



**BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO.37/2023(WZ)**

Sushant Subhash More .....Applicant

Versus

M/s Hotel Sayadri Puspa

& Ors. ....Respondents

**REPLY ON BEHALF OF RESPONDENTS NO 2**

I Mr Rajesh Mahadeo Mane, aged adult proprietor of M/s Sai Shivar located at S No 284, Village Anavale District Satara do hereby solemnly affirm and state as under, I say that I am the Respondent No 2 in the above Original

  
Rmmane



Application and hence I am competent to swear this Reply Affidavit.

1. At the outset the Answering Respondent submits that the present Original Application is an abuse of process of the Law, it has no merits and there is a misconceived Application and deserves to be dismissed. The village Anavale where the Answering Respondent is running his agro-tourism hotel is does not fall within either the Core zone nor the buffer zone as per the Eco Sensitive Zone Notification. Thus the Answering Respondent has been arrayed as a party only to unnecessarily harass him.

2. It submitted that the present Original Application is filed by Applicant alleging

  
Rmmare



that there exists 100 hotels and farmhouses that have been constructed illegally on Yavateshwar to Kaas Road leading to Kaas Plateau.

3. It is submitted that structures of the answering Respondents are admittedly less than threshold limit 20000 sq mtrs of the schedule I under the EIA Notification, 2006. This fact is also confirmed and verified by the Joint Committee. Thus it is crystal clear that the structures of the answering Respondent does not require Environmental Clearance.

4. It is submitted that the structures of the answering Respondent does not fall in the Forest area therefore there is no violation of

  
Rm name



the Forest Conservation Act, 1980. This fact is also confirmed and verified by the Joint Committee.

5. It is submitted that Government of Maharashtra issued regulations for Conservation Zone in Satara Region on 23<sup>rd</sup> December, 2021. Kaas Plateau an UNESCO natural world heritage site is part of conservation zone. Conservation zone is divided into two zones :-

- i. Core Zone
- ii. Buffer Zone

The structures of the answering Respondent does not fall either under the Buffer Zone and nor the Core Zone. This fact is also confirmed and verified by the Joint Committee.

  
Rimmaee



Therefore there is no violation that has been committed by the Answering Respondent.

6. It is submitted that Government of Maharashtra has initiated the process of regularization of the structures under the Maharashtra Regional Town Planning Act, 1966.

7. It is submitted that the issue of legality of the structures and its regularisation is admittedly not in the domain and jurisdiction of this Hon'ble Tribunal as Maharashtra Regional Town Planning Act, 1966. The said act is does not fall within the Schedule -I of the National Green Tribunal Act, 2010. Thus the same issue

  
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cannot be agitated before this Hon'ble Tribunal.

8. It is submitted that the process of regularization is in process and once the structures are regularised they will apply for the necessary consents under Air and Water Act if so required. Competent authorities under the MRTP Act and MPCB may take necessary steps once the process of regularisation is completed.

9. Therefore in our humble submission this application may be dismissed with cost as there is no violation of EIA Notification, 2006, Forest Conservation Act, 1980 and there is no violation / harm to the Kaas Plateau. The answering Respondent is a

  
Amranga



local resident of the Village which are using their properties for earning their bread and butter during tourist season.

*[Signature]*  
R. M. Mane

Solemnly Affirmed on

Date: 25/03/2025

At Satara, Maharashtra

Advocate for

Respondent

*[Signature]*  
C. M. Bhoi  
730198  
Secy Identification



*[Signature]*  
BEFORE ME  
SHRI. L. M. BHOI  
NOTARY & ADVOCATE  
S-5, Guruvihar Residency,  
66/1/E/1, Shukrawar Peth, Satara  
Mob. 9823083469  
Reg. No. 5223

Noted & Registered  
at Serial No. 526  
Date: 26 MAR 2025

