

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO.151 OF 2025(WZ)

Suresh Kumar Yeole

... Applicants

Versus

The Ministry of Environment, Forests and

Climate Chang & others

... Respondents

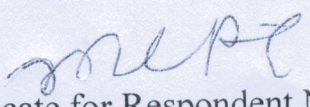
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Pune

Date: 11/06/2026


Advocate for Respondent No.9,10,11

D.M.Gupte

Advocate



BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE.
ORIGINAL APPLICATION No. 151 of 2025

Suresh Kumar Yeole.

. Applicant

Versus

The Ministry of Environment,
Forests and Climate Change and others.

. Respondents

Affidavit of Respondents Nos. 9, 10 and 11 to the O.A.

I, Anitta Patil, Conservator of Forests and Director, Sanjay Gandhi National Park, Borivali East, Mumbai, the Respondent no.11 to this O.A., do hereby solemnly affirm and state as follows:

1] I have read a copy of the instant OA and its annexures. I have been authorized by Respondent no. 9 [Principal Chief Conservator of Forests-Wildlife] and Respondent no.10 [now, Chief Conservator of Forests- Wildlife (West) Mumbai] to file this affidavit on behalf of the Forest Department Officers concerned with the conservation of the Sanjay Gandhi National Park [‘SGNP’ for brevity].

2] I am presently confining this affidavit to those aspects in the OA which relate to the permissibility of any anthropogenic activity / construction in the Eco-Sensitive Zone [ESZ for brevity] of SGNP. Hence nothing in this affidavit should be construed as an admission of any aspect not specifically dealt with herein. I




will file a further affidavit on such related matters as may be directed by this Hon'ble Tribunal or may be required to clarify any other connected matters.

3] It is true and accepted that the entire land in S Nos. 97 and 98 of Village Chene are included in ESZ Notification dated 5.12.2016 issued in respect of SGNP. Consequently, the provisions of the ESZ are applicable to this project of Respondents nos. 15 and 16.


4] Respondent No. 15 vide his application dated 06.01.2022, requested permission from the Eco-Sensitive Zone Monitoring Committee for the proposed residential development along with recreational activities/clubhouse, naturopathy centre and multipurpose hall on plot bearing Survey No. 97 & 98 of Village Chene, Taluka and District Thane. Since the proposed built-up area exceeds 20,000 sq. meters, it was communicated vide letter dated 19.10.2022 that prior approval of the State Board for Wildlife and subsequently the National Board for Wildlife would be required

5] A proposal seeking recommendation of the Standing Committee of the National Board for Wildlife was submitted by Respondent No. 15 to the Conservator of Forests and Director, Sanjay Gandhi National Park (SGNP), for undertaking "residential development along with recreational centre activities/clubhouse, naturopathy centre and multipurpose hall" on Survey Nos. 97 and 98 situated at Village Chene. In this regard, a detailed report on the proposal was called for from the field authorities. Accordingly, the Deputy Director (North), Yeoor, SGNP submitted his report vide outward No. 665 dated 08.09.2023, a copy of which is annexed hereto as **EXHIBIT-I**. The said report categorically and unequivocally records that Survey No. 98 is located at a



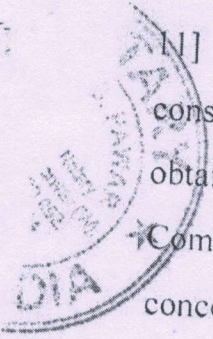
distance of zero meters from the boundary of Sanjay Gandhi National Park and is directly adjacent to the Reserved Forest area of the SGNP Division, thereby highlighting the ecological sensitivity and proximity of the proposed project site to protected forest land.

- 6] On the basis of the report submitted by the Deputy Director (North), Yeoor, Sanjay Gandhi National Park (SGNP), the then Conservator of Forests and Director, SGNP, forwarded the proposal along with his considered opinion for further processing and for obtaining recommendation of the Standing Committee of the National Board for Wildlife. A copy of the opinion of the Conservator of Forests and Director, Sanjay Gandhi National Park is annexed hereto and marked as **EXHIBIT-II**.
- 7] The proposal was placed before the Standing Committee of the State Board for Wildlife in its meeting held on 24.01.2024, wherein it was recommended for submission to the National Board for Wildlife subject to conditions imposed by the Chief Wildlife Warden, Maharashtra State.
- 8] Thereafter, the proposal was considered in the 79th meeting of the Standing Committee of the National Board for Wildlife. A committee was constituted to study the requirement of developmental activities in the Eco-Sensitive Zone and their impact on wildlife of Sanjay Gandhi National Park. Accordingly, a site inspection was carried out on 07.12.2024 and 08.12.2024.
- 9] The proposal was subsequently considered in the 81st meeting of the Standing Committee of the National Board for Wildlife (NBWL) held on 21.12.2024. During the said meeting, the Standing Committee made certain



recommendations concerning projects located within the Eco-Sensitive Zone (ESZ) and considered the present proposal subject to compliance with specified conditions. Notably, one of the key recommendations of the Standing Committee was that no project proposal should be considered for approval in cases where the Zonal Master Plan, as mandated under the relevant ESZ Notification, has not been prepared. Consequently, by a letter dated 22.9.2025 issued by the MoEF&CC, New Delhi copy at **EXHIBIT-III** hereto, it was communicated to the Principal Secretary Revenue and Forest Department of the State Government that recommendations in respect of the proposals of Respondents nos. 15 and 16 are kept in abeyance till further recommendations are given from the MoEF&CC, New Delhi.

10] It is submitted that the Original Application records that the Mira Bhayander Municipal Corporation had granted a Commencement Certificate for carrying out construction activities in the project area. In such circumstances, if any construction or related activities were undertaken in contravention of the provisions of the Eco-Sensitive Zone Notification dated 05.12.2016, the same would attract penal consequences under the applicable legal framework. It is further submitted that the responsibility to initiate appropriate action in such cases vests with the concerned Collector, the Municipal Corporation administration, or the Member Secretary, in accordance with the decisions of the Eco-Sensitive Zone Monitoring Committee and the provisions of the Environment (Protection) Act, 1986 and rules made thereunder. A copy of report in this regard dated 08.04.2026 submitted by the Deputy Director (North) Yeur is annexed hereto as **EXHIBIT-IV**



[1] As stipulated in the Eco-Sensitive Zone (ESZ) Notification, any construction activity or violation, whether undertaken prior to or subsequent to obtaining approval from the ESZ Monitoring Committee or the Standing Committee of the National Board for Wildlife, is required to be dealt with by the concerned planning/development authority in accordance with applicable laws. Additionally, such violations may also be addressed by the competent authorities within the ESZ in exercise of powers conferred under the Environment (Protection) Act, 1986.

I say and submit that the documents, facts and submissions mentioned above may be considered in this O.A.

Anitta Patil

VERIFICATION

I, Anitta Patil, Conservator of Forests and Director, Sanjay Gandhi National Park, Respondent no. 11 herein, having my office at Borivali East, Mumbai, do hereby solemnly affirm for and on behalf of respondents nos. 9, 10 and myself that the contents of the foregoing affidavit in reply are based on the Officer records maintained by the Sanjay Gandhi National Park Division in the regular course of its work and I believe the same to be correct.

Solemnly affirmed at Mumbai)

On this 9th day of June, 2026)

Anitta Patil

Anitta Patil

NOTED & REGISTERED
Sr. No. 779/2026
Date: 09/06/2026
Date of Expiry :- 29/10/2028

(Anitta Patil)
Conservator of Forests and Director
Sanjay Gandhi National Park
Respondent no.11.

BEFORE ME
09/06/2026

5 RAJESH B. PAWAR
Advocate & Notary

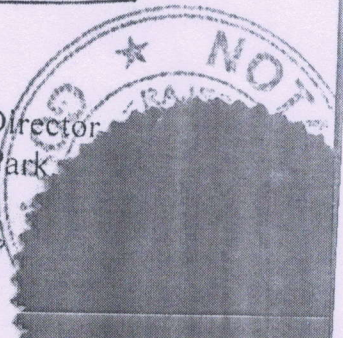
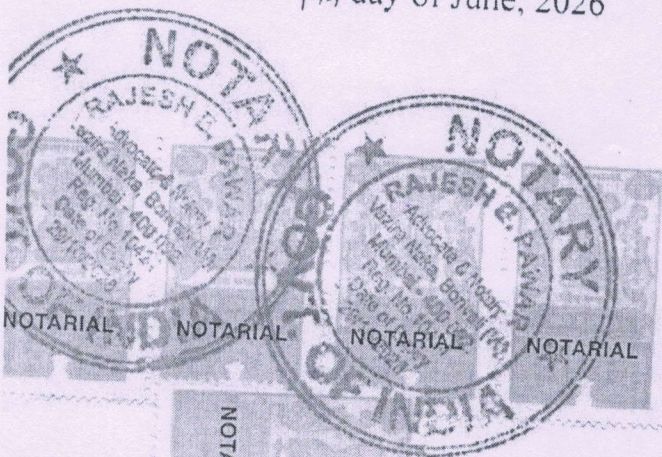


EXHIBIT-I

Government of Maharashtra
Forest Department
OFFICE OF THE DEPUTY DIRECTOR (NORTH) YEOR
SANJAY GANDHI NATIONAL PARK

Pokhran Road No. 1, Upvan, Thane (West) 400606, Email : ddnysgnp@gmail.com

No. Desk-4/Land/DD(N)Yeur/ 665 /2023-24, dated 08/09/2023

To,

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

Sub : Regarding consideration of the proposal for residential Development along with recreational center Activities/ Clubhouse, Naturopathy center and Multipurpose hall on plot bearing S.No.97 and 98 of village Chene Tal & Dist. Thane Maharashtra by Shri Pratap Baburao Sarnaik.

Ref : 1) Letter from your office, Letter No: Room-2/Land/728/ Dated 31st July 2023.
 2) Letter from the Range Forest Officer, Yeoor, Letter No: A/Yeoor/Land/N.O.C./662/Year-2023-24 Dated 31/08/2023.

With reference to the subject matter and reference No. 1 cited above, a copy of the subject proposal has been sent to this office. This office was requested to submit a report in the prescribed format regarding whether the area under the proposed project falls within the notified Eco-Sensitive Zone of Sanjay Gandhi National Park, and what the exact distance of the said area is from the boundary of Sanjay Gandhi National Park. Accordingly, the report is being submitted below.

In connection with reference No. 2 cited above, the Range Forest Officer, Yeoor, has submitted a report to this office through the Assistant Conservator of Forests (North), Yeoor. The point-by-point details of the said report are as follows:

The said proposal contains the following documents:

1. Letter from Shri Pratap Baburao Sarnaik dated 08/03/2023.
2. Common Application Form
3. Undertaking
4. Letter from the Assistant Director, Town Planning, Mira Bhayander Municipal Corporation, Letter No: MB/MC/TP/3730/ Dated 26/12/2022.
5. Letter from the Hon. Commissioner, Mira Bhayander Municipal Corporation, Letter No: MB/MC/TP/3323/ Dated 01/12/2022.
6. Letter No. Room-2/Land/343/ Dated 02 June 2022.
7. Letter from the Hon. Additional Principal Chief Conservator of Forests (Wildlife) Western Mumbai, Letter No. Room-3/Land/M.C./Case No. 583/ Dated 25 May 2022.
8. Letter from the Hon. Conservator of Forests and Director, Sanjay Gandhi National Park, Borivali, Letter No. Room-2/Land/169/ Dated 17 May 2022.
9. Letter from the Forest Surveyor, Sanjay Gandhi National Park, Borivali, Letter No. B/11/Survey-152/ Dated 11/04/2022.
10. Letter from the Hon. Deputy Director (North) Yeoor, Sanjay Gandhi National Park, Borivali, Letter No. Room-1/Land/D.D.(N) Yeoor/24/ Dated 08/04/2022.
11. Village Map of Mouje Chena in the scale of 1:5000.
12. 'K' copy (certified copy) from the Hon. Deputy Superintendent of Land Records, Thane.

13. Plot Area Diagram in the scale of 1:1000.
14. Letter from the Assistant Town Planner, Mira Bhayander Municipal Corporation, Letter No. MB/MC/TP/7466/ Dated 28/03/2019.
15. Photocopies of 7/12 extracts and mutation entries of Survey No. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane.

Along with the subordinate staff of the Chena Beat, a visit was paid to the land owned by Shri Pratap Baburao Sarnaik bearing Survey Nos. 97 and 98 located at Chene, Tal. & Dist. Thane. We have verified the ownership area, shown on the spot by the applicant's representative, in the presence of the organization's representative.

1. Upon checking the official office records of the Range Forest Office in this regard, Survey Nos. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane, do not fall under Reserved Forest, Protected Forest, or Unclassed Forest.
2. Upon checking the official office records of the Range Forest Office in this regard, Survey Nos. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane, show no registration/entry under Form No. 1-A of the Forest Department.
3. Upon checking the official office records of the Range Forest Office in this regard, it appears that a notice under Section 35(3) of the Indian Forest Act, 1927, has been served to the area bearing Survey No. 102 mentioned in the application. However, pursuant to Letter No. S.30/2014/Case No. 457/F-3 Dated 08/11/2016 issued by the Hon. Chief Conservator of Forests (Mantralaya), Revenue and Forest Department, Mantralaya, Mumbai, and in accordance with the judgment of the Hon. High Court in the court case regarding Survey No. 91 (Area 2.904 Hectares) and Survey No. 98 (Area 7.7308 Hectares), instructions were given to the Hon. District Collector, Thane, to delete the entry of 'Forest' (Vane) from the revenue records of the said area. Accordingly, the Revenue Department has deleted the entry of 'Forest' from the revenue records of the said area.
4. Upon checking the official office records of the Range Forest Office in this regard, Survey Nos. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane, have not been ultimately acquired or restored after an inquiry under the Maharashtra Private Forests (Acquisition) Act, 1975 (Amended 1978). Furthermore, no such inquiry is currently ongoing.
5. Upon checking the official office records of the Range Forest Office in this regard, Survey Nos. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane, are not included in the list of 'Identified Forests'.
6. Upon checking the official office records of the Range Forest Office in this regard, it appears that Survey Nos. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane, fall within an Eco-Sensitive Zone.
7. Upon checking the official office records of the Range Forest Office in this regard, Survey Nos. 97 and 98 located at Mouje Chene, Tal. & Dist. Thane, are not part of an 'Eksali' plot or a plot allotted to landless individuals.

Note: It is requested to kindly verify the above point numbers 1, 2, 3, 4, 5, and 7 from the records of the Divisional Office as well as the office of the Hon. Deputy Conservator of Forests, Thane.

According to the Panchnama (site inspection report) conducted by the Circle Forest Officer, Chena, the entire privately owned land area is level and flat. Within this land, there are 50 to 60 very old Mango trees, and trees of Tamarind (Chinch), Toddy Palm (Tad), Kokum, Karanj, and Peepal (Pimpal) species are visible in some places.

To the east of the privately owned Survey Nos. 97 and 98 lies the Chena East Reserved Forest, Survey No. 89, which is under the jurisdiction of the Chena Beat. A reinforced cement concrete (RCC) compound wall has been constructed by the Forest Department along the shared boundary of the privately owned Survey No. 98 and the Reserved Forest Survey No. 89.

Inside Survey No. 97, there is an existing large pond, and a concrete ghat (embankment) has been constructed under its beautification work. Additionally, internal asphalt (tar) roads are present elsewhere within the same premises. Within Survey No. 98, there are 2 wells which have been reinforced with concrete. Asphalt roads are also visible within this area, and large holes have been dug at certain intervals where foundation work appears to have been carried out. Furthermore, blue metal sheets have been installed along the boundary around the said area for protection/fencing.

According to the statement of the landholders, they intend to construct 1) a Club House, 2) a Multipurpose Hall, and 3) a Naturopathy Center on the said land. The GPS coordinates of the proposed project area are as follows:

Sr. No.	GPS Coordinates	Name of the Proposed Construction
1	N 19°16'11.11" E 072°55'09.46"	Club House
2	N 19°16'08.89" E 072°55'10.49"	Multipurpose Hall
3	N 19°16'01.16" E 072°55'11.58"	Naturopathy Center

Sr. No.	GPS Coordinates	Boundary Marks / Descriptions
1	N 19°16'14.76" E 072°55'09.97"	Private ownership Survey No. 96

Sr. No.	GPS Coordinates	Boundary Marks / Descriptions
2	N 19°16'07.45" E 072°55'14.37"	Forest boundary between Private ownership Survey No. 96 and Reserved Forest Survey No. 89
3	N 19°16'05.91" E 072°55'23.60"	Forest boundary of Reserved Forest Survey No. 89 and a natural stream (Nala)
4	N 19°16'03.27" E 072°55'19.32"	Forest boundary of Chena Reserved Forest Survey No. 101 Part, and the flow of Chena River
5	N 19°16'05.19" E 072°55'12.66"	Forest boundary of Chena Reserved Forest Survey No. 101 Part, and the flow of Chena River (Old Well)

Center Point Coordinates & Four-Side Boundaries (Surroundings) of Survey No. 98

- **Center GPS Coordinates:** N 19°16'06.31" E 072°55'17.22"
- **North:** Private ownership Survey Nos. 94, 95, 97
- **South:** Flow of Chena River and the beat area of Chena West Reserved Forest Survey No. 101 Part
- **East:** The beat area of Chena East Reserved Forest Survey No. 89 and a natural stream (Nala)
- **West:** Flow of Chena River

Note: The said area is located at a distance of **zero (0) meters** from the forest boundary of Sanjay Gandhi National Park, Borivali.

The GPS coordinates and the four-side boundaries for Survey No. 97 are as follows:

Sr. No.	GPS Coordinates	Boundary Marks / Descriptions
1	N 19°16'10.75" E 072°55'14.94"	Adjacent to Private ownership Survey No. 96
2	N 19°16'10.74" E 072°55'18.31"	Forest boundary adjacent to Chena East Reserved Forest Survey No. 89
3	N 19°16'05.26" E 072°55'24.68"	Forest boundary adjacent to Chena East Reserved Forest Survey No. 89

Sr. No.	GPS Coordinates	Boundary Marks / Descriptions
4	N 19°16'10.77" E 072°55'18.05"	Forest boundary of Chena East Reserved Forest Survey No. 89
5	N 19°16'05.81" E 072°55'17.02"	Reading of the Center Point

- **North:** Private ownership Survey No. 96
- **South:** Private ownership Survey No. 98
- **East:** Forest boundary of Chena East Reserved Forest Survey No. 89
- **West:** Private ownership Survey No. 98

Since the said land area is located at a distance of **0 meters** from the forest boundary of Sanjay Gandhi National Park, Borivali, it is requested that a joint land measurement survey of this plot be conducted by the Forest Land Surveyor of this department. The undersigned agrees with the report. It is therefore requested for further necessary action from your office leve.

Sd/-
Deputy Director (North) Yeur,
Sanjay Gandhi National Park, Borivali

EXHIBIT-II

**Opinion of the Conservator of Forest & Director,
Sanjay Gandhi National Park, Borivali**

The proposed project involves residential development along with recreational activities, a clubhouse, a naturopathy center, and a multipurpose hall. The project site is located on the plot with Survey Numbers 97 and 98 in the village of Chene, Tal. & Dist. Thane. The entire plot falls within the notified Eco-Sensitive Zone of Sanjay Gandhi National Park.

The brief facts about the area designated for above work are as given below:

A notice (No. NP/52 dated 09.08.1975) under section 35(3) of the Indian Forest Act, 1927, was issued for Survey Number 98 in the Village of Chene, Tal. & Dist. Thane. Further details about the mentioned area are provided below:

1.	Name of Village	Village Chene, Tal. & Dist. Thane
2.	Survey Nos.	Survey No. 98
3.	Area mentioned in proposal	7.638 Ha.
4.	Whether Notice u/s 35(3) was issued to the proposed area	Yes.
5.	If yes, Notice No./date/area	Notice No. NP-52/09.08.1975 (copy enclosed)
6.	Names of persons to whom the notice was issued.	Shri. Shankar Gajanan Velkar
7.	Whether Forest Department had taken over the charge of the area on 30.08.1975 or thereafter	No.
8.	Whether enquiry u/s 6 or 22A of Maharashtra Private Forest (Acquisition) Act, 1975 was conducted or is pending	Deputy Collector (Private Forest) Thane conducted enquiry u/s 6 of Maharashtra Private Forest (Acquisition) Act, 1975.
9.	If process of enquiry is completed, provide details regarding judgment or order of competent authority	Deputy Collector (Private Forest) held that the area of Survey No. 98 of Village Chene was under lawful cultivation on the appointed day i.e. 30.08.1975 and hence the area is not 'Forest'.
10.	Whether entries in the Revenue Records were taken as per directions issued vide Govt. Circular dated 14.07.2005	Yes. As per mutation No. 551, entry of 'Govt. of Maharashtra - Reserved Forest' was taken on 7/12 extract Survey No. 98 of Village Chene.
11.	Whether applicant has filed case against the entries taken in Revenue Records	Yes. Shri. Shankar Gajanan Velkar has filed Writ Petition No. 7594/2006 in



		Hon'ble Bombay High Court with prayer to cancel mutation No. 551 and to delete the entry of 'Forest' from 7/12 extract.
12.	If yes, whether Forest Department has filed affidavit before Hon'ble Court.	Yes.
13.	Whether Govt. has approved the draft affidavit	First affidavit filed by Forest Department was approved by Govt. of Maharashtra.
14.	Whether, Hon'ble Court has passed judgment in the case filed by applicant. If yes, provide details regarding order/judgment passed by Hon'ble Court.	Yes. Hon'ble Bombay High Court has disposed of Writ Petition No. 7594/2006 on 07.01.2016. The last para of the judgment is reproduced as under. <i>'For the aforesaid reasons, writ petitions are allowed. The entry made by the revenue authorities in the revenue records that the land is a forest land and it vests in the State Government is quashed and set-aside. Needless to state that the State Government always has a right to acquire these lands in accordance with law, if so advised.'</i>
15.	Whether Govt. has filed appeal against the order passed by Hon'ble Court. If yes, provide details of the same	No.
16.	Whether the competent authority ordered to delete the entries of Forests from Revenue Records for compliance of the judgment passed by Hon'ble Court.	Despite the High Court's order, the 'Forest' entries were not removed from the 7/12 land extracts. Subsequently, Smt. Netra Ajit Velkar, the legal heir of Shankar Gajanan Velkar, filed Contempt Petition No. 398/2016 before the Hon'ble Bombay High Court. However, following the filing of the Contempt Petition, the Government of Maharashtra, through a letter dated 08.11.2016 (No. S-30/2014/Case No. 457/F-3), instructed the Collector of Thane to delete the 'Forest' entries from the 7/12 land extracts. This instruction was duly carried out, resulting in the removal of the 'Forest' entries. Consequently, the Contempt Petition was withdrawn and disposed

		of.
17.	Whether prior approval of Hon'ble Supreme Court of India and Central Govt. was obtained before deleting the entries of Forest from Revenue Records	No.
18.	Details regarding sale-purchase of the land.	At present as per 7/12 extract of Survey No. 98 of Village Chene is in the name of Smt. Netra Ajit Vijaykar. However, as per documents enclosed in the proposal, she has given 'Power of Attorney' to Shri. Pratap Baburao Sarnaik.
19.	Whether the proposed area falls in notified Eco Sensitive Zone	Yes. The proposed area falls within the notified Eco Sensitive Zone of SGNP. The proposed project has the built-up area of 70396.27 sq.mtr
20.	If yes, whether non forestry activities were proposed on the said area.	Yes. The project proponent has proposed Residential Development along with Recreational Activities / Clubhouse Naturopathy Centre and Multipurpose Hall.

Considering above aspects, the opinion of this office is as below:

1. Project Details:

- The Project Proponent has proposed residential development along with recreational activities, a clubhouse, a naturopathy center, and a multipurpose hall, with a total built-up area of 70,396.27 square meters on a plot measuring approximately 86,801.19 square meters. The total development area exceeds 20,000 square meters, as per the letter submitted by the Project agency.
- Construction activities for the proposed development have not commenced.
- The proposed area falls within the notified Eco-Sensitive Zone of Sanjay Gandhi National Park (SGNP) but is not included in the notified Eco-Sensitive Zone of Tungareshwar Wildlife Sanctuary (TWLS).

2. Nature of the project as per ESZ notification dated 05.12.2016:

(a)	Nature of the project	This project is involving the residential development along with Recreational Activities / Clubhouse, Naturopathy Centre and Multipurpose Hall
(b)	Whether it is Permitted/Regulated/ Prohibited activity as per ESZ notification	Construction activities except establishment of construction of Hotels and Resorts is regulated activity. The remarks in the SGNP ESZ notification

dated 5th December 2016 is given below.

(c) Remarks in the ESZ notification	
(i) Construction activity	<p>Construction shall be permitted within the Eco-sensitive Zone as per the provisions of the approved Development Plan and other applicable rules and regulation under the Maharashtra Regional and Town Planning Act:</p> <p>Provided that the under construction / renovation of commercial buildings including group housing societies, offices, and services such as Information Technology / Information Technology enabled Services, Parks, Roads, Power Transmission lines and cables, Telecommunication Towers and cables, Sewage lines, civic amenities, etc., and new construction projects such as Mumbai Metro Rail Shed, and creation of new civic amenities such as water supply related infrastructure and facilities and Operation & Maintenance of infrastructure, facilities of civic amenities sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be permitted within ESZ subject to applicable rules and regulations.</p> <p>Provided further that commercial redevelopment, reconstruction, repairs of existing structures which includes group housing societies, sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be allowed within Eco-sensitive Zone subject to applicable rules and regulations:</p> <p>The construction activity related to small scale industries not causing pollution shall be permitted as per applicable rules and regulations, if any, with the prior permission from the competent authority.</p> <p>The Approved Development Plan shall be in conformity with the Zonal Master Plan taking into consideration the conservation aspects of the Eco-sensitive Zone.</p>
(ii) Establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted, within one kilometer of the boundary of



	<p>the Protected Area or the extent of Eco-sensitive Zone whichever is nearer, except related to eco-friendly tourism activities:</p> <p>Provided that beyond one km. from the boundary of the Sanjay Gandhi National Park area and up to the extent of the Eco-sensitive Zone, all new eco-tourism activities or expansion of existing activities shall be in conformity with the Zonal Master Plan.</p>
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Since given the project's proximity to the boundary of SGNP and its location within the notified Eco-Sensitive Zone (ESZ) of SGNP, the applicant should implement suitable safety measures to prevent any harm or damage to the wildlife within the premises of the residential project.

The State Board for Wildlife (SBWL) and National Board for Wildlife (NBWL) may make informed decisions regarding the project by taking into account the aforementioned facts, the provisions stipulated in the final notification of SGNP's Eco-Sensitive Zone notification dated 5th December 2016, and subject to compliance with the conditions listed below:

- 1) A 4% amount of the project cost should be deposited for wildlife conservation activities in Sanjay Gandhi National Park by the Project agency.
- 2) Since the current project is situated within the notified Eco-sensitive zone of Sanjay Gandhi National Park, the necessary permissions from the State Board of Wildlife and National Board of Wildlife must be obtained by the project agency.
- 3) Personnel engaged in the project work must adhere to all existing legal provisions, particularly the Environment (Protection) Act, 1986, the Wildlife (Protection) Act, 1972, and their respective rules. They should also take precautionary measures for the conservation and protection of flora and fauna in the vicinity of the project.
- 4) A work site barricade must be provided during the execution phase to prevent human or wildlife mishaps.
- 5) Strict compliance with norms for noise, air, and water pollution is required, along with the adoption of measures to reduce noise, dust, and air pollution.
- 6) The project proponent is prohibited from dumping debris in wetlands and forest areas.
- 7) All other mandatory permissions from various statutory authorities must be obtained before commencing work.
- 8) Blasting is not allowed within the boundaries of the Eco-Sensitive Zone of the National Park or Wildlife Sanctuary.
- 9) The agency and its contractor must strictly follow the provisions under the Wildlife (Protection) Act, Biological Diversity Act, and the Environment (Protection) Act of 1986.
- 10) The project agency should construct a compound wall at least 3.00 meters in height and a 1.00 meter-high Y-shaped chain link or barbed wire along the plot's boundary, with appropriate reinforcements and safety features to reduce human-animal conflicts.



- 11) In accordance with the final ESZ notification around SGNP dated 5th December 2023, the establishment of new hotels and resorts is prohibited. Therefore, the project agency cannot use this property for commercial activities such as hotels or resorts.
- 12) The project agency is not allowed to discharge untreated effluents and solid waste into natural water bodies or on land.
- 13) The project agency must implement an eco-friendly sludge or solid waste disposal system and effluent recycling within the property.
- 14) Measures should be taken to prevent water contamination or pollution from any source, including agriculture.
- 15) The project agency is prohibited from digging new wells or boreholes in the project area that could affect the water table in the Protected Area.
- 16) There should be no extraction of surface water and groundwater for industrial or commercial use.
- 17) The project agency must refrain from cutting hill slopes and river banks.
- 18) Measures should be adopted to avoid hindering the free movement of wild animals from one Protected Area to other.
- 19) No focusing of lights or any light beams that could disturb or alter the movement or behavior of wildlife in the areas of SGNP.
- 20) The project agency must install a rainwater harvesting system in the project area.

(G. Matlikarjuna)

Conservator of Forests & Director
Sanjay Gandhi National Park, Borivali

EXHIBIT-III

F.No.WL-6/117/2024 WL
 Government of India
 Ministry of Environment, Forest and Climate Change
 (Wildlife Division)

2nd Floor, Vayu Wing,
 Indira Paryavaran Bhawan,
 Jor Bagh Road, New Delhi 110003.
 Date: September, 2025
 22nd

To,
 The Principal Secretary,
 Revenue & Forest Department,
 Government of Maharashtra,
 4th Floor, Mantralaya,
 Mumbai- 400032.

- Sub: 1. Proposal for residential development along with recreational activities/ clubhouse/ naturopathy Centre and multipurpose Hall over an area of 8.68 ha on plot bearing S. No.97 & 98 of Village Chene, Tah Dist. Thane, Maharashtra within ESZ adjacent to Sanjay Gandhi National Park-WL/ MH/INFRA/437281/2023.
2. Proposal for development of Wellness Centre, Naturopathy Centre and Guest House project on plot bearing S. No. 191, 193/3, 4, 5, 6/ A, 8, 10, 26 in notified ESZ adjacent to Sanjay Gandhi National Park of Village Ghodbundar, Tal. Dist. Thane, Maharashtra - WL/MH/INFRA/437314/2023.

Sir,

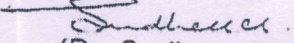
Reference is invited to the subject mentioned above. The above proposals were discussed and recommended in the 81st meeting of Standing Committee of National Board for Wild Life held on 21st December, 2024 under the Chairmanship of Hon'ble Minister for Environment, Forest & Climate Change. subject to the condition **that the State Government shall prepare and approve the Zonal Master Plan incorporating the provisions of the ESZ notification within a period of six months;**

2. However, no information has been received from the State Government regarding compliance with the above condition.



3. In view of above the undersigned is directed to communicate that the SCNBWL recommendations in respect of the above two proposals be kept in abeyance till the conditions placed by the SCNBWL in its 81st meeting are complied with by the State government and further recommendations in this regard is given given from this end.

Yours faithfully,


(Dr. Sudheer Chintalapati)
Scientist 'E'
Email: adwl-mefcc@gov.in

Copy to:

1. Chief Wild Life Warden, Government of Maharashtra, Forest Department, Van Bhavan, Ramgiri Road, Civil Lines, Nagpur 440001.
2. Deputy Director General of Forests (c), Regional Office, Ministry of Environment, Forest and Climate Change, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001.
3. Inspector General of Forests, FC Division, MoEF&CC, New Delhi.
4. Joint Secretary, IA Division, MoEF&CC, New Delhi.

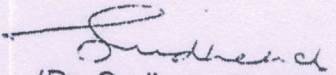

(Dr. Sudheer Chintalapati)
Scientist 'E'
Email: adwl-mefcc@gov.in

EXHIBIT-IV

Government of Maharashtra
Forest Department
OFFICE OF THE DEPUTY DIRECTOR (NORTH) YEUR
SANJAY GANDHI NATIONAL PARK

Pokhran Road No. 1, Upvan, Thane (West) 400606, Email : ddnysgnp@gmail.com

No. Desk-4/Plan/DD(N)Yeur/2026-27, dated 08/04/2026

To,

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

Sub : BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE
BENCH PUNE
ORIGINAL APPLICATION NO. 151 OF 2015 WZ
SURESH MAROTRAO YEOLE
VERSUS
MOEF & CC & ORS.

Ref : 1) Hon'ble National Green Tribunal's order dated 12.02.2026 in
the OA mentioned in the subject.
2) Registrar, NGT, WZB, Pune's letter No. NGT/WZB/PUNE/234/2026
3) Your letter No. Desk-2/Land-Legal/42/2026-27, dt. 09.04.2026

In connection with the subject matter, the order passed on 12.02.2026 by the Hon. Tribunal in Original Application No. 151/2025 WZ filed before the Hon. National Green Court has been received under reference No. 2.

In the subject Original Application, the Principal Chief Conservator of Forests, Maharashtra State, Nagpur, is Respondent No. 9 ; the Chief Conservator of Forests (Wildlife) West, Mumbai, is Respondent No. 10 ; and the Conservator of Forests and Director, Sanjay Gandhi National Park, Borivali, is Respondent No. 11.

For the affidavit required to be filed in this case, the actions taken by this office, the available documents, and the opinion of this office are submitted below:

Following a site inspection carried out by this office pursuant to the application dated 06.01.2022 submitted by Shri Pratap Baburao Sarnaik, Thane, a detailed report was submitted via this office letter dated 08.04.2022. The report is attached herewith.

Based on the submitted report, your office carried out the action to submit wildlife-related feedback/comments to the Member Secretary of the Sanjay Gandhi National Park Eco-Sensitive Monitoring Committee. Furthermore, after discussions in the 26th meeting of the Sanjay Gandhi National Park Eco-Sensitive Monitoring Committee, the final decision regarding the said project appears to be pending. However, it is stated in the original application of the subject matter that a Commencement Certificate has been granted to the project by the MBMC (Mira Bhayander Municipal Corporation).

Against this backdrop, it is the opinion of this office that if actual physical work has been carried out in violation of the provisions of the Sanjay Gandhi National Park Eco-Sensitive Zone Notification or by deviating from the wildlife feedback submitted by your office, punitive action ought to be taken by the concerned District Collector /

Municipal Corporation Administration or by the Member Secretary in accordance with the decision of the Sanjay Gandhi National Park Eco-Sensitive Monitoring Committee.

The next hearing in this matter is scheduled for April 16, 2026. Therefore, it is requested to secure approval for appointing Advocate Shri Gupte to represent the stance on behalf of Respondent Nos. 9, 10, and 11 before the Hon. National Green Tribunal in this Original Application, and simultaneously to authorize the Assistant Conservator of Forests (North), Yeoor, to file the affidavit.

This report is affectionately submitted for your kind perusal and further action.

Sd/-

Deputy Director (North) Yeur,
Sanjay Gandhi National Park, Borivali

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BEFORE THE NATIONAL GREEN
TRIBUNAL, WESTERN ZONE, PUNE

Original Application No.151 of 2025 (WZ)

In the matter of :

Suresh Kumar Yeole ... Applicants

Versus

MoEF & others ... Respondents

Reply Affidavit of Respondent No.9,10,11

DATED 11th June, 2026

D.M.GUPTE

ADVOCATE FOR RESPONDENT NO.9,10,11

3,LAXMAN APARTMENT

25/26, OLD TOPKHAHANA,

S'NAGAR, PUNE – 411 005

MOBILE : 9422317884

email: advgupte@gmail.com