

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

I.A. NO. 3 OF 2026

IN

ORIGINAL APPLICATION NO. 2/ 2026

Nishikant Jadhav

...Petitioner

Versus

State of Maharashtra & Ors.

...Respondents

INDEX

Sr. No.	Annexure No.	Particulars	Page No.
1.		Preliminary Submissions and reply Affidavit on behalf of Respondent No.10 Maharashtra State Infrastructure Development Corporation (MSIDC).	1-14
2.	R10/1	Copy of the Public Interest Litigation bearing no PIL 16 of 2025.	15-69

3.	R10/2	Copy of order dated 26.02.2025 passed by Hon'ble Bombay High Court in PIL 16 of 2025 issuing notices upon the Respondents.	70-71
4.	R10/3	Copy of order dated 08.07.2025 passed by Hon'ble Bombay High Court for adding the present respondent as ' <i>Respondent No.11</i> '	72-74
5.	R10/4	Copy of notifications dated 20.05.1968 and 13.10.1969.	75-80
6.	R10/5	Copy of Government Resolution dated 14.09.2023 proposing the objectives of Internation Agricultural Facilitation Centre.	81-84
7.	R10/6	Copy of Government Resolution dated 18.01.2024 granting administrative	85-89

		approval to the International Agricultural Facilitation Centre.	
8.	R10/7	Copy of Clause 4.11 of the UDCPR, 2020.	90-97
9.	R10/8	Copy of tentative sanction dated 16.02.2026 granted by Nagpur Improvement Trust.	98-100



Date:27.03.2026

Adv. Kabir Jhamb

Counsel on behalf of Respondent No.10

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

I.A. NO. 3 OF 2026

IN

ORIGINAL APPLICATION NO. 2/ 2026



Nishikant Jadhav

...Appellant

Versus

State of Maharashtra & Ors.

...Respondents

PRELIMINARY SUBMISSIONS AND REPLY AFFIDAVIT
ON BEHALF OF RESPONDENT NO. 10-MAHARASHTRA
STATE INFRASTRUCTRE DEVELOPMENT
CORPORATION.

The Respondent No.10 most respectfully begs to submit as under;

1. The answering Respondent No. 10 respectfully submits that without prejudice to the rights of the answering respondent, the Respondent No.10 is filing the instant preliminary submissions and specific reply to the interlocutory application and original application filed by the Petitioner. That the Respondent No.10 is



responding the interlocutory application and original application altogether in following paragraphs opposing the admission and grant of any interim relief in the matter and reserves his right to file detailed para-wise reply in the original Application if the same will be required in future.

PRELIMINARY OBJECTIONS

- 2.** At the outset, it is submitted that the present original application is not maintainable before this Hon'ble Tribunal. That the issue raised by the Petitioner is already a subject matter of Public Interest Litigation bearing no. PIL 16 of 2025 filed by Swachh Association, Nagpur on 18.01.2025, pending adjudication before the Hon'ble Bombay High Court, Nagpur Bench. The copy of the Public Interest Litigation bearing no PIL 16 of 2025 is hereto annexed and marked as **Annexure-R10/1.**
- 3.** It is submitted that by entertaining the present proceedings by this Hon'ble Tribunal, it would result in parallel adjudication by two fora of competent

jurisdiction. That the Hon'ble High Court has already taken cognisance of the said matter by issuing notices vide passing an order dated 26.02.2025 and by further adding the present respondent as '*Respondent No.11*' in the said proceedings vide passing an order dated 08.07.2025. It is further submitted that all the parties are already served in those proceedings and have filed their replies along with the answering respondent and the Hon'ble High Court has not granted any interim relief in that matter. The copy of order dated 26.02.2025 passed by Hon'ble Bombay High Court in PIL 16 of 2025 issuing notices upon the respondents is hereto annexed and marked as **Annexure-R10/2** and the Copy of order dated 08.07.2025 passed by Hon'ble Bombay High Court for adding the present respondent as '*Respondent No.11*' is hereto annexed and marked as **Annexure-R10/3**.

4. It is further submitted that it is a settled principle of law that the law declared by the Hon'ble High Court in the state is binding on authorities and tribunals under



its superintending jurisdiction and they cannot ignore the same. It is further submitted that Tribunals are subordinate to High Court in so far as territorial jurisdiction of Hon'ble High Court is concerned. That in case of a conflicting order passed by the statutory Tribunals and Hon'ble High Court, it is the order passed by the constitutional court, which will prevail over the orders passed by the statutory tribunals. As the matter claiming identical reliefs is pending before the Hon'ble High Court for adjudication as per law. Admittedly, the present original application and Interlocutory application came to be filed on 04.01.2026. In this view of the matter, the present proceedings filed are not maintainable and this Hon'ble Tribunal should refrain from proceeding to hear and pass any orders in the matter.

5. It is submitted that continuation of proceedings before this Hon'ble Tribunal for the same cause of action which is seized with the Hon'ble High Court will not be in the interest of justice. Therefore, the matter need not



be proceeded further awaiting the orders passed before the Hon'ble High Court, at Nagpur bench in Public interest Litigation No. 16 of 2025.

6. The Petitioner has deliberately suppressed this material fact and by suppressing the fact is trying to obtain an interim order in the matter. That as the Petitioner has not approached this Hon'ble Tribunal with clean hands, he is not entitled for any relief, much less the relief being claimed by the Petitioner in the interlocutory application.
7. That from the perusal of the reliefs sought in the PIL 16 of 2025, it can be easily determined that the present proceedings constitute a clear abuse of process of law. The Petitioner herein, being aware of the pending PIL, has chosen to invoke the jurisdiction of this Hon'ble Tribunal seeking identical reliefs to secure parallel adjudication. Such conduct of the Petitioner deserves to be deprecated.
8. Hence, in these circumstances the hearing in the present original application be deferred till the Hon'ble



High Court is seized of the matter under its public interest jurisdiction.

SPECIFIC REPLY

9. It is submitted that the land in question, originally admeasuring 34.11 Hectar and bearing Survey No.175, was initially owned by the Department of Revenue, State of Maharashtra. This land was handed over to Respondent No. 2- Dr. Punjabrao Deshmukh Krishi Vidyapeeth, Akola, in 1968-69 for agricultural and research purposes, as per notifications dated 20.05.1968 and 13.10.1969 of the State of Maharashtra, Department of Agriculture and Cooperative. The Copy of notifications dated 20.05.1968 and 13.10.169 are hereto annexed and marked as ***Annexure-R10/4 (Colly.)***

10. It is submitted that the establishment of the International Agricultural Facilitation Centre is a policy-backed initiative of the State of Maharashtra, aimed at the upliftment of the agricultural sector proposed by the State Government vide Government

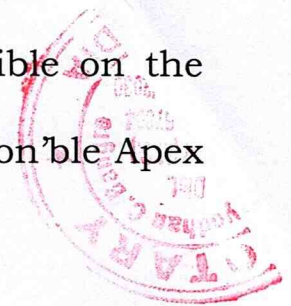


Resolution dated 14.09.2023. The project seeks to provide a modern platform for farmers, researchers, policymakers, and industry experts to collaborate, exchange knowledge, and promote innovation in agriculture. That Nagpur was chosen as the site for the project owing to its central location, its recognition as the "Orange City," and its position as the 13th largest city in India, making it an ideal hub for national-level agricultural engagement. That by virtue of Government Resolution dated 18.01.2024 the administrative approval of the project was granted in favour of the Respondent No.2-PDKV. That the answering respondent is the nodal agency for executing the project for the state of Maharashtra in the name of International Agricultural Facilitation Centre at Khasra no. 175/1 which will subserve the larger interest of the farmers for the entire State of Maharashtra more particularly Vidarbha region. The copy of Government Resolution dated 14.09.2023 proposing the objectives of International Agricultural Facilitation Centre is hereto



annexed and marked as **Annexure-R10/5**. The Copy of Government Resolution dated 18.01.2024 granting administrative approval to the International Agricultural Facilitation Centre is hereto annexed and marked as **Annexure-R10/6**.

11. It is made clear that the project which the present Respondent is executing for the state of Maharashtra which is permitted in the agricultural zone is within the parameters of uses permitted in the Agricultural Zone as contemplated in clause 4.11 of the UDCPR, 2020. It is further made clear that this Respondent being an executing agency is taking necessary and proper precaution in implementing and executing the present project by complying with all the necessary formalities which are to be undertaken as per the provisions of law. The copy of Clause 4.11 of the UDCPR, 2020 is hereto annexed and marked as **Annexure-R10/7**. Thus, it is crystal clear that the construction of International Agricultural Facilitation centre is permissible on the said land. In view of the judgment of the Hon'ble Apex

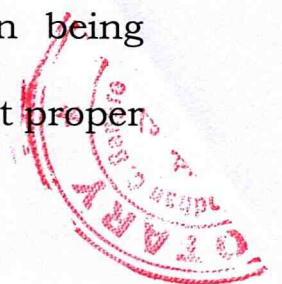


Court now it cannot be said that the said land is a forest land. In view of the recent order passed by the Hon'ble Supreme Court the said land is not a forest land and has been directed to be restored back to its original use for which it was allotted by the state of Maharashtra to Respondent No. 2-Dr. Panjabrao Deshmukh Krishi Vidyapeeth (PDKV).

- 12.** It is also submitted that the contention of the Petitioner that the project land is a forest land is totally incorrect and false. On the contrary it is submitted that originally the land came to be allotted by the State of Maharashtra on 20.05.1968 and 13.10.1969 to the Respondent No 2- Dr. Panjabrao Deshmukh Krishi Vidyapeeth (PDKV) for its use. That the Respondent No.2- Dr. Punjabrao Deshmukh Krishi Vidyapeeth puts its land under the use of Agriculture for its research and development, and therefore the lands allotted to the Respondent No. 2- Dr. Punjabrao Deshmukh Krishi Vidyapeeth is shown in agricultural zone of the Development Plan sanctioned by the State Government



for the city of Nagpur. Thus, the land in question is shown in the development plan as the agricultural land for the city of Nagpur. It is further submitted that the construction of Agricultural Convention Centre on the said land is also not in contravention to the detailed order passed by the Hon'ble Supreme Court reported in 2025 online Supreme Court 1227. That as per the instructions received by this respondent from the competent authority of the State Government it is submitted that the State of Maharashtra through collector has already submitted the proposal to the central government as per the directions of the Hon'ble Supreme Court dated 25.05.2025 in the case of *T.N. Godavran Thirumulpad Versus Union of India and others* filed as *Annexure-VII* at Pg. 87. Thus, in these circumstances it cannot be said that the land in question is a forest land. That the challenge in this regard of the Petitioner is without any substance and merit. It is submitted that the construction being undertaken by the answering respondent is just proper

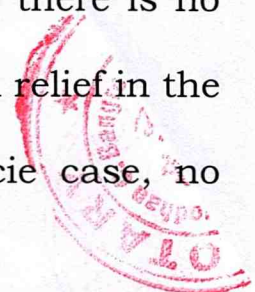


and legal. That the tentative sanction to the project has also been accorded by the competent planning authority i.e. Respondent No.3-Nagpur Improvement Trust, on 16.02.2026. It is submitted that once a plan has been duly sanctioned as per the Maharashtra Regional Town Planning Act, 1966 then in that sense the said construction if is in consonance to the sanction plan, the same can be said to be duly authorised and legal construction and the same cannot be injuncted. It is already submitted that the entire project which this respondent is executing on behalf of the state government is a unique project for the entire Vidarbha region and for which the farmers of the entire state of Maharashtra will be put to advantage. Hence, it can be said that the said project is in public interest and strictly in consonance to law therefore need not be interfered. The copy of tentative sanction dated 16.02.2026 granted by Nagpur Improvement Trust is hereto annexed and marked as **Annexure-R10/8**.



13. It is further made clear that by constructing the International Agricultural Facilitation Centre in the agricultural zone the uses which are permissible are being undertaken therefore in any circumstances the Government Notification dated 04.07.2025 cannot be said to be in contravention to the work being carried out on the said Khasra No. 175/1.

14. Thus, in these circumstances, the construction work of International Agricultural Convention Centre being carried out by Respondent No.10 is just, proper and legal, it does not devours to any provision of law and is in larger interest of the public. The challenge raised to the execution of project is without any substance and merit and does not requires any interference by the hands of this Hon'ble Tribunal. Thus, in these circumstances the petitioner is not entitled for any relief much less than interim relief being sought by the Petitioner. Therefore, there is no case which is made out for grant of interim relief in the matter. The Petitioner has no prima facie case, no



balance of convenience in his favour and no irreparable loss is being caused to him of any kind. At the cost of repetition it is submitted that the Petitioner has suppressed material from this Hon'ble Tribunal which also disentitles him from grant of any interim relief. The entire original application is without any substance and merit therefore deserves to be dismissed limini.

Hence this reply.


Executive Engineer
M.S.I.D.C. Ltd., Nagpur.
Respondent No.10



Advocate for Respondent No.10

KABIR JHAMB

VERIFICATION AND AFFIDAVIT

I, **Rutuja Wanjari**, Aged about-33 years, the Executive Engineer of Respondent No.10- Maharashtra State Infrastructure Development Corporation, having office address at A1 & A2 Quarter, Forest Colony Near




Telankhedi Road, Civil Lines Nagpur do hereby solemnly go on oath and state that I am conversant with the facts and circumstances of the case and as such competent to swear the present affidavit. That the contents of the Paras 1 to 14 of the present reply/submissions are facts true to my knowledge and nothing has been concealed there from.

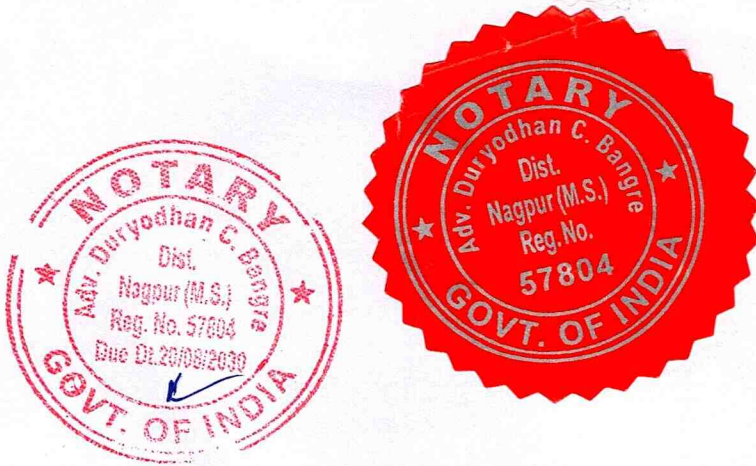

 Executive Engineer
 (Nagpur Division)
 M.S.I.D.C. Ltd., Nagpur
Respondent No.10

Date: 28.03.2026

Place: NAGPUR

I am before me on this 28th day of March 2026 at Nagpur by Shri/Smt./Ku. Rubeyar vengse R/o Nagam who has been identified by Shri/Smt. Adv Karbit Jhemk Advocate, Nagpur


 Adv. D. C. BANGRE
 NOTARY
 GOVT. OF INDIA
 Dist. lct Nagpur (M.S.)



IN THE HIGH COURT OF JUDICATURE AT
BOMBAY, NAGPUR BENCH, NAGPUR

[PUBLIC INTEREST PETITION UNDER RULE 4(e) OF
THE BOMBAY HIGH COURT PUBLIC INTEREST
LITIGATION RULES, 2010]

PUBLIC INTEREST LITIGATION NO. _____/2024

*In the matter of Public Interest
Litigation under Rule 4 (e) of the
Bombay High Court Public Interest
Litigation Rules 2010 read with Article
226 of the Constitution of India*

&

*In the matter of devolvement of PDKV
Land Parcels for commercial and non-
agricultural use in contravention to the
GR of 2004 and 2011 of Agriculture
Department of the State*

&

*In the matter of right to healthy
environment and right to protect the
green cover of Nagpur City under
Article 21 of the Constitution of India*

PETITIONER:

Swachh Association, Nagpur through its authorized representative Smt. Anusaya Chhabrani aged 54 years, Occupation:-Private, R/o 15, Laxmi Apartment, Civil Lines, Nagpur - 440001

//VERSUS//

RESPONDENTS:

1. State of Maharashtra, through its Secretary, Forest Department, Mantralaya, Mumbai
2. State of Maharashtra, through its Secretary, Agriculture Department, Mantralaya, Mumbai
3. Dr. Punjabrao Deshmukh Krishi Vidyapeeth, Akola through its College of Agriculture, Maharajbagh, Sitaburdi, Amravati Road, Nagpur

4. Maharashtra Council of Agriculture
Education and Research, 132/B,
Bhamburda, Bhosale Nagar, Pune,
411007

5. The Collector, Nagpur

6. India Air Force, Vayusena Nagar,
Nagpur.

7. Nagpur Improvement Trust, through
its Chairman, Station Road, Sadar,
Nagpur

8. Nagpur Municipal Corporation
through its Commissioner, Near
Vidhan Bhavan, Collector's Colony,
Nagpur.

I. PARTICULARS OF PETITIONER


1. Petitioner organization is a Nagpur based non-profit organization registered on 5th July 2015 under the provisions of Maharashtra Public Trust Act, 1950 bearing registration no. F-33478(NAG). The organization aims to create responsible citizens, to have a holistic approach towards segregation, reutilization, recycling of waste and its proper disposal. The organization also focuses and gives importance to environmental issues regarding nature, wildlife and bio-diversity. In addition to this, the organization is also vigilant with respect to environmental and agricultural issues in Nagpur District. The petitioner has always been watchful to protect the interests of the society at large with respect to the aforementioned issues. The present petition is being filed through its authorized representative who has been authorized regarding the same by virtue of resolution dated 06/12/2024. A copy of the registration certificate and board resolution dated 06/12/2024 is annexed hereto and marked as ANNEXURE-A.
2. It is submitted that the petitioner organization has previously raised its concern with respect to deforestation in Nagpur City by

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

9. **J.P. Enterprises Engineers and Contractors**, through its Authorized Signatory, Having its office at 802, Impressa Rise, 8 North Ambazari Road, Shivaji Nagar, Nagpur 440010

10. **DP Jain & Co. Infrastructure Pvt. Ltd.** through its authorized representative, having office at U/6 Himalaya Accord Apartments, Opposite Law College, Amravati Road, Nagpur.

11. **Maharashtra State Infrastructure Development Corporation**, through its Chief Engineer, 4th Floor, Bandhkam Bhavan, 25 Murzban Road, Fort, Mumbai – 400001 also having office at Nagpur at A1/A2, Forest Colony, Forest Officer Colony, Civil, Nagpur, Maharashtra, 440001.

approaching this Hon'ble Court by filing PIL No.15/2021. Petitioner has challenged the Ajni Deforestation Scheme in that PIL which is pending adjudication before this Hon'ble Court. Petitioner has filed PIL No. 4/2023 before this Hon'ble Court challenging the legality and propriety of musical fountain and associated machinery at Futala Lake. Petitioner further approached this Hon'ble Court vide PIL No. 34/2023 challenging illegal mining operations proposed in 99 Hectares of forest in Guguldoh Block falling between Wildlife Corridor or Pench and Nagzira Reserve. A copy of orders in PIL No.15/2021, PIL No.4/2023 and PIL No. 34/2023 is annexed hereto and marked as **ANNEXURE-B.**

II. PARTICULARS OF RESPONDENT

3. The respondents mentioned in the title clause of the petition are all departments, branches or instrumentalities of the State. These Respondent-bodies are discharging governmental functions as per the laws and regulations applicable to them framed by the Legislature. The above named respondents are necessary parties

to the instant petition. Hence, all the above named respondents are instrumentalities of the State in regard of their discharge and performance of public functions. Hence, they fall within the meaning of Article 12 of the Constitution of India and are amenable to the Writ Jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.

**III. DECLARATION AND UNDERTAKING OF THE
PETITIONER**

4. The present petition is being filed by way of public interest litigation. The Petitioner is approaching this Hon'ble Court vide the instant petition being a pro bono public and have no personal interest whatsoever to the reliefs claimed in the instant petition. The entire litigation cost, including the advocates fee and other charges are being borne by the petitioner.
5. It is submitted that before approaching this Hon'ble Court through the instant petition, the petitioner has extensively carried out adequate research and vigilantly gathered all information necessary to support the claim in the instant Public Interest

Litigation. The petitioner has understood that during hearing of this petition, the Hon'ble Court may require any security to be furnished towards cost or any other charge and the petitioner shall have to comply with such requirements.

IV. FACTS IN BRIEF CONSTITUTING THE CAUSE

6. The present petition in the nature of public interest litigation brings to surface the gross and patent illegalities in the allotment of Punjbarao Deshmukh Krishi Vidyapeeth (PDKV) Land Parcels for commercial purposes which are solely meant for agricultural education and research in the city of Nagpur. It further sheds light over the gross neglect and abandonment of PDKV Land Parcels having lush green flora and fauna which are essentially the lungs of the prosperous Nagpur City. This would not be the first time that a litigant has knocked the doors of this Hon'ble Court for the well-being of PDKV Lands. This Court has time and again issued directions for preserving the PDKV Land Parcels and utilizing them for agricultural research and education purposes. In fact, the state had allotted these land

parcels to the PDKV University for the betterment of agriculture sector. Government Resolutions (GRs) have been passed by respondent no.2 which would demonstrate that PDKV Land Parcels can only be used for agricultural research and education. There is an express prohibition by the state to devolve these crucial land parcels for commercial and non-agricultural use. Notwithstanding, the events which have transpired during last couple of years would make it apparent that these GRs are not followed in their true letter and spirit. The petitioner in the forthcoming paragraphs will show that PDKV Land Parcels are blatantly being utilized for commercial purposes for the financial gains of the University. As the narration would proceed, it would become abundantly clear that the University has allotted lands to private individuals which is in complete contravention to the norms laid down in GRs. This has constrained the petitioner to knock the doors of this Hon'ble Court by mode of Public Interest Litigation under its extra-ordinary writ jurisdiction since preservation of PDKV Lands is indispensable for Nagpur City's environmental concerns as well as its agriculture sector. In order

to make the submissions intelligible, the gravamen of dispute is as follows:-

7. Dr. Punjabrao Deshmukh Krishi Vidyapeeth, Akola (PDKV) i.e. respondent no.3 was established on 20th October, 1969 with its headquarter at Akola, Maharashtra. Respondent no.3 is an agricultural university having Pan-Vidarbha presence. The Agricultural University's name has been coined in honour of the then Hon'ble Minister for Agriculture of Govt. Of India Dr. Punjabrao Deshmukh. It is one of the four agricultural university in the state of Maharashtra which has been recognised under the Maharashtra Agricultural Universities (Krishi Vidyapeeths) Act, 1983 (hereinafter referred to as 'the Act of 1983' for the sake of brevity). The other universities are The Mahatma Phule Krishi Vidyapeeth, Rahuri, The Marathwada Krishi Vidyapeeth, Parbhani, Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Dapoli. The primary objectives for establishing these universities includes providing education in agriculture and allied sciences, furthering the advancement of learning and research in agriculture, co-ordinating agriculture education. On 20/05/1968

and 13/10/1969, State Government allotted several land parcels to respondent no.3 to fulfill its objectives. The instant petition is concerned with the land parcels allotted to PDKV in Nagpur.

8. The University has its main campus at Akola whereas its sub-campus is at Nagpur with constituent college of Agriculture which offers B. Sc and M. Sc Degree Programs in Agriculture. The Nagpur Campus of the University is spread across the city. It also consists of a Zoo widely known as the 'Maharaj Bagh Zoo', separate Botanical Garden on 22 Hectares etc. During the establishment of PDKV, the University at Nagpur received numerous land parcels across the heart of the city purely for agricultural and research purposes. The lush green flora and fauna of the lands would show that these lands play a significant role in acting as the lungs of the city. Several photographs depicting the flora and fauna of PDKV Lands in Nagpur City along with certain pressing newspaper articles depicting usage of PDKV lands for commercial purpose are attached herewith and marked as ANNEXURE-C

9. It is submitted that respondent no3. has a total of 422.72 hectares in Nagpur City. Mouza Futala has highest share having 122.17 Hectares, whereas Mouza Lendra has 111.32 hectares. Remaining portions are spread across the city in Mouza Ambazari, Dabha, Sitabuldi etc.
10. Maharashtra Council of Agriculture Education and Research Council (MCAER) was also established on 10/09/1984 to achieve effective co-ordination among these four agriculture universities. MCAER has been entrusted with the responsibility of reviewing, evaluating, supervising and guiding the work of agriculture universities. Section 12 of the Act of 1983 provides for the establishment of MCAER. The organization has been working continuously for the past 35 years for development in the field of agriculture and overall progress of farmers.
11. The state government has allocated numerous land parcels to these agricultural universities with the sole intent to promote agricultural education, experimentation and research. It would not be out of place to state that these land parcels are to be utilized by the University to realize the legislative intent behind

allocating these lands. Even the state government through several Government Resolutions has postulated that the land parcels are not be made available for non-agricultural or commercial purposes. Secretary, Agriculture Department of respondent no.2 vide its Government Resolution dated 30/07/2004 has stated that large amount of land parcels have been made available to four agricultural universities (including PDKV) for education, research, development in agriculture and allied subjects. These lands especially in urban areas are vital considering the environmental aspect and needs to be utilized carefully and in an efficient manner. Since these land parcels hold immense environmental significance and act as lungs of the city, it was resolved through the aforementioned Government Resolution that lands parcels under no circumstances should be given to any authority for non-agricultural or commercial purpose. In any event, if the land is to be given for agricultural purpose, approval from the Executive Council of the University should be sought. A copy of government resolution dated 30/07/2004 (hereinafter

referred to as 'GR of 2004' for the sake of brevity) is attached herewith and marked as ANNEXURE-D.

12. Thereafter, Agriculture Department of respondent no.1 passed another Government Resolution Dated 30/05/2011 highlighting that the lands allotted to the agricultural universities including respondent no.3 are exclusively for agricultural education, experiment and research purposes. Although surplus lands have been allotted to these universities, these lands are not be allotted for non-agricultural or commercial purposes. Any land given for agricultural purpose should only be done with the permission of state government. GR dated 30/05/2011 (hereinafter referred to as 'GR of 2011' for the sake of brevity) also recognized the contents of GR dated 30/07/2004. A copy of GR dated 30/05/2011 is attached herewith and marked as ANNEXURE-E. A bare perusal of the GR of 2004 and GR of 2011 makes it apparent that the legislative intent of the allotting the land parcels to these universities was purely for agricultural purpose.
13. MCAER in its 97th Apex Body meeting held at Pune also unanimously held that the land owned by the institutions of all

the four agricultural universities of Maharashtra and their affiliated colleges, research centres and other universities should not be transferred to any non-governmental as well as private organization/individuals. A copy of Minutes of Meeting (MOM) is attached herewith and marked as ANNEXURE-F.

14. Nonetheless, there have been several instances wherein it is *prima facie* evident that respondent no.3 is giving the land parcels to private entities for purely non-agricultural and commercial purposes. This is being done by respondent no.3 with the motive of financial gains for the university. Such acts are in blatant violation of the GRs of 2004 and 2011. The instances are as follows:-

i. PDKV Land given to DP Jain and Company for setting up RMC Plant

15. During the time-frame of September, 2019 it was proposed before the Land Conservation Committee of the respondent no.3, that 1 hectare (Ha) vacant piece of PDKV Land at Mouza Dhaba (Bhivsankhori) be given on rental basis for setting up a Ready-Mix Concrete (RMC) Plant. It was opined that the land is not fit

for agricultural purpose and should be given on lease/rent to a private party which would generate revenue for the University. In the council meeting one member opposed that the land of PDKV should not be given for private purpose. Nonetheless, on 01/01/2019 respondent no.4 granted permission to D.P Jain and Company for setting up a RMC Plant on PDKV Land on rent basis for two years. Rent was agreed at the rate of Rs.1,20,000/- per month. This decision of respondent no.4 *ex-facie* shows that PDKV Land is being squared off for commercial purposes by the university. Such action of respondent no.4 is in teeth of Government Resolutions dated 30/07/2004 and 30/05/2011. It is also against the letter and spirit of resolution passed by MCAER. The resolution of University has made a reference to the GR of 2007 published by respondent no.1 on 03/03/2007. The GR of 2007 is with respect to vacant government lands/grounds in the state which can be used for the purpose of exhibitions, ceremonies such as weddings and receptions, religious programs for a limited period on rent basis. The GR of 2007 has provided uniform rates of rent to be charged by the state while allotting the

land to private entities for temporary usage. It is pertinent to mention that GR of 2007 is not concerned with PDKV Lands. It does not explicitly mention that PDKV Land can be given on rent basis to private entities. The PDKV Lands are governed by the Act of 1983 and the GR of 2004 and 2011. The reliance on GR of 2007 by respondent no.3 while leasing out PDKV Land Parcels for commercial activities is illegal and bad in law. A copy of GR of 2007 and resolution dated 01/01/2019 are attached herewith and marked as ANNEXURE-G.



ii. PDKV Land given to J.P. Enterprises for Commercial

Purpose

16. Again on 22/02/2023, respondent no.4 has accorded permission to a private entity J.P. Enterprises to use the agricultural land more particularly agricultural land situated at Mouza – Kacchimet bearing Survey No. 13/14 admeasuring 11 Hectares 91R of university on leave and license basis for storing company's construction material under temporary tin sheds. Again, reliance was placed on the GR of 2007. J.P Enterprises is a partnership firm involved in the business of construction of

Next
Def.

roads. It has been awarded contract of up-gradation of four lane road with estimate for the length of 4.890 Kms on Amravati Road, National Highway No.53. JP Enterprises was in need of an area admeasuring 20R of land for the purpose of establishment of their office for material, machinery yard, RMC Plants, labour camp etc. Accordingly, JP Enterprises approached the respondent university with respect to agricultural land situated at Mauza – Kacchimet, Taluka and District – Nagpur, bearing survey no. 13/14 admeasuring 11 Hectares 91R which has been allotted to them in terms of the provisions laid down in the Maharashtra Agricultural University Act, 1983. Subsequently, respondent university and J.P Enterprises has executed leave and license agreement for a period of 21 Months commencing from 01/10/2022 to 30/06/2024. The license fee has been agreed at Rs.72,600/- every months. Thus the total amount of license fee for the entire period comes down to Rs.15,24,600/- + GST. Since 01/10/2022 J.P Enterprise has been occupying the agricultural land of respondent university for carrying out its commercial activities. On 23/03/2024, J.P Enterprises sent a letter to the

respondent university seeking extension of the leave and license agreement for a term of five years from 30/06/2024.

17. This permission granted by respondent no.4 to J.P Enterprises to set up and run RMC plant makes it evident that same was done with the intent to generate revenue for the University. The operations run by J.P. Enterprises has gravely impacted the green cover on the land. Nonetheless, the decision is *ex-facie* illegal and in teeth of afore-mentioned resolutions passed by respondent no.1. A copy of resolution dated 22/02/2023 passed by respondent no.4 is attached herewith and marked as ANNEXURE-H. Copy of letter dated 23/03/2024 and leave and license agreement between the parties is attached herewith and marked as ANNEXURE-I. Copies of photographs of the RMC plant running on the agricultural land thereby depleting its green cover is attached herewith and marked as ANNEXURE-J.

iii. International Agricultural Convention Centre

18

In the year 2018, respondent no.4 has proposed establishment of International Agricultural Convention Center on the land parcel

owned by respondent no.4 admeasuring 9.58 Hectares on Mouza Dhaba, Khasra Number 175 (hereinafter referred to as 'the said land'). Initially on 24/12/2018, the office of Executive Engineer, Public Works Department, Nagpur sent a communication to respondent university intimating that on 26/8/2018 the Hon'ble Chief Minister and Hon'ble Union Minister for Transport has suggested the construction of Agriculture Convention Centre and Training Center on the said land. As on date, tender has been allotted for commencing the construction work of the Convention Centre.

19. The proposed convention centre is adjacent to the Nagpur Headquarters of India Air Force. Although the land is being utilized for agricultural research and education, it is the apprehension of the petitioner that the respondent university has not taken the required 'No Objection Certificate' from respondent no.6 as warranted by their Circular dt.18/05/2011 which has been amended from time to time.
20. It is explicitly stated that petitioner does not oppose the concept of International Agricultural Convention Centre on land parcel of

PDKV. Notwithstanding, the same concept should not be jeopardized due to non-compliance of procedure established by law. It is also the anxiety of petitioner that the entire concept of Convention Centre be not exploited for commercial purposes and defeat the intent of Act of 1983.

iv. **PDKV Land Parcel opposite Rahate Colony Square**

21. Recently, petitioner has also come across a very disturbing article wherein another pristine green space of PDKV land more particularly the piece of land on Wardha Road next to the boarding ramp of Shaheed Gowari Flyover on Rahate Colony Square is proposed to be converted to theme park on Chhatrapati Shivaji Maharaj by Nagpur Improvement Trust i.e. respondent no.7. This land parcel belongs to PDKV and is categorised as Grade-III heritage precinct. It is pertinent to mention that this land has been used by PDKV as a nursery and for farming experiments. Assuming a theme park is constructed on this land, tickets will be charged from visitors leading to commercial exploitation of the open green land. Copies of relevant news

20A. In the resolutions passed by respondent no.3 university in 2019 and 2023, it is evident that, respondent no.3 has accorded permission


to grant 9.58 hectares of Dabha Land bearing Khasra Number. 175. These resolutions also demonstrate that the International Convention Center will also be used for private and commercial purpose which is against the mandate of the Act of 1983 and GRs of 2004 and 2011. Copies of resolutions are attached herewith and marked as ANNEXURE-X

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025


C.F. PETITIONER
Adv. Parth Malviya

20B. It is submitted that the if the 7/12 extract of the Khasra No. 175 is perused, it shows that the land allotted to respondent no.3 is classified as "Zudpi Jungle". At this juncture, it becomes pertinent to refer the significant ruling of the Hon'ble Apex Court in the case of *In Re: Zudpi Jungle Lands, 2025 SCC Online SC 1227* rendered on 22.05.2025. The Hon'ble Apex Court has held that "Zudpi Jungle" lands should be considered as Forest Lands. It has been further held that for the proposal regarding the allotments of Zudpi Jungle Lands made post 12th December, 1996, the State of Maharashtra shall give reasons in the proposal as to why such allotments were made with the list of officers who had made such

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025


C.F. PETITIONER
Adv. Parth Malviya

allotments in violation of the order of this court. It has been explicitly clarified that the processing of proposal for such allotments shall be done by the Union Government only after ensuring that punitive action has been taken against the concerned officers under Sections 3A and 3B of the Forest (Conservation) Act, 1980. The apex court also clarifies that as and when these lands are required for non-forestry purposes by the state government, the proposal shall be submitted as per the provisions of the Forest (Conservation) Act, 1980. It is further clarified that in no case such land shall be diverted to any non-governmental entity for any purpose whatsoever and the remaining lands should be given back in the possession of the Forest Department. A copy of the 7/12 extract of Khasra No. 175 and copy of order of the Hon'ble Apex Court is attached herewith and marked as ANNEXURE-Y and ANNEXURE-Z respectively.

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

- 20C. Thereafter, on 18.01.2024, respondent no.2 published a Government Resolution thereby sanctioning the establishment of "International Agricultural Convention Center" on PDKV land at "Dabha" for an estimated budget of Rs.227 Crores. The GR further

states that the Maharashtra State Infrastructure Development Corporation (MSIDC) i.e. respondent no.11 has been given the responsibility for the construction of the project. A copy of the GR dated 18.01.2024 is attached herewith and marked as ANNEXURE-AA. Petitioner submits that in the entire GR dated 18.01.2024, there is a conspicuous absence of the fact that the land at "Dabha" bearing Khasra No. 175 is classified as "Zudpi Jungle". There is no deliberation by respondent no.2 that land in question is classified as "Zudpi Land". The lack of due diligence on part of respondent no.2 has put the humongous state exchequer to the tune of Rs.227 Crores at stake.

20D. As on date, construction activities for "International Convention Center" has commenced at full flow on the Dabha Land of respondent no.3 bearing Khasra No.175. Respondent no.3 has completed the tendering process for the same. Nonetheless, in light of the decision of the Hon'ble Apex Court, this allotment of Zudpi Land for non-forestry use and construction carried out thereon is illegal and unsustainable. The GR now being contrary to law also needs to be quashed and set aside. Copies of recent photographs

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025

Parth Malviya

C.F. PETITIONER
Adv. Parth Malviya

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025

Parth Malviya

C.F. PETITIONER
Adv. Parth Malviya

of being carried out at Dabha Land bearing Khasra No. 175 are attached herewith and marked as ANNEXURE-BB.

20E. Petitioner submits it was incumbent upon respondent no.2 and 3 to take appropriate permissions under the Forest (Conservation) Act, 1980 as laid down by the Hon'ble Apex Court for diverting the Dabha Land for non-forestry use. It is evident from the GR itself that respondent no.2 has failed to mention the land as "Zudpi Jungle" much less the Khasra Number of the said land. It also transpires that respondent no.2, respondent no.3 and respondent no.11 have failed to seek appropriate permissions under the Forest (Conservation) Act, 1980 before commencing construction activities. Ergo, considering the judgment rendered by the Hon'ble Apex Court In Re: Zudpi Jungle Lands, this conduct of the respondent authorities reeks of malafide in squandering a crucial land parcel which has now been granted the status of forest land by the Hon'ble Apex Court.

AMENDED VIDE
COURT'S ORDER
DATED
08.07.2025

Malviya

C.F. PETITIONER
Adv. Parth
Malviya

articles and photos lush green space where the theme park is proposed are attached herewith and marked as ANNEXURE-K.

v. Kachipura Lands

22. The Kachipura Area falls under Laxminagar Zone of Nagpur. PDKV has been fighting a prolonged legal battle over encroachments on its land in Kachipura. PDKV had permitted Kachi Community to utilize the land for agriculture purpose. Thereafter, Kachi Community began to utilize the land for commercial purpose. Over the years, many of these lands have been sub-leased to eateries, marriage lawns, garages etc.
23. In a significant ruling of this Hon'ble Court in Second Appeal No.95/2005 and 97/2005, it has been held vide order dated 10/11/2022 that, PDKV is the owner of 1 acre land in Bajaj Nagar where eateries operate. It was held that PDKV is the owner of the land which has been transferred to it by the government vide Gazette Notifications dated 28/05/1968 and 13/10/1969. The land belonging to agriculture department of the state was transferred to PDKV Akola. A copy of the judgment

dated 10/11/2022 and relevant news articles are attached herewith and marked as ANNEXURE-L.

vi. Earlier Court Orders with respect to PDKV Lands.

24. Petitioners submit that this is not the first instance wherein the issue with respect to PDKV Lands has been cropped up before this Hon'ble Court. In 2010 this Hon'ble Court took *suo moto* cognizance with respect to illegal construction carried out on land bearing Khasra No. 83/4 of Mouza Lendra in the city of Nagpur. The primary issue for adjudication was if the agricultural university had any authority in law to make construction of communication centre on the agricultural fields in its possession reserved for the extension of the adjoining Maharajbagh Zoo. The agricultural fields have been in existence since times immemorial and are described in the Heritage List as ancient. The agricultural fields have always been attached to the agricultural university and have been used by colleges as a laboratory for carrying out experiments in agriculture. The fields present a picturesque sight and act as lungs of the city. This Hon'ble Court held that the act of university to be unfortunate

since it was oblivious of the need for open green areas in urban green spaces in town and cities including Nagpur. It was further held that diversion of such large green urban spaces should not be allowed in Nagpur. It further emphasized the need for laying down standards of certain area of green spaces per capita for reaching a balance between carbon-dioxide and oxygen to meet the ecological balance of human well-being. Ultimately, this Hon'ble Court vide its order dated 21/10/2011 directed to carry out the demolition of communication centre and the adjacent structure up to plinth level and any other structure which may be found on the land in question. A copy of order dated 21/10/2011 in PIL No. 34/2010 is attached herewith and marked as **ANNEXURE-M.**

25. In 2018, this Hon'ble Court again took Suo Moto Cognizance for felling of trees in Bharat Nagar area for construction of DP Road on PDKV land. Respondent authority therein informed the Hon'ble Court that the proposal submitted for construction of road is not needed for the present and the petition was disposed in the aforesaid terms vide order dated 26/02/2020. A copy of

order dated 26/02/2020 is attached herewith and marked as ANNEXURE-N.

26. Again in 2020, this Hon'ble Court took suo moto cognisance on the basis of news item published in "The Hitavada City Line" that there is encroachment over about 26.69 Hectares of land belonging to the prestigious PDKV College. This is the third instance wherein this Hon'ble Court had to indulge in the affairs of PDKV Lands in Nagpur on its own accord. The PIL was registered as Suo Moto PIL 3/2020 and notices were issued to respondents vide order dated 27/08/2020. Thereafter, the matter is yet to be listed before this Hon'ble Court. A copy of order dated 27/08/2020 and the news report is attached herewith and marked as ANNEXURE-O. As stated hereinabove, this Hon'ble Court has time and again expressed its concern and apprehension with respect to the well-being of PDKV Lands. Nonetheless, respondent no.4 university without considering the decisions of this Hon'ble Court much less the GRs of respondent no.1 is yet again perpetrating illegalities by squaring off indispensable PDKV Lands for commercial purposes.

27. On 09/03/2023, petitioner sent a representation to the Hon'ble Prime Minister of India thereby highlighting the aforementioned issues. Copy of the same representation was also sent to the Divisional Commissioner, Nagpur. On 10/03/2024, the same representation was also sent to this Hon'ble Court. A copy of the representation sent to PM office and this Hon'ble Court is attached herewith and marked as ANNEXURE-P.

V.REPRESENTATIONS

28. On 28/03/2023, the office of Hon'ble Prime Minister's Office sent a letter to the Divisional Commissioner, Nagpur to inquire into the matter. Subsequently, the Divisional Commissioner sent a letter to respondent no.5 thereby requesting them to look after the contentions of the petitioner made in representation dt. 09/03/2024. Petitioner also sent a reminder letter to respondent no.5 on 29/05/2023. Nonetheless, respondent no.5 has taken no steps as on date to address the issues highlighted in representation dated 09/03/2023. Copies of communications are attached herewith and marked as ANNEXURE-Q. This has left

petitioner no choice but to invoke the extra-ordinary writ jurisdiction of this Hon'ble Court in the nature of Public Interest Litigation for the safeguarding and preservation of green land parcels of PDKV. The petitioner would now endeavour to demonstrate the grounds of challenge each independent and without prejudice to one another:-

VI. NATURE AND EXTENT OF INJURY
CAUSED/APPRHENDED vis-à-vis GROUNDS OF
CHALLENGE

29. Agriculture is one of the key sector for a developing nation like India. Agriculture growth is a driver of economic growth. As on date, agriculture is facing acute crisis of decline in availability of land and water. Agriculture in Vidarbha region which is dominated by small and marginal farmers is facing various challenges such as drought, climate change, globalization of trade and economy etc. It is of utmost importance that agriculture be redefined in the context of this changing scenario. To address the aforementioned issues PDKV University plays an

indispensable role. It has been established with the motto of developing outstanding human resource, generate the need based innovative technologies to serve the agricultural community of the state and the country. It has been further tasked to provide education in agriculture and allied sciences, provide research base to improve the productivity of agri-horticulture, livestock, to carry out research for improving agricultural productivity in the influenced area. In order to realize and fulfill the objectives of the agricultural university, they have been allotted significant land parcels in the heart of the city by the state government. These land parcels are crucial for the farming community. Even if certain land parcels are non-cultivable, they can be utilized for establishing research and education centres thereby giving effect to the purpose behind establishing the agricultural university. The PDKV University has also published its Vision Statement – 2050 which resonates with the above-mentioned ideology. A copy of the relevant portion of the Vision Statement is attached herewith and marked as ANNEXURE-R.

30. The Maharashtra Agricultural Universities (Krishi Vidyapeeths) Act, 1983 (Maharashtra Act No. XLI of 1983) was brought into force on 24/08/1983. The legislative intent and the purpose of the Act of 1983 is to provide better facilities for education in Agricultural and allied matters and in particular for the development of agricultural sciences and for carrying out or undertaking such schemes or activities to help and support Agricultural Development Programmes for the state. Section 3 of the Act of 1983 empowers the University to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer or dispose of which vests in for the purposes of the University and do all things necessary for the purposes of the Act. It has been further provided in the proviso clause that no such lease, sale or transfer of immovable property shall be made without the prior consent of the state government. A copy of Act of 1983 is attached herewith and marked as ANNEXURE-S.
31. Section 31 highlights the powers and duties of the executive council of the University where it has been laid down in explicit terms that any transfer of movable or immovable property on

behalf of the University shall be done subject to the conditions laid down under the Act. Hence, a conjoint reading of Section 3 and 31 makes it perspicuous that the actions taken by the University has to be in furtherance to the purposes of the Act. It has already been established in the aforementioned paragraphs that the legislative intent is to promote agriculture education and research.

32. Subsequently, the State Government has allotted various land parcels in favour of the PDKV to give effect to the legislative intent of the Act. These land parcels were given for the sole purpose of helping and improving the agricultural sector of the state. Government Resolutions dated 30/07/2004 and 30/04/2011 has also been passed by the respondent authority which in explicit terms lay down that the land parcels allotted to Agricultural Universities cannot be utilized for commercial or non-agricultural purpose. The lands are to be utilized only for agricultural research, development and education.
33. Nonetheless, the aforementioned instances pleaded in facts of the petition explicitly demonstrate that respondent no.4 university by

blatantly disregarding the GR of 2004 and 2011 have allotted the land parcels to private entities for commercial usages. This ground alone warrants the intervention of this Hon'ble Court by issuing appropriate order, directions for preservation of PDKV Lands.

34) While devolving these land parcels to private universities, it is their contention that the same is not fit for agricultural purpose. The university has time and again sought the shelter of GR of 2007. It is respectfully submitted that even if the land is not fit for agricultural purpose, it can still be utilized for agricultural research and education purpose. Allotting them to private entities for financial gains of the university is in utter disregard to the intent and motive of the legislature to allot these land parcels to the university.

35. It would not be out of place to mention that these land parcels are lungs of the Nagpur City. Their preservation and maintenance is of utmost importance. Although some of these land parcels may not be fit for agricultural purposes, the Act of 1983 does not

empower the University to square it off to private entities for generating revenue for the University.

36. The Hon'ble Apex Court in the landmark case of *M.C. Mehta v. Kamal Nath* has evolved the doctrine of Public Trust with regards to protection and preservation of natural resources. The doctrine primarily operates on the principle that certain resources like air, sea, water and forests have significant importance to the people at large and it would be unjustified to make them subject of private ownership. The resources meant for public use cannot be converted into private ownership. The doctrine has very much applicability in the present factual scenario since the lush green covers of PDKV land are indispensable for the city of Nagpur considering the growing environmental concerns.
37. The diversion of land belonging to institutions like PDKV, which have a public mandate related to agricultural research and education, would not only undermine the public purpose but could also contravene key constitutional provisions enshrined under Article 48A of the Constitution of India. Universities such as respondent no.3 which have been solely established for the

purpose of agricultural education and research are custodians of these land parcels. They have a duty towards the public at large to utilize these land parcels in its true purport. All these grounds warrant intervention of this Hon'ble Court by issuing appropriate order, directions for preservation and protection of PDKV Lands.

38. This Hon'ble Court has time and again passed appropriate directions to ensure that the land is used as per its original designated purpose. Since this is not the first time that the issue of PDKV Lands is put forth before this Hon'ble Court, it is quintessential that an unbiased and impartial expert committee be formed to assess and take stock of the situation with respect to PDKV lands in Nagpur City.
39. Petitioner has *prima facie* demonstrated that PDKV Land is being utilized for commercial and non-agricultural purpose. Irreparable loss will be caused to the public at large if such permissions are still being granted by respondent no.3. Balance of convenience also lies in favour of petitioner. Ergo, this Hon'ble Court be kindly please to direct respondent no.3 to not give any PDKV Land Parcel to any private university for

commercial or non-agricultural purpose till the pendency of the PIL. It be further directed to restrain the present private entities from carrying out commercial works on PDKV lands till the pendency of the petition.

VII. SOURCE OF INFORMATION

40. The petitioner declares that the information is true and correct to the best of its knowledge and the petition is filed on the basis of the information gathered by way of applications filed under Right to Information Act, 2005 with the concerned authorities based on the records and undisputed facts. Petitioner has also resorted to newspaper reports in support of its pleadings. In addition to this, rest of the documents have been procured from the official websites of the respondent authorities available in public domain.

VIII. DELAY IN FILING THE PETITION IF ANY

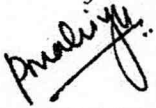
41. Petitioner submits that the cause of action for filing the petition is a continuing one. Petitioner in the facts has amply demonstrated

that the respondent university has diverted several land parcels to private entities for commercial and non-agricultural use. The agreement with J.P Enterprise for their ongoing RMC Plant has already been extended. The news reports for Botanical Garden as well as Telanghedi Garden demonstrate that PDKV Land is given for commercial purpose. Any delay if caused is due to compilation of documents through RTI. The delay if any is neither deliberate nor intentional. The petition is not hit by the doctrine of delay and laches.

42. Petitioner submits that they have not approached this Hon'ble Court or the Hon'ble Supreme Court any time before with respect to the present petition.
43. The petitioner craves leave to add or amend the petition if necessary. The petitioner craves leave to file more documents as and when required.
44. Petitioner submits that since the present petition is concerned with PDKV land parcels in the city of Nagpur, this Hon'ble

39A. At the outset, it is submitted that the landmark ruling of the Hon'ble Apex Court in the case of *In Re: Zudpi Jungle Lands*, 2025 SCC Online SC 1227 which settles the position of law with respect to the "Zudpi Jungle" land renders the GR dated 18.01.2024 bad in law. The apex court states that proposal regarding the allotments of Zudpi Jungle Lands made post 12th December, 1996, the State of Maharashtra shall give reasons in the proposal as to why such allotments were made with the list of officers who had made such allotments in violation of the order of this court. It has been explicitly clarified that the processing of proposal for such allotments shall be done by the Union Government only after ensuring that punitive action has been taken against the concerned officers under Sections 3A and 3B of the Forest (Conservation) Act, 1980. However, no such procedure has been followed in the present case. For the sake of repetition it is submitted that there's not a single whisper in the GR dated 18.01.2024 thereby declaring that the Dabha Land bearing Khasra No.175 as "Zudpi Land". Thereafter, the entire process of tendering and construction has commenced without seeking

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

permissions from the appropriate authorities. On these grounds alone, the GR dated 18.01.2024 being bad in law needs to be quashed and set aside and the construction activity commenced at Khasra No. 175 needs to be stopped with immediate effect.

39B. Petitioner submits that they are not against the concept of International Agricultural Convention Center. However, the manner in which the events have transpired as demonstrated above warrants this Hon'ble Court intervention. A humungous amount of Rs.227 Crores is being utilized from the state exchequer for construction of a convention centre by defying all the mandates of law. Petitioner with deep regret states that such a magnanimous amount could have been utilized on PDKV Land Parcels of Nagpur in furtherance of the legislative intent of the act of 1983. Notwithstanding, respondent authorities in a mechanical fashion has published the impugned GR and commenced the construction without proper due diligence of the fact that the said land is Zudpi Land which is now identified as Forest Land.

39C. The petitioner is aware of the law with respect to judicial review of policy decisions. The scope is narrow and limited

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

wherein court cannot interfere with the wisdom and soundness of the policy makers since court is not advisor to the executive on the matters of policy. However, the court can always exercise its power of judicial review to examine the legality of the policy. If the policy is contrary to law, contrary to constitutional principles, it can always be quashed and set. Petitioner has amply demonstrated that the impugned GR nowhere mentions that the Dabha land bearing Khasra No. 175 where the convention centre is proposed is classified as "Zudpi Jungle". The GR is silent with respect to the permissions required from appropriate authorities for diverting the land for non-forestry purpose. The subsequent ruling of Hon'ble Apex court has also settled the position of law with respect to Zudpi Lands. Therefore, the impugned GR dated 18.01.2024 is contrary to law as set out by the Apex Court with respect to "Zudpi Land" and needs to be quashed and set aside. Considering the fact that the petitioner has prima facie demonstrated the illegalities perpetrated by respondent authorities, the respondent no.11 should also be directed to stop the construction activity at Khasra No. 175 forthwith.

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
Adv. Parth Malviya

Court has the territorial jurisdiction to entertain and adjudicate the present PIL.

45. It is further most respectfully submitted that the petitioner undertakes to furnish the true translation in English of the documents, which are in vernacular, as and when directed by this Hon'ble Court.

Hence this PIL.

PRAYER

It is therefore most humbly and respectfully prayed before this Hon'ble Court to:-

- a) Hold and declare that in view of the scheme of Maharashtra Agricultural Universities (Krishi Vidyapeeths) Act, 1983 and the Government Resolutions dated 30/07/2004 and 30/05/2011 published by Respondent No.2, the land parcels allotted in favour of Dr. Punjabrao Deshmukh Krishi Vidyapeeth in Nagpur City

cannot be utilized for commercial and non-agricultural purpose;

- b) Hold and declare that the reliance placed by Dr. Punjabrao Deshmukh Krishi Vidyapeeth on the Government Resolution dated 03/03/2007 published by respondent no.1 while allotting the land parcels to private entities for commercial and non-agricultural purpose is illegal and bad in law;
- c) Hold and declare that the agreements executed by Dr. Punjabrao Deshmukh Krishi Vidyapeeth with private entities such as D.P. Jain and J.P. Enterprises thereby giving the land parcel of Dr. Punjabrao Deshmukh Krishi Vidyapeeth for construction of RMC Plant is illegal and bad in law;
- d) Hold and declare that any other land parcel of Dr. Punjabrao Deshmukh Krishi Vidyapeeth which could not be traced by petitioner but has been given by the

University for commercial or non-agricultural purpose is illegal and bad in law;

- e) By way of an appropriate writ, order or direction, form an unbiased and impartial expert committee to assess the situation of Punjabrao Deshmukh Krishi Vidyapeeth Land Parcels in the city of Nagpur;
- f) By way of an appropriate writ, order and direction, direct Punjabrao Deshmukh Krishi Vidyapeeth University to rescind all their subsisting agreements with private entities wherein land parcels of University have been given for commercial or non-agricultural purpose;
- g) By way of an appropriate writ, order and direction, direct Punjabrao Deshmukh Krishi Vidyapeeth University to restrict all the public and private entities from carrying out commercial or non-agricultural work on PDKV Land Parcels till the pendency of petition;

- h) By way of appropriate writ, order and direction, direct Punjabrao Deshmukh Krishi Vidyapeeth University to not allot any land parcels in future in the city of Nagpur to any public or private entity for commercial or non-agricultural purpose;
- i) Grant ex-parte ad-interim relief in terms of prayer clause 'g' and 'h';
- j) Allow the present PIL
- k) Grant any other relief which this Hon'ble Court deems fit in the facts and circumstances of the case.

NAGPUR

DATE:

COUNSEL FOR PETITIONER

ADV. PARTH MALVIYA

k.1) Hold and declare that in view judgment of the Hon'ble Supreme Court in the case of *In Re: Zudpi Jungle Lands,*

2025 SCC Online SC 1227, the Government Resolution dated 18.01.2024 proposing construction of International Convention Center on "Zudpi Land" of respondent no.3 bearing Khasra No. 175, Mouza – Dhaba is illegal and bad in law;

k.2) By way of appropriate writ, order and direction, quash and set aside the Government Resolution dated 18.01.2024 proposing construction of International Convention Center on "Zudpi Land" of respondent no.3 bearing Khasra No. 175, Mouza – Dhaba in view judgment of the Hon'ble Supreme Court in the case of *In Re: Zudpi Jungle Lands,* *2025 SCC Online SC 1227*;

k.3) By way of appropriate writ, order and direction interim in nature, direct respondent no.11 to stop all the construction activities on "Zudpi Land" of respondent no.3 bearing Khasra No. 175, Mouza – Dhaba forthwith till the pendency of the petition.

AMENDED VIDE
COURT'S ORDER
DATED 08.07.2025



C.F. PETITIONER
vs. Parth Malviya

SOLEMN AFFIRMATION

I, Anusaya W/o Vinod Chhabrani, aged 53 Occ: Private R/o 15, Lakshmi Apartment, Civil Lines, Nagpur do hereby take oath and state on solemn affirmation as under;

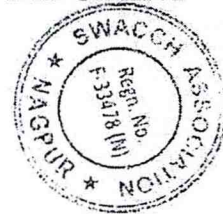
- (I) I am the authorized representative/President of the Petitioner in the instant Matter and in known of the facts of the case and competent to swear affidavit. I say that I have read and understood the contents of the present Public Interest Litigation and the same has been explained to me in vernacular. I say that the contents of the above Public Interest Litigation from para 1 to ___ are true and correct to the best of my personal knowledge and belief.
- (II) I say that the aforesaid Public Interest Litigation is drafted by my counsel under my instructions they are true and correct as per my personal knowledge and belief.

Hence verified, signed and affirmed on this ___ day of _____, 2025 at Nagpur.

M/s A.V. Chhabrani
 < DEPONENT

I know & identify the deponent

ADVOCATE



**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY, NAGPUR BENCH, NAGPUR**

PUBLIC INTEREST LITIGATION NO. _____/2025

PETITIONER: Swachh Association, Nagpur

//Versus//

RESPONDENTS: Union of India & Ors

**AFFIDAVIT ON BEHALF OF THE PETITIONER UNDER
RULE 7 OF THE BOMBAY HIGH COURT PUBLIC
INTEREST LITIGATION RULES, 2010, IN SUPPORT OF
THE PETITION.**

I, Anusaya W/o Vinod Chhabrani, aged 53 Occ: Private R/o 15, Lakshmi Apartment, Nagpur do hereby take oath and state on solemn affirmation as under, the petitioner herein, do hereby take oath and state on solemn affirmation as under :

1. That, there is no personal gain, private motive or oblique reason in filing the present public interest litigation.

2. I undertake to pay costs as ordered by this Hon'ble Court, if it is ultimately held that the petition is frivolous or has been filed for the extraneous consideration or that it lacks bona fides.
3. I further say that, a thorough research has been conducted in the matter, raised through the petition. I say that I will disclose the source of my information leading to the filing of the public interest litigation, if and when called upon by this Hon'ble Court to do so.
4. I further say that, to the best of my knowledge and research, the issues raised herein were not dealt with or decided and that a similar identical petition was not filed earlier by me challenging the said issue.
5. I have understood that during the course of hearing of this petition, the Court may require any security to be furnished towards costs or any other charges and I shall have to comply with such requirements.
6. I submit that no criminal cases are pending or have been instituted against the petitioner.

Hence, this affidavit.

NAGPUR

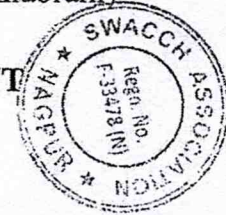
Dated :

Mrs A.V. Chhabrani

(Anusaya Vinod Chhabrani)

✕

DEPONENT



VERIFICATION

Verified that the contents of the above affidavit from Paragraph Nos.1 to 6 are drafted as per my instructions. After reading and understanding the same, I say that the contents thereof are true to my personal knowledge and information received by me and believe it to be true.

Hence, verified and signed on this ___ day of ____, 2022, at Nagpur.

(Anusaya Vinod

Chhabrani)

Mrs A.V. Chhabrani

✕ DEPONENT



I know & identify the deponent.

Advocate

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY NAGPUR BENCH NAGPUR**

PUBLIC INTEREST LITIGATION NO. 16 /2025

PETITIONER: Swachh Association, Nagpur

//VERSUS//

RESPONDENT: State of Maharashtra and Ors.

LIST OF ANNEXURES

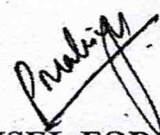
Sr. No.	PARTICULARS	DATE	PAGE NO.
1.	<u>ANNEXURE - A:</u> A copy of the registration certificate and board resolution.	06/12/2024	43-44
2.	<u>ANNEXURE - B:</u> A copy of orders in PIL No.15/2021, PIL No.4/2023 and PIL No. 34/2023.		45-49
3.	<u>ANNEXURE-C:</u> Several photographs depicting the flora and fauna of PDKV Lands in Nagpur City.		50-62
4.	<u>ANNEXURE-D:</u> A copy of government resolution.	30/07/2004	63
5.	<u>ANNEXURE-E:</u> A copy of Government Resolution.	30/05/2011	64-65

6.	<u>ANNEXURE-F:</u> A copy of Minutes of Meeting of MCAER in its 97 th Apex Body meeting held at Pune.		66-70
7.	<u>ANNEXURE-G:</u> Government Resolution of 2007.	03/03/2007	71-83
8.	<u>ANNEXURE-H:</u> A copy of resolution dated 22/02/2023 passed by respondent no.4.	22/02/2023	84-85
9.	<u>ANNEXURE-I:</u> Copy of letter and leave and license agreement between respondent no. 4 and J.P. Enterprises.	30/06/2024	86-113
10.	<u>ANNEXURE-J:</u> Copies of photographs of the RMC plant running on the agricultural land thereby depleting its green cover.		114-123
11.	<u>ANNEXURE-K:</u> Copies of relevant news articles and photos lush green space where the theme park is proposed.		124-129
12.	<u>ANNEXURE- L:</u> Copy of the Judgement passed by this Hon'ble Court in Second Appeal No.95/2005 and 97/2005.	10/11/2022	130-154
13.	<u>ANNEXURE-M:</u> A copy of order in PIL No. 34/2010.	21/10/2011	155-193
14.	<u>ANNEXURE- N:</u> A copy of order passed by this Hon'ble court.	26/02/2020	194

15.	<u>ANNEXURE - O:</u> A copy of order in suo moto PIL no. 3/2022 and the news report.	27/08/2020	195-198
16.	<u>ANNEXURE - P:</u> A copy of the representation sent to PM office and this Hon'ble Court.	09/03/2023 and 10/03/2024	199-208
17.	<u>ANNEXURE-O:</u> Copies of communications between Prime minister office, Divisional Commissioner and petitioner.	28/03/2023 and 29/05/2023	209-215
18.	<u>ANNEXURE - R:</u> A copy of the relevant portion of the Vision Statement.		216-230
19.	<u>ANNEXURE-S:</u> Copy of the Maharashtra Agricultural Universities (Krishi Vidyapeeth) Act, 1983.		231-287
20.	Additional Affidavit on behalf of Petitioner along with Annexures T, U, V, W		288-308
21.	<u>ANNEXURE-X</u> - Copies of Resolutions passed by PDKV		309-329
22.	<u>ANNEXURE - Y:-</u> Copy of 7/12 extract of Khasra No. 175		329A- 329C
23.	<u>ANNEXURE-Z:-</u> Copy of order of Supreme Court in case of In re Zudpi Jungle Lands.	22.05.2025	330-386

24.	<u>ANNEXURE-AA</u> :- Copy of GR of Convention Centre	18.01.2024	387-391
25.	<u>ANNEXURE-BB</u> :- Copies of recent photographs	20.06.2025	392-401

NAGPUR
DATE:


COUNSEL FOR PETITIONER
ADV. PARTH MALVIYA



.6.2025.odt

1/2

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO. 16 OF 2025

Swachh Association, Nagpur **Vs.** State of Maharashtra & Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.P. Bodalkar, Advocate with Mr. Parth Malviya, Advocate for the petitioner.

Mr. S.M. Ghodeswar, Assistant Government Pleader for respondent nos.1, 2 & 5.

CORAM : NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : 26th FEBRUARY, 2025.

P.C.

1. Heard.

2. Issue notice to the respondents.

3. Learned Assistant Government Pleader waives service of notice on behalf of respondent nos.1, 2 and 5.

4. Notice to the remaining respondents, returnable on 26.03.2025.

5. The counsel appearing for the petitioner has invited our attention to the Government Resolutions dated 13th July, 2004 and 31st May, 2011, whereby the lands owned by the Agriculture University are not permitted to be allotted for any other purpose than the purpose of the university. In spite of the above, our attention is invited to the resolutions passed in the meeting of the respondent no.3 – University allotting the land

in favour of the private parties.

6. In the aforesaid background, we deem it appropriate to direct the Registrar of the respondent no.3 – University to file an affidavit on or before the returnable date, dealing with the issue.

7. We further restrain the private respondents, to whom the land is allotted, from carrying out any development or construction over the said land, until further orders.

8. We also expect the State Government through its Secretary to file reply in the matter.

9. We expect the respondents to go through the observations made in the judgment delivered by the Division Bench of this Court on 21st October, 2011 in Public Interest Litigation No. 34 of 2010 and Writ Petition No. 125 of 2011 (*The Court on its own motion Vs. The State of Maharashtra & Others*), which is placed at Annexure-M.

10. We direct the Assistant Government Pleader to communicate this order to the State Government.

11. To be heard with Suo Motu PIL No.03 of 2020.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Vijay



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

PUBLIC INTEREST LITIGATION NO. 16 OF 2025

Swachh Association Vs. State of Maharashtra & Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Parth Malviya, Advocate for the Petitioner.
Mr. J.Y. Ghurde, AGP for Respondent Nos.1, 2 & 5.
Mr. Arun Patil, Advocate for Respondent No.3.
Mr. G.A. Kunte, Advocate for Respondent No.7.
Mr. J.B. Kasat, Advocate for Respondent No.8.

CORAM : NITIN W. SAMBRE AND M. M. NERLIKAR, JJ.
DATE : 8th JULY, 2025.

P.C.

CIVIL APPLICATION (CAO) NO. 455 OF 2025

For the reasons set out in the application, the application stands allowed.

2. We grant leave so as to add the private respondents as party respondent Nos.9 and 10.

3. Amendment be carried out forthwith.

4. The application stands disposed of.

PUBLIC INTEREST LITIGATION NO. 16 OF 2025

5. We grant leave so as to add the Maharashtra Infrastructure Development Corporation as party respondent No.11.

6. Amendment be carried out forthwith.

7. Issue notice to the newly added respondents, returnable on 15th July, 2025.
8. Service by all modes is permitted.
9. We also grant further leave so as to amend the public interest litigation.
10. Necessary amendment be carried out before the next date of hearing.
11. Copy of the same shall be made available to the other side.
12. Heard.
13. Our attention is invited by the learned counsel for the petitioner to the judgment of the Hon'ble Supreme Court in the matter of *Zudpi Jungle Lands* reported in **2025 SCC OnLine SC 1227** and the observations made in paragraph 138 and the annexures thereto in paragraph 140.
14. It is urged by the counsel for the petitioner that the land, which is used for the construction and development of International Agricultural Convention Centre (for short, "I.A.C.C.") bearing Khasra No.175, is already notified as 'Zudpi Jungle' and, as such, in absence of there being permission from the Ministry of Environment and Forest, the said land cannot be divested for any other use. It is claimed that, in spite of above, with the aid of the State Government, the Maharashtra Infrastructure Development Corporation have taken up development of I.A.C.C.

15. Though the respondent/P.K.V. has filed an affidavit, they have not categorically dealt with the issue as regards whether the land is marked as 'Zudpi Jungle' and the diversion of the use of the land without there being sanction from the Competent Authority.

16. As such, by way of last chance, we grant time till next date of hearing to the respondent/P.K.V. for filing appropriate affidavit in the matter.

(M. M. NERLIKAR, J.)

(NITIN W. SAMBRE, J.)

Vijaykumar

असा. क्र. ८९

रजिस्टर्ड नं. एम्. एच.-९



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

सोमवार, मे २०, १९६८/विंशत्य ३०, शके १८९०

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत

भाग चार-ब

महाराष्ट्र अधिनियमांमध्ये महाराष्ट्र शासनाने तयार केलेले (भाग एक, एक-अ व एक-ल) यामध्ये प्रसिद्ध केलेले नियम व आदेश यांमधील (विवेकित) नियम व आदेश

AGRICULTURE AND CO-OPERATION DEPARTMENT.

Sachivalaya Annexe, Bombay-32, 17th May 1968

MAHARASHTRA AGRICULTURAL UNIVERSITY (KRISHI VIDYAPEETH) ACT, 1967.

No. AGU. 1067-16953-V.—In exercise of the powers conferred by sub-section (3) of section 1 of the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967 (Mah. XXIII of 1967), the Government of Maharashtra hereby directs that the following provisions of the said Act shall come into force on the 1st day of June 1968, namely:—

- Section 7.
- Section 22.
- Section 38.
- Sections 43 to 48 (both inclusive).

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

V. Y. MASUREKAR,
Deputy Secretary to Government.

भाग चार-ब—१२३

(७१९)

शासकीय मध्यवर्ती मुद्रणालय, मुंबई.

Attested

 Registrar
 Dr. PDKV, Akola

Copy of Section 7 of Maharashtra Act, IX of 1969

The Punjabrao Agricultural University (Krishi Vidyapeeth) Act, 1968.

Transfer of certain colleges and Institutions to the University.

7. (I) Notwithstanding anything contained in the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967, the colleges of agriculture at Parbhani, Nagpur and Akola and the Veterinary College at Nagpur shall cease to be constituent colleges of the Maharashtra Krishi Vidyapeeth, and shall pass to and be maintained by the University as its constituent colleges, from such date as the State Government may by notification in the Official Gazette specify :

Mah.
XXIII
of
1967.

Provided that, the Maharashtra, Krishi Vidyapeeth shall be competent to declare the results and to award degrees, diplomas, certificates or other academic distinctions to the students of the said colleges or to any post-graduate or other students, who may have appeared at any examination held by or on behalf of that University before such specified date.


The control and management of the colleges specified in sub-section (1) as from the said date shall stand transferred to the University, and all properties and assets and liabilities of the Maharashtra Krishi Vidyapeeth in relation thereto shall stand transferred to, and vest in, the University.

(3) Where before the date notified under sub-section (1), the Maharashtra Krishi Vidyapeeth has made any contract in relation to any of the said colleges, that contract shall be deemed to have been made by the University, and any reference therein to the Maharashtra Krishi Vidyapeeth shall be construed as a reference to the University.

(4) Notwithstanding anything contained in this Act or the Statutes and Regulations made thereunder, any student of a college specified in sub-section (1), or any post-graduate or other student who immediately before the said date was studying or was eligible for any examination of the Maharashtra Krishi Vidyapeeth, shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed for the instruction, teaching, training and examination of such students in accordance with the courses of studies of the concerned University.

(5) The control and management of such research and other institutions of the Department of Agriculture and of other Departments of the State Government as the State Government may, by notification in the Official Gazette, specify in this behalf shall, from such date as may be specified in that notification, be transferred to the University; and thereupon all properties and assets and liabilities of the State Government in relation to such institutions shall also likewise stand transferred to, and vest in, the University.

(6) Within a period of three years from the date on which this section comes into force, (or such further period as the State Government may by notification in the official Gazette specify,) the State Government shall arrange to transfer to the University, and the University shall thereupon assume responsibility for, the maintenance --

Attested

 Registrar
 Dr. PDKV, Akola

Corr. 2/-

-2-

-of agricultural schools, gramsevak training centres, home science wings, workshop wings, soil conservation training centres and short term courses such as gardening or mali training, oil engine training in the use and maintenance of oil engines, stockmen training, poultry training, mass training, refresher training, and the like, which are situated in the University area and which are or may be under the control of the Department of Agriculture or any other Department of the State Government.* * *

Mah.
XVII
of
1972.

1(7) Notwithstanding anything hereinbefore in this section contained, with effect from the date of commencement of the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1972, the college of agriculture at Parbhani and certain other institutions shall cease to vest in the University and shall pass to and be maintained by the other University as provided in section 7 of that Act.)

Mah.
V of
1972.

Mah.
XXIV
of
1973.

2(7 A. Notwithstanding anything contained in the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, with effect from such date or dates, not being later two years from the commencement of the Maharashtra Agricultural Universities and Zilla Parishads and Panchayat Samitis (Amendment) Act, 1973, as may be appointed and subject to such terms and conditions (if any) as may be specified, by the State Government by notification in the Official Gazette, the management and maintenance of agricultural schools (together with any property appertaining thereto) vesting in the Zilla Parishads and situated in the University area shall cease to vest in the Zilla Parishads and shall stand transferred to the University. The University shall thereupon assume responsibility for the management and maintenance as in the case of other institutions transferred to it under subsection (6) of section 7. The responsibility of the Zilla Parishads to give grants to aided agricultural schools shall also, with effect from the date aforesaid, cease and shall become the responsibility of the University, subject to such terms and conditions (if any) as may be specified by the State Government by notification in the Official Gazette.

Transfer of management and maintenance and control of certain agricultural schools from Zilla Parishads to the University.

7B. If in the opinion of the University, any college, research institution, school, centre, activity or other institution transferred and vesting in it under section 7 or 7A, is surplus to its requirements, the University may request the State Government that the same may be transferred to the State Government. Upon such request, the State Government may, by notification in the Official Gazette, direct that such institution shall, from such date and subject to such terms and conditions (including those relating to the employees serving therein or thereunder) as may be specified in the notification, cease to vest in the University and pass to and be maintained by the State Government; and thereupon all properties and assets and liabilities of the University in relation to such institution shall stand transferred to, and vest in, the State Government. The conditions of service of employees, if any, transferred to the State Government along with the institution shall not be less favourable than those applicable to them immediately before such transfer.

Transfer of certain institutions to Government.

21/10/69

धत्ता. क्र. १५१

रजिस्ट्रेशन नं. एम.ए.व.-१



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

सोमवार, ऑक्टोबर १३, १९६९/आरिवन २१, शके १८९१

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग चार-ब

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांब्यतिरिक्त) नियम व आदेश.

AGRICULTURE AND CO-OPERATION DEPARTMENT

Sachivalaya Annexe, Bombay-32, 13th October 1969

PUNJABRAO AGRICULTURAL UNIVERSITY (KRISHI VIDYAPEETH) ACT, 1968.

No. AGU. 1069/4561-(III)-V.—In exercise of the powers conferred by sub-section (2) of section 1 of the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968 (Mah. IX of 1969), the Government of Maharashtra hereby directs that the following provisions of the said Act shall come into force on the 19th day of October 1969, namely :—

Sub-sections (1) and (2) of section 3,
Section 69.

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


R. J. LATKAR,

Deputy Secretary to Government.

भाग चार-ब—२३६

(८९४)

Attested


Registrar
Dr. EDKV, Akola

८९५ महाराष्ट्र शासन राजपत्र, असा., अंकितो. १३, १९६९/आदिपत्र २१, शके १८९१, भाग चार-ब :

AGRICULTURE AND CO-OPERATION DEPARTMENT

Sachivalaya Annexe, Bombay-32, 13th October 1969

PUNJABRAO AGRICULTURAL UNIVERSITY (KRISHI VIDYAPEETH) ACT, 1968.


No. AGU. 1069/4561-(III)-V.—In exercise of the powers conferred by sub-section (2) of section 1 of the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968 (Mah. IX of 1969), the Government of Maharashtra hereby directs that the following provisions of the said Act shall come into force on the 20th day of October 1969, namely :—

Sub-section (1) of section 4,
Sections 5 to 8 (both inclusive),
Section 13,
Section 22,
Sections 38 to 52 (both inclusive),
Sub-section (3) of section 54,
Sections 55 to 57 (both inclusive),
Sections 61 and 62,
The First Schedule.

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

R. J. LATKAR,
Deputy Secretary to Government.

भासकीय मध्यवर्ती मुद्रणालय, मुंबई.

Attested

Registrar
Dr. PDKV, Akola

GOVERNMENT OF MAHARASHTRA

Agriculture and Cooperation Department
Resolution No. CDS 2077/1313(1233)-SADF

Mantralaya Annex, 9,

Bombay - 32,

28th September 1977.

READ : Government Letter No. CDS 2077/1313(1233)/SADF dated the 7th February 1977.

Letter No CDS/1 (Nagpur -1074-77-AH-10, dated the 1st April 1977, from the Director of Animal Husbandry, Maharashtra State, Pune.

Letter No. CDS/2077/1313(1233)/SADF, dated 20th May 1977
Letter No. LACQ/89/0976, dated 15th June, 1977 from the Registrar, Punjabrao Krishi Vidyapeeth, Akola.

Letter No. CDS-1(Nagpur) 3040-77-AH-10, dated 20th Aug. 1977 from Director of Animal Husbandry, M.S. Pune.

Resolution : Government is pleased to accord sanction to the exchange of lands admeasuring 44.51 hectares (110 acres) belonging to the Animal Husbandry Department in Survey No. 2 at Cattle Breeding Farm, Nagpur, for the lands admeasuring 56.47 hectares (139.54 acres) in survey Nos. detailed below, belonging to the Punjabrao Krishi Vidyapeeth, Akola.

S. No.	Area in acres
Kh. No. 23/1	50.00
Kh. No. 21	5.94
Kh. No. 39/1	19.20
Kh. No. 52/3	1.90
Kh. No. 39	10.50
Kh. No. 13	30.00
Kh. No. 36	22.00
	<u>139.54</u>

2. The land will be exchanged on the following terms and conditions :-

I) the lands should be transferred on "as is where is" basis without demolition or removal of any structures or fixtures.

II) Only livestock and moveable deadstock should be shifted.

III) The possession of the land from the Punjabrao Krishi Vidyapeeth should be taken after the structures if any, occupied by persons are vacated completely.

IV) The land in th possession of the Cattle Breeding Farm, Nagpur should be handed over only on taking possession of the land from the Punjabrao Krishi Vidyapeeth, with (iii) above.

3. This Government Resolution issues with the concurrence of the Revenue and Forests Department and the Finance Department via the letter of un-official reference No. 6954/SFD, dated the 19th September, 1977.

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

Sd/-

Section Officer, Government of M.

Regarding establishment of International
Agriculture Facilitation Centre at
Dr. Punjabrao Deshmukh Agricultural
University, Akola, College of
Agriculture, Nagpur...

Maharashtra Government

Department of Agriculture, Animal Husbandry, Dairy Development and Fisheries,
Government Decision No.: Krishivi-3723/Pr.No.66/7-J
Madam Cama Road, Hutatma Rajguru Chowk
Mantralaya Extension, Mumbai 400 032
Date: 14/09/2023

Read:

1. Budget speech for the year 2023-24.
2. Letter dated 24/02/2023 from Registrar, Dr. Punjabrao Deshmukh Agricultural University, Akola.
3. Hon. Minutes of the meeting of the State Cabinet held on 04/07/2023 dated 17/07/2023.

Preface:-

Nagpur is the third largest city in the state and the deputy capital of the state of Maharashtra. Nagpur is the 13th largest city in India by population. It has been proposed as one of the smart cities in Maharashtra and is one of the top ten cities in India in the implementation of the Smart City project. Nagpur is known as the "Orange City". Geographically, Nagpur is centrally located in the country and is connected by all modes of transport including road, rail and air. The state has developed a composite project in Nagpur called "Multi-modal International Passenger and Cargo Hub Airport Nagpur (MIHAN). This project includes the development of Nagpur's existing domestic airport as an international passenger and cargo hub airport, along with a large special economic zone. With all these features of being centrally located, it is proposed to establish an "International Agricultural Facilitation Center" in Nagpur for agriculture, agro-industry and agro-allied industries.

The concept of International Agricultural Facilitation Centre is based on the objective of providing leadership in the agricultural sector at the national and international levels, and the objective of the centre is to provide quality education and research and disseminate I

Innovative information/technology for the benefit of the agricultural/allied sector. Also, there is a need for such an agricultural facilitation centre to integrate various branches of agriculture and allied sciences to achieve the twin objectives of maximizing the utilization of available resources and achieving livelihood security.

Indian agriculture is facing new challenges and there is a need to develop a new class of human resources equipped with new skills and knowledge to boost agricultural development. Agriculture in Vidarbha, dominated by small and marginal farmers, is facing various challenges like drought, climate change, globalization of trade and economy, etc. Skilled manpower is required to meet these challenges. The university's education, research and extension programs will lead to human resource development through knowledge and technology. It is necessary to create employment opportunities in agriculture and allied industries through that skilled manpower.

In the Budget speech for the year 2023-24, the Hon'ble Deputy Chief Minister and Finance Minister has announced that an "International Agricultural Facilitation Centre" will be established at Dr. Punjabrao Deshmukh Agricultural College, Nagpur to deploy and disseminate cutting-edge technology in agriculture and allied sectors and an expenditure of Rs. 227 crore 46 lakh is expected for this centre. As per the said Budget announcement, the matter of establishing an "International Agricultural Facilitation Centre" at Dr. Punjabrao Deshmukh Agricultural University, Akola under the Agricultural College, Nagpur was under the consideration of the Government.

Government decision:-

1. Approval is being given to establish an "International Agricultural Facilitation Center" at the premises of Dr. Punjabrao Deshmukh Agricultural University, Akola, Agricultural College, Nagpur, at "Dabha".
2. A total of Rs. 227 crore 46 to establish an "International Agricultural Facilitation Center" at Nagpur.

An expenditure of Rs. 1 lakh is being approved.

3. Objectives of the International Agricultural Facilitation Center: -

The concept of the International Agricultural Facilitation Center is based on the objective of providing leadership in the agricultural sector at the national and international levels. The objectives of the center are to guide farmers on modern agriculture and technology, disseminate research-based agricultural information among farmers, empower rural women in agriculture and agriculture-related technology, instill in them the importance of agriculture and interest in agriculture by providing information on agricultural education, create awareness about agricultural knowledge, technology and attitude towards agriculture, develop agriculture, agribusiness and agri-allied industries i.e. to provide quality education, research, capacity

building, consultancy and dissemination of innovative information/technology to benefit the agriculture/allied sector

Approval is being given to provide the space on a rental basis to entrepreneurs, and to make the remaining space available for occasional exhibitions.

6. Approval is being given to use the hostel in the International Agricultural Facilitation Center for the accommodation of farmers, students and agricultural entrepreneurs who come to the said facility for education, training and guidance.
7. The construction of the building of the International Agricultural Facilitation Centre, Planning Department, Government Circular dated 11.06.2018, is being approved subject to the approval of the High Power Committee headed by the Hon'ble Chief Secretary.
8. The expenditure for this purpose is approved to be met from the budgetary provision approved in that financial year under the account head of Subsidiary Grant (Programme) (2415 0099) to Dr. Punjabrao Deshmukh Agricultural University, Demand No. D-3, 01 Crop Conservation, (00) (08).
9. After the establishment of the said International Agricultural Facilitation Center, it is hereby approved to permanently cover the expenses related to manpower, maintenance and repair and daily expenses of this center from the revenue income received by this facility center.
10. The said Government Decision is being issued in accordance with the approval given by the Hon'ble Cabinet on 04/07/2023 and also with the consent received under Finance Department Informal Reference No. 207/2023/Expenditure-1, dated 25/07/2023.
11. The said government decision has been made available on the website of the Government of Maharashtra www.maharashtra.gov.in and its code number is 202309141906133801. This order is being issued by authenticating it with a digital signature.

By order and in the name of the Governor of Maharashtra

Digitally signed by
PRATIBHA MADHAV PATIL

Date: 2023.09.14 19:09:17 +05'30' (Pratibha Patil)
Deputy Secretary, Government of Maharashtra

Per,

1. Principal Secretary to the Hon'ble Governor, Raj Bhavan, Mumbai.
2. Principal Secretary to Hon'ble Chief Minister, Mantralaya, Mumbai,
3. Private Secretary to Hon'ble Deputy Chief Minister, Mantralaya, Mumbai.
4. Private Secretary to Hon'ble Minister (Agriculture), Ministry, Mumbai.
5. Hon. Joint Secretary to the Chief Secretary, Government of Maharashtra, Mantralaya, Mumbai,
6. Personal Assistant to Additional Chief Secretary (Agriculture), Agriculture and Padum Department, Mantralaya, Mumbai.
7. Member Secretary and Director General, Maharashtra Council of Agricultural Education and Research, Pune.
8. Vice Chancellor, Dr. Punjabrao Deshmukh Agricultural University, Akola.
9. Registrar, Dr. Punjabrao Deshmukh Agricultural University, Akola
10. University Engineer/Controller, Dr. Punjabrao Deshmukh Agricultural University, Akola.
11. District Collector, Nagpur.
12. Sub-Divisional Agriculture Officer, Nagpur.
13. Accountant General, Maharashtra 1/2 (Audit/Accounts and Licensing), Mumbai/Nagpur.
14. District Treasury Officer, Nagpur/Deputy Treasury Officer, Nagpur.
15. Chief Auditor, Local Fund Accounts, Konkan Bhavan, Navi Mumbai.
16. Deputy Auditor (Senior), Local Fund Accounts, Konkan Bhavan, Navi Mumbai.
17. The Grants and Accounts Officer, Mumbai.
18. Resident Audit Officer, Mumbai.
18. Deputy Secretary, Department of Finance (Expenditure-1), Mantralaya, Mumbai.
19. Deputy Secretary, Planning Department (Workshop-1431), Mantralaya, Mumbai.
20. Nivadanasti (Karyasana-70).

11 TRUE TRANSLATION
K. S. Phadnis
ADVOCATE

Regarding granting administrative approval for the construction of the building of the project of International Agricultural Facilitation Centre, Nagpur under Dr. Punjabrao Deshmukh Agricultural University, Akola.

Government of Maharashtra

Department of Agriculture, Animal Husbandry,
Dairy Development and Fisheries,
Government Decision, No.: Pandevi-1323/Pr.No.268/7-O,
Madam Cama Marg, Hutatma Rajguru Chowk,
Mantralaya Extension, Mumbai - 400032.
Date: 18/01/2024.

Read: -

- 1) Budget speech for the year 2023-24.
- 2) Letter dated 24/02/2023 from Registrar, Dr. Punjabrao Deshmukh Agricultural University, Akola.
- 3) Hon. Minutes of the meeting of the State Cabinet held on 04/07/2023 dated 17/07/2023.
- 4) Department of Agriculture and Padum, Government Decision No. dated 14/09/2023.
- 5) Minutes of the meeting held on 17.09.2023 under the chairmanship of Hon. Union Minister (Road Transport and Highways).
- 6) Letter No. MKRIP/V.Sh.2/3431/2023, dated 23.11.2023, from Director General, Maharashtra Council of Agricultural Education and Research, Pune.
- 7) Hon. Minutes of the meeting of the High-Level Committee of Secretaries under the chairmanship of the Chief Secretary on 24/11/2023 dated 01.12.2023.
- 8) Letter dated 27.11.2023 from Managing Director, Maharashtra State Infrastructure Development Corporation, Mumbai.

Introduction: -

In the Budget speech for the year 2023-24, Hon'ble Deputy Chief Minister and Finance Minister had announced that an International Agricultural Facilitation Centre will be established at the Dr. Punjabrao Deshmukh Agricultural College, Nagpur, for the application and dissemination of cutting-edge technology in agriculture and allied sectors, and an expenditure of Rs. 227 crore 46 lakh is expected for this centre. In line with the said

announcement, the proposal for establishment of an International Agricultural Facilitation Centre has been approved by the Hon'ble Cabinet in its meeting held on 04/07/2023.

The concept of the International Agricultural Facilitation Center is based on the objective of providing leadership in the agricultural sector at the national and international levels and providing quality education and research and The objective of this center is to disseminate innovative information/technology to benefit the agriculture/allied sector. As per the approval given by the Hon'ble Cabinet, the Department of Agriculture and Rural Development, Government Decision dated 14/09/2023, has approved the establishment of an "International Agriculture Facilitation Center" at the premises of Dr. Punjabrao Deshmukh Agricultural University, Akola, Agricultural College, Nagpur, at "Dabha" of the Agricultural University, and a total expenditure of Rs. 227 crore 46 lakhs has been approved for the same.

The cost of the project, which included a 10,000-capacity agricultural exhibition hall, roads and parking lots, etc., was Rs. 305.63 crore. The revised budget proposal for the said amount was presented in the meeting of the High-Level Committee of Secretaries chaired by the Hon'ble Chief Secretary on 24/11/2023. The High-Level Committee of Secretaries has approved a total budget proposal of Rs. 235.62 crore for the construction of the International Agricultural Facilitation Center.

As per the request made by the Managing Director, Maharashtra State Infrastructure Development Corporation, Mumbai vide letter at reference no. 8, the proposal regarding the construction of the International Agricultural Facilitation Centre, Nagpur project, was submitted for the opinion of the Public Works Department to be undertaken by the Corporation "Maharashtra State Infrastructure Development Corporation, Mumbai", which has been approved by the Public Works Department. Considering all the above matters, the matter of granting administrative approval to the construction of the building of the International Agricultural Facilitation Centre, Nagpur under Dr. Punjabrao Deshmukh Agricultural University, Akola and approval to undertake the construction work of the building of this International Agricultural Facilitation Centre through the Corporation "Maharashtra State Infrastructure Development Corporation, Mumbai" was under consideration of the Government.

Government Decision: -

The budget of Rs. 235.62 crore (in words Rs. two hundred thirty-five crore, sixty-two lakhs only) for the construction of the building of the project "International Agricultural Facilitation Centre, Nagpur" under Dr. Punjabrao Deshmukh Agricultural University, Akola has been approved by the High-Level Secretarial Committee headed by Hon'ble Chief Secretary and is being given administrative approval subject to the following conditions. (Detailed details are mentioned in Annexure-A hereto.)

1. Before starting work, work should be started only after getting approval from the architect for the sample map, layout map, and detailed map.
2. Superintendent Engineer, Public Works Board, Chief Engineer, Public Works Regional Department and Consumers Department are authorized to approve the construction budget. Attestation from authorities is required.
3. Tender notices for the said work should be published after obtaining a certificate that the planned land is in the possession of the Consumers Department.
4. Action should be taken as per Government Decision No. BDG 2017/PR.No. 60/Eema-2. Dated 07.07.2017 of the Public Works Department,
5. While carrying out the actual work, action should be taken as per the guidelines mentioned in the Environment Department, Government Decision dated 10.01.2014.
6. It should be ensured that the floor area of the proposed buildings is as per the permissible standards for staff and government buildings.
7. Approval is being given to construct the project of International Agricultural Facilitation Centre, Nagpur through the "Maharashtra State Infrastructure Development Corporation-MSIDC" under the Public Works Department.
8. The expenditure incurred in this regard should be met from the provision made in the budget under the head of "Demand No. D-3, 2415 Agricultural Education and Research, 01, Crop Improvement, 120 Assistance to other institutions, (00) (08) Subsidiary Grant to Dr. Punjabrao Deshmukh Agricultural University (Programme) (24150099) 35, Grant for Creation of Capital Assets".
9. The funds disbursed for the construction of the project International Agricultural Facilitation Centre, Nagpur are approved to be made available to Maharashtra State Infrastructure Development Corporation, Mumbai on deposit contribution basis through the Controller, Dr. Punjabrao Deshmukh Agricultural University, Akola.
10. The said Government Decision, Public Works Department's informal reference number 158/Ima-2. Dated 23/11/2023 and as per the approval given in the meeting of the High Level Secretaries Committee chaired by the Hon'ble Chief Secretary on 24/11/2023, and as per the provisions of the Financial Powers Manual, 1978, Part-I, Sub-Division-V, Financial Powers granted under the paragraphs under the Maharashtra Public Works Manual under the heading A.No. 1, Maharashtra Public Works Manual under the provisions of paragraph No. 134, subject to the conditions prescribed thereunder, and as per the provisions of the Planning Department, Government Circular, No.: Ssama-2010/Pr.No.48 (Part-1)/Ka. 1461, dated 11th June, 2018, is being issued.

11. The said government decision has been made available on the website of the Government of Maharashtra www.maharashtra.gov.in and its computer code number is 202401181804351701. This order is being issued after being authenticated with a digital signature.

copy.

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

PRATIBHA MADHAV PATIL

कृषि व पदम विभाग, शासन निर्णय क्र : पंदेवि-१३२३/प्र.क्र.२६८/७-अ, दि.१८/०१/२०२४ सोबतचे परिशिष्ट

"परिशिष्ट - अ"

Name of the Department : Agricultural Department

Name of Work : Construction of Agricultural Convention Center at Dabha under college of Agriculture
Nagpur Dr. Punjabrao Deshmukh Krishi Vidyapeeth Akola.

RECAPITULATION SHEET

Sr. No.	Particulars of Scope	Unit Rate Norms Rs Per (Sqmt./ Meter/ LumpSum etc.)		Cost Rs.	
				Component Wise	Total
(A) ESSENTIAL ITEMS (Components)					
1	Building proper (Built Up Area - Sq.m)				
	Exhibition Building				
	Ground Floor	22,000.00	Sq. M	28,000	616,000,000
	First Floor	22,000.00	Sq. M	28,000	616,000,000
	Service Floor	2,000.00	Sq. M	28,000	56,000,000
	Pre-Function Area	2,400.00	Sq. M	28,000	67,200,000
	Total B.U.A. =	48400.00	Sq. M		Sub Total (1) 1,355,200,000
2	Electrification	Internal		5% of (a)	67,760,000
		External		6% of (a)	81,312,000
	Fire Fighting Arrangements etc.			L.S.	20,000,000
					Sub Total (2) 169,072,000
3	Water Supply & Sanitary Works			5% of (a)	Sub Total (3) 67,760,000
4	Furniture	33,880.00	Sq. M	5000	Sub Total (4) 169,400,000
					Sub Total (A) 1,761,432,000
(B) MISCELLANEOUS ITEMS					
	Compound Wall & Gate (Rmt.)	1357.00	Rmt	8000	10,856,000
	Water Main Storage				1,000,000
	Internal /Approach Roads, Land Development, Parking, Land Scaping, CC Drains Etc.			4.5% of (1)	60,984,000
					Sub Total (B) 72,840,000
					Project Cost (P)= (A) + (B) 1,834,272,000
(C) PROVISIONS					
	(i) Contingencies	4% on (sub total A1)			54,208,000
	(ii) GST	18% on (P)			330,168,960
	(iii) Price Escalation	5% on (P)			91,713,600
	(iv) PMC Charges	1.5% on (P)			27,514,080
	(v) Labour Insurance	1% on (P)			18,342,720
					Sub Total (C) 521,947,360
					TOTAL COST OF PROJECT (TPC) (A+B+C) 2,356,219,360
					Say Rs. Lakhs 23562.19

PLINTH AREA RATES FOR

1	Bldg Proper Cost	=	Rs	28,000 /Sqm
2	Elect. Work	=	Rs	3,493 /Sqm
3	Water Supply	=	Rs	1,400 /Sqm
4	Furniture	=	Rs	5,000 /Sqm
5	Total	=	Rs	36,393 /Sqm
6	Overall construction rate	=	Rs	37,898 /Sqm

PRATIBHA
MADHAV PATIL

Digitally signed by PRATIBHA MADHAV
PATIL
DN: cn = PRATIBHA MADHAV PATIL, c =
IN, s = Maharashtra, o = GOVERNMENT
OF MAHARASHTRA, ou = URBAN
DEVELOPMENT DEPARTMENT
Date: 2024.01.18 16:07:17 +05'30'

(प्रतिभा पाटील)

उप सचिव, महाराष्ट्र शासन



**UNIFIED
DEVELOPMENT
CONTROL AND
PROMOTION
REGULATIONS
FOR
MAHARASHTRA
STATE.**

(As updated upto 30th January, 2024)

CHAPTER - 4

LAND USE CLASSIFICATION AND PERMISSIBLE USES

4.1 GENERAL

- i) In case of development / re-development of any land, building or premises, the intended use shall conform to the land use or, as the case may be, purpose of designation, allocation or reservation assigned to it in the Development Plan / Regional Plan/ Planning Proposal, unless specified otherwise.
- ii) **Non-Conforming Uses Existing Lawfully** - Any lawful non-conforming use of premises existing prior to the date of coming in to force of the Development Plan / Regional Plan / Planning Proposal shall continue and may be allowed to be expanded within the holding in the original sanctioned permission and that when a building containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these regulations or with lawful existing use.
- iii) **Existing features shown on the plan** - The existing features shown on Development / Regional Plan are indicative and shall stand modified on Development / Regional Plan / Planning Proposal as per actual situation. Mention of particular use on Development / Regional Plan shall not bar the owner from permission to develop land as allowed in the zone shown for such land. Also, boundaries of S.No., alignment of existing road / nallah and other physical features of land shall be as per measurement plan of Land Records Department and the land unaffected by such physical features shall be allowed to be developed for the uses permissible under the adjoining predominant land use zone.
- iv) **Development of Parking** - The Authority may develop any land, owned by or in possession of the Authority, for public parking in any of the forms - single or multi-storeyed, underground or above ground, irrespective of its existing use or proposed use in Development / Regional Plan / Planning Proposal.

Provided that the Authority may allow Basement Parking below existing or proposed Play Ground, in the plan at one or two levels below the ground level subject to conditions, as may be prescribed by the Authority.
- v) **Discontinuance of Zoning in pursuance of existing use** - If any land is shown in Public Semi-Public zone or Public Utility Zone because of the activity that existed there or otherwise, such lands shall be deemed to have been shown in the adjacent predominant Zone after such activity ceases to exist, unless otherwise prohibited.

4.2 LAND USE CLASSIFICATION AND EQUIVALENCY OF ZONES

The different land use classifications in Development / Regional Plan / Planning Proposal & different uses permissible in that land use zone and equivalency of zone in various Authorities' areas shall be as given below :-

- D) Residential Zone - Following other zones shall be treated as equivalent to Residential zone.
 - i) Residential Zone - (R1)
 - ii) Residential Zone with Shop line - (R-2)
 - iii) General Residential Zone.

4.11 AGRICULTURAL ZONE

- i) All agricultural uses including stables of domestic animals, piggeries, poultry farms accessory building, tents etc.;
- ii) Golf Course and Links, Race tracks, and shooting ranges with necessary safety measures, Trekking Routes / nature trails / nature walks, etc.;
- iii) Garden, forestry, nursery, public parks, private parks; play fields, summer camps for recreation of all types;
- iv) Public / semi-public sector utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, water works along with residential quarters for essential staff required for such works;
- v) L.P.G. Godown, subject to following conditions :-
 - a) Minimum plot size and area of the plot shall be as decided by concerned Licensing Authority.
 - b) The maximum permissible FSI shall be 20% on this plot.
 - c) Only ground floor structure shall be permissible.
 - d) It is necessary to obtain No Objection Certificate from Controller of Explosives and competent fire authority.
- vi) Vehicle Fuel filling Station including LPG / CNG / Ethanol / Public Charging Stations for Electric Vehicles, subject to following conditions :-
 - a) Plot shall be located on any road with a minimum width of 12.0 m. or more.
 - b) FSI for such facilities in this zone shall be up to 20% on gross area, underground structures along with kiosks shall not be counted towards FSI.
 - c) NOC from Chief Controller of Explosives shall be necessary.
 - d) In case the plot is located on any Classified road, the distance from the junction of roads as may be specified by Indian Road Congress / Ministry of Road, Transport and Highway, shall be followed. (IRC guideline 2009 and MORTH Letter No.RW/NH-33023/19/99-DO III, Dated 25.09.2003 as amended from time to time)
 - e) In a plot of Fuel Station, other building or composite building for sales office, snack bars, restaurant, public conveniences or like activities , may be permitted
- vii) Pottery manufacture.
- viii) Storage and drying of fertilizer.
- ^(#) ix) Farm houses shall be permitted subject to following conditions :-
 - a) Minimum plot area for above use shall be 0.4 Ha. However, one farm house per land holding shall be permitted, irrespective of size of the land holding.
 - ⁽¹⁾ b) The FSI shall not exceed 0.04 subject to a maximum built up area of 400 sq.m. in any case. Only ground + 1 floor structure with height not exceeding 9.0 m. shall be permissible.
- x) Swimming pools / sports and games, canteen, tennis courts, etc.

⁽¹⁾ Substituted vide Corrigendum / Addendum No.CR.121/21, dt.02nd December, 2021

^(#) Clarification issued vide Order No.CR.236/18, dt.23rd December, 2021

-
- xi) Amusement park.
- a) Amusement park with minimum plot area of 1.0 ha. with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides both indoor and outdoor, oceanic-park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs / citations, toys, goods, as principal uses and ancillary activities such as administrative offices, exhibition hall or auditorium, open air theatre, essential staff quarters, store buildings, fast food shops, museum, small shops, ancillary structures to swimming pool, ancillary constructions along with staff quarters and residential hotels. Maximum permissible FSI shall be 0.70 on gross plot area, out of which 0.20 shall be without payment of premium and remaining with payment of premium at the rate of 20% of the rate mentioned in the annual statement of rates of very said land without considering the guidelines therein.
 - b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost.
 - c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and will keep, at all times, the entire environment clean, neat and hygienic.
 - d) Area of Rides, whether covered or uncovered, shall not be computed towards FSI.
 - e) At least 250 trees (of indigenous species) per Hectare shall be planted and grown within the area of the park.
 - f) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site.
- xii) IT / ITES parks / units with 0.20 FSI, subject to Regulation No.7.8.
- xiii) Any building / use by the Government / Semi-Government or Government Controlled bodies with basic FSI and village resettlement or resettlement of project affected person with full permissible FSI as that of residential zone.
- xiv) Biotechnology unit / B.T. Park subject to Regulation No.7.9.
- xv) Development of buildings of educational, research and medical institutions, community development, human resources development, rural upliftment, yogashram, mediation centres, vipashyana centres, spiritual Centres, goshalas, panjarpol, old Age homes and Rehabilitation Centres along with allied activities, Planetarium / Astronomical / Astrophysical facilities / projects with FSI of 1.00 on gross plot area, out of which 0.20 shall be without payment of premium and remaining with payment of premium at the rate of 20% of the rate mentioned in the annual statement of rates of very said land without considering the guidelines therein subject to following conditions :-

Conditions :-

- a) The trees at the rate of 250 trees per hectare shall be planted on the plot.
 - b) The provisions of higher FSI mentioned in Chapter - 7 of these Regulations shall apply to the above buildings listed in the said chapter. However, higher FSI in such case shall not exceed 100% of the above.
 - c) In case of educational use, 15% area may be used for commercial purpose subject to provisions of Regulation No.4.10(vi).
-

- xvi) Integrated highway / Wayside amenities such as motels, way-side restaurants, fuel pumps, service stations, restroom and canteen for employees working on site and truck drivers, service godowns, factory outlets, highway malls, hypermarket along with public conveniences like toilets, trauma centre, medicine shop, bank ATMs and like activities with FSI of 0.2 on gross area without payment of premium and further FSI upto 0.3 with premium at the rate of 20% land rate in Annual Statement of Rates of the said land without considering the guidelines therein, shall be allowed subject to following conditions :-

Integrated Highway / Wayside Amenities may be permitted to be developed on plots of land having a minimum area of 10,000 Sq.m. abutting to National Highways / State Highways or on any road not less than 18.0 m. width.

Provided that, No subdivision of land shall be allowed and location of fuel pump, if provided, shall be separately earmarked.

- ⁽¹⁾ Notwithstanding anything contained in this regulation, an individual use as mentioned in this regulation may be permissible, on road having minimum width of 12.0 m. The minimum plot size for this regulation shall be entire holding mention in the single 7/12 extract or minimum of 4000 Sq.m. In any case Sub-division / layout shall not be permitted.

- xvii) Ancillary Service Industries

Ancillary service industries for agro related products like flowers, fruits, vegetables, poultry products, marine products, related collection centres, auction halls, godowns, grading services and packing units, knowledge parks, cold storages, utility services (like banking, insurance, post office services) etc. on the land owned by individuals / organizations with FSI of 0.20 without payment of premium. Further FSI up to 1.00 may be granted with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

- xviii) Any industry / industries with FSI of 0.20 without payment of premium and further FSI up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein. Minimum buffer open space / set back (which may include marginal distance and road width if any) from the boundary of industrial Building / use to residential or habitable zone / use, shall not be less than 23.0 m. Such buffer open space shall be kept in the same land.

Provided that, the area under such buffer open space / setback shall not be deducted for computation of FSI.

Provided further that, if the land under industrial zone is utilized entirely for non-polluting industries, IT / ITES or like purposes, then such buffer zone / open space shall not be necessary.

Provided further that, Industrial layout / sub-division of land shall also be permissible subject to regulations of Industrial Zone. In such case, the plot shall be entitled for 0.20 FSI and further FSI as mentioned above, shall be subject to payment of premium. The condition to this effect shall be stamped on the layout / sub-division plan and also mentioned in the approval letter.

Provided further that, industrial godowns / godowns shall also be permissible under this regulation.

- xix) Solid waste management, land fill sites, bio-gas plants, power generation from waste.
xx) Power generation from non-conventional sources of energy. Area covered under solar panels shall not be counted in FSI.

⁽¹⁾ Inserted vide Corrigendum / Addendum No. CR 121/21, dt. 02nd December, 2021.

-
- xxi) Brick, tile manufacture.
 - xxii) Fish Farming.
 - xxiii) Religious buildings subject to conditions as may be prescribed by Authority.
 - xxiv) Slaughter house or facilities for processing and disposal of dead animals with the special permission of Authority.
 - xxv) Cemeteries and crematoria and structures incidental thereto.
 - xxvi) Scrap Market with FSI of 0.20 without payment premium and further FSI upto 1.00 with the payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.
 - xxvii) Mangal karyalayas / lawns.
 - a) Minimum area for mangal karyalaya shall be 0.4 ha. with FSI of 0.20. It may be permitted along with essential guest rooms not exceeding 30% of the area of mangal karyalaya. Area for parking shall be 40% of gross area which shall be properly earmarked and bounded by bifurcating wall. Further FSI up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.
 - b) Lawns for ceremony shall be 0.8 ha. with FSI of 0.10. Area for parking shall be 40% of gross area.
 - c) The plot for mangal karyalaya or lawn shall abut on road width of minimum 9.0 m. in case of Nagar Panchayat, Municipal Council and Regional Plan area and 12.0 m. in case of other areas.
 - xxviii) Bus Terminus.
 - xxix) Construction of any communication route, road, railway, airstrips, ropeways, ports, electric lines, etc.
 - xxx) Town planning scheme under the provisions contained in chapter - V of Maharashtra Regional & Town Planning Act, 1966 shall be allowed for minimum 20 hectare area, with proper road network subject to condition that entire cost of scheme shall be borne by the owners. After sanction of preliminary scheme under section 86 of the Act, all uses as that of residential zone, shall be permitted. FSI and other regulations shall be applicable as per residential zone. Or
 If the owners come together for development on aforesaid concept of town planning scheme instead of undertaking town planning scheme under the Act, the Authority may allow and approve such development subject to availability of existing approach road of minimum 12.0 m. width and earmarking 40% of the land for roads, parks, playgrounds, gardens, social infrastructure and sale by the Authority, which shall be handed over to the Authority subject to following -
 - a) Minimum 10% land shall be earmarked for play grounds and parks, for which no FSI / compensation shall be allowed.
 - b) Minimum 15% land shall be earmarked for social infrastructure and that for sale by the authority and shall be handed over to the authority for which compensation in the form of FSI shall be allowed in-situ.
 - c) Road area only to the extent of 15% shall be calculated in this component for which compensation in the form of FSI shall be allowed in-situ. The road area over and above 15% shall be calculated in the owner's / developer's share.
 - d) The regulation No.3.4 and 3.5 shall not be applicable in this case.
-

Development permission for uses permissible in residential zone shall be granted phase wise after completion of physical infrastructure works including off-site infrastructure and handing over of land to the Authority. The land under such proposals shall be entitled for basic FSI / Premium FSI / TDR / In-situ FSI as that in Residential Zone.

- xxxix) Manufacturing of Fireworks / Explosives and Storage of Magazine / Explosives beyond 2.0 km. of Gaothan Settlement / Gaothan Boundary subject to No Objection Certificate from the Chief Controller of Explosives.
- xxxixii) Development of Cinema and TV film production, shooting, editing and recording studios with its ancillary and supporting users, including construction of staff quarters, rest rooms, canteens etc. subject to the following conditions :-
- The minimum plot area (necessarily under one ownership) shall not be less than 2.0 ha.
 - The permissible FSI shall be 0.2 on gross plot area without payment of premium and up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.
- xxxixiii) Tourist homes, Resorts, Hotels, Motels, Health and Wellness spa, Golf courses, Art and Craft villages, Exhibition cum Convention Centre, Camping-Caravanning and tent facilities, Adventure Tourism Project, Eco Tourism Project, Agricultural Tourism Project, Medical Tourism Project, Boutique wineries, Guest houses and Bed and Breakfast scheme approved by MTDC / DoT etc., with Rooms / Suites, support areas for reception, kitchen, utility services etc., along with ancillary structures like covered parking, watchman's quarter, guard cabin, landscape elements, and if required, one observation tower per tourist resort upto the height of 15.0 m. with platform area up to 10 sq.m. in permanent / semi-permanent structural components. The permissible FSI shall be 0.2 on gross plot area without payment of premium and up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.
- xxxixiv) Tourist Resort Complexes may be permitted with following conditions :-
- General conditions** - The minimum area of such site shall not be less than 1.00 Ha. and 0.4 Ha. in case of local resident.
 - Condition for Development** -
 - Maximum permissible FSI in this zone shall be 0.25 of gross plot area without payment of premium and remaining up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.
 - The uses like resort, Holiday camp, recreational activities, amusement park, may be permitted in this zone.
 - If the site is located adjacent to forts, archaeological and historical monuments, the development shall be governed by the rules prescribed by the archaeological department.
 - If the site is located near natural lakes, then, development shall be governed by the following :-

Distance from High Flood Line (HFL) / Full Storage Level (FSL)	Development to be allowed
Up to 100 m.	Not permissible.
above 100 m. to 300 m.	Ground floor structure with maximum height of 5.0 m.
above 300 m. to 500 m.	G + 1 storey structure with maximum height of 9.0 m.
above 500 m.	Within permissible FSI and subject to other regulations.

- f) No subdivision of land shall be allowed.
- g) The land should have approach of minimum 9.0 m. wide road.
- h) The land having slope steeper than 1:5, shall not be eligible for development.
- C) Infrastructural Facilities** - All the infrastructural facilities required in site as specified by the Authority, shall be provided by the owner / developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and solid waste shall be made. No untreated effluent shall be allowed to pass into any watercourse.
- xxxv) In the areas of Local Bodies and the area of SPA where Development Plan or planning proposal is sanctioned, "Pradhan Mantri Awas Yojana" shall be permitted subject to the provisions of Regulation No.14.4.1.
- xxxvi) Individual house of size upto 150 sq.m. for entire holding mentioned in the single 7/12 extract, as on date of coming in to force of these regulations.
- xxxvii) Mining and quarrying subject to provisions of Regulation No.15.1
- xxxviii) In the area of Regional Plans (excluding the area of Local Bodies and SPA where Development Plan or planning proposal is sanctioned) "Pradhan Mantri Awas Yojana" shall be permitted subject to the provisions of Regulation No.14.4.2.
- xxxix) Development of Tourism and Hospitality Services under Community Nature Conservancy around wild life sanctuaries and national parks shall be permitted as per Regulation No.14.9.
- xxxx) Integrated Township Projects as per Regulation No.14.1.1.
- xxxxi) Buildings for Three star and above category hotels along National / State Highways, MDR and on other roads not less than 18.0 m. in width, may be permitted with FSI 0.2 on gross area without payment of premium and remaining up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.
- xxxxii) Bulk storage and sale of Kerosene subject to NOC of Chief Controller of Explosive, Government of India.
- ⁽¹⁾ xxxxiii) Development of housing for EWS / LIG as per Regulation No.7.7.
- ⁽¹⁾ xxxxiv) Development permissible adjacent to Gaathan as specified in Regulation No.5.1.1.

Notes :-

- 1) The permissible FSI for uses mentioned above shall be 0.20, if not specified.
- 2) Height of building shall be permissible as per regulation No.6.10 subject to FSI permissibility under this regulation.
- 3) For the uses permissible in Agricultural Zone minimum road width shall be 6.0 m. for non-special building, unless otherwise specified, and for special building shall be as per Regulation No.3.3.9.
- 4) The premium for FSI (allowed with payment of premium) shall be levied for FSI actually proposed in the permission.
- 5) The payment to be recovered in above cases shall be apportioned 50% - 50% between the Authority and the State Government, unless otherwise exempted by the Government by separate order.
- 6) The payment to be recovered in above cases may be exempted by the Government by separate order in case of deserving charitable institutions.
- 7) No such premium shall be leviable in case of Government / Semi Government or Government controlled bodies.
- 8) Trees at the rate of 100 / hector shall be planted on the land, unless otherwise specified.

⁽¹⁾ Inserted vide Corrigendum / Addendum No. CR 121/21, dt. 02nd December, 2021.



98
NAGPUR IMPROVEMENT TRUST

ANNEXURE-5318

Flat No. A-207 and A-208, Wing-A, Second Floor
NIT's Bhamti Housing Scheme, London Street,
Nagpur-440022



No. B.E. (W)/NIT/ 1364

Nagpur, Dated 16/02/2026

To,

- 1) Shri. Sunil Pandurang Thotange,
University Engineer,
Dr. Panjabrao Deshumukh Krushi Vidyapith
Krishi Nagar, Akola-444104

- 2) The Executive Engineer,
Maharashtra State Infrastructure Development Corporation,
A1/A2 Residential Quarters, Ravi Nagar Government Colony,
Telangkhedi Road, Nagpur-440001

M.S.I.D.C. - 1, R.O. NAGPUR	
S. No.	
E.E.	
Case Dealer	Kumbhave sir (Value fr up with Ard)
Inward No	283
Date	26/02/26

Subject: - Regarding: Proposal of building permission on land bearing, Kh. No. 175/1 situated in Mouza-Dabha.

Reference: - Proposal No. 1545194 dated 03-08-2025.

Sir,


With reference proposal cited above; it is to inform you that, tentative approval to plans of proposed construction of institutional building of International Exhibition and Convention on land bearing, Kh. No. 175/1 situated in Mouza-Dabha is accorded by the Hon. Chairman, NIT subjected to compliance of following points;

1. Submit corrected copies of plans with provisions of Fire Fighting which is to be forwarded to the Chief Fire Officer, NMC, Nagpur for obtaining provisional fire NOC.
2. Submit provisional fire NOC from Chief Fire Officer, NMC, Nagpur.
3. Submit NOC from Airport Authority of India (AAI) for proposed height.
4. Submit environmental clearance certificate as per regulation no 3.1.5 & EIA notification dated 22.12.2014.
5. Undertaking on Rs 100 Stamp Paper regarding provision of Mechanical ventilation to entire Building with HVAC System.

6. Submit NOC from MSEDCL, Nagpur for the dismantling or shifting of existing HT line.
7. Submit undertaking that the architectural projection shall not be converted to any habitable or other purpose as per regulation no 9.3 of UDCPR-2020
8. Submit undertaking to establish and maintain dedicated Solid waste management system to treat 100% wet waste being generated in building as per regulation no 13.5 of UDCPR-2020.
9. Submit undertaking for Provisions for barrier free access for Divyang Person as per regulation no 13.5 of UDCPR-2020.
10. Submit report from the Divisional Forest Officer (DFO) and the District Collector to determine the feasibility of the proposed construction and to ensure compliance with the latest guidelines regarding the diversion of "Zudpi Jungle" land complying orders of Hon. Supreme Court.
11. Submit undertaking for Installation and maintenance of solar assisted water heating (SWH) system / roof top photovoltaic (RTPV) system as per regulation no 3.1.5.
12. Submit Indemnity bond on Rs. 100 stamp paper
13. Submit Structural Stability Certificate from Licenced Structural Engineer
14. Submit undertaking as per Govt. Resolution dated 23-04-2025.
15. Subjected to the compliance of various conditions in Layout Approval Letter and revised approval letter.
16. Submit latest property card/ 7/12 extract with deletion of "Zudpi Jungle" classification.
17. Subjected to making arrangements for potable water/drinking water as per clause no. 14 of layout approval letter dated 12-11-2025.
18. Subjected to submission of NOC from Air Force Maintenance Command, Nagpur for no construction/development shall be carried out within radius of 100 meters restricted area and no building work more than four storey shall be erected within 500 meters area from Air Force Maintenance Command Station as per the letter of Station Head Quarter, Kamptee dated 29-11-2022.
19. Submit revised demarcated 'K' Prat as per revised approval letter dated 12-02-2026.

20. Submit approved copy of development work drawings on said land as per layout approval letter dated 12-11-2025.
21. Submit Non-Agricultural permission, if required as per the provisions of clause 15 of layout approval letter dated 12-11-2025.
22. Submit copy of transfer deed/agreement/handing over document / appointment letter / authority letter etc executed between PDKV and MSIDC.

It is, therefore, requested to submit compliance of above-mentioned points and also, submit the corrected plans into BPMS for the process of final approval at an earliest.


**Building Engineer (West),
Nagpur Improvement Trust,
Nagpur**

Copy to: - Shri. Jignesh Suresh Patel, Flat No-E-4/33 KDK College, Vyanktesh Nagar Nandanvan Hanuman Mandir Nagpur-440024 - For information and further necessary action please.

**SD/-
Building Engineer (West),
Nagpur Improvement Trust,
Nagpur**