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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO.25 OF 2025



IN THE MATTER OF:

Vanashakti & Anr.

..... Applicants

Versus

City and Industrial Development Corporation  
of Maharashtra (CIDCO) & Ors. .... Respondents

**REPLY TO ADDITIONAL AFFIDAVIT IN REPLY ON BEHALF OF  
RESPONDENT NO. 1 – CITY AND INDUSTRIAL DEVELOPMENT  
CORPORATION OF MAHARASHTRA LIMITED (CIDCO)**

I, **Shri. Chaure Dattatray Shardrao**, the authorised representative of Respondent No.1, Age- 47 Years, Occupation- Service, Office at CUC (Naina) at Cidco, CBD Belapur having their Address at: - 7<sup>th</sup> Floor, Tower No. 10, Belapur Railway stn. Complex CBD Belapur, Navi Mumbai-400614, after verifying all the records, do hereby state on the solemn affirmation that:-

- A. The Respondent No. 1 is a company duly incorporated on the 17th day of March, 1970, under the Companies Act, 1956. Respondent No. 1 is a Government Company as defined under Section 617 of the Companies Act, with its entire share capital subscribed wholly and

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exclusively by the State Government and its seven nominees. Further, Respondent No. 1 states that it has been designated as the Special Planning Authority for NAINA u/s 40(1) (b) of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as "the MR&TP Act").

- B. While granting the Environmental and Coastal Regulations Zone (CRZ) clearances to the proposed Greenfield airport Ministry of Environment & Forest (MoEF) in November 2010, the Ministry of Civil Aviation, Government of India, expressed concern about unplanned and haphazard development within 20 km of the upcoming airport. In pursuance of these concerns, the Government of Maharashtra vide notification dated 10.1.2013 appointed the Respondent No.1 as Special Planning Authority (SPA) under Section 40 (I) (b) of MR&TP Act, 1966 for Navi Mumbai Airport Influence Notified Area (NAINA) to prepare a comprehensive action plan, development plan with due regard to the protection of environment and the principles of urban planning for sustainable development within the influence zone of proposed Navi Mumbai International Airport (NMIA), and regulate the influence zone.

After following the due procedure established under the MRTP Act, Respondent No.1 has prepared the Interim Development Plan (IDP) of 23 villages of NAINA, which has received sanction of the Urban Development Department, State Government on 27/04/2017. Respondent No.1 further states that the Government of Maharashtra has also sanctioned the Development Plan (DP) for 151 villages of NAINA on 16.09.2019.



C. Respondent No. 1 states that the present Additional Affidavit filed by the Applicants is totally false, misconceived and not maintainable in law.

D. The present Additional Affidavit is nothing but a baseless attempt on the part of the Applicants, and Respondent No. 1 submits that the Applicants are deliberately and maliciously trying to drag Respondent No. 1 into the vexatious litigation. Also, facts put forth by the Applicants in the present Additional Affidavit are misleading. Moreover, the Applicants have not approached this Hon'ble Tribunal with clean hands and therefore do not deserve any equitable consideration from this Hon'ble Tribunal.

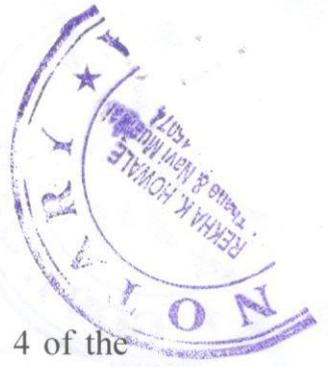
E. **WITHOUT PREJUDICE TO THE AFORESAID, THE PARAWISE REPLY TO THE SAID ADDITIONAL AFFIDAVIT OF THE APPLICANTS IS AS FOLLOWS-**



At the very outset, it is most respectfully submitted by Respondent No. 1 that unless specifically admitted, all the contentions of the Applicants in the present Additional Affidavit may kindly be treated as specifically denied by Respondent No.1. The paragraph-wise reply to the Additional Affidavit of the Applicants is as follows:

1. In reply to the contents of paragraphs no. 1 & 2 of the Additional Affidavit, Respondent No.1 states that the contents thereof are a matter of record and hence need no reply. However, any inferences drawn thereof are denied in their entirety by Respondent No.1.

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2. In reply to the allegations raised in paragraphs no. 3 & 4 of the Additional Affidavit, Respondent No.1 states that the allegations thereof are not admitted and the Applicants are put to strict proof thereof. Hence, the allegations raised in the above-mentioned paragraphs are denied in their entirety by Respondent No.1. However, any inferences drawn therefrom are denied in their entirety by Respondent No.1.
3. In reply to the allegations raised in paragraph no.5 of the Additional Affidavit, Respondent No.1 on the basis of information received from ACP(NAIAN) Department states that the contents thereof are false and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. Respondent No.1 states that the slope analysis of the said hillock falling in survey no.24/1/2/3/4, village Nanoshi Tal. Panvel, District- Raigad, based on the contour survey dated 2013, is annexed at **EXHIBIT-A**. Respondent No.1 states that the said Gradient is clearly less than 1:5.
4. In reply to the allegations raised in paragraph no.6 of the Additional Affidavit, Respondent No.1 states that as per information mentioned in **EXHIBIT-A**. above, the contents thereof are not based on any plane table or contour survey. Google Earth satellite imagery is misleading, as the data is not reliable for very specific locations and points as measured on screen by the Applicants. Hence, any inferences drawn thereof are denied in their entirety by Respondent No.1.
5. In reply to the contents of paragraphs no.7 & 8 of the Additional Affidavit, Respondent No.1 states that the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent

No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No.1 in their entirety.



*[Signature]*  
Respondent No. 1

**CUC (NAINA)  
CIDCO**

VERIFICATION

I **Shri. Chaure Dattatray Shardrao**, the authorised representative of Respondent No. 1, Age – 47 Years, Occupation-Service, Office At - Service, Office at CUC(Naina )at CIDCO, CBD Belapur, having their Address at: 7<sup>th</sup> Floor, Tower No. 10, Belapur Railway stn. Complex CBD Belapur, Navi Mumbai- 400614, after verifying all the records, do hereby state on the solemn affirmation that whatever is stated hereinabove is true and correct to the best of my knowledge and information.

Affirmed and signed on this \_\_\_\_\_ Day of \_\_\_\_\_, 2025.



*[Signature]*  
Respondent No. 1

**CUC (NAINA)  
CIDCO**



**BEFORE ME**  
*Phule*  
*4/6/25*  
**REKHA KISHOR HOWALE**  
**ADVOCATE & NOTARY**  
**GOVT. OF INDIA**

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04 JUN 2025





From N/16...

21.05.2025

After examination, it is understood that, on the Survey no 24/1/2/3/4, Village Nanoshi, Taluka Panvel, illegal excavation and flattening/levelling is going on. In this regards Planning Dept. is requested to do Slope analysis of Survey no 24/1/2/3/4, Village Nanoshi, Taluka Panvel.

The Goutbook Nakasha of Survey no 24 is not attached in file hence, detailed analysis is done for complete Survey no 24, Village Nanoshi, Taluka Panvel. It is to be noted that, survey no 24 almost covers the complete hill. Part plan showing Superimposition of Contours of Existing Land use (ELU) Plan on NAINA Development Plan (DP) for Survey no 24, Village Nanoshi, Taluka Panvel is attached at C/225

To find out the slope of the hill in all the directions, 6 cross sections of the hill are considered as shown on image at C/227 to C/237 Slope analysis across the cross section is as follows:

Sr. No.	Cross section no.	Minimum Elevation of Cross section (A)	Maximum Elevation of Cross section (B)	Rise = (A-B)	Run (Length)	Gradient = Rise/Run
1	AB	42	60	18	139	1:7.7
2	AC	44	59	15	171	1:11.4
3	AD	49	59	10	122	1:12.2
4	AE	54	60	6	77.1	1:12.9
5	AF	43	60	17	145	1:8.5
6	AG	41	60	19	217	1:11.4

Thus an average the slope of hill is less than 1:5.

Submitted please.

P. Buntey  
21.05.2025  
Dy. Planner  
(DP-NAINA)

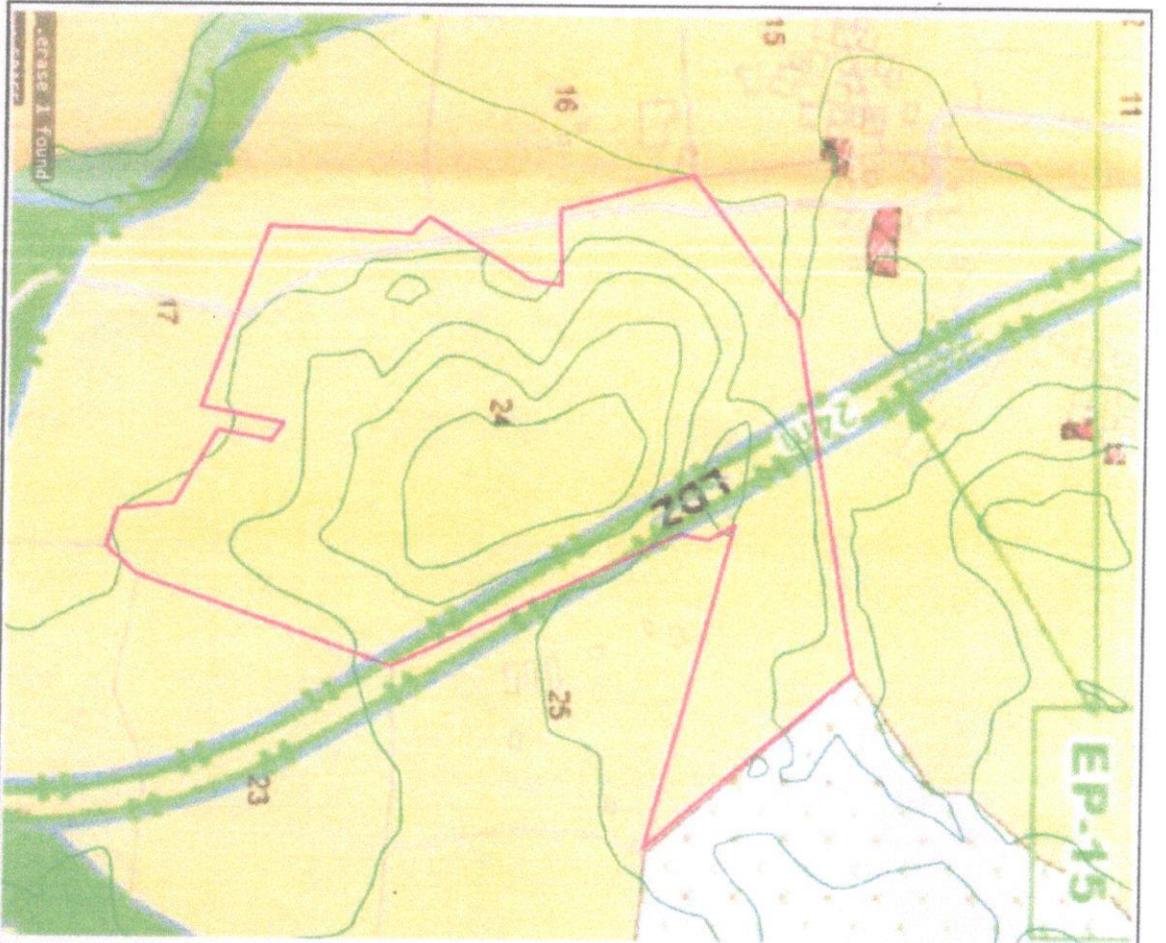
Asso. Planner (DP-NAINA) *D. Anand R. B. S. 21/5/2025*

Sr. Planner (DP-II) *Slope analysis in table above may be perused pl. The hill slope is not steeper than 1:5 as per ~~however~~ contour data (2013) available with this section considered while preparing NAINA DP. It is suggested that ccuc may take action to stop any further damage to the hill. Submitted pl.*

*V. Kule*  
21.05.2025

ACP (NAINA) *1. The above is being shared with the advocate for affidavit*

ccuc (NAINA) *2. However, ccuc to take nfa in the matter pl.*  
*M. S. 21.5.25*



-  Survey no 24, Village Nanoshi, Taluka Panvel
-  Contours
-  Limited Development zone (LDZ)

Tentative Superimposition of Contours  
of Existing Land use (ELU) Plan on  
NAINA Development Plan (DP) for  
Survey no 24, Village Nanoshi, Taluka  
Panvel



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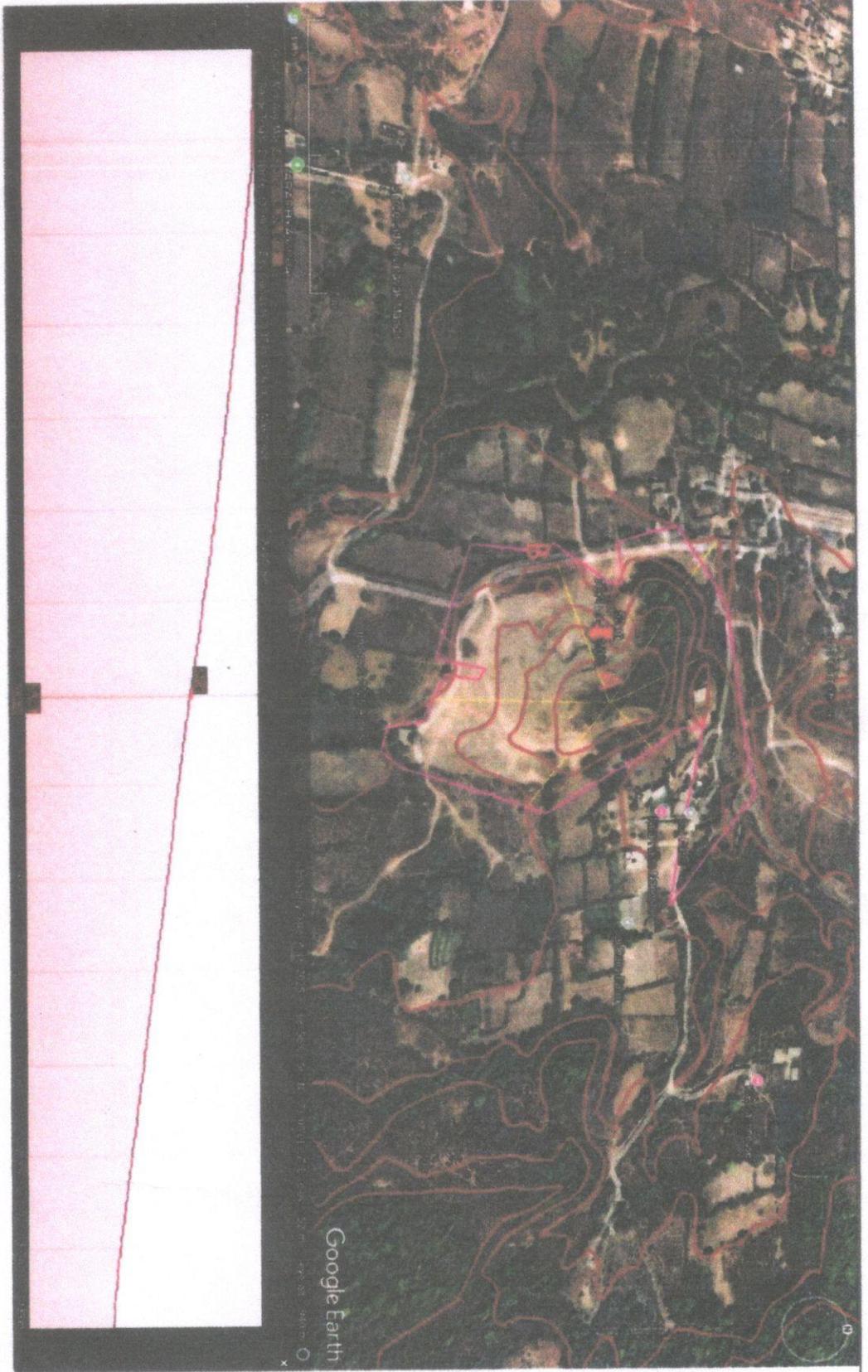


Survey no 24, Village Nanoshi, Taluka Panvel

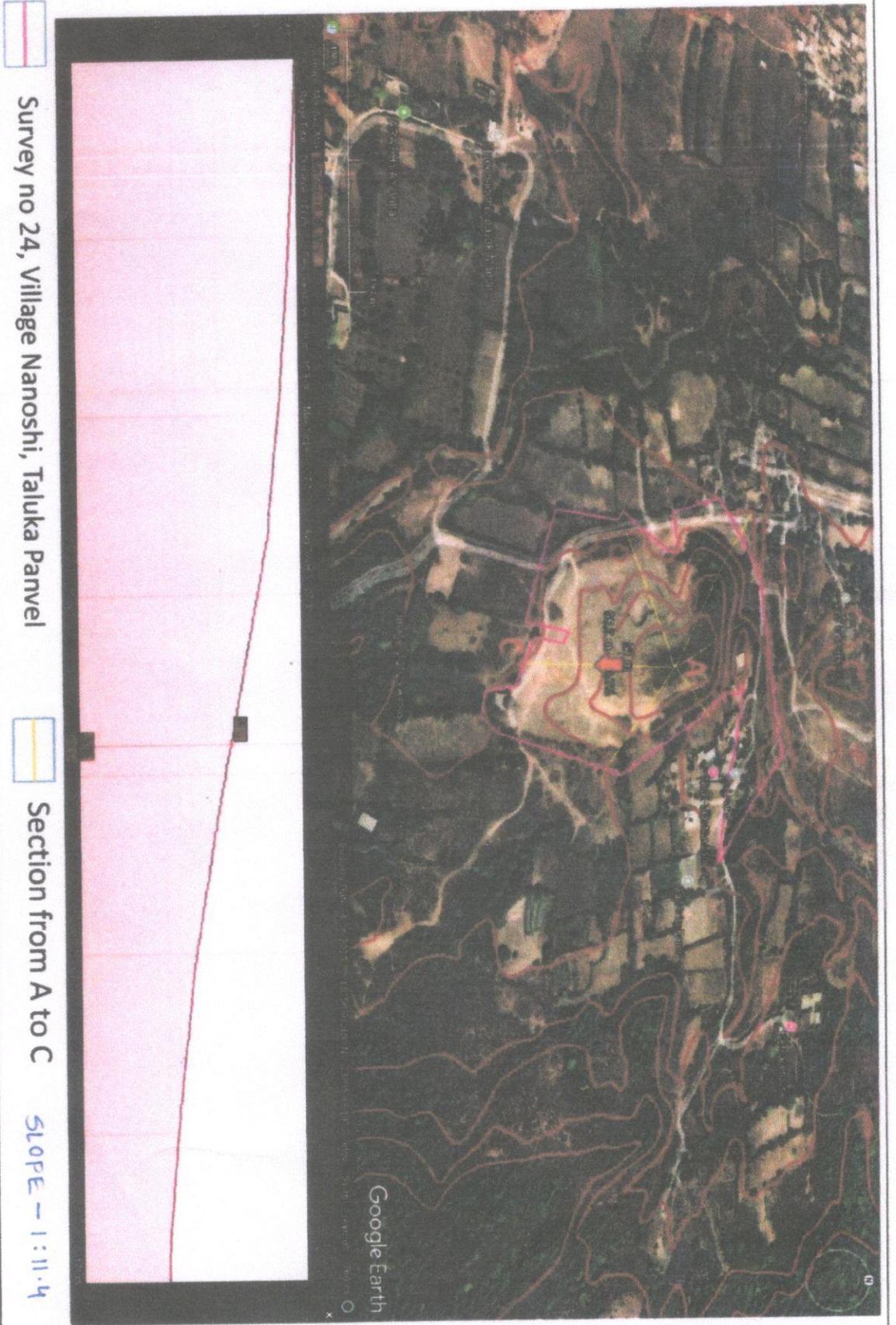


Section from A to B

SLOPE - 1:7.7



11 to



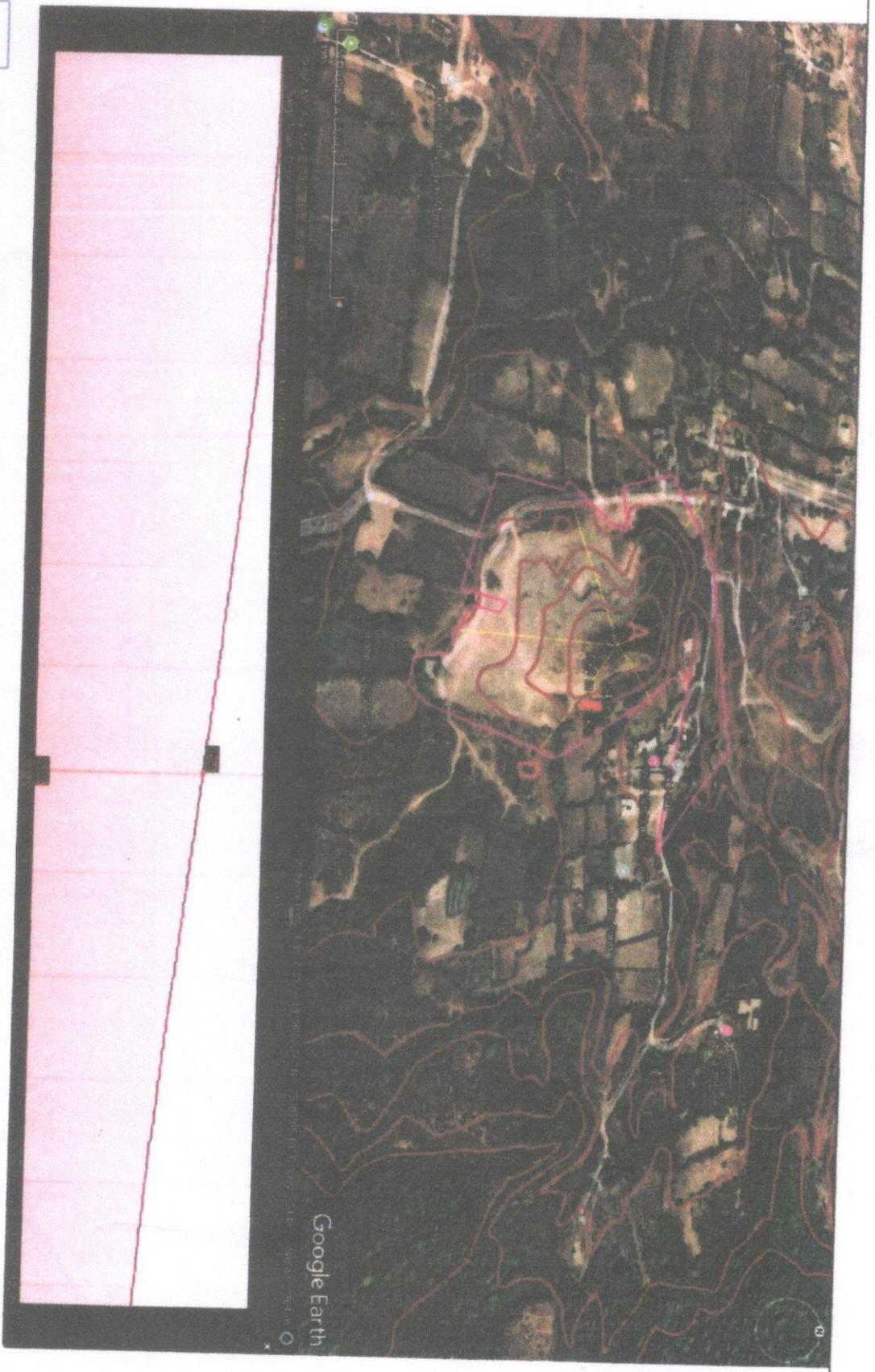


Survey no 24, Village Nanoshi, Taluka Panvel



Section from A to D

SLOPE - 1:12.2



1241  
 C/231  
 C/31



Survey no 24, Village Nanoshi, Taluka Panvel



Section from A to E

SLOPE - 1:12.9



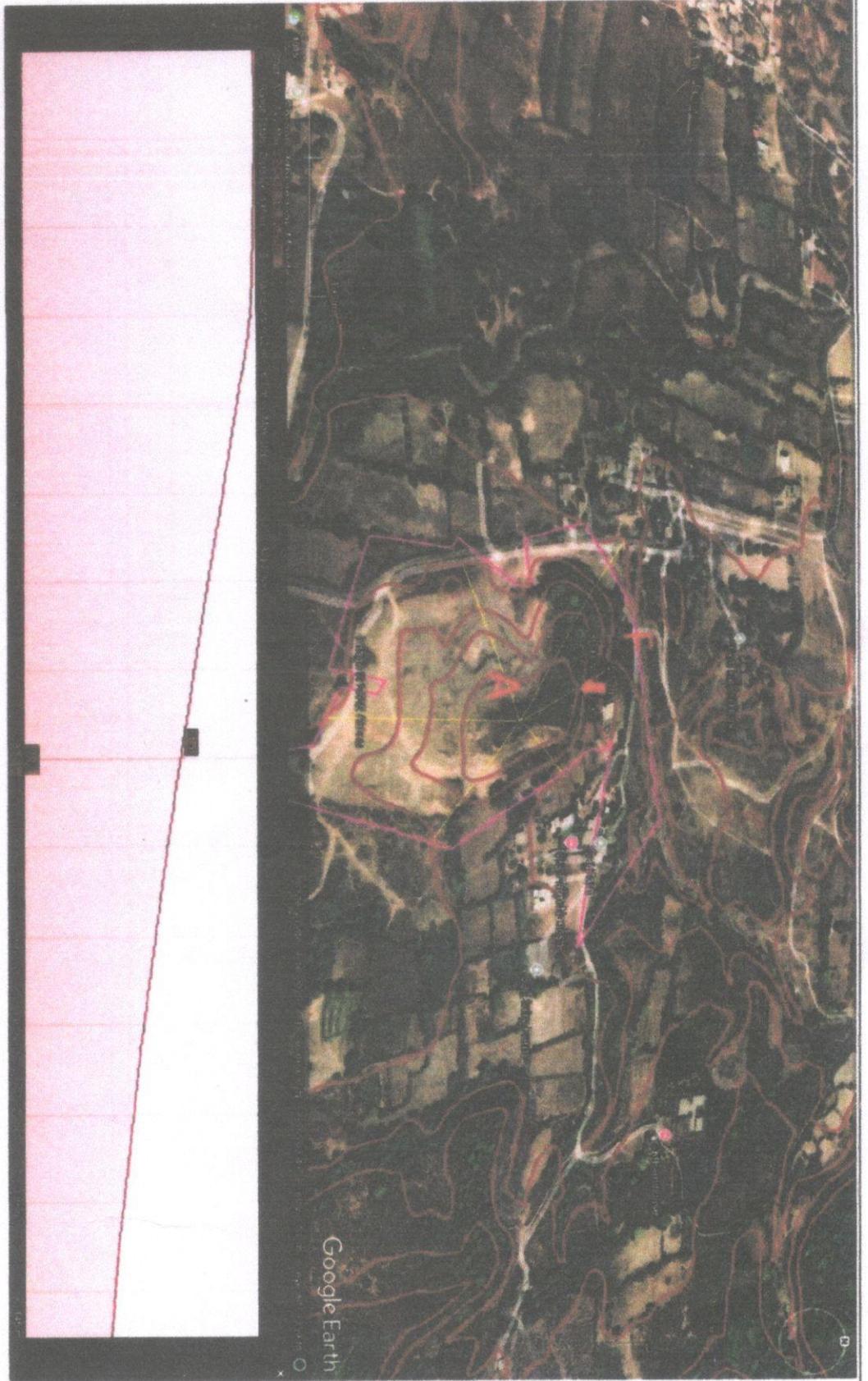


Survey no 24, Village Nanoshi, Taluka Panvel



Section from A to F

SLOPE - 1:8.5





Survey no 24, Village Nanoshi, Taluka Panvel



Section from A to G

SLOPE - 1:11.4



C/277-1221  
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