

BEFORE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 23 OF 2024 (WZ) along with OA No.  
64 of 2024 (WZ)

MR. NARESH CHHETIJA AND OTHERS ...APPLICANTS

VS

MAHARASHTRA STATE BIODIVERSITY BOARD AND

OTHERS ....

RESPONDENTS

REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT TO  
AFFIDAVIT IN REPLY TO THE OBJECTIONS TO THE WORKING  
PLAN

We, Naresh Chhetija age 51, and Swati Chhetija age 49 years, both residing at Naren Hills, Survey No. 58/8, Azad Nagar, Wanawadi, Pune 411022, do hereby solemnly affirm and state on oath as under:

We say and submit that we have gone through the affidavit in reply to our objection to the working plan issued by Respondent No. 7.

After going through their affidavit, We are submitting this short affidavit highlighting the inconsistencies of the submissions made by the Respondents in all their affidavit to date.

1. In Para number 7 of their reply in affidavit, Respondents 2, 4, 6 and 7, have used the term **PARK** to describe the reserve forest land. This is a highly misleading tactic of the Respondents where the applicant and the public have already raised strong objections to the idea of any public PARK on survey No. 49 (which is reserved forest land) before this very Hon'ble Tribunal,

I further state that the below board was erected recently. The title displayed on the board is "Anandvan 7 Urban Forest Movement". This gives an indication of the proposed park. For which the public is vehemently against.

*Naresh Chhetija*  
*Swati Chhetija*



2. Secondly, We submit that, there are inconsistencies in the claim of the number of new trees planted, variously mentioning 446 (page no. 191, Reply in affidavit by Respondent No. 2, 6 and 7 to OA 23 of 2024, dated 23<sup>rd</sup> April 2024) and 788 new trees (In para no. 7, of the Reply in affidavit to the objections dated 10<sup>th</sup> August 2024) in 2 separate documents. Additionally, I submit that the claim in Para no 7 that the Gliricidia trees were removed coupe wise is false. Produced herebelow is a table from Working Plan Volume II, page 411. As is evidenced by the table the coupe wise activity was scheduled for 2030-31 for Wanowrie under the Urban Forest Management working Circle.

## APPENDIX No. - XXXVII

Range	Comptt. No.	Village	Total Area (Notified area)	Coupe No. English	Coupe No. Roman	Coupe Area in Ha.	Year of Working
Pune	293 Pt.	Kesnand	113.9	7	VII	32.15	2029-30
Pune		Undri	80.94	8	VIII	41.65	2030-31
Pune		Mohammad wadi	99.77	9	IX	29.32	2031-32
Pune	293	Loni Kand	23.85	10 Pt.	X Pt.	23.85	2032-33
Pune	285	Pisoli	23.51	10 Pt.	X Pt.	23.51	2032-33
Pune				10	X	47.36	2032-33
Total Area of Kesnand W.S.				Total		341.97	
(10) Hadapsar W.S.							
Pune	286 A Pt.	Narhe	52.53	1	I	32.65	2023-24
Pune		Dudulgaon	63.2	2	II	24.2	2024-25
Pune	286 A Pt.	Narhe	52.53	3 Pt.	III Pt.	19.88	2025-26
Pune	285	Yeole Wadi	11.88	3 Pt.	III Pt.	11.88	2025-26
Pune				3	III	31.76	2025-26
Pune	--	Manjari Kd	40	4	IV	40	2026-27
Pune	--	Hadpsar	74.48	5	V	37.67	2027-28
Pune	--	Wagholl	39.12	6	VI	39.12	2028-29
Pune	--	Hadpsar	74.48	7	VII	36.81	2029-30
Pune	--	Wanwadi	29.37	8 Pt.	VIII Pt.	29.37	2030-31
Pune	--	Kondhawa Kd	13.02	8 Pt.	VIII Pt.	13.02	2030-31
Pune	--	Wanwadi & Kondhawa		8	VIII	42.39	2030-31
Pune	--	Dudulgaon	63.2	9	IX	39	2031-32
Pune	--	Manjari BK	7.6	10 Pt.	X Pt.	7.6	2032-33
Pune	--	Kharadi	3.27	10 Pt.	X Pt.	3.27	2032-33
Pune	--	Lohagaon	16.11	10 Pt.	X Pt.	16.11	2032-33
Pune				10	X	26.98	2032-33
Total Area of Hadapsar W.S.				Total		350.58	
Total Area of all Working Series of Urban Forest Management W.C.						3888.9	

The said Forest Reserve on Survey No. 49 is surrounded by 3 residential Complexes, and people have been witness to the brutal removal of fully grown lush trees in a short period of 10 days with the help of JCB's. This action itself has been the cause for the filing of the present complaint.

3. Thirdly, the term "Phase Wise Removal" has now been replaced by "Coupe" This is mere word play in every affidavit to divert the attention from the fact that the trees were removed without following proscribed guidelines and in spite of public outcry.

4. I further submit that attention may please be drawn to the letter dated 7<sup>th</sup> November 2023 which states that:

*"No deviations shall be made from the prescriptions of working plan without prior approval of the Central Government under the Forest Conservation Act of 1980. However, deviations of a positive nature, i.e., voluntary plantations carried out outside the working area under any project, schemes and compensatory afforestation maybe approved by the competent authority of the State Government from time to time.*

✓  
Keshava  
Date

5. I also submit that all contentions of the respondents, in their reply in affidavit or rejoinders are not in accordance with the **Working Plan and the letter dated 7<sup>th</sup> November 2023 from DIGF (Central) to the principal Secretary (Forests) and Revenue and Forest Department**. It is further seen, that the Respondents failed to comply with mandatory conditions issued by DIGF (Central) before commencing with felling and other related activities. To be precise, it is now the need of the hour to invite a report and a study from the MOEF & CC regarding the removal of trees and the proposed activities taking place on the reserve forest land, namely survey no 49.

We have read and understood whatever is stated in the above-mentioned paragraphs in the rejoinder, the contents of which are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

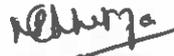
Place: Pune

Date 12<sup>th</sup> August 2024



Advocate for Deponents

Adv Kshitija Sarangi Moreshwar



Mr. Naresh Chhetija

Deponent 1



Mrs Swati Chhetija

Deponent 2