

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.55 OF 2025WZ

Babu Madan Mehta & others ... Applicants

VERSUS

Maharashtra State Infrastructure Development

Corporation & other ... Respondents

INDEX

S.No.	Exhibit	Particulars	Page Nos.
1)	-	Additional Affidavit in reply of R.No.3,4	52-56
2)	R1	Copy of letter dated 24/05/2025	57
3)	R2	Copy of Report dated 20/06/2025 Forester, Wai	58
4)	R3	Copy of order dated 23/06/2025 RFO, Wai	59
5)	R4	Copy of Receipt No.10727 dated 24/06/2025	60
6)	R5	Copy of Report dated 01/07/2025 , Forester, Wai	61
7)	R6	Copy of order dated 02/07/2025, RFO, Wai	62-63
8)	R7	Copy of Receipt No.10728, dated 05/07/2025	64

Pune

Date: 08/09/2025


Advocate for Respondent No.3,4

BEFORE THE HON'BLE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE, BENCH AT PUNE

ORIGINAL APPLICATION NO. 55 OF 2025 (WZ)

INTERIM APPLICATION NO. 163 OF 2025 (WZ)

Babu Madan Mehta and others ----- Applicants

Versus

Maharashtra State Infrastructure ----- Respondents

Development Corporation and others

ADDITIONAL AFFIDAVIT-IN-REPLY ON BEHALF OF RESPONDENT**NOS. 3 AND 4.**

I, Mahadev Namdev Hajare, Age - 44, working as Range Forest Officer, Wai state on solemn affirmation as under :-

1. I am the Respondent No. 3 and authorized on behalf of the Respondent No. 4 to file this Affidavit-in-reply in his behalf in this Original Application (OA for short).
2. I say and state that I have already filed my Affidavit-in-reply on behalf of the Respondent No. 3 and 4 on 03/07/2025. In that Affidavit-in-reply some facts are remained to be explained. Though pleaded in short and, therefore, I am submitting this Additional Affidavit to my earlier Affidavit-in-reply dated 03/07/2025.
3. I say and state that Wai Police Station wrote letter dated 24/05/2025 to Range Forest Officer, Wai and informed that during road widening of road Wai to Surur some trees are cut down illegally, unauthorizedly and without permission. Police Station received complaint to that effect. Therefore, Wai



Police requested the Range Forest Officer, Wai to verify the complaint and do the needful and take necessary action. Copy of the letter dated 24/05/2025 is annexed hereto and marked as **Annexure - R1**.

4. I further say and state that after receipt of letter from Wai Police Station I wrote letter to Forester, Wai to visit the disputed spot, verify the work of road widening Wai to Surur, verify whether any tree / tress is /are illegally cut and report the same. I further say and state that Forester, Wai visited the spot, verified the facts and submitted the report dated 20/06/2025. I further say and state that on perusal of Forester's report dated 20/06/2025 it revealed to me that during road widening work of Wai to Surur on 21/04/2025 one tree of Ficus benghalensis fell down (toppled) due to removal of soil on the boundary of Village Kenjal-Surur and another tree of Banyan fell down due same reason near Mansi Hotel, Kavathe on 25/04/2025. I further say and state that work of road widening was undertaken by N. P. Infrastructure Pvt. Ltd. I further say and state that both the fallen trees were replanted by N. P. Infrastructure Pvt. Ltd. This fact is revealed from the report of Forester, Wai dated 20/06/2025. Copy of the Forester, Wai's report dated 20/06/2025 is annexed hereto and marked as **Annexure - R2**.

5. I further say and state that from the report of Forester, Wai dated 20/06/2025 it came to my knowledge that N. P. Infrastructure Pvt. Ltd. caused damage to the trees due to which two banyan trees fell down as stated above. No doubt N. P. Infrastructure Pvt. Ltd. replanted those trees again, causing damage to trees is an offence u/s. 3 of the Maharashtra Felling of Trees (Regulation) Act, 1964 (Amended 1989), which is liable for punishment u/s. 4 of said act.

Accordingly, I imposed fine of Rs. 1,000/- per fallen tree totally Rs. 2,000/- on N. P. Infrastructure Pvt. Ltd. by my order B/Land/220/2025-25, dated 23/06/2025. N. P. Infrastructure Pvt. Ltd. has already deposited the fine amount vide Receipt No. 10727, dated 24/06/2025. Copies of my order dated 23/06/2025 and Receipt No. 10727, dated 24/06/2025 are annexed hereto and marked as **Annexure - R3 and R4** respectively.

6. I further say and state that Forester, Wai submitted his report dated 01/07/2025 to me and informed that N. P. Infrastructure Pvt. Ltd. has undertaken road widening work in between Village Wai to Surur. During that road widening work N. P. Infrastructure Pvt. Ltd. has caused damage to total 86 trees by cutting the branches of those trees on both side of said road. Out of that 86 trees 62 trees were Scheduled Trees as per Maharashtra Felling of Trees (Regulation) Act, 1964. Forester, Wai prepared Panchnama of this fact in presence of Panchas on 15/04/2025 and submitted his report to me on 01/07/2025. Copy of the Forester, Wai's report dated 01/07/2025 is annexed hereto and marked as **Annexure - R5**.

7. I further say and state that after receipt of the report of Forester, Wai dated 01/07/2025 I passed order after enquiry bearing No. B/Land/244/2025-26, dated 02/07/2025 and imposed fine u/s. 4 of Maharashtra Felling of Trees (Regulation) Act, 1964 to the extent of Rs. 1,000/- per Scheduled Tree for total 62 trees totally Rs. 62,000/-. I informed this order to N. P. Infrastructure Pvt. Ltd. I further say and state that N. P. Infrastructure Pvt. Ltd. has deposited the fine amount of Rs. 62,000/- vide receipt No. 10728, dated 05/07/2025. Copies of my order dated 02/07/2025 and Receipt No. 10728,

dated 05/07/2025 are annexed hereto and marked as Annexure - R6 and R7 respectively.

8. I say and state that this my Additional Affidavit to my earlier Affidavit dated 03/07/2025.

Pune.

Date : 02/08/2025

(Mahadev Namdev Hajare)
Range Forest Officer, Wai
Respondent No. 3 and
authorized officer
for the Respondent No. 4

VERIFICATION

I, Mahadev Namdev Hajare, Age - 44, working as Range Forest Officer, Wai - Respondent No. 3 and authorized officer for the Respondent No. 4 do hereby solemnly verify above contents of Para Nos. 1 to 8 of the Additional Affidavit-in-reply as true and correct to the best of my knowledge, belief and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material fact from this Hon'ble Tribunal.

Solemnly affirmed at Pune.

Pune.

Date : 2/08/2025



(Mahadev Namdev Hajare)
Range Forest Officer, Wai
Respondent No. 3 and
authorized officer
for the Respondent No. 4



BEFORE ME

ADV. SHAIKH RAFIQUE AHMED MOHIDDIN
NOTARY GOVT. OF INDIA
TAL. WAI, DIST. SATARA
REG. NO. 36240

569/2025
21/9/25



Wai Police Station**Sonagirwadi wai Tal-wai dist-satara****Email-waips,satara@Mahapolice.Geo.in**

Outward no.2698/2025

To,

date- 24/05/2025

Range Forest officer, Wai

Subject: Regarding the action to be taken about tree cutting.**Reference:** Complaint application dated 24 May 2025 by Shri Prashant Balasaheb Dongre.

Sir,

With reference to the above subject, I would like to state that since March 2025, the road widening work of the Wai to Surur road has been undertaken. During this proposed road widening, it is observed that trees are being cut illegally and without permission. A complaint regarding this tree cutting has been received in our office.

Therefore, it is requested that your department conduct a site inspection of the Wai to Surur road widening area, identify the trees involved, and take appropriate action as per rules regarding this illegal tree cutting. The contractor carrying out the road widening has informed our office that they have received permission from your department for tree cutting. Kindly verify the same and take necessary legal action in connection with this illegal tree cutting.

Police Inspector

Wai Police Station

Office of Round Forest Officer, Wai

Outward No. A/Offence/117/2025-26 date 20.06.2025

To,

Range Forest officer (T.), Wai.

Subject: Regarding tree cutting on the road from Moze Wai to Surur.

Reference: Your letter no. Sankirn/121/2025.26, Wai, dated 22.05.2025

Sir,

In connection with the above-mentioned matter, I submit that, as per the complaint application referred above, a site inspection of the road from Moze Wai to Surur was carried out. It was found that in the course of road widening work, two banyan trees located beside the road fell on 21.04.2025 and 25.04.2025.

During further investigation regarding this tree cutting, it was found that these banyan trees fell while N.P. Infrastructure Pvt. Ltd. was carrying out the road widening work on the Moze Wai-Surur stretch. Written statements of witnesses dated 25.04.2025 confirm the same. It is also observed that these fallen trees were replanted by N.P. Infrastructure Pvt. Ltd.

In this regard, a case is being filed against N.P. Infrastructure Pvt. Ltd. under Sections 3 and 4 of the Maharashtra Tree Preservation Act, 1964 (as amended in 1989) by the Maharashtra State Road Development Corporation for illegally cutting the said trees without permission from the competent authority. Necessary action will be taken accordingly.

Yours faithfully,

Round Forest Officer, Wai

Office of Range Forest Officer, Wai (P.R.) Office, Wai

Email: rfo.waioffice@gmail.com

Ref. No.: Ja.Kr./Van/Jamin/220/2024-26 Date: 23/06/2025

ORDER

References:

1. Letter No. 868/2025.26 dated 28.05.2025 from the Office of the Sub-Divisional Officer, Wai Sub-Division.
2. Complaint application dated letter no.2698/2025 date 24.5.2025 from Wai Police Station.
3. Range forest office Letter no.jamin/141/2025 Wai date 02/06/2025
4. Inspection report dated 20.06.2025 from the Range Forest Officer, Wai.
5. Letter No. Van/Jamin/117/2025.26 dated 20.06.2025 from the Wai Forest Office.

In the above-referred matter, as per References No. 1 and 2, a complaint was received regarding illegal tree cutting during the road widening work on the Village Wai to Surur road. The complaint was investigated by Wai Police Station and the Range Forest Officer, Wai, and the factual report was submitted to this office.

As per the investigation, during the road widening work from Village Wai to Surur, two banyan trees located beside the road fell on 21.04.2025 and 25.04.2025. On inquiry, it was found that these banyan trees fell due to the actions of N.P. Infrastructure Pvt. Ltd. while executing the road widening work. This is confirmed by statements from the concerned persons dated 25.04.2025. It is also noted that the said fallen trees were replanted by N.P. Infrastructure Pvt. Ltd.

Therefore, Maharashtra State Road Development Corporation's contractor N.P. Infrastructure Pvt. Ltd. is found guilty under Sections 3 and 4 of the Maharashtra Tree Preservation Act, 1964 (as amended in 1989). Hence, a penalty is being imposed as per the provisions of the Act. The penalty details are as follows:

Sr. No	Village name	Gat No/ Survey No	Offender Name	Tree type and count	Fine/ tree	Fine amount
1	Village Wai to Surur road	-	N.P. Infrastructure	Banyan tree 02	Rs.1000/-	Rs.2000/-
	Total			02		Rs.2000/-

(M.N.Hajare)

Range Forest Officer (T.), Wai(Tree Officer)

To - N.P. Infrastructure Pvt Ltd.

Copy - Round forest officer, Wai for necessary action.

This order should be implemented by the concerned parties and the concerned parties should be punished and this office should be informed for further action regarding this crime.

Forest Department, Maharashtra State

0010727

RECEIPT OF AMOUNT PAID

"Received a sum of ₹2000/- (Rupees Two Thousand Only) from N.P. Infrastructure Pvt. Ltd. with thanks."

Description	Amount	
	Rupees	Paise
As per the order no. B/Jameen/244/2025-26, Wai, dated 23.06.2025, from the Honourable Range Forest Officer, Wai, N.P. Infrastructure Pvt. Ltd. was fined two thousand rupees because 2 Banyan trees on the Wai-Surur road collapsed after the company removed soil from around their base.	Rs.2,000/-	0
	Total	Rs.2,000/-

Place : Wai

Date : 24.06.2025

Sign

Round forest officer

Office of Round Forest Officer, Wai

Outward No. A/Offence/141/2025-26 date 01.07.2025

To,
Range Forest officer (T.), Wai.

Subject: Regarding tree cutting on the road from Moze Wai to Surur.

To,
The Range Forest Officer (T.),
Wai.

Sir,

In connection with the above subject, I submit that for the road widening work on the Wai to Surur road at Lane no. 119, Maharashtra State Road Development Corporation had appointed N.P. Infrastructure Pvt. Ltd. to carry out the work. During this road widening work, soil filling activities were carried out beside the road, which damaged various trees along the Wai to Surur road.

On inspection, it was found that 86 trees, including mango and banyan trees, were damaged. Out of these, 62 trees are listed in the inspection report and damage assessment. The damage has been caused due to negligence, and necessary action needs to be taken against the concerned contractor. The list of damaged trees is attached along with the inspection report and panchnama.

Therefore, as per the Maharashtra Tree Preservation Act, 1964 (as amended in 1989), N.P. Infrastructure Pvt. Ltd. is guilty under Sections 3 and 4 of the said Act and is liable for penalty. Necessary legal action will be taken accordingly regarding this unauthorised tree damage.

Yours faithfully,
[Signature]

Round Forest
Officer, Wai

Office of Range Forest Officer, Wai (P.R.) Office, Wai
Email: rfo.waioffice@gmail.com

Ref. No.: Ja.Kr./Van/Jamin/244/2025-26 Date: 02/07/2025

ORDER

Subject: Regarding tree cutting on the road from Moze Wai to Surur.
Reference: Letter No. Ja.Kr./Offence/141/2025-26 , Wai, dated 01/07/2025.

With reference to the above subject, during the road widening work at lane no. 119 on the Wai to Surur road, awarded by the Maharashtra State Road Development Corporation to N.P. Infra Projects Pvt. Ltd., soil filling was carried out near trees located beside the road. This road widening work from Wai to Surur caused damage to 86 small and large trees of various species.

It was found that branches of 62 trees were cut. This was confirmed in the inspection report and panchnama carried out by the Forest Guard, Wai, in the presence of representatives of the Maharashtra State Road Development Corporation and N.P. Infra Projects Pvt. Ltd. The said company has admitted to causing this damage and is therefore liable for penalty.

As per the Maharashtra Tree Preservation Act, 1964 (as amended in 1989), the Maharashtra State Road Development Corporation and N.P. Infra Projects Pvt. Ltd. are held guilty and, in accordance with the provisions of the said Act, they are hereby instructed to pay the penalty amount as mentioned below and to plant double the number of trees (i.e., 202) in the area during the monsoon season of 2025.

Sr. No	Village name	Gat No/ Survey No	Offender Name	Tree type and count	Fine/ tree	Fine amount
1	Village Wai to Surur road	-	1. Maharashtra State Infrastructure Development Corporation And 2. N.P. Infrastructure	Mango 3 Karanj 16 Chinch 1 Limb 7 Banyan 17 Maharukh 1 Pimpran 2 Shisu 1 Kashid 2 Umbar 3 Sitafal 3 Shivar 2 Borati 1 Pltra farm 1 Vilaychi	Rs.1000/-	Rs.62000/-

				Chinch 1		
	Total			Hivar 1		
				62		Rs.62000/-

(M.N.Hajare)

(Tree Officer)

Range Forest Officer (T.), Wai

To - 1. Maharashtra State Infrastructure Development Corporation
2. N.P. Infrastructure Pvt Ltd.
Copy - Round forest officer, Wai for necessary action.

This order should be implemented by the concerned parties and the concerned parties should be punished and this office should be informed for further action regarding this crime.

Forest Department, Maharashtra State

0010728

RECEIPT OF AMOUNT PAID

"Received a sum of ₹62000/- (Rupees Sixty Two Thousand Only) from N.P. Infrastructure Pvt. Ltd. with thanks."

Description	Amount	
	Rupees	Paise
As per order no. B/Jameen/244/2025-26, Wai, dated 02.07.2025, issued by the Honourable Forest Range Officer, Wai, N.P. Infrastructure Pvt. Ltd. was fined ₹62,000/- for damaging branches and causing other harm to 62 trees of various species during the road widening work on Wai-Surur State Highway 119.	Rs.62,000/-	0
Total	Rs.62,000/-	

Place : Wai

Date : 05.07.2025

Sign

Round forest officer

BEFORE THE NATIONAL GREEN
TRIBUNAL, WESTERN ZONE, PUNE

Original Application No.55 of 2025 (WZ)

In the matter of :

Babu Madan Mehta and Others Applicant

Versus

Maharashtra State Infrastructure
Development Corporation and Others(India)

Respondents

Reply Affidavit of Respondent No.3,4

DATED 8th September, 2025

D.M.GUPTA

ADVOCATE FOR RESPONDENT NO.3,4

3, LAXMAN APARTMENT

25/26, OLD TOPKANA,

S'NAGAR, PUNE - 411 005

MOBILE : 9422317884

email: advgupte@gmail.com