

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH PUNE AT PUNE
ORIGINAL APPLICATION NO. 97/2022

IN THE MATTER OF:

MR. TANAJI BALASAHEB GAMBHIRE
& ORS.

...APPLICANTS

VERSUS

UNION OF INDIA-SECRETARY
MoEFCC & ORS.

....RESPONDENTS

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(VOLUME-___)
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Date: 16.02.2026



TANAJI BALASAHEB GAMBHIRE
(**APPLICANT No. 1**)

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IN THE MATTER OF:

MR. TANAJI BALASAHEB GAMBHIRE & ORS. ... APPLICANT(S)

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AFFIDAVIT IN SUPPORT OF REJOINDER ON BEHALF OF THE ORIGINAL APPLICANTS TO REPLY OF PP DATED 21.08.2023, 05.03.2025, PHOTOS 17.07.2025, REPLY OF R-12-16-PMC DATED 07.12.2023, 03.01.2026, 11.02.2026 & REPLY TO IA DATED 11.02.2026, REPLY OF R-19-KENDRIYA VIDYALAYA DATED 09.06.2023, REPLY OF R-17-SPPU DATED 10.12.2024, REPLY OF R-7-SEIAA DATED 21.08.2023, REPLY OF R-2-CGWA DATED 01.03.2024, R-1-MOEFCC DATED 07.12.2023.

I, Mr. Tanaji Gambhire S/o Shri. Balasaheb Gambhire Aged: 43 Years, Profession: Advocate, R/at: CTS No. 296, Shukrawar Peth, Laxmi Apartment, Near Shivaji Maratha High School, White House Lane, Pune-411002, do hereby solemnly affirm and state on oath as follows:

1. I state that, Original Applicant are relying on the allegations from OA and listed in Order of this NGT vide dated 22.08.2023 are as below;
 - 1.1 Illegal felling of Trees, no transplantation, no compensatory plantation and damage on account of felling and non-plantation
 - 1.2 No tree plantation at site against the EC as remedial and mitigation measures and illegal excess construction

- 1.3 Violation of Consent Conditions-Non-Installation & Operations of Infrastructure & Gaps in consents
 - 1.4 Illegal Excavation in violation of EC
 - 1.5 Damage caused to the Historical Underground Water Duct (Tunnel)
2. It is most respectfully submitted that, the Affidavit filed by PP & PMC in respect of compensatory plantation of 732 trees at "Vithumai Tekadi, Gat No. 82, 85, Village-Fursungi, Taluka-Haveli, District-Pune are absolutely false, misleading, and baseless and same is filed in collusion with the PMC Officials. In actual there is no plantation carried out by PP on alleged location of "Vithumai Tekadi, Gat No. 82, 85, Village-Fursungi, Taluka-Haveli, District-Pune".
 3. **PLANTATION DONE BY OTHERS THAN PP:** I state that, the Plantation alleged by PP is not done by PP, but same was carried out by others.
 - 3.1 Fursungi Villagers & Shivsambho Foundation Plantation: **3000** Trees, Letter dated: 28.09.2022 (P@1998)
 - 3.2 In memory of Late. Lata Mageshkar,
 - 3.3 Mahatma Gandhi Rojgar Hami Yojana, Through Panchayat Samiti Haveli, Tree Plantation Programme: **2000** Trees, from 25.02.2020 to 31.03.2022
 - 3.4 NHAI-Compensatory Plantation: **8153** Trees, Letter Dated: 12.12.2022
 - 3.5 VOIS-CSR Plantation: **8000** Trees, WebPage & Photos, Dated 20.12.2023,
 - 3.6 VOIS-CST Plantation: **10000** Trees WebPage & Photo, Dated: 18.10.2024.
 - 3.7 Plantation done through various Drives-Corporate, Schools, Social Services,

<https://www.facebook.com/GreenYatra/videos/greenyatra-impactseries-vithumai-tekdi-phursungi-pune-from-barrenland-to-a-thriv/1444358643342304/>

4. I state that, there is no compensatory plantation carried out by the PP against the permission received for felling of trees. PP is continuously misleading this Hon'ble Tribunal by adopting various tactics in collusion with PMC officials. Therefore, there shall be heavy amount of compensation to be imposed on PP as well as PP shall be directed to maintain, protect said plantation for next 10 Years on own expenses.

5. **TOTAL TREES AT SITE BEFORE FELLING, PERMISSIONS FOR FELLING & TRANSPLANTATION, ILLEGAL FELLING AND NON-TRANSPLANTATION ETC.**

That the following table shows illegal felling without permission, non-transplantation, no compensatory plantation, etc.

5.1 **ILLEGAL FELLING WITHOUT PERMISSION:** That the following table shows illegal felling without permission;

Sr.	Particulars	No. of Tree	Page No.
1.	Total trees existed at the beginning of project	786	P@114-116
2.	PMC Permission for felling and transplantation	431	P@51 of OA
3.	No. of trees ought to be at site from old-existing trees	355	
4.	As per PMC affidavit dated 03.01.2026 available trees from old-existing trees;	196	P@2161
5.	Illegal felling of trees (355-196)	159	

That the R-22-PP have illegally felled 159 of trees without PMC permission and therefore this Hon'ble NGT may kindly impose the huge amount of compensation upon the PP for such illegal felling 159 trees.

5.2 NON-TRANSPLANTATION OF 116 TREES AS PER PERMISSION: That the PMC granted the tree permission for complete removal of 315 trees and transplantation of 116 trees, However, PP failed to transplant the same and directly chopped the trees in illegal manner. That the PMC have clearly admitted this fact;

Sr.	Permission	Felling	Transplantation	Compensatory Plantation
1.	25.07.2013	17	13	90
2.	25.05.2014	149	47	588
3.	19.12.2016	149	56	615
4.	Total	315	116	1293

Therefore, this Hon'ble NGT may kindly impose the huge amount of compensation upon the PP for such illegal felling and not carrying out transplantation of **116**.

5.3 MANDATORY PLANTATION AGAINST ENVIRONMENT CLEARANCE (EC) AS REMEDIAL AND MITIGATION MEASURES AND PP HAVE CARRIED OUT PLANTATION AS DIRECTED BY SEIAA AT PROJECT SITE: That the SEIAA have directed the plantation as below while granting the Environment Clearance to the project by considering the increase pollution load due to building construction and this tree plantation have nothing to do with the compensatory plantation directed by PMC against their tree felling permissions, therefore PP & PMC cannot take advantage of new plantation carried out at project site as well as old existing

trees available at project site. That there is inadequate plantation at project site;

Sr.	EC Date	BUA (M ²)	Existing Trees	Trees to be planted	Total	Page
1.	01.12.2014	26080.62	516	31	547	P@396 P@399
2.	27.11.2018	35380.55	401	245	646	P@604 P@589
	Refer SEIAA Minutes dated 28.09.2018 as above information of trees is suppressed from EC. BUA is mentioned in EC Cond. No. 3 (IV): 35380.55; P@604					
3.	25.07.2022	57663.19 Cond. 3(B) (4)	275	220	495	P@1891 P@1889
4.	05.12.2022 Corrigendum	57663.19	401	220	621	P@1896 P@1889
	Corrigendum letter date is blank on P@1896, it is mentioned in SEIAA affidavit in Para No. 5 P@1882					
5.	PMC Affidavit 03.01.2026 09.02.2026		196 179 (excluding dead tree 17)	193 193	389 372	P@2161 P@2171
	<p>That out of existing 196 trees, 17 trees are dead. Therefore, total no. of trees at project site are 179+193=372 (excluding dead Trees) or 196+193=389 (Including Dead Trees) as against mandatory trees of 621 under EC to be maintained at project site.</p> <p>There is shortcoming of trees against EC: 621-372= 249 (Excluding Dead Trees) or 621-389=232 (Including Dead Trees)</p> <p>Illegal felled trees by PP in collusion with PMC= 401-179 = 222 trees (Excluding Dead Trees) Or Illegal felled trees by PP in collusion with PMC= 401-196 = 205 trees (Including Dead Trees)</p> <p>However, as per PMC affidavit available trees at project site are 196 (including dead Tress) and as per SEIAA corrigendum dated 05.12.2022 available trees at site are 401. It means PP have submitted false information to the SEIAA while obtaining EC or have chopped the trees after procuring EC dated 25.07.2022 in illegal manner and during the pendency of this OA and PMC have overlooked/</p>					

	conveniently this aspect and suppressed from this Hon'ble NGT.	
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That the PP have not maintained the 621 number of trees at project site and new plantation of 193 trees cannot be computed in compensatory plantation.

5.4 NO COMPENSATORY PLANTATION BY PP AS DIRECTED

BY PMC: That the PMC by its three permission granted felling of 315 trees and transplantation of 116 trees on condition of compensatory plantation of 1293 trees. However, PP failed to do the same. That the PMC vide its affidavit dated 03.01.2026 and 09.02.2026 have alleged that the PP have carried out compensatory plantation 1127 trees in Pune University 202 trees survived out of 1210, Phursungi plantation of 732 trees, and new plantation of 193 trees at project site as below and same is wrong calculations. That the R-17-SPPU affidavit and its own old documents are contradictory each other. Even if assume that the plantation of Pune University & Phursungi is done by PP, Compensatory plantation figure is coming to the tune of $202+732=$ **934 trees out of 1293 trees** as new plantation of 193 trees is against the remedial & mitigation measures against the EC dated 25.07.2022 for raising the construction. However, in actual there is no compensatory plantation by PP for single tree. Therefore, PP may kindly be directed to carry out compensatory plantation of 1293 trees under the supervision of PMC in time bound manner and for not carrying out the compensatory plantation in time bound manner in past, PP shall be charged for huge amount of EDC as sought in OA.

5.5 VIOLATION OF CONSENT CONDITIONS-NON-INSTALLATION & OPERATIONS OF INFRASTRUCTURE &

GAPS IN CONSENTS: that MPCB have admitted in its affidavit that, PP have not operated the Organic Waste Converter for that purpose, MPCB have forfeited Bank Guarantee of Rs. 1 Lakh. However, MPCB failed to recover the EDC for the same. Moreover, there are huge gaps in obtaining Consents and MPCB is failed to recover the EDC as well as failed to recover penalty for the same. That this Applicant have filed detail rejoinder to the MPCB reply, in which consent gaps calculations are given as below (P@1202 & 1211).

Sr.	CTO	TBUA (M ²)	Valid upto	No CTO for	Gaps of No. of days
1.	30.01.2019	19811.44	31.01.2020	Occupancy obtained on 28.01.2018 & stated use of premises. However, there was no CTO from 29.01.2018 to 29.01.2019	365 days Para-bbb, P@35-36
2.	29.06.2020	19811.44	01.02.2020 to 31.01.2021		
3.	11.08.2021	35830.55	31.01.2022	No CTO from 01.02.2021 To 10.08.2021	191 days
4.	29.12.2022	35830.55	31.01.2024	No CTO from 01.02.2022 To 28.12.2022	331days

PP have procured Occupancy certificate for building A & B vide dated 28.01.2018 for 96 flats and only thereafter gaps of 365 days, procured CTO vide dated 30.01.2019. That the MPCB have filed their reply affidavit vide dated **23.03.2023** and failed to impose the penalty under the circular for gaps in obtaining Consents specifically CTO and also failed to imposed the Environmental Compensation as per the “Paryavaran Suraksa Case”. Therefore, PP has carried out substantial construction without obtaining requisite CTE/renewal of CTO and also started occupation of project well prior to obtain CTO

as admitted in Joint Committee Report. Also, MPCB have not verified the conditions of Consent for installation of Environmental infrastructure and their designated location in EMP while obtaining CTE & EC. Therefore, MPCB needs to direct for calculation of penalty & compensation for violation of CTE/CTO.

5.6 ILLEGAL EXCAVATION IN VIOLATION OF EC AND NOT PRESERVED THE TOP SOIL, NOT OBTAINED PERMISSION FROM DISTRICT MINING OFFICER/ COLLECTOR/ SDO/ TEHSILDAR:

Sr.	Particulars	Date	Excavation	Page
1.	First EC	01.12.2014	15940 M ³	P@399
2.	Permission granted by the Tehsildar, Pune City for the excavation	13.12.2019	500 Brass i.e. 500 x 2.8317= 1415.85 M ³	P@615-619
3.	Third EC	25.07.2022	2120 M ³	P@1889

That the both First EC as well as Third EC shows huge excavation of 15940 M³ and additional excavation of 2120 M³ respectively. However, PP have obtained permission from Tehsildar only for 1415.85 M³. Therefore, there is no permission for excess illegal excavation to the tune of (15940+2120)-1415.85= 16644.15 M³. This illegal excavation is the loss to the ex-chequer and this excavation is carried out in violation of EC conditions as stated in OA Para No. v (viii), (x)/P@25, jjj/P@38, uuu/P@42, www/P@43, yyy(ii) & (iii)/P@45, zzz(vii)/P@48, Ground-C/49. Therefore, PP may kindly be charged with huge amount of compensation for illegal excavation without obtaining prior permission.

5.7 DAMAGE CAUSED TO THE HISTORICAL UNDERGROUND WATER DUCT (TUNNEL): that there exists old underground

water duct passing through project site established by Great Ruler Bajirao Peshwa. However, PMC being local authority is not willing to protect such ancient structure then this Original Applicant cannot do anything. This Applicant don't want to peruse the same here and will approach the appropriate court of law in larger jurisdiction.

6. MISMATCH BETWEEN PMC TREE PLANTATION DATA AND PP TREE PLANTATION DATA SHOWS NON-PLANTATION OF TREES BY PP:

Sr.	Plant Name	PP Number	PMC Number	Difference
	PP statement on P@1994: 897 Trees PP list on P@2006= 900 Trees PMC List on P@2180-2207: 732 Trees <i>There is complete mismatch in the data of the PP & PMC</i>			
		P@2006, P@2007-2030	P@2180-2207	
1.	Akash Neem	19	18	-1
2.	Apata	19	21	+2
3.	Bakul	39	33	-6
4.	Chinch	19	19	0
5.	Desi Badam	119	79	-40
6.	Jambul	19	16	-3
7.	Kadamb	19	12	-7
8.	Kadulimb	19	19	0
9.	Kailaspati	39	22	-17
10.	Kanchan	19	20	+1
11.	Karanj	139	94	-45
12.	Kashid	19	26	+7
13.	Kordia	19	18	-1
14.	Mahogani	59	47	-12
15.	Pimpal	40	44	+4
16.	Putranjiva	19	12	-7
17.	Saptparni	39	40	+1
18.	Sonchapha	20	15	-5
19.	Sonmohar	79	78	-2
20.	Tabebia	98	26	-72
21.	Tamhan	20	19	-1
22.	Vad	19	18	-1
	Total	900	732	

<p>That the number of trees planted by PP for “Apata, Kanchan, Kashid, Pimpal, Saptparni” shows exceeding numbers than the plantation in PMC list for these trees, this descriptions is only due to claiming of social plantation done by villagers and actual plantation not done by PP.</p> <p>That the list provided by PP at Page No. P@2007-2030 does not match/tally with the list provided by PMC at Page No. P@2180-2207, this is happened only because there is no plantation carried out by the PP under the supervision of PMC, basically there is no plantation by PP. PMC is trying their level best for covering up their cumulative violation.</p>

7. OWN LAND IS REQUIRED FOR PLANTATION AND IMPORTANCE OF HON’BLE BOMBAY HIGH COURT ORDER PASSED IN CIVIL APPLICATION NO. 80/2012 (P@176-178) AND PIL NO. 93/2009 (P@194-227):

Sr.	Letter/ Order	Date	Para	Page
1.	BHC-Order	01.07.2013	Ratio= 1:3 (iii) Plan -earmarking the places at which the trees shall be replanted (iii) Name of person/ Agency (vii) Not use or develop the property	P@176-178
2.	BHC-Judgment	20.09.2013	Ratio= 1:3 (iii) Plan -earmarking the places at which the trees shall be replanted (iii) Name of person/ Agency (vii) Not use or develop the property ¶14 & 15	P@202, P@222
3.	PMC-Letter	27.01.2017	Own Land	P@508-510

It is important to note that, the compensatory tree plantation shall be carried out on own land by the person seeking such Felling permission. that the Hon'ble High Court while disposing of the PIL have made it clear about the submission of plan showing proposed plantation, name of person/ agency implementing such plantation and also, mandated not to use or develop such land under plantation. Therefore, use of government land for the plantation of personal benefits by Project Proponent is not permissible. That the Land from Pune University, Kendriya Vidyalaya and even present alleged place belong to Grampanchayat Phursungi are the government land-Public Land. That we are not aware the government projection for such land or any future plan for public utility. That there is no plantation in actual by PP and such alleged plantation which is carried out through social programmes cannot be allowed to take benefits by this PP. Therefore, PP shall be directed to carry out plantation on its own land or any land reserved dedicated for tree plantation by forest department or garden department of PMC.

- 8. REJOINDER TO THE REPLY OF R-22-PP DATED 21.08.2023, 05.03.2025, PHOTOS 17.07.2025:** That PP have attached the documents from Page No. 1661 to 1680 to his reply affidavit dated 21.08.2023, PP alleged that the new plantation of 700 (P@1664 & 1672) for which location is not clear and also alleged tree new plantation to the tune of 810 plants from year 2012 to 2016 (P@1677 & 1679) it is not clear in which university. Total is 1510 trees.

Sr.	Date	Agency	Trees	Page	Location
1.	24.04.2017	Sai Enterprises	460	P@1664	Location not clear
2.	13.06.2017	Sai Enterprises	240	P@1672	Location not clear

3.	09.10.2012	Pratiksha Garden Developers	810	P@1676	University Area, which university no clear (PP Project-Park Forest)
4.	12.09.2021	Shiv Shambho Social Foundation	3000	P@2000	Vithudevrai Tekadi Phursungi
5.	22.08.2022	Shiv Shambho Social Foundation	3000	P@1998	Vithudevrai Tekadi Phursungi
6.	2022-2025	Google Images	Shows already plantation at Vithudevrai Tekadi Phursungi		
7.	23.04.2024	Harshvardhan Enterprises	897	P@2004	Vithudevrai Tekadi Phursungi
8.	23.04.2024	Harshvardhan Enterprises	897	P@2005	Vithudevrai Tekadi Phursungi
9.	18.06.2024	PMC Letter	PMC provided land to PP		
10.	25.11.2024	NGT Order	PP does not disclosed plantation and land availability by PMC for plantation at Fursungi, PP & PMC acted as mute spectators, #Applicant to suggest alternative site.		
11.	05.03.2025	PP Affidavit	disclosing plantation and land availability by PMC for plantation at Fursungi,		
12.	06.03.2025	Email	PP served affidavit		
13.	07.03.2025	NGT	Matter adjourned		
14.	18.07.2025	NGT Order	PP affidavit considered		

It is important to note here “Sai Enterprises” and “Harshvardhan Enterprises” are the same firms and it is suspicious. Also, it is important to note here that, none of the PP affidavit clarifies the payment made to the vendors and only invoices and work orders are attached. These vendors or contractors shall be PMC approved as per BHC Order passed in PIL, but PMC have not confirmed that the above alleged plantation is done by these contractors in their presence.

That the reply affidavit filed by the R-22-PP vide dated 21.08.2023, 05.03.2025 and Photos 17.07.2025 are nothing

but the baseless, misleading and afterthought documents created in collusion with Mr. Ashok Ghorpade to overcome the action from this Hon'ble NGT. That the government Authorities have consumed lots of time since December-2022 to December-2025 for creating forged & fabricated documents. That PP have not submitted details of transfer of payment and fees paid to the above mentioned vendors from his account and only submitted invoices and work orders, which does to prove the business of said plantation. That the business done on 23.04.2024 & 18.06.2024 between PP & PMC suppressed by them for the letters, work orders, PMC land availability conformation etc. and procured the order from NGT for suggesting the alternative site for plantation. This entire episode proves that there is no plantation. Further, PMC is the wholly responsible authority for such compensatory plantation and such plantation has to be done before them with submission of six monthly reports. However, there is no such report. That the plantation alleged at the Phursungi-Vithumai Devrai Tekadi has been carried out by the Villagers from their social plantation programme executed since the year 2020 to 2022. However, PP, PMC official Mr. Ashok Ghorpade and One "Shiv Shambho Social Foundation" in collusion with each other have created forged & fabricated documents to overcome violation of OA. That the "Shiv Shambho Social Foundation" letter dated 27.12.2021 attached at **Page No. 2000**, clearly indicate the plantation of 3000 local species on same location alleged by PP. This Applicant No. 1 has confirmed with "Shiv Shambho Social Foundation" person and said person clearly told there was letter from PP requesting for plantation, but there is no plantation by PP till date. That the photographs submitted by the PP dated 15.07.2024 (P@2031-2131) and 17.07.2025

(P@2132 to 2154) are nothing but the existing plantation carried out by the Phursungi Villages before the year 2022 and there is no plantation by PP. That the PP failed to plant the requisite number of compensatory trees as well as transplantation of trees in letter and spirit and shows careless and reckless attitude towards the environment, by kept moving us around his fabricated stand in collusion with PMC.

9. REJOINDER TO THE REPLY OF R-12-16-PMC DATED 07.12.2023, 03.01.2026 (ADJOURNMENT ON 12.01.2026), 11.02.2026 & REPLY TO IA DATED 11.02.2026:

9.1 REJOINDER TO THE REPLY OF R-12-16-PMC DATED 07.12.2023: That the PMC have admitted grant of three permissions for felling of 315 trees and for transplantation of 116 trees in its all three affidavit. Also, in its first affidavit PMC have approved there were 786 trees available at the beginning of the project. Also, PMC have relied on the Order dated 01.07.2013 passed by Hon'ble High Court of Bombay for granting first permission for felling of trees on certain conditions, out of said conditions, Conditions No. (iii), (iv), (v), & (vii) are blatantly violated by the PP, but ignored by PMC. That on page No. 1970, PMC is referring the criminal case filed for illegal felling of trees, but this complaint is disposed of on 06.10.2023, but PMC while filling this affidavit dated 07.12.2023 have suppressed the same from this Hon'ble NGT. That the Ld. Trial court have held there is illegal felling of trees, but accused being the company employ cannot be held responsible for the same and PMC failed to prove the felling by accused. I state that, PMC intentionally not filed the case against proper director of company. That the PMC affidavit has not made clear that which contractor was approved for new plantation or for transplantation in its any of the affidavit.

Further, PMC have falsely alleged that, PP have carried out compensatory plantation of 1210 trees at Pune University and 300 Trees, but there is no documentary evidence in support of this contention have been filed by PMC as well as PP and this contention is absolutely wrong. Further PMC have made false statement, that 202 sampling from Pune University and 25 samplings from Kendriya Vidyalaya are survived.

9.2 REJOINDER TO THE REPLY OF R-12-16-PMC DATED 03.01.2026):

It is also, important to note here the affidavit dated 03.01.2026 was ready with the PMC, but it is not submitted till 12.02.2026 and filed just one night before the 12.02.2026, which created lots of pain to this Applicant. That this affidavit is partly true and partly misleading and at the repetition about the permission. However, PMC have admitted that there is new plantation of 193 trees at project site. There exists 196 old trees and out of 196 trees 17 are dead. Further PMC have made false statement that, there is compensatory plantation of 732 trees at Plot No. 82 & 85 of Village-Fursungi by PP. Also, misled this Hon'ble NGT on account of total Compensatory plantation of 1127 trees by computing 193 newly planted trees at site against the grant of EC as remedial and mitigation measure. Also, PMC have justified the plantation and its survival of 202 trees from Pune University as there is compliance to the procedures adopted into the Order of Hon'ble Bombay High Court as there was no plan submitted by PP before carrying out such plantation. Therefore, this affidavit dated 03.01.2026 is vague and noting but the statement of PP.

9.3 REJOINDER TO THE REPLY OF R-12-16-PMC DATED 11.02.2026 & REPLY TO IA DATED 11.02.2026:

Further

the third Reply Affidavit is nothing but the repetition of second affidavit with additional admission to for taking clear stand on not having evidence for transplantation of 116 trees. Report filed by PMC for compensatory plantation of 732 trees at Plot No. 82 & 85 of Village-Fursungi does not tally with the PP report as well as Geo-coordinates does not matches, also, count of tree does not matches as this tree plantation is not done by PP and just to cover-up cumulative illegality this lame attempt have been made in collusion with contractor and one "Shiv Shambho Social Foundation" by snatching the credit of social forestation carried out by the villages before the year 2022. Also, so called survival 202 trees from Pune University, 732 trees from Fursungi and 193 newly planted trees at project site cannot be considered as compensatory plantation. That the Annexure-A to E are the afterthought evidences created by PMC officials to help and facilitate the PP. and such vague documents cannot be relied.

That the IA No. 33/2026 field by the PMC for waiver of cost of Rs. 50000/- shall not be considered and shall be dismissed as PMC is the authority have misled this Hon'ble NGT since commencement of the case and not taken clear stand for covering-up the illegality and collusion of their officers. However, this Applicant leaving the final decision on this Hon'ble NGT for considering this IA.

10. REJOINDER TO THE REPLY OF R-19-KENDRIYA VIDYALAYA DATED 09.06.2023:

That the affidavit filed by R-19 is totally vague and there is no such plantation done by PP. However, just to get escape from the clutches of this Hon'ble NGT proceedings, R-19 is making such statement. Moreover, How Principal is authorised to dispose of the land for tree plantation as there cannot be

further development on such land as directed by the Bombay High Court. Why PMC, Kendriya Vidyalaya and SPPU are not serious about the government-public land. Moreover, PMC have not carried out any inspection or survey for this Plantation. It is important to note that the R-19-Kendriya Vidyalaya filed affidavit on 09.06.2023 and only thereafter, PMC have filed their first affidavit on 07.12.2023 by making afterthought statement that the PP have carried out compensatory plantation of 1210 trees in SPPU and plantation of 300 trees in Kendriya Vidyalaya by adopting the statements of PP from bogus documents. Basically, entire compensatory plantation is done on paper only and actually & physically there is no such plantation. That this Hon'ble NGT may kindly take action against this Respondent for playing fraud upon this Hon'ble NGT.

11. REJOINDER TO THE REPLY OF R-17-SPPU DATED 10.12.2024:

That the R-17-SPPU has filed totally false, misleading and baseless affidavit tanking contrary stand to overcome their crime & illegality. That the letters dated 20.10.2012, 24.12.2014, 08.02.2016 issued by **R-18-Dr. S. S. Deokule:** Professor & HOD of Botany Dept. for University of Pune states that the total "**810 number of trees**" are planted in "**Botanical garden**" and whereas R-17-SPPU vide its affidavit dated 10.12.2024 states that R-22-PP have carried out "**plantation of 1210 trees**" in "**university premises**" from the year 2012 to 2016. Further R-17-PP has made false statement by giving convenient clarification that, the reply to RTI query dated 12.08.2017 in response to RTI dated 17.07.2017 by stating that, "Outsiders are not allowed to plantation in the Botanical Garden of the University and R-22-PP was permitted by the

University to carry out compensatory plantation in entire University premises". It is important to note that, such lame attempt have been made by the R-17-PP in collusion with R-22-PP, to overcome their own forgery of documents. Therefore, this Hon'ble NGT may kindly take serious note of this conduct and pass strict order (s) as under prayer No. 26 (i) at Page No. 64 of OA against R-17-SPPU & R-18-Mr. S. S. Deokule.

Sr.	Particular	Date	Plantation location	No. of trees	Page
1.	Letter: Mr. S. S. Deokule	20.10.2012	Botanical Garden	810	P@127
2.	Letter: Mr. S. S. Deokule	24.12.2014	Botanical Garden	810	P@409
3.	Letter: Mr. S. S. Deokule	08.02.2016	Botanical Garden	810	P@441
4.	RTI Appl ⁿ	12.08.2017			P@513
5.	Reply to RTI	12.08.2017	Outsider person cannot do any plantation		P@520
6.	R-22-PP Reply	03.01.2023	Replied only preliminary issues		
		21.08.2023	No location of university is mentioned in reply	810 trees planted prior to BHC/PMC Permission	P@1590
7.	R-17-SPPU Reply	10.12.2024	University Premises	Planted: 1210 Survived: 2020	P@2155-2158

It is important to note that, Letter dated 20.12.2012 of R-18-S.S. Deokule also states that, PMC have granted permission to remove 251 trees and its 1:3 ratio plantation is 810. However, on 20.12.2012 there was no permission to remove any tree by PMC on 20.10.2012. First permission is granted

by Hon'ble Bombay High Court vide dated 01.07.2013 (**P@176**) followed by PMC vide dated 25.07.2013 (**P@182**) for removal of 17 trees and transplant 13 trees, then How Mr. Deokule are stating that PMC have granted permission for complete removal of 251 trees, on what basis. There is no reference for plantation of 1210 trees found in reply of PP except R-17-SPPU and same line is toed by PMC as university.

- 12. REJOINDER TO THE REPLY OF R-7-SEIAA DATED 21.08.2023:** That SEIAA admits that there are three environment clearances (EC) granted to PP vide dated 01.12.2014, 27.11.2018 & 25.07.2022 r/w corrigendum dated 05.12.2022, which mention existing trees at site are to the tune of 401 corrected from 275 trees. SEIAA also admits that the compliance and monitoring is the responsibility of MoEFCC. That the tree plantation directed against grant of EC is only for the remedial and mitigation measures and its completely different from the compensatory & transplantation directed by PMC against their permission. Therefore, new tree plantation at project site is not the part of compensatory plantation. It is mandatory on part of PP to maintain the number of trees at project site as mentioned in the EC i.e. existing protected trees plus newly planted trees and these trees are not part of the PMC permission. That out of existing 196 trees, 17 trees are dead. Therefore, total no. of trees at project site are $179+193=372$ (excluding dead Trees) or $196+193=389$ (Including Dead Trees) as against mandatory trees of **621** under EC dated 25.07.2022 to be maintained at project site. There is **shortcoming** of trees against EC: $621-372= 249$ (**Excluding Dead Trees**) or $621-389=232$ (**Including Dead Trees**).

That the BUA against the each EC is increased from 26080.62 M² to 57663.19 M² and therefore number of trees to be maintained at project site is also increased from 547 to 621 as remedial and mitigation measures. Therefore, new tree plantation and old-existing trees to be retained at site is only against the EC as remedial and mitigation measures and it has no bearing from PMC permission for felling, compensatory tree plantation and transplantation etc. and both these plantations operates on different permissions, footing and concepts etc.

13. REJOINDER TO THE REPLY OF R-2-CGWA DATED

01.03.2024: That the reply of CGWA is also meaningless as PP applied for NOC from CGWA for first time on 30.06.2018 and same application was rejected on 20.09.2020 due to non-submission of requisite documents, But CGWA never inspected the premises for existing bore wells prior to 18.08.2023, only after the filling of OA inspection is carried out. Thereafter, CGWA advised PP on 19.07.2023 then PP applied for NOC on 03.08.2023 just after the inspection of 18.08.2023 only within 7 days PP procured the NOC from CGWA i.e. on 25.08.2023. This entire episode shows the compromised statements on part of Government Authorities. That the PP was extracting ground water from two bore wells.

14. REJOINDER TO THE REPLY OF R-1-MOEFCC DATED

07.12.2023: That the reply of MoEFCC is stereo type and it's not based on the case specific. It is necessary to verify the compliance of EC by MoEFCC, however same has not been done by MoEFCC and such negligence has resulted into mass destruction of trees and non-plantation of compensatory plantation & transplantation.

15. **THAT IN SUM AND SUBSTANCE**, replies of all authorities are compromised statement and its only due to deep unholy nexus of the R-22-PP with government authorities occupied by dishonest persons, it is case of “**wrenching of farm by fens itself**”, then this applicants having limited access to the documents and this Applicants cannot do more than this.
16. This Hon'ble NGT may kindly pass appropriate orders considering the facts, circumstances and Pleadings from OA, Replies and Rejoinder.
17. Hence this Rejoinder

Whatever stated above is true and correct to the best of my knowledge, belief and information, hence, to verify the same I have signed hereunder at Pune.

Place: Pune

Date: 16.02.2026



(TANAJI B. GAMBHIRE)
(APPLICANT NO. 1)

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH PUNE
ORIGINAL APPLICATION NO. 97 OF 2022

IN THE MATTER OF:

MR. TANAJI BALASAHEB GAMBHIRE

....APPLICANT

VERSUS

UNION OF INDIA & ORS.

....RESPONDENTS

AFFIDAVIT IN SUPPORT OF REJOINER ON BEHALF OF THE ORIGINAL APPLICANTS TO REPLY OF PP DATED 21.08.2023, 05.03.2025, PHOTOS 17.07.2025, REPLY OF R-12-16-PMC DATED 07.12.2023, 03.01.2026, 11.02.2026 & REPLY TO IA DATED 11.02.2026, REPLY OF R-19-KENDRIYA VIDYALAYA DATED 09.06.2023, REPLY OF R-17-SPPU DATED 10.12.2024, REPLY OF R-7-SEIAA DATED 21.08.2023, REPLY OF R-2-CGWA DATED 01.03.2024, R-1-MOEFCC DATED 07.12.2023.

I, Mr. Tanaji Gambhire S/o Shri. Balasaheb Gambhire Age: 43 Years, Profession: Advocate, R/at: CTS No. 296, Shukrawar Peth, Laxmi Apartment, Near Shivaji Maratha High School, White House Lane, Pune-411002, do hereby solemnly affirm and state on oath as follows:

1. I state that, I am Applicant No. 1 in the aforesaid matter and I am well aware with the facts and circumstances of the case and in such capacity competent to depose by way of this affidavit.
2. I have read the contents of the accompanying of Rejoinder to the Respondents Reply, the same has been drafted by myself and that the same are true facts in my personal knowledge.
3. I state that, the annexures attached with the Rejoinder to the Respondents Reply are true copies of their respective and content of this affidavit are true and correct to the best of my knowledge and belief.
4. Hence this Affidavit.

Bombhise
AFFIANT

(MR. TANAJI B. GAMBHIRE)

BEFORE ME

Shashikant Bhagwan Kurhade
SHASHIKANT BHAGWAN KURHADE
NOTARY, GOV. OF INDIA
PUNE DISTRICT (MAHARASHTRA)
REGN. No. 10476



Noted and Registered
at Sr. No. 64/2026
Date:- 16 FEB 2026



ANNEXURE-A-1

प्रति,
कार्यकारी अभियंता
राष्ट्रीय महामार्ग विभाग, पुणे
अर्सनल प्लॉट कंपाऊंड, १ ला मजला
हॉटेल सागर प्लाझा समोर, कॅम्प पुणे ०१

विषय :- नवीन वृक्ष लागवडीबाबत.

संदर्भ :- १) जा.क्र.रा.म.वि.पुणे/पी वी-३/२४६५/२०२२ दि.०८/१२/२०२२
रोजीचे पत्र.

संदर्भांकित पत्रानुसार Construction of Six lane flyover at kataraj junction at km.3/880 of NH 548 DD (Vadgaon -karaj-kondhawa-mantarwadi chowk-Loni kalbhor -theur phata-lonikand road) in pune District of the state of Maharashtra on EPC basis mode (km3/409 to km4/735 lane 1.326 km) ८८ ट्री अॅक्ट १९७५ व सुधारित सन २०२१ नुसार एकूण ४४४ वृक्ष पूर्ण काढणेस व २१५ वृक्ष पुनरोपण करणेपोटी वृक्षांच्या वयाच्या संख्येएवढी नवीन ८१५३ वृक्ष लागवड करणे आवश्यक होते, त्यानुसार स.न. ८२/८५ गायरान टेकडी ,गंधान खिला ,विठ्ठमाई टेकडी येथे जागा उपलब्ध करून दिली असून सदर ठिकाणी एकूण ८१५३ नवीन वृक्षांची यशस्वीरीत्या लागवड केलेली आहे. यापुढे सदरील सर्व वृक्षांची ३ वर्ष संवर्धनाची जबाबदारी आपली राहिल.

51C
महा.उत्तमप्राधिकरण
पुणे महानगरपालिका

12-12-2022
(आवक लिपिक)
कार्यकारी अभियंता
राष्ट्रीय महामार्ग विभाग
पुणे-१

सदस्य सचिव
वृक्ष प्राधिकरण
पुणे महानगरपालिका

कार्यालयकडील उपलब्ध
प्रारंभिक कामगवडांच्या प्रतीवस्त
सदरची सुवांस पत्र उपलब्ध करून
दिली आहे.

जनसहिती अधिकारी
धनकवडी क्षेत्रीय कार्यालय
पुणे महानगरपालिका

TRUE COPY

Bambhise

Office of Trees Authority
Pune Municipal Corporation
Outward No 1401
Dated 12/12/2022

To
Executive Engineer
National Highway Division, Pune
Arsanal Flat Compound, 1st Floor
Opp. Hotel Sagar Plaza
Camp, Pune-1

Sub: Regarding new trees planting

Ref: Letter bearing outward No RMV Pune/PB-3/2465/2022 dated
8/12/2022

As per the reference letter *Construction of Six lane flyover at katarj junction at km.3/880 of NH 548 DD (Vadgaon -karaj-kondhawa-mantarwadi chowk-Loni kalbhor -theur phata-lonikand road) in pune District of the state of Maharashtra on EPC basis mode (km3/409 to km4/735 lane 1.326 km) 88* As per the Tree Act 1975 and its amended act 2021, it was necessary to plant 8153 new trees equal to the age of the trees, accordingly, S.N. 82/85 Gairaan Tekdi Gandhan Khila, Vithumai Tekdi has been made available and a total of 8153 new trees have been successfully planted at the said place. Henceforth, the responsibility of conservation of all the said trees for 3 years will remain with us.

SD
Asst Garden Supervisor
Pune Municipal Corporation

SD
Member-Secretary
Trees Authority
Pune Municipal Corporation

TRUE TRANSLATION

Bgmbrise

ANNEXURE-A-2

दाखल दिनांक: २९.०६.२०१६

नोंदणी दिनांक: २९.०६.२०१६

निकाल दिनांक: ०६.१०.२०२३

कालावधी: ०७व: ०३म: ०७दि:

प्रथमवर्ग न्यायदंडाधिकारी, पुणे महानगर पालिका न्यायालय, जि. पुणे
(प्रभारी पिठासीन अधिकारी कु. अक्षी जैन)

समरी फौजदारी खटला क्र. ६४/२०१६निशाणी क्र.४८

पुणे महानगरपालिका तर्फे,
 श्री. रत्नाकर करडे
 वय: २८ वर्षे, धंदा: नोकरी,
 हुददा: हॉर्टिकल्चर सुपरवायझर,
 छत्रपती संभाजीराजे उद्यान,
 शिवाजीनगर, पुणे ०५.

... फिर्यादी

विरुध्द

कर्नल सुंदर रमन (रिटायर्ड)
 मे. प्राईड पर्पल एलएलपी
 ५ वा मजला, प्राईड हाउस,
 पुणे विद्यापीठ, सर्कल जवळ, पुणे.

... आरोपी

फिर्यादी पक्षातर्फे विधिज्ञ:

श्री. एस. जे. पाटील,

आरोपी करिता विधिज्ञ:

श्री. चिन्मय इनामदार

श्री. अमोल डांगे

6/10/23

न्यायनिर्णय

(पारित दिनांक ०६ ऑक्टोबर, २०२३)

प्रस्तुत खटला आरोपीविरुद्ध महाराष्ट्र (नागरी क्षेत्र) झाडांचे संरक्षण व जतन अधिनियम, १९७५ चे कलम ८(१) सह कलम २१(१) अन्वये शिक्षापात्र असलेल्या गुन्द्याचे आरोपांबाबत चालविणेत आला.

०२. फिर्यादी पक्षातर्फे असे कथन आहे की, पुणे महानगरपालिका, उद्यान विभाग, पुणे यांना दिनांक ०८/१२/२०१५ रोजी वृक्षतोडीची माहिती मिळाली. त्यानुसार फिर्यादीच्या वरिष्ठांनी घटनास्थळी पाहणी केली व तेथील परिस्थितीचा अहवाल सादर केला. पुणे महानगरपालिका (येथुन पुढे संक्षिप्ततेकरिता 'पुणे मनपा' असे संबोधण्यात येईल) हद्दीतील स. नं. ६६५/ए, बिबवेवाडी, पुणे येथे जाऊन पाहणी केली. त्याठिकाणी एकूण ७० सुबाभूळ, ९ कडुलिंब, ९ आंबा, १ शेवगा, ५ ऑस्ट्रेलियन बाभूळ, १ काटेरी बाभूळ, ६ गलिरिसीडिया, ७ चंदन या वृक्षे मिळकतीवर अस्तित्वात नाही तर ७ निलगिरी, १ कडुलिंब, १ शेवगा या वृक्षांचा २ मीटर वरील विस्तार विनापरवाना, ४ सुबाभूळ या वृक्षाचा ४ ते ५ मीटर वरील विस्तार विनापरवाना, २ आंबा या वृक्षाचा ५ मीटर वरील विस्तार विनापरवाना, १ बोर या वृक्षाचा ७ मीटर वरील विस्तार विनापरवाना तोड केल्याचे आढळले.

०३. फिर्यादमध्ये पुढे असे आले आहे की, फिर्यादी रविंद्र कांबळे यांनी वृक्षतोडीच्या स्थळाचे छायाचित्र काढले, दिसत्या परिस्थितीचा पंचनामा केला आणि त्यानुसार अहवाल सादर केला. त्यानंतर फिर्यादी पुणे मनपाने आरोपीस वर नमुद वृक्षतोड केल्यामुळे त्याला दोन नोटीस पाठविल्या. आरोपीने प्रस्तुत नोटीसीस उत्तर दिले, परंतु सदर उत्तर असमाधानकारक असल्यामुळे फिर्यादी पुणे मनपाने आरोपीविरुद्ध प्रस्तुतचा खटला दाखल

केला.

०४. आरोपीला खटल्यात समन्स काढण्यात आल्यानंतर आरोपी खटल्यात हजर झाला. गुन्हाचे दोषारोप आरोपीला मराठीत समजावून सांगितले, आरोपीला ते समजले. आरोपीने गुन्हा कबुल केला नाही. निशाणी ८ अन्वये आरोपीचे निवेदन नोंदविण्यात आले व त्याचे विनंतीवरून सदरचा खटला आरोपीविरुद्ध पुढे चालविण्यात आला.

०५. गुन्हा सिध्द करण्यासाठी फिर्यादीने स्वतःची साक्ष नोंदविली व कागदोपत्री पुरावा दाखल केला. निशाणी क्र. ४५ अन्वये आरोपीचे फौजदारी प्रक्रिया संहिताचे कलम ३१३(१)(ब) अन्वये तपासणी घेण्यात आली. आरोपीने त्याचेविरुद्ध सर्व बाबी नाकारल्या व तो निर्दोष असल्याचे सांगितले.

०६. उभय पक्षांचा युक्तीवाद, खटल्यातील पुरावा व इतर कागदपत्रांचा विचार करता खालील मुद्दे निर्माण होतात त्यांचे निष्कर्ष कारणमिमांसेसहीत नोंदवित आहे ते येणेप्रमाणे:

अ. क्र.	मुद्दे	निष्कर्ष
१	फिर्यादी पक्ष सिध्द करतो काय की, दिनांक ०८/१२/२०१५ रोजी पुणे मनपा हद्दीतील स. नं. ६६५/ए, बिबवेवाडी, पुणे येथे जाऊन पाहणी केली. त्याठिकणी एकुण ७० सुबाभूळ, ९ कडुलिंब, ९ आंबा, १ शेवगा, ५ ऑस्ट्रेलियन बाभुळ, १ काटेरी बाभुळ, ६ गलिरिसीडीया, ७ चंदन या वृक्षे मिळकतीवर अस्तित्वात नाही तर ७ निलगिरी, १ कडुलिंब, १ शेवगा या वृक्षांचा २ मीटर वरील विस्तार विनापरवाना, ४ सुबाभुळ या वृक्षाचा ४ ते ५ मीटर वरील विस्तार विनापरवाना, २ आंबा वरील विस्तार विनापरवाना, अनाधिकृतारित्या तोड केली होती	नकारार्थी


6/10/23

	किंवा तो सदर वृक्षतोडीस कारणीभूत झाला होता?	
२	आदेश काय ?	आरोपीला निर्दोष मुक्त करण्यात आले.

कारणमिमांसा

०७. आरोपीविरुद्ध गुन्हा शाबीत करण्याकरिता फिर्यादी पक्षाने ही बाब शाबीत करणे आवश्यक आहे की, आरोपीने अवैधरित्या एकूण ७० सुबाभूळ या वृक्षांची उंची जमिनीपासून ६ इंच ते १ मी. वरील विस्तार विनापरवाना, अनाधिकृतरित्या तोड केली होती व तो महाराष्ट्र (नागरी क्षेत्र) झाडांचे संरक्षण व जतन अधिनियम १९७५ चे कलम ८(१) सह कलम २१(१) चा अन्वयेच्या तरतुदीप्रमाणे आरोपी शिक्षेस पात्र आहे.

०८. गुन्हा सिध्द करण्यासाठी फिर्यादी रत्नाकर महादेव करडे व बाळासाहेब कुशाबा डोळस यांनी त्यांचा पुरावा दिलेला आहे. याशिवाय अहवाल निशाणी ३८, कार्यालयाने आरोपीस पाठविलेल्या नोटीसा अनुक्रमे निशाणी ३९ व ४० लगत, दि. ०५.०५.२०१६ रोजीचे पत्र नि.क्र. ४१ इ. कागदपत्रे दाखल केली.

मुद्दा क्रमांक १ करिता

०९. फिर्यादीतर्फे सा.क्र. १ बाळासाहेब डोळस यांचे तोंडी पुराव्यावरून असे दिसते की, सन २०१५ मध्ये डिसेंबर महिन्यात ते कोढवा क्षेत्रीय कार्यालयात कार्यरत होते. सदर दिवशी बाळा शेंडगे या व्यक्तीकडून तक्रार आलेली होती. त्यांनी समक्ष जागेवर जाउन पाहणी केली व त्या ठिकाणी एकूण ७८६ वृक्षांपैकी ५६० झाडे असणे आवश्यक होते. त्यानुसार त्यांनी प्रत्यक्ष वृक्ष आढळून आले नसल्याने त्यांनी त्याबाबतचा अहवाल वरिष्ठांना सादर केला व त्यानुसार दि. ३०.११.२०१५ रोजी अहवाल वरिष्ठांना सादर केला.


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१०. आरोपीतर्फे घेण्यात आलेल्या उलटतपासामध्ये फिर्यादीने हे मान्य केले आहे की, प्रत्यक्ष घटनास्थळावर कमी झाडे आढळून आल्याबाबत त्यांनी पंचनामा केला नाही, तसेच त्याचे छायाचित्र काढले नाहीत. तसेच बाळा शेडगे ज्यांनी तक्रार दिलेली आहे ते नगरसेवक आहेत याबद्दल त्यांना माहित आहे. साक्षीदाराने उलटतपासात नाकारले की, ते प्रत्यक्ष जागेवर कधीही गेले नाही, बाळा शेडगे यांच्या राजकीय दबावापोटी चुकीचा अहवाल तयार करून सादर केला.

११. फिर्यादी तर्फे सा.क्र. २ रत्नाकर करडे यांचे तोंडी पुराव्यावरून असे दिसते की, दि. ३०.११.२०१५ रोजी त्यांच्याकडे अहवाल प्राप्त झाला व त्यावर सहा. उद्यान अधीक्षक संतोष कांबळे यांची सही आहे. अहवाल वाचल्यानंतर संबंधितास नि.क्र. ३९ प्रमाणे दि. १०.१२.२०१५ रोजीची नोटीस पाठवली त्यावर वृक्ष अधिकारी घोरपडे यांची सही आहे. त्यानंतर सदर नोटीसीच्या अनुषंगाने नि.क्र. ४० प्रमाणे खुलासा प्राप्त झाला. नंतर तक्रारदार बाळा शेडगे यांना दि. ०५.०५.२०१६ रोजीच्या नि.क्र. ४१ च्या पत्रान्वये कळवले. शंतनु जगदाळे यांच्या मार्फत देखील घटनास्थळावर वृक्षतोड झाल्यासंदर्भात विभागात तक्रार आली होती. सदर प्रस्तुत फिर्याद ही स.नं. ६६५/१, बिबवेवाडी, पुणे येथे वृक्षतोड झाली.

१२. आरोपीतर्फे घेण्यात आलेल्या उलटतपासामध्ये साक्षीदाराने कथन केले की, अभिलेखावर फिर्याद व्यतिरिक्त इतर पंचनामा, छायाचित्र आणि स्वतंत्र साक्षीदार नाही कोणताही कागदोपत्री पुरवा नाही. तसेच त्यांच्या विभागामार्फत प्राईड पर्पल कंपनी दि. २५.०७.२०१३ आणि दि. २३.०५.२०१४ रोजी परवानगी देण्यात आली होती. दि. ३०.११.२०१५ रोजी अहवाल सादर करताना आरोपी हे कंपनीत नोकरीस होते किंवा नाही याबाबत त्यांनी चौकशी केली नाही. साक्षीदाराने उलटतपासात नाकारले की, संबंधित व्यक्तीविरोधात शहानिशा न करता प्रस्तुतची फिर्याद दिली. वृक्षतोड झाल्यानंतर एकूण ८१०


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वृक्ष प्राईड पर्पल कंपनी मार्फत पुणे युनिव्हर्सिटी येथे लावण्यात आले होते त्याबाबत दि. २४.१२.२०१५ रोजी कळविले होते. नि.क्र. ३९ वरील नोटीस दिल्यानंतर प्राईड पर्पल कंपनीमार्फत दि. ०५.०१.२०१६, ०७.०५.२०१६, १९.०५.२०१६ रोजी विभागास संयुक्त पाहणी करु या संदर्भात पत्र आले होते. तसेच साक्षीदाराने उलटतपासात नाकारले की, प्रत्यक्षात जागेवर वृक्षसंख्या जास्त असल्यामुळे संयुक्त पाहणीकरीता ते घटनास्थळावर गेले नाही. साक्षीदाराने उलटतपासात मान्य केले की, आरोपी हे संबंधित जागेचे मालक अथवा ऑक्युपायर नाही.

१३. आरोपीतर्फे घेण्यात आलेल्या उलटतपासामध्ये फिर्यादीने हे मान्य केले आहे की, अभिलेखावर फिर्याद व्यतिरिक्त बाकी काही पुरावा नाही. तसेच सदरील आरोपी हा संबंधित जागेचा मालक/ऑक्युपायर नाही, आरोपी हा प्राईड पर्पल येथे नोकरी करतात किंवा कसे. त्याने असे कथन केले आहे की, विभागाने ६६८ झाडे लावण्याचे सांगितले होते आणि त्याउलट प्राईड पर्पल कंपनीने पुणे विद्यापीठामध्ये ८१० वृक्षारोपण केले आणि त्याबद्दल दि. २४.१२.२०१५ रोजी विभागास कळविले होते. एखादया ठिकाणी अवैध वृक्षतोड झाली असेल तर सदर जागेचे मालक किंवा ऑक्युपायर यांच्या विरुद्ध तक्रार करावयाची असते परंतु आरोपी हा दोघांपैकी काही नाही. आरोपीने झाडे तोडले याबद्दल काही पुरावा अभिलेखावर नाही.

१४. सदर तथाकथित वृक्षतोड ही आरोपीनेच केली ही बाब सिध्द करण्यासाठी फिर्यादी पक्षातर्फे साक्षीदाराच्या पुराव्याव्यतिरिक्त अन्य पुरावा देण्यात आलेला नाही. मात्र, साक्षीदाराने आरोपीनीच वृक्षतोड केल्याचे सांगितलेले नाही.

१५. आरोपीचे फौजदारी प्रक्रिया संहिता कलम ३१३(१)(ब) प्रमाणे नोंदविलेल्या जबाबात आरोपी असे कथन करतो की, ते प्राईड पर्पल कंपनीत सन २०१४ मध्ये नोकर


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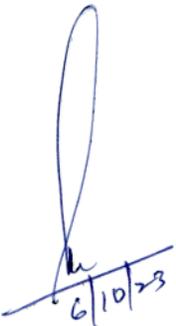
म्हणून काम करण्यास सुरुवात केली. ते सदर कंपनीचे मालक किंवा जागेचे ताबेधारक नव्हते. वरिष्ठांच्या सांगण्यावरून वृक्ष अधिक्षक यांचे नोटीसीवर फक्त सही केली आणि त्यांच्या प्रकरणात काही संबंध नाही. त्याच्याविरुद्ध खोटी केस दाखल केलेली आहे.

१६. वरील सर्व बाबींवरून कथित वृक्षतोडीबाबतच्या नोटीस आरोपीस पाठविली होती ही बाब फिर्यादी पक्षाने सिध्द केलेली असली तरीही आरोपीचा वृक्षतोडीशी थेट संबंध आहे ही बाब पुराव्याअभावी सिध्द होत नाही. या आरोपीस तथाकथित वृक्षतोड करतांना प्रत्यक्ष पाहणारा आणखी कोणीही साक्षीदाराचा पुरावा या प्रकरणात उपलब्ध नाही. अर्थात, वृक्षतोडीशी आरोपीचा थेट संबंध दर्शविणारा कोणताही पुरावा या प्रकरणात नाही. ज्या व्यक्तीने फिर्यादीस तक्रार केली त्याचा पुरावा या प्रकरणात नोंदविण्यात आलेला नाही. आरोपीला सदर वृक्ष तोडताना प्रत्यक्षपणे कोणी पाहिल्याबाबत पुरावा नाही. आरोपीकडे या वृक्षाचा काही भाग म्हणजे लाकुडफाटा मिळून आलेला नाही. वादातील वृक्ष त्याठिकाणी अस्तित्वात होते याबद्दलही कोणताही लेखी पुरावा नाही. अशा परिस्थितीत, सदरचे वृक्ष आरोपीने तोडले ही बाब सिध्द सिध्द होत नाही.

१७. फौजदारी न्यायतत्वमिमांसेच्या प्रस्थापित सिध्दांतानुसार एखाद्या आरोपीवर फौजदारी गुन्ह्याचे दायित्व सिध्द होण्यासाठी संशयापलीकडे खात्रीलायक पुरावा येणे अपेक्षित आहे. या प्रकरणात वृक्षतोडीची बाब संशयापलीकडे सिध्द होण्याइतपत पुरावा या खटल्यात आलेला नाही. वरील सर्व कारणास्तव आरोपीवरिल गुन्हा सिध्द होत नाही, म्हणून प्रश्न क्रमांक १ चे निष्कर्ष मी नकारार्थी नोंदवित आहे.

प्रश्न क्रमांक २ करिता:

१८. फिर्यादीने कथित वेळी व स्थळी वृक्षतोड झाल्याची घटना सिध्द केली आहे, परंतु या घटनेमध्ये आरोपीवर ठेवण्यात आलेले आरोप संशयापलीकडे सिध्द झालेले


6/10/23

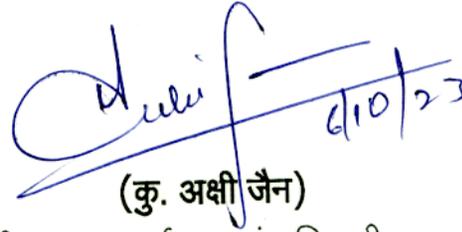
नाहीत. सबब, आरोपी निर्दोष मुक्त होणेस पात्र ठरतो, करिता न्यायाच्या दृष्टीने मी खालीलप्रमाणे आदेश पारित करतो:

आदेश

१. आरोपी कर्नल सुंदर रमन (रिटायर्ड) यास फौजदारी प्रक्रिया संहिता, १९७३ चे कलम २५५(१) अन्वये त्याच्यावर ठेवण्यात आलेल्या महाराष्ट्र नागरी क्षेत्र झाडांचे जतन अधिनियम, १९७५ चे कलम ८(१) सह कलम २१(१) अन्वये शिक्षापात्र असलेल्या गुन्ह्याच्या आरोपातुन निर्दोष मुक्त करण्यात येते.
२. आरोपीचा जामिन बंधपत्र किंवा जात मुचलका रद्द करण्यात येतो.
३. आरोपीने फौजदारी प्रक्रिया संहिता, १९७३ चे कलम ४३७-अ अन्वये, पुढील सहा महिन्याचे कालावधीकरिता रक्कम रुपये १५,०००/- चा वैयक्तिक जामीन बंधपत्र दाखल करावे.
(न्यायनिर्णय खुल्या न्यायालयात जाहिर करण्यात आला)

स्थळ: पुणे

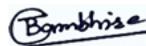
दिनांक: ०६/१०/२०२३.

 ६/१०/२३

(कु. अक्षी जैन)

प्रभारी प्रथमवर्ग न्यायदंडाधिकारी
(मनपा न्यायालय, पुणे), जि. पुणे.

TRUE COPY



Submitted on 29/6/2016
Registered on 29/6/2016
Judgment on 6/10/2023
Period 7Y 3M 7D

**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS
PUNE MUNICIPAL COUNCIL COURT, DISTRICT PUNE**
(In-Charge Presiding Officer Ms. Akshi Jain)

Summary Cr Case No 64/2016
Exhibit No 48

For Pune Municipal Corporation
Shri Ratnakar Karade
Age 28 yrs, Occupation-Service
Post: Horticulture Supervisor
Chatrapati Sambhaji Raje Garden
Shivaji Nagar, Pune-5 .. Complainant

Vs

Colonel Sundar Raman (Retd)
M/s Pride Purple LLP
5th Floor, Pride House
Near Pune University Circle, Pune .. Accused

For complainant Adv Shri S.J. Patil
For accused Adv Shri Chinmay Inamdar
Adv Shri Amol Dange

JUDGMENT

(Passed on 6th October 2023)

1. The present case was initiated against the accused on charges of an offence punishable under Section 8(1) read with Section 21(1) of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975.
2. The plaintiff has stated that the Pune Municipal Corporation, Parks Department, Pune received information about the felling of trees on 08/12/2015. Accordingly, the plaintiff's superiors inspected the spot

and submitted a report on the situation there. Pune Municipal Corporation (hereinafter referred to as 'Pune MNP' for brevity) visited S. No 665/A, Bibwewadi, Pune and inspected. There, a total of 70 Subabul, 9 Neem, 9 Mango, 1 Shevga, 5 Australian Acacia, 1 Prickly Acacia, 6 Galiricidia, 7 Sandalwood trees were found to be non-existent on the property, while 7 Eucalyptus, 1 Neem, 1 Shevga trees were found to have been cut down without permission, 4 Subabul trees were found to have been cut down without permission, 2 Mango trees were found to have been cut down without permission, and 1 Bora tree was found to have been cut down without permission.

3. The complaint further states that the complainant Ravindra Kamble took photographs of the site of tree felling, conducted a survey of the situation and submitted a report accordingly. Thereafter, the complainant Pune Municipal Corporation sent two notices to the accused for the above mentioned tree felling. The accused replied to the said notices, but as the said reply was unsatisfactory, the complainant Pune Municipal Corporation filed a case against the accused.
4. After the accused was summoned for the case, the accused appeared in the case. The charges of the crime were explained to the accused in Marathi, which the accused understood. The accused did not confess to the crime. The statement of the accused was recorded under Section 8 and on his request, the said case was proceeded against the accused.
5. The complainant recorded his own testimony and filed documentary evidence to prove the crime. The accused was examined under Section 313(1) (b) of the Code of Criminal Procedure under Case No 45. The accused

denied all the charges against him and stated that he was innocent.

6. Considering the arguments of both parties, the evidence in the case and other documents the following issues arise, the conclusions of which are recorded with reasoning as follows:

Sr. No	Points	Conclusion
1	Does the plaintiff prove that on 08/12/2015, he visited S No 665/A, Bibwewadi, Pune in the Pune Municipal Corporation limits. There, a total of 70 Subabul, 9 Neem, 9 Mango, 1 Shevga, 5 Australian Acacia, 1 Thorny Acacia, 6 Galiricidia, 7 Sandalwood trees were not present on the property, but 7 Nilgiri, 1 Neem, 1 Shevga trees were cut down without permission, 4 Subabul trees were cut down without permission, 4 to 5 meters above the extension of 2 Mango trees were cut down without permission or became cause for cutting of said trees?	Negative
2	What is the order?	The accused was acquitted.

Reasoning:

7. Order to prove the crime against the accused, the prosecution must prove that the accused had illegally and

without permission, cut down a total of 70 Subabhul trees with a height of 6 inches to 1 meter above the ground and that the accused is liable to punishment under the provisions of Section 8(1) along with Section 21(1) of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975.

8. To prove the crime, the complainants Ratnakar Mahadev Karde and Balasaheb Kushaba Dolas have given their evidence. Apart from this, report number 38, notices sent by the office to the accused number 39 and 40 respectively, letter No 41 dated 05.05.2016 etc documents were filed.

For Point No 1:

9. From the oral evidence of the complainant, S.No. 1 Balasaheb Dolas, it appears that in the month of December 2015, he was working in the Kondhwa Regional Office. On the said day, a complaint was received from a person named Bala Shendge. He went to the spot and inspected it and out of the total 786 trees, 560 trees were required to be there. Accordingly, since he could not find the actual trees, he submitted a report to the superiors and accordingly submitted the report to the superiors on 30.11.2015.
10. In the cross-examination conducted by the accused, the complainant has admitted that he did not conduct a Panchanama regarding the fact that there were fewer trees at the actual incident site, nor did he take photographs of it. He also knows that Bala Shedge, who has filed the complaint, is a Corporator. The witness denied in the cross-examination that he never went to the

actual site and prepared and submitted a false report due to political pressure from Bala Shedge.

11. From the oral evidence of the complainant, it appears that he received the report on 30/11/2015 and it is signed by the Sixth Superintendent of Gardens Santosh Kamble. After reading the report, a notice was sent to the concerned as per Exhibit No 39 dated 10/12/2015 and it is signed by the Tree Officer Ghorpade. After that, a clarification was received as per Exhibit No 40 in accordance with the said notice. Later, the complainant Bala Shedge was informed through a letter dated 05/05/2016 vide Exhibit No 41. A complaint was also received in the department through Shantanu Jagdale regarding the felling of trees at the scene. The said complaint is that the tree felling took place at S No 665/1, Bibwewadi, Pune.
12. In the cross-examination conducted by the accused, the witness stated that there is no other document on record except the complaint, no photograph and no independent witness. Similarly, the permission was given to Pride Purple Company on 25/07/2013 and 23/05/2014 through his department. While submitting the report on 30/11/2015, he did not inquire whether the accused was employed in the company or not. The witness denied in the cross-examination that he filed the complaint without checking against the person concerned. After the tree felling, a total of 810 the trees were planted at Pune University through Pride Purple Company and it was informed on 24/12/2015. After issuing the above notice No 39, letters were received from Pride Purple Company on 05/01/2016, 07/05/2016, 19/05/2016 to the department regarding joint inspection. Similarly, the witness denied in cross-examination that he did not go to

the spot for joint inspection because the number of trees was actually more on the site. The witness admitted in cross-examination that the accused is not the owner or occupier of the concerned site.

13. In the cross-examination conducted by the accused, the complainant has admitted that there is no evidence on record other than the complaint. Similarly, the accused is not the owner / occupier of the concerned premises, the accused is employed by Pride Purple or whatever. He has stated that the department had asked to plant 668 trees and on the contrary, Pride Purple company planted 810 trees in Pune University and informed the department about it on 24/12/2015. If there is illegal felling of trees at a place, a complaint should be filed against the owner or occupier of the said premises but the accused is neither of the two. There is no evidence on record that the accused cut down the trees.
14. The prosecution has not presented any evidence other than the witness's evidence to prove that the accused himself did the so-called tree felling. However, the witness has not stated that the accused himself did the tree felling.
15. The accused has been booked under Section 313(1) (b) of the Code of Criminal Procedure. In his statement, the accused states that he was employed by Pride Purple Company in the year 2014. He was not the owner of the said company or the owner of the land. He only signed the notice of the tree superintendent on the advice of his superiors and has nothing to do with his case. A false case has been filed against him.

16. In view of all the above, even though the prosecution has proved that the notice regarding the alleged tree felling was sent to the accused, the fact that the accused is directly involved in the tree felling is not proved due to lack of evidence. There is no other witness evidence available in this case who directly saw the accused cutting the alleged tree. Of course, there is no evidence in this case to show the direct connection of the accused with the tree felling. The evidence of the person who complained to the plaintiff has not been recorded in this case. There is no evidence that anyone directly saw the accused cutting the said tree. No part of the tree, i.e. the wood, has been found with the accused. There is also no written evidence that the disputed tree existed there. In such a situation, it is not proven that the accused cut the said tree.

17. According to the established principles of criminal jurisprudence, in order to prove the liability of an accused for a criminal offence, convincing evidence beyond reasonable doubt is expected. In this case, there is not enough evidence to prove the matter of felling of trees beyond reasonable doubt. For all the above reasons, the crime against the accused is not proven, therefore, I am recording the conclusion of question number 1 in the negative.

For Question No 2:

18. The plaintiff has proven that the tree was felled at the alleged time and place. But the charges against the accused in this incident have not been proven beyond doubt. Hence the accused becomes eligible for acquitting. Hence from the justice point of view I am passing the order as under:

ORDER

1. The accused Colonel Sundar Raman (Retd) is acquitted of the charges brought against him under Section 255 (1) of the Code of Criminal Procedure, 1973, punishable under Section 8 (1) and Section 21 (1) of the Maharashtra Urban Area Trees Preservation Act, 1975.
2. The bail bond or caste bond of the accused is cancelled.
3. Under section 437-A of Cr. P.C. 1973 for the further 6 months period the accused should submit the individual bail bond of Rs.15,000/-.

(The judgment is declared in open Court)

Place: Pune
Date: 6/10/2023

SD
Ms. Akshi Jain
Judicial Magistrate First Class
In-Charge (Municipal Court Pune)
District-Pune

TRUE TRANSLATION

Bombhise

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

WRIT PETITION(S)(CIVIL) NO(S). 13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[TO BE TAKEN UP AT 3.00 P.M.] IN RE: TAJ TRAPEZIUM ZONE (1) IA NO. 116768/2018 (APPLN. FOR DIRECTION ON B/O GANGA GLASS INDUSTRIES AND ORS.) (2) IA NO. 237739 AND 237765/2024 (APPLN. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAM AUTAR) (3) IA D NO. 262456 AND 262458/2024 (APPLN. FOR INTERVENTION AND O.T. EXEMPTION ON B/O DR. SHARD GUPTA) (4) IA NO. 99054 AND 99055/2024 (APPLNS. FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON B/O UPSIDA) (5) IA NO. 31946/2024 (APPLN. FOR PERMISSION ON B/O OF NORTH CENTRAL RAILWAY, AGRA) (6) IA NOS. 104091, 104097/2018 AND 112177/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND PERMISSION TO FILE ADDL. DOCUMENTS ON BEHALF OF AGRA DEVELOPMENT FOUNDATION) (7) CEC REPORT NO. 17 AND CEC REPORT NO. 34 OF 2024 IN CEC REPORT NO. 17 "ONLY" IN W.P. (C) NO. 13381/1984 ARE LISTED. "ONLY" NAMES OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST. PETITIONER-IN-PERSON MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. LIZ MATHEW, SR. ADV. (A.C.) MR. SIDDHARTHA CHOWDHURY, ADV. (A.C.) MS. AAKSHI LODHA, AOR MR. AMRISH KUMAR, MR. M.K. MARORIA, MR. G.S. MAKKER, MR. VIJAY PANJWANI, MR. ANKIT GOEL, KAMLENDRA MISHRA, MR. E.C. AGRAWALA, MR. SHISHIR DESHPANDE, MR. AMRISH KUMAR, MS. SUPRIYA JUNEJA, MR. N. L. GANAPATHI, MR. AJIT SHARMA, ADVOCATES

Date : 25-03-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

Mr. A.D.N. Rao, Sr. Adv. (A.C.)
Mr. Liz Mathew, Sr. Adv. (A.C.)
Mr. Siddhartha Chowdhury, Adv. (A.C.)

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Mr. Ashwini Kumar, Adv.
Mr. Rajesh Kumar, Adv.
Mr. E. C. Agrawala, AOR

Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Vaibhav Agnihotri, Adv.
Mr. Arpit Sharma, Adv.
Mr. Naveen Soni, Adv.

Mr. Deborah Serto, Adv.
 Mr. Ankit Visen Singh, Adv.
 Ms. Supriya Juneja, AOR

Mr. Mukul Rohatgi, Sr. Adv.
 Mr. Arjun Nanda, AOR
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 Ms. Pritee Singh, Adv.
 Ms. Dimple Sirohi, Adv.

Mr. Ajit Sharma, AOR
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 Mr. Yuvaraj Sinh Solanki, Adv.
 Mr. Lareb Habib Ansari, Adv.

Mr. A.N.S. Nadkarni, Sr. Adv.
 Ms. Ruchira Gupta, Adv.
 Mr. Shishir Deshpande, AOR
 Ms. Pooja Tripathi, Adv.
 Mr. Amit Kumar, Adv.
 Mr. Abhishek Verma, Adv.

Mrs. Aishwarya Bhati, A.S.G.
 Mrs. Ruchi Kohli, Sr. Adv.
 Mr. Shivika Mehra, Adv.
 Mr. Adit Khorana, Adv.
 Mr. Sarthak Karol, Adv.
 Mr. T.S. Sabarish, Adv.
 Mr. Sudarshan Lamba, Adv.
 Mr. Amrish Kumar, AOR

Mr. Anshul Gupta, AOR
 Ms. Kirti Dua, Adv.
 Mr. Rishabh Darira, Adv.
 Mr. Aditya Tainguriya, Adv.

For Petitioner(s): Petitioner-in-person

Applicant-in-person, AOR

Mr. Atishi Dipankar, AOR

For Respondent(s): Mrs. Aishwarya Bhati, A.S.G.
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 Mr. T.S. Sabarish, Adv.
 Mr. Sudarshan Lamba, Adv.
 Mr. Amrish Kumar, AOR

Mr. Sudeep Kumar, AOR

Mr. Ankur Prakash, AOR

Mr. Gurmeet Singh Makker, AOR

M/S. Lawyer S Knit & Co, AOR

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Mr. Krishna Kumar, Adv.

Ms. Nandani Gupta, Adv.

Dr. Mrs. Vipin Gupta, AOR

Mr. Prashant Kumar, AOR

Mr. Rajiv Tyagi, AOR

Mr. Ajay K. Agrawal, AOR

Mr. Shiv Prakash Pandey, AOR

Mr. Sudhir Kulshreshtha, AOR

Mr. P. K. Manohar, AOR

Mr. Pradeep Misra, AOR

Mr. Daleep Dhyani, Adv.

Mr. Suraj Singh, Adv.

Mr. P. Parmeswaran, AOR

Mr. P. Narasimhan, AOR

M/S. Manoj Swarup And Co., AOR

Dr. Sumant Bharadwaj, Adv.

Ms. Mridula Ray Bharadwaj, AOR

Mr. Vedant Bharadwaj, Adv.

Mr. D.M. Sharma, Adv.

Mr. Badri Prasad Singh, AOR

Mr. S. Wasim A. Qadri, Sr. Adv.

Mr. Saeed Qadri, Adv.

Mr. Saahil Gupta, Adv.

Mr. Danish Ali, Adv.

Mr. Lakshmi Raman Singh, AOR

M/S. Meharia & Company, AOR

Mr. Ankit Goel, AOR

Mr. Gurmeet Singh Makker, AOR

Mr. Arvind Gupta, AOR

Mr. Shantanu Bansal, AOR

Mr. Jogy Scaria, AOR

Mr. Guntur Pramod Kumar, AOR
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Mr. Saurabh Mishra, AOR
Mr. Shrimay Mishra, Adv.
Mr. Nirbhay Shankar Tiwari, Adv.

Mr. Ashutosh Dubey, AOR
Mrs. Rajshri Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. H.B. Dubey, Adv.
Mr. Amit P. Shahi, Adv.
Mr. Amit Kumar, Adv.
Mr. Rahul Sethi, Adv.
Mr. Shashi Bhushan Nagar, Adv.
Mr. Manish Dhingra, Adv.
Mrs. Sona Khan, Adv.
Mr. Sumant Akram Khan, Adv.
Mr. Rajendra Anbhule, Adv.

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Ms. Pallavi, Adv.
Mr. Shivam Shorewala, Adv.
Ms. Rakshita Bhargava, Adv.

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Ms. Aakashii Lodha, AOR
Ms. Omkar Hemanth, Adv.

Mr. Ankur Prakash, AOR

Ms. Rupali Panwar, Adv.
Mr. U M Tripathi, Adv.
Mr. Vivek Kumar Singh, Adv.
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Mr. Vivek Narayan Sharma, AOR
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Mr. Gaurav Goel, AOR

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Ms. Rajeshwari Shankar, Adv.
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Mr. Dr. Rajeev Sharma, AOR
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Mr. Shantanu Krishna, AOR
Mr. Ankit Mishra, Adv.
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Mr. Ashish Kumar Singh, Adv.
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Mr. Pushkar Sharma, AOR
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Mr. Vaibhav Maheshwari, Adv.
Mr. Mohit Chaturvedi, Adv.
Ms. Sandali Sharma, Adv.

Mr. Abhinav Agrawal, AOR

Mr. Seshatalpa Sai Bandaru, AOR

Mr. Gaurav Dhingra, AOR
Mr. Vikrant Yadav, Adv.
Mrs. Vikrant Yadav, Adv.

Mr. Praveen Swarup, AOR

Ms. Mayuri Raghuvanshi, AOR

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Ms. Shivika Mehra, Adv.
Mr. Aaditya Dixit, Adv.
Mr. Kartikeya Asthana, Adv.
Mr. Gaurang Bhushan, Adv.
Dr. N. Visakamurthy, AOR

Mr. Prashant , AOR
Mr. Anand Mishra, Adv.
Mr. Kshitij Singh, Adv.
Mrs. Nisha Rai, Adv.

Mr. Abhinav Shrivastava, AOR

Ms. Saroj Tripathi, AOR

Mr. Pradeep Rai, Sr. Adv.
Mr. Manoj K. Mishra, AOR
Ms. Rajshree Rai, Adv.
Mr. Vinay Rai, Adv.
Mr. Bheem Pratap Singh, Adv.
Mr. Umesh Dubey, Adv.
Ms. Madhulika, Adv.
Mr. Anand Kumar Rai, Adv.

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Mr. Syed Abdul Haseeb, AOR

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 Mrs. Rajeshwari Shankar, Adv.
 Mr. Sarthak Karol, Adv.
 Mr. Jagdish Chandra Solanki, Adv.

Mr. Zoheb Hossain, AOR

UPON hearing the counsel the Court made the following
 O R D E R

IA NOS. 104091, 104097/2018 AND 112177/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND PERMISSION TO FILE ADDL. DOCUMENTS ON BEHALF OF AGRA DEVELOPMENT FOUNDATION)

1. We have perused the order dated 5th March, 2025 by which we had issued notice to the applicant in IA Nos. 104091/2018, 104097/2018

and 112177/2019 calling upon the applicant to show cause as to why the order dated 11th December, 2019 passed in the aforementioned IAs should not be recalled. The order dated 11th December, 2019 passed on IA Nos. 104091/2018, 104097/2018 and 112177/2019 reads thus:

"IA NOS. 104091, 104097/2018 AND 112177/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND PERMISSION TO FILE ADDL. DOCUMENTS ON BEHALF OF AGRA DEVELOPMENT FOUNDATION)"

"Application for intervention is allowed only for the purpose of the instant application for directions.

For the reasons stated, prayers (a), (b) and (c) made in the instant application are allowed.

The applications stand disposed of accordingly."

2. Prayer clauses (a) to (c) of the Application being IA No.104097/2018 read thus:

"a) Pass appropriate orders and directions etc. for promoting Agroforestry on the non-forest/private land situated in the Taj Trapezium Zone (TTZ) area to increase its green-cover to curb air pollution and improve ambient air quality;

b) Modify the order dated 8.5.2015, passed by this Hon'ble Court in IA No.527 (and also similar order dated 9.5.2018 in IA No.109556 of 2017) by doing away with the condition of first obtaining permission of this Hon'ble Court to fell trees on the non-forest/private lands within the TTZ area.

c) Issue necessary directions to the respondents to take effective steps for promoting Agro-farming in the TTZ area including providing technical guidance/assistance to the land owners."

3. Firstly, we find that there is no clarity on the meaning of agroforestry. Secondly, the Application is purported to be made for the purposes of promoting agroforestry. However, prayer clause (b) is for modification of the orders dated 8th May, 2015 and 9th May, 2018 passed by this Court which directed that no felling of

trees can be made in the TTZ Area without prior permission of this Court. The prayer is specifically for doing away with the requirement of obtaining permission of this Court before tree felling. It is pertinent to note that prayer clause (b) is not made limited to agroforestry. Thus, the applicant, who claims to represent the cause only of those who do agroforestry, mislead the Court by making a blanket prayer. Fortunately, for us, all the parties appearing before this Court stated on the last date that the orders dated 8th May, 2015 and 9th May, 2018 are being implemented consistently, notwithstanding the order dated 11th December, 2019. Every one proceeded on the footing that prayer (b) was limited to agroforestry.

4. In absence of any material on record to show what is the meaning and concept of agroforestry, we recall the order dated 11th December, 2019 passed in IA Nos. 104091/2018, 104097/2018 and 112177/2019. The said Applications are restored to their original numbers and the same shall be listed on 1st May, 2025 at 12:00 noon.

5. To enable us to decide the restored Applications, it will be appropriate if the Central Empowered Committee (CEC) submits a report clarifying the meaning and concept of agroforestry. In light of prayer clause (a) of IA No.104097/2018, the CEC may also make its recommendations. We grant time of one month from today to the CEC to submit its report.

6. The applicant and all other parties are free to forward necessary material in support of prayer clause (a) of IA No.104097/2018 to the CEC.

7. IA No.168401/2021 (Application for clarification/direction) shall be also heard along with IA No.104097/2018 on 1st May, 2025 at 12:00 noon.

IN RE: CEC REPORT NOS.17/2024

8. We have perused the recommendations in paragraph 8 of the Report No.17/2024 submitted by the CEC. As regards recommendation contained in clause (i) of paragraph 28, the same has already been implemented. As regards recommendation contained in clause (ii) of paragraph 28, out of 16 entities, only 3 entities have submitted compliance reports to the CEC. Shri A.D.N. Rao, learned Senior Advocate appointed as Amicus Curiae, submits that the CEC has received 5 further compliance reports which are being examined. The CEC will issue notice to the entities in remaining cases calling upon them to file the compliance reports. The CEC will submit a report on this aspect within a period of six weeks from today which will be considered on 13th May, 2025 at 12:00 noon.

9. As far as the recommendation clause (iii) of paragraph 28 is concerned, the same will have to be considered when IA No. 104097/2018 is considered. While we are dealing with recommendation clause (iii) of paragraph 28, Ms. Aishwarya Bhati, learned ASG, submitted that if an application is made for felling of trees up to total 49, the direction issued by this Court in order dated 19th December, 2024 in Writ Petition (C) No.4677/1985 can be made applicable so that for felling of trees up to 49, the applicants will not be required to approach this Court. While we consider this suggestion, we are of the view that the earlier order putting

a complete embargo on felling of trees without prior permission of this Court must continue as regards the lands abutting the Taj Mahal. We will hear the learned counsel for the parties on this aspect on 22nd April, 2025 at 12:00 noon. In the meanwhile, even the CEC is free to give its suggestions on this aspect.

10. Recommendation clause (iv) of paragraph 28 of the Report No.17/2024 of the CEC reads thus:

“iv. The demand of power corporations to prune, lop, or size the overgrown trees encroaching the electric poles, high tension lines and other electric installations is genuine and a corrective course of action as suggested in para 20 above may be considered.”

11. Our attention is invited to Section 68(5) of the Electricity Act, 2003 (for short, “the Electricity Act”) which confers power on an Executive Magistrate or authority specified by the Appropriate Government who may, on an application of the licensee, cause the tree, structure or object to be removed or otherwise dealt with as he or it thinks fit. As far as the felling of trees in the TTZ Area is concerned, it will be governed by the order dated 8th May, 2015 read with order dated 9th May, 2018. However, the question is whether for lopping or pruning of trees for the purposes of preventing encroachment on the electric poles, high tension lines and other electric installations, the applicant should approach this Court seeking permission for felling of trees. In paragraph 20 of the Report No.17/2024, the CEC has proposed as under:

“20. Presently such pruning is being done by the contractors without any permission of this Hon'ble Court. In this regard, it is therefore recommended that the permission for lopping/pruning of trees may be granted by the local Divisional Forest Officer subject to the following conditions

- a) Permission will be granted only after receipt of the application from the concerned.
- b) All the terms and conditions as are prevalent in the rest of the respective state.
- c) For every tree pruned, the cost of planting one tree as mandated in the U.P. Protection of Trees Act will be recovered in advance and shall be used for increasing green cover in the TTZ.
- d) The Respective Divisional Forest Officer will enter the details of permissions given, funds received, and plantation done in the proposed MIS module to be launched by the CEC.
- e) The details will be entered into the Management Information System (MIS) module as explained in para 15(e) above."

12. We, therefore, accept the recommendations made in paragraph 20 by the CEC, subject to the following riders:

- (i) An applicant shall apply to the local Divisional Forest Officer for lopping/pruning of overgrown trees encroaching upon the electric poles, high tension lines and other electric installations. Needless to add that permission for lopping/pruning of trees shall be granted in such a manner that the same should not lead to felling or destruction of any tree or permanent damage to any tree;
- (ii) The CEC shall monitor the implementation of the permission granted by the local Divisional Forest Officer with a view to ensure that the work done remains confined to lopping/pruning of the trees and that there is no permanent damage caused to the trees; and

(iii) We may also add here that the applicant who applies for permission for lopping/pruning of the tree, shall provide photographs of the trees to the Divisional Forest Officer and the CEC before lopping/pruning and after lopping/pruning is done in terms of the permission granted by the local Divisional Forest Officer. Both set of photographs shall be uploaded on the Management Information System module by the CEC.

IA NO. 116768/2018 (APPLN. FOR DIRECTION ON B/O GANGA GLASS INDUSTRIES AND ORS.)

13. The issue regarding giving effect to the Sectoral Guidelines for glass industries produced along with IA No.26755/2025 in IA No.116768/2018 will be considered on 3rd April at 3:00 p.m. One of the issues which we have flagged today is about the inclusion of expert members in the Industrial Area Technical Evaluation Committee (IATEC). Shri A.D.N. Rao, learned Amicus Curiae, seeks time to address the Court on the issue of inclusion of experts in the IATEC.

IA NO. 237739 AND 237765/2024 (APPLN. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAM AUTAR)

REPORT NO.35/2024

14. Heard Shri Mukul Rohatgi, learned senior counsel appearing for the applicant - Shri Shiv Shankar Agarwal.

15. It is true that Shri Shiv Shankar Agarwal has filed an affidavit where he has accepted that he felled 454 trees without prior permission of this Court. We have perused three reports of the CEC. It will take a minimum of 100 years to again re-generate

or recreate the green cover created by 454 trees which were brazenly cut without permission of this Court. Notwithstanding the embargo put by this Court which is in force right from the year 2015, he has indulged in this illegality. Destruction of so many trees adversely affects the environment and lives of several human beings.

16. Ms. Aishwarya Bhati, learned ASG, submitted that before making any construction on the property on which the trees were in existence, the permission of the TTZ Authority is required. There is an order dated 23rd October, 2024 passed by the Vice Chairman of the Mathura Vrindavan Development Authority directing that no map of the site in question shall be approved till the case is resolved by the National Green Tribunal.

17. An appeal is made by the learned senior counsel appearing for Shri Shiv Shankar Agarwal that the minimum penalty of Rs.1,00,000/- (Rupees One Lakh) be reduced. His second contention is that the requirement of compensatory plantation should be modified by permitting compensatory plantation at some other property. There is no reason to show any leniency to a person who has caused huge damage to the environment.

18. We accept the recommendations in paragraph 14 of the Report No.35/2024 which read thus:

"14. After examination of all documents and the information gathered during the site visit it is recommended that:

a) A penalty of a minimum of Rs. 1,00,000/- (Rs. One lakh only) per tree felled and removed without the prior permission of this Hon'ble Court shall be imposed on the land owner. Hence for 454 trees felled and removed without the prior permission of

this Hon'ble Court a minimum penalty of Rs.4,54,00,000/- (Rs Four Crores Fifty-four lakh only) shall be imposed on the land owners. The amount shall be deposited with the Forest Department for taking up new plantations at suitable places in TTZ.

b) The Forest Department shall also recover the requisite penalty due under the provisions of the UP Protection of Trees Act, 1976 for this illegal felling.

c) The Forest Department should take punitive action against the land owners for felling 32 trees that were standing in the Protected Forest as per the provisions under the Indian Forest Act 1972.

d) An entry path to the extant private land has been constructed through the protected forest. Hence Forest Department shall initiate action under the Forest Conservation Act 1980 for illegal breaking of land without prior permission of the Central Government.

e) The area be restored by planting 422 trees on the private land and 32 trees in the protected forest area at the cost of the land owner.

f) The Forest Department shall plant and maintain 4540 saplings of Indigenous species (ten times the number of trees felled as per norms applicable for compensatory plantation in TTZ) and another 4540 as penal compensatory plantation (ten times the number of trees felled without the prior permission of this Hon'ble Court) i.e. a total of 9080 saplings at the cost of the land owners, at any nearby place to be provided by land owner which is suitable for plantation. This land shall also be declared as the Protected Forest by the State Government.

g) The entire timber illegally felled shall be confiscated by the Forest Department and disposed of as per the norms of the UP Forest Department.

h) The Mathura Vrindavan Development Authority should ensure that no construction of any sort takes place at that part of the extent site where the Forest Department will do the Plantation.

i) The Chairman, TTZ authority shall ensure compliance of all the conditions/penalties that may be imposed by this Hon'ble Court. The Chairman, TTZ authority shall intimate such compliance to the CEC

on a quarterly basis till all conditions imposed by this Hon'ble Court are complied with.

j) This Hon'ble Court may consider imposing any other penalty for the contempt of this Hon'ble Court committed by the land owners by felling the trees without seeking prior permission of this Hon'ble Court."

19. We also direct that even if permissions are granted to Shri Shiv Shankar Agarwal to make any construction on the land in question or any change in relation to the land in question, the permission shall not be acted upon without the leave of this Court, as this Court will have to be fully satisfied regarding the compliances made by Shri Shiv Shankar Agarwal with the directions of this Court in terms of the recommendations which are quoted above.

20. The Report Nos. 29/2024, 35/2024 and 4/2025 are disposed of on the above terms.

21. The contempt notice issued to Shri Shiv Shankar Agarwal will remain pending till a compliance affidavit is filed by him before this Court and till the CEC certifies that all the conditions which are mentioned above are fulfilled by him.

IA NO. 99054 AND 99055/2024 (APPLNS. FOR PERMISSION AND EXEMPTION FROM FILING O.T. ON B/O UPSIDA) AND IA NO. 31946/2024 (APPLN. FOR PERMISSION ON B/O OF NORTH CENTRAL RAILWAY, AGRA)

22. Time of six weeks is granted to the CEC to submit its report.
List on 13th May, 2025 at 12:00 noon.

IA D NO. 262456 AND 262458/2024 (APPLN. FOR INTERVENTION AND O.T. EXEMPTION ON B/O DR. SHARD GUPTA)

23. To be listed on 3rd April, 2025 at 3:00 p.m.

REPORT NO.3/2025

24. To be listed on 3rd April, 2025 at 3:00 p.m.

(ASHISH KONDLE)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)

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Photographs of alleged site of Vithumai Vanrai Tekadi at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune Captured by Original Applicants on 16.07.2025

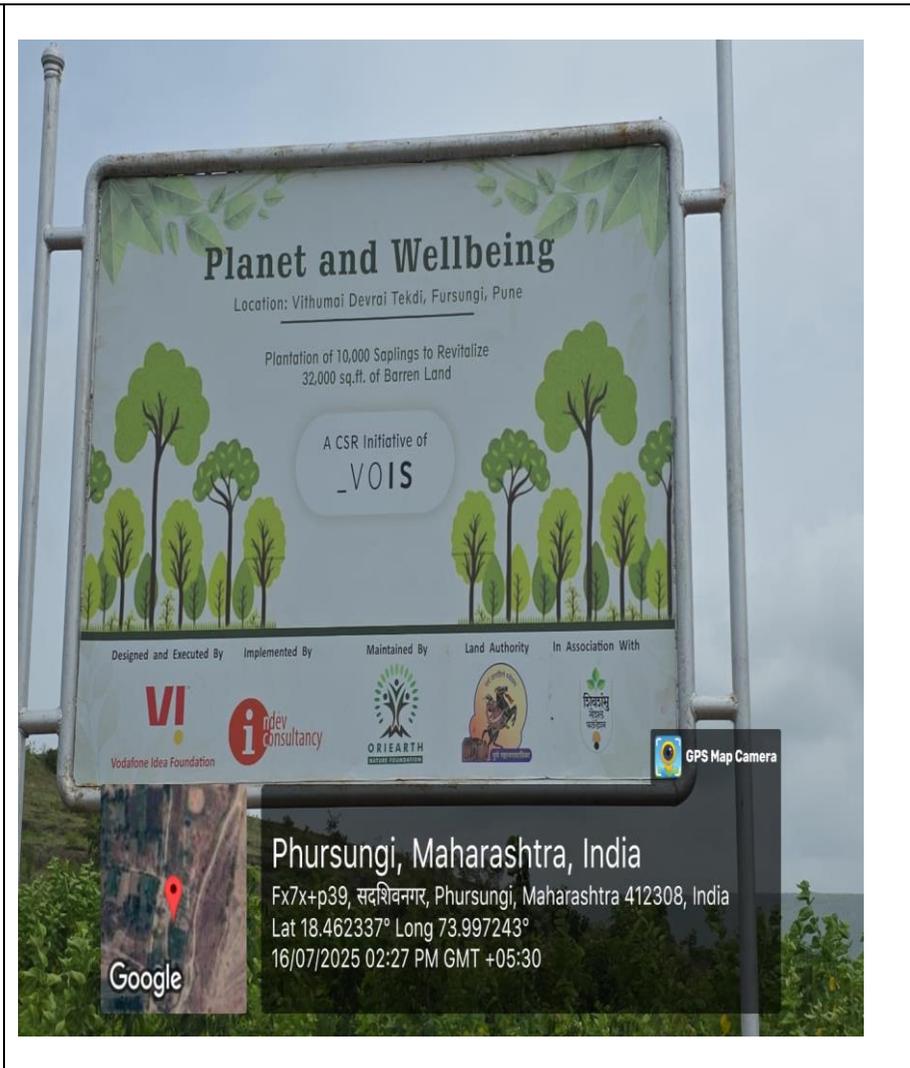
ANNEXURE-A-4



Photographs of alleged site of Vithumai Vanrai Tekadi at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune Captured by Original Applicants on 16.07.2025



Photographs of alleged site of Vithumai Vanrai Tekadi at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune Captured by Original Applicants on 16.07.2025



TRUE COPY

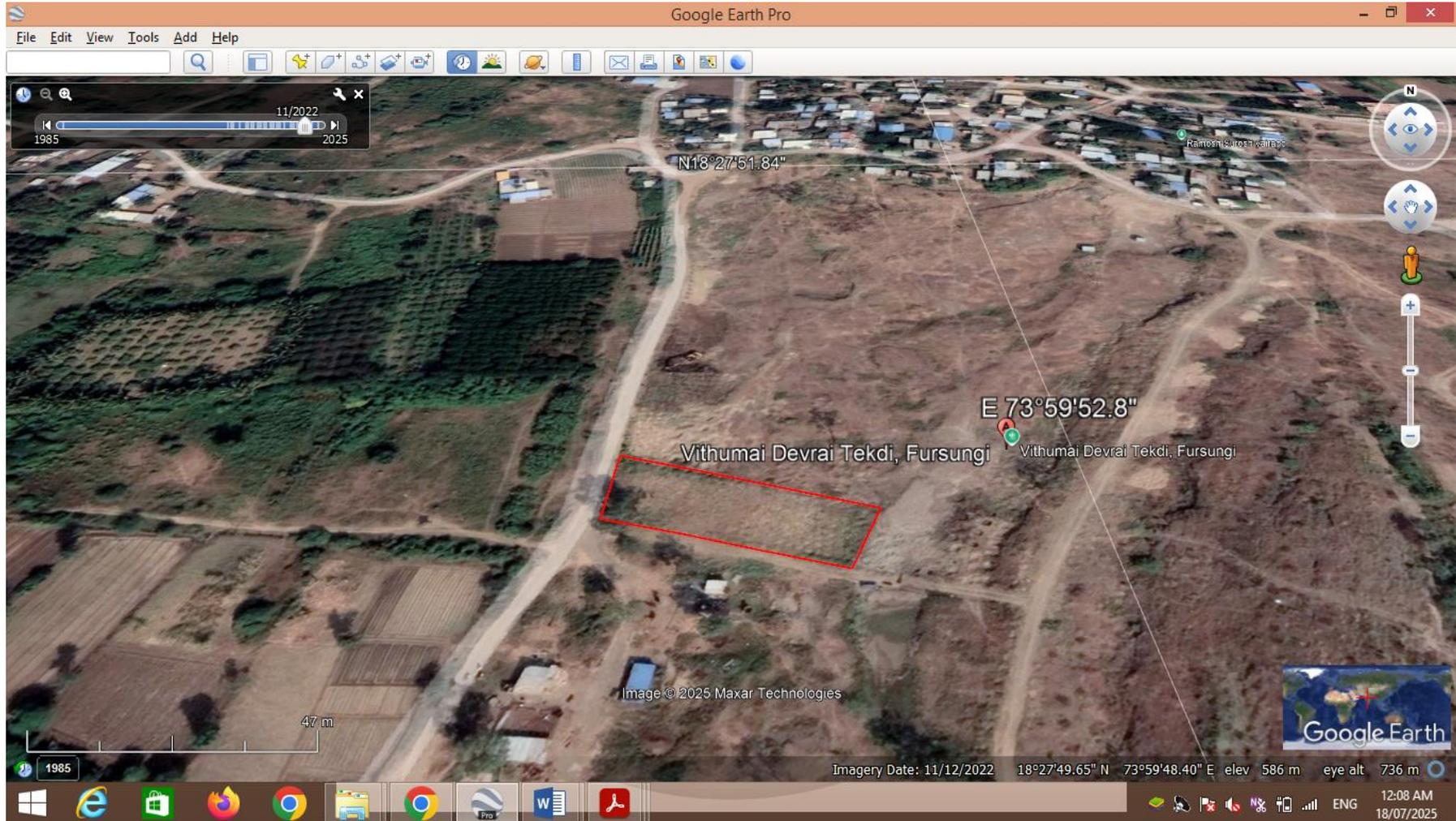
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2286

NGT: OA No. 97/2022 (WZ)

Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village- Fursungi Taluka Haveli District-Pune

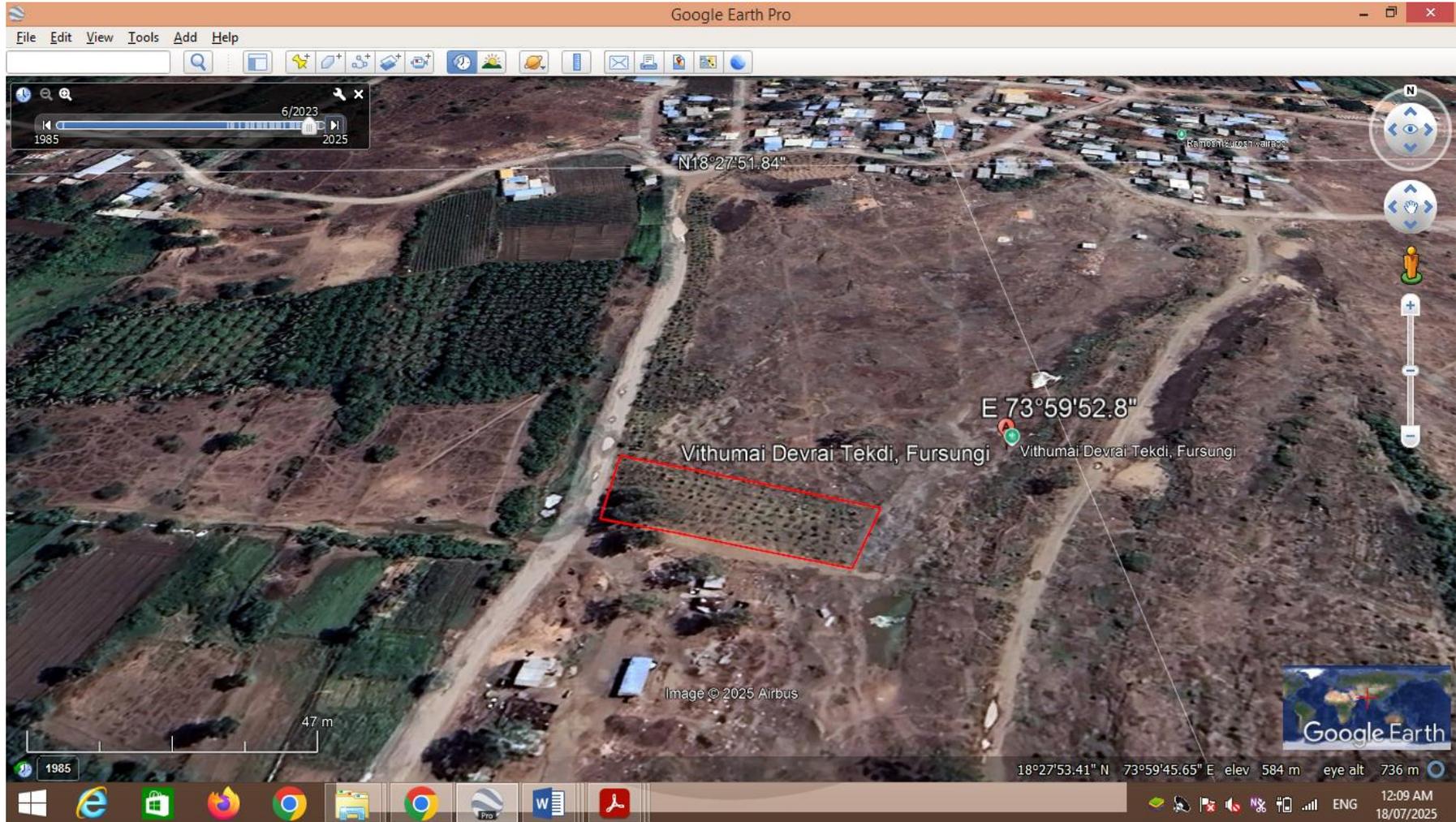
ANNEXURE-A-5



2287

NGT: OA No. 97/2022 (WZ)

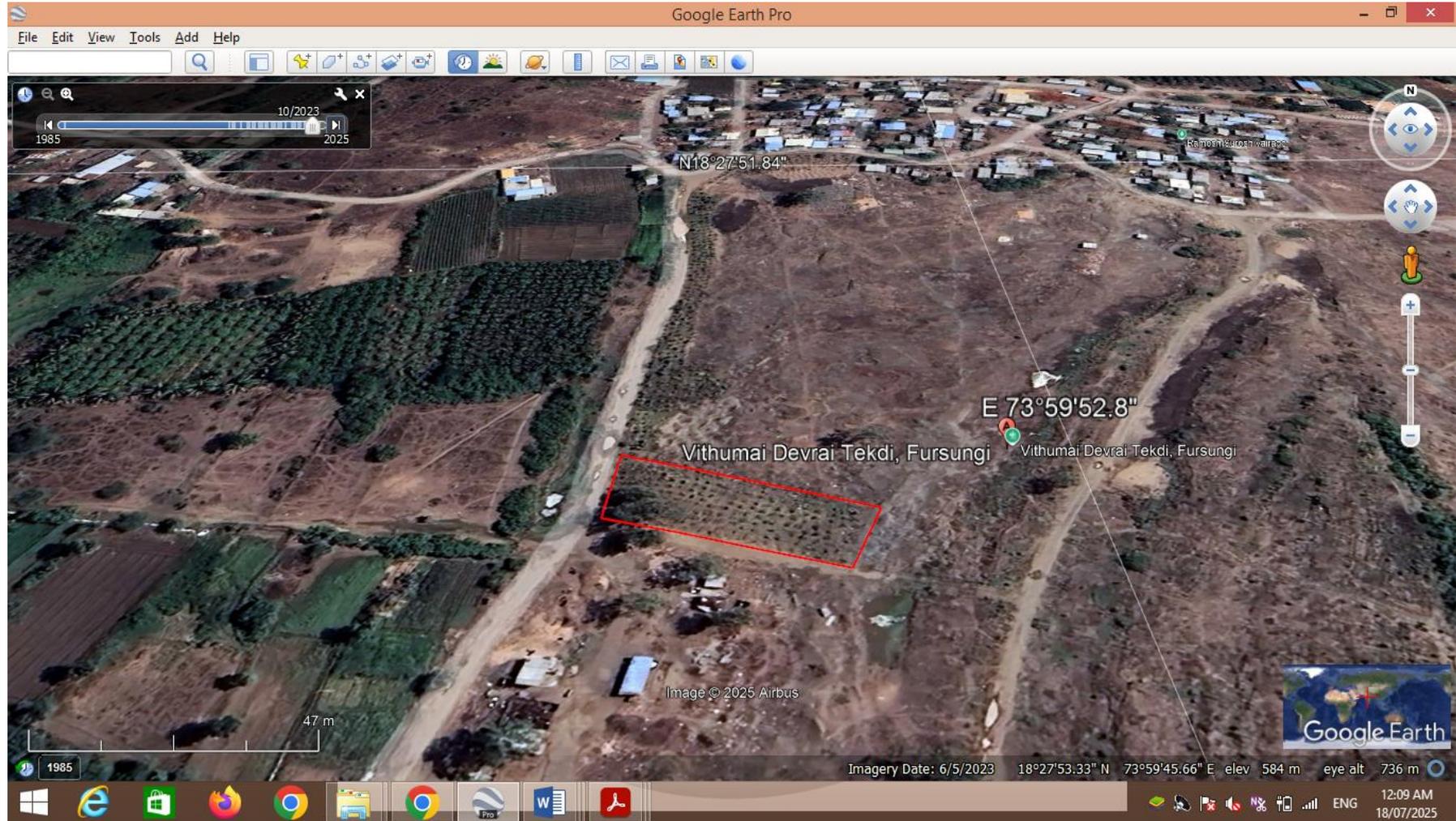
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2288

NGT: OA No. 97/2022 (WZ)

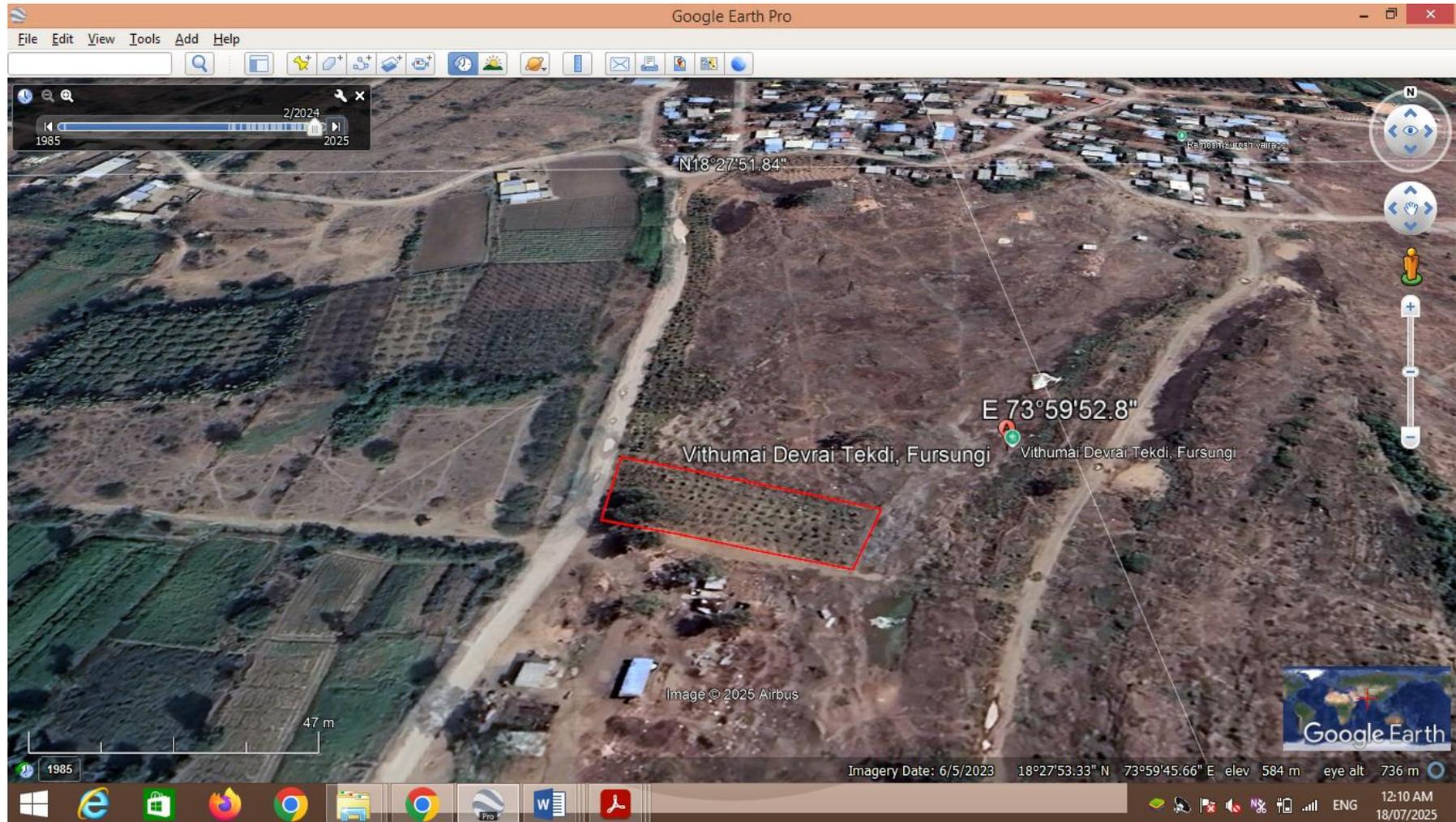
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2289

NGT: OA No. 97/2022 (WZ)

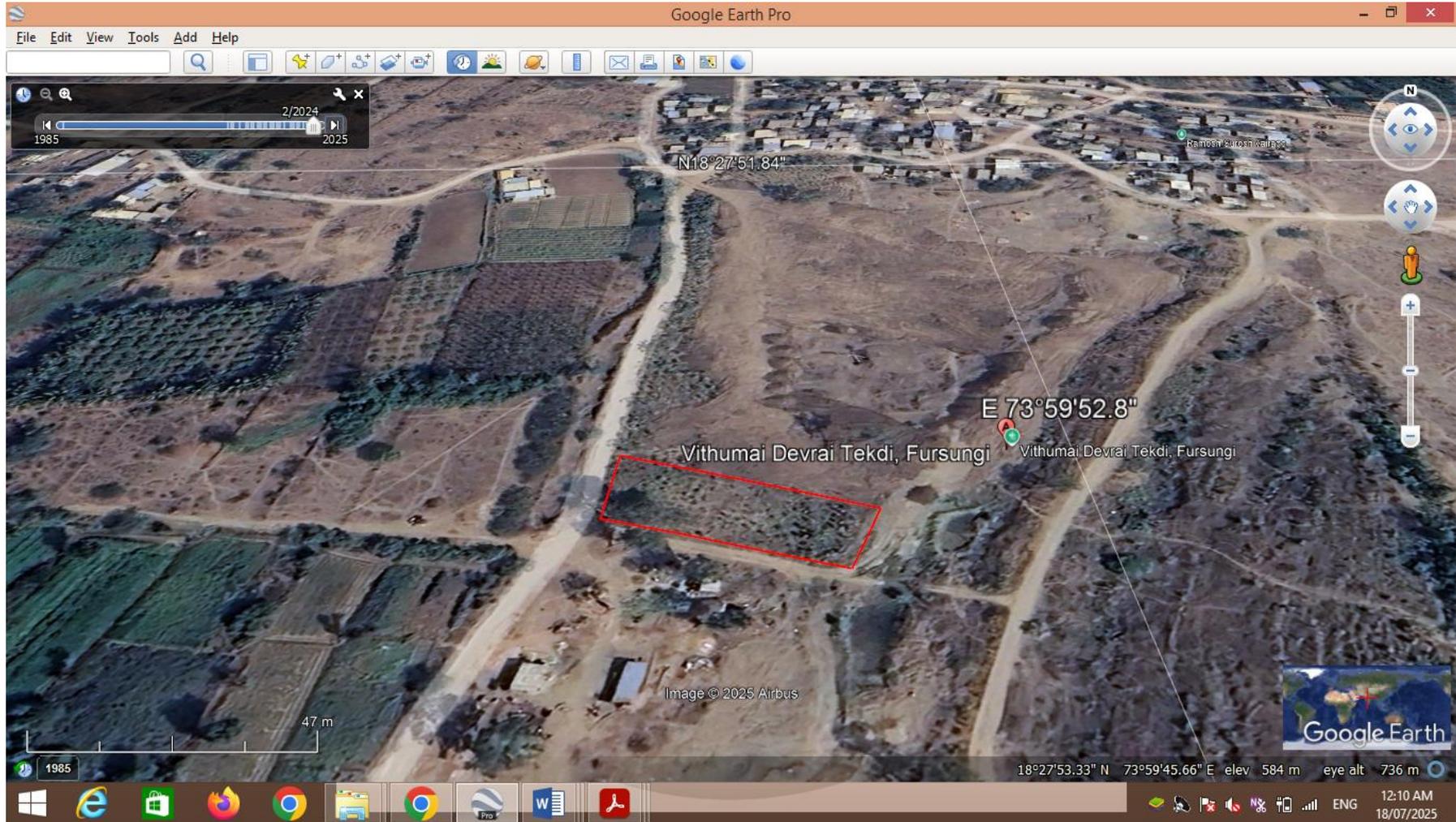
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2290

NGT: OA No. 97/2022 (WZ)

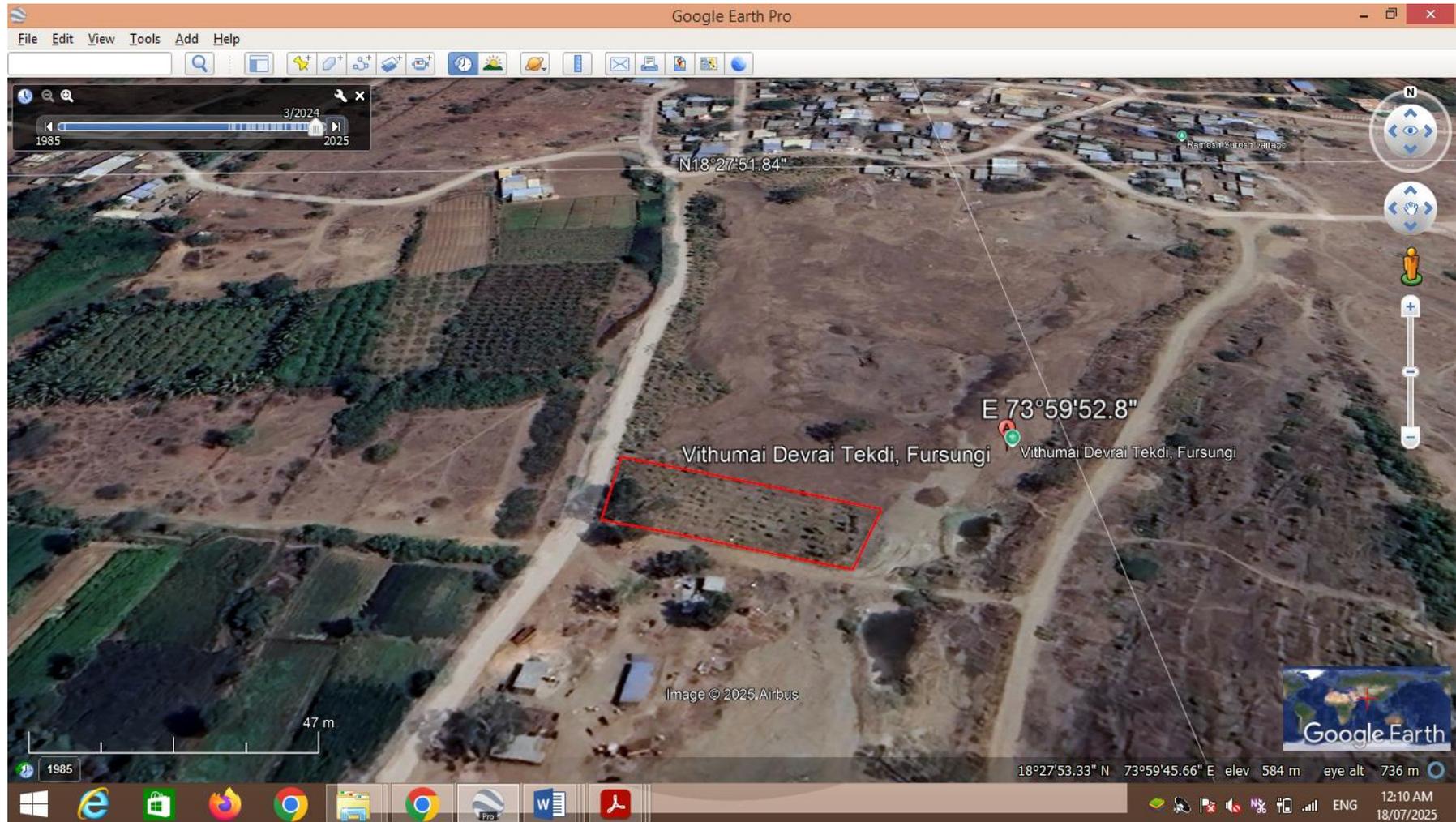
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2291

NGT: OA No. 97/2022 (WZ)

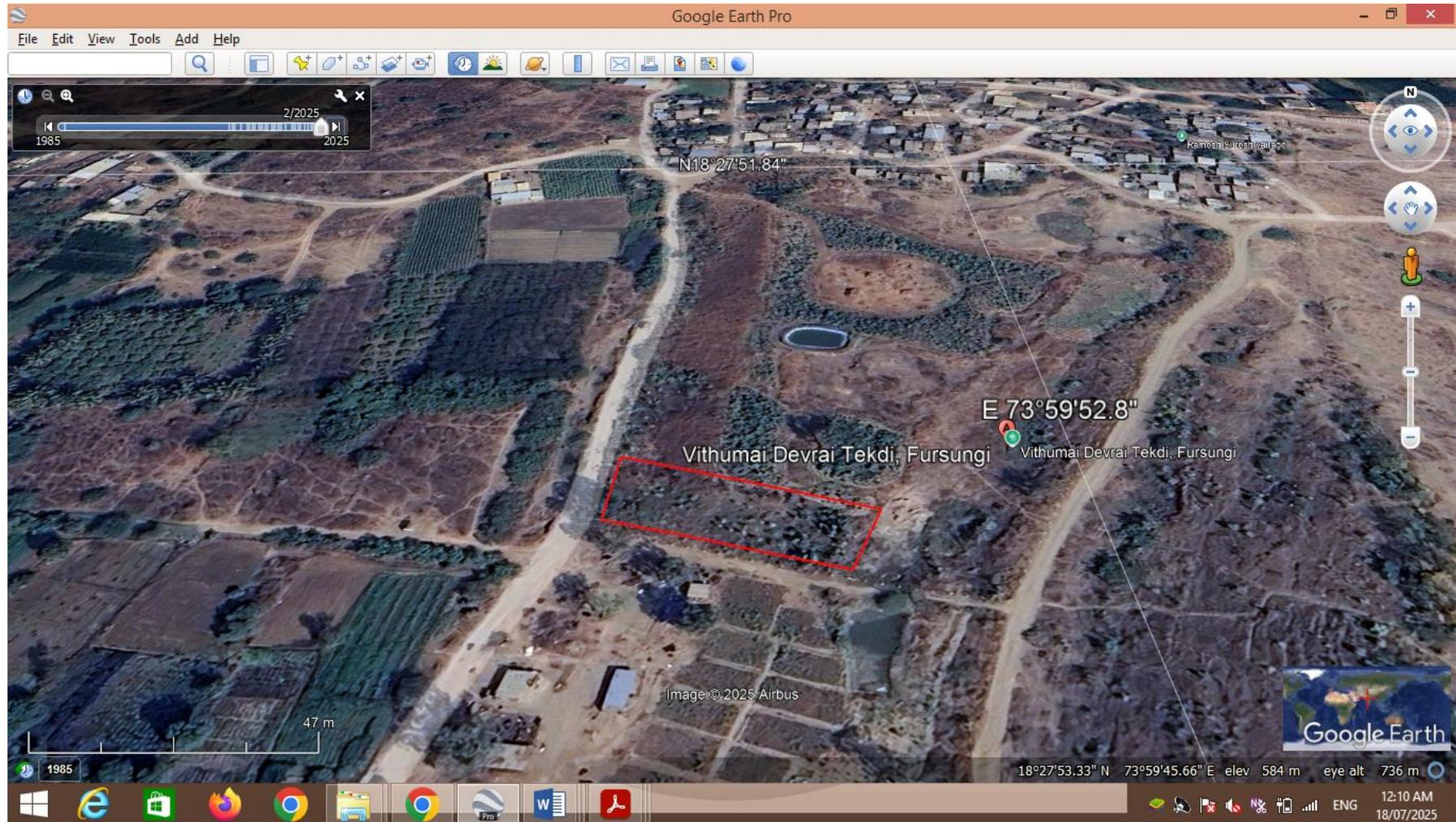
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2292

NGT: OA No. 97/2022 (WZ)

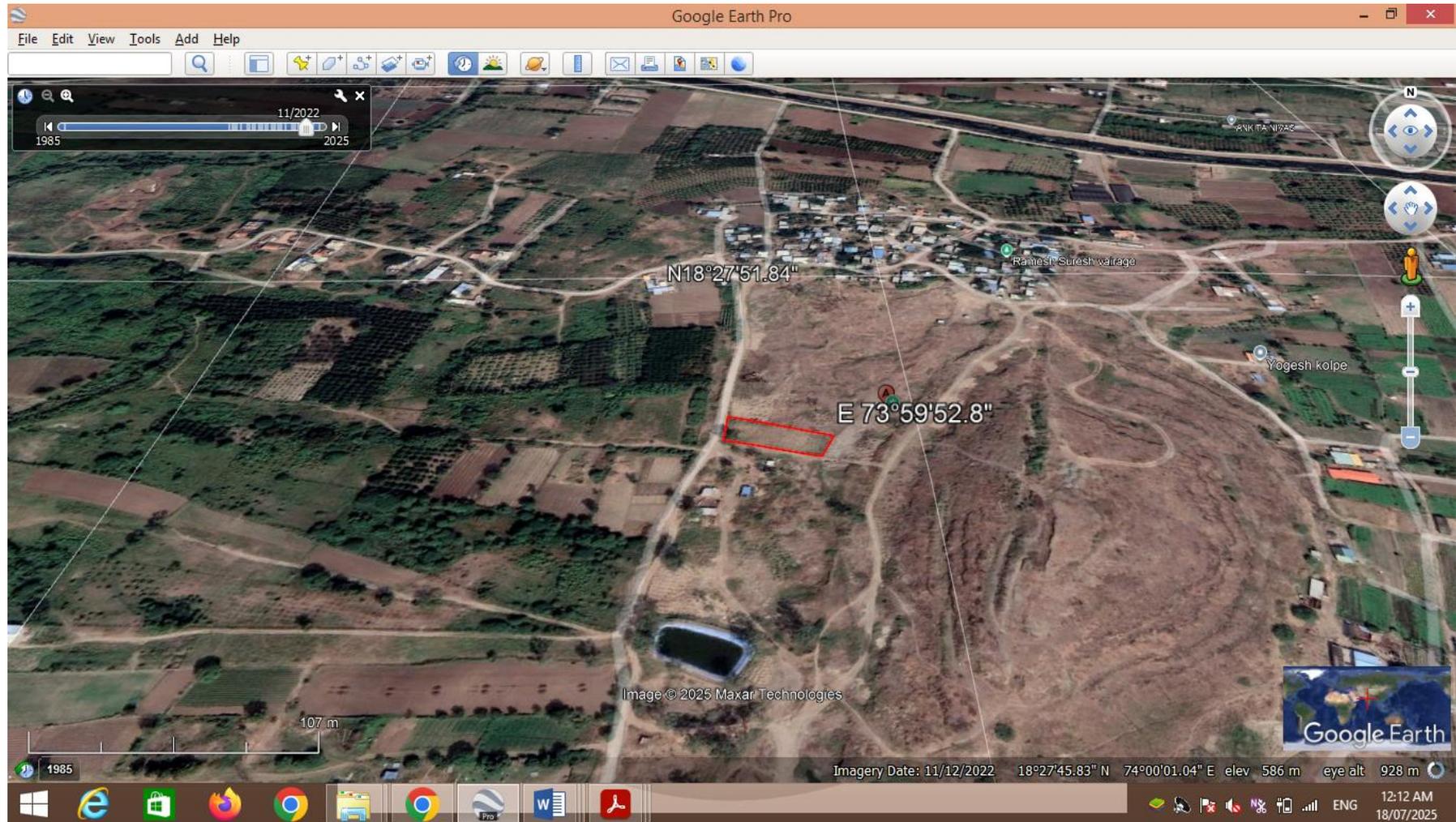
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2293

NGT: OA No. 97/2022 (WZ)

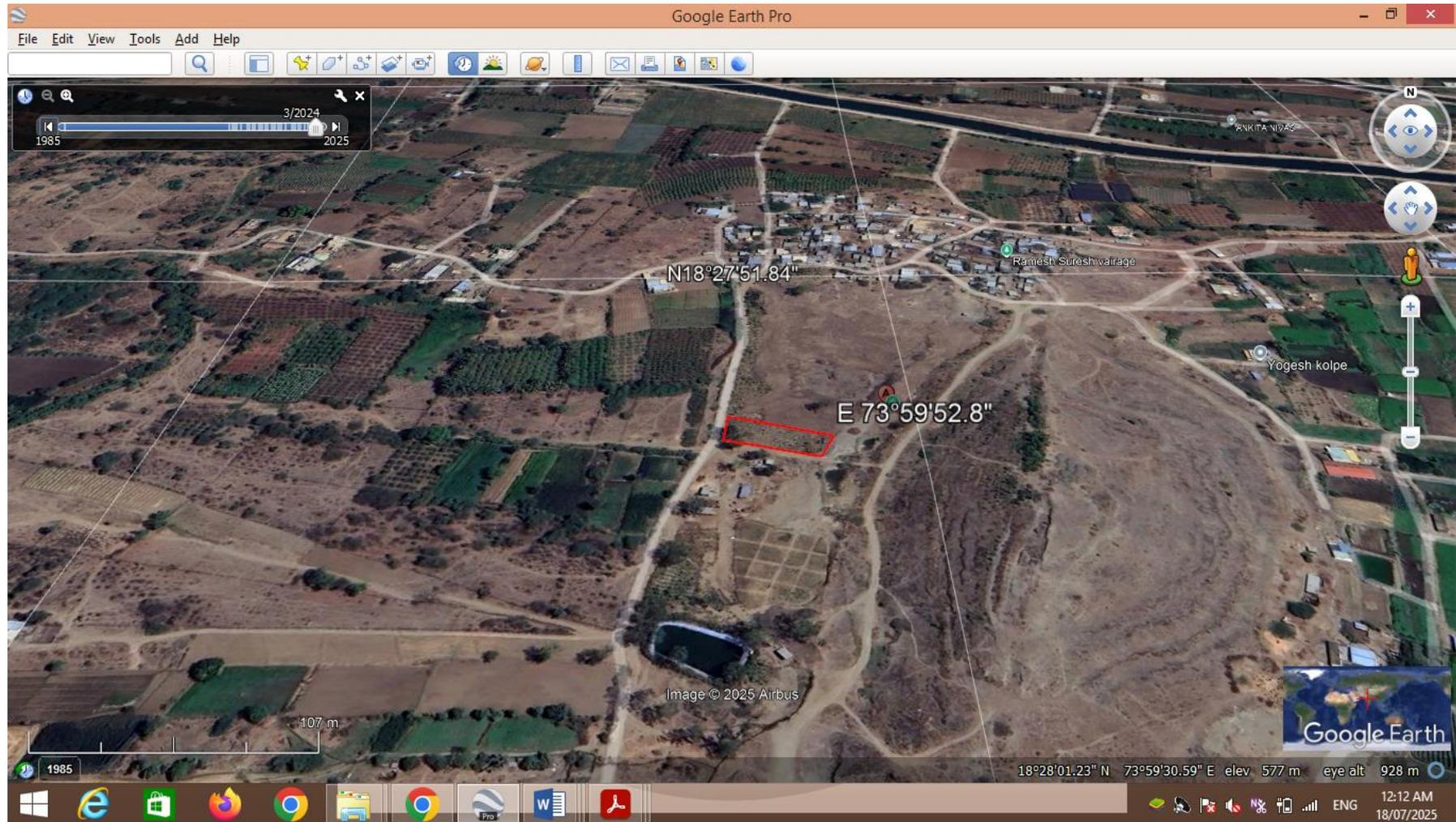
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2294

NGT: OA No. 97/2022 (WZ)

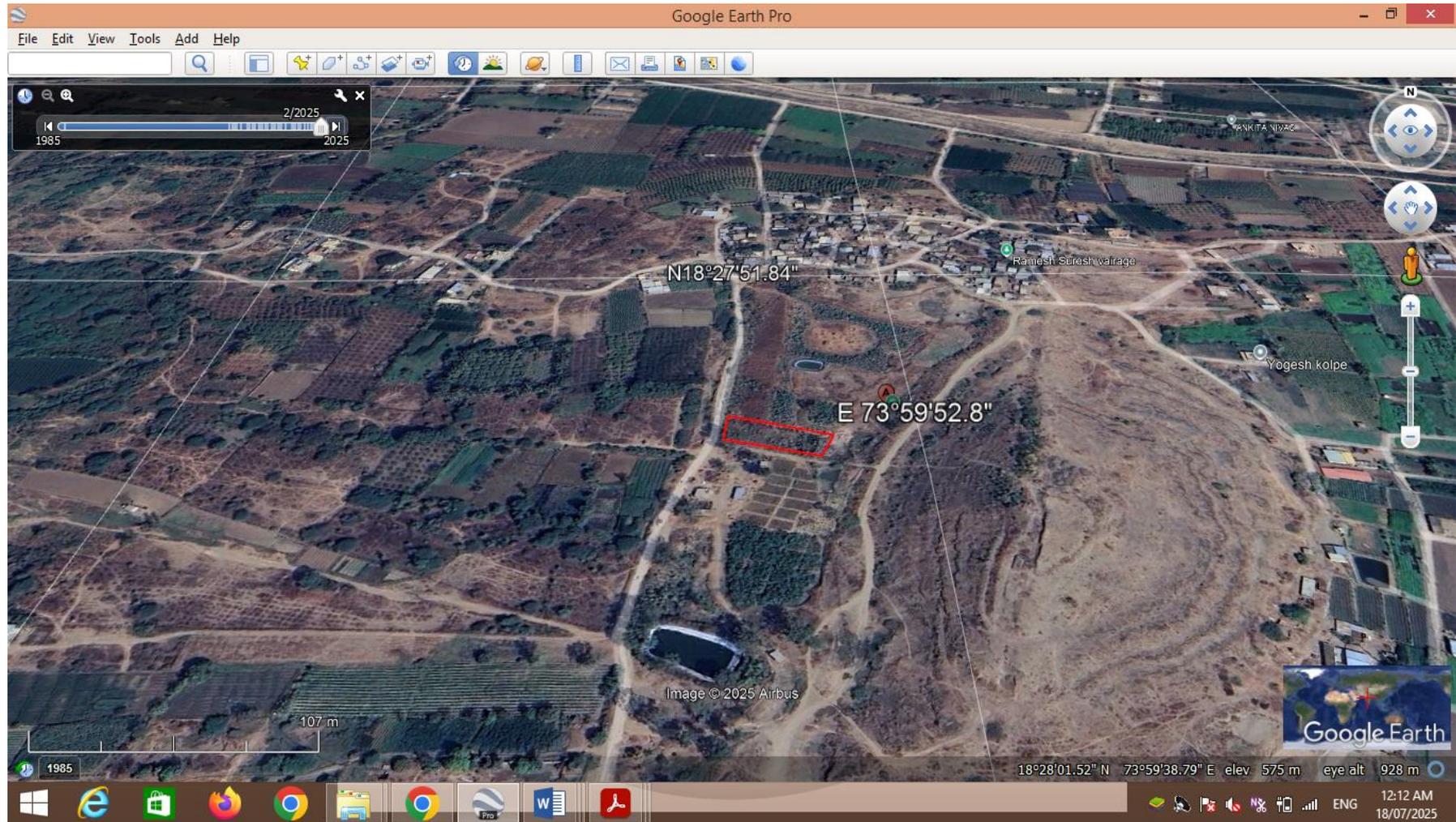
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune



2295

NGT: OA No. 97/2022 (WZ)

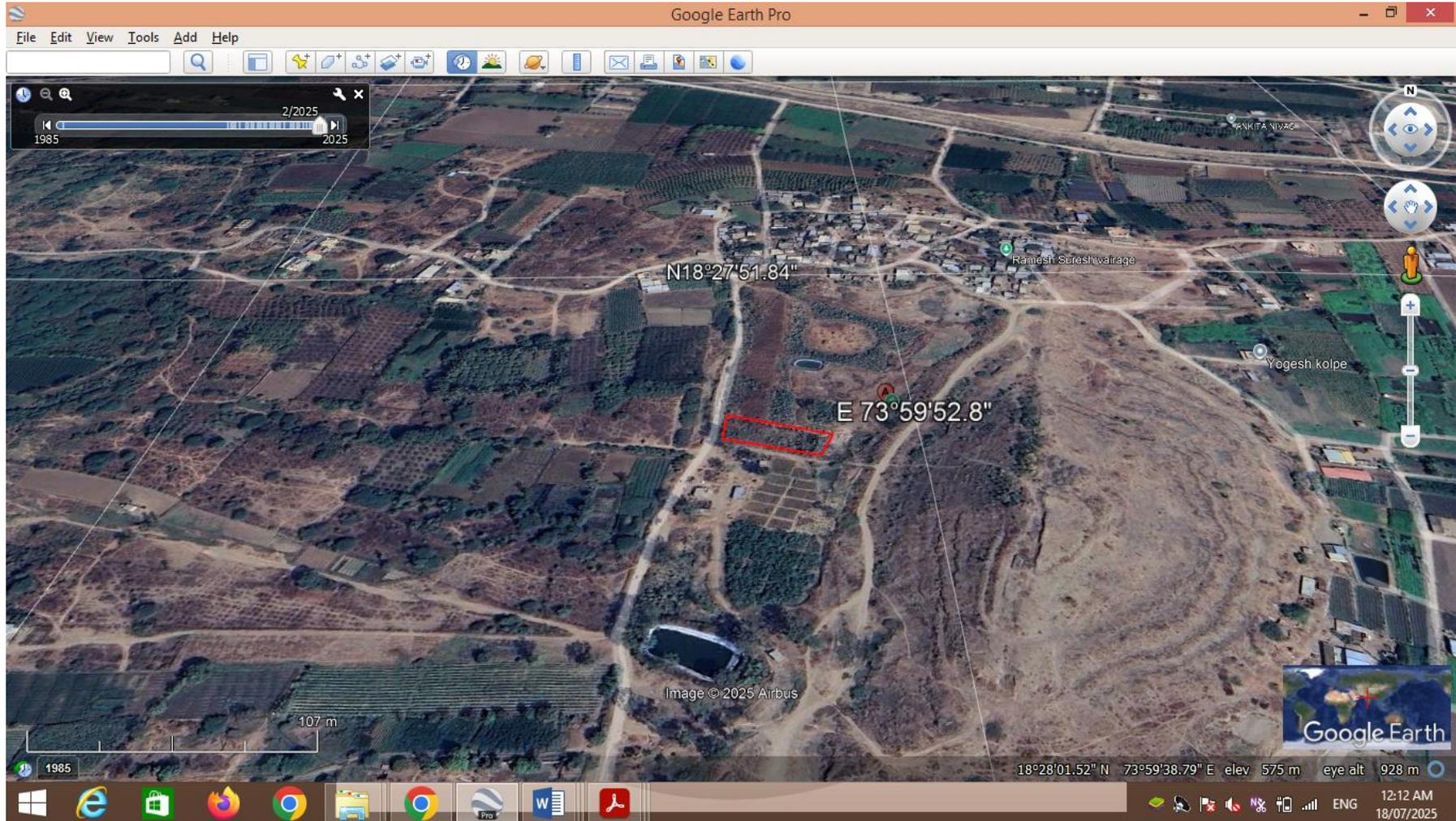
Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village- Fursungi Taluka Haveli District-Pune



2296

NGT: OA No. 97/2022 (WZ)

Google Earth Images from Nov-2022 to Feb-2025 of alleged site of Vithumai Vanrai at Gat No. 82 & 85 of Village- Fursungi Taluka Haveli District-Pune



Webpage Details for alleged site of Vithumai Vanrai Tekadi at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune
Plantation of 18000 Trees done by VOIS-CSR initiatives

ANNEXURE-A-6

The screenshot shows a web browser window with the URL voisplanet.com/plantation-drive. The page content is as follows:

PLANTATION DRIVE IN PUNE

VITHUBA / VITHUMAI DEVRAI TEKDI, PHURSUNGI, PUNE, MAHARASHTRA

Event Date: 20th December 2023
Saplings Planted: 8000

Overview: The plantation activity was aligned with the broader mission of the Pune Municipal Corporation in greening the 45 acres of barren land. This initiative aimed to contribute to afforestation focusing on the 22,000 sq ft plot allotted in that location. On December 20, 2023, the plantation drive in Pune was a cornerstone of the plantation initiative. Out of 120 individuals, 70 VOIS employees participated in this hands-on activity, planting 1000 saplings, supported by the VIF Team, Indev Consultancy, OriEarth, and local volunteers of the Shiv Shambhu Foundation of that area. A total of 8000 saplings were planted in the location.

A CSR Initiative of
VOIS

Designed and Executed by
VI
 Vodafone Idea Foundation

Implemented by
indev
 consultancy

The Windows taskbar at the bottom shows the system time as 08:47 AM on 12/01/2026.

Webpage Details for alleged site of Vithumai Vanrai Tekadi at Gat No. 82 & 85 of Village-Fursungi Taluka Haveli District-Pune
Plantation of 18000 Trees done by VOIS-CSR initiatives

PLANTATION DRIVE IN PUNE

VITHUBA / VITHUMAI DEVRAI TEKDI, PHURSUNGI, PUNE, MAHARASHTRA

Event Date: 18th October 2024
Saplings Planted: 10000

Overview: On October 18, 2024, more than 100 volunteers from VOIS participated in a plantation drive at Pune's Vithumai Devrai Tekdi, planting 10,000 saplings as part of our mission to rehabilitate and green the region. This event not only marks a significant milestone in our ongoing efforts but also emphasizes community participation, team spirit, and individual commitment toward environmental conservation. The plantation activity was aligned with the broader mission of the Pune Municipal Corporation in greening the 45 acres of barren land. This initiative aimed to contribute to afforestation focusing on the 22,000 sq ft plot allotted in that location with a total of 10000 saplings of more than 40 species were planted.

A CSR Initiative of
VOIS

Designed and Executed by
VI
Vodafone Idea Foundation

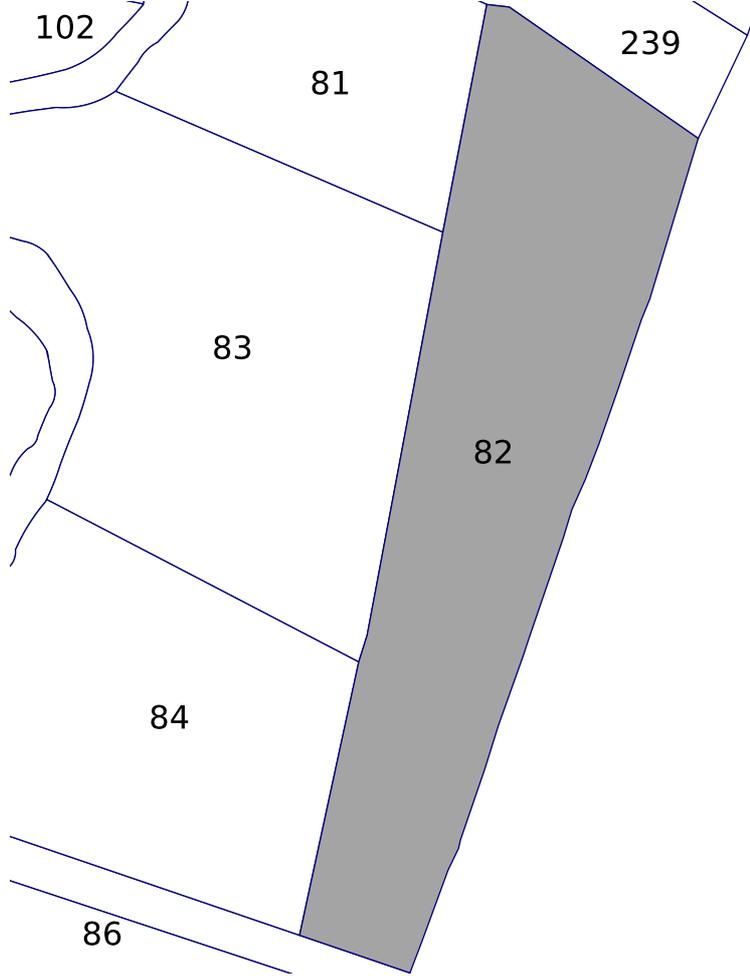
Implemented by
iindex consultancy

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Plot Report

ANNEXURE-A-7

Rural, District : पुणे, Taluka : हवेली, Village : फुरसुंगी,



Scale 1:7000

Survey No. : 82

Total Area : 0.0000

Pot kharaba : 17.6000

Owner Name : ग्रामपंचायत फुरसुंगी

Khata No. : 6613

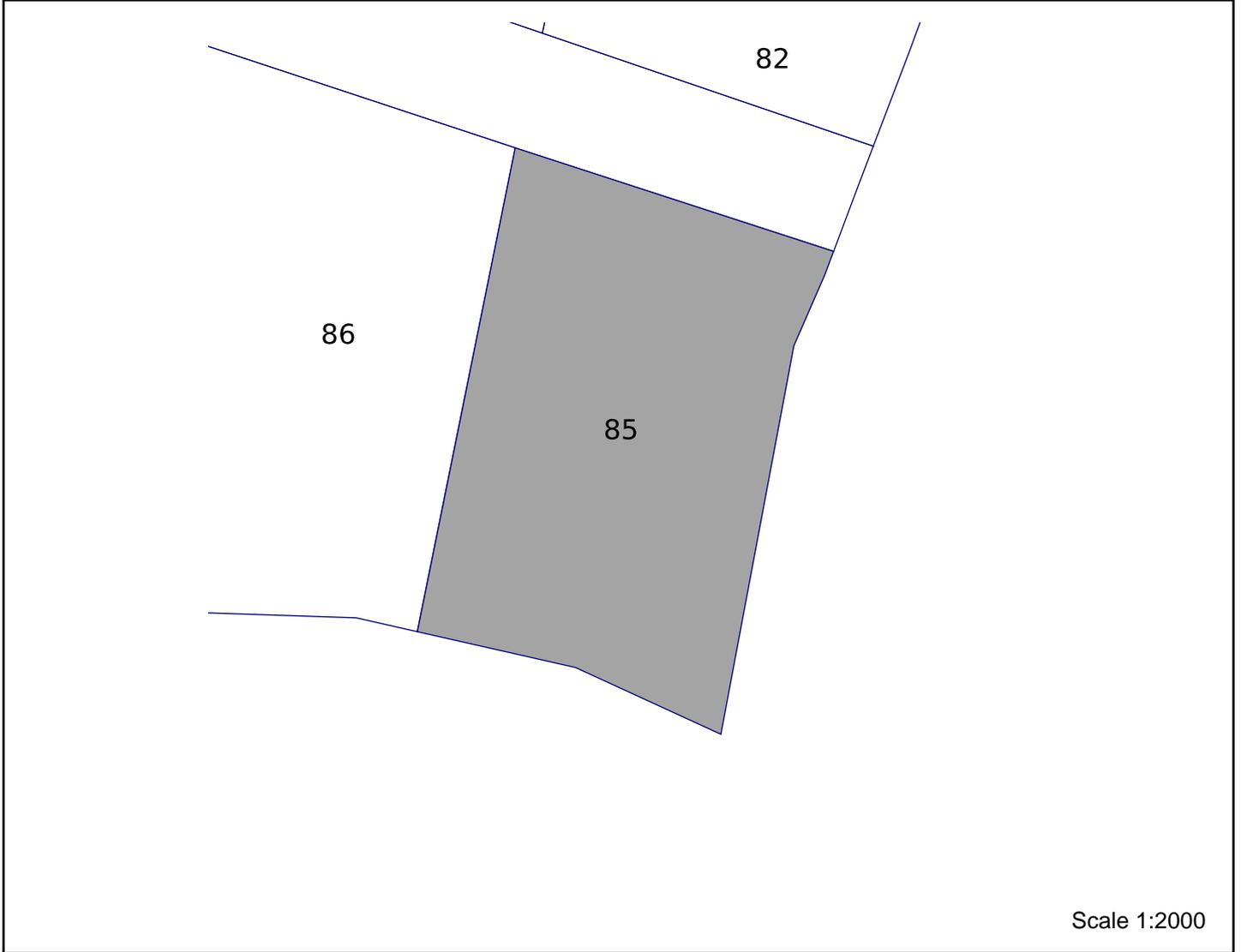
TRUE COPYBombhise

Plot Report

ANNEXURE-A-8

N

Rural, District : पुणे, Taluka : हवेली, Village : फुरसुंगी,



Survey No. : 85
Total Area : 0.0000
Pot kharaba : 1.8100
Owner Name : मोफत गायरान
Khata No. : 6239

TRUE COPY

ANNEXURE-A-9**8. Appendix - Sequestration**

Sampling of tree includes measuring Height and Girth at breast height (GBH). Later, the parameters like Volume, Mass, Wood density, Above and Below ground biomass, Total biomass and Total carbon were calculated as per the standard methods. The soil biomass in the top 30 cm zone was considered, based on previous studies for similar habitat. The top 30 cm is considered as it is a zone of highest microbial activity.

Proposed Trees List

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Azadirachta indica	Neem	300	1009.44	100.94	30283.19
2	Pongamia pinnata (L.)	Karanj	200	257.89	25.79	5157.83
3	Ficus bengalensis	Banyan tree	50	913.30	91.33	4566.51
4	Ficus religiosa	Peepal tree	100	913.30	91.33	9133.03
5	Putranjiva roxburghii	Putranjeevi	100	865.23	86.52	8652.34
6	Swietenia mahagoni	Mahagoni	200	441.45	44.14	8828.92
7	Lagerstroemia indica	Tamhan	50	235.00	23.50	1175.01
8	Tamarandus indica	Chinch	50	600.37	60.04	3001.83
9	Zizyphus mauritiana	Bor	50	294.30	29.43	1471.49
10	Terminalia catapa	Badam	200	185.30	18.53	3705.97
11	Melia azadirach	Akash nimb	200	662.71	66.27	13254.28
12	Manilkara hexandra	Khirani	50	697.59	69.76	3487.97
13	Cassia siamea	Cassia	200	163.50	16.35	3269.97
14	Bombax ceiba	Shevar	200	1107.87	110.79	22157.32
15	Magnolia champaca	Chapa	100	163.50	16.35	1634.99
16	Madhuca longifolia	Mahua	50	949.60	94.96	4748.00
17	Neolamarckia cadamba	Cadamb	100	515.02	51.50	5150.20
18	Aegle marmelos	Bel	100	76.30	7.63	762.99
19	Thespesia populnea	Indian Tulip	200	41.86	4.19	837.11
Total			2500			131278.94

Existing trees List on Green Belt

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Azadirachta indica	Neem	2	490.50	49.05	98.10
2	Bahunia species	Kanchan	2	865.23	86.52	173.05
3	cassia species	Cassis	1	384.55	38.45	38.45
4	Ficus recemosa	Umber	1	294.73	29.47	29.47
5	Ficus bengalensis	Vad	4	204.05	20.40	81.62
6	Limonia acidissima	Kawath	3	276.31	46.05	138.16
7	Lucaeaana lucocephala	Subabhul	18	171.46	17.15	308.62
8	Melia hortensis	Akashi	1	390.65	39.07	39.07
9	Milletia pinnata	Malapari	9	318.82	31.88	286.94
10	Muntingia calabura	Chery tree	4	172.65	17.27	69.06
11	Pithecellobium dulce	Vilayati chinch	15	276.31	27.63	414.47

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
12	Pongamia pinnata	karanja	4	158.27	15.83	63.31
13	Syzygium cumini	Jambul	1	511.53	51.15	51.15
14	Vachellia nilotica	Babul	30	257.89	25.79	773.67
Total			95			2565.14

Newly planted Trees List on plot A

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Aegle marmelos	Bel	1	392.40	39.24	39.24
2	Albizia lebbeck	Shirish	6	865.23	86.52	519.14
3	Azadirachta indica	Neem	3	427.28	42.73	128.18
4	Bahiunia species	Apta	7	239.47	23.95	167.63
5	Cassia fistula	Bahava	1	219.74	21.97	21.97
6	Delonix regia	Gulmohar	2	276.31	46.05	92.10
7	Ficus brnghalensis	Vad	1	171.46	17.15	17.15
8	Ficus racemosa	Umber	2	502.27	50.23	100.45
9	Jangali species	Jangali	1	392.40	39.24	39.24
10	Magnolia champaca	sonchafa	7	204.05	20.40	142.83
11	Mangifera indica	Mango	2	276.31	27.63	55.26
12	Millingtonia hortensis	Akash nimb	14	158.27	15.83	221.57
13	Mimusops elengi	Bakul	18	747.62	74.76	1345.72
14	Muntingia calabura	Bird cherry	1	257.89	25.79	25.79
15	Neolamarckia cadamba	Kadamba	2	257.89	25.79	51.58
16	Nyctanthes arbor-tirstis	Parijatak	3	145.08	14.51	43.52
17	Plumeria species	Chafa	10	269.77	26.98	269.77
18	Pongamia pinnata	Karanj	2	865.23	86.52	173.05
19	Swetenia mahagoni	mahagoni	5	299.09	29.91	149.55
20	syzygium cumini	Jamun	1	239.47	23.95	23.95
21	Tabebuia rosea	Tabubia	11	219.74	21.97	241.72
22	Tamarindus indica	Chinch	1	276.31	46.05	46.05
23	Terminalia cattapa	Badam	4	171.46	17.15	68.58
Total			105			3984.06

Newly planted Trees List on plot E

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Azadiracta indica	Neem	1	490.50	49.05	49.05
2	Bahiunia species	Apta	19	672.96	67.30	1278.62
3	Bombax cieba	Shevar	8	277.73	27.77	222.18
4	Cariota species	Ardsupari	5	239.47	23.95	119.74
5	Cordia sabistina	Lal lasoda	6	219.74	21.97	131.85
6	Mangifera indica	Mango	7	276.31	46.05	322.36
7	Millingtonia hortensis	Akash nimb	8	171.46	17.15	137.16
8	Mimusops elengi	Bakul	10	446.46	44.65	446.46
9	Pongamia pinnata	Karanj	13	392.40	39.24	510.12

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
10	Spathodia companulata	Pichkari	6	204.05	20.40	122.43
11	Spathodia companulata	Badam	1	276.31	27.63	27.63
Total			84			3367.60

Newly planted Trees on Green belt tree list

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Alstonia scholaris	Devil tree	2	392.40	39.24	78.48
2	Azadirachta indica	Neem	48	961.37	96.14	4614.58
3	Bahuinia variegata	Apta	1	341.82	34.18	34.18
4	Bahunia verigat	Kachnar	1	239.47	23.95	23.95
5	Bauhinia species	Apta	31	219.74	21.97	681.20
6	Callistemon	Bottle brush	1	276.31	46.05	46.05
7	Cassia fistula	Cassia	8	171.46	17.15	137.16
8	Cordia sabastina	Lal lasoda	7	362.75	36.27	253.92
9	Ficus bengalhesis	vad	12	392.40	39.24	470.88
10	Ficus religiosa	Pimpal	3	204.05	20.40	61.21
11	Khaya senegalensis	Khayar	76	276.31	27.63	2099.97
12	Lagerstromia indica	Tamha	6	158.27	15.83	94.96
13	Leucaena leucocephala	Subabhul	1	747.62	74.76	74.76
14	Limonia acidissima	Kawath	1	257.89	25.79	25.79
15	Lucaeana lucocephala	subsbhul	2	257.89	25.79	51.58
16	Madhuca longifolia	Moha	150	145.08	14.51	2176.17
17	Melia hortensis	Akashi	1	269.77	26.98	26.98
18	Milletia pinnata	Buch	24	865.23	86.52	2076.56
19	Mimusops elengi	Bakul	48	299.09	29.91	1435.65
20	Nelomarkia kadamba	Kadamb	3	239.47	23.95	71.84
21	Peltophorum pterocrpum	Muchkund	13	219.74	21.97	285.66
22	Pithecellobium dulce	madras thorn	10	276.31	46.05	460.52
23	Plumeria species	Chafa	3	171.46	17.15	51.44
24	Polyalthea longifolia	Ashoka	1	392.40	39.24	39.24
25	pongamia pinnata	Karanj	47	865.23	86.52	4066.60
26	Pterospermum acerifolium	Muchkund	23	363.18	36.32	835.32
27	Putranjeeva roxbhurgh	putranjeeva	1	239.47	23.95	23.95
28	Switenia mahagoni	Mahagoni	5	219.74	21.97	109.87
29	Syzygium cumini	Jamun	2	276.31	46.05	92.10
30	Tamarindus indica	Chinch	36	171.46	17.15	617.24
31	Vachellia nilotica	Godi babhal	15	204.05	20.40	306.07
Total			582			21423.90

Newly planted Tree list on Plot C

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Albizia lebbeck	Shirish	4	392.40	39.24	156.96
2	Azadiracta indica	Neem	8	961.37	96.14	769.10
3	Bahiunia species	Apta	36	277.73	27.77	999.83
4	Bamboosa species	Kalak	10	239.47	23.95	239.47
5	Cassia glauca	Cassia	4	219.74	21.97	87.90
6	Cassia marginata	Cassia	1	276.31	46.05	46.05
7	Cassia species	Cassia	1	171.46	17.15	17.15
8	Chamidora species	Chamai	9	502.27	50.23	452.04
9	Cordia sabastina	Lal lasoda	79	392.40	39.24	3099.93
10	Ficus elastica	Rubber	26	188.35	18.84	489.71
11	Ficus racemosa	Umber	2	276.31	27.63	55.26
12	Jangali species	Jangli	3	158.27	15.83	47.48
13	Lagerstromia indica	Tamhan	16	747.62	74.76	1196.20
14	Magnolia champaca	Sonchafa	19	257.89	25.79	489.99
15	Mangifera indica	Mango	5	257.89	25.79	128.95
16	Melighonia hirtansis	Akash nimb	16	145.08	14.51	232.12
17	Mimusops elingi	Bakul	11	269.77	26.98	296.75
18	Muntingea calabura	Bird cheery	2	624.89	62.49	124.98
19	Neolamarckia cadamba	Kadamba	3	299.09	29.91	89.73
20	Nyctanthes arbor-tirstis	Parijatak	10	239.47	23.95	239.47
21	Plumeria species	Chafa	59	219.74	21.97	1296.48
22	Pongamia pinnata	Karanj	5	276.31	46.05	230.26
23	Psidium guajava	Peru	3	171.46	17.15	51.44
24	Swetenia mahagoni	Mahagoni	28	392.40	39.24	1098.71
25	Tabebuia species	Tabebuia	18	721.03	72.10	1297.85
26	Tamarindus indica	Chinch	17	341.82	34.18	581.10
27	Tecoma gaudichaudi	Ghanti ful	46	239.47	23.95	1101.57
28	Terminalia catappa	Badam	12	219.74	21.97	263.69
29	Thespesia populnea	Bhendi	18	276.31	46.05	828.94
Total			471			16009.09

Proposed Tree list On Plot B

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Azadirachta Indica	Neem	50	490.50	49.05	2452.48
2	Magnolia champaca	Sonchafa	32	576.82	57.68	1845.83
3	Bahunia species	Apta	48	277.73	27.77	1333.10
4	Mimosops elingi	Bakul	40	239.47	23.95	957.88
5	Terminalia katapa	Badam	48	219.74	21.97	1054.76
6	Swetenia mahahoni	Mahagoni	52	276.31	46.05	2394.71
7	Lagestomia Indica	Tamhan	30	171.46	17.15	514.37
Total			300			10553.13

Newly planted Tree list on Median

Sr. No.	Trees		Quantity	CO2	CO2	Total CO2
	Botanical Name	Common Name		Kg	Kg /yr	Kg /yr
1	Azadirachta indica	Neem	7	706.31	70.63	494.42
2	Ficus religiosa	Peepal	2	784.79	78.48	156.96
3	Lagestromia Speciosa	Jarul	63	341.82	34.18	2153.47
4	Leucania leucocephala	Subabhul	22	239.47	23.95	526.84
5	Militongia hortensis	Indian Cork Tree	53	219.74	21.97	1164.63
6	Mimusops elengi	Bakul	188	276.31	46.05	8657.79
7	Neolamarckia cadamba	Kadamba	44	171.46	17.15	754.40
8	Plumeria Alba	Frangipani	33	362.75	36.27	1197.07
9	Sapindus mukorossi	Ritha	1	343.35	34.33	34.33
10	Other	Other	3	204.05	20.40	61.21
Total			416			15201.13

As per the methodology of IISc Indian institute of Science Bangalore, we have calculated the year wise carbon sequestration of each species. For the proposed trees, the year of plantation when the sequestration is negligible to 40 years of age (period considered for CFP) the sequestration rate is calculated based on the methodology mentioned. It is seen that from 0 to 7-10 years the rate of sequestration per year goes on increasing with increase in biomass. For most of the species the rate of sequestration becomes constant after 10 years.

For existing trees, every individual plant diameter or girth at breast height (GBH) and height was measured. Wood density as per species was considered. The Above ground and below ground biomass was calculated, from which the carbon content was determined. Thus amount of carbon dioxide sequestered was calculated.

8. References

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