

**HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

**ORIGINAL APPLICATION NO. 05/2025 (WZ)**

**IN THE MATTER OF:**

**THE GRAMPANCHAYAT,  
SHEDASHI AND ORS.                      ... APPLICANTS**

**VERSUS**

**KILITCH DRUGS (INDIA) LTD.  
AND ORS.                                      ... RESPONDENTS**

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1.	Affidavit in reply on behalf of Respondent No.3	
2.	<b><u>ANNEXURE – A</u></b> A true copy of the letter dated 29-08-2024 issued by respondent No.4	

Filed by :

Place : Pune

Date : 03.06.2025





**BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL WESTERN ZONE BENCH, PUNE**

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OPTION)]

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**VERSUS**

**KILITCH DRUGS (INDIA) LTD.  
AND ORS.**

**...RESPONDENTS**

**AFFIDAVIT-IN-REPLY**

(ON BEHALF OF RESPONDENT NO.3)

I, Tanaji Shejal, Age 50 years, Occ.  
Government Service, presently working as Tahsildar,  
Pen, District Raigad, do hereby state on solemn  
affirmation on behalf of Respondent No. 3 as follows:



1) I say and submit that, I have perused the copy of the Application and the annexures thereto. I have also gone through the records, papers and files pertaining to the subject matter of this Application available in my office and therefore, I am able to depose and file this Affidavit-in-Reply. I may not be deemed to have admitted any facts, averments, contentions and submissions of the Petitioners either by implication or otherwise, unless and until specifically admitted by me in this Affidavit. I crave leave of this Hon'ble Court to file such Additional Affidavit in the matter as may be required at the later stage of hearing and/or I am advised.

2) At the outset Respondents want to draw attention of the Hon'ble Tribunal towards the eventual points as mentioned hereinafter.

3) The Respondent No.3 has submitted this Affidavit-in-Reply by summarizing it and contending the important aspects of this matter.

4) The Applicants have filed this Original Application for the relief to give directions to direct Respondent No.4 and 6 to take necessary steps to demolish any and all illegal constructions made by the Respondent No.1 within the flood lines of Balganga



river in and around its industrial Unit on the land bearing Survey No. 24/1 to 24/46, 24/48 to 24/56, 24/58 to 24/71 admeasuring total area of 5.86 Ha. in Maldev (Shedashi) village, Raigad. And also, for the directions to Respondent No.1 to remove any illegally dumped debris from and effectively restore the area of riverbed of the Balganga river reclaimed for the constructions/ widening of the said access road on the land bearing Survey No. 24/1 to 24/46, 24/48 to 24/56, 24/58 to 24/71 or for any other purpose.

5) I say and submit that, an application was submitted by Respondent No. 1 seeking conversion of land from agricultural to non-agricultural (industrial) use in respect of Survey No. 24/1 and other lands situated at Mauje Maldev, Taluka Pen, District Raigad (hereinafter it is referred as '**said lands**' for the sake of brevity) on 03-06-2022 to Respondent No.4. Thereafter, office of the Respondent No. 4 called reply of various department including this Respondent.

6) I say and submit that, accordingly this Respondent vide Letter No. LND-1 / W.S.-1 / N.A. Construction/Kilitch Drugs/2022, dated 29-08-2022 has submitted Report to Respondent No.4. This Respondent No.3 has submitted this Report on the basis of available record of rights and the Report



submitted by Respondent No.2 i.e. Circle Officer, Kamarli, Taluka Pen after visiting the site of said lands.

7) I state and submit that, after perusal of the Report submitted by concerned Department and also No Objection Certificates issued by concerned Authorities, Respondent No.4 has granted permission on 15-12-2022 regarding use of above mentioned agricultural properties for non-agricultural(industrial) purpose to said lands. The Applicants have already produced on record copy of N.A. order as **Annexure-A-10.**

8) I state and submit that, Applicant No.1 Grampanchayat Shedashi on 15-03-2024 submitted application to Respondent No.4 to take necessary steps to remove the obstruction to the existing road and dismantle constructions within flood lines of the Balganga river. The Applicants have already produced on record copy of Application dated 15-03-2024 as **Annexure-A-16.**

9) I state and submit that, the Respondent No. 4 has taken cognizance of the application dated 15-03-2024 of Applicant No.1 and addressed a letter to the (1) Respondent No.1, (2) The Deputy



Conservator of Forests, (3) The Tahsildar Pen, (4) The Assistant Director, Town Planning Department, Raigad, (5) The Executive Engineer, Irrigation Department, (6) Sarpanch, Grampanchayat Shedashi on 18-06-2024 and thereby informed that, the hearing was fixed on 03-07-2024 at 11.00 a.m. in the office of Respondent No.4 and directed concerned Departments to submit their Report about facts appearing on the site in connection with allegations and contentions made by Applicant No.1 in its Application, prior to hearing. The Applicants have already produced on record copy of Letter dated 18-06-2024 as **Annexure-A-17**.

10) I state and submit that, accordingly this Respondent vide Letter No. LND-1 / W.S.-1 / Kilitch Drugs Construction / 2024, dated 01-07-2024 submitted Report to Respondent No.4. While submitting this Report the enquiry was made by Respondent No.2 i.e. Circle Officer, Kamarli, Taluka Pen, District Raigad.

While submitting Report it was intention of this Respondent that, the opinion of Irrigation Department needs to be taken regarding following two grounds i.e. Whether Respondent No.1 has made any construction of compound wall near the river bank or



not, without complying the terms and conditions imposed in N.A. order ?, (2) Also whether said constructions made by Respondent No.1 is outside of flood lines or not ?

11) I say and submit that, after pursuing the reports and facts and circumstances Respondent No.4 issued following directions Vide Letter dated 29-08-2024 to Respondent No.1 and thereby informed to remove immediately the compound constructed with iron angles and tin which is adjacent to river. Respondent No.4 has given copy of this letter to this Respondent and directed to conduct site inspection and verify that Whether Respondent No.1 has removed unauthorized construction made with iron angles and Tins near the bank of river. The Letter dated 29-08-2024 is annexed and marked as **“Annexure-A”**.

12) I state and submit that, this Respondent came to know that, Respondent No.1 submitted Reply to Respondent No.4 on 25-02-2025 and denied that, the construction of the compound wall falls between the river banks and blue flood lines and dumping of debris was made in the river to widen the road to give access to village.



13) I state and submit that, this Respondent also came to know that, the Respondent No.4 issued Letter on 22-05-2025 to Respondent No.6 on the basis of reply submitted by Respondent No.1 and directed them to verify their own Report submitted previously by letter dated 22-08-2024 and to verify whether said constructions comes within the red and blue flood lines?

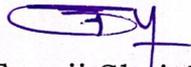
14) I state and submit that, regarding the prayer clause (a) of this petition, this Respondent submit that, the detail verification regarding said prayer clause (a) needs to be done from the Respondent No.6 and accordingly, Respondent No.4 may issue directions.

15) I state and submit that, regarding prayer clause (a) and submissions made by Applicant No.1 to Respondent No.4 on 15-03-2024, Respondent No.4 has taken cognizance of the matter and issued necessary directions to Respondent No.6. Therefore, considering submissions made in this Affidavit-in-Reply, Respondent No.3 prays to the Hon'ble Court to dismiss the petition of the Applicants.



Whatever stated above is true and correct to the best of my knowledge, belief and as per the documents available hence I have signed below.

Pen,  
Dated : 03-06-2025.

  
(Tanaji Shejal)  
Tahsildar, Pen  
Respondent No.3.

VERIFICATION

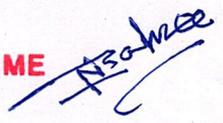
I, Tanaji Shejal, Age 50 years, Occ. Government Service, presently working as Tahsildar, Pen, Taluka Pen, District Raigad, on behalf of Respondent nos. 4, do hereby state on solemn affirmation that whatever is stated here in above is derived from the official record which I believe to be true and correct.

Solemnly affirmed at Pen, )  
Dist. Raigad. )  
Dated : 03-06-2025. )

  
(Tanaji Shejal)  
Tahsildar, Pen  
Respondent No.3.

I know the Deponent/Affiant



**BEFORE ME** 

Adv. Narendra H. Bafna  
B.Co.LLB.  
NOTARY Govt. of Maharashtra  
Reg. No. 1334/2019  
C/o. Narendra Cloth Stores  
L.B.S. Marg, Pen-Raigad.-402107.

Serial No. 252  
No. of Pages: 5  
Date- 3 / 6 / 20 25



महाराष्ट्र शासन  
महसूल व वन विभाग  
जिल्हाधिकारी व जिल्हादंडाधिकारी कार्यालय, रायगड - अलिबाग

हिराकोट तळयाजवळ, अलिबाग, ता.अलिबाग, जि.रायगड

☎दुरध्वनी क्र.02141-222118/222097/222322(फॅक्स क्र.:02141-227451

☎ईमेल: tahasildarmahasul@gmail.com☎

क्र.मशा/एल.एन.ए/अ-१ (अ)/मे.क्लिच ड्रग्स अनधिकृत बांधकाम दुर करणे/२०२४

दि: २२/०८/२०२४

प्रति,  
मे.क्लिच ड्रग्स (इंडिया) लि.तर्फे डायरेक्टर,  
मुकुंद प्रतापराय मेहता,  
रा.३७, उजागर इंडस्ट्रीअल इस्टेट, डब्ल्यू.टी.  
पाटील मार्ग, देवनार, मुंबई ४०००८८.

विषय:- मे.क्लिच ड्रग्स (इंडिया) लि.तर्फे मुकुंद प्रतापराय मेहता यांना देण्यात आलेल्या बांधकाम परवानगीबाबत.

- संदर्भ:- १. कार्यकारी अभियंता, लघु पाटबंधारे विभाग कोलाड यांना या कार्यालयाकडून दिलेले पत्र क्र.मशा.एल.एन.ए/अ-१/अ/मे.क्लिच ड्रग्स अनधिकृत बांधकामे/२०२४, दि.३०/०७/२०२४.  
२.कार्यकारी अभियंता, रायगड पाटबंधारे विभाग, कोलाड यांचेकडील पत्र क्र.जा.क्र.रापावि/प्रशा-२/३०२०/सन २०२४, दि.२२/०८/२०२४.

उपरोक्त संदर्भिय विषयान्वये मौजे मालदेव, ता.पेण येथील गट नं.२४ व हि.नं.१ व इतर या जमीन मिळकतीमध्ये आपल्या कंपनीने केलेल्या बांधकामासंबंधी स्थळ पहाणी करणेकामी वरील संदर्भिय पत्र क्र.१ अन्वये कार्यकारी अभियंता, लघु पाटबंधारे विभाग कोलाड यांचेकडून अहवाल मागविले असता, संदर्भिय पत्र क्र.२ अन्वये या कार्यालयाकडे अहवाल प्राप्त झाले आहे. सदर अहवालाचे अवलोकन केले असता, प्रस्तुत जमीन मिळकतीच्या बाजूला असलेल्या नदीच्या जवळ लोखंडी अँगल व पत्र्याचे कंपाऊंड आपण अनधिकृतपणे केले असल्याचे अहवालामध्ये नमुद केले आहे

तरी प्रस्तुत प्रकरणी सदर जमीन मिळकतीमध्ये नदीच्या जवळ लोखंडी अँगल व पत्र्याचे केले कंपाऊंडचे बांधकाम तात्काळ दुर करुन या कार्यालयास कळविण्यात यावे.

स्फुट

(श्रीकांत गायकवाड)

प्र. निवासी उपजिल्हाधिकारी  
रायगड - अलिबाग

प्रत: तहसिलदार पेण, तहसिल कार्यालय पेण यांचेकडे आवश्यक त्या कार्यवाहीसाठी.

२/- प्रसतु प्रकरणी मौजे मालदेव, ता.पेण येथील गट नं.२४ व हि.नं.१ व इतर मध्ये मे.क्लिच ड्रग्स (इंडिया) लि. या कंपनीने नदीच्या जवळ लोखंडी अँगल व पत्र्याचे केलेले अनधिकृत कंपाऊंड दुर केले आहे अगर कसे? याबाबत स्थळ पहाणी करुन अहवाल या कार्यालयाकडे सादर करण्यात यावा.

जावक

30 AUG 2024

(श्रीकांत गायकवाड)

प्र. निवासी उपजिल्हाधिकारी  
रायगड - अलिबाग