

MAHARASHTRA POLLUTION CONTROL BOARD
Regional office, Kolhapur,
Udyog Bhavan, Near Collector Office
Dist-Kolhapur



Action Taken Report

Original Application No 66/2020 (WZ)

**In compliance with the order dated 09.11.2020 of
the Honorable National Green Tribunal,
Principal Bench,
New Delhi.**

Action Taken Report

In the matter Of Original Application No.66/2020 (WZ)

Gram-Panchayat Kasarwadi

Vs

Maharashtra State Vadar Samaj Sangh & Ors.

In compliance with the order passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi on dated 09.11.2020, the following report is submitted:

Chronology

1. Application received from Gram-Panchayat Kasarwadi on 23.11.2020.
2. Committee formed on 02.12.2020.
3. The first meeting of the committee was held on 09.12.2020.
4. A site visit was carried out on 15.12.2020.
5. The second meeting of the committee was held on 18.12.2020.
6. Ambient air quality monitored at two locations on 18 and 19.12.2020.
7. Hearing given to the respondents by the committee on 01.01.2021.
8. Noise levels were monitored on 06.01.2021.
9. Report received from District Mining Officer, through email.

Action Taken Report

- A) A committee was formed comprising of the District Collector, Kolhapur, the Chief Conservator of Forest, Kolhapur, Additional District Collector, Kolhapur, the Regional Officer, and Sub Regional Officer, Maharashtra Pollution Control Board, Kolhapur on 02.12.2020. Copy of the order is annexed as **ANNEXURE-I**.
- B) The first meeting was held under the chairmanship of the District Collector on 09.12.2020. After due deliberation following was agreed to:
- Officers of Revenue Department, District Mining Office, Forest Department, and Maharashtra Pollution Control Board shall jointly visit the site i.e. Gat No. 630/1/A of village Kasarwadi, Tal: Hatkanangale, Dist: Kolhapur and study the present status.
 - The Sub Divisional Officer, Ichalkaranji, and the Tahsildar of Hatkanangale shall cause flying visits to the site, carry out a survey, and shall take further necessary actions.
 - Tahsildar, Hatkanangale shall obtain land records of the above site

from Deputy Superintendent Office of Land Records Department, Hatkanangale, Dist: Kolhapur and fix boundaries as per the records. If need be, the measurement of the gat area should be checked.

- District Mining Officer, Kolhapur, and Tahsildar, Hatkanangale shall investigate whether the leaseholders/license holders of land carry out mining activity as per the permission given by the District Collector, Kolhapur, and the Tahsildar.
- Action taken report on above points shall be submitted by 16.12.2020. And the next meeting will be held on 18.12.2020 at District Collector Office, Kolhapur.

Copy of the proceedings is annexed as **ANNEXURE-II**.

C) A visit to the quarry area of Kasarwadi Village and Toap village was carried out on 15.12.2020. Following members were present for the site inspection.

- Deputy Conservator of Forest, Kolhapur.
- Tehsildar, Hatkanagale, Kolhapur
- District Mining Officer, Kolhapur
- Regional Officer, Sub Regional Officer, and Field officers, Maharashtra Pollution Control Board, Kolhapur.

Following observations were made:

- Quarrying activity has been carried out in the Gat No 630 1/A, at kasarwadi
- During the visit, mining activity was not observed however Quarrying has taken place in Gat No 630 1/A, at Kasarwadi and in the adjacent area of this Gat no.
- The work of boundary demarcation of Gat No 630 1/A is being carried out by officials of Deputy Superintendent of land record Hatkanangale.
- There are crushers found in operation in the Kasarwadi area & adjacent Toap area.

D) The second meeting was held under the chairmanship of the District Collector on 18.12.2020.

- A list of crusher unit and mine holder of Mouje kasarwadi & Toap shall be prepared and ascertain whether they have obtained permissions/ NOC of relevant departments and same shall be furnished to Maharashtra Pollution Control Board.
- During the meeting Tahasildar Hatkanangale informed that an on-site survey is being carried out and work of measurement & demarcation

is in progress, District Collector instructed to complete the same as early as possible.

- District Mining Officer, Kolhapur apprised to the committee that Shri Appasaheb Gaikwad has filed a petition 399/2015 in Civil Court Kolhapur. District collector instructed that Order passed by Hon'ble Court in the said matter shall be discussed with District Government Pleader and Say regarding same shall be submitted to Court. Further District Collector instructed to District Mining Officer to send a letter to Dy. Conservator of Forest (DFO) to take further appropriate action for mining carried out at S.No 630/1 .
- District collector instructed to Dy. Conservator of Forest (DFO) to take the acquisition of said Kasarwadi land as per the Notification of 1953 regarding Reserved Forest.
- As per the Hon'ble NGT Order, a hearing to Respondents No 1 to 14 shall be extended by issuing notice to ascertain their stand and to verify facts in the said matter.

Copy of the proceedings is annexed as **ANNEXURE-III**

E) The hearing was extended to the 14 no of Respondents under the chairmanship of the District Collector at Rajarshi Shahuji Hall on 01.01.2021.

During the hearing, on behalf of all respondents Shri. Ramesh Vinayak Powar put up there following views:

- Shri. Ramesh Vinayak Powar, respondent informed that the mining lease was approved by the Kasarwadi Gram Panchayat in the year 2009. After the expiry of its term in 2014 and 2015, a dispute arose as to whether the leased land comes in the Gayaran area or government land. On this issue, the Hon'ble District Court appointed a Court Commission and ruled that all the mines are on the Government land. The Gram Panchayat, Kasarwadi has earlier issued No Objection Certificates. The village is four to five kilometers away from the mining site and legally carrying out mining activity. We have demanded land for the Vadar community for mining purposes. Shri Chandrakant Nerlekar stated that they have acquired the land by duly depositing government fees.
- Shri Ramesh Vinayak Powar stated that in village Toap, the people of Vadar Community/Samaj are living in large numbers, an application has been made with the Hon'ble Revenue Minister for issuing temporary permissions, there is going to be a meeting in Mantralya on this issue, adding that the gram panchayat has denied permission as their demand for money was not met with by the respondents.

- District Collector instructed the respondents to submit their say and relevant documents. Decision/action will be taken after perusal of the same.

Copy of notice to the respondent for attending the hearing is annexed as **ANNEXURE-IV**.

Copy of the attendance sheet who attended the hearing is annexed as **ANNEXURE-V**.

Copies of the summary of the submission made by Respondent is annexed as **ANNEXURE-VI**.

- F) Board has carried out monitoring of ambient air quality and noise level at village Kasarwadi, near Grampanchayat office and near Birdev temple, village Toap. The analysis results are within standards prescribed under the National Ambient Air quality standard as per Notification of MoEFCC. However, no mining activity was being carried out during the monitoring.

Copy of analysis report for air quality is annexed as **ANNEXURE-VII**.

Copy of noise level is annexed as **ANNEXURE-VIII**.

Copy of google maps showing nearest quarry to the village is marked as **ANNEXURE-IX**.

- G) Forest Department, vide its letter dated 23/03/2016 to Bharat Rakhiv Battalion has stated that '*Notification vide Government Gazette No. FLD-1153/57127(k) dated 20/11/1953 notified survey No. 311 is included in Gut No. 630/1 of village Kasarwadi, hence Gut No. 630/A is now protected forest.*' The letter also mentions that the land is in possession of the Revenue Department, still all the provisions of the Conservation of Forest Act, 1980 are applicable to the said land. Therefore in the said land non-forest activities are not allowed. Copy of the said letter is annexed as **ANNEXURE-X**. However, as per the forest department, the land was in the custody of the Revenue Department.

- H) As per the instructions of District Collector, Tehsildar Hatkanagale along with the Forest department jointly carried out a survey, and the following was observed. The previous survey No. 311 of village Toap admeasuring 566.37 Acres was declared as a protected forest as per the Notification vide Government Gazette No. FLD-1153/57127(k) dated 20/11/1953. Later said Survey No. 311 was converted into Gat No. 976 admeasuring 228.27 Hectare. Out of this 7.11 hectares area was allotted to landless people by Revenue Department. The later remaining area was converted into Gat No. 630/1 of Village Kasarwadi. Said Gat No. was divided into Gat No. 630/1A, 630/1B, and 630/1C. The entire area of Gat No. 630/1B and 630/1C and 6.84 Hectare of Gat No. 630/1A has been allotted to landless people. The

balance area admeasuring 123.85 Hectare of Gat No. 630/1A is being handed over to the Forest Department and this work started on 8/2/2021 and is in progress and will be completed at the earliest.

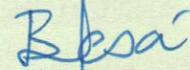
- 1) Revenue Department has taken penal action on illegal excavation and transportation of minor minerals in this area. From September 2019 to December 2020 has imposed a penalty of Rs. One Crore seventy lacs thirty-three thousand Nine hundred. (₹ 1,70,33,900/). Instructions have been given to the Circle officer and concerned Police authority to take penal action against illegal mining and transportation of minor minerals.



Ravindra B Andhale
Regional Officer, Kolhapur



R. R. Kale
Dy. Conservator of Forest,



Daulat B. Desai
District Collector, Kolhapur

ANNEXURE-I

**MAHARASHTRA POLLUTION CONTROL BOARD
SUB REGIONAL OFFICE, KOLHAPUR.**

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Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003.

MPCB/SRO/KOP/ 853/20

Dt- 02/12/2020

Office Order

Sub : Constitution of Committee as per Hon'ble NGT Order dated 09/11/2020 Original Application No. 66/2020.

Ref. : 1. Order dated 09/11/2020 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 66/2020 filed by Gram-Panchayat Kasarwadi v/s Maharashtra State Vadar Samaj Sangh & Ors.

2. Office Note Approved by Hon'ble District Collector, Kolhapur

Sir,

The Gram-Panchayat Kasarwadi filed application before Hon'ble NGT Principal Bench, New Delhi, bearing Original Application No. 66/2020 (WZ), Grievance in this application is against illegal stone mining activities in village Kasarwadi, Tal. Hatkanangale, Dist. Kolhapur.

Hon'ble NGT vide their order dated 09/11/2020, it is directed to form a joint committee comprising the State PCB, the Collector, Kolhapur and Chief Conservator of Forests, Kolhapur. The PCB will be the nodal agency. It is directed to Committee to verify the facts and also ascertain the stand of Respondents no. 1 to 14. The report to be submitted within two months by email at judicial-ngt@gov.in.

In this regard, Office Note is approved by Hon'ble District, Collector Kolhapur, further he directed to include Additional Collector, Kolhapur as a member of the committee being dealing with the mining subject.

Now Therefore the Joint Committee has been constituted as under

1. The Collector, Kolhapur ---- Chairman.
2. The Chief Conservator of Forests, Kolhapur ---- Member.
3. The Additional Collector, Kolhapur ---- Member
4. Regional Officer & Sub-Regional Officer, M. P. C. Board, Kolhapur --- (Member & Nodal Officer).

निरंजन खांडेकर (लिपिक) (9970067743)
C.C.F. Office Kolhapur

29/12/2020
S.A.K. 11/12/2020
आयक / लिपिक
उप वानसंरक्षक,
कोल्हापूर वन विभाग, कोल्हापूर

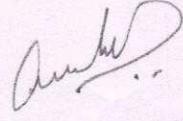
2/12/2020
आयक लिपिक
जिल्हाधिकारी कार्यालय
कोल्हापूर

अपर जिल्हाधिकारी, कोल्हापूर
करिता

ccftkolhapur@gmail.com

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In view of above, towards the compliance of Hon NGT order, the first meeting of committee members and the other concerned is scheduled on 09.12.2020 at 11.30 A.M. at Collector Office, Kolhapur under the Chairmanship of Hon'ble District Collector, to discuss the further course of action.



(Prashant Gaikwad)
Sub Regional Officer, Kolhapur

Copy Submitted Information to -

w/c

1. The Hon'ble District Collector, Kolhapur
2. The Chief Conservator of Forests, Kolhapur
3. The Additional Collector, Kolhapur
4. Regional Officer, M. P. C. Board, Kolhapur

ANNEXURE-II

COLLECTOR OFFICE, KOLHAPUR

Swaraj Bhavan, Nagala Park, Kolhapur

Minutes of the meeting held on 09-12-2020 in respect of O.A. No. 66/2020 before Hon'ble National Green Tribunal (WZ), New Delhi.

Grampanchayat at village Kasarwadi, Tal: Hatkanangale, Dist: Kolhapur has filed an application (OA No. 66/2020) with Hon'ble National Green Tribunal (WZ), New Delhi. In this matter, a hearing was held before the Hon'ble National Green Tribunal (WZ) on 09-11-2020 in which the Hon'ble NGT (WZ) has passed an order directing the authorities to constitute a joint committee consisting Maharashtra Pollution Control Board, the District Collector and Chief Conservator of Forest Department, Kolhapur and submit status report within two months.

As per the order, the District Collector Kolhapur formed a committee and its first meeting was held on 09-12-2020 at Collector Office, Kolhapur under the chairmanship of the District Collector, Kolhapur. Following committee members and invited officers were present for the meeting.

1. District Collector, Kolhapur.
2. Additional District Collector, Kolhapur.
3. District Mining Officer, Kolhapur.
4. Tahasildar, Hatkanangale, Dist: Kolhapur.
5. Regional Officer, Maharashtra Pollution Control Board, Kolhapur.
6. Sub Regional Officer, Maharashtra Pollution Control Board, Kolhapur.

During the meeting, thorough discussion was held on the directions issued by the Hon'ble NGT. Thereafter, the District Collector, Kolhapur issued following directions.

1. Officers of Revenue Department, District Mining Office, Forest Department and Maharashtra Pollution Control Board shall jointly visit the site i.e. Gat No. 630/1/A of village Kasarwadi, Tal: Hatkanangale, Dist: Kolhapur and study the present status.
2. The Sub Divisional Officer, Ichalkaranji and the Tahsildar of Hatkanangale shall cause flying visits to the site, carry out survey and shall take further necessary actions.

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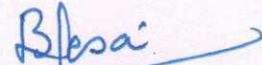
3. District Mining Officer, Kolhapur and Tahsildar, Hatkanangale shall obtain land records of above site from Deputy Superintendent Office of Land Records Department, Hatkanangale, Dist: Kolhapur and fix boundaries as per the records. If need be, the measurement of the gat area should be checked.
4. District Mining Officer, Kolhapur and Tahsildar, Hatkanangale shall investigate whether the lease holders / license holders of land carry out mining activity as per the permission given by the District Collector, Kolhapur and the Tahsildar.
5. Action taken report on above points shall be submitted by 16-12-2020. And the next meeting will be held on 18-12-2020 at District Collector Office, Kolhapur.

Nodal officer informed that Chief Conservator of Forest (CCF) nominated Dy. Conservator of Forest (DFO) as committee member, however DFO was not present for meeting, hence District Collector expressed displeasure for same and directed to inform DFO Kolhapur to be remain present in person for next meeting.

Thereafter, the meeting was concluded with vote of thanks to the chair.



(Ravindra Andhale)
Regional Officer,
MPC Board, Kolhapur.



(Daulat Desai, I.A.S.)
District Collector,
Kolhapur.

ANNEXURE-III

COLLECTOR OFFICE, KOLHAPUR

Swaraj Bhavan, Nagala Park, Kolhapur

Minutes of the meeting held on 18-12-2020 in respect of O.A. No. 66/2020 before Hon'ble National Green Tribunal (WZ), New Delhi.

Grampanchayat at village Kasarwadi, Tal: Hatkanangale, Dist: Kolhapur has filed an application (OA No. 66/2020) with Hon'ble National Green Tribunal (WZ), New Delhi. In this matter, a hearing was held before the Hon'ble National Green Tribunal (WZ) on 09-11-2020 in which the Hon'ble NGT (WZ) has passed an order directing the authorities to constitute a joint committee and submit status report within two months. .

As per the order, the District Collector Kolhapur already formed a committee and its second meeting was held on 18-12-2020 at Collector Office, Kolhapur under the chairmanship of the District Collector, Kolhapur. Following committee members and invited officers were present for the meeting.

1. District Collector, Kolhapur.
2. Additional District Collector, Kolhapur.
3. Dy. Conservator of Forest (DFO), Kolhapur
4. District Mining Officer, Kolhapur.
5. Tahasildar, Hatkanangale, Dist: Kolhapur.
6. Regional Officer, Maharashtra Pollution Control Board, Kolhapur.
7. Sub Regional Officer, Maharashtra Pollution Control Board, Kolhapur.

During the meeting, Observations & information gathered during joint visit of committee members to aforesaid site on 15.12.2020 are discussed. After thorough discussion following instructions are issued by Chairman of Committee.

1. A list of crusher unit & mine holder of Mouje kasarwadi & Top shall be prepared and ascertain whether they have obtained permissions/NOC of relevant departments and same shall be furnish to Maharashtra Pollution Control Board.
2. During the meeting Tahasildar Hatkanangale informed that on site survey is being carried out and work of measurement & demarcation is in progress, District Collector instructed to complete the same within next 3-4 day, without further delay.

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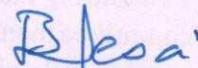
3. District Mining Officer, Kolhapur appraised to committee that Shri Appasaheb Gaikwad has filed a petition 66/2016 in Civil Court Kolhapur. District collector instructed that Order passed by Hon'ble Court in the said matter shall be discussed with District Government Pleader and Say regarding same shall be submitted to Court. Further District Collector instructed to District Mining Officer to send letter to Dy. Conservator of Forest (DFO) to take further appropriate action for mining carried out at S.No 630/1A .
4. District collector instructed to Dy. Conservator of Forest (DFO) to take Onus of the land as the said land at Kasarwadi is notified as reserved forest vide Notification 1953. Once the measurement & demarcation is complete all mining activity, if at all there shall be immediately stopped even if authorized earlier by any Authority. .
5. As per the Hon'ble NGT Order a hearing to Respondents No 1 to 14 shall be extended by issuing notice to ascertain their stand and to verify facts in the said matter.

At last Chairman directed to all committee members to submit their report before the next meeting.

Thereafter, the meeting was concluded with vote of thanks to the chair.



(Ravindra Andhale)
Regional Officer,
MPC Board, Kolhapur.



(Daulat Desai, I.A.S.)
District Collector,
Kolhapur.

महाराष्ट्र प्रदूषण नियंत्रण मंडळ प्रादेशिक कार्यालय, कोल्हापूर

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जा.क्र.मप्रनि/प्राका/को/ ey2 /२०२०

दि. 30/9/2020

सुनावणीची नोटीस

प्रति,

यादी प्रतिवादी क्र. १ ते १४

विषय - मौ. कासारवाडी ता. हातकणंगले जि. कोल्हापूर येथील ग्रामपंचायत कासारवाडी यांनी मा. हरीत न्यायाधिकरण नवी दिल्ली यांचेकडे दाखल केलेल्या Original application No. 66/2020 (WZ) केलेबाबत.
संदर्भ - मा. हरीत न्यायाधिकरण नवी दिल्ली यांचेकडील दि. ०९/११/२०२० रोजीचा आदेश.

उपरोक्त संदर्भिय विषयास अनुसरून मौ. कासारवाडी ता. हातकणंगले जि. कोल्हापूर येथील ग्रामपंचायत कासारवाडी यांनी मा. हरीत न्यायाधिकरण नवी दिल्ली यांचेकडे Original application No. 66/2020 (WZ) अर्ज दाखल केलेला आहे. सदर अर्जावरती मा. हरीत न्यायाधिकरण नवी दिल्ली यांचेकडे सुनावणी होऊन दि. 09/11/2020 रोजी आदेश पारित केलेला आहे.

त्याअनुषंगाने त्रिसदस्यीय समिती बैठक स्थापन करून दि. 09/12/2020 रोजी झालेल्या समितीच्या द्वितीय बैठकीमध्ये मा. कोर्टाच्या आदेशाप्रमाणे प्रतिवादी यांची सुनावणी घेवून दाव्यामध्ये नमूद मुद्द्यांबाबत म्हणने घेणेबाबत जिल्हाधिकारी यांनी सूचित केले. त्यानुसार ग्रामपंचायत कासारवाडी यांनी गट नं 630/1अ व ब मधील बेकायदशीर खाणकामामुळे कासारवाडी गावामध्ये वायु प्रदूषण, ध्वनी प्रदूषण, शेतजमीन नापीक होत आहे. तसेच उत्खननासाठी होत असलेल्या स्फोटकांमुळे गावातील घरांना तडे जावून तेथील रहिवाशांच्या सुरक्षिततेवर परिणाम होत असलेबाबतचे मुद्दे मा. हरीत न्यायाधिकरण नवी दिल्ली यांचेकडे दाखल Original application No. 66/2020 (WZ) दाव्यामध्ये नमूद केलेले आहेत.

त्यानुसार ग्रामपंचायत कासारवाडी यांनी दाखल केलेल्या Original application No. 66/2020 (WZ) मधील उक्त नमूद मुद्द्यांबाबतचा खुलासा करून आवश्यक कागदपत्रासह आपण जिल्हाधिकारी कोल्हापूर यांचे दालनामध्ये दि. 01/01/2021 रोजी सकाळी ११.३० वाजता सुनावणीसाठी उपस्थित रहावे.

सदरची नोटीस मा. अध्यक्ष, त्रिसदस्यीय समिती यांच्या मान्यतेने देण्यात येत आहे.

(रविंद्र आंधळे)

प्रादेशिक अधिकारी, कोल्हापूर

प्रत माहितीस्तव सादर -

- १) जिल्हाधिकारी कोल्हापूर.
- २) अतिरिक्त जिल्हाधिकारी, कोल्हापूर.
- ३) उप विभागीय अधिकारी, इचलकरंजी.
- ४) जिल्हा खणीकर्म अधिकारी, कोल्हापूर

प्रत माहितीस्तव व पुढील कार्यवाहीसाठी सादर -

मा. तहसिलदार, तहसिल कार्यालय, हातकणंगले, जि. कोल्हापूर.

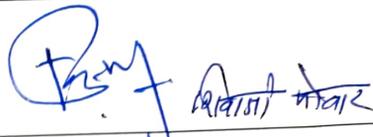
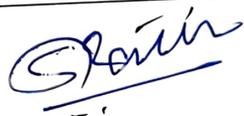
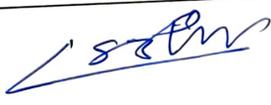
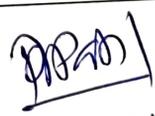
- यांना कळविण्यात येते की, सदर दाव्यामध्ये प्रतिवादी असणाऱ्या व्यक्ती व संस्था यांना सदरची नोटीस बजावून तसा अहवाल या कार्यालयास सत्वर सादर करावा.

प्रत - उप प्रादेशिक अधिकारी, म.प्र.नि. मंडळ, कोल्हापूर.

ANNEXURE-V

यादी प्रतिवादी क्र. १ ते १४

96

अ.क्र.	प्रतिवादी नाव	
१	महाराष्ट्र स्टेट वडार समाज संघ, मु.पो. टोप, तालुका-हातकणंगले, जि. कोल्हापूर (9850177777)	 शिवाजी पोवार ✓
२	मे. पोवार अॅण्ड ब्रदर्स, मु.पो. उजळाईवाडी, ता. करवीर, जि. कोल्हापूर. (9822353683)	 ✓
३	श्री. रंगराव बाबुराव गायकवाड, मु.पो. कासारवाडी, ता. हातकणंगले, जि. कोल्हापूर. (9881903182)	 ✓
४	श्री. प्रदीप नानासाहेब पाटील, मु.पो. कासारवाडी, ता. हातकणंगले, जि. कोल्हापूर. (9011767676)	 ✓
५	सौ. प्रविणा प्रदीप पाटील, मु.पो. टोप, तालुका- हातकणंगले, जि. कोल्हापूर (9011767676)	 ✓
६	श्री. दौलत महादेव पाटील, मु.पो. टोप, तालुका-हातकणंगले, जि. कोल्हापूर. (9175974455)	 ✓
७	श्री. सुरेश राजाराम पाटील, मु.पो. टोप, तालुका-हातकणंगले, जि. कोल्हापूर. (9822603430)	 ✓
८	श्री. सुनिल बाबासो पवार, मु.पो. टोप, तालुका-हातकणंगले, जि. कोल्हापूर. (9767705050)	 ✓
९	श्री. केरबा दादू जाधव, मु.पो. टोप, तालुका - हातकणंगले, जि. कोल्हापूर. (9011767676)	 ✓
१०	श्री. प्रकाश नामदेव पाटील, मु.पो. टोप, तालुका - हातकणंगले, जि. कोल्हापूर. (9922427979)	 ✓
११	श्री. चंद्रकांत भुपाळ नेलेकर, मु.पो. टोप, तालुका - हातकणंगले, जि. कोल्हापूर. (9922427979)	 ✓
१२	श्री. शिवाजी अनंदा पोवार, मु.पो. टोप, तालुका - हातकणंगले, जि. कोल्हापूर. (9850177777)	 ✓
१३	श्री. तानाजी आनंदा पोवार, मु.पो. टोप, तालुका - हातकणंगले, जि. कोल्हापूर. (9075842717)	 ✓
१४	श्री. आर. डी. भोसले, मु.पो. टोप, तालुका - हातकणंगले, जि. कोल्हापूर. (9604757575)	 ✓

मौजे कालरावडी ता. हागकवंगे कि कोल्हापूर मेचील शासपंचायत कालरावडी यांनी -
 भा. हति न्यायाधिकरण नवी दिल्ली यांनी कडे दरवळ केलेल्या original application no. 66/2020(W2)
 केसबाबतची शुनावणी थपड! जिलाधिकारी कार्यालय, कोल्हापूर दि. 09/09/2020. वे. 9/20.

क्र. नं.	उपस्थिताचे नाव	कार्यालयाचे नाव	मोबाईल नंबर / ई मेल आयडी	सही
01	ता. जिलाधिकारी, कोल्हापूर			
02	किशोर पवार	अपर जिल्हाधिकारी	9822596931	
03	आर. आर. कोळे.	उपवसंतरासक कोल्हापूर वजविभाग	9822225754	
4	अमोल शिराट	सजिवरुम अधिकाारी	9881915088	
5	रुविंद. कांधळे	यादीरीक अधिकारी	9892667704	
6	सुभाष मोरे	सुभाष मोरे अधिकारी	9850126758	

ANNEXURE-VI

The mining lease for the excavation of Black Stone was granted by this office at Gat No. 630/1A (Gayaran Land) of Kasarwadi, Taluka Hatkanangle to the applicants after the fulfillment of all documents as per the Bombay Minor Mineral Extraction Rules 1955. The lease period of these granted leases is over and after that leases were not renewed. As per the notification of Revenue and forest department, Government of Maharashtra dated on 12/07/2011, the new mining leases were not granted to anybody. The details of mining lease granted at Gat No. 630/1A of village Kasarwadi, Taluka Hatkanangle by this office were tabulated below:

Sl No	Name of the Lessee	Village/ Taluka	GatNo./ Sy.No.	Area in Ha.	Lease Granted oder No. and date	Lease Period	Remark
1	Maharashtra Rajya Wadar Samaj Sangh	Kasarwadi, Hatkanangale	630/1A	4.00	Karya/6A/SR/89/2009 dated 16.07.2009	03/03/2010 to 2/3/2015 (5 years)	Lease is not renewed
2	M/s. Powar and Brothers through its partner Ramesh V Powar	Kasarwadi, Hatkanangale	630/1A	0.80	Karya/6A/Goun/SR/53/2007 dated 17.12.2007	05.01.2009 to 04.01.2014 (5 years)	Lease is not renewed
3	Rangrao Baburao Gaikwad	Kasarwadi, Hatkanangale	630/1A	1.20	Karya/6A/Goun/SR/101/2009 dated 10.11.2009	21.12.2009 to 20.12.2014 (5 Years)	Lease is not renewed
4	Pradeep Nanaso Patil	Kasarwadi, Hatkanangale	630/1A	1.50	Karya/6A/Goun/SR/81/2009 dated 02.01.2009	05.02.2009 to 04.02.2014 (5 years)	Lease is not renewed
5	Doulat Mahadev Patil	Kasarwadi, Hatkanangale	630/1A	1.50	Karya/6A/Goun/SR/80/2009 dated 02.01.2009	05.02.2009 to 04.02.2014 (5 years)	Lease is not renewed
6	Suresh Rajaram Patil	Kasarwadi, Hatkanangale	630/1A	1.50	Karya/6A/Goun/SR/82/2009 dated 02.01.2009	05.02.2009 to 04.02.2014 (5 years)	Lease is not renewed
7	Adhyaksha Wadar Khan Kamgar Majur Sahakari Sanstha Marya Top	Kasarwadi, Hatkanangale	630/1A	4.00	Karya/6A/SR/90/2009 dated 16.07.2009	03/03/2010 to 2/3/2015 (5 years)	Lease is not renewed

As per the office record the mining leases were granted to respondent from Sl. No. 1 to 4 and 6,7 and 11 at gat no. 630/1A of Kasarwadi village of Hatkanangle Taluka period of 5 years for excavation of Black stone and after the lease period over the mining lease were not renewed by this office.

The Grampanchayat Kasarwadi filed O.A. application no. 66/2020 (WZ) in National Green Tribunal for illegal excavation of minor mineral in Gat No. 630/1A of village kasarwadi, Hatkanagale. In the matter Hon'ble court had passed order on 11.09.2020. as per the order of Honorable court district collector had took the personal hearing of Respondent No. 1 to 14. The respondents had submitted their written submission on the day of hearing. The summary of their submission is as below:

Sl. No.	Details of Respondent	Summary of his Submission	Remark
1	Maharashtra Rajya Wadar Samaj Sangh	Individually submitted their say.	Lease is not renewed
2	M/s. Powar and Brothers through its	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 0.80 Ha for period of 5 years	Lease is not renewed

	partner Ramesh V Powar	from 05.01.2009 to 04.01.2014. For the status of area there is petition no. 306/2016 is filed in District court, Senior Division, Kolhapur and as per the court order Taluka officer of Land Measurement department Hatkanangale had carried out the measurement of gat no 630/1a and submitted his measurement map to the court. As per the measurement plan the mining lease granted for me is falling in Government land. The said petition is still pending for final order. Kasarwadi Grampanchyat had given us NOC also we had Consent to operate from MPCB and we are doing crusher activity as per the rules and regulations. Kasarwadi village is 3 Km from my stone crusher. Hence complaint filed by Karaswadi Grampanchyat is false and wrong.	
3	Rangrao Baburao Gaikwad	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 1.20 Ha for period of 5 years from 21.12.2009 to 20.12.2014. For said mining lease I had obtained Environmental Clearance. After that lease renewal application was also rejected by Collector Kolhapur and presently we are not doing any mining activity at gat no. 630/1A. Kasarwadi grampanchyat had given me NOC. I had done the mining as per the rules and regulations. Kasarwadi village is 4-5 Km away from my excavation area and complaint is given by after the 6 years from expiry period of granted mining lease. Hence said compliant is wrong.	Lease is not renewed
4	Pradeep Nanaso Patil	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 1.50 Ha for period of 5 years from 05.02.2009 to 04.02.2014. For said mining lease I had obtained Environmental Clearance. After that lease renewal application was also rejected by Collector Kolhapur and presently we are not doing any mining activity at gat no. 630/1A. Kasarwadi grampanchyat had given me NOC. I had done the mining as per the rules and regulations. Kasarwadi village is 4-5 Km away from my excavation area and complaint is given by after the 6 years from expiry period of granted mining lease. Hence said compliant is wrong.	Lease is not renewed
5	Smt. Pravina Pradeep Patil	As per the respondent submission, Shree. Dattu Aba Powar resident of Top village had got 3 acres land as per the order no. LGSR396/1977 dated 30.12.1976. There was Regular Suit No. 468/2018 is filed in Civil court, Junior Division, Peth Vadgaon and as per court order said land is demarcated. I had done agreement with land owner and carried out mining for which I had paid royalty to government. The said land is 4-5 km away from Kasarwadi village. Hence complaint filed by Karaswadi Grampanchyat is false.	Lease was not granted
6	Doulat Mahadev Patil	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 1.50 Ha for period of 5 years from 05.02.2009 to 04.02.2014. For said mining lease I had obtained Environmental Clearance. After that lease renewal application was also rejected by Collector Kolhapur and presently we are not doing any mining activity at gat no. 630/1A. Kasarwadi grampanchyat had given me NOC. I had done the mining as per the rules and regulations. Kasarwadi village is 4-5 Km away from my excavation area and complaint is given by after the 6 years	Lease is not renewed

		from expiry period of granted mining lease. Hence said compliant is wrong.	
7	Suresh Rajaram Patil	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 1.50 Ha for period of 5 years from 05.02.2009 to 04.02.2014. For said mining lease I had obtained Environmental Clearance. After that lease renewal application was also rejected by Collector Kolhapur and presently we are not doing any mining activity at gat no. 630/1A. Kasarwadi grampanchyat had given me NOC. I had done the mining as per the rules and regulations. Kasarwadi village is 4-5 Km away from my excavation area and complaint is given by after the 6 years from expiry period of granted mining lease. Hence said compliant is wrong.	Lease is not renewed
8	Sunil Babaso Powar	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 4 Ha for period of 5 years to Maharashtra State Wadar Samaj Sangh, Top. For the status of area there is petition no. 306/2016 is filed in District court, Senior Division, Kolhapur and as per the court order Taluka officer of Land Measurement department Hatkanangale had carried out the measurement of gat no 630/1A and submitted his measurement map to the court. As per the measurement plan the mining lease granted for me is falling in Government land. The said petition is still pending for final order. We have given application for temporary permission for excavation of black stone at Gat no. 630/1A to Collector Kolhapur on 18.11.2020. Kasarwadi Grampanchyat had given NOC to other people. We have not done or doing illegal excavation of black stone at gat no. 630/1A. Stone breaking is our business and Government has made provision for Vadar community. Kasarwadi village is 3 Km from my stone crusher. The complaint filed by Karasrwadi Grampanchyat is for fulfillment of commercial matter which is false and wrong.	Lease is not renewed
9	Ganpati Kerba Jadhav on behalf of Kerba Dadu Jadhav	As per the respondent submission, my father Kerba Dadu Jadhav was injured in 1962 war hence, government allotted 2 ha land from Gat no. 630/1A fo Kasarwadi village to us. The land is hilly and stones are exposed in the area hence I have done agreement with 3 persons and done excavation of black stone for which I have paid royalty to government. Kasarwadi village is 4-5 Km away from my excavation area. I have done excavation as per MPCB guidelines and complaint filed by Karasrwadi Grampanchyat is false and wrong.	Lease was not granted
10	Prakash Namdev Patil	The respondent had not given any submission during hearing	Lease was not granted
11	Chandrakant Bhupal Nerlikar	As per the respondent submission, Collector Kolhapur had granted mining lease on my own area at Gat no. 630/1B, Kasarwadi, Hatkanangle over an area of 1.86 Ha for period of 5 years from 27.10.2015 to 26.10.2020. For said mining lease I had obtained Environmental Clearance.	Lease is not renewed
12	Shivaji Ananda Powar	As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 4 Ha for period of 5 years to Maharashtra State Wadar Samaj Sangh, Top. For the status of area there is petition no. 306/2016 is filed in District court, Senior Division, Kolhapur and as per the	Lease is not renewed

		<p>court order Taluka officer of Land Measurement department Hatkanangale had carried out the measurement of gat no 630/1A and submitted his measurement map to the court. As per the measurement plan the mining lease granted for me is falling in Government land. The said petition is still pending for final order. We have given application for temporary permission for excavation of black stone at Gat no. 630/1A to Collector Kolhapur on 18.11.2020. Kasarwadi Grampanchyat had given NOC to other people. We have not done or doing illegal excavation of black stone at gat no. 630/1A. Stone breaking is our business and Government has made provision for Vadar community. The complaint filed by Karasrwadi Grampanchyat is for fulfillment of commercial matter which is false and wrong.</p>	
13	Tanaji Ananda Powar	<p>As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 4 Ha for period of 5 years to Maharashtra State Wadar Samaj Sangh, Top. For the status of area there is petition no. 306/2016 is filed in District court, Senior Division, Kolhapur and as per the court order Taluka officer of Land Measurement department Hatkanangale had carried out the measurement of gat no 630/1A and submitted his measurement map to the court. As per the measurement plan the mining lease granted for me is falling in Government land. The said petition is still pending for final order. We have given application for temporary permission for excavation of black stone at Gat no. 630/1A to Collector Kolhapur on 18.11.2020. Kasarwadi Grampanchyat had given NOC to other people. We have not done or doing illegal excavation of black stone at gat no. 630/1A. Stone breaking is our business and Government has made provision for Vadar community. The complaint filed by Karasrwadi Grampanchyat is for fulfillment of commercial matter which is false and wrong.</p>	Lease is not renewed
14	R. D. Bhosale	<p>As per the respondent submission, Collector Kolhapur had granted mining lease at Gat no. 630/1A, Kasarwadi, Hatkanangle over an area of 4 Ha for period of 5 years to Maharashtra State Wadar Samaj Sangh, Top. For the status of area there is petition no. 306/2016 is filed in District court, Senior Division, Kolhapur and as per the court order Taluka officer of Land Measurement department Hatkanangale had carried out the measurement of gat no 630/1A and submitted his measurement map to the court. As per the measurement plan the mining lease granted for me is falling in Government land. The said petition is still pending for final order. We have given application for temporary permission for excavation of black stone at Gat no. 630/1A to Collector Kolhapur on 18.11.2020. Kasarwadi Grampanchyat had given NOC to other people. We have not done or doing illegal excavation of black stone at gat no. 630/1A. Stone breaking is our business and Government has made provision for Vadar community. The complaint filed by Karasrwadi Grampanchyat is for fulfillment of commercial matter which is false and wrong.</p>	Lease is not renewed



MAHARASHTRA POLLUTION CONTROL BOARD

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

REGIONAL LABORATORY, CHIPLUN

(An ISO: 9001:2015 & OHSAS: 18001 :2007 Certified Laboratory)

To,
The Sub Regional Officer,
M.P.C. Board, Kolhapur.

ANALYSIS REPORT Ambient Air Quality Monitoring

Lab Report No :- A-105
Sample code :-SROK/AAQM/ENV-01/2020
Type of industry :- Shri. Umaji Nikam House, near Grampanchayat, Kasarwadi, Kolhapur.
Date of Sample Collection :-18/12/2020
Date of Sample Received :-22/12/2020
Sample collected by :- S. J. Harbad, FO
Seal No. :- 318

Time of Sampling in Hrs.	Parameters			
	SO ₂	NO _x	RSPM	NH ₃
4:00 (17:00to 21:00)	10	24.0	131.0	---
4:00 (21:00to 01:00)	BDL	20.0		---
4:00 (01:00to 05:00)	BDL	22.0	66.0	---
4:00 (05:00to 09:00)	9.0	20.0		---
4:00 (09:00to 13:00)	10	21.0	64.0	---
4:00 (13:00to 17:00)	9.0	22.0		---
24:00 Hrs (Average)	9.0	21.0	87.0	---

Note: - 1) All parameter expressed in ug/m³.
2) BDL indicates Below Detectable limit.
3) NA-Not Analysed

(A.V.Mandavkar)
Scientific officer,
Regional Laboratory, Chiplun.



MAHARASHTRA POLLUTION CONTROL BOARD

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

REGIONAL LABORATORY, CHIPLUN

(An ISO: 9001:2015 & OHSAS: 18001 :2007 Certified Laboratory)

To,
The Sub Regional Officer,
M.P.C. Board, Kolhapur.

ANALYSIS REPORT Ambient Air Quality Monitoring

Lab Report No :- A-106
Sample code :-SROK/AAQM/ENV-02/2020
Type of industry :- Shri. Rama Dagadu Dinga House, near Gangaram nagar Toap, Kolhapur.
Date of Sample Collection :-19/12/2020
Date of Sample Received :-22/12/2020
Sample collected by :- S. J. Harbad, FO
Seal No. :- 318

Time of Sampling in Hrs.	Parameters			
	SO ₂	NO _x	RSPM	NH ₃
4:00 (17:30to 21:30)	9.0	18.0	78.0	---
4:00 (21:30to 01:30)	BDL	13.0		---
4:00 (01:30to 05:30)	BDL	16.0	83.0	---
4:00 (05:30to 09:30)	8.0	10.0		---
4:00 (09:30to 13:30)	9.0	18.0	79.0	---
4:00 (13:30to 17:30)	9.0	10.0		---
24:00 Hrs (Average)	9.0	14.0	79.0	---

Note: - 1) All parameter expressed in ug/m³.
2) BDL indicates Below Detectable limit.
3) NA-Not Analysed

(A.V.Mandavkar)
Scientific officer,
Regional Laboratory, Chiplun.



CASELLA
 CEL-633C/IP v031-02
 Serial number 4181507
 Response Freefield
 Start
 6-Jan-2021 0:33:57
 Duration 0:30:02
 Pause duration 0:00:00
 Overload No Run 15

CALIBRATION

Before
 6-Jan-2021 0:33:46
 After
 6-Jan-2021 1:05:17
 Cal reference 114.0 dB
 Cal change +0.0 dB

RESULTS (dB)

L_{Aeq} 66.4
 L_AF_{max} 91.0
 L_AF_{min} 43.1
 L_AE 99.0

Location
 GPS 16.80106 74.26618

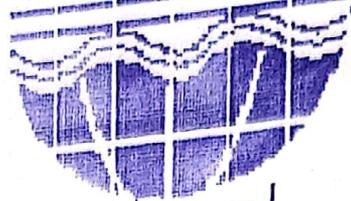
Operator Name
 S.J. Harbad

Signature *(Harbad)*

Witness
 Nitin V. Pawar

(Pawar)

MAHARASHTRA



MAHARASHTRA
POLLUTION CONTROL BOARD

CASELLA
 CEL-633C/IP v031-02
 Serial number 4181507
 Response Freefield
 Start
 6-Jan-2021 0:00:57
 Duration 0:30:02
 Pause duration 0:00:00
 Overload No Run 16

CALIBRATION

Before
 6-Jan-2021 0:00:42
 After
 6-Jan-2021 0:31:52
 Cal reference 114.0 dB
 Cal change +0.0 dB

RESULTS (dB)

L_{Req} 64.1
 L_{AFmax} 91.7
 !L_{AFmin} 50.2
 L_{AE} 96.6

Location
 GPS 16.78746 74.27828

Operator Name
 S.J. Harbad

Signature

Witness

म्हसोबा मंदिर

कासारवाडी

समर्थ कृषी

सेवा केंद्र

Kasarwadi Rd

Sai Mandir Kasarwadi

साई

कास

asarwadi Rd

1.07 km

500.00 m

0



Office Sub Conservator of Forest, Kolhapur Forest
Division, Kolhapur

'Vanvardhan' Tarabai Park, Opp. Post Office, Kolhapur

Phone: (0231) 2651959 Fax : (0231) 2652807 E-mail:
dycfkop2007@Yahoo.com

No. B.Kash-13/Survey/2015.16/60464
Kolhapur 3, Date : 23/03/2016

To:

The Officer in-charge,
Bharat Rakhiv Batalian,
Kolhapur

Subject: For supplying information about Survey No.630/1 of village
Kasarwadi, Taluka- Hatkanangale to Bharat Rakhiv Batalian-3 Kolhapur.

Reference: 1. Your letter No. BHa.Ra.B-3/Sama/JAGA.Magni/641 Dt.
10/02/2016

2. Area Forest Officer, Karveer letter No.A/Survey/1887 dated
23/03/2016

With reference to the letter mentioned above at Sr.No.1 we are sending you
'forest report' as under:

On verifying the report submitted by Area Forest Officer, Karveer vide their
letter as mentioned above at Sr.No.2, and also on inspecting the record
maintained in this office, we say that from the area of Top village Kasarwadi
village is separated. Before the said division, Survey No. 361, 362 and 311 of
the then Top Village admeasuring total 229.42 Hectarre is notified as 'Reserved
Forest' vide Government Gazette No. FLD-1153/57127(k) Dated 20/11/1953.
On perusal of extract 9(3), 9(4) it is revealed that Survey No 311 is now included
in Gat No.630/1 of village Kasarwadi. Therefore Gat No. 630/a is now 'Reserved
Forrest'.

Thus on verifying the record of this Forest Department, we say that as per
Government Gazette No. FLD-1153/57127(k) Dated 20/11/1953 land which
was declared s 'Reserved Forest' which is in the village Top is though now in
possession of Revenue Department, still all the provisions of Conservation of
Forest Act. 1980 are applicable to the said land. Therefore in the said land non-

Forest activities are not allowed. You may take note of this provision and take care that no any breach of such provision will be committed by you.

Sd/-xxx

Asstt. Conservator of Forest, Kolhapur

Copy to - Forest Officer, Karveer for information and necessary action.