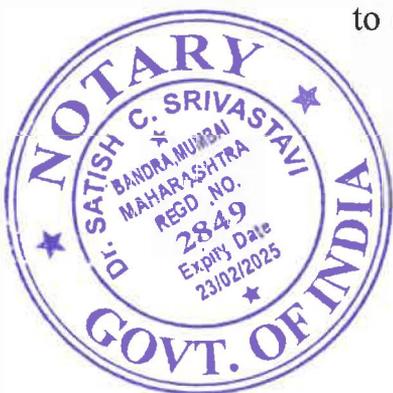
3.3 Res-judicata - It is pertinent to note that Applicant has filed Application No.175/2015 before the Hon'ble National Green Tribunal for "Pass an order directing Respondent No.2 to declare the entire Dindoshi range and YEOOR Hills range as ear marked in the proposal prepared by the Respondents in total adm. 406 Hectare approx., as Forest Land under the Indian Forest Conservation Act, 1980" with some further relief including to carry out the census of Tree. The Hon'ble Tribunal has disposed of the said petition as Application No.193/2016 filed by the same Applicant was pending and given the dependency of the said petition, Petitioners i.e. present Applicant sought permission to withdraw the application No.175/2015 with the liberty to file the fresh petition. It may be noted that the present Applicant had also filed another application bearing No.193/2016 in which the Hon'ble Tribunal has disposed of the matter in view of "that final notification declaring ESZ around Sanjay Gandhi National Park has been issued by Ministry of Environment, Forest and Climate change vide SO No.3645(E) on 5/12/2016 with an ESZ area of 59.46 sq. k.m. having an ESZ extend of 100 meter - 4.0 k.m. after following the due process of scrutinization, consultation seeking comments from the public and on the basis of suggestions of the State Government and after recommendation of Expert committee



on ECO Sensitive Zone”. In view of the orders already passed in Original Application Nos.175/2015 and 193/2016, the present petition is barred by principle of Res-judicata.

3.4 Authority –Applicant No.2 has signed and verified the application on behalf of Applicant No.1 in the capacity as Representative of Applicant No.1 and Director. However in the compilation forwarded to the Respondents, no authority letter is filed on record. Besides this, Applicant No.2 has stated that he is Director of Vanashakti which is titled as a “Public Trust”. However, the registration Certificate of Public Trust and the Resolution is also not placed on record.

3.5 Applicant has filed various applications before the Hon’ble Tribunal bearing Application No.175 of 2015 which was subsequently withdrawn. The Applicant has also filed an application bearing No. 193/2016 which was also disposed off on 24/1/2020. It was also noticed that Applicant is filing the application under the pretext that the Applicant is interested in protecting the environment, however, Applicant has not under which provision of law “Vanshakti a Public Trust” is registered. The registration certificate is also not placed on record. The trust deed is not placed on record. The aims and objects of the Trust are also not placed on record. In fact, these averments are going to the roots of the matter which are not placed on record amounts to concealment of the facts, which is required to be noted.



4. The present Application No. 100/2024 consists of averments related to only three issues and are dealt with as described hereunder.

- a. **Hill Cutting:** It is submitted that for the purpose of development, the developer is required to carry out excavation for foundation of the structure, to lay the roads, to make the provision for water supply, gas lines and provision for electricity lines, to lay the sewer and manage the storm water and drain system etc. and for that purpose the land leveling/ plateauing is required, which was being carried out as per the sanctions issued by the Planning Authority from time to time as per the provisions of prevailing Development Control Regulations. The contention of the Applicant that hill is cut is baseless and without any proof. The contention that rampant hill cutting is going on is baseless and without any cogent evidence. The development of buildings including laying infrastructure is covered under the provisions of M.R.T.P Act. It is submitted that as per Notification under No. S.O.3645 (E) dtd.5/12/2016, the construction activities are not prohibited activities and are covered under regulated activities. It may be noted that no construction of prohibited activity of any kind is proposed /commenced or carried out within the eco sensitive zone by this Respondent. As per the said Notification, construction is permitted within eco-sensitive zone as per provisions of sanctioned Development Plan and other applicable rules and regulations under the



Maharashtra Regional Town Planning Act. Respondent No. 11 has already obtained the permission of SGNP ESZ Monitoring Committee for proposed development on the land under reference. The Applicant has not produced any document on record for substantiating his claim. Further the Dindoshi range does not spread across the suburbs of the city of Mumbai. The characteristics of the said land does not consist of an ecosystem similar to that of SGNP. No hill cutting are being carried out on the land under reference by Respondent No. 11. I say that the said land comprises of open plateaus and since many years only shrubs and grass are in existence and no trees were there. I say that the land under reference is not a forest and the activities / development thereat is permissible / permitted as per the provisions of the Development Control Rule 1991 and also as per Development Control and Promotions Regulations 2034. Plateauing / Levelling / filling / excavation for development of buildings, access, roads, infrastructure is permissible as per law. There is no prohibition for the development of the said land for users / activities as per the sanctioned D.P. & as per provisions of Development Control Regulations for the City of Mumbai. The development on hilly terrains is also permissible as per the judgment of the Hon'ble Supreme Court order dated 14th July 2020 in the reported case of *The Director General (Road Development) National Highways Authority of India vs. Aam Aadmi Lokmanch & Ors. reported in AIR*



2020 SC 3471. The said land is part of the sanctioned Development Plan for the Mumbai and the development thereof is governed by the sanctioned regulations.

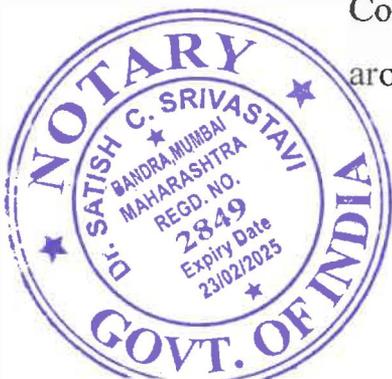
- b. **Tree cutting** :The land comprises of open plateaus and since many years only shrubs and grass have been in existence and no trees were there. No trees coverage existed on the said land except the trees planted by Respondent No.11, hence the question of felling and or burning of trees does not arise. In fact, this Respondent has presently planted about 1003 trees. The Staff of Garden Department of Brihan Mumbai Mahanagar Palika have inspected the said land and acknowledged the fact that 1003 trees have been planted. The satellite images annexed as Annexure A-3 do not depict any changes in the ecology of Dindoshi Hills overtime as alleged or otherwise. In fact Annexure A-3 i.e satellite image depicts open land without any tree. After perusing the schedule of National Green Tribunal Act, the Maharashtra (Urban Area) Protection & Preservation of Tree Act 1975 is not included. Thus, the Hon'ble Tribunal has no jurisdiction to entertain the grievances raised under Maharashtra (Urban Area) Protection & Preservation of Tree Act 1975. Further tree plantation shall be carried out as per provisions of DCPR 2034 and as per Maharashtra (Urban Area) Protection & Preservation of Tree Act 1975.



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- c. **Obstruction to Nalla:** The water stream running through the said land is locally known as “Walbut Nalla” and the same is not a river. As there is no dedicated water source to the said Nalla, the only source of water is the seasonal rains and hence the said Nalla gets water only in the rainy season which it drains down to the lower area of land. After the rains are over, the Nalla remains completely dry for the rest of the year. The flow of the water is not obstructed in any manner. There is no obstruction and/or reduction of the Walbut Nalla carried out by this Respondent. The natural flow of the said nalla is maintained without any obstructions which is visible to the naked eye as is evident from the photograph annexed herewith as **Annexure R-2**. The plot is shown affected by nalla as per sanctioned D.P. 2034. As per policy note No.26 of Govt. Notification dated 08.05.2018, the existing features shown on Development Plan are indicative and stands modified on Development Plan as per actual position. Further, the alignment of Nalla shall be as per measurement plan of land records. In light of the note printed on D.P. Sheet, the alignment of Walbut Nalla which is shown on D.P. Plan shall be considered as per remarks given by SWD. The nalla shall be trained as per the remarks/directions of SWD department of BMC.

5. **Facts of the Case** –Respondent No.11 is a Private Limited Company and has completed various Housing Projects in and around Mumbai.



- 5.1 The Respondent No.11 is in possession of land bearing CTS No.827A/4A/1 of Village: Malad, Malad [East] in its capacity as Developer (hereinafter referred to as “the said land”).
- 5.2 It is submitted that for the purpose of development of the said land, the developer is required to carry out leveling / plateauing, excavation for the foundation of structures to lay the roads, lay the water supply, gas lines and provision for electricity lines, lay the sewer and storm water drain system etc., which is being carried out as per the sanctions issued by the Planning Authority from time to time as per the provisions of prevailing Development Control Regulations. It may be noted that upon the said land, there are shrubs and there are no grown up trees. In fact, this Respondent has presently planted about 1003 trees. The Staff Garden Department of Brihan Mumbai Mahanagar Palika have inspected the said land and acknowledged the fact that 1003 trees are planted. The letter issued by Garden Department of Brihan Mumbai Mahanagar Palika is Annexure R-3. The photographs of planted trees are also annexed herewith as are Annexure R-4.
- 5.3 It may be noted that upon perusing the Google image of the said land does not show any river. The development of access/ roads can be seen. The said land has shrubs and grass and the same can be seen from the Google image whereas the Sanjay Gandhi National Park has dense trees. Therefore the type of green cover with respect to the said land and the SGNP looks different. Further there exists Nalla on the said land. The width of the said l

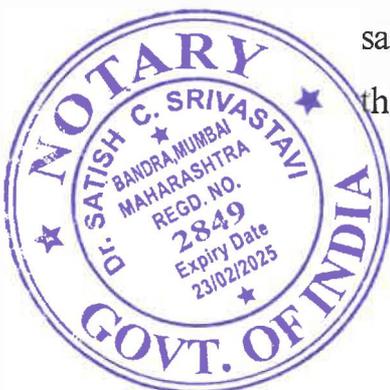


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Nalla further passing through other properties is 13.5 mtr. As there is no dedicated water source to the said Nalla, the only source of water is the seasonal rains and hence the said Nalla gets water only in the rainy season which it drains down to the lower area of land. After the rains are over the Nalla remains completely dry for the rest of the year. The flow of the water is not obstructed in any manner which is visible to the naked eye.

Police Housing Situated between the said land and SGNP

- 5.4 It is submitted that in respect of the adjoining land to the North East side between Respondent No.11's land and SGNP, a notification dt.5/4/2016 is issued by the Government of Maharashtra u/s 37 (1AA) (c) of the MRTP Act. It is notified vide said notification that the Land bearing Survey No.239/1 (part), CTS No.827A/4A/2 of Village: Malad (East) adm. about 80934 sq. mtr. is deleted from No Development Zone and included in Residential Zone of Police Housing along with 18 meter wide road. The said public road providing access to the Police Housing Plot is passing through the said land, running parallel to the boundary of SGNP, which falls within 100 meters from ESZ. Brihan Mumbai Mahanagar Palika is carrying out the excavation for the development of 18.30 meter wide D.P.Road out of S.No.239/H.No.1(Part), CTS No.827A/4A/1(Part) of Village Malad East in P/North Ward, It may be noted that the Planning Authority i.e. BMC is in the process of developing the said D.P. Road to provide access for Police Housing. A copy of the notification dt.5/4/2016 issued by the Government of



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Maharashtra u/s 37 (1AA) (c) of the MRTP Act is annexed herewith as Annexure R-5.

5.5 It is submitted that Respondent No.11 has already obtained the permission of Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee for proposed development on the said land within ESZ, a copy of the NOC letter dt.1/11/2018 which is annexed as Annexure R-6.

6. At the outset, I say that the Applicant is not entitled to any relief as the Applicant has not approached this Hon'ble Court with clean hands. The present Applicant is malicious and an attempt to single out Respondent No. 11.

7. Without prejudice to the aforesaid contention, these respondents are submitting their Para-wise reply as follows-

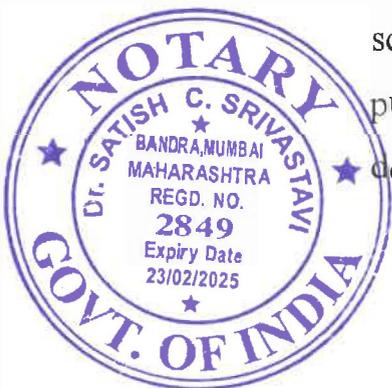
7.1 In view to avoid the reproduction of each and every allegation from the application and traversing the same, suffice it to say that contents and allegations of the application which are not specifically admitted hereunder and which are against the tenor of this written submission/affidavit may be deemed to be specifically denied by these Respondents.

7.2 I shall now deal with paragraph 3 which deals with Facts. I repeat, reiterate and confirm what is stated herein and deny each and every allegation, contention, and averment which is contrary to or inconsistent with what is stated herein. Nothing should be deemed to have been admitted by Non-Traverse. I say that Respondent



No. 11 is carrying out the development of the said Plot under reference as per law. I say that after following due process of scrutinization, consultation, and public participation and after the recommendation of the Expert Committee on ESZ, the final Notification declaring ESZ was issued by the Ministry of Environment and Forest vide Notification No. S.O. 3645(E) dated 5th December 2016, notifying area to an extent of 100 mtrs. in respect of the said plot from the boundary of SGNP as ESZ. I say that as per the Notification, the major portion of the land bearing CTS No.827A/4A/1, Survey No. 239 (pt) of village Malad (East) falls outside ESZ and a very small portion of 100 meters strip from the boundary of SGNP falls in ESZ. The ESZ monitoring committee has already granted the NOC for above stated ongoing development vide letter under no. Desk/20/LND/ ESZ/3929 of 2018-19 dated 01/11/2018. Hereto annexed and marked as as **Annexure R-6** is a copy of the letter under no. Desk/20/LND/ ESZ/3929 of 2018-19 dated 01/11/2018 issued by the ESZ monitoring committee.

- 7.3 With reference to Paragraph 1 of paragraph 3 of Facts motioned in application under reply, I am not aware and I do not admit that the Applicant No.1 is a public trust working in the field of forest and/or mangrove and wetland protection and/ or environmental education for schools both urban and/or rural and /or for livelihoods for forest and/or coastal based communities and/or scientific investigation into local environmental degradation and put the Applicant No.1 to strict proof thereof. I am not aware and do not admit that Applicant No.2 is an environmentalist and/ or

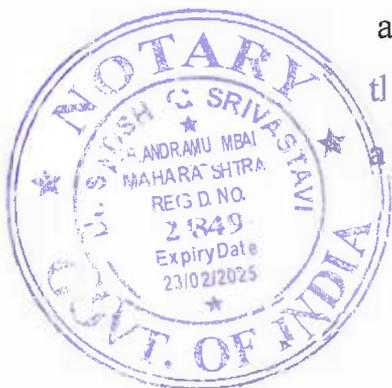


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has been campaigning selflessly for the protection and/or preservation of Forests situated in Western Ghats and /or coastal zones and/ or rivers across Maharashtra and/or incidental environmental issues and put the Applicant to strict proof thereof. I deny that Applicant No.2 is duly authorized by Applicant No.1 to file the present application and put the Applicants to strict proof thereof. I deny that the Applicants have filed several cases and /or PIL's as alleged or otherwise to protect Mumbai's tree cover and/ or fests and / or mangroves and / or coast and /or beaches and put the Applicants to strict proof thereof.

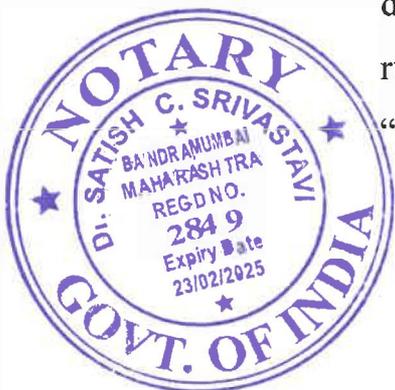
7.4 With reference to Paragraph 2 of paragraph 3 of Facts, I state that Respondent No. 11 is a Real Estate Company which is carrying out the development of the land under reference as per law and in its capacity as a Developer. I repeat, reiterate and confirm the facts stated hereinabove with respect to Hill cutting and deny each and every allegation, contention and averments which is contrary to or inconsistent with what is stated herein. I deny that Respondents No. 11 is responsible for the destruction of the hills located at Dindoshi contiguous to the Sanjay Gandhi National Park as alleged or otherwise.

7.5 With reference to Paragraph 3 of paragraph 3 of Facts, I deny that the Application pertains to the issue of conservation and/or protection of the hills located at Dindoshi region of Mumbai as alleged or otherwise. I say that the present application is barred by the principles of Res-Judicata as the Applicant has already litigated the similar issues pertaining to the present Application in

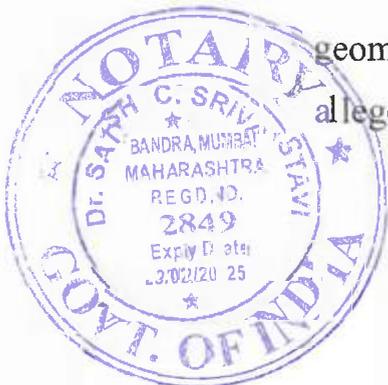


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an earlier Application No.175 of 2015 and had chosen to withdraw the same. I say that the land bearing CTS No. 827A/4A/1, [hereinafter referred to as “the said land”] is in the possession of Respondent No.11 which is being developed as per provisions of D.C.Regulations. I say that there exist buildings on the said land to the knowledge of the Applicant. I deny that Respondent No 11 is burning the natural tree coverage in the region as alleged or otherwise. I say that no trees coverage existed on the said land except the trees planted by Respondent No.11, hence the question of felling and or burning of trees does not arise. I say that Respondent No.11 has been granted permission dated 19/01/2019 for cutting of dry grass/shrubs twice a year on the plot under development to avoid fire, issued by Chief Conservator and Director SGNP, Borivali which is annexed as **Annexure R-7**. I deny that Respondent No.11 is systematically flattening the hills in the region as alleged or otherwise. I deny that Respondent No.11 is obstructing the Oshiwara (Walbut) River as alleged or otherwise. I deny that Respondent No.11 is obstructing the Oshiwara (Walbut) nalla with the deliberate intention to destroy the natural course of the nalla and/or obstruct its flow as alleged or otherwise. I deny that Respondent No.11 is obstructing the Oshiwara (Walbut) nalla with the deliberate intention to destroy the natural course of the nalla and/or obstruct its flow so that the said land can be used for commercial development as alleged or otherwise. I say that the water stream running through the said the said land is locally known as “Walbut Nalla” and the same is not a river. I say that the



newspaper reporting relied by the Applicant cannot substantiate the allegations made against this Respondent. Merely on the basis of newspaper reporting, no liability can be fastened on this Respondent. I say that after following due process of scrutinization, consultation, public participation and recommendation of the Expert Committee, the final Notification declaring ESZ was issued by the Ministry of Environment and Forest vide Notification No. S.O. 3645(E) dated 5th December, 2016, notifying area to an extent of 100 mtrs. from the boundary of SGNP as ESZ in case of plot under reference. As per the Notification, the major portion of the land bearing CTS No.827A/4A/1, Survey No. 239 (pt) of village Malad (East) falls outside ESZ. Very small portion of 100 meters wide strip from the boundary of SGNP falls in ESZ. Out of this ESZ portion, major portion on North side is falling in D.P. Road and adjoining plot reserved for Police Housing. The ESZ monitoring committee has already granted the NOC for the development on the said land affected by ESZ vide letter under No. Desk/20/LND/ ESZ/3929 of 2018-19 dated 01/11/2018 being Annexure R-6 hereto. I deny that the entire site fulfils the conditions needed to be declared as ESZ as alleged or otherwise. I deny that the geomorphological characteristics of the said land is akin to that of SGNP as alleged or otherwise. I deny that the entire site fulfils the conditions needed to be declared as ESZ due to its inherent geomorphological characteristics which is akin to that of SGNP as alleged or otherwise.



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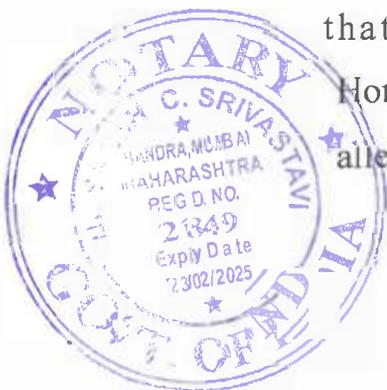
7.6 With reference to Paragraph 4 of paragraph 3 of Facts, I deny that the Dindoshi range is spread across the suburbs of the city of Mumbai as alleged or otherwise. I deny that Dindoshi is contiguous to SGNP as alleged or otherwise. I deny that Dindoshi is covered by a dense green patch of trees as alleged or otherwise. I deny that Dindoshi is home to a range of hills as alleged or otherwise. I deny that the Dindoshi range consists of an ecosystem similar to that of SGNP as alleged or otherwise. I deny that the Dindoshi hills spans over an estimated 2 kilometres starting from SGNP as alleged or otherwise. I deny that the Dindoshi range has been subject to hill cutting and/ or tree felling and /or other non-forest activities at the behest of and/or under the control of Respondents No. 11 as alleged or otherwise. I deny that Respondent No. 11 have caused rampant degradation to the hill ranges as alleged or otherwise. I deny that any hill cutting and /or tree felling are being carried out on the land under reference by Respondent No 11 as alleged or otherwise. I say that the said land comprises of open plateaus and since many years only shrubs and grass are in existence and no trees were there. I say that the said land is a private land and not a forest and the activities / development thereat is permissible as per the provisions of the Development Control Rules 1991 and Development Control and Promotions Regulations 2034 of BMC. I deny that any damage is being caused to the ecology and /or biodiversity of the Dindoshi Hills by Respondent No. 11 as alleged or otherwise. I deny that the satellite images annexed as Annexure A-3 depict the changes



in the ecology of Dindoshi Hills overtime as alleged or otherwise. I say that Annexure A-3 in fact depicts open land without any tree.

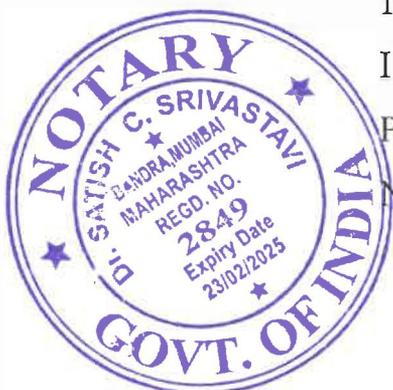
7.7 With reference to Paragraphs Nos.5 and 6 under the head of Previous Litigation of the Applicant, I say the contents of the present application No. 100 of 2024 under reply and the contents of the application No. 175 of 2015 which was [withdrawn by the applicants] disposed of are similar in nature. I say that yet another application of same applicant challenging the ESZ Notification under No. 193 of 2016 was also disposed of by this Hon'ble Tribunal on 24.01.2020. I say that the Applicant has failed to show/ furnish any valid reason for filing yet another application raising the similar issues, the same is barred by the principles of Res-Judicata. The Applicants have chosen to wait for about 7 years before exercising the liberty granted to them by the order dated 09.03.2017 speaks volumes of the malafide intention to single out Respondent No. 11. In the aforesaid circumstances, the present application deserves to be dismissed with costs.

7.8 With reference to Paragraphs No.7 under the head of Previous Litigation of the Applicant, I deny that there is continued degradation caused in and around Dindoshi hills as alleged or otherwise. I deny that there are rampant illegal activities of hill cutting and/or tree felling and /or burning of vegetation and /or dumping around Dindoshi Hills as alleged or otherwise. I deny that the Respondent No. 11 have breached the directions of the Hon'ble Tribunal dated 13.01.2016 passed in OA 175 of 2015 as alleged or otherwise. I say that the development on the said land



under reference is being carried out as per the provisions of DCR 1991 and will be carried out as per DCPR-2034 with the requisite permissions from the relevant authorities. The copy of the ESZ NOC granted by ESZ Monitoring Committee in respect of the development on the said land is hereto annexed as Annexure R-6. I deny that any injury is caused to the Dindoshi Hill ranges and /or the river course as alleged or otherwise. I deny that there has been environmental degradation in the area around Dindoshi Hills as alleged or otherwise. I deny that non-forest activities are being carried out without requisite permission from the competent authorities by Respondent No. 11 as alleged or otherwise. I deny that Respondent No. 11 are carrying out any activities that are illegal and /or arbitrary and /or the same are without any assessment and/or accountability as alleged or otherwise. I deny that Respondent No. 11 have excavated the hills and /or burn and fell trees and vegetation on the said land as alleged or otherwise.

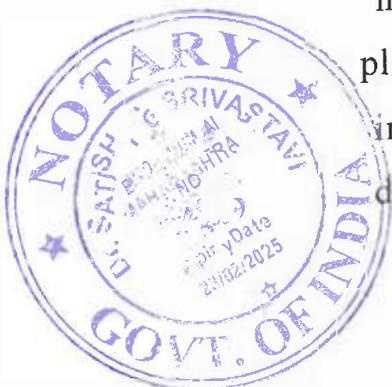
- 7.9 With reference to Paragraphs Nos.8 and 10 under the head of Illegal Hill Cutting, I say that after following the due process of scrutinization, consultation, public participation and after the recommendation of Expert Committee on ESZ, the final Notification declaring ESZ was issued by the Ministry of Environment and Forest vide Notification No. S.O. 3645(E) dated 5th December, 2016, notifying area to an extent of 100 metres from the boundary of SGNP as ESZ with respect to the said land. I say that the development on the said land is permitted by Planning Authority as per regulations. I say that as per the Notification, the major portion of the said land bearing CTS



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No.827A/4A/1, Survey No. 239 (pt) of village Malad (East) falls outside ESZ and only a very small portion of 100 meters wide strip from the boundary of SGNP falls in ESZ. I say that as stated herein the ESZ monitoring committee has already granted the NOC for above stated ongoing development vide letter under No. Desk/20/LND/ ESZ/3929 of 2018-19 dated 01/11/2018 being **Annexure R-6** hereto. I deny that the said land is exactly similar to the forest land covered under SGNP as alleged or otherwise. I deny that there is any hill-cutting activity being carried out by Respondent No. 11 as alleged or otherwise.

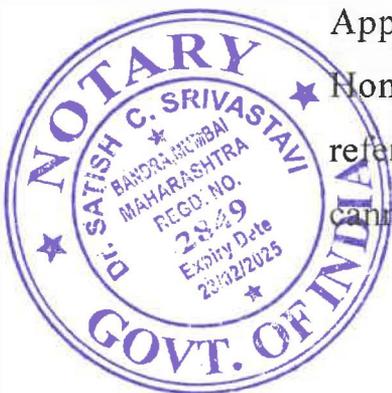
- 7.10 With reference to Paragraphs No.9 under the head of Illegal Hill Cutting, I deny that there is any rampant hill cutting and/or razing of hills and/or burning of vegetation and /or excavation of mud and/ or construction of road and/ or any alteration of landscape at Dindoshi Hills as alleged or otherwise. I deny that the Dindoshi range is in a vulnerable and/ or fragile state as alleged or otherwise. I deny that the human settlements are vulnerable to facing massive landslides as alleged or otherwise. I deny that any deforestation activity is being carried out by Respondent No. 11 as alleged or otherwise. I deny that any excavation activities are being carried out by Respondent No. 11 as alleged or otherwise, however I say that Respondent No.11 has carried out levelling of land for development of buildings / roads landscape/ infrastructure as permitted by various authorities and carried out plantation of thousands of trees on the said land. I say that the internal roads are constructed for providing access to the development of buildings on the plot. Further, on the North, the



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land under 18.3 mtr. wide D.P.Road has been handed over by Respondent No.11 to the BMC for providing access to adjacent Police Housing project. I say that this D.P. road is running parallel to the boundary of S.G.N.P. and the same is under the process of development by BMC.

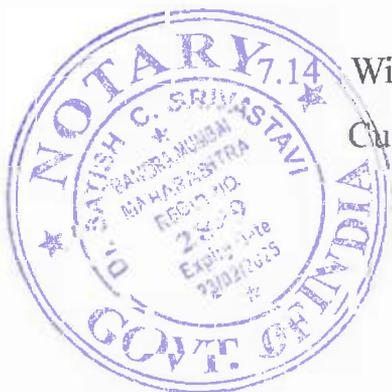
- 7.11 With reference to paragraphs Nos. 11 and 12 under the head of Illegal Hill Cutting, I say that the Development of the said plot is allowed as per DCR 1991 and also as per DCPR 2034. I deny that the hill ranges are being exploited by Respondent No. 11 as alleged or otherwise. I deny the hill ranges are being exploited for their commercial gains and or without considering the ecology of the hills by Respondent No. 11 as alleged or otherwise. I say that the construction being carried out in the said land is being done as per law. I deny there is any hill cutting and/or tree felling and obstructions of the natural flow of water as alleged or otherwise. I deny there is any decay of green regions as alleged or otherwise. I deny there is any hill-cutting activity carried out by Respondent No. 11 as alleged or otherwise. I say that Annexure A-6 relied by Applicant i.e. judgment of Hon'ble National Green Tribunal between Nab Lions Home for Aging Blind Vs. Kumar Resorts, the Hon'ble Tribunal has restrained the Respondents mentioned therein from cutting the hill situated at Lonavala and Khandala. Thus, the said case law will not assist the Applicant. Applicant is relying upon the order passed by the Hon'ble Tribunal dt. 26/05/20215 is not general law but it is with reference to the facts mentioned therein and generally the same cannot be made applicable.



7.12 With reference to paragraphs No.13 under the head of Illegal Hill Cutting, I say that Unified Development Control & Promotion Regulations [UDCPR] Rules –2020 is not applicable to the jurisdiction of B.M.C. Mumbai has separate rules i.e. DCPR-2034 which is applicable to plot under reference.

7.13 With reference to Paragraphs nos.14 and 15 under the head of Illegal Hill Cutting, I deny that there is any environmental consequence of the present development of the project as alleged or otherwise. I deny that there is any issue about the safety of the constructions which have already come up in the areas adjoining the hills at Dindoshi Range as alleged or otherwise. I say that Plateauing / leveling / excavation required for the purposes of development of buildings, roads, and infrastructure is permitted as per law. I deny that there is any hill cutting activity and/or deforestation and/or excavation and/or soil erosion and/or quarrying and/or mining being carried out by Respondent No. 11 as alleged or otherwise. I deny that vibration caused due to ground leveling and/or digging machines results in landslides as alleged or otherwise. I deny that Dindoshi Hill ranges are amenable and/or are subject to landslide causing activities as alleged or otherwise. I deny that any hill cutting activity and/or razing and/or quarrying is being carried out near Dindoshi Hills as alleged or otherwise.

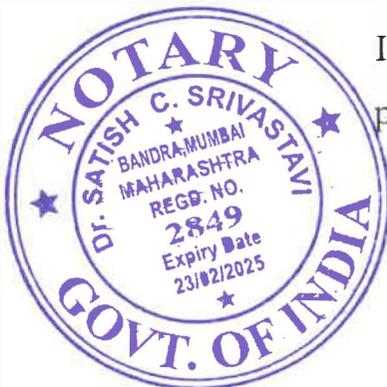
7.14 With reference to Paragraph No.16 under the head of Illegal Hill Cutting, I say that the plot under reference is a private and non-



forest land slightly affected by ESZ and development thereat being carried out by Respondent No.11 is permissible as per the provision of DCR 1991 and DCPR-2034 for which all requisite permissions such as ESZ NOC, Building Permissions have been obtained from relevant authorities. I say that Respondent No.11 has carried out organized Development at the plot under reference. I say that the larger portion of road/accesses network is developed and further road, access and infrastructure work is going on. I deny that there is any exploitation of the Dindoshi hill region as alleged or otherwise. I repeat and reiterate that only a very small portion out of the said land is reserved as ESZ. I deny that there is any planned exercise of exploiting the Dindoshi Hills is being carried out by Respondent No. 11 as alleged or otherwise.

7.15 With reference to Paragraph No.17 under the head of Illegal Hill Cutting, I say that the said land is a private non-forest land, the development of which is carried out in an organized manner with proper and completed landscape. I deny that the said land is a home to several Adivasis as alleged or otherwise. I deny that there has been any degradation of landscape with respect to the said land as alleged or otherwise.

7.16 With reference to Paragraph No.18 under the head of Illegal Hill Cutting, I deny that there is any hill cutting and/or deforestation and/or burning of trees and/or vegetation as alleged or otherwise. I deny that there is any loss to flora and fauna with respect to the plot under reference as alleged or otherwise. I deny that there is

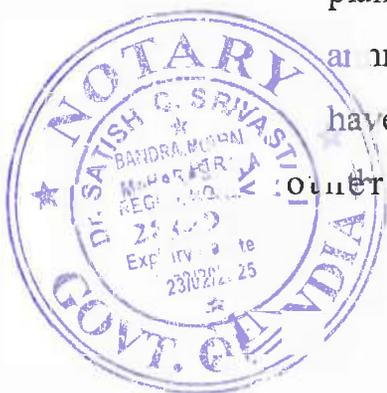


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any activity being carried out at the said land to disturb the natural course of the ecosystem as alleged or otherwise.

7.17 With reference to Paragraph No.19 under the head of Illegal Hill Cutting, I say that machineries (Poclain) are in operation in the region declared as Eco-Sensitive Zone for the purpose of development of 18.3 meter wide D.P. Road which is being developed by BMC through Contractor to provide access to the Police Housing Plot. I say that the JCB and earth digging machineries are in operation outside ESZ region for carrying out the development of access / roads / infrastructure / buildings as per BMC approvals. I deny that there is a continuous nature of the cause of action as alleged or otherwise. I deny that there are any illegal actions carried out by Respondent No. 11 as alleged or otherwise. I deny that there are any illegal actions carried out by Respondent No. 11 and that the same is evident from any satellite imagery as alleged or otherwise.

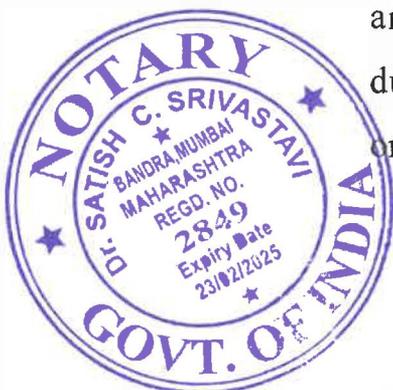
7.18 With reference to Paragraph Nos. 20, 21, 22, 23, 24, 25, 26, 27 and 28 under the head of Illegal cutting of Trees, I deny that Respondent No. 11 have complete disregard towards law as alleged or otherwise. I deny that Respondent No. 11 is carrying out rampant tree felling in Dindoshi region as alleged or otherwise. I say that in fact large number of trees have been planted by Respondent No.11 is evident from the Photographs annexed hereto as **Annexure R-4**. I deny that Respondent No. 11 have cleared the dense green cover in the region as alleged or otherwise. I deny that Respondent No. 11 have set ablaze the



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thickets of trees on the Dindoshi Hills as alleged or otherwise. I deny that Respondent No. 11 have illegally and/or otherwise destroyed trees as alleged or otherwise. I deny that Respondent No. 11 have set tree coverage on fire as alleged or otherwise. I repeat, reiterate and confirm whatever is stated in paragraph 4 b hereinabove and deny each and every allegation, contention and averment which is contrary to or inconsistent with what is stated therein. I deny that the satellite imagery of the plot depict tree felling being carried out at Dindoshi by Respondent No. 11 as alleged or otherwise. I reserve my right to comment on the judgments referred to in the paragraphs under reference at the time of the hearing of the matter.

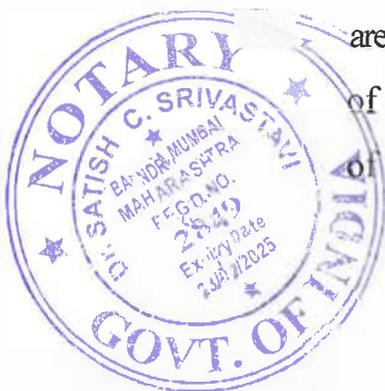
- 7.19 With reference to Paragraph no.29 under the head of Obstruction of River, I am not aware and do not admit that the Dindoshi Hills are the origin of the Oshiwara River as alleged or otherwise. I say that what exists is the "Walbut Nallah" which has not been reclaimed and the flow of the said nalla is maintained and kept unobstructed. Strangely, the Applicant has chosen to convert a Nallah into a River. I deny that the satellite imagery shows the manner in which the river has been illegally filled and/or that the path of river has been obstructed and/or that the course of the river has been artificially altered in its upper catchment/origin as alleged or otherwise. I deny that the course of the river has been artificially altered in its upper catchment/origin through the dumping of debris so as to reduce the width of the river as alleged or otherwise.



7.20 With reference to Paragraph No.30 under the head of Obstruction of River, I deny that the Sanctioned Development Plan of the said land shows the presence and flow of the Oshiwara River as alleged or otherwise. I say that as per sanctioned development plan 2034, the plot is shown affected by Nalla. I say that as per policy note No.26 of Govt. Notification dated 08.05.2018, the existing features shown on Development Plan are indicative and stands modified on Development Plan as per actual position. Further, the alignment of Nalla shall be as per measurement plan of land records. In light of the note printed on D.P. Sheet, the alignment of Walbut Nalla which is shown on D.P. Plan shall be considered as per remarks given by SWD. I crave leave to refer to and rely upon policy note No.26 of Govt. Notification dated 08.05.2018 when produced.

7.21 With reference to Paragraph No.31 under the head of Obstruction of River, I deny that Respondent No. 11 have altered the flow of Wallbut Nallah and/or created any encroachments thereon as alleged or otherwise. I deny that there has been severe ecological degradation of the Oshiwara River and its riparian system as alleged or otherwise. I say that no basis has been provided for the allegations contained in the paragraphs under reply.

7.22 With reference to Paragraph Nos.32, 33, 34, 35, 36 and 37 under the head of Obstruction of River, I say that in the present case, we are dealing with a Nalla and not a Canal and hence the provisions of Maharashtra Irrigation Act is not applicable. Further, as a flow of nalla is not blocked and/or obstructed and/or encroached upon

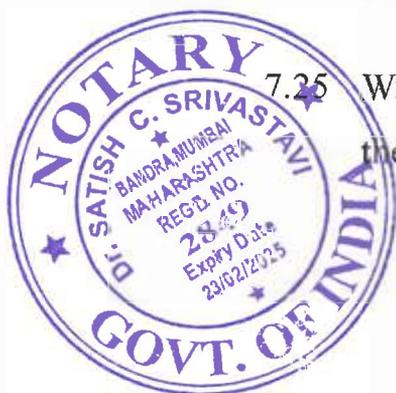


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and/or altered, there is no breach of State Water Policy 2022 as alleged or otherwise.

7.23 With reference to Paragraph No.38 under the head of Obstruction of River, I say that it is "Walbut Nallah" and not Oshiwara River that exists on the said land. I deny that there is any obstruction and/or reduction of the Oshiwara River as alleged or otherwise. I state that there is no obstruction and/or reduction of the Walbut Nalla carried out. The natural flow of the said nalla is maintained without any obstructions. I deny that Respondent No. 11 have altered the eco-sensitive features of Dindoshi Hills as alleged or otherwise.

7.24 With reference to paragraph No.39 under the head of Obstruction of River, I deny that Respondent No. 11 are responsible for environmental degradation and/or are violating the provisions of environmental law as alleged or otherwise. I deny that Respondent No. 11 have constructed any illegal structures as alleged or otherwise. I deny that Respondent No. 11 have violated laws enacted for the preservation of the environment as alleged or otherwise. I deny that Respondent No. 11 are violating the environment norms in Dindoshi region as alleged or otherwise. I repeat and reiterate that only a very small portion of the said land falls under ESZ. I deny that Respondent No. 11 have complete disregard to the law as alleged or otherwise.

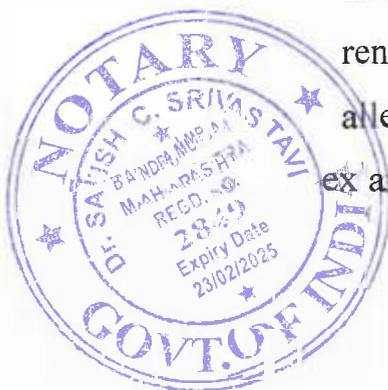


7.25 With reference to paragraph No.40 of the application, I deny that there has been any environmental destruction with respect to the

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plot under reference as alleged or otherwise. I say that the Applicant has approached this Hon'ble Tribunal with malafide intentions. I say that the malafide intention is evident as there are several properties adjoining/around SGNP and several development has already taken place in the vicinity of SGNP as is evident from the plan annexed herewith as **Annexure R-8**, however the Applicant has chosen to single out this Respondent. I further say that in the vicinity of the land under reference has various private layouts for MHADA, RBI, Shiv Shahi Punarvasan Prakalp etc. have been already developed as per the provisions of regulations and many other buildings are in progress. In view of the decision taken by this Hon'ble Tribunal the present application in Application No.175 of 2015 and 193 of 2016, the present Application of the Applicant is barred by the principles of Res-Judicata or principles analogues there to.

- 7.26 With reference to Ground A of the Application, I repeat, reiterate and confirm what is stated herein above. I deny that there is activities such as rampant Hill Cutting and/or razing of hill and/or burning of vegetation and/or excavation of mud being carried out by Respondent No. 11 as alleged or otherwise. I say that the excavation carried out is for the foundation of construction of buildings permitted by various authorities like B.M.C. and also for the infrastructure such as roads / access/ SWD /Sewer / Gas line etc. I deny that the activities of Respondent No. 11 has rendered the Dindoshi range in a vulnerable and/or fragile state as alleged or otherwise. I deny that there is any deforestation and/or excavation activities carried out by Respondent No. 11 which will



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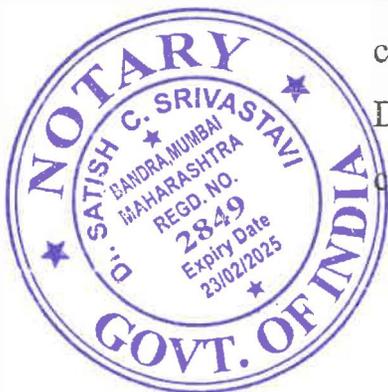
render the plot under reference vulnerable to massive landslides as alleged or otherwise.

7.27 With reference to Ground B of the Application, I repeat, reiterate and confirm what is stated herein above. I deny that Respondent No. 11 is responsible for tree felling and/or burning and/or Hill cutting activities and/or for carrying out any activity contrary to law and/or any illegal activity which adversely affects the environment with respect to plot under reference as alleged or otherwise.

7.28 With reference to Ground C, D, E, F, G and H of the Application, I repeat, reiterate and confirm what is stated herein above. I deny that any tree felling has been carried by Respondent No. 11 as alleged or otherwise. I say and submit that on the contrary, number of trees have been planted by Respondent No.11 as is evident from the Photographs showing plantation of trees being Annexure R-4 hereto.

7.29 With reference to Ground I, J, K, L, M, N, O, P and Q of the Application, I repeat, reiterate and confirm what is stated herein above. I reserve my right to comment on the Judgments cited by the Applicant at the time of hearing of the matter.

7.30 With reference to paragraph 41 of the Application dealing with Limitation, I deny that Respondent No. 11 have been continuously and/or intermittently destroying the environment of Dindoshi Hills as alleged or otherwise. I deny that there is a continuous nature of the cause of action as alleged or otherwise. I



deny that there are any illegal actions taken by Respondent No. 11 and/or the same is evident from satellite imagery as alleged or otherwise. I deny that the entire said land falls under ESZ. I repeat, reiterate and confirm that only a very small portion of the said land falls under ESZ for which NOC has been issued by SGNP - ESZ Monitoring Committee. I deny that the greenery has been destroyed in the region and/or the hills have been flattened by Respondent No. 11 as alleged or otherwise. I deny that the present cause of action is a continuous cause of action as alleged or otherwise. I say that the present Application is hopelessly barred by Limitation as the Applicant has approached this Hon'ble Tribunal after a gap of about 7 years after seeking liberty in its earlier Application being Application No.175 of 2015 whereas Section 15 (3) of the NGT Act, 2010 stipulates a period of limitation of 5 years. I say that the present application deserves to be dismissed being barred by limitation.

8. It is humbly submitted that there is no truth in the application filed by the Applicants. The Applicants have failed to approach this Hon'ble Tribunal with clean hands. It is submitted that the Applicants have filed the present Application with malafide intentions. I say that the Applicants have failed to give any proper reason in re-filing the present application in the light of the decision on the very same issues being passed by this Hon'ble Tribunal in Application Nos. 175 of 2015 and 193 of 2016 and the said applications having being already been disposed of by this Hon'ble Tribunal. The present Application be dismissed with costs.



9. It is therefore prayed that application may kindly be dismissed with costs.

Date:



Advocate for Respondent No. 11

Authorized Representative
of Respondent No. 11

VERIFICATION

I, Dattratray Digamber Bhagwat of Mumbai Indian Inhabitant, the Authorized Representative of Respondent No.11 abovenamed, having my office at Construction House, "B" 623, Linking Road, Opp. Khar Telephone Exchange, Khar (West), Mumbai 400 052, do hereby solemnly declare that what is stated in Paragraphs Nos. 1, 4, 5, 7 is true my own knowledge, and that what is stated in remaining paragraph Nos. 2, 3, 6, 8, 9 is stated on information and belief, and I believe the same to be true.

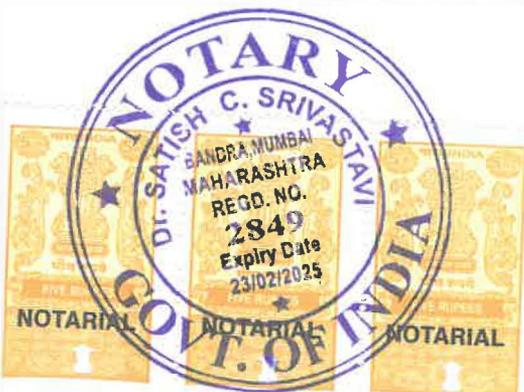
Solemnly declared at Mumbai)

This 1st day of August, 2024)

Before me,




Advocate for Respondent No. 11



BEFORE ME

Dr. S. C. SRIVASTAVA
ADVOCATE & NOTARY
(Govt. of India)

1 AUG 2024

NOTED & REGISTERED

Sr. No... 1289

Date... 1 AUG 2024

Board Resolution No. 06/2024-2025

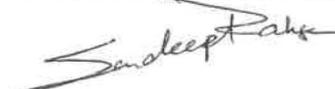
CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF THE COMPANY HELD AT CONSTRUCTION HOUSE 'B', 5TH FLOOR, 623, LINKING ROAD, OPP. KHAR TELEPHONE EXCHANGE, KHAR WEST, MUMBAI- 400052, ON 20TH JUNE, 2024.

"WHEREAS an Application bearing No. 100 of 2024 (WZ) (Vanashakti & Anr. V/s. Municipal Corporation of Greater Mumbai & Ors.) has been filed in the National Green Tribunal, Western Zone Bench, Pune, wherein the Company has been joined in as Respondent No. 11.

AND WHEREAS it will be necessary for the Company to be represented in the said proceedings.

IT IS NOW THEREFORE RESOLVED that the Company do appoint Mr. Dattratray Digamber Bhagwat and Mr. Sanjay Shenolikar as authorised representatives of the company to jointly and/or severally do various acts and deeds relating to Application bearing No. 100 of 2024 (WZ) (Vanashakti & Anr. V/s. Municipal Corporation of Greater Mumbai & Ors.) before the National Green Tribunal (hereinafter referred to as "the said Tribunal"), Western Zone Bench, Pune, wherein the Company is joined as Respondent No. 11 and to appear before the said Tribunal and/or any other Officer of the said Tribunal hearing the said Application and/or any matters arising therein or therefrom, and to represent the Company before the said Tribunal and/or any other Officer of the Tribunal and for that purpose to execute, sign and affirm Pleadings, Affidavits and all other Applications necessary for and in the said Application and/or matters therein or arising therefrom and to submit the same to the said Tribunal or the concerned Officers and to make and sign applications and to tender documents on behalf of the Company and generally to do and execute all acts, deeds, matters and things relating to the said Application and/or matters therein or arising therefrom."

FOR FERANI HOTELS PRIVATE LIMITED


(Sandeep G. Raheja – DIN 00138986)
Director

TRUE COPY






PHOTOGRAPH OF MAJOR NALLA TRAINED AS PER MUNICIPAL APPROVAL ON PLOT BEARING C.T.S. NO.827A/4A/1 OF VILLAGE MALAD (E)



TRUE COPY

ग्रहणपूर्व महानगरपालिका

क्र.उअउ/परि-4/72/ओई
 उप उद्यान अधीक्षक (परि-4) यांचे कार्यालय
 के/पश्चिम विभाग कार्यालय इमारत,
 3 रामजला, पालिराम पथ,
 अंधेरी(पश्चिम), मुंबई. 400051.
 दि. 28/05/2024

प्रति,

मे. फेरानी हॉटेल्स प्रा. लिमिटेड,
 कंस्ट्रक्शन हाऊस, B-623, लिफ्टिंग रोड,
 खार टेलिफोन एक्सचेंज समोर, खार(प), मुंबई -400052

विषय : न. भू. क्र. 827/A/4A/1, खडकपाडा, मालाड(पूर्व), मुंबई येथील भूखंडावर
 पूर्वीपासून अस्तित्वात असलेली व नवीन वृक्षारोपण करण्यात आलेल्या झाडांबाबत

संदर्भ: 1) क्र. SG/473 dtd 09/05/2024
 2) क्र. SG/OD/161 Dtd 15/06/2023

महोदय,

उपरोक्त विषयानुसंदर्भात आपला मा. सहाय्यक आयुक्त, पी/उत्तर यांचे कार्यालयास सादर केलेला दि. 07/07/2023 रोजीचा अर्ज कृपया संदर्भित करावा. सदर अर्जास अनुसरून न. भू. क्र. 827/A/4A/1, खडकपाडा, मालाड(पूर्व) या ठिकाणी दि. 13/09/2023 रोजी उद्यान विभागातील मा. उप - उद्यान अधीक्षक (परि-4), कनिष्ठ वृक्ष अधिकारी, पी/उत्तर आणि मे. फेरानी हॉटेल्स प्रा. लिमिटेड यांचे प्रतिनिधी उपस्थित होते.

त्यास अनुसरून न. भू. क्र.827/A/4A/1 या भूखंडावर दि.14/09/2023 रोजी प्रत्यक्ष स्थळपाहणी करतांना नवीन वृक्षारोपण करण्यात आलेली एकूण 1003 (एक हजार तीन) झाडे सद्धस्थितित आढळून आलेली आहेत. त्याअनुषंगाने सदरचा स्थळपाहणी अहवाल उप- उद्यान अधीक्षक(वृक्ष प्राधिकरण) यांच्या माहितीसाठी दि.08/05/2024 रोजी सादर केला होता. सदरचा अहवाल उप- उद्यान अधीक्षक(वृक्ष प्राधिकरण) यांनी मा. मा. उद्यान उद्यान अधीक्षक यांच्या अवलोकनार्थ सादर केला असता मा. उद्यान उद्यान अधीक्षक यांनी सदरहू जागेवर अस्तित्वात असलेल्या 1003 (एक हजार तीन) वृक्षांची व्यवस्थित निगा राखण्याबाबत व सदर झाडे संदर्भित करणेबाबत आदेशित केले आहे.

तरी आपणास याद्वारे सूचित करण्यात येते की, सदरहू जागेवरील सद्धस्थितित अस्तित्वात असलेल्या एकूण 1003 (एक हजार तीन) वृक्षांची योग्य ती काळजी घेण्यात यावी व सदर वृक्षांच्या वाढीचा व स्थितीबाबतचा अहवाल दर वर्षी पूढील तीन वर्षांपर्यंत या कार्यालयास सादर करण्यात यावा. तसेच भूखंडावर पूर्वीपासून अस्तित्वात असलेली व नवीन वृक्षारोपण करण्यात आलेल्या झाडांबाबत ड्रोन फोटोग्राफी व व्हिडिओ रेकॉर्डिंगचा अहवाल सादर करणेबाबत क्र. एस जी/ओडी/161 दि.15/06/2023 अन्वये कळविण्यात आले होते. परंतु सदरचा अहवाल कार्यालयास अद्याप प्राप्त झाला नाही. तरी याबाबतचा अहवाल कृपया या कार्यालयास लवकर सादर करण्यात यावा.



Frank
 उप- उद्यान अधीक्षक (परि-4)

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10 July 2024 11:58



NOTARY
 DR. SATISH C. SRIVASTAVI
 BANDRA-MUMBAI
 MAHARASHTRA
 REGD. NO.
 2849
 Expiry Date
 23/02/2025
 GOVT. OF INDIA

TRUE COPY

10 July 2024 12:03



TRUE COPY



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10 July 2024 12:14



TRUE COPY

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10 July 2024 12:16



TRUE COPY

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NOTARY
C. SRIVASTAVA
SANKU
BANDRA MUMBAI
MAHARASHTRA

TRUE COPY
[Signature]

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६३
बृहन्मुंबई क्षेत्राच्या पौ/एन अभागाच्या सुधारित मंत्रालय
विकास योजनेअधीन प्रस्तावित फेरबदलाबाबत कलम
३७(१अओ)(सी) खालील सूचना.....

महाराष्ट्र शासन

नगर विकास विभाग

क्रमांक :- टिपीबी ४३१३ / प्र.क्र. १९१/ २०१३/ नवि-११

मंत्रालय, मुंबई : ४०० ३२,

दिनांक - ५ एप्रिल २०१६.

शासन निर्णय : सोबतची अधिसूचना शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(किशोर द. गिरील्ले)

अवर सचिव, महाराष्ट्र शासन

प्रति,

मा. मुख्यमंत्री महोदयांचे प्रधान सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

(१) अपर मुख्य सचिव, गृह विभाग, मंत्रालय, मुंबई ४०० ०३२.

(२) आयुक्त, बृहन्मुंबई महानगरपालिका.

(३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे

(४) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.

(५) उप संचालक, नगर रचना, बृहन्मुंबई.

(६) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या १० प्रती नगर विकास विभाग (नवि-११),

मंत्रालय, मुंबई : ४०० ०३२ व उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)

(७) कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग (त्यांना विनंती करण्यात येते की, सोबतची सूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही करावी)

मुंबई नव्ही (नवि-११)



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Maharashtra Regional and Town Planning Act, 1966
 Sanctioned modification to Revised Development
 Plan of Gr. Mumbai (P/N Ward) under Section
 37(1AA)(c) of the Act.

GOVERNMENT OF MAHARASHTRA

Urban Development Department,
 Mantralaya, Mumbai 400 032.
 Dated 5th April, 2016.

NOTIFICATION

No. TPB 4313/CR-191/2013/UD-II:

Whereas the Development Plan of "P/N" Ward of Greater Mumbai (hereinafter referred to as "the said plan") has been sanctioned by the Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Urban Development Department's Notification No. TPB 4392/6176/UD-II (RDP) dated 25/4/1993 and the same came into force with effect from 29/4/1993.

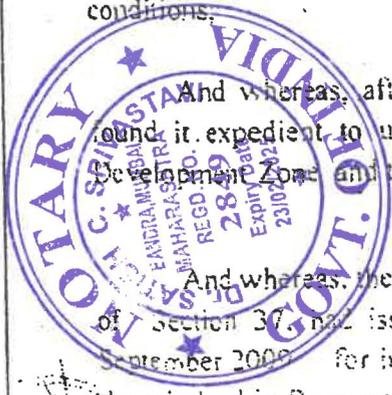
And whereas, the land admeasuring about 80934 sqm.t. bearing S. No. 239/1(pt). CTS No. 827A/4A/2 of village Malad (East) (hereinafter referred to as "the said land") is included in No Development Zone as per the said plan;

And whereas, M/s. D.B. Realty Pvt. Ltd. CA of Shri Tarashankar Choubey has represented to Police Commissioner, Mumbai that it is willing to develop the said land partly for Police Housing purpose and partly for free sale purpose. The lands in the vicinity of the said land are generally developed. The Govt. has considered the acute shortage of Police Housing & after due consideration of all facts and considering the development in the vicinity of the said lands is of the opinion that the said land has development potential as proposed by the developer;

And whereas, the State Government in Home Department has examined the proposal submitted by the developer through the Police Commissioner and have stipulated some conditions.

And whereas, after considering the above facts and circumstances, the Government found it expedient to urgently include the said land in Residential Zone from No Development Zone and to be reserved for Police Housing subject to certain conditions:

And whereas, the Government in exercise of the powers conferred under sub-section (1AA) of section 37, has issued Notice No. CMS/TPB 4308/405/CR-259/2009/UD-II dated 2nd September 2009 for inviting suggestions/objections from general public with regard to include the said land in Residential Zone from No Development Zone and to reserve it for Police Housing



TRUE COPY

hereinafter referred to as "the proposed modification) and appointed the Deputy Director of Town Planning, Greater Mumbai as the officer (hereinafter referred to as "the said Officer") to submit a report on the suggestions/objections received in respect of the proposed modification to the Govt. after giving hearing to the concerned persons and the Municipal Corporation of Greater Mumbai;

And whereas, the Notice No. CMS/TPB 4308/405/CR-259/2009/UD-11 dated 2nd September 2009 was published in Maharashtra Government Gazette dated 10-16th September 2009 and the said Officer has submitted his Report vide letter No. 1958 dt. 7th November 2009 through the Director of Town Planning, Maharashtra State, after completing the legal formalities stipulated under Section 37(1AA) of the said Act;

And whereas, after considering the Report of the said Officer, the suggestions/objections received from the general public and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned with some changes;

Now therefore, in exercise of the powers conferred upon it under section 37(1AA)(c) of the said Act, the Government hereby:-

(A) Sanctions the said modification proposal as follows :-

"The land bearing SNo. 239/1(pt), CTS No. 827A/4A/2 of village Malad (E) measuring 80914 sq.mt. is deleted from No Development Zone and included in Residential Zone and reserved for reservation of "Police Housing" along with 18.00 mt. wide road on the following conditions:

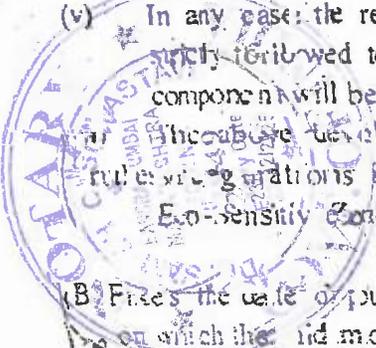
- (i) A buffer zone of 10 mt. shall be reserved between the said land and adjoining forest land.
- (ii) The Appropriate Authority for the development of said land shall be the State Government in Home Department.
- (iii) The above said reservation shall be developed by Appropriate Authority according to the provisions of Regulation 33(3)(B) of Development Control regulations for Greater Mumbai.
- (iv) The Developer shall develop 18 mt wide road at his own cost. The maximum g gradient of road shall be allowed upto 8%.
- (v) In any case, the regulations in respect of Police Housing component shall be strictly followed to avoid misuse of the said component and the work of this component will be started at earliest.

The above development is subject to draft Notification dt. 22.1.2016 and rules & regulations imposed by Ministry of Environment, Forest & Climate for Eco-Sensitivity Zone, from time to time

(B) Fixes the date of publication of this Notification in the Official Gazette as the date on which the said modification shall come into force;

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(C) Directs the Municipal Corporation of Greater Mumbai that, in the Schedule of Modifications appended to the Notification sanctioning the said Development Plan, after the last entry a new entry as per (A) above shall be added.

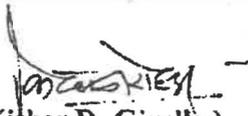
A plan showing the sanctioned modification shall be kept open for the inspection by the general public during the office hours on all working days at following places:-

- (1) Office of the Deputy Director of Town Planning., Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400001.
- (2) Office of the Chief Engineer (Development Plan) Municipal Corporation of Greater Mumbai, Mahapalika Marg, Mumbai 400001.

This Notification shall also be available on the Govt. of Maharashtra website www.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,




(Kishor D. Girolla)

Under Secretary to Government.



TRUE COPY



PART PLAN OF P/N-WARD OF SANCTIONED DEVELOPMENT PLAN OF MUNICIPAL CORPORATION OF GREATER MUMBAI FOR 1981-2001.



Proposed 30 M wide Road

Deleted from No Development Zone and Included in 'Residential Zone and Reserved for Police Housing'



NO DEVELOPMENT ZONE

This Plan is to be read with the Urban Development Department Notification issued L/S-17(LAA)(c) of M.C. & T.P. Act, 1964 vide No. T.P. 4313/CIR-198/2013/UD-II, Dt. 1/1/2014.



PREPARED BY: [Signature]

CHECKED BY: [Signature]

DEPUTY DIRECTOR OF TOWN PLANNING, GR. MUMBAI

Joint Secretary Urban Development Dept. Maharashtra, Mumbai - 400 022

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[Handwritten signature]

उप वनसंरक्षक, ठाणे वन विभाग
यांचे कार्यालय
मॅरेथॉन सर्कल, लाल बहादूर शास्त्री मार्ग, नोपाडा, ठाणे
(पश्चिम) - ४००६०२



OFFICE OF THE
DEPUTY CONSERVATOR OF FORESTS
THANE FOREST DIVISION
Marathon Circle, LBS Marg, Naupada, Thane (West) - 400602

☎ 022-25421373, Email : dcfthane@gmail.com, dycofthane@mahaforest.gov.in

Letter

Sub: Permission of Sanjay Gandhi National Park
Eco Sensitive Zone Monitoring Committee
for proposed development of residential and
commercial project on plot bearing CTS No.
827A/4A/1 at village Malad East, Mumbai
within ESZ.

No.Desk/1/20/LND/ESZ/ 3929 of 2018-19

Thane-400602, Dated: 01 November, 2018

✓ To,

M/s. Ferani Hotels Pvt. Ltd.,
Construction House-B,
Second Floor, 623, Linking Road,
Opposite Khar Telephone Exchange,
Khar, Mumbai - 400052.

- Ref: 1) MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGENOTIFICATION No. S.O. 3645(E), dated
05.12.2016
2) PCCF (WL) MS Nagpur's letter No. Desk-23(2)/Survey/
WL/Case No.225/2286/2017-18, Dated 26.10.2017

1. The MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
Government of India vide NOTIFICATION No. S.O. 3645(E), dated 05.12.2016,
constituted a Monitoring Committee under chairmanship of Municipal
Commissioner/Additional Municipal Commissioner, MCGM for effective
monitoring of Eco Sensitive Zone of the Sanjay Gandhi National Park.
2. Your proposal was received by this committee vide under reference no. 02 for
construction of residential and commercial buildings in CTS No. 827A/4A/1 at
village Malad East, Mumbai.
3. The Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee's
meeting was held on dated 09.01.2018, 16.02.2018, 17.07.2018 & 04.09.2018. In
those meeting your proposal was discussed by the committee. This proposal is
within the Scope of regulated activities in para no.11 as per above mentioned
notification under reference no.01. The SGNP ESZ Monitoring committee has
considered this proposal for construction of residential and commercial building in
CTS No. 827A/4A/1 at village Malad East, Mumbai in meeting held on 19.09.2018.
subject to the following conditions.



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4. Specific Conditions

I	This order is only an approval of Monitoring Committee of Eco Sensitive Zone of Sanjay Gandhi National Park, as constituted vide notification dated 05.12.2016 and shall not be considered as environmental clearance. Environmental clearance and other permissions as applicable shall be separately obtained by project proponent as applicable to the project.
II	The project authority should construct of animal proof design concrete compound wall of 8 feet height plus 4 feet chain link fencing (not to install barb wire) on the common boundary of Sanjay Gandhi National Park and proponent's land in place of existing boundary wall. The construction of the compound wall should be started within three months of approval of this project and completed within one year from the date of approval.
III	It should be ensured that sewerage treatment plant, solid waste management, effluent waste management and / or Organic Garbage Waste Converter units should be beyond the distance of 100 meters after the boundary of the Sanjay Gandhi National Park.
IV	Discharge of effluents – The discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the rules made thereunder.
V	The project authority shall give an undertaking, to deposit "Conservation and Protection Fund" for conservation & protection of Sanjay Gandhi National Park. If directed by government/competent authority.
VI	This order is applicable only for construction plan shown in layout plan submitted by project authority. If the project authority want to carry out any activity/development which is not shown in layout plan a separate proposal shall be submitted for the same.
VII	Safety of any wild animal visiting the proposed facility during and after construction/development phase shall be the responsibility of the project proponent, should a rescue and rehabilitation of any visiting wild animal becomes necessary, Project proponents shall be bound to provide sufficient resources for it. Project proponent may create special facilities in construction with Field Director of SGNP.

5. The conditions as per ESZ Notification

All activities in the Eco sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986) and the rules made thereunder and are regulated in the manner specified hereunder vide Clause No. 4 listing activities prohibited or to be regulated or promoted within the Eco-Sensitive Zone are shown in Government of India vide NOTIFICATION No. S.O. 3645(E) dated 05.12.2016 on Pages 5 to 8 in Hindi and on Pages 24 to 27 in English.

Essential conditions

1.	The said project has been considered for Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee's clearance with reference to the scope of prohibited, regulated and promoted activities of the notification mentioned earlier for the eco-sensitive zone of the Sanjay Gandhi National Park.
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2.	The Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee's clearance has been considered without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this order does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
3.	In case of submission of false document and non-compliance of stipulated conditions, ESZ SGNP Committee/ Authority/ Environment Department will revoke or suspend this order without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986 and the MoEFCC notification for ESZ SGNP, as would be applicable.
4.	The ESZ SGNP Committee reserves the right to add any stringent condition or to revoke the order if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.
5.	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.
6.	The above stipulations would also be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.
7.	E-waste shall be disposed through authorised agency as per E-waste (Management & Handling) Rules, 2016
8.	This eco sensitive zone clearance is issued subject to obtaining NOC from the statutory bodies as applicable to this project.
9.	If applicable, consent for establishment shall be obtained from MPCB under Air and Water Act and copy shall be submitted to the Environment Department before start of any construction work at the site.
10.	All required sanitary and hygienic measures should be in place before starting construction activities and should be maintained throughout the construction phase.
11.	Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of waste water and solid waste generated during the construction phase should be ensured.
12.	The solid waste generated should be properly collected and use generated. Dry/Inert solid waste should be disposed off to the approved sites for land filling after recovery of recyclable material.
13.	Arrangement shall be made to ensure that waste water and storm water do not get mixed.
14.	The diesel generators to be used during construction phase should be below sulphur diesel type and confirm to Environment (Protection) Rules prescribed for air and noise emission standards.



TRUE COPY 3

15.	The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from concern authority shall be taken.
16.	Vehicle hired for bringing construction material to the sites should be in good condition and should have a pollution check certificate and should confirm to applicable air and noise emission standards and should be operated only during non-peak hours.
17.	Ambient noise level should be confirmed to residential standard both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to confirm to the stipulated standard by CPCB/MPCB.
18.	Ready mix concrete must be used in building construction.
19.	The installation of sewerage treatment plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the MPCB and Environment department before the project is commissioned for operation. Discharge of unused treated effluent, if any, should be discharged in the sewerage line. Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible. Discharge of this unused treated effluent, if any should be discharged in the sewerage line. Treatment of 100% gray water by decentralized treatment should be done. Necessary measure should be to mitigate the odour problem from STP.
20.	Roof should meet prescriptive requirement as per Energy conservation building code by using appropriate thermal insulation material to fulfill requirement.
21.	Diesel power generating sets proposed as source of backup power for elevators and common area illumination during operation phase should be of enclosed type and confirm to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided in consultation with Maharashtra Pollution Control Board.
22.	Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
23.	The buildings should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
24.	Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
25.	Under the provisions of Environment (Protection) Act, 1986 legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
26.	Wet garbage should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. Wet garbage will not be disposed outside the premises. Local authority should ensure this.
27.	A complete statement of all the documents submitted to department should be forwarded to the local authority and MPCB.

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28. A separate environment management cell within the PP with qualified staff shall be set up for implementation of the stipulated environmental safeguards.


**Member Secretary,
Sanjay Gandhi National Park Eco Sensitive
Zone Monitoring committee
And
Deputy Conservator of Forests,
Thane Forest Division, Thane**

Copy submitted to

1. The Additional Municipal Commissioner (W.S), MCGM, Opp.CST Station, Mumbai – 400001.
2. The Chief Conservator of Forests and Director, Sanjay Gandhi National Park, Borivali.
3. Deputy Municipal Commissioner (Zone -VII), MCGM, Third floor, R/ South ward office building, Mahatma Gandhi Cross Road No.2, Nr. Sardar Vallabhbai Patel swimming pool, Kandivali (West), Mumbai -400067.





मुख्य वनसंरक्षक व संचालक, संजय गांधी राष्ट्रीय उद्यान, बोरीवली यांचे कार्यालय

☎ ०२२-२८८६०३६२, २८८६०३८९, Email : sgnpmumbai@gmail.com

पत्र

विषय : मौजे मालाड, सर्वे क्रमांक २३९/१पै मध्ये
दिनांक ०३.१२.२०१८ रोजी लागलेल्या
आगीबाबत ..जा.क्र. कक्ष-९/गुन्हे/वणवा/२८४६० /२०१८-१९
बोरीवली, मुंबई, दिनांक : १९ जानेवारी, २०१९

प्रति,

मे. फेरानी हॉटेल्स प्रा. लि.,
कन्स्ट्रक्शन हाऊस - बी, दुसरा मजला,
६२३, लिकींग रोड, खार टेलीफोन एक्सचेंज समोर,
खार, मुंबई - ४०००५२

- संदर्भ : १) वनक्षेत्रपाल तुळशी यांच्याकडील नोटीस क्र. तुळशी/आग/३४५३/
२०१८-१९, दि. १९.१२.२०१८
२) आपल्याकडील पत्र दिनांक ०४.०१.२०१९

मौजे मालाड, सर्वे क्रमांक २३९/१पै मधील आपल्याकडील क्षेत्रात दिनांक ०३.१२.२०१८ रोजी लागलेल्या आगीत भुस्तरावरील सुके गवत व ज्वलनशील जैविक वस्तुमान नष्ट झाले व पर्यायाने लगतच्या राष्ट्रीय उद्यानास संपुर्ण आग विझेपर्यंत धोका निर्माण झाला होता. आपल्याकडील वरील क्षेत्रात आग लागण्याच्या घटनेस प्रभावी प्रतिबंधात्मक कार्यवाही करण्यात आल्याचे कोणतेही सबळ पुरावे प्रत्यक्षात दिसून आले नसल्याने आपणाविरुद्ध कायदेशीर कारवाई का करण्यात येऊ नये याबाबत आपले म्हणणे सादर करण्यास संदर्भ क्र. १ अन्वये कळविण्यात आले आहे.

यावर सदर क्षेत्रात काही दुराचारी व अवांछित घटकांद्वारे अपप्रवेश करून धुम्रपान/अंमली पदार्थांचे सेवन केले जात असल्याने आग लागण्याचे प्रकार घडत असल्याचे निदर्शनास आल्या बत आपण संदर्भ क्र. २ अन्वये कळविले असून याकरीता सदर क्षेत्रास कंपनी घालण्यासाठी आपणाद्वारे बृहन्मुंबई महानगरपालिकेकडून परवानगी प्राप्त करून घेण्यात आल्याचेही कळविले आहे.

आपणाकडील संदर्भ क्र. २ अन्वये प्राप्त स्पष्टीकरणाच्या अनुषंगाने आपणास कळविण्यात येते की, संजय गांधी राष्ट्रीय उद्यानाच्या अधिसूचीत वनक्षेत्रालगतच्या मौजे मालाड, सर्वे क्र. २३९/१पै मधील आपल्याकडील क्षेत्रात आग लागण्याच्या घटनांस प्रतिबंध करण्यासाठी आपणाद्वारे स्वखर्चाने खालील प्रमाणे उपाययोजना कराव्या.

TRUE COPY

**OFFICE OF THE CHIEF FOREST CONSERVATOR & DIRECTOR,
SANJAY GANDHI NATIONAL PARK, BORIVALI**

Tel. 022-28860362, 28860389, Email: sgnpsmumbai@gmail.com

Letter Sub: Fire broke out on 03.12.2018 in the Plot bearing S. No. 239/1P situated at Village Malad

O. No. Desk-9/Offense/Conflagration/2946/2018-19
Borivali, Mumbai, Date: 19th January, 2019

To,
M/s. Ferani Hotels Pvt. Ltd.,
Construction House – B, Second Floor,
623, Linking Road, Opp. Khar Telephone Exchange,
Khar, Mumbai – 400 052.

Ref: 1) Notice issued by the Forest Ranger, Tulshi bearing No. Tulsi/Fire/3453/2018-19, dated 19.12.2018
2) Your Letter dated 04.01.2019

In the fire incident took place on 03.12.2018 in your area falling in the plot bearing S. No. 239/1P situated at Village Malad, dry grass and combustible organic components lying on the ground have been destroyed and consequently the adjoining National Garden was caught in danger till the entire fire extinguished. Since any authentic evidences regarding effective anticipatory action taken by you with regard to such fire incident have not been actually came to notice, it was informed you vide a Letter mentioned at Ref. No. 1 above that to submit your say as to why the legal action should not be taken against you.

In this regard, it has brought to our notice vide your above letter mentioned at Ref. No. 2 that such fire incidents are happening because of some misbehaviour and undesirable components are trespassing in said area and performing cigarette smoking/ consuming drugs in said area and even further informed that you have obtained permission from the Municipal Corporation of Greater Mumbai for erecting fencing around said area.

Upon deeply considering the clarification received from you vide your above letter mentioned at Ref. No. 2, you are inform that you must undertake following measures on your own cost to prevent such incidents of fire broke in your area falling under plot bearing S. No. 239/1P situated at Village Malad adjoining to notified Forest Area of Sanjay Gandhi National Park.

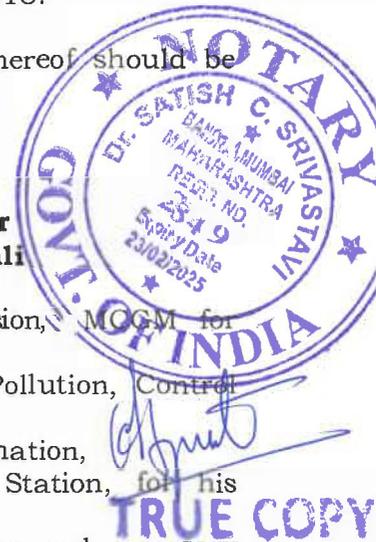
- 1) To cut the green/ dry bushes grown in subject area at least twice in every year.
- 2) To provide Fireline at your own cost for providing the same between your areas and the notified forest area of Sanjay Gandhi National Park. The Fireline should be erected in the presence and under guidance of the Forest Ranger, Tulsi.
- 3) To erect fencing around the said area and to deploy security guards there.
- 4) To put Gate/ Screen to the Nalla in subject area as per stipulated terms & conditions mentioned in the Letter No. Dy. CHE/9133/SWD/WS dated 13.12.2018.

To take action as mentioned above and Compliance Report thereof should be submitted in this office.

Encl: As mentioned above

**Sd/-
Chief Forest Conservator & Director
Sanjay Gandhi National Park, Borivali**

Duplicate copy: forwarded to Asst. Commissioner, P/North Division, MCGM for information,
Duplicate copy: forwarded to Dy. Regional Officer, Maharashtra Pollution, Control Board, Sion, Mumbai for information,
Duplicate copy: forwarded to Dy. Chief Fire Officer, MCGM for information,
Duplicate copy: forwarded to Police Inspector, Dindoshi Police Station, for his information
Duplicate copy: forwarded to Forest Ranger, Tulsi for his information and necessary action.



१. दरवर्षी वर्षातून किमान दोन वेळा विषयांकित क्षेत्रातील वाळलेले गवत/झुडपांची कटाई करावी.
२. उक्त परिसरातील आपल्याकडील क्षेत्र व संजय गांधी राष्ट्रीय उद्यानाचे अधिसूचित वनक्षेत्र यामध्ये स्वखर्चाने जाळरेषा घ्यावी. जाळरेषा घेण्याची कार्यवाही वनक्षेत्रपाल तुळशी यांच्या उपस्थितीत त्यांच्या मार्गदर्शनाखाली करावी.
३. सदर क्षेत्रास कुंपण घालून सुरक्षारक्षक नेमावेत.
४. कार्यकारी अभियंता (पर्जन्यजल वाहिन्या), बृहन्मुंबई महानगरपालिका यांच्याकडील पत्र क्र. Dy.ChE/9133/SWD/WS dt. 13.12.2018 अन्वये विहित अटी/शर्ती नुसार विषयांकित क्षेत्रातील नाल्यास Gate/Screen लावण्याची कार्यवाही करावी.

वरील प्रमाणे उपाययोजना करून त्याबाबतचा पुर्तता अहवाल या कार्यालयास सादर करावा.


 मुख्य वनसंरक्षक/व संचालक,
 संजय गांधी राष्ट्रीय उद्यान, बोरीवली

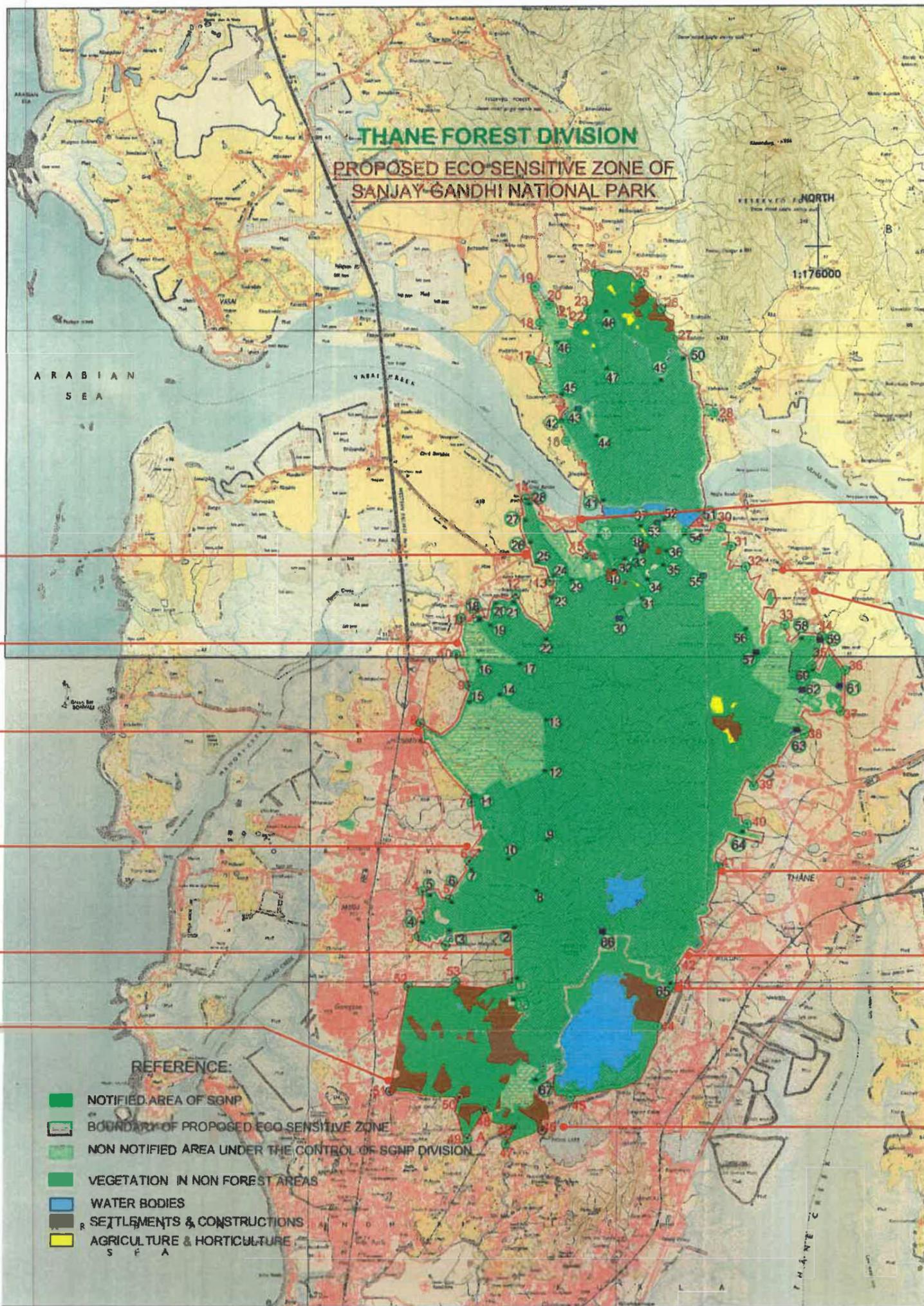
- प्रतिलिपी : सहाय्यक आयुक्त, पी/उत्तर विभाग, बृहन्मुंबई महानगरपालिका यांच्याकडे माहितीसाठी अग्रेषित.
- प्रतिलिपी : उप प्रादेशिक अधिकारी, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, सायन, मुंबई यांच्याकडे माहितीसाठी अग्रेषित.
- प्रतिलिपी : उप मुख्य अग्निशमन अधिकारी, बृहन्मुंबई महानगरपालिका यांच्याकडे माहितीसाठी अग्रेषित.
- प्रतिलिपी : पोलीस निरीक्षक, दिंडोशी पोलीस ठाणे यांच्याकडे माहितीसाठी अग्रेषित.
- प्रतिलिपी : वनक्षेत्रपाल तुळशी यांच्याकडे माहिती व आवश्यक कार्यवाहीसाठी रवाना.



TRUE COPY



ANNEXURE - R - 8



PLAN ANNEXED TO MOEF & CLIMATE CHANGE NOTIFICATION DATED 05-12-2016



TRUE COPY