

BEFORE THE NATIONAL GREEN TRIBUNAL AT PUNE

MEMORANDUM OF APPLICATION

ORIGINAL APPLICATION NO. 166 OF 2024

Nusli Neville Wadia ...Applicant

Versus

State of Maharashtra & Ors. ...Respondents

INDEX

Sr. No.	Exhibit	Particulars	Pg. No.
1.		Rejoinder Affidavit of Applicant to Affidavit in Reply of Respondent No. 7 dated 23.09.2024.	598 – 623
2.	A	Copy of Notification dated 05.12.2016.	624 – 644
3.	B	Copy of Permission dated 01.11.2018.	645 – 649
4.	C	Copy of newspaper articles.	650 – 654
5.	D	Copy of Complaint dated 06.01.2025.	655 – 664
		Last Page	664

BEFORE THE NATIONAL GREEN TRIBUNAL AT PUNE

MEMORANDUM OF APPLICATION

ORIGINAL APPLICATION NO. 166 OF 2024

Nusli Neville Wadia

...Applicant

V/s.

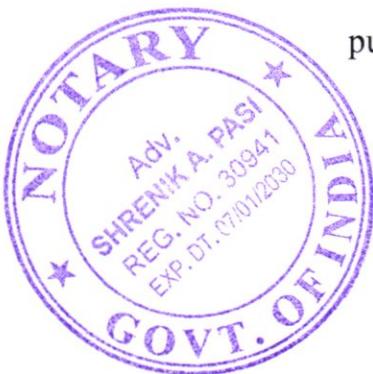
State of Maharashtra & Ors.

...Respondents

REJOINDER AFFIDAVIT OF THE APPLICANT TO THE AFFIDAVIT**IN REPLY OF RESPONDENT NO. 7 DATED 23rd SEPTEMBER 2024:**

I, Shankar Kanhere, an adult, Indian Inhabitant, the Constituted Attorney of the Applicant in the captioned matter having my address at Neville House, 4th floor, J N Heredia Marg, Ballard Pier Estate, Fort, Mumbai 400001, do hereby solemnly declare and state as under:-

1. I am the Constituted Attorney of the Applicant having my address as mentioned hereinabove. I have gone through the Affidavit in Reply of Respondent No. 7 dated 23rd September 2024 (“**the said Reply**”) and the documents filed along with the said Affidavit in Reply. I am familiar with the facts of the case from the office records and I am competent to depose to the facts in this Affidavit in Rejoinder (“**Rejoinder**”). I say that I am filing the present Affidavit for the purpose of rejoining to the Reply of Respondent No. 7. I repeat and



Shankar Kanhere

reiterate the contents of the captioned Original Application filed by the present Applicant.

2. I vehemently deny all the averments, contentions and allegations made in the said Reply and are contrary to and/or inconsistent with what is stated herein and nothing stated therein shall be deemed to have been admitted due to want of specific traverse or a specific denial. I crave leave of this Hon'ble Tribunal to file a further affidavit or affidavits along with documents in support thereof, if the circumstance so warrants.

3. I say that the sum and substance of the allegations made by the Respondent No. 7 in the said Reply are as follows:
 - a) The captioned Original Application is barred by limitation.
 - b) The Hon'ble Tribunal does not have jurisdiction to adjudicate the captioned Original Application.
 - c) Res Judicata.
 - d) Respondent No. 7 has allegedly not carried out hill cutting, tree cutting/ illegal deforestation, change of natural course of water bodies and illegal construction.



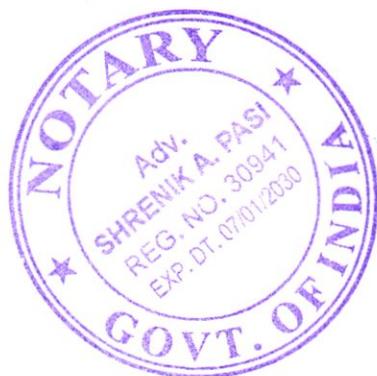
Shrenik A. Pasi

4. *Allegations as regards limitation:*

4.1 Respondent No. 7 has alleged that the present Original Application is not under the limitation as prescribed under Section 15 of the National Green Tribunal Act, 2010 (“**NGT Act**”) as purportedly the development on the plot bearing CTS No. 827A/4A/1 of Village Malad (East) commenced in the year 1997. I say that the aforesaid contention of Respondent No. 7 that there is delay in filing the present original application is on an incorrect footing and wholly untenable.

4.2 I say that the question of tree cutting, illegal deforestation and illegal construction carried out by Respondent No. 7 on land being CTS No. 827(pt), Survey No. 239 (pt) situated at Malad East, Mumbai (“**said land**”) was an ongoing progress and the cause of action for filing of the present Original Application arose only when the Applicant was made aware of the illegal tree cutting and illegal deforestation carried out on the said land.

4.3 I say that the Applicant was put to notice about illegal cutting of trees on the said land being developed by Respondent No. 7 – Ferani Hotels Private Limited (“**Ferani**”) and the Rahejas without



[Handwritten signature]

any approvals through a newspaper article published on 7th October 2022 (*annexed as Exhibit-B/Pg. 77 to the OA*) which categorically stated that over 560 trees in Goregaon Greens have been illegally chopped on a private plot being developed by the Feranis/ Rahejas and that the same was being done without any approvals from the authorities. Thereafter, the Applicant made several complaints from the year 2022, no action was taken against the perpetrators.

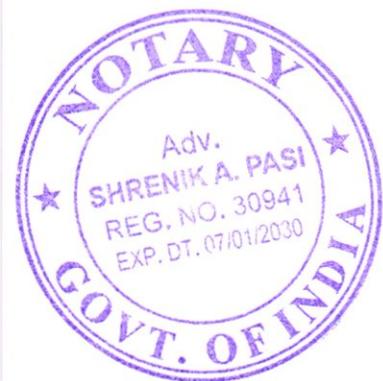
4.4 I say that the present Applicant has filed the captioned Original Application for illegal felling of trees and tree cover on the subject plot without obtaining any permissions or approvals and without obtaining any Environmental Clearance which is a recurring wrong and gives rise to a recurring cause of action. The present Original Application has been filed under Sections 14 and 15 read with Section 18 of the NGT Act. The limitation period for Section 14 is 6 months from the date of cause of action of dispute, however, under Section 15 of the NGT Act, the limitation period is 5 years from the date of cause of action. Hence, it is submitted that the present Original Application has been filed within the period of limitation prescribed by the NGT Act.



5. *Allegations as regards no jurisdiction:*

5.1 Respondent No. 7 has contended that the present Application is beyond the jurisdiction of this Hon'ble Tribunal as the FIR No. 1100 of 2022 dated 7th November 2022 filed against Respondent No. 7 is as per the provisions of the Maharashtra Urban Protection & Preservation of Trees Act, 1975 and the same is not included in Schedule-I of the Act.

5.2 I say that one of the main grievances raised in the present Original Application is with respect to illegal tree cutting carried out by the Feranis and Rahejas on the subject plot without seeking any prior Environment Clearance and without any permission of competent authorities and in violation of the conditions prescribed by the Environment Clearance, if any. I say that it is a settled position in law that this Hon'ble Tribunal has jurisdiction with reference to matters related to trees and adjudicates upon matters in relation to the Maharashtra (Urban Areas) Protection & Preservation of Trees Act, 1975. In any event, the present Original Application is not restricted to the issues relating to the said Act and has raised other issues like illegal tree cutting, illegal deforestation, illegal construction, etc. and the Hon'ble Tribunal has the jurisdiction to



adjudicate upon these said issues. Therefore, it is submitted that the contention of Respondent No. 7 is devoid of any merits and ought to be completely disregarded as it is an attempt to circumvent the law and carry out illegal activities on the subject plot.

6. *Allegations as regards res judicata:*

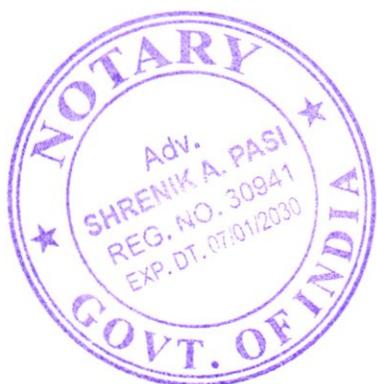
6.1 Respondent No. 7 has contended that the present Original Application is filed on the same subject matter as proceedings pending before the Hon'ble Bombay High Court. I say that the Suit No. 1628 of 2008 was filed in the year 2008 *inter alia* in regard to the now terminated unregistered Agreement dated 2nd January 1995 (as modified by a supplementary agreement dated 12th April 1995) ("**Agreement**") granting Feranis developmental rights to the said land and unregistered Powers of Attorneys dated 12th April 1995 executed by the Applicant in furtherance to unregistered Agreement. The said Agreement and Powers of Attorneys have been terminated by the Applicant due to various frauds perpetrated by Respondent No. 7-Feranis, Rahejas and their late father, Gopal L. Raheja. The same has been averred in the captioned Original Application and the Applicant has not suppressed the said fact as wrongly alleged by Respondent No. 7.



6.2 I say that the captioned Original Application has been filed for the purpose of challenging the illegal construction carried out by the Feranis/Rahejas which is causing rampant environmental destruction to the said land, which strictly falls under the jurisdiction of this Hon'ble Tribunal. Therefore, the contention of the Respondent No. 7 is devoid of any merits and ought to be dismissed.

7. Allegations as regards no role of Respondent No. 7 in illegal deforestation/ construction, etc.:

7.1 I say that Respondent No. 7 has contended that they are carrying out construction on the said land in accordance with law and the same is substantiated by the said Respondent No. 7 on the basis of an alleged permission dated 1st November 2018 granted by the Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee to Respondent No. 7 to develop residential and commercial buildings on the said land. The said permission was purportedly issued in accordance with the Notification dated 5th December 2016 issued by MoEF&CC notifying an area of 59.456 sq. km. to the extent of 100 mtrs. to 4 km. from the boundary of SGNP in the State of Maharashtra as Sanjay Gandhi National Park



Shrenik A. Pasi

Eco Sensitive Zone. On a bare perusal of the said permission, it is evident that the same is illegal and not in accordance with law.

7.2 As per Paragraph 2 of the Notification, Respondent No. 1 had to prepare a Zonal Master Plan for SGNP ESZ within a period of 2 years from the said Notification. As per Paragraph 2(4) of the Notification, the Zonal Master Plan was to be prepared in consultation with all concerned State Departments viz. Environment, Forest, Urban Department, Tourism, Municipal, Revenue, Agriculture, Maharashtra Pollution Control Board, Irrigation and Public Works Department for integrating environmental and ecological considerations into it. The Zonal Master Plan was to be prepared to regulate development in Eco Sensitive Zone so as to ensure eco friendly development for livelihood security of local community.

7.3 Paragraph 3 of the Notification is as follows:-

“3. Measures to be taken by State Government – The State Governments shall take the following measures for giving effect to the provisions of this notification, namely

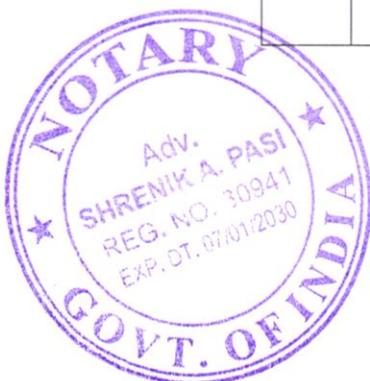


- 1) *Land use.—Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the **Eco-sensitive Zone shall not be used or converted into areas for commercial or industrial related development activities:***

Provided that the conversion of agricultural lands, including the lands included in the category of the no development zones in the Development Plan of the adjoining cities, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the State Government, to meet the residential needs of local residents, and for the activities listed against serial numbers 10, 16, 22, 32 and 35 in column (2) of the Table in paragraph 4... ”

7.4 Paragraph 4 of the Notification gives a list of activities prohibited or to be regulated within the Eco Sensitive Zone. The relevant entries in the regulated activities within the Eco Sensitive Zone are reproduced hereinbelow for ease of reference:

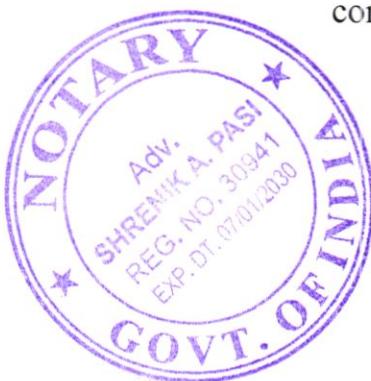
Sr. No.	Activity	Remarks
Regulated Activities		
10.	Establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted, within one kilometer of the boundary of the Protected Area or the extent of Eco-sensitive Zone whichever is nearer, except related to eco-friendly tourism activities:



Shrenik A. Pasi

16.	Widening and strengthening of existing roads, bridges, infrastructure and construction of new roads, public utility or community buildings.	Shall be done as per applicable laws to these activities without adverse impact within the Eco-sensitive Zone.
22	Small scale industries not causing pollution.	Non-polluting, non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agrobased industry producing products from indigenous goods from the Eco-Sensitive Zone, and which do not cause any adverse impact on environment shall be permitted.
32	Rain water harvesting.	Shall be actively promoted.
35.	Cottage industries including village, industries, convenience stores, local amenities, public utility and community buildings.	Shall be actively promoted.

7.5 Paragraph 3 of the Notification enumerates the provisions as regards land use of the Eco Sensitive Zone and it expressly prohibits use or conversion of the said Eco Sensitive areas for commercial or industrial related development activities unless the said activity needs to be carried out to meet the residential needs of local residents or for regulated activities listed against serial numbers 10, 16, 22, 32 and 35 in the table in Paragraph 4 of the Notification reproduced hereinabove. Therefore, permission for commercial activities under the Notification dated 5th December

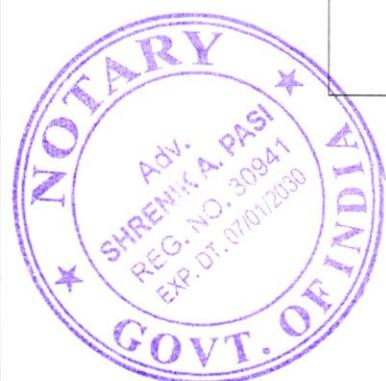


Shalik

2016 shall only be granted for activities as mentioned as per Paragraph 3 read with the relevant entries of regulated activities.

7.6 However, the impugned permission dated 1st November 2018 has been issued to Respondent No. 7 on garb of being within the scope of regulated activities in Sr. No. 11 of the Notification dated 5th December 2016. Sr. No. 11 of the Regulated Activities is as below:

<i>Sr. No.</i>	<i>Activity</i>	<i>Remarks</i>
Regulated Activities		
11.	Construction activities.	<p>Construction shall be permitted within the Eco-sensitive Zone as per the provisions of the approved Development Plan and other applicable rules and regulation under the Maharashtra Regional and Town Planning Act:</p> <p>Provided that the under construction/renovation of commercial buildings including group housing societies, offices, and services such as Information Technology/Information Technology Enabled Services, Parks, Roads, Power Transmission lines and cables, Telecommunication Towers and cables, Sewage lines, civic amenities, etc., and new construction projects such as Mumbai Metro Rail Shed, and creation of new civic amenities such as water supply related infrastructure and facilities and Operation & Maintenance of infrastructure, facilities of civic amenities sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be permitted within ESZ subject to applicable rules and regulations.</p>



Shrenik

		<p>Provided further that commercial redevelopment, reconstruction, repairs of existing structures which includes group housing societies, sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be allowed within Eco sensitive Zone subject to applicable rules and regulations:</p> <p>Provided further that the commercial redevelopment reconstruction, repairs of existing structures which includes group housing societies, sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be allowed within the Eco sensitive Zone subject to applicable rules and regulations.</p> <p>The construction activity related to small scale industries not causing pollution shall be permitted as per applicable rules and regulations, if any, with the prior permission from the competent authority.</p> <p>The Approved Development Plan shall be in conformity with the Zonal Master Plan taking into consideration the conservation aspects of the Eco sensitive Zone.</p>
--	--	---

7.7I say that Sr. No. 11 of the Regulated Activities under the Notification dated 5th December 2016 enumerates construction activities permitted within the Eco-sensitive Zone and the same has to be in consonance with the approved Development Plan and other applicable rules and regulation under the Maharashtra Regional and Town Planning Act. However, the said provision also expressly states that the said approved Development Plan has to be in conformity with the Zonal Master Plan taking into consideration all



Shrenik A. Pasi

conservation aspects of the Eco Sensitive Zone. It is submitted that till date, the Zonal Master Plan has not been finalized and notified. The same has also been pointed out by the Joint Committee constituted in the present proceedings in its Report dated 21st August 2024 and Additional Report dated 30th November 2024. Therefore, no permissions can be granted on the basis of the said entry till the Zonal Master Plan is finalized. Hereto annexed and marked as Exhibit-“A” is a copy of the Notification dated 5th December 2016 and Exhibit-“B” is a copy of the Permission dated 1st November 2018.

7.8 I say that no permission can be issued for commercial activities within ESZ unless the same is for the purpose of meeting the residential needs of local residents or for activities listed at Sr. Nos. 10, 16, 22, 32 and 35 of the regulated activities within the Eco Sensitive Zone in the table in Paragraph 4 of the Notification dated 5th December 2016. It is abundantly clear that the said permission granted to Respondent No. 7 does not fall under the criteria mentioned in Paragraph 3 of the Notification dated 5th December 2016. Therefore, it is submitted that the said Permission dated 1st November 2018 is illegal, without any application of mind and is in



Shrenik

direct contravention to the Notification dated 5th December 2016 and the provisions of the Environment (Protection) Act, 1986. Therefore, the contention of Respondent No. 7 that the rampant construction carried out by them is with valid permission is devoid of merit and ought to be dismissed.

Incident of Fire on 29th December 2024 on the said land:

7.9 On 29th December 2024, a fire was caused in a forested portion of the said land at around 12 am which spread across one kilometre to 1.5 kilometres (approx.) on a mountain slop on the said land. The fire lasted for about 2 hours and was eventually extinguished at around 2.30 a.m. The Fire Brigade officials who were present at the spot noted that the fires were caused at several spots on the said land, at the same time along the hill side.

7.10 A *prima facie* inspection of the fire that occurred on the said land, has indicated signs consisting with human acts rather than natural causes. The manifestations observed, including the pattern of burn marks, focuses on the areas with trees and the possible presence of accelerants suggest intention or negligent action rather than any natural occurrence. Therefore, it is reasonable to conclude that the



Shrenik

initiation of fire resulted from human intervention. Thus, raising question of liability for any damages incurred as a consequence.

7.11 On 6th January 2025, the present Applicant on being made aware of the said fire incident, has made a Complaint with the Dindoshi Police Station as well as other relevant authorities to issue appropriate directions to carry out a detailed analysis pertaining to the acts of Feranis/Rahejas and take appropriate action in law. Hereto annexed and marked as **Exhibit-“C”** is a copy of the Newspaper articles of the fire incident and **Exhibit-“D”** is a copy of the Complaint dated 6th January 2025 of the Applicant through their Advocates.

7.12 I say that the Joint Committee constituted in OA No. 100 of 2024 on 10th May 2024 in its Report dated 21st August 2024 and the Additional Report dated 30th November 2024 have noted the previous incidents concerning unlawful activities regarding destruction of trees on the said land including incidents of fires that have taken place on the said land.

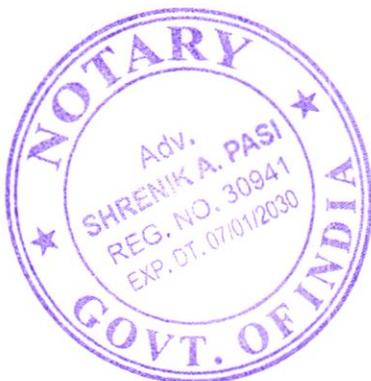
7.13 I say that it is evident that the acts of Feranis/Rahejas is causing rampant and repeated illegal destruction of trees by fire at the said land which is in violation of Sections 5 and 21 of the Maharashtra



Shrenik A. Pasi

Trees (Urban Areas) Protection and Preservation of Trees Act, 1975. It is submitted that Feranis/Rahejas are illegally carrying out construction in the said land on the basis of the illegal Permission dated 1st November 2018 issued by SGNP ESZ Monitoring Committee which ought to be disregarded as the same is not in consonance with law. It is also submitted that the Respondent No. 7 is carrying out illegal construction on the said land by misusing the said Agreement and Power of Attorney that has been since terminated by the Applicant. Respondent No. 7 has admittedly, carried on construction on the said land and also created third party interest in respect of the constructed buildings without having any valid permissions to carry out the same and on the basis of the said illegal permission dated 1st November 2018, causing huge loss to the environment.

8. I say that apart from the aforesaid, the Respondent No. 7 has made para-wise denials to the captioned Original Application and it is submitted that no cogent reasons have been given by Respondent No. 7 nor documents attached to substantiate its contentions and ought to be dismissed.



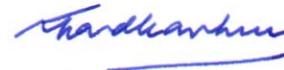
Shrenik A. Pasi

9. The present Applicant is not dealing with the said Reply in seriatim more particularly since the entire bogey of allegations and contentions raised by the Respondent No. 7 have been dealt with and answered in terms of the aforesaid. However, the Applicant expressly craves leave to file an Additional Affidavit(s) in a paragraph-wise manner, if the circumstances so warrant.

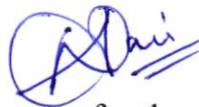
10. In the aforesaid facts and circumstances, it is submitted that the contentions raised by the Respondent No. 7 are illegal, untenable and devoid of any merits. Therefore, the contentions raised by the Respondent No. 7 ought to be rejected *in toto* and the prayers made in the present Original Application be made absolute.

Date: Mumbai

Place: 11 April 2025



Applicant



Advocates for the Applicant



VERIFICATION

I, Shankar Kanhere, an adult, Indian Inhabitant, the Constituted Attorney of the Applicant in the captioned matter having my address at Neville House, 4th Floor, J N Heredia Marg, Ballard Pier Estate, Fort, Mumbai 400001, do hereby state that I have submitted this Affidavit on solemn affirmation and oath. I have verified that the facts are true based on office records available with the Applicant. I have not suppressed any material fact known to me and relevant to this matter.

Date: 11th April 2025

Place: Mumbai

Shankar Kanhere

Applicant

Before me



BEFORE ME
Shrenik A. Pasi
11/04/25
Adv. Shrenik A. Pasi
Advocate & Notary.
GOVT. OF INDIA
Plot No. 150B, Waras Lane,
Worli Village, Mumbai-400 030.
Reg. Sr. No. 30941

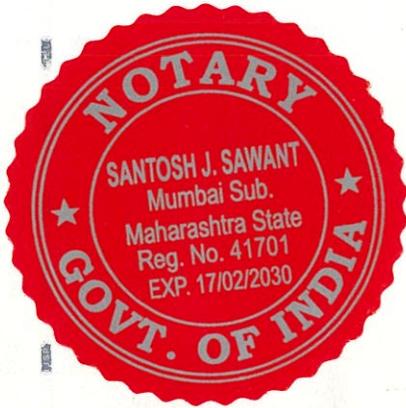
NOTED & REGISTERED
Sr. No. 56, Page No. 08
Date: 11/04/25



महाराष्ट्र MAHARASHTRA

● 2025 ●

DT 178138



प्रधान मुद्रांक कार्यालय, मुंबई. प.मु.वि क १,०००००३ 11 MAR 2025 सक्षम अधिकारी C
--

श्रीमती सुषमा चव्हाण

NOTED & REGISTERED Sr. No. 10 Page No. 002 Book No. 1-A Date 28/3/25

POWER OF ATTORNEY

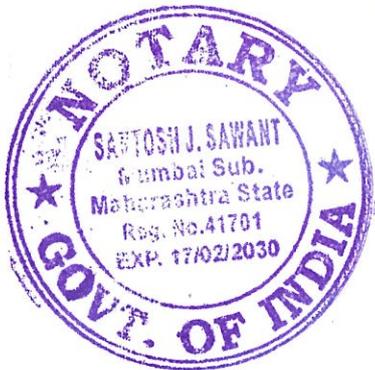
TO ALL TO WHOM THESE PRESENTS SHALL COME, I MR. NUSLI NEVILLE WADIA, having office at Neville House, J N Heredia Marg, Ballard Pier Estate, Fort, Mumbai 400001 SEND GREETINGS;

WHEREAS

I By Judge's Order dated 21st December 1972 passed in Misc. Petition No. 29 of 1972 by the Hon'ble Bombay High Court in its Testamentary & Intestate Jurisdiction, I was appointed as the Administrator of the estate and effects of the late Mr. Eduljee Framroze Dinshaw in India in place and stead of Mr. Jehangir Behram Dubhash.

दस्तावा प्रकार	
दस्त नोंदणी करणार आहेत का ?	YES/NO
मिळकतीचे वर्णन -	002
मुद्रांक विकत घेणाऱ्याचे नाव	MUSLI .N. Wajid cmun .01
दुसऱ्या पक्षाचा नाव	Shahkarr Kakhherre
हसे असल्यास त्याचे नाव व पत्ता	self
मुद्रांक शाखेचे स्थान	
मुद्रांक विकत घेण्याची मंडी	
मुद्रांक विकत घेण्याची मंडी	
परगना क्रमांक : ८०००५००	
मुद्रांक विकत घेणाऱ्याचे नाव/पत्ता : श्री. अशोक रघुनाथ कदम	
२९०, शांति भद्र सिटी रोड, २/१५, आनंद बुधन, फ्लॉट, मुंबई-४०० ००९.	
ज्या कारणासाठी ज्यांनी मुद्रांक खरेदी केला त्यांनी त्याच कारणासाठी मुद्रांक खरेदी केल्यापासून ६ महिन्यात यापारणे बंधनकारक आहे.	

0.0643
18 MAR 2025
18 MAR 2025





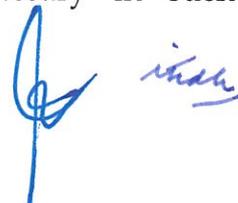
II By Judge's order dated 20th November 2003 passed in Misc. Petition Lodging No. 790 of 2003 (Subsequently numbered as Misc. Petition No. 41 of 2003) the Hon'ble Bombay High Court ordered that I am authorised and permitted to continue to act as the Administrator of the estate of the said late Mr. Eduljee Framroze Dinshaw; (hereinafter referred to as "the Estate");

III I am the sole Administrator of the estate and effects of the said late Mr. Eduljee Framroze Dinshaw in India, which comprises of movable property and immovable property (hereinafter referred to as "the said Property");

IV As I am not able to attend to the management of the said Property, I am desirous of appointing Mr. Shankar Kanhere, to be my true and lawful attorneys to act singly and to attend to all matters pertaining to the said property, which they have agreed to do.

NOW KNOW YE AND THESE PRESENTS WITHNESSETH that I, MR. NUSLI NEVILLE WADIA, do hereby NOMINATE, CONSTITUTE AND Mr. Shankar Kanhere having office address as Neville House, J N Heredia Marg, Ballard Pier Estate, Fort, Mumbai 400001 (hereinafter called "the Attorney") whose signature and photograph is appended below as my true and lawful Attorneys in fact and at law, for me, in my name and on my behalf and in his name to do, execute and perform all acts, deeds, matters and things in connection with all matters relating to the management of the said property, and in particular, the following:-

1. To appear and act in all courts, civil, revenue or criminal whether original or appellate, in the registration offices and in any other office or Department of Government including Income-tax and sales tax and Estate Duty Departments, Imports, Exports and Customs, Districts Board, Municipal Board or any other local or statutory authority.
2. To file, institute, prosecute and defend all legal proceedings by or against the Administrator, in respect of the said Property or in which the Administrator may be in any way interested or concerned and for such purpose to sign, execute, file, declare and verify plaints, written statements, complaints, vakalatnamas, writ petitions and other petitions and claims and objections, Memorandum of Appeal and Petitions and Revisions and Review, warrants and affidavit and applications of all kinds and to file them in any such court/tribunal/authorities or office, to give and sign Undertakings or any other writing or writings in favour of any public authority or body and other documents of any description whatsoever necessary in such suit or




proceedings and to execute any decree or order and generally to represent me as the Administrator aforesaid.

3. To appoint and substitute from time to time and remunerate any Advocate, Vakil, Pleader, Solicitor, Mukhtar, Revenue Agent or any legal practitioner and/or to displace, revoke such appointment in my name and on my behalf, in connection with any proceedings in court/tribunal or before any other authority judicial or otherwise either to enforce my right, title, interest, claim and demand in the said property or to defend the same and to sign vakalatnama or any other authority in his favour.
4. To make, sign, execute, submit and address all the requirements, letters, papers, documents, communications, representations, statements, schemes, proposals, terms and conditions to or before any Government, Semi-Government, Municipal, Local and Statutory Authorities or any other public body or bodies including all departments, offices and officers concerned thereof or any person or persons or corporate or incorporate body or bodies association or associations as may be necessary to carry out and/or implement any of the provisions herein or in any agreements in respect of the said Property or any part thereof.
5. To commence, initiate, prosecute or defend any suit, action or proceedings in any Court or Tribunal, Civil, Criminal or revenue or before any Government Department or any public or local body or authority concerning or touching the said property or any part thereof in any manner whatsoever;
6. Notwithstanding any of the provisions herein, the powers and authorities hereby conferred shall not include, except in accordance with my express written instructions, the power to:
 - i. To compromise any legal proceedings:
 - ii. To refer or submit to arbitration any matter, dispute or difference, which may arise or may have arisen ;
 - iii. To settle, withdraw or to abandon any legal proceeding or to be non-suited in the same.
7. To realize debts due to me as the Administrator aforesaid and to receive any moneys due to me as the Administrator aforesaid from any person and to grant valid and effectual receipts for all amounts received and give discharges for the same.



[Handwritten signature]

8. To demand, sue for, enforce payment of and receive and give: receipt and discharges of all moneys, securities for money, debts and legacies which I, as such Administrator as aforesaid am now entitled to or which may hereafter become entitled to in any manner whatsoever.
9. To sign contracts and transfer forms either as transferor or as transferee or such other papers or documents, which may be necessary for effecting the transfer relating to or in connection with the sale or purchase or exchange of any shares, stocks, debentures, bonds, annuities, Government Promissory Notes or Loans or other securities.
10. To endorse dividend Warrants, Interest Warrants or other cheques and to credit the said Dividend Warrants, Interest Warrants and other Warrants or cheques to relative bank Accounts as aforesaid.
11. To sign, execute and deliver Deeds and Documents as the Administrator aforesaid in respect of the said property.
12. For all or any of the purposes of these presents to sign, seal, swear, affirm, declare, deliver, execute and admit for execution, make, enter into, acknowledge, complete, record and perfect all deeds, assurances, documents and instruments whatsoever usual necessary or expedient including without prejudice to the generality of the foregoing contracts, agreements, pleadings, affidavits, declarations, petitions, letters, representations, submissions, affidavits, reply to summons, and to institute, prosecute, defend, oppose, appear, appeal, in Court, or Tribunal, or Charity Commissioner, or Arbitration or SEBI or BSE or NSE and to accept services of Process and notices and to make payment of money into Court/ Tribunal/ Authority etc., and to obtain refund of money lodged in Court/tribunal/ Authority etc., for the above purpose, and to sub-delegate, as may be necessary, any of the powers and authorities delegated to him by the Administrator
13. To prepare, complete, sign, declare and file income-tax, wealth-tax, expenditure-tax, gift-tax or other tax returns, to sign tax deduction certificates or vouchers and to carry on all correspondence and apply for extension of time or times, and to appear before all and any officer appointed under the Income-Tax Act or the Wealth-tax Act, or the Gift-tax Act or the Expenditure-tax Act or any other Act, including Commissioners and all other officers of the Department, or the Central Board Of Revenue, and to apply to and obtain from them or to and from Appellate Tribunals, High courts and other Courts



[Handwritten signature]

copies of proceedings, orders and judgment, and to file appeals or revision applications, or reference applications, or other applications, and to apply for and give effectual receipts for refund of all taxes, and to accept service of notices, orders or judgments, and for the purposes aforesaid to make all such appointments, grant all such powers and authorities, make all such application and sign and execute all such documents, forms and other papers, and do all such other acts and things, as in the opinion of the said Attorneys shall be necessary and expedient.

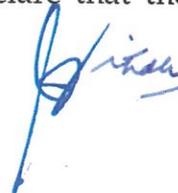
14. To file and receive back documents, to operate, to close and deposit and withdraw monies and to grant receipts therefore in connection with my bank accounts held by me in my capacity as the Administrator aforesaid and to sign and endorse all cheques, drafts, slips, receipts, dividend, warrants and other instruments and to receive payment in respect thereof.
15. To obtain refund of stamp duty or repayment or refund of Court Fees
16. To accept service of any summons, warrants, notices or writs issued by any Court or office against the Administrator.
17. To apply to Court and officers for copies of documents and papers.
18. To apply for inspection of and to inspect judicial records.
19. To appear before Assessing Officer, Commissioner, Tax Authorities, including Courts, all land Acquisition Officers, all Revenue Officers and other Officers of the Central or State Government or of any Public Body or other Public Authorities, and to represent the Administrator before them relating to Direct and Indirect taxation and other related laws and regulations.
20. To appear before the Registrar or Sub-Registrar of Assurance or joint Sub-Registrar of Assurances, Mumbai or before the Registrar or Sub-Registrar of Assurance for any other Registration District or Sub-District in any part of India or before any other proper authority appointed in that behalf under the Indian Registration District Act, XVI of 1908 or any other Act or regulation for the time being in force relating to the registration of documents and from time to time and all times to present for registration of all deeds, instruments, documents and writings of every nature and kind whatsoever which I may have executed or which may hereafter from time to time be executed by me as the Administrator aforesaid and also to admit execution by me of all or any



[Handwritten signature]

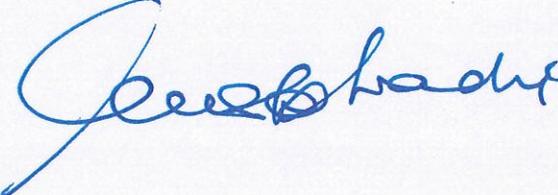
such deeds, instruments, documents and writings and also on my behalf to do all acts, deeds and things necessary or expedient for registration and completion of registration of all or any such deeds, instruments, documents and writings.

- 
21. To admit and execute from time to time, subject to receipt of a duly approved draft of the document, Leave & License Agreements, /Indemnities, Security Bonds, and/or similar documents relating to the properties wherever situate in order to give effect thereof, Leave & License and/or such or similar documents.
 22. To sign and admit from time to time, subject to receipt of a duly approved draft of the document such as Transfer Development Rights (TDR) Agreement or similar documents relating to the Administrator's properties, premises wherever situate in order to give effect to the sale thereof.
 23. To sign as Constituted Attorney/ Authorized Signatory of the Administrator, all contracts, letters, bonds, undertakings and documents of any and every kind whatsoever, whereon such signature is necessary or expedient, in connection with any of the Administrator's properties and to rescind and vary all such contracts and documents and execute and do all such acts, deeds, matters and things in the name and on behalf of the Administrator.
 24. To correspond with, to ask for and demand such documents, writings, deeds, and other information, whether written or otherwise including from but not limited to the various Government Departments including income tax, wealth-tax, sales-tax and expenditure-tax and from any other statutory or local authority and/or department.
 25. GENERALLY TO DO, ACT AND PERFORM all acts, deeds, matters and things requisite and necessary and expedient for all or any of the purposes aforesaid and for giving full effect to the authorities hereinabove contained as fully and effectually as I would do in my own proper person.
 26. AND I HEREBY AGREE to ratify and confirm whatsoever the said Attorneys shall do in the premises aforesaid.
 27. AND for more effectually removing and doubts which may arise as to true meaning of these presents or as to the construction or application of the powers and authorities hereby conferred, I hereby declare that the powers



and authorities hereby conferred shall not in any case be deemed to revoke any powers or authorities given by me to the said Attorney or to any other persons, or be deemed to be limited by any such powers, with the end and intent that the powers and authorities hereby conferred shall be in operation and effect at the same time and place as the powers and authorities conferred by me on my said Attorneys and any other person or persons.

IN WITNESS WHEREOF, I NUSLI NEVILLE WADIA have sent and subscribed my hand hereto at Mumbai on this 28th day of March, 2025

SIGNED AND DELIVERED) 
 At Mumbai by the within named)
 NUSLI NEVILLE WADIA)

Name	Photo	Thumb Impression	Signature
NUSLI NEVILLE WADIA			

I ACCEPT.

Name	Photo	Thumb Impression	Signature
SHANKAR KANHERE			

BEFORE ME


 28/03/2025
SANTOSH J. SAWANT
 ADVOCATE & NOTARY
 308, Someshwar CHS Ltd., Dattapada Road,
 Opp. Tata Steel Ltd., Borivali (E), Mumbai-400066.



MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 5th December, 2016

S.O. 3645(E).—Whereas, a draft notification, declaring Eco-sensitive Zone around Sanjay Gandhi National Park, Borivali in Mumbai of Maharashtra State, was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 229(E), dated the 22nd January, 2016, inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette containing the said notification were made available to the public on the 22nd January, 2016;

AND WHEREAS, objections and suggestions received from all persons and stakeholders in response to the draft notification have been duly considered by the Central Government;

AND WHEREAS, the Sanjay Gandhi National Park (hereinafter referred to as the National Park) is a unique habitat enclosed in the metropolis of Mumbai and is located in the Thane and Mumbai District of Maharashtra State between N 19° 8.8" to 19° 21" latitude and E 72° 53" to 72° 58" longitudes;

AND WHEREAS the National Park is home to a number of endangered species of flora and fauna and harbours approximately 1300 species of flowering plants, 45 species of mammals, 43 species of reptiles, including 38 species of snakes, 12 species of amphibians, 300 species of birds, 150 species of butterflies;

AND WHEREAS, the area is known for mammalian species such as Leopard (*Panthera pardus*), Wild Boar (*Sus sp*), Four Horned Antelope (*Tetracerus quadricornis*), Blacknaped Hare, Wild Cat (*Felis chaus*), Jackal (*Canis aureus*), and Porcupine (*Hystrix indica*) and also harbours many bird species such as Peacock (*Pavo cristatus*), Lesser Grebe, Purple Heron (*Ardea purpurea*), Smaller Egret, Lesser Whistling Teal, Pariah Kite, Bulbul and many reptiles are also found in the National Park including snakes as Indian Cobra and Viper;

AND WHEREAS, the vegetation of the area ranges from littoral forests to western sub-tropical hill forests and as per the revised classification of Indian Forest Types by Champion and Seth, the National Park has Southern Tropical Moist Mixed Deciduous Forest and Western Sub Tropical Hill Forest and some of the tree species are *Tectona grandis*, *Terminalia tomentosa*, *Acacia catechu*, *Adina cordifolia*, *Mitragyna parviflora*, *Pterocarpus marsupium*, *Holarrhena antidysentrica*, *Butea monosperma*, and *Diospyros melanoxylon* etc.;

AND WHEREAS, it is necessary to conserve and protect the area the extent and boundaries of which is specified in paragraph 1 of this notification around the Sanjay Gandhi National Park as Eco-sensitive Zone from ecological and environmental point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-sensitive Zone;

NOW Therefore, in exercise of the power conferred by sub-section(1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area to an extent of 100 meters to four kilometers from the boundary of Sanjay Gandhi National Park in the State of Maharashtra as the Sanjay Gandhi National Park Eco-sensitive Zone (hereinafter after referred to as Eco-sensitive Zone) details of which are as under, namely:-

1. Extent and boundaries of Eco-sensitive Zone.—(1) The Eco-sensitive Zone is spread over an area of 59.456 sq.km to an extent of 100 meters to four kilometers from the boundary of Sanjay Gandhi National Park and the boundary description of the Eco-sensitive Zone is given in **Annexure I**.

(2) The map of the Eco-sensitive zone along with latitude and longitude is included in **Annexure II**.

(3) The list of the villages falling within Eco-sensitive Zone is included in **Annexure III**.

2. Zonal Master Plan for Eco-sensitive Zone.—(1) The State Government shall, for the purpose of the Eco-sensitive Zone prepare, a Zonal Master Plan, within a period of two years from the date of publication of this

notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification.

- (2) The said Plan shall be approved by the Competent Authority in the State Government.
- (3) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.
- (4) The Zonal Master Plan shall be prepared in consultation with all concerned State Departments, namely:-
 - (i) Environment;
 - (ii) Forest;
 - (iii) Urban Development;
 - (iv) Tourism;
 - (v) Municipal;
 - (vi) Revenue;
 - (vii) Agriculture;
 - (viii) Maharashtra State Pollution Control Board;
 - (ix) Irrigation;
 - (x) Public Works Department;

for integrating environmental and ecological considerations into it.

- (5) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.
- (6) The Zonal Master plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.
- (7) The Zonal Master Plan shall demarcate all the existing worshipping places, village and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies.
- (8) The Zonal Master Plan shall regulate development in Eco-sensitive Zone as to ensure Eco-friendly development for livelihood security of local communities.

3. Measures to be taken by State Government.—The State Governments shall take the following measures for giving effect to the provisions of this notification, namely:-

- (1) **Land use.**—Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or industrial related development activities:

Provided that the conversion of agricultural lands, including the lands included in the category of the no development zones in the Development Plan of the adjoining cities, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the State Government, to meet the residential needs of local residents, and for the activities listed against serial numbers 10, 16, 22, 32 and 35 in column (2) of the Table in paragraph 4, namely:-

- (i) Eco-friendly cottages for temporary occupation of tourists, such as tents, wooden houses, etc. for Eco-friendly tourism activities;
- (ii) Widening and strengthening of existing roads, construction of new roads and other infrastructure works such as Mumbai metro rail, etc.;

- (iii) Renovation and augmentation and upgradation of civic amenities including creation of infrastructure for water supply and storage and other civic amenities, including augmentation and upgradation of existing transmission lines, telecommunication towers, etc and establishment of new underground transmission cables and communication cables, etc;
- (iv) Small scale industries not causing pollution,
- (v) Rainwater harvesting, and
- (vi) Cottage industries including village industries, convenience stores, local amenities, public utility and community buildings:

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the above correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

Provided also that there shall be no consequential reduction in green area, such as forest area and agricultural area and efforts shall be made to reforest the unused or such unproductive agricultural areas.

(2) **Natural Springs.**—The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the State Government in such a manner as to prohibit development activities at or near these areas as which are detrimental to such areas.

(3) Tourism.—

(a) The activity relating to tourism within the Eco-sensitive Zone shall be as per the Tourism Master Plan, which shall form part of the Zonal Master Plan.

(b) The Tourism Master Plan shall be prepared by the Department of Tourism, Government of Maharashtra in consultation with Department of Revenue and Forests, Government of Maharashtra.

(c) The activity of tourism shall be regulated as under, namely:-

(i) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by National Tiger Conservation Authority, (as amended from time to time) with emphasis on eco-tourism, eco-education and eco-development and based on carrying capacity study of the Eco-sensitive Zone;

(ii) new construction of hotels and resorts shall not be permitted within one kilometer from the boundary of the Sanjay Gandhi National Park or the extent of Eco-sensitive Zone, whichever is nearer, except for accommodation for temporary structures for tourists related to Eco-friendly tourism activities:

Provided that beyond one kilometer from the boundary of protected area till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be permitted only in pre-defined and designated areas for Eco-tourism facilities as per Zonal Master Plan;

(iii) till the Zonal Master Plan is approved, development for eco-tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee.

(4) **Natural Heritage.**—All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, water bodies, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and preserved and plan shall be drawn up for their protection and

conservation, within six months from the date of publication of this notification and such plan shall form part of the Zonal Master Plan.

(5) **Man-made heritage sites.**—Buildings, structures, artifacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be indentified in the Eco-sensitive Zone and plans for their conservation shall be prepared within six months from the date of publication of this notification and incorporated in the Zonal Master Plan.

Noise pollution.—The Environment Department of the State Government or Maharashtra State Pollution Control Board shall implement the regulations for control of noise pollution in the Eco-sensitive Zone in accordance with the provisions stipulated of The Noise Pollution (Regulation And Control) Rules, 2000 under the Environment (Protection) Act, 1986.

(6) **Air pollution.**—The Environment Department of the State Government or Maharashtra State Pollution Control Board shall draw up guidelines and regulations for the control of air pollution in the Eco-sensitive Zone in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder.

(7) **Discharge of effluents.**—The discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the rules made thereunder.

(9) **Solid wastes.**—Disposal of solid wastes shall be as under:-

(i) the solid waste disposal in Eco-sensitive Zone shall be carried out as per the provisions of the Solid Waste Management Rules, 2016 published by the Government of India, Ministry of Environment and Forests and Climate Change vide notification number S.O. 1357 (E), dated the 8th April, 2016 as amended from time to time;

(ii) the local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components;

(iii) the biodegradable material shall be recycled preferably through composting or vermiculture;

(iv) The inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-sensitive Zone and no burning or incineration of solid wastes shall be permitted in the Eco-sensitive Zone.

(10) **Bio-medical waste.**— The bio-medical waste disposal in the Eco-sensitive Zone shall be carried out as per the provisions of the Bio-Medical Waste Management Rules, 2016 published by the Government of India, Ministry of Environment, Forest and Climate Change vide Notification number GSR 343 (E), dated the 28th March, 2016 as amended from time to time.

(11) **Vehicular traffic.**—The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal master plan is prepared and approved by the Competent Authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.

(12) **Industrial Units.**—

(a) No establishment of new wood based Industries within the proposed Eco-sensitive Zone shall be permitted except the existing wood based Industries set up as per the Law.

(b) No establishment of any new Industry causing water, air, soil, noise pollution within the proposed Eco-sensitive Zone shall be permitted.

4. List of activities prohibited or to be regulated within the Eco-sensitive Zone.—All activities in the Eco sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986), and the rules made thereunder and be regulated in the manner specified in the Table below, namely:-

TABLE

S. No.	Activity	Remarks
Prohibited Activities		
1.	Commercial Mining, stone quarrying and crushing units.	New and existing mining (minor and major minerals), stone quarrying and crushing units shall be prohibited except for the domestic needs of bona fide local residents with reference to digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing for personal use. The license/lease of existing mines and stone crushers shall not be extended. If license violates the existing rules under different Acts, the license will be terminated The mining operations shall strictly be in accordance with the interim order of the Hon'ble Supreme Court dated 04.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and order of the Hon'ble Supreme Court dated 21.04.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.
2.	Setting up of saw mills.	No new or expansion of any existing saw mills shall be permitted within the Eco-sensitive Zone.
3.	Setting up of Industries causing water or air or soil or noise pollution	No new or expansion of polluting Industries in the Eco-sensitive Zone shall be permitted
4.	Establishment of hydroelectric projects and thermal power plants	Prohibited (except as otherwise provided) as per applicable laws.
5.	Use or production of any hazardous substances.	Prohibited (except as otherwise provided) as per applicable laws.
6.	Discharge of untreated effluents and solid waste in natural water bodies or land area.	Prohibited (except as otherwise provided) as per applicable laws.
7.	New wood based industry.	Establishment of new wood based industry shall not be permitted within the limits of Eco-sensitive Zone: Provided the existing wood-based industry may continue unless prohibited under any law for the time being force
8.	New encroachments and their regularization.	Encroachments of all kinds shall be prohibited.
9.	Lease out of submergence areas by irrigation department.	Total ban on lease for farming, fishing or any other activity in the submergence area, not related to the stated purpose (water supply & ancillary works thereto) of the lakes and tanks.
Regulated Activities		
10.	Establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted, within one kilometer of the boundary of the Protected Area or the extent of Eco-sensitive Zone whichever is nearer, except related to eco-friendly tourism activities:

S. No.	Activity	Remarks
		<p>Provided that beyond one km. from the boundary of the Sanjay Gandhi National Park area and up to the extent of the Eco-sensitive Zone, all new eco-tourism activities or expansion of existing activities shall be in conformity with the Zonal Master Plan.</p>
11.	Construction activities.	<p>Construction shall be permitted within the Eco-sensitive Zone as per the provisions of the approved Development Plan and other applicable rules and regulation under the Maharashtra Regional and Town Planning Act:</p> <p>Provided that the under construction/renovation of commercial buildings including group housing societies, offices, and services such as Information Technology/Information Technology Enabled Services, Parks, Roads, Power Transmission lines and cables, Telecommunication Towers and cables, Sewage lines, civic amenities, etc., and new construction projects such as Mumbai Metro Rail Shed, and creation of new civic amenities such as water supply related infrastructure and facilities and Operation & Maintenance of infrastructure, facilities of civic amenities sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be permitted within ESZ subject to applicable rules and regulations.</p> <p>Provided further that commercial redevelopment, reconstruction, repairs of existing structures which includes group housing societies, sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be allowed within Eco-sensitive Zone subject to applicable rules and regulations:</p> <p>Provided further that the commercial redevelopment reconstruction, repairs of existing structures which includes group housing societies, sanctioned by concerned Local Self Government under approved Development Plan under the Maharashtra Regional and Town Planning Act, may be allowed within the Eco-sensitive Zone subject to applicable rules and regulations.</p> <p>The construction activity related to small scale industries not causing pollution shall be permitted as per applicable rules and regulations, if any, with the prior permission from the competent authority.</p> <p>The Approved Development Plan shall be in conformity with the Zonal Master Plan taking into consideration the conservation aspects of the Eco-sensitive Zone.</p>
12.	Felling of trees.	<p>There shall be no felling of trees on the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government.</p>

S. No.	Activity	Remarks
		The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.
13.	Commercial water resources including ground water harvesting.	The extraction of surface water and ground water shall be permitted only for bona fide agricultural use and domestic consumption of the occupier of the land. Extraction of surface water and ground water for industrial or commercial use including the amount that can be extracted, shall require prior written permission from the concerned regulatory authority: The construction activities of water supply infrastructure facilities of Municipal Corporation/Council related to maintenance, rehabilitation and augmentation are permitted. No extraction of surface water or ground water shall be permitted; however sale of bottled water, water in containers and tankers for the requirement as applicable shall be permitted. Steps shall be taken to prevent contamination or pollution of water from any source including agriculture.
14.	Erection of electrical cables and telecommunication towers.	Regulated as per applicable laws. Construction/Augmentation and renovation of Power Transmission lines and cables, Telecommunication Towers and cables is permitted. New underground cabling is promoted.
15.	Fencing of existing premises of hotels and lodges.	Regulated as per applicable laws. A tall fence shall be erected over the existing boundary wall of the Sanjay Gandhi National Park.
16.	Widening and strengthening of existing roads, bridges, infrastructure and construction of new roads, public utility or community buildings.	Shall be done as per applicable laws to these activities without adverse impact within the Eco-sensitive Zone.
17.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
18.	Introduction of exotic species.	Regulated as per applicable laws.
19.	Protection of hill slopes and river banks.	Regulated as per applicable laws.
20.	Discharge of treated effluents in natural water bodies or land area.	Recycling of treated effluent shall be encouraged and for disposal of sludge or solid wastes shall be in accordance with the applicable regulations
21	Commercial Sign boards and hoardings.	Regulated as per applicable laws.
22.	Small scale industries not causing pollution.	Non-polluting, non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous goods from the Eco- Sensitive Zone, and which do not cause any adverse impact on environment shall be permitted.

S. No.	Activity	Remarks
23.	Collection of Forest produce or Non-Timber Forest Produce (NTFP).	No collection centre shall be permitted within hundred metres from the boundary of Wild Life Sanctuary or National Park
24.	Air and vehicular pollution.	Regulated as per applicable laws.
25.	Use of polythene bags by shopkeepers.	Regulated as per applicable laws.
26.	Drastic Change of Agriculture systems.	Regulated as per applicable laws.
27.	Commercial use of firewood.	Regulated (except as otherwise provided) as per applicable laws.
28.	Undertaking activities related to tourism such as over-flying the National Park Area by aircraft, hot-air balloons, drones, etc.	Regulated (except as otherwise provided) as per applicable laws.
29.	Solid Waste Management.	Regulated (except as otherwise provided) as per applicable laws.
30.	Eco-Tourism.	Regulated (except as otherwise provided) as per applicable laws.
Promoted Activities		
31.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted under applicable laws
32.	Rain water harvesting.	Shall be actively promoted.
33.	Organic farming.	Shall be actively promoted.
34.	Adoption of green technology for all activities.	Shall be actively promoted.
35.	Cottage industries including village industries, convenience stores, local amenities, public utility and community buildings.	Shall be actively promoted.
36.	Use of renewable energy sources.	Bio gas, solar light etc. to be promoted
37.	Agro-Forestry.	Shall be actively promoted
38.	Skill Development.	Shall be actively promoted
39.	Environment Awareness.	Shall be actively promoted

5. Monitoring Committee.— (1) The Central Government for effective monitoring of the Eco-sensitive Zone, hereby constitutes a Monitoring Committee, which shall comprise of the following, namely:-

- (a) Municipal Commissioner/ Additional Municipal Commissioner, - Chairman
Municipal Corporation of Greater Mumbai (MCGM).
- (b) Chief Conservator of Forests and Director, Sanjay Gandhi - Member
National Park.

(c)	Additional Municipal Commissioner, Municipal Corporation of Thane	-	Member
(d)	Deputy Collector Mumbai Suburban District.	-	Member
(e)	Deputy Collector, Thane District		Member
(f)	Deputy Collector, Palghar District	-	Member
(g)	One representative of Non Governmental Organisation working in the field of environment to be nominated by the Government of Maharashtra for a term of one year in each case.	-	Member
(h)	One expert in the area of ecology and environment to be nominated by the Government of Maharashtra	-	Member
(i)	Regional Officer, Maharashtra State Pollution Control Board, Mumbai/Thane.	-	Member
(j)	Town Planning Officer, Mumbai/Thane/Palghar.	-	Member
(k)	Assistant Conservator of Forest (L.R.P.) Thane.	-	Member
(l)	Member of State Biodiversity Board	-	Member
(m)	Deputy Conservator of Forests, Thane Forest Division	-	Member Secretary

6. Terms of Reference

- (a) The Monitoring Committee shall monitor the compliance of the provisions of this notification.
- (b) The tenure of the Monitoring committee is for three (3) years.
- (c) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533(E), dated the 14th September, 2006, and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinized by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forests and Climate Change for prior environmental clearances under the provisions of the said notification.
- (d) The activities that are not covered in the Schedule to the notification of the Government of India, Ministry of Environment and Forest and Climate Change number S.O. 1533 (E), dated the 14th September, 2006 and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned regulatory authorities.
- (e) The Member Secretary of the Monitoring Committee or the concerned Collector(s) or the concerned Forest Officers shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 against any person who contravenes the provisions of this notification.
- (f) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from Industry Associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
- (g) The Monitoring Committee shall submit the annual action taken report of its activities as on 31st March of every year by 30th June of that year to the Chief Wildlife Warden of the State as per pro forma given in **Annexure IV**.
- (h) The Central Government in the Ministry of Environment, Forest and Climate Change may give such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.
7. The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this notification.
8. The provisions of this notification are subject to the orders, if any, passed, or to be passed, by the Hon'ble Supreme Court of India or the High Court or National Green Tribunal (NGT).

Annexure I

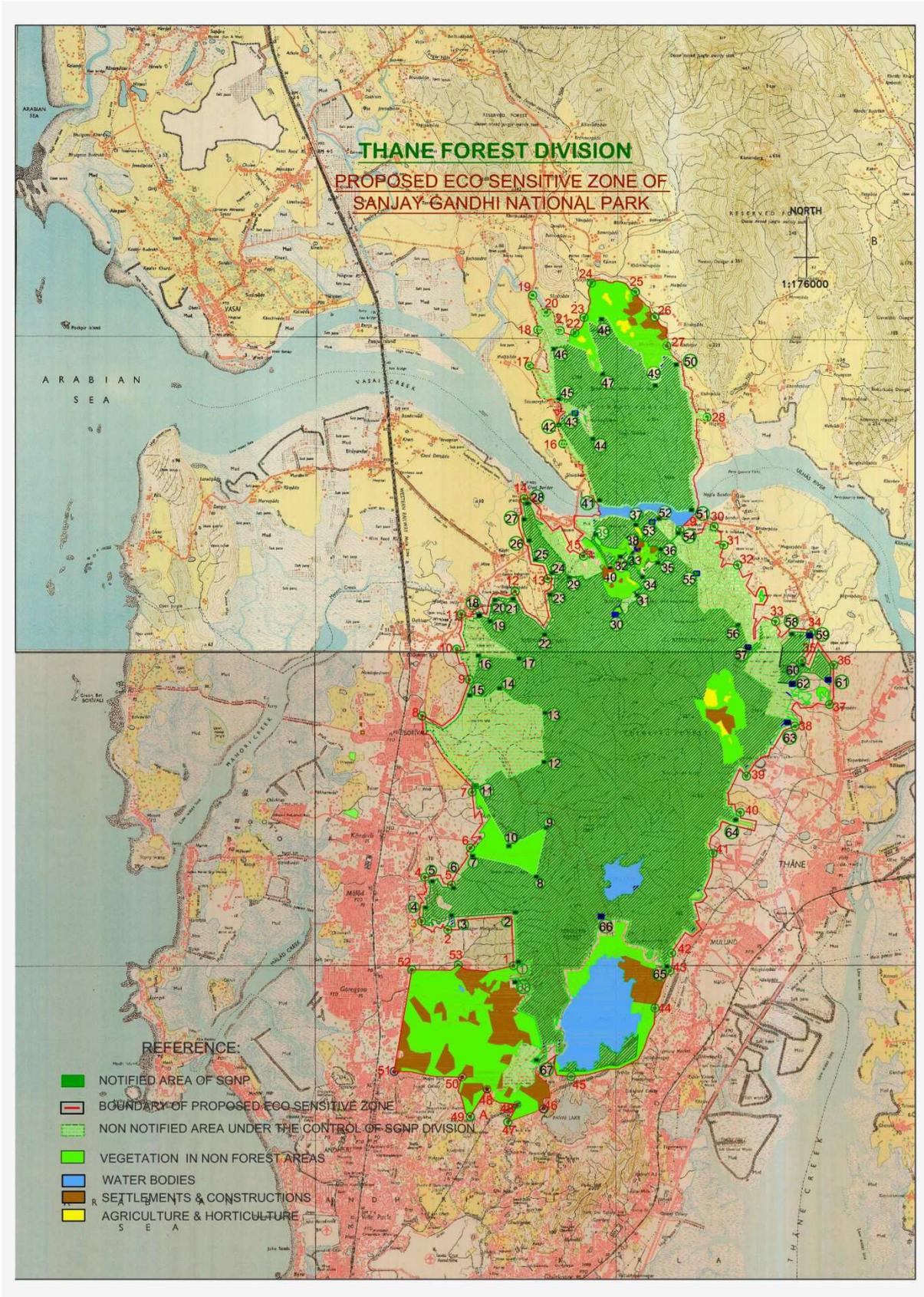
A. Description of Boundaries of proposed Eco-sensitive Zone of Sanjay Gandhi National Park

Direction	Bounded by
North	Boundary of Sasunavghar (Malji pada) Nala. [Latitude 19020'48.91"N] [Longitude 72053'32.47"E]
East	Boundary of Nagle (pt), Owala (pt.), Borivade (pt.) Vadavali (pt.), Kavesar (pt), Kolshet (pt.), Manpada (pt.), Majiwada (pt.), Pachpakhadi (Pt.), Mulund (Pt.), Nahur (Pt.), Clerabad (Pt.), Vihar. [Latitude 19014'39.38"N] [Longitude 72053'11.73"E]
South	Area of Aarey Dairy Division Boundary, Villages Sai (Pt.). [Latitude 19007'45.13"N] [Longitude 72052'46.89"E]
West	Area of Aarey Dairy Division Boudary, Malad (Pt.), Akurli (pt.), Poisar (Pt.), Magathane (Pt.), Kanheri (Pt.), Dahisar(Pt.), Kashi (Pt.), Mira (Pt.), Ghodbunder (Pt.), Varsave (Pt.), Sasunavghar (Pt.) [Latitude 19013'53.22"N] [Longitude 72051'45.76"E]

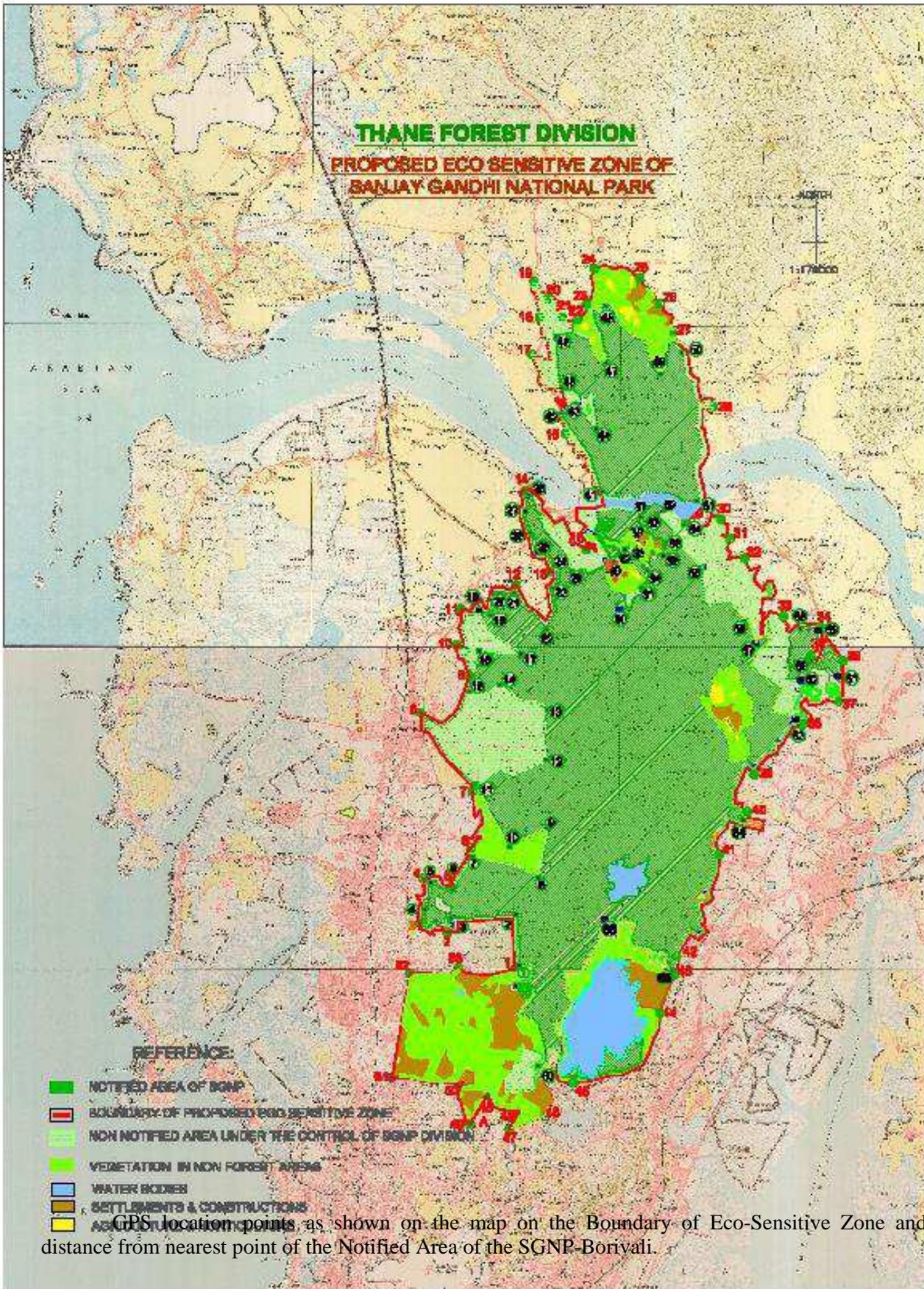
B. GPS readings of the Location points on the Boundary of Notified Area of the Sanjay Gandhi National Park,

Point No.	Latitude (North)	Longitude (East)
1	19°10'8.16"	72°53'24.20"
2	19°10'54.76"	72°53'21.39"
3	19°10'52.86"	72°52'24.25"
4	19°11'3.42"	72°51'57.48"
5	19°11'29.34"	72°52'11.50"
6	19°11'16.29"	72°52'28.47"
7	19°11'39.98"	72°52'37.72"
8	19°11'27.68"	72°53'37.85"
9	19°12'15.25"	72°53'47.49"
10	19°11'59.78"	72°53'10.39"
11	19°12'49.65"	72°52'53.93"
12	19°13'19.23"	72°53'46.01"
13	19°14'6.58"	72°53'47.26"
14	19°14'30.32"	72°53'2.28"
15	19°14'24.12"	72°52'29.69"
16	19°15'2.33"	72°52'41.47"
17	19°14'58.68"	72°53'22.63"
18	19°15'36.10"	72°52'41.70"
19	19°15'37.22"	72°52'50.51"
20	19°16'1.54"	72°52'58.31"
21	19°16'5.97"	72°53'10.06"
22	19°15'26.30"	72°53'45.42"
23	19°16'17.91"	72°53'50.70"

Point No.	Latitude (North)	Longitude (East)
24	19°16'45.43"	72°53'28.84"
25	19°16'57.91"	72°53'23.54"
26	19°17'11.76"	72°53'25.25"
27	19°17'11.02"	72°53'33.71"
28	19°17'35.83"	72°53'25.07"
29	19°16'11.23"	72°54'17.76"
30	19°15'52.51"	72°55'11.79"
31	19°16'9.14"	72°55'26.93"
32	19°16'36.03"	72°55'2.82"
33	19°16'41.23"	72°55'15.57"
34	19°16'22.88"	72°55'24.78"
35	19°16'34.36"	72°55'42.66"
36	19°16'47.70"	72°55'44.04"
37	19°17'7.19"	72°55'16.90"
38	19°16'43.05"	72°55'18.63"
39	19°17'5.25"	72°54'34.73"
40	19°16'25.43"	72°54'50.96"
41	19°17'27.38"	72°54'40.61"
42	19°18'42.31"	72°53'57.51"
43	19°19'0.11"	72°54'12.05"
44	19°18'34.46"	72°54'30.47"
45	19°19'8.68"	72°53'56.70"
46	19°20'3.00"	72°53'50.52"
47	19°19'36.40"	72°54'40.11"
48	19°20'28.82"	72°54'38.73"
49	19°19'23.77"	72°55'34.30"
50	19°19'44.11"	72°55'58.89"
51	19°17'22.34"	72°56'13.89"
52	19°17'18.29"	72°55'37.79"
53	19°16'49.75"	72°55'45.22"
54	19°17'7.38"	72°56'1.54"
55	19°16'15.25"	72°56'19.81"
56	19°15'17.36"	72°57'3.70"
57	19°14'24.40"	72°57'40.96"
58	19°15'21.93"	72°57'36.87"
59	19°15'33.26"	72°58'10.71"
60	19°14'50.47"	72°58'3.69"
61	19°14'30.88"	72°58'29.70"
62	19°14'8.58"	72°57'32.63"
63	19°13'55.19"	72°57'53.22"
64	19°12'21.27"	72°56'58.75"
65	19° 9'58.36"	72°55'43.04"
66	19°10'52.55"	72°54'41.24"
67	19° 8'32.17"	72°53'37.74"
68	19° 9'49.24"	72°53'22.17"



Map of proposed Eco-sensitive Zone



GPS location points as shown on the map on the Boundary of Eco-Sensitive Zone and its distance from nearest point of the Notified Area of the SGNP-Borivali.

Sr. No.	Latitude (North)	Longitude (East)	Notified Boundary To ESZ
	(° ' ")	(° ' ")	Distance in meters
1	19°10'7.33"N	72°53'20.36"E	100
2	19 10 42.01	72 52 21.82	100
3	19 10 41.65	72 51 56.55	100
4	19 11 27.24	72 51 59.99	100
5	19 11 20.03	72 52 24.92	100
6	19 12 03.61	72 52 44.92	530
7	19 12 33.41	72 52 38.67	507
8	19 14 01.10	72 51 51.00	1315
9	19 14 41.89	72 52 28.62	100
10	19 15 04.87	72 52 26.54	445
11	19 15 34.25	72 52 28.24	400
12	19 16 09.27	72 53 09.77	100
13	19 16 17.51	72 53 47.27	100
14	19 17 38.17	72 53 22.57	400
15	19 16 35.7	72 54 21.79	430
16	19°18'44.12"N	72°53'54.18"E	100
17	19 19 42.19	72 53 36.70	465
18	19 20 08.69	72 53 43.42	270
19	19 20 48.96	72 53 32.00	1506
20	19 20 32.48	72 53 42.83	918
21	19 20 37.33	72 53 49.27	1029
22	19 20 14.17	72 54 02.26	300
23	19 20 16.55	72 54 19.91	232
24	19 20 40.08	72 54 31.92	400
25	19 20 56.58	72 55 11.92	1065
26	19 20 30.07	72 55 35.20	1234
27	19 20 04.68	72 55 47.52	755
28	19°18'57.47"N	72°56'23.32"E	260
29	19 17 13.36	72 55 50.05	278
30	19 16 54.85	72 56 14.70	335
31	19 17 02.18	72 56.35.87	1050
32	19 16 25.52	72 57 02.91	1300
33	19 15 30.43	72 57 22.05	500

34	19 15 31.11	72 58 06.74	100
35	19 14 59.98	72 58 06.68	100
36	19 14 44.52	72 58 29.48	100
37	19 14 15.97	72 58 14.68	610
38	19 13 49.34	72 57 51.14	100
39	19 13 10.04	72 57 12.78	100
40	19 12 28.47	72 57 03.00	100
41	19 11 49.28	72 56 35.04	100
42	19 09 54.26	72 55 46 .88	100
43	19 09 53.97	72 55 42.13	133
44	19° 9'30.55"N	72°55'36.69"E	862
45	19 08 22.37	72 54 07.46	100
46	19 08 07.10	72 53 52.00	880
47	19 07 45.34	72 53 11.68	1618
48	19 08 01.73	72 53 20.47	1053
48A	19 08 16.61	72 52 51.16	1430
49	19 07 50.02	72 52 35.15	2225
50	19 08 26.73	72 52 26.93	2060
51	19 08 31.42	72 51 19.31	4000
52	19 10 10.93	72 51 34.02	3216
53	19 10 04.35	72 52 15.28	2011

Annexure-III

A. List of village/township, inside the Eco-sensitive Zone along with 'Lat-Long' with respect of the Protected Area (Coordinates of at least one point therein)

S. No.	Villages	Latitude (North)	Longitude
1	Tusli Lake in village Tulsi	19° 11' 25.99"	72° 55' 00.72"
2	Clerabad	19° 09' 59.11"	72° 55' 42.14"
3	Mulund	19°10' 47.09"	72°56' 19.99"
4	Nahur	19°10' 02.33"	72°55' 52.84"
5	Gundgoan (Vihar Lake)	19° 10' 10.59"	72° 55' 19.52"
6	Vihar (Vihar Lake)	19° 08' 45.58"	72° 55' 22.43"
7	Kanjur	19° 08' 32.66"	72° 55' 13.80"
8	Paspoli	19° 08' 19.32"	72° 54' 26.38"
9	Saie	19° 08' 22.89"	72° 54' 31.23"
10	Area of Aarey (Dairy Development Division)	19° 09' 59.24"	72° 51' 31.90"
11	Aarey	19° 10' 04.75"	72° 52' 31.31"

S. No.	Villages	Latitude (North)	Longitude
12	Marol (Moroshi)	19° 08' 22.27"	72° 53' 37.37"
13	Malad	19° 10' 50.99"	72° 52' 54.28"
14	Akurli	19° 11' 51.86"	72° 52' 42.88"
15	Poisar	19° 12' 45.92"	72° 52' 37.54"
16	Kandivali	19° 12' 28.52"	72° 50' 38.93"
17	Magathane	19° 13' 07.72"	72° 52' 23.75"
18	Kanheri	19° 13' 52.58"	72° 51' 45.53"
19	Shimpoli	19° 13' 10.14"	72° 50' 45.17"
20	Borivali Tarf Malad	19° 14' 07.70"	72° 50' 15.02"
21	Dahisar	19° 14' 16.12"	72° 52' 22.34"
22	Kashi	19° 15' 43.13"	72° 52' 48.54"
23	Mira	19° 15' 27.70"	72° 53' 47.65"
24	Ghodbunder	19° 17' 31.44"	72° 53' 22.10"
25	Varsava	19° 16' 37.12"	72° 54' 24.26"
26	Chene	19° 16' 28.17"	72° 55' 01.30"
27	Owala (Old Village - including new village (Bhayanderpada)	19° 17' 06.44"	72° 56' 23.27"
28	Vadavali	19° 15' 28.32"	72° 57' 18.84"
29	Borivade	19° 15' 24.04"	72° 57' 35.51"
30	Kavesar	19° 15' 33.30"	72° 57' 55.78"
31	Kolshet	19° 14' 58.33"	72° 58' 28.02"
32	Manpada	19° 14' 13.46"	72° 58' 26.87"
33	Majiwada	19° 13' 43.89"	72° 57' 43.25"
34	Pachpakhadi	19° 12' 15.06"	72° 57' 15.79"
35	Yeur	19° 14' 01.49"	72° 56' 40.71"
36	Sasunavghar	19° 19' 15.85"	72° 53' 37.82"
37	Mori	19° 20' 53.73"	72° 54' 35.26"
38	Poman	19° 20' 22.36"	72° 55' 42.07"
39	Kaman	19° 20' 59.72"	72° 54' 56.78"
40	Shilottar	19° 20' 00.32"	72° 55' 46.02"
41	Nagale	19° 18' 57.18"	72° 56' 23.63"

B. Villages and survey numbers with its area included in the Eco-sensitive Zone

Sl. No.	Taluka	Name of Villages	Eco-sensitive Zone				Total (Ha.)
			Private Land Survey No.	Private Land (Ha.)	Forest land Survey no.	Forest Area (Ha.)	
1	Kurla	Mulund	377/351pt, 380pt, 247pt, 232pt, 247pt, 248pt, 249pt, 251pt, 250pt, 245pt.	18.5900	377/351pt	2.8000	21.3900
2		Nahur	150pt (17Apt), 147pt, 146pt, 155pt, 176/148, 165, 167.	15.6800	177/148pt	2.8730	18.5530
3	Borivali	Gundgoan (Vihar Lake)	Vihar Lake.	293.1100	124pt,	45.5270	338.6370
4		Vihar (Vihar Lake)	61, 62, 63, 58, Vihar Lake.	510.7900			510.7900
5		Area of Aarey Dairy Division & areas handed by Aarey to other State Departments	-	1114.7400			1114.7400
6	Borivali	Area of the Filmcity - Maharashtra Film, Stage and Cultural Development Department. (under village Aarey-pt, Saei- pt & Gundgaon pt)	1/1, 1/3 pt, 1/4pt, 188pt (124pt), 19pt.	210.8300			210.8300
7	Andheri	Marol (Moroshi)	169	97.0000	CTS Nos.	76.0000	173.0000
8	Borivali	Saie	162, 168, 6, 7, 160, 118pt, 8, 179, 9, 10, 128, 19, 18, 5, 169, 12, 15, 170, 17, 16, 173, Lake.	137.3100	19pt	3.3150	140.6250
9		Clerabad	55,56.	10.6817	57pt	0.3950	11.0767
10		Malad	239/1pt, 269, 267pt, 271, 272, 253pt, 273pt, 274pt, 275pt, 276, 277pt, 278pt, 237pt, 221pt, 227pt, 226pt, 224, 223pt, 234, 222pt, 225pt, 228pt, 233pt, Kurar village part area.	95.1200			95.1200
11		Akurli	88pt, 86pt, 87A-pt.	17.2300	87A-pt	99.7090	116.9390
12		Poisar	41pt, 42Apt.	16.1200	42/A-pt, 46	119.4910	135.6110

Sl. No.	Taluka	Name of Villages	Eco-sensitive Zone				Total (Ha.)
			Private Land Survey No.	Private Land (Ha.)	Forest land Survey no.	Forest Area (Ha.)	
13		Magathane	148pt, 80, 88pt, 99pt, 98pt, 97pt, 96pt, 105pt, 95pt, 94pt, 57pt, 58pt, 50pt, 34pt, 47pt, 48pt, 89pt, 34B-pt.	26.2800	34B-pt	575.3310	601.6110
14		Kanheri	17pt, 16pt, 18Apt, 18B, 19pt, 21pt, 10pt, 97pt, 20pt, 9pt.	19.7700	11, 12, 13, 14, 15.	12.6060	32.3760
15		Dahisar	345C-pt, 210pt, 211pt, 164pt, 163pt, 151pt, 149pt, 147pt, 146pt, 101pt, 100pt, 99pt, 98pt.	39.7400	345A-pt	87.8330	127.5730
16	Thane	Kashi	89pt, 83pt, 82,79pt, 80, 90pt, 103pt, 77pt, 69pt, 68pt, 66pt, 58pt, 65, 64pt, 61pt, 62, 100pt, 101, 60, 55pt, 96pt, 102pt, 54pt, 52pt, 104pt, 53,63, 47pt, 67pt, 43pt, 44pt, 45pt, 94pt, 50pt.	34.0900			34.0900
17		Mira	95pt, 96pt, 94pt, 93pt, 92, 85pt, 84pt, 83pt, 79pt, 78pt, 77pt, 76pt, 69pt, 68pt, 67pt, 66pt, 65pt, 98pt, 70.	23.0000			23.0000
18		Ghodhunder	Khadi part, 244, 205, 241pt, Gavthan, Gavthan (pt) 236, 235, 237, 202, 203pt, 200, 240, 198, 14pt, 17pt, 18pt, 19pt, 191, 193pt, 188, 187pt, 186, 184, 183pt, 185pt, 177, 178pt, 215, 176pt, 174pt, 173, 216pt, 182pt, 180pt.	38.0400	217 pt	0.5570	38.5970
19		Versava	5pt, 6, 7, 10, 9pt, 11, 13, 14, 15, 16pt, 2, Gavthan, 109pt, 105pt, 106, 107, 108, 103, 102, 101pt, 91, 88, 89, 90, 87pt, 85pt, 86, 80pt, 78, 79, 77, 69, 68, 67, 66, 65, 72pt, 70, 71, 58, 62, 63, 64, 61, 57, 59, 60, 56pt, 52pt, 53pt, 54pt, 34pt, 21pt, 36pt, 35pt, 42pt, 27pt, 28, 29, 30.	58.6500	3pt, 34pt, 31, 32pt, 33pt.	102.0840	160.7340
20		Chene	Whole Area.	185.3700	101pt, 9pt,	13.9150	199.2850
21		Owala	Khadi part, 296, 286, 287, 288, 291pt, 285pt, 274pt,	92.6500	120/11, 273/3, 273/5,	415.1470	507.7970

Sl. No.	Taluka	Name of Villages	Eco-sensitive Zone				Total (Ha.)
			Private Land Survey No.	Private Land (Ha.)	Forest land Survey no.	Forest Area (Ha.)	
			273pt, 275pt, 276pt, 268pt, 269pt, 271, 272pt, 250pt, 245pt, 244, 243pt, 241pt, 240, 238, 239, 162pt, 161pt, 124pt, 121pt, Lake, 251pt, 249pt, 247pt, 237pt. 119, 120/1-10, 122pt, 117pt, 118pt, 106pt, 115pt, 113pt, 124pt.		291, 297		
22		Vadavali	19pt.	1.9100			1.9100
23		Borivade	1/2, 1/1pt, 2/6, 2/5, 2/4, 2/3, 2/2, 2/1, 3pt, 4/2, 4/1, 4/3, 6/3pt, 5/2, 6/1, 6/2, 8/5pt, 8/4, 8/1pt, 74pt., 75pt., 78pt, 91/3, Gavthan, 91/1pt, 91/2pt, 92pt.	11.5900	83/1, 2, 4, 9, 10, 5/1, 84/1/1, 85/1/2, 86/1/2, 79, 80.	136.8300	148.4200
24		Kavesar	142, 143pt, 145pt, 154pt, 151pt, 147pt, 149, 150, 158pt, 159, 160, 161, 163pt, 162pt, 165pt, 166pt, 168pt, 170pt, 169pt, 196pt, 193pt, 185pt, 196, 197, 198, 141pt, 139pt, 146pt.	42.0000			42.0000
25		Kolshet	291pt, 100pt, 99pt, 114pt, 113pt, 112, 111pt, 110pt, 109/107, 108pt, 107, 106, 285pt.	10.8400			10.8400
26		Manpada	57/3, 57/1pt, 57/2, 59A/30/1pt, 59A/31pt, 59/32, 59/27, 58/1pt, 59B-pt, 59/1pt, 59/16pt, 59/18pt, 59/19pt, 59A/28pt, 59A/20, 59A/2, 59A/3, 59A/4, 59A/5, 59A/13, 59A/11pt, 70, 59A/10, 71, 59/C, 59A/6, 59A/7, 59A/8, 59A/9.	49.4054	59/1pt	68.1410	117.5464
27		Majiwada	380pt, 254pt, 260pt, 261pt, 269, 263pt, 264pt, 268pt.	66.8900	419pt	1.7200	68.6100
28		Pachpakhadi	432pt, 431pt, 430pt, 423pt, Dheari nursary area, 263pt, 264pt, 265pt, 266pt, 267pt, 520pt, 373pt, 371pt, 270pt, 287pt, 288pt, 286pt, 285pt, 289pt, 291pt, nala area-pt, 163pt, 160pt, 159, 158pt.	42.0000	519pt, 520pt	4.8350	46.8350
29		Yeur	Whole Area.	197.4530	42/1, 14, 20,	6.1690	203.6220
30	Vasai	Sasunavghar	312/A/1/(80), 312pt, 249pt, Gavthan, 38(81),	103.3200	312pt, 249	130.5810	233.9010

Sl. No.	Taluka	Name of Villages	Eco-sensitive Zone				Total (Ha.)
			Private Land Survey No.	Private Land (Ha.)	Forest land Survey no.	Forest Area (Ha.)	
			Gavthan, 232(79), 244(77), 245(73), 248(76), 362pt, 251, 328, 68, 13(66), 12(67), 14(64), 16(65), 15(63), 17(62), 18(61), 374(60), 19(59), 11(69), 355(77), 21(78), 22(79), 23(80), 28(82), 26(83), 27(84), 24(81), 28(85), 32 (86), 33(88), 34(87), 35(91), 36(90), 37(92), 38(96), 39(97), 71(154), 72(157), 74(156), 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, Karnala pada 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57.				
31		Mori	Whole Area.	164.5300			164.5300
32		Poman	220, 188, 187, 217, Pada, 216, 212, 214, 185, 219, 249, 184, 183, 221, 222, 186, 181, 182, 17, 175, 176, 174, 179, 223, 178, 177, 211, 169, 173, 172, 171, 247, 170, pada, 168, 167, 163, 164, 160, 161, 162, 166, 165.	79.1300			79.1300
33		Kaman	99, 149, 148, 147.	12.1400			12.1400
34		Shilottar	5, 4, 3, 1pt, 21pt, 6.	3.6300			3.6300
35	Borivali	Shimpoli	-		20	4.8460	4.8460
36		Borivali Tarf Malad			143, 146, 147	7.2490	7.2490
37		Kandivali			164A	0.7520	0.7520
38		Tulsi	Lake	120.0000			120.0000
39		Nagle	7, 72pt, 6, 65pt, 92pt, 5, 4pt, 16pt, 15pt, 14pt, 21pt, 20pt, 70, 69, 22, 11, 67, 24pt, 10pt, 25pt, 29pt, 66, 30pt, 32pt, 33pt, 35pt, 34pt, 59pt, 37pt, 38pt, 39pt.	39.3202	23	6.2625	45.5827
40		Paspoli	22pt, 23pt.	18.7100			18.7100
41		Kanjur		3.0000			3.0000

Sl. No.	Taluka	Name of Villages	Eco-sensitive Zone				Total (Ha.)
			Private Land Survey No.	Private Land (Ha.)	Forest land Survey no.	Forest Area (Ha.)	
	Total			4020.6603		1924.9685	5945.6288

N.B.: 1. The above survey numberwise list is as per available village maps and records of the office of the DCF, Thane.

ANNEXURE-IV**Performa of Action Taken Report: - Eco-sensitive Zone Monitoring Committee.—**

1. Number and date of meetings :
2. Minutes of the meetings: mention main noteworthy points. Attach Minutes of the meeting as separate Annexure.
3. Status of preparation of Zonal master Plan including Tourism master Plan :
4. Summary of cases dealt for rectification of error apparent on face of land record : Details may be attached as Annexure
5. Summary of cases scrutinised for activities covered under the Environment Impact Assessment Notification, 2006: Details may be attached as separate Annexure.
6. Summary of cases scrutinised for activities not covered under the Environment Impact Assessment Notification, 2006: Details may be attached as separate Annexure.
7. Summary of complaints lodged under Section 19 of the Environment (Protection) Act, 1986 :
8. Any other matter of importance:

[F. No. 25/47/2014-ESZ-RE]

Dr. T. CHANDINI, Scientist 'G'

Exhibit-B

उप वनसंरक्षक, ठाणे वन विभाग
यांचे कार्यालय
मॅरिथॉन सर्कल, लाल बहादूर शास्त्री मार्ग, नौपाडा, ठाणे
(पश्चिम) - ४००६०२



OFFICE OF THE
DEPUTY CONSERVATOR OF FORESTS
THANE FOREST DIVISION
Marathon Circle, LBS Marg, Naupada, Thane (West) - 400602

☎ 022-25421373, Email : dcftthane@gmail.com, dyofthane@mahaforest.gov.in

Letter

Sub : Permission of Sanjay Gandhi National Park
Eco Sensitive Zone Monitoring Committee
for proposed development of residential and
commercial project on plot bearing CTS No.
827A/4A/1 at village Malad East, Mumbai
within ESZ.

No.Desk/1/20/LND/ESZ/ 3929 of 2018-19

Thane-400602, Dated : 01 November, 2018

✓
To,

M/s. Ferani Hotels Pvt. Ltd.,
Construction House-B,
Second Floor, 623, Linking Road,
Opposite Khar Telephone Exchange,
Khar, Mumbai - 400052.

- Ref: 1) MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGENOTIFICATION No. S.O. 3645(E), dated
05.12.2016
2) PCCF (WL) MS Nagpur's letter No. Desk-23(2)/Survey/
WL/Case No.225/2286/2017-18, Dated 26.10.2017

1. The MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, Government of India vide NOTIFICATION No. S.O. 3645(E), dated 05.12.2016, constituted a Monitoring Committee under chairmanship of Municipal Commissioner/Additional Municipal Commissioner, MCGM for effective monitoring of Eco Sensitive Zone of the Sanjay Gandhi National Park.
2. Your proposal was received by this committee vide under reference no. 02 for construction of residential and commercial buildings in CTS No. 827A/4A/1 at village Malad East, Mumbai.
3. The Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee's meeting was held on dated 09.01.2018, 16.02.2018, 17.07.2018 & 04.09.2018. In those meeting your proposal was discussed by the committee. This proposal is within the Scope of regulated activities in para no.11 as per above mentioned notification under reference no.01. The SGNP ESZ Monitoring committee has considered this proposal for construction of residential and commercial building in CTS No. 827A/4A/1 at village Malad East, Mumbai in meeting held on 19.09.2018, subject to the following conditions.

4. Specific Conditions

I	This order is only an approval of Monitoring Committee of Eco Sensitive Zone of Sanjay Gandhi National Park, as constituted vide notification dated 05.12.2016 and shall not be considered as environmental clearance. Environmental clearance and other permissions as applicable shall be separately obtained by project proponent as applicable to the project.
II	The project authority should construct of animal proof design concrete compound wall of 8 feet height plus 4 feet chain link fencing (not to install barb wire) on the common boundary of Sanjay Gandhi National Park and proponent's land in place of existing boundary wall. The construction of the compound wall should be started within three months of approval of this project and completed within one year from the date of approval.
III	It should be ensured that sewerage treatment plant, solid waste management, effluent waste management and / or Organic Garbage Waste Converter units should be beyond the distance of 100 meters after the boundary of the Sanjay Gandhi National Park.
IV	Discharge of effluents – The discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the rules made thereunder.
V	The project authority shall give an undertaking, to deposit "Conservation and Protection Fund" for conservation & protection of Sanjay Gandhi National Park. If directed by government/competent authority.
VI	This order is applicable only for construction plan shown in layout plan submitted by project authority. If the project authority want to carry out any activity/development which is not shown in layout plan a separate proposal shall be submitted for the same.
VII	Safety of any wild animal visiting the proposed facility during and after construction/development phase shall be the responsibility of the project proponent, should a rescue and rehabilitation of any visiting wild animal becomes necessary, Project proponents shall be bound to provide sufficient resources for it. Project proponent may create special facilities in construction with Field Director of SGNP.

5. The conditions as per ESZ Notification

All activities in the Eco sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986), and the rules made thereunder and are regulated in the manner specified hereunder vide Clause No. 4 listing activities prohibited or to be regulated or promoted within the Eco-Sensitive Zone are shown in Government of India *vide* NOTIFICATION No. S.O. 3645(E), dated 05.12.2016 on Pages 5 to 8 in Hindi and on Pages 24 to 27 in English.

Essential conditions

1.	The said project has been considered for Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee's clearance with reference to the scope of prohibited, regulated and promoted activities of the notification mentioned earlier for the eco-sensitive zone of the Sanjay Gandhi National Park.
----	--

2.	The Sanjay Gandhi National Park Eco Sensitive Zone Monitoring Committee's clearance has been considered without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this order does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
3.	In case of submission of false document and non-compliance of stipulated conditions, ESZ SGNP Committee/ Authority/ Environment Department will revoke or suspend this order without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986 and the MoEFCC notification for ESZ SGNP, as would be applicable.
4.	The ESZ SGNP Committee reserves the right to add any stringent condition or to revoke the order if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.
5.	In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.
6.	The above stipulations would also be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act, 1991 and its amendments.
7.	E-waste shall be disposed through authorised agency as per E-waste (Management & Handling) Rules, 2016
8.	This eco sensitive zone clearance is issued subject to obtaining NOC from the statutory bodies as applicable to this project.
9.	If applicable, consent for establishment shall be obtained from MPCB under Air and Water Act and copy shall be submitted to the Environment Department before start of any construction work at the site.
10.	All required sanitary and hygienic measures should be in place before starting construction activities and should be maintained throughout the construction phase.
11.	Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of waste water and solid waste generated during the construction phase should be ensured.
12.	The solid waste generated should be properly collected and segregated. Dry/Inert solid waste should be disposed off to the approved sites for land filling after recovery of recyclable material.
13.	Arrangement shall be made to ensure that waste water and storm water do not get mixed.
14.	The diesel generators sets to be used during construction phase should be low sulphur diesel type and conform to Environment (Protection) Rules prescribed for air and noise emission standards.

15.	The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from concern authority shall be taken.
16.	Vehicle hired for bringing construction material to the sites should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
17.	Ambient noise level should be confirmed to residential standard both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standard by CPCB/MPCB.
18.	Ready mix concrete must be used in building construction.
19.	The installation of sewerage treatment plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the MPCB and Environment department before the project is commissioned for operation. Discharge of unused treated effluent, if any, should be discharged in the sewerage line. Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible. Discharge of this unused treated effluent, if any should be discharged in the sewerage line. Treatment of 100% gray water by decentralized treatment should be done. Necessary measure should be to mitigate the odour problem from STP.
20.	Roof should meet prescriptive requirement as per Energy conservation building code by using appropriate thermal insulation material to fulfill requirement.
21.	Diesel power generating sets proposed as source of backup power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided in consultation with Maharashtra Pollution Control Board.
22.	Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
23.	The buildings should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.
24.	Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
25.	Under the provisions of Environment (Protection) Act, 1986 legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.
26.	Wet garbage should be treated by Organic Waste Converter and treated waste (manure) should be utilized in the existing premises for gardening. Wet garbage will not be disposed outside the premises. Local authority should ensure this.
27.	A complete statement of all the documents submitted to department should be forwarded to the local authority and MPCB.

- | | |
|-----|--|
| 28. | A separate environment management cell within the PP with qualified staff shall be set up for implementation of the stipulated environmental safeguards. |
|-----|--|


**Member Secretary,
Sanjay Gandhi National Park Eco Sensitive
Zone Monitoring committee
And
Deputy Conservator of Forests,
Thane Forest Division, Thane**

Copy submitted to

1. The Additional Municipal Commissioner (W.S), MCGM, Opp.CST Station, Mumbai – 400001.
2. The Chief Conservator of Forests and Director, Sanjay Gandhi National Park, Borivali.
3. Deputy Municipal Commissioner (Zone -VII), MCGM, Third floor, R/ South ward office building, Mahatma Gandhi Cross Road No.2, Nr. Sardar Vallabhbai Patel swimming pool, Kandivali (West), Mumbai -400067.

Sanjay Gandhi National Park, doused

According to information received from the Disaster Management Unit of the Brihanmumbai Municipal Corporation (BMC), the fire was reported at 0014 hrs past midnight.

Mrityunjay Bose | DHNS

Last Updated : 29 December 2024, 11:33 IST

Follow Us :



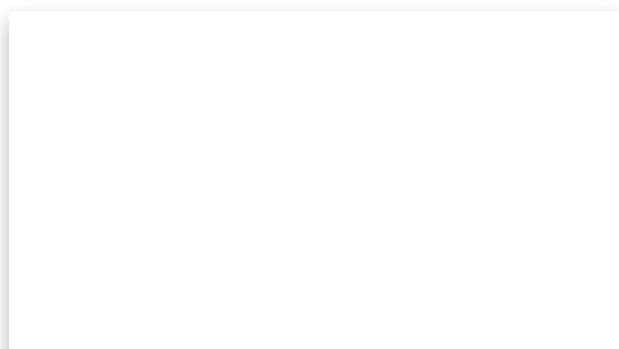
0



A view of the Sanjay Gandhi National Park (SGNP) in Mumbai. Credit: iStock Photo

Mumbai: In what comes as a cause of concern, a fire broke out just outside the Sanjay Gandhi National Park (SGNP) in Mumbai in the wee hours of Sunday.

ADVERTISEMENT



651
According to information received from the Disaster Management Unit of the Brihanmumbai Municipal Corporation (BMC), the fire was reported at 0014 hrs past midnight.

The fire reportedly broke out along the Gen A K Vaidya Marg, opposite Infinity IT Park at Dindoshi in the Goregaon East area of Mumbai.

Fire tenders and teams of the Mumbai Fire Brigade rushed to the location. The fire was doused at around 0235 hrs.

"The fire was confined to dry leaves, herbs, shrubs, and trees in an area comprising around 1 to 1.5 sq km on a mountain slope behind the IT park," BMC officials said.

Also Read:

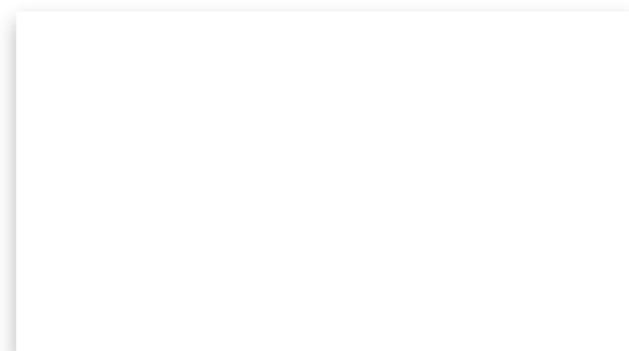
[Level 3 fire breaks out at a godown in Mumbai's Kurla; 10 fire tenders rushed to spot](#)

The cause of the fire is not yet known.

Environmentalist and wildlife habitat conservationist Stalin D flagged the BMC, Maharashtra Forest Department, Maharashtra Pollution Control Board and the Ministry of Environment, Forest and Climate Change about the issue.

"A massive fire was seen on Dindoshi hills. This doesn't seem to be natural or accidental. This is being done to kill the vegetation on the hills. Arrest the criminals who did this. Stripping of vegetation, altering river courses, spraying of toxic chemicals, burning, excavation of hills are going on here.. I am deeply disappointed that the residents in buildings facing the forested mountains do not even tweet or discuss this," he said.

The SGNP is considered the green lung of Mumbai.



Mumbai: Fire breaks out on mountain slope behind IT park in Goregaon 652

Updated on: 29 December,2024 08:27 AM IST | Mumbai

Share:



Text



A fire broke out on a mountain slope behind Infinity IT Park in Goregaon, burning dry foliage. Firefighters contained the blaze, and no injuries were reported



Representational Pic

Listen to this article



03:23

A fire broke out in the early hours of December 29, 2024, near A K Vaidya Marg, opposite Infinity IT Park in Dindoshi, [Goregaon \(East\)](#). The fire, which was classified as a Level 1 incident by the Mumbai Fire Brigade, reportedly began at 0014 hrs.

ADVERTISEMENT

[Read More](#) Fire engulfs private bus near I

The blaze was confined to an area of approximately 1 to 1.5 kilometres on the mountain slope behind the IT park, burning dry leaves, herbs, shrubs, and trees. Firefighters were promptly dispatched to the location, and the fire was successfully extinguished by 0235 hrs.

Thankfully, no injuries were reported in the incident, and the situation was brought under control without any significant damage to the surrounding area. The cause of the fire has not yet been disclosed, and authorities continue to investigate the matter.

ALSO READ

BMC insists on field dry density tests for quality concrete...

Mumbai water crisis: Hope floats for dry Royal Palms

D
P:
M

The [Mumbai Fire Brigade](#) (MFB) confirmed that the fire was extinguished at 0235 hrs, ensuring the safety of nearby residents and businesses.

Mumbai: Fire breaks out in scrap godowns at Sakinaka; 11 fire tenders at spot

A fire broke out at scrap godowns in the [Sakinaka area](#) of Kurla on Saturday morning. The blaze has spread across an area of 1,000 x 500 square feet. No casualties have been reported so far.

According to the Mumbai Fire Brigade (MFB), the [fire broke out](#) at Wajid Ali Compound on Khairani Road in Sakinaka, Kurla West. The blaze is confined to scrap and plastic materials stored in the godowns.

The [Mumbai Fire Brigade](#) has declared the blaze a 'Level-3' fire.

"The fire is confined to scrap and plastic materials in the godowns, covering an area of 1,000 x 500 square feet on the ground floor and part of the first floor. A total of 10 small hose lines are in operation," the MFB said.

[Read More](#)

Fire engulfs private bus near I

Eleven fire engines, nine jet tanks, aerial work platforms, along with other firefighting machinery and an ambulance, have been deployed at the scene.

Fire breaks out in scrap godown in Mankhurd

A massive fire had broken out in a scrap godown in the Mandala area of Mankhurd, Mumbai, on Monday evening. The blaze was spread over a 1,000X1,000 square feet area.

According to the Mumbai Fire Brigade, the blaze was confined to the electrical wiring, wooden scrap, and plastic materials in various scrap material storage units. MFB had declared the blaze a 'Level-2' fire.

Four fire engines, 10 water jets and other firefighting machinery, along with an ambulance, were deployed at the scene. A team of the local ward of the Mumbai civic body was also at the spot. Water filling points were opened at Baiganwadi Signal in Deonar, Deonar Abettor, Panjarpol filling point in Chembur and Cheda Nagar in Ghatkopar.

According to the official, the cause of the fire was not known. However, he said the fire was spreading rapidly due to the compostable materials stored in the godowns, adding that, as most of the structures was load-bearing and made of tin, it was risky to enter them, which was creating challenges during firefighting.

Several incidents of fire have been reported from locality in the past.

Top



[Read More](#)

Fire engulfs private bus near I

VP / 9668 / 0036 / 2025

Date: 6th January 2025

To,

1. **The Senior Inspector of Police,**
Dindoshi Police Station,
3/A, Vrundavan Society,
Malad East, Mumbai - 400 097.
2. **The Deputy Commissioner of Police,**
Zone 12, Dindoshi Police Station,
3/A, Vrundavan Society,
Malad East, Mumbai - 400 097.
3. **The Junior Tree Officer, Garden Department,**
P/N North Ward, MCGM,
Mamletdar Wadi Marg,
Malad, Mumbai - 400 064.
4. **The Deputy Superintendent of Gardens,**
2nd floor, Veermata Jijabai Bhosale Udayan,
Byculla Zoo Building, MCGM,
Mumbai - 400 027.

Subject: Complaint against Ferani Hotels Pvt. Ltd., and its directors, Mr. Sandeep G. Raheja and Ms. Sonali G. Raheja for the offence of Mischief by fire punishable under Section 326 the Bharatiya Nyaya Sanhita, 2023 and for the offences under Sections 8 and 21 of Maharashtra Tree (Urban Areas) Protection and Preservation of Tree Act, 1975.

Ref: Fire caused on 29th December 2024 at No Development Zone land, Dindoshi.

Respected Sir/Madam,

Under the instructions of our client, Mr. Nusli N. Wadia through Mr. Jairaj C Bham, the Constituted Attorney of Mr. Nusli N. Wadia, the Administrator of the Estate of late Eduljee Framroze Dinshaw, having its office at Neville House, 4th Floor, J. N. Heredia Road, Ballard Pier Estate, Fort, Mumbai 400001, we wish to place the following information for and on behalf of Mr. Nusli N. Wadia



("Administrator"), disclosing the commission of serious offences by *Ferani Hotels Pvt. Ltd.* ("Ferani"):

1. *Ferani* is a part of the real estate development group, G. L. Raheja Group of Companies, who, in conspiracy with its directors, namely, (i) Mr. Gopal L. Raheja (deceased), (ii) Mr. Sandeep G. Raheja, (iii) Ms. Sonali G. Raheja *alias* Ms. Sonali Nimish Arora, and others ("the Rahejas"), have *inter alia* committed the offence of Mischief by fire, punishable under the Bharatiya Nyaya Sanhita, 2023 ("BNS").
2. Before getting into the details relating to the fraudulent and dishonest acts committed by *Ferani*/Rahejas, a few relevant and necessary facts are required to be stated so that your good-self can appreciate the details/information contained in this letter in its proper perspective.

Factual background

3. By an unregistered Agreement dated 2nd January, 1995 (as modified by a supplementary agreement dated 12th April, 1995) ("Agreement") the Administrator had granted in favour of *Ferani*, the development rights of a parcel of land situated at CTS No. 827 (Pt) Survey No. 239(Pt) at Malad ("said land"). The said land forms a part of the larger portion of as more particularly described in ANNEXURE '1' attached herewith. In furtherance of the Agreement, two unregistered Powers of Attorneys, both dated 2nd January, 1995, were also executed by the Administrator, *inter alia*, in favour of the Rahejas ("said PoAs").
4. On 12th May 2008, due to various frauds perpetrated on the Administrator by *Ferani*, the Rahejas and their late father, Gopal L. Raheja, as also owing to several breaches under the Agreement, the Administrator terminated the Agreement and the said PoAs.
5. Understandably, in view of such termination and revocation, *Ferani*/Rahejas are no longer entitled to act under the Agreement or the said PoAs, or exercise any powers under the Agreement or the said PoAs, or develop the said land in any manner.
6. In this regard, the Administrator has also preferred a Suit before the Hon'ble Bombay High Court, *inter alia*, against *Ferani* and Rahejas *vide* Suit No. 1628 of 2008. Additionally, pursuant to a criminal complaint filed by the Administrator



before the Economic Offences Wing, Mumbai, a FIR has been registered against *Ferani*, the Rahejas and (late) Gopal Raheja *vide* FIR No. 1 of 2011 on 8th January 2011, for offences under Sections 120-B, 409 and 420 of the Indian Penal Code, 1860 (IPC).

7. Despite the above, the Rahejas, without any authority from the Administrator, have been illegally and impermissibly using the said POAs and committing fraudulent and dishonest acts on the said land.
8. Having said that, it is important to note that pursuant to the terms of the Agreement (which stands terminated), *Ferani* has maintained sole possession and control over the said land, which is the subject of the aforementioned Agreement. As a direct consequence of this exclusive possession, *Ferani* is fully responsible for all actions and acts committed on the said land, whether by *Ferani* or by any parties acting under *Ferani's* direction or authority. Consequently, *Ferani* is deemed to acknowledge and accept any and all liabilities arising from incidents, uses, or other occurrences pertaining to the said land.

Incident of fire on the said land on 29th December 2024

9. On 29th December 2024, a fire was caused in a forested portion of the said land at around 12 am which spread across 1 km to 1.5 km (approx.) on a mountain slope on the said land. The fire lasted for about 2 hours and was eventually extinguished at around 2:30 am. The fire brigade officials who were present at the spot noted that fires were caused at several spots on the said land at the same time along the hillside.
10. A *prima facie* inspection of the fire carried out on the said land, has indicated signs consistent with human acts rather than natural causes. The manifestations observed, including the pattern of burn marks, focus on areas with more trees and the possible presence of accelerants, suggest intentional or negligent actions rather than any natural occurrence. Therefore, it is reasonable to conclude that the initiation of the fire resulted from human intervention.

Similar acts carried out in the past by *Ferani/Rahejas*

11. We would also like to draw your attention to the fact that this is not the first incident concerning unlawful activities regarding destruction of trees on the said land. Previously, on 7th October 2022, over 560 trees in an area known as



Goregaon Greens, which also forms a part of the said land, had been illegal chopped down without obtaining any approvals from the concerned authorities, resulting in complaints being filed with the Municipal Corporation of Greater Mumbai (MCGM).

12. Subsequently, upon a complaint filed by one Mr. Mayuresh Dattatray Bhoir, Junior Tree Authority of MCGM, on 7th November 2022, an FIR was lodged at Dindoshi Police Station *vide* FIR No. 1100 of 2022 *inter alia* against *Ferani* for offences under Sections 8 and 21 of Maharashtra Tree (Urban Areas) Protection and Preservation of Tree Act, 1975, for illegal cutting of trees on the said land. On 6th July 2023, Dindoshi Police Station also recorded the statement of Mr. Jairaj C Bham, the Constituted Attorney of Mr. Nusli N. Wadia in relation to the said FIR No. 1100 of 2022. The statement is annexed herewith as ANNEXURE '2' for your ready reference. After carrying out a namesake investigation, a 'C' summary report was submitted by the investigating officer.
13. Aggrieved by these acts, a Non-Governmental Organization by the name *Vanashakti* preferred an application *vide* Original Application No. 100 of 2024 (WZ) before the Hon'ble National Green Tribunal, Western Zone Bench, Pune, regarding the illegal burning/cutting of trees on the said land. Subsequently, the Administrator, being the owner of the said land, preferred an application under Section 14 and 15 of the National Green Tribunal Act, 2010 before the Hon'ble National Green Tribunal, Western Zone Bench, Pune, *vide* Original Application No. 166 of 2024 (WZ), *inter alia* seeking intervention of the Hon'ble Tribunal to direct the concerned statutory bodies/authorities to take effective, punitive and remedial steps against the act of illegal cutting/felling of trees, illegal deforestation, illegal construction, hill cutting and changing the natural course of river. The said OA No. 166 of 2024 has been admitted and is presently pending before the Hon'ble Tribunal.
14. On 10th May 2024, the Hon'ble National Green Tribunal, Western Zone Bench, Pune, constituted a Joint Committee to investigate the matter in Original Application No. 100 of 2024 (WZ) filed by *Vanashakti* NGO. The Hon'ble Tribunal directed the Joint Committee to visit the said land in question and to submit a report regarding the accuracy of the claims made in relation to the incident.
15. Accordingly, the Joint Committee appointed by the Hon'ble National Green Tribunal, Western Zone Bench, Pune submitted a report dated 21st August 2024 along with Additional Report dated 30th November 2024 *inter alia* outlining the



brief history of the land, site inspection and observations, and its recommendations in respect of the said land ("**Report**").

16. Upon perusing the said Report dated 21st August 2024, it was revealed that the incident of 2022 was not the first incident of illegal tree cutting by *Ferani/Rahejas* on the said land. In fact, on 3rd December 2018, a fire was caused on the said land by *Ferani/Rahejas*, following which, the Deputy Regional Officer of the Maharashtra Pollution Control Board (**MPCB**) conducted a thorough inquiry to determine the impact of the fire. The findings of this investigation were detailed in a report dated 26th February 2019 which *inter alia* conclude the following:
 - a. *Ferani* being in possession, is responsible for the said land;
 - b. The said land is notably devoid of tree growth as a direct impact of repeated human interventions, including the removal of vegetation on the said land;
 - c. Prior to the fire incident that occurred on 3rd December 2018 on the said land, it was found that 65 large teak trees and 126 large trees of various species were cut down. Additionally, 185 medium-sized trees and 778 other trees of various species were also cut down. Similarly, 522 tree roots were severed prior to the fire and during the blaze, 4,216 tree roots were destroyed indicating extensive deforestation activities on the said land;
 - d. The scale of destruction and timing of the tree cutting strongly suggests deliberate human intervention aimed at clearing the land to facilitate future development;
 - e. Previous development activities on the said land have caused significant disruptions to the natural watercourses. These activities have altered the terrain, leading to disturbances in the natural water flow, potentially resulting in waterlogging, reduced groundwater recharge and increased surface runoff. Such disruptions not only impact the immediate environment but also affect the overall ecological health of the water stream on the said land, with potential consequences like downstream flooding and erosion;



- f. Hill cutting and soil excavation activities have been conducted at few spots to facilitate the construction of the D.P. Road on the northern side of the said land. Such excavation can lead to increased soil erosion and instability, potentially affecting the surrounding environment. Besides the hill cutting, soil excavation was also noted at some locations within the said land. These activities have disrupted the natural soil layers, which could impact the area's ability to retain water and support vegetation.
17. The said Report dated 21st August 2024 addresses that an 'A' summary report was submitted by the investigating officer in relation to FIR No. 942 of 2019 filed by one Mayuresh Bhoir against *Ferani* at Dindoshi Police Station, Mumbai. However, the Joint Committee also observes that "*...Upon reviewing the police report, it was found that the investigation relied primarily on witness statements. However, incidents such as illegal tree felling and persistent burning cannot be adequately investigated through conventional police investigation methods alone. These types of violations require a more rigorous approach, such as vigilant monitoring of change detection studies, which provide reliable quantitative data.*"
18. Furthermore, the additional Report submitted by the Joint Committee on 30th November 2024 addresses the 'C' summary report submitted by the investigating officer in relation to FIR No. 1100 of 2022 filed by Mayuresh Bhoir against *Ferani* and observes that "*...Following investigation, the investigating officer submitted "C" to the competent Authority, indicating that the case was closed due to a lack of prosecutable evidence*".
19. Pertinently, the said Reports point out the proximity, access and control enjoyed by *Ferani* over the said land and also recommend that a replanting strategy be undertaken by *Ferani* by using its own funds and in consultation with the concerned forest department to remedy the damage caused by them to the trees on the said land. Annexed hereto and marked as ANNEXURE '3' Colly are the copies of the Reports dated 21st August 2024 and 30th November 2024 submitted by the Joint Committee, along with exhibits.
20. Recently, on 26th September 2024, the Hon'ble National Green Tribunal, Western Zone Bench, Pune was pleased to pass an order in Original Application No. 100 of 2024 (WZ) *inter alia* directing that "*...no trees can be cut/felled*" and the MCGM and the Collector, Mumbai Suburban are to ensure that "*...no trees are cut standing on the land in question by respondent Nos.10 (K.L. Raheja) and 11 (Ferani) till disposal of this Original Application.*" Annexed hereto



and marked as ANNEXURE '4' is a copy of the order dated 26th September 2024 passed by the Hon'ble National Green Tribunal, Western Zone Bench, Pune in Original Application No. 100 of 2024 (WZ). Clearly, the acts of *Ferani/Rahejas* on 29 December 2024 are in breach this order.

Need for a thorough investigation

21. In the matter at hand, it is evident that the actions of *Ferani/Rahejas* are not isolated incidents, but rather part of a persistent and deliberate pattern of criminal acts that underscores their culpability. Over the past several years, *Ferani/Rahejas* have consistently engaged in unlawful acts of deliberate and illegal cutting of trees on the said land. These acts cannot be dismissed as random occurrences; instead, they reflect a coordinated effort to indirectly exploit the said land for their personal gain.
22. Each incident compounds the severity of their actions and demonstrates the shared intent of *Ferani/Rahejas* and their aides to benefit financially from the destruction of trees on the said land. Furthermore, given that only *Ferani/Rahejas* stand to gain from these egregious acts, they must be held liable for such illegal acts.
23. The evidence suggests a clear criminal conspiracy, wherein *Ferani/Rahejas* have collaborated with other unknown persons to perpetrate these offenses, thus establishing a shared objective of unlawful enrichment and a wilful disregard for both the orders passed by the Hon'ble National Green Tribunal as well as the environment. This pattern not only implicates *Ferani/Rahejas* as beneficiaries in the individual crimes committed but also signals a systematic exploitation of the said land that necessitates accountability for the entire course of their actions.
24. In light of the circumstances surrounding the incident, it is imperative to assert that the acts committed by *Ferani/Rahejas* constitute an offence of Mischief by fire punishable under Section 326 of the BNS and Sections 5 and 21 of the Maharashtra Tree (Urban Areas) Protection and Preservation of Tree Act, 1975. The essential ingredient of the offence are clearly met as *Ferani/Rahejas* and their aides intentionally set fire to the said land to further their ulterior motives, which resulted in damage not only to the environment itself but also posed a significant threat to public safety.



25. In view of the above, it becomes evident that the acts of *Ferani* in causing illegal destructions of trees by fire at the said land is in violation of Sections 5 and 21 of the Maharashtra Tree (Urban Areas) Protection and Preservation of Tree Act, 1975. Section 21 of the Maharashtra Trees Act provides that “*No person shall cut, uproot, or destroy any tree except with the permission of the competent authority.*” *Ferani*, by causing fire at the said land, of which it is in sole possession, has not only failed to ensure that such events do not transpire but has instead caused fire on the said land, to further its own ulterior motives.
26. It is also important to note that Section 5 of the Maharashtra Trees Act states that “*Any act of destruction or removal of trees without the prescribed authority’s approval constitutes an offence punishable under this Act, including potential fines and imprisonment.*” The actions of *Ferani* clearly meet the ingredients necessary to constitute offences under the aforementioned sections. The physical act of causing systematic fire on the said land, leading to falling of trees unequivocally constitutes destruction as delineated under Section 5 of the Maharashtra Trees Act. These actions not only violate the legal provisions but also pose a threat to the local environment, ecosystem, and public health, the said act attempts to protect.
27. The prior conduct of the *Ferani* coupled with the *prima facie* observation clearly indicates that *Ferani* acted with a malicious intent, demonstrating that the fire was not accidental but rather a deliberate act of destruction. Accordingly, the conduct of *Ferani*/Rahejas embodies the requisite *mens rea* of intent to cause damage thereby sufficiently constituting an offence under the BNS.
28. We, therefore, submit the present complaint to your good self and pray that a criminal case be registered against *Ferani Hotels Pvt. Ltd.*, and its directors, namely Mr. Sandeep G. Raheja and Ms. Sonali G. Raheja. We further pray and request your good self to commence a thorough investigation in the said case.
29. Without prejudice, it is submitted that being the owner of the said land (considering that even under the Agreement, the title and juridical possession whereof remained and remain with him), it may be contended that Administrator should also be made answerable for any such violation / noncompliance by *Ferani* and/or the Rahejas. In view of the facts and circumstances narrated above, clearly, the Administrator shall not be (whether in fact or in law) so answerable.



30. Nevertheless, and strictly without prejudice to all of our client, the Administrator's other rights and/or contentions, it is humbly requested that your good offices, be pleased to issue appropriate directions to all the concerned officers of the concerned departments to carry out a thorough and detailed analysis pertaining to the acts of *Ferani* and Rahejas and take appropriate action against them as per law and also protect the area diligently by deploying personnel on the land so that no such mischievous incident does not occur in future.
31. In case of any further assistance and/or clarification in relation to the subject matter, please contact Adv. Shrenik Pasi at +91-9619326688.

Yours sincerely,

Vidhi Partners, Advocates

Mumbai

Encl. as above

CC:

1. **The Chief Conservator of Forests,**
Sanjay Gandhi National Park
Borivali East Mumbai, Maharashtra - 400 066.
E-mail address: ccfsgnp@mahaforest.gov.in
2. **The Additional Principal Chief Conservator of Forests,**
Wildlife (West), Borivali at Mumbai
L. T. Road, Near Old MHB Bus Stop, Forest Qtr.
Borivali (W) - 400 091.
E-mail address: ccfsgnp@mahaforest.gov.in
3. **The Collector,**
Mumbai Suburban District
10th Administrative Building,
Bandra (East), Mumbai - 400 051.
4. **The Municipal Commissioner,**
Municipal Corporation of Greater Mumbai,
Head Office, Mahapalika Marg,
Opposite Chhatrapati Shivaji Terminus,
Mumbai - 400 001.



5. **The Land Acquisition Department & Co-ordination of Eco-sensitive Zone, Mumbai Suburban District**
Municipal Corporation of Greater Mumbai,
2nd floor, Shahid Bhagat Singh Road,
Fort, Mumbai - 400 001.

6. **The Environmental Department,**
Municipal Corporation of Greater Mumbai,
2nd floor, Shahid Bhagat Singh Road,
Fort, Mumbai - 400 001.

7. **The Assistant Municipal Commissioner,**
P/N North Ward, MCGM,
Mamletdar Wadi Marg,
Malad, Mumbai - 400 064.