

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH AT PUNE

ORIGINAL APPLICATION NO.. 109 OF 2023

IN THE MATTER OF:

PRALHAD TUKARAM GAWANDE AND OTHERS ..Applicant

Versus

STATE OF MAHARASHTRA AND OTHERS

..Respondents

ADDITIONAL AFFIDAVIT ON BEALF OF RESPONDENT NO.3



I, Suraj Kisanrao Rathod, S/o Kisanrao Nimbaji Rathod. age 51 years, occ. Service as Executive Engineer, lower Penganga Project Division, Yavatmal , do hereby beg to state on solemn affirmation as under:

1. I say and submit that, on behalf of the Respondent no.3, I am filling this Additional Affidavit in Reply to this Original Application filed by the Applicant. I say that, I have gone through the contents of Application filed by the Applicant and the records available in the office. I am well conversant with the facts of this case and able to depose the same on oath. I crave leave

of this Hon'ble Authority to file additional affidavit, if necessary. I deny each and every statement and averments made by the Applicant in the present Application as the same are false and baseless. I deemed to have denied all contentions of this Application unless they are specifically admitted by me herein after.

2. I say that, the EIA, EMP, public hearing, and all necessary documents were submitted to MoEF on 15/02/2006, 28/06/2006, and 30/11/2006 as per the instructions and procedure given in the 1994 Notification for obtaining EC to the Lower Penganga Irrigation Project, also the application for obtaining EC was submitted as per Schedule -II of EIA notification 1994. here Letters marked as EXHIBIT- IA, EXHIBIT- IB, EXHIBIT- IC
3. I say and submit that, the Environmental Impact assessment (EIA) study , Environmental management plan (EMP) and public hearing these all studies and procedure are carried out considering same site location from 1984 to as of today. There is no change in site of project. Also there is no change in scope of project.
4. I say and submit that, as per the circular dated 8th December, 2006 it is specifically stated that, "In respect of cases where site clearance has been accorded before 14th September, 2006 and EIA and EMP has been prepared and public hearing has been conducted; appraisal etc., will be in accordance to the procedure given in EIA Notification, 1994."
5. I say that, the Superintending Engineer, Yavatmal Irrigation Circle, Yavatmal vide a letter dated 17/02/2007 to the Secretary, Ministry of Environment and Forest, Government of India has specifically





informed, in order to proceed as per the interim guidelines dated 08/12/2006 and the proposal for Environment Clearance shall be approved as per the EIA notification of 1994.. It is further submitted that, in the meeting of EAC dated 21/02/2007, the proposal of Environment Clearance will be discussed with the Ministry of Environment and Forest that, the proposal for environmental clearance of the project should be approved as per EIA 1994 " As per the MoEF (IA Division) Circular dated 8th Dec. 2006, for Interim Operational Guide Lines in respect of River Valley & Hydro-Electric Power Project applications made under EIA 1994 provision para-i No. is for the project where site clearance is accorded before 14th Sept, 2006 and EIA & EMP has been prepared and public hearing has been conducted, appraisal etc. will be in accordance to the procedure given in EIA Notification 1994.

As stated in the above para the Environmental clearance for the project was accorded to the Lower Penganga Project in 1984 and there is no change in scope and site location of Lower Penganga Irrigation Project. Hence admittedly it can be considered that, the Lower Penganga Project is accorded site clearance before 14th Sept. 2006." . Here to annexed and marked as EXHIBIT-II is the copy of letter dated 17.02.2007.

6. I say and submit that, as per the MPCB letter dated 23.06.2006 MPCB Member secretary submitted proceedings of the public hearing conducted on 06.05.2006. here as EXHIBIT-III
7. I say and submit that, as per the MPCB letter dated 13.07.2006 MPCB granted "consent to Established" for the Lower Penganga



Project. Which clearly clarifies the location for the construction of Dam. here as EXHIBIT-IV

8. I say and submit that, therefore, in the meeting of EAC (Expert Appraisal Committee) of MoEF on 21/02/2007 the said project was considered for EC as per 1994 MoEF as clarified in letter dated 09/03/2007 to the the superintendent Engineer, Yavatmal Irrigation Circle, Yavatmal. The EC granted to the Project on 17/05/2007. Therefore it is merely an .typo graphical error to mention that, EC was granted as per 2006. the copy of letter dated 09/03/2007 is already attached
9. I say and submit that, An FIR was lodged against The Dharan Virodhi Sangharsha Samiti for attempting to obstruct the project by creating difficulties for the officers involved, aiming to delay the project. The Dharan Virodhi Sangharsha Samiti filed various writ petitions to halt the project. On 12/07/2007, the project's Executive Engineer and other Officers along with site Labors were brutally assaulted and paraded half-naked, resulting in the suspension of the Project work. And due to this extremely difficult situation and demoralization of the officers caused further delays in restarting of the Project. here as EXHIBIT-V
10. I say and submit that it is crystal clear that, the present Applicants are project affected people and only intention behind filing of this Application is to only delay the project and waste all efforts of Government Machinery and Public money invested since 1975 for development of this Rural and Financially backward Zone. The Respondents are compelled to deal with all odds and negative atmosphere at work place due to strong oppositions of the local People. Considering the need of the said Irrigation Project and



urgency to complete it within stipulated time the officers of Respondents are required to keep the Project work moving fast in all negative conditions. It is submitted that, till date total work completed around 6.94 % of project work including land acquisition and Expenditure of project up to August 2024 is Rs. 810.01 Cr.(Maharashtra 517.96 Cr.& Telangana 292.05). Telangana State expenditure is of ₹292 crores has been on canal construction. Due to the delay of the project, both Maharashtra and Telangana states are suffering losses.

11. It is submitted that, The current estimated cost of the project is approximately ₹25000 crores. The delay of the project by one year costs nearly ₹1500 crores per year, which is a huge national loss.
12. I most respectfully pray that, it is causing huge loss to public exchequer and delays in benefits of drinking water and irrigation to deprived Arid Regions. In the light of above submissions and the relevant documents submitted before this Hon'ble court be pleased to dismiss the present Application with heavy cost

Place: Yavatmal

Date : 01/10/2024

Deponent

 (S.K. Rathod)
 Executive Engineer
 Lower Penganga Project Division
 Yavatmal

VERIFICATION

I, Suraj Kisanrao Rathod, S/o Kisanrao Nimbaji Rathod. age 51 years , occ. Service as Executive Engineer, lower Penganga Project Division, Yavatmal, do hereby state on solemn affirmation that whatever stated herein above is based upon the information derived

from the official records, which I believe to be true and correct.

The present reply is drafted as per my instructions.



Advocate

Solemnly affirmed at Yavatmal)

This day of 01/10/ 2024)

Shakuntala Wadekar

Deponent

(S.K. Rathod)
Executive Engineer
Lower Penganga Project Division
Yavatmal



N.R.S.No. 6711/2024 Dt. 3/10/2024
Solemnly affirmed before me

Shri. Suraj N. Jaisingpure
Advocate & Notary
At. Po. Dist. Yavatmal (M.S.) In Ja
Dated 3/10/2024
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No.: ^{EOA}...../T8/LPP/MoEF/2006.

Yavatmal Irrigation Circle, Yavatmal.

Date :

15 FEB 2006

To,

The Secretary to the Govt. of India
Ministry of Environment & Forests
Paryavaran Bhavan, CGO Complex,
Lodhi Road, New Delhi 110 003.

SUB: Diversion of 998 Ha. of Forest land for construction of Lower Penganga Major Irrigation Project in Yavatmal, Nanded & Chandrapur District of Maharashtra.

REF: Govt. of India, MoEF FC division's letter No. F No.8-129/2002-FC, Dtd.5.10.2005.

* * * * *



With reference to the letter cited above, comprehensive Environment Impact Assessment Report of Lower Penganga Project Tq.Ghatanji Distt.Yavatmal (Maharashtra) is submitted herewith for your kind persual.

Regarding Public Hearing the necessary action regarding the deposition of fees & submission of executive summary to the Maharashtra Pollution Control Board have been completed. Public hearing for this Project is proposed to be held in the month of April 2006.

R & R plan is under preparation and it will be submitted by the end of March 2006.

Submitted for your kind information & necessary action, please.

D.A.: one booklet.


Superintending Engineer
Yavatmal Irrigation Circle,
Yavatmal. 

1. Copy submitted to the Principal Secretary, Water Resources Deptt. Mantralaya Mumbai.
2. Copy submitted to the Secretary (Forests) Revenue & Forest Deptt. Govt. of Maharashtra, Mumbai.
3. Copy submitted to the Executive Director, Vidarbha Irrigation Development Corporation, Nagpur.
4. Copy submitted to the Chief Engineer, Water Resources Deptt. Amravati.

To,

✓ The Secretary to the Govt. of India
Ministry of Environment & Forests
Paryavaran Bhavan, CGO Complex
Lodhi Road, New Delhi.
110 003.

(KIND ATTN: Shri. Sanjeev Chaddha, Addnl. Inspector General of forest,
MoEF, New Delhi)

SUB: Diversion of 998 Ha. of forestland for construction of Lower
Penganga Major Irrigation Project in Yavatmal, Nanded &
Chandrapur district of Maharashtra.


REF: 1] Govt. of India, MoEF F.C. division letter No.F.No.8-129/2002-FC,
Dtd.5.10.05.
2] This office letter No.602/T8/LPP/MoEF/2006, Dtd.15.2.2006.

With reference to letter No.2 cited above Comprehensive
Environment Impact Report of Lower Penganga Project Dist. Yavatmal
(Maharashtra) was submitted. Public Hearing of the project was held on
6.5.2006 & Public hearing Report has been submitted to your office by
Maharashtra Pollution Control Board, Mumbai.

Comprehensive Environment Impact Assessment Report,
Rehabilitation & Resettlement Action Plan of the project is submitted
herewith for your kind persual please. With this all the information asked
with reference to letter No.1 referred above have been submitted to your
office. Hence it is requested to do further needful for the clearance of 998
Ha. of forestland required for Lower Penganga Project at earliest please.

Thanking You.

encl: Two Booklet.


Superintending Engineer
Yavatmal Irrigation Circle,
Yavatmal. 4/1.

No./ 5341 /T-8/LPP/536/Environment/06

Yavatmal Irrigation Circle,
Yavatmal.

Date :- 30/11/06

To,

The Secretary to the Govt. of India
Ministry of Environment & forest
Paryavaran Bhavan C.G.O. Complex
Lodhi Road New DelhiSub.: Submission of necessary proposal for Environmental
clearance of Lower Penganga Project.

Dear Sir,

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दि. नं.	7/12/06
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With reference to above mentioned subject please find enclosed here-with the following Environmental Impact Assessment studies report for your perusal.

- 1) MoEF Application & Questionnaire - 1 Copy
- 2) E.I.A. Report - 1 Copy
- 3) Necessary documents

It is requested to kindly process the proposal for Environmental clearance at the earliest.

Thanking you.

Encl. As above/

Superintending Engineer
Yavatmal Irrigation Circle.
Yavatmal.

Copy :-

- 1) Submitted to the Executive Director, V.L.D.C. Nagpur for favour of information please.
- 2) Submitted to the Chief Engineer, Water Resources department, Amravati for favour of information
- 3) To the Executive Engineer, Lower penganga Project Division Yavatmal. for Further action.

No. 744/T-8/LPP/Envir/07

Office of the
Superintending Engineer,
Yavatmal Irrigation Circle,
Yavatmal
Date :- 17.2.2007

To,

The Secretary
Ministry of Environment & Forest
Govt. of India
Paryavarn Bhavan CGO Complex
Lodhi Road New Delhi

(Attent :- Dr.S. Bhowmik Additional Director)

**Subject :- Lower Penganga Project in Maharashtra -
Environmental Clearance.**

Ref. :- MoEF letter No. 21011/13/2001-IA. I Dt. 31.03.2006

With reference to the letter cited above Environmental proposal of Lower Pengnaga Project will be considered by the expert committee on 21st Feb. 2007.

In this respect it is to state that Environmental clearance was already accorded to Lower Pengnaga Project by MoEF GoI in 1984, but the work of project could not be started for want of Forest Clearance.

As per the MoEF (IA Division) Circular dated 8th Dec. 2006, for Interim Operational Guide Lines in respect of River Valley & Hydro-Electric Power Project applications made under EIA 1994 provision para-i No. is for the project where site clearance is accorded before 14th Sept, 2006 and EIA & EMP has been prepared and public hearing has been conducted, appraisal etc. will be in accordance to the procedure given in EIA Notification 1994.

As made clear in the above para the final Environmental clearance for the project was accorded to the Lower Penganga Project in 1984 and hence separate

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site clearance may not be required and it can be considered as the project with site clearance accorded before 14th Sept. 2006.

EIA & EMP reports along with R/R plan were submitted to the MoEF, GoI, by the State Govt. vide letter dated 28.6.2006. Though it was submitted to the forest wing as per MoEF directive the same may be considered as submission of EIA & EMP before 14th Sept. 2006.

The exhaustive public hearing of the project has been conducted on dated 6.5.2006 by Maharashtra Pollution Control Board as per the directive of MoEF vide letter dated 5.10.2005. As the Public hearing has been conducted through State representative of Environmental wing and as per the directive of MoEF, GoI, the same Public hearing needs to be considered for Environmental appraisal of the Project.

As made clear above, the Lower Penganga Project satisfies all the provisions in para 1 of the circular of MoEF dated 8th Dec. 2006, and the same may be appraised as per the procedure given in EIA notification 1994. Hence Final environmental clearance may be accorded to the project in the Expert Committee's meeting proposed to be held on 21.2.2007.

Thanking you

D.A. 1) Brief note (^{Nine} copies)

Yours Faithfully,

WADWA
Superintending Engineer,
Yavatmal Irrigation Circle,
Yavatmal.

Received
21-2-2007

MAHARASHTRA POLLUTION CONTROL BOARD

☎: 24010437

☎: 24024068

Visit us at: <http://mpcb.mah.nic.in>Email: mpcb@vsnl.net

KALPATARU POINT, 2nd, 3rd & 4th Floor,
Opp. Cineplanet, Near Sion Circle,
Sion East, MUMBAI: 400 022

NO. BOIRO (P&P)/PHIB- 577

Date: 23/06/2006.

To,
The Secretary,
Ministry of Environment & Forests,
Government of India,
Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi-110 003.

Sub: Environmental Clearance for Proposed Project.

Sir,

Please find submitted herewith the report of the proceedings of the public hearing conducted on 06.05.2006 for Lower Painganga River Project of Vidarbha Irrigation Development Corporation at Tadsawali, Tq. Ghatangi, Dist: Yavatmal.

Yours faithfully,

(D. B. Boralkar)
Member Secretary

D.A.: Report of Public Hearing.

Copy submitted to:

The Secretary (Environment), Government of Maharashtra, Mantralaya,
Mumbai-32, for information.

Copy to Applicant of the project:

1. Chief Engineer, Irrigation Dept., Amravati Division, Amravati.

Copy to:

1. Regional Officer, MPCB, Amravati.
2. Sub-Regional Officer, MPCB, Amravati-II.

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MINUTES OF ENVIRONMENTAL PUBLIC HEARING FOR
LOWER PAINGANGA PROJECT,
AT TADSAWALI, TQ: GHATANJI/ KHADKA, TQ: ARNI, DIST: YAVATMAL
HELD ON 06/05/2006.

The Department of Irrigation, Government of Maharashtra proposed a major Irrigation Project having project cost of Rs. 1402.43 Crores across River Painganga, near village Tadsawali, Tq: Ghatanji / Khadka, Tq: Arni, of Yavatmal District for obtaining Environment Clearance as per Ministry of Environment & Forest Notification dtd 27/01/1994 and 10/04/1997 & amended from time to time was conducted under Chairmanship, Additional Collector, Yavatmal at Tahsil premises, Arni, Tq. Ghatanji, Dist: Yavatmal on 6th of May, 2006 at 13.00 hrs. The advertisements for this Public Hearing was first published by Maharashtra Pollution Control Board in News Papers viz. daily "The Hitvada" (English) and daily "Lokmat", (Marathi) in its issue on 13/01/06 and 12/01/06 & 14/01/06 respectively. As per request made by project proponent regarding revision of the project, the Public Hearing proposed on 14/02/2006 was postponed as per request. After getting the request letter from project proponent again Maharashtra Pollution Control Board issued advertise on 21/03/2006 for conduction of Public Hearing on 20/04/2006 but subsequently the same Public Hearing was also postponed due to same unavailable reasons. Accordingly, the advertisement were published in News Papers viz. daily "Lokmat" (Marathi) and daily "Hitavada" (English) from time to time for postponement and cancellation of Public Hearing. Finally Maharashtra Pollution Control Board had issued Public Notice in News Papers viz. daily "The Hitvada" (English) and daily "Lokmat", (Marathi) in its issue on 29/04/06 and 28/04/06 respectively for conduction of Public Hearing on 06/05/2006. The advertisement newspaper cutting are attached as Annexure – I. The Maharashtra Pollution Control Board has constituted a panel

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of Public Hearing in accordance with the directions of the said Notification vide Office Order No. E-109 of 2006 dtd 27/03/2006. The office order regarding constitution of Panel Members are attached as Annexure – II.

The following Members of the Public Hearing Panel were present at the time of Public Hearing :-

- 1) Shri A.E. Bansod
Additional Collector Yavatmal. : Chairman
- 2) Shri V.M. Motghare
Regional Officer,
Maharashtra Pollution Control Board, Amravati. : Member
- 3) Shri M.A. Matey (Representative)
Superintending Engineer,
Yavatmal Irrigation Circle, Yavatmal. : Member.

SENIOR CITIZEN :

Shri Parasramji B. Sidam
At Kawatha Tq.Arni Dist. Yavatmal. : Member.

Shri B. J. Kale, Sub-Regional Officer, Amravati : Convener

The local body member and senior citizens were present in the Public Hearing in audience but due to harmful hindrance caused by the opposition these members could not be allowed to take their seat on the dias. Shri Parasramji B. Sidam, Senior citizen initially seated on the dias but latter on pulled off from the dias by the opposition.

The attendance data sheet of Public Hearing Panel Members and audience during Public Hearing are also enclosed as Annexure – III.

Dr. Sandeep Dhurve, MLA, Kelapur, Dist. Yavatmal, Shri. Vishwasrao Nandekar; MLA, Wani, Dist. Yavatmal; Shri. Sanjay Deshmukh, MLA, Digras, Dist. Yavatmal; Shri. Wamanrao Chatak, MLA, Rajura, Dist. Chandrapur; Shri. Shivajirao Moghe, Ex-Minister, Maharashtra State, other Public Representative, the Sarpanch of various Grampanchayat, villagers, agriculturist of affected area, representative of project proponent, Govt. Officials were present during Public Hearing.

Shri. B.J. Kale, Sub-Regional Officer, Maharashtra Pollution Control Board, Amravati-II as a Convener of Public Hearing welcomed the Chairman, Panel Members, Public Representatives and all other Public participants and introduced Panel Members to the audience. He briefed the purpose and procedure Public Hearing. As per the directions in the said Notification, the copies of Executive Summary of this project in English & Marathi were made available one month in advance at the offices mentioned in the said Notification and the Public Notice was also published in News Papers viz. "Hitavada" (English) and "Lokmat" (Marathi) before one month prior to the Public Hearing as per MoEF Notification dtd 10/04/1997.

Shri. V.M. Motghare, Member and Regional Officer, M.P.C. Board, Amravati delivered the speech regarding the purpose and procedure of Public Hearing which includes Presentation by Project proponent, questions/objections/suggestion form audience and subsequent answer by the project proponent then he requested the project proponent for presentation about this project.

The Project Proponent Shri M.A. Matey, Superintending Engineer, Yavatmal Irrigation Circle, Yavatmal delivered introductory speech. He presented in detail with all details & importance of the Lower Penganga Project before the audience who were present for the Public Hearing, give brief about project.

Then Shri V.M.Motghare, Member, Regional officer, Pollution Control Board, Amravati requested the audience present to express their views about the proposed Lower Penganga River Project. Accordingly following persons express their objections/views/ suggestions etc. as under :

(1) Shri Bhaskar Ithape, Working President of Nimna Painganga Dharan

Virodhi Sangharsh Samiti, has raised the following points :-

1. How many Panel Members of the Public ^{Public Hearing Panel} are present on the dais?
2. Are the Panel Members taken from affected area of the project ?
3. Is Notification of the Public Hearing is published in Marathwada Region.
4. Number of trees, age & category of the trees in project area is not mentioned in environmental report.
5. Number of villages & number of people affected due to water containing fluoride is not mentioned in the report.
6. Project affected area bears approximately 20 lacs trees having age ranging from 1 year to 200 years. This fact is not mentioned in the report.
7. It is assured that plantation will be done on alternative non forest area. These newly planted trees will not yield fruitful results at least for 20 years from the date of plantation. So what alternative arrangements are made to maintain environmental balance for these 20 years.
8. Generally 33% forest land is to be kept reserved for plantation, what is the status in the present case ?

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9. Canal runs through Tipeswar sanctuary. During execution of canal in this project area, 10,000 workers will be working on this work. Then how wild life in this area will be protected from these works and movement of peoples.
10. Wild animals will be disturbed by noisy sound of machinery & they will turn towards nearby villages. How villages & these wild animals will be protected from each other.
11. Aquatic lives will be destroyed due to canal water flowing through sanctuary.
12. There exists historical monuments which are 600 years old as well as temples like Kapileshwar, Unakeswar. How losses due to destruction of these structures will be recovered.
13. Agency who has prepared the Environmental Report is treated as illegal by the Hon'ble Court.
14. Whether Environmental Department, Govt. of India, has carried out field inspection ?
15. 42 villages comes under submergence, out of which 41 villages are tribal. What measures are taken to protect tribal culture, which will be destroyed being in submergence area.
16. Back water of storage tank will spread in low lying area adjacent to submergence, which will cause disease like Malaria etc. What measures are being taken to avoid this?

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(2) Shri Pralhadrao Patil Jagtap, President of Nimna Painganga Dharan Virodhi Sangharsh Samiti, has raised the following points:-

1. Irrigation should be done by constructing barrages on Penganga River like 'Vishnupuri barrage' instead of Lower Penganga major dam.
2. Canal runs through Western Coalfields Ltd area, in view of this Western Coalfield Ltd. has not accorded permission for this, whether the permission is taken or not ?
3. As per Annexure-5 of constitution, special rights are awarded to tribal people by virtue of which land belonging to tribal community can not be handed over to non-tribal. In view of this, how will Government acquire land in the ownership of tribal community.

(3) Shri Mubarak Tanwar Vice President, Zilla Parishad, Yavatmal has raised following points :-

1. Hot water springs exist at villages Datodi, Kapeshwar, Siddheshwar hence there is possibility of earthquake. How irrigation will be possible by using this water. It is the natural gift to this area.
Activities of land selling & purchasing are prohibited only in Yavatmal district but in the Nanded district, these activities are on going. Why?

(4) Shri Ainuddin Solanki, Resident of near village stated that Anti-dam committee has filed several petitions against this project. Results are awaiting for some of these petitions, hence this public hearing is illegal.

(5) Adv. Shri Balaji Yerawar, Legal Advisor to Nimna Painganga Dharan Virodhi Sangharsh Samiti, has raised the following points:-

1. Environmental Report is false. What is the necessity of this project, even though Government of India has refused to accord permission to this project twice.

2. There is no permission from Central Water Commission to this project.
3. Every dam has two canals. This project has only one canal. Water Resources Department says that benefit cost ratio of this project is attractive, but there is no project in Maharashtra which proved to be successful to the extent of more than 24%.
4. 50,000 Acres of land in the command area is handed over to 'Ispat' by Western Coalfields Ltd., issue till date not resolved ?
5. This is split project. Hydro power generation is proposed at Sahastrakund project. At canal head of Lower Penganga project about 6 MW Hydro power generation is shown. How this can be achieved by Irrigation Deptt.
6. Information regarding cropping pattern is false. 15% ground nut & 5% sunflower in Kharif is incorrect cropping pattern.
7. It is wrong to say that flood will be controlled safely due to dam. In July 2003, Arni town was badly affected due to flood of Arunavati River. Arni town was flooded by Arunavati River even though there exists Arunavati River Project @ upstream of this town.
8. Only non-living objects like schools, roads, wells, drains are mentioned in rehabilitation programme. However no programme is shown regarding employment to the project affected persons.
9. Decrease in the level of oxygen due to cutting of 20 lacs trees coming under 20,000 Ha. submergence area is not mentioned in the report.
10. It is common experience that dam water contains fluoride which leads to development of disease like flurosis.
11. Designed storage of water will not be accumulated near dam site.
12. It is mentioned in the report that the top fertile soil from the submergence area of 50,000 Acres will be recovered and reused in the aforestation area. This is not manageable.

13. Considering average depth of river as 10 met. from Upper Penganga Project to confluence of Penganga-Wardha river, 2700 Million cubic meters of water can be stored in river section itself. Hence there is no necessity of this project.
14. Andhra Pradesh has opposed for Babhali & Tembhu Projects in Maharashtra then what is cause in providing water to Andhra Pradesh at the cost of submergence land of Maharashtra State.

(6) Shri Jadhao, Resident of Village Rampur, has raised that following points:-

1. Storage of water at proposed Lower Penganga Project site should be such that rehabilitation & resettlement will be very less.
2. Due to planning of this project, development activities in the project area have been stopped since last 20 years & hence people are now scared.

(7) Shri Arjun Ade Vice President of Nimna Painganga Dharan Virodhi Sangharsh Samiti, has raised the following points:-

1. Tribal people are against this project. Instead of such major dam, barrages like Vishnupuri should be constructed so as to avoid submerge area.
2. Maharashtra Government is already in heavy debt by constructing such large dams, debt burden on Maharashtra Government should not be increased.

(8) Shri Ramkrushna Dada Patil :- Resident of nearby villages has raised following points :

1. "Dam means death". It is observed that where ever dams were constructed, actual irrigation is not more than that of 40% . Villages from Yavatmal Dist. are coming under submergence, where as benefits are shared by Chadrapur (Maharashtra) & Adilabad District (Andhra Pradesh).
2. 100 rivers are flowing in the vicinity of project area. By constructing 2000 Bandharas & supplying electricity to beneficiaries irrigation can be done.

People are destroying dams in foreign. Hence Lower Penganga Project should not be constructed.

(9) Adv. Dilip Mankar, of the Sangharsh Samiti has raised the following points :

1. Project affected person do not get satisfactory compensation. Whatever they get, that too very late. Sometimes for their legal claims they need to step in the Courts which is a long process.
2. Instead of large dam acceptable solution may be to enlarge the river width to the same extent and to construct series of barrages in the river.

(10) Dr. Sushama Dakhore, of the Sangharsh Samiti has raised the following points :

Previously Adiwasi and Dalit were not the land owner. They were doing works only. Now they are getting an opportunity of owing the land through assistance in the project area. Major community is Adiwasi and because of this project they will be homeless/landless, where should they go?

Life of the dam is considered to be 60 to 80 years. It is seen that till the end of life of the dam, no where, the target of the irrigation potential is achieved.

(11) Shri Nandu Santan, Resident of Mahur, Dist. Nanded, has raised the following points :-

1. Kolam the main Adiwasi community from Mahagaon, (Dist: Yavatmal) and Kinwat Taluka, (Dist: Nanded) lives in affected area of Lower Penganga Project. Notice of this Public Hearing was not served in this area.
2. Few Panel Members of this Public Hearing Committee belonging to the Adiwasi group could not attend this meeting because of their financial ability. How should we expect common Adiwasi to remain present here. Therefore these meeting should have been arranged in their residential zones, and hence this Public Hearing is illegal.

3. Whether the water is tasted for fluoride contamination or not ?

The number of representations from local MLA Dr. Sanjay Dhurve, Sarpanchas of nearby Granpanchayat and other peoples regarding the opposition of the dam projects are also received during the course of Public Hearing are also attached herewith for ready reference.

(12) Shri Wamanrao Chatap, Member of Legislative Assembly, Rajura Dist.

Chandrapur, raised the following points in support of the project :-

1. For all type of the projects, two groups are there one says 'Yes' other says 'No'. Dams are landmark of National Development.
2. It is not true that because of the dams, Environmental balance is disturbed. In our Vidharbha we have very few number of dams. Coverage of Forest land is 38% in Vidharbha. For the sake of this project if 1% forest land is released nothing goes wrong? and because of this there will be no adverse effect on environment .
3. Naxal activity is the cause of non development. Due to this project development of this area will occur. Naxal activity will be reduced.
4. Large number of 'farmers suicides' are occurring in Yavatmal district. Over this matter investigating committee like Tata Institute of Social Sciences, Swami Nathan Committee etc. have done detailed study & one common reason all these Committees have expressed that irrigation backlog is one of the reason for this, and they have recommend that irrigation backlog should be removed of this area. Therefore it is imperative to take up this project.
5. Rehabilitation of project affected persons should be a first priority before the construction of the dam. This policy should be adopted.
6. Project affected persons should be provided and facilitated to acquire cultivable irrigation land in the benefited zone.

7. Land rate should be given as per ready reckoner.
8. Adiwasis are about 9% in Maharashtra. Most of them are far away from main social stream. Their rehabilitation due to the project is an opportunity to bring them in the main stream.

The Dharan Virodhi Sangharsh Samiti members and opponent peoples has disrupted the speech of Shri Wamanrao Chatap making noisy statements, so he could not express his views on the project further.

(13) Shri Vasant Rathod, Resident of nearby villages could not speak due to

harmful hindrance by the opposition group. Hence he handed over a written statement to the Chairman of Public Hearing.

(14) Shri Vijay Mahadeorao Niwal Resident of nearby villages could not speak

due to harmful hindrance by the opposition group. Hence he handed over a written statement to the Chairman of Public Hearing.

(15) Shri Vijay Bhure :- Resident of nearby villages could not speak due to

harmful hindrance by the opposition group. Hence he handed over a written statement to the Chairman of Public Hearing.

The MLA, Vishwas Nandekar, Wani, Dist. Yavatmal, Ramji Bhavsing Ade, Zilla Parishad Member, Yavatmal, Sarpanch Grampanchayat, Arni, Adv. Shivajirao Moghe, Ex. Minister Maharashtra State, Maroti R. Kanake, Z. P. Member local body Panel Member, Senior Citizens were also present during meeting but opposition group has prevented them from expressing their views in support of dam project by creating the noisy scene, hence they have handed over their written representation regarding the support of project during the public Hearing. The representation received from Hon'ble Haribhau Rathod, Member of Parliament (Loksabha) Yavatmal, Vamanrao Kasawar,

...12...

...12...

Ex. MLA, Wani, Manikrao Thakre, President, Yavatmal District Congress Committee and other prominent persons regarding the support of the project is also attached herewith.

Project opposition group interrupted the public hearing by making noisy voices often, and continued their opposition. In view of the above circumstances, Add. Collector Yavatmal & Chairman of Public Hearing Panel delivered vote of thanks to all the members of Public Hearing Panel and the participants/audience and concluded the Public Hearing after nearby 4 ½ hours of hearing.




(B. J. Kale)

Sub-Regional Officer
MPC Board, Amravati – II.



(V. M. Motghare)

Regional Officer
MPC Board, Amravati.

(A. E. Bansod)

Chairman, Public Hearing Panel
&
Additional District Collector
Yavatmal.

MAHARASHTRA POLLUTION CONTROL BOARD

No : 24020781/24010437
2402 1058

Website :
<http://mpcb.mah.nic.in>
e-mail: mpcb@vsnl.net



KALPATARU POINT, 3rd Flr
Opp. Cineplanet, Near Sion
Sion (East), MUMBAI - 400

RED/LSI

Consent No. BO/RO(P&P)-ICC-564

Date: 13/07/2006

Consent to Establish under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 5 of the Hazardous Wastes (Management & Handling) Rules 1989 and Amendment Rules, 2003. [To be referred as Water Act, Air Act and HW (M&H) Rules respectively].

CONSENT is hereby granted to

M/s. Lower Penganga Project,
Lower Penganga Project Division,
Vidarbha Irrigation Development Corporation,
Near Tadsaoli Village, Tq. Ghatanji,
- Dist: Yavatma.

located in the area declared under the provisions of the Water Act, Air Act and Authorization under the provisions of HW(M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1 The Consent to Establish is granted for the construction of Earthen Dam on Khadaka River and Mansony Dam on Khambala River.

2 **CONDITIONS UNDER WATER ACT:**

- (i) The daily quantity of trade effluent from the factory shall be Nil.
- (ii) The daily quantity of sewage effluent from the factory shall be 36 M³ (for colony purpose).

(iii) **Trade Effluent:**

Treatment: The applicant shall provide comprehensive treatment system consisting of primary / secondary and/or tertiary treatment as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of the treated effluent to the following standards

1)	pH	Between	--	
2)	Suspended Solids	Not to exceed	--	mg/l.
3)	BOD 3 days 27 Deg. C	Not to exceed	--	mg/l.
4)	COD	Not to exceed	--	mg/l.
5)	Oil & Grease	Not to exceed	--	mg/l.
6)	TDS	Not to exceed	--	mg/l.
7)	Chloride	Not to exceed	--	mg/l.
8)	Sulphate	Not to exceed	--	mg/l.

(iv) Trade Effluent Disposal: NA

13-11
Comp/H/min

:2:

(v) **Sewage Effluent Treatment:** The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards:

(1)	Suspended Solids	Not to exceed	100	mg/l.
(2)	BOD 3 days 27o C.	Not to exceed	100	mg/l.

(ix) **Sewage Effluent Disposal:** The treated domestic effluent shall be soaked in a soak pit, which shall be got cleaned periodically and overflow shall be used for gardening purpose within premises.

(vii) **Non-Hazardous Solid Wastes:**

<u>Type of waste</u>	<u>Quantity</u>	<u>Treatment</u>	<u>Disposal</u>
----------------------	-----------------	------------------	-----------------

(viii) Other conditions

- 1] Project proponent should provide a temporary transit camp for their working labours and their families with the facility of septic tank and soak pit for the domestic effluent generated there from.
- 2] Applicant shall be carried out a plantation programme in the vicinity of the project on an open space @ 1000 nos. of trees/hectors.

3. The applicant shall comply with the provisions of the Water Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and Amended Rules, 2003 thereunder.

The daily water consumption for the following categories is as under:

(i) Domestic	60	CMD
(ii) Industrial Processing	---	CMD
(iii) Industrial Cooling	---	CMD
(iv) Agriculture/Gardening	---	CMD

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

4. **CONDITIONS UNDER AIR ACT:**

(i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

Control Equipment:

- 1] Water spraying shall be done on ground to avoid fugitive emissions.
- 2] Construction material shall be carried in enclosed vehicles during construction activities.

Standards for Emissions of Air Pollutants:

(i)	SPM/TPM	Not to exceed	150	mg/Nm ³
(ii)	SO ₂	Not to exceed	-	Kg/Day.

(ii) The applicant shall observe the following fuel pattern :-

<u>Sr.No.</u>	<u>Type of Fuel</u>	<u>Quantity</u>
---------------	---------------------	-----------------

(iii) The applicant shall erect the chimney(s) of the following specifications

<u>Sr.No.</u>	<u>Chimney attached to</u>	<u>Height in Mtrs.</u>
---------------	----------------------------	------------------------

- (iv) The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted displayed to facilitate identification.
- (v) The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
- (vi) Other Conditions:
 1) The Industry should not cause any nuisance in surrounding area.
 2) The industry should monitor stack emissions and ambient air quality regularly.

5. **CONDITIONS UNDER HW (M&H) RULES, 1989 & AMENDMENT RULES, 2003:**

(i) The applicant shall handle hazardous wastes as specified below:

Sr. No	Item No. of Process generating HW as per Schedule-I	Waste substance contain as per classes of Schedule-II	Type of Waste	Quantity	Disposal
Industry shall not generate any hazardous waste.					

(ii) Treatment:

(iii) The authorization is hereby granted to operate a facility for collection, storage, transport and disposal of hazardous waste.

6. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments the production process connected to it shall be stopped.
7. The applicant shall obtain Environmental Clearance from MoEF, GOI as per EIA Notification, 1994 and amendments thereto and shall not take any effective steps unless obtained the Environment Clearance, from MoEF, GOI.
8. This consent is issued subject to post facto approval of Consent Appraisal Committee.
9. The applicant shall obtain consent to operate before commencement of the unit.
10. The applicant shall comply with the conditions as stipulated under Annexure - I & II enclosed.

(D. B. Boralkar)
 (D. B. Boralkar)
 Member Secretary

01/02/2012

To,
 M/s. Lower Penganga Project,
 Lower Penganga Project Division,
 Vidarbha Irrigation Development Corporation,
 Near Tadsaoli Village, Tq. Ghatanji,
 Dist: Yavatmal.

Copy to:
 1) Regional Officer, Amaravati, MPCB.
 2) Sub-Regional Officer, Amravati-II, MPCB.
 Officer, MPCB, Mumbai.

श. पु. सं.-(क)

Form-1-A

FIRST INFORMATION REPORT

MR No 168852

पहिली खबर

(Under Section 154 Cr. P. C.)

(फौजदारी प्रक्रिया संहिचेच्या कलम १५४ अन्वये)

State: Dist: P. S.: FIR/Proceeding/G.D. No: Year: Date: 17/07

Act: Section: 143, 147, 148, 149, 307, 308, 332, 333

Act: Section: 3, 37, 324, 323, 277, 504, 506

Section: 2, 277, 504, 506

Other: 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Occurrence of Office: Day: Date From: 17/07 Date To: 17/07

Time From: 3:00 Time To: 3:45

Information received at P. S.: Date: 17/07 Time: 5:15

Occurrence Reg./General Station Diary Reference Entry No: 5 Date: 17/07 Time: 15

Type of Information: Written / Oral

Place of Occurrence: ...

Direction and Distance From P. S.: ... Beat No./Chauki No.: 2

In case outside limit of this Police Station, then the Name of P. S.:

Complainant / Informant: Name: ...

Father's / Husband's Name: ...

Date of Birth: ... (d) Nationally: ...

Passport No.: ... Date of Issue: ... Place of Issue: ...

Occupation: ...

Address: ...

Details of known /suspected with full Address (Attach separate sheet if necessary)

1) सुदारक तगर

2) पुन्हाट पाटील तगावा

3) गावंडे सभिव

4) सभिव तगावा तगर व इतर 100/300

5) सभिव तगावा तगर व इतर 100/300

6) सभिव तगावा तगर व इतर 100/300

7) सभिव तगावा तगर व इतर 100/300

8) सभिव तगावा तगर व इतर 100/300

9) सभिव तगावा तगर व इतर 100/300

10) सभिव तगावा तगर व इतर 100/300

पुरवणी

Form-1-A

FIRST INFORMATION REPORT

MR/ No 068859

(Under Section 154 Cr. P. C.)

(फौजदारी प्रक्रिया संहितेच्या कलम 154 अन्वये)

1. State..... Dist..... P. S. FIR/Proceeding/G.D.No..... Year..... Date.....
 राज्य..... जिल्हा..... पोलीस ठाणे..... पहिली रज्ज क्र./कारवाई क्र. वर्ष..... तारीख.....

2. (i) Act..... Sections.....
 अपिचिप्य..... कलमे.....
 (ii) Act..... Sections.....
 अपिचिप्य..... कलमे.....
 (iii) Act..... Sections.....
 अपिचिप्य..... कलमे.....
 (vi) Other Acts & Sections.....
 इतर अधिनियम व कलमे.....

3. (a) Occurrence of Offic. Day..... Date From..... Date To.....
 आढावा घेतलेला दिवस..... तारीख पासून..... तारीख पर्यंत.....
 Time Period..... Time From..... Time To.....
 वेळचा खंड..... पासून..... पर्यंत.....
 (b) Information received at P. S. Date..... Time.....
 पोलीस ठाण्यावर माहिती मिळाल्याची तारीख..... वेळ.....

(c) Occurrence Reg./General Station Diary Reference Entry No..... Date..... Time.....
 घटना नोंदवण्याची संदर्भ क्र. तारीख..... वेळ.....

4. Type of Information Written / Oral.....
 माहितीचा प्रकार..... लेखी / तोंडी.....

5. Place of Occurrence.....
 घटनेचे ठिकाण.....

(a) Direction and Distance From P. S.
 पोलीस ठाण्यापासून दिशा व अंतर.....
 (b) Address.....
 पत्ता.....

(c) In case outside limit of this Police Station, then the Name of P. S. Dist.....
 या पोलीस ठाण्याच्या मर्यादा बाहेर असल्यास, त्या पोलीस ठाण्याचे नाव..... जिल्हा.....

6. Complainant / Informant.....
 तक्रारदार / संपर्क.....

(a) Name.....
 नाव.....
 (b) Father's / Husband's Name.....
 पित्याचे / पतीचे नाव.....

(c) Date / Year of Birth..... (d) Nationally.....
 जन्म तारीख / वर्ष..... राष्ट्रीयत्व.....

(e) Passport No..... Date of Issue..... Place of Issue.....
 नारपत्र क्र. दिव्याची तारीख..... पत्त्याचे ठिकाण.....

(f) Occupation.....
 व्यवसाय.....

(g) Address.....
 पत्ता.....

7. Details of known / suspected with full Address (Attach separate sheet if necessary)
 माहित असलेल्या / संशयित आरोपीचा संपूर्ण पत्ता (आवश्यक असल्यास स्वतंत्र कागद जोडवा)



500

12,000

7,500

5000

2,500

7,500

परंतु मेरे वेदों जसा जालीत परतरे न...
 मारणो वरुन विवेक प्रथेने व सेने काये नरी क...
 मोलमप व गिने मो गति व सेव स्वका उपजासए...
 चोराच दाले नि जामेनी जामावनी उपजासए...
 उपा. भिदवडा सनाइ भो भवेना जामेप जामवा...
 पदीत जामाव धरण विधी नमपि...
 संजम गीतरी ठावे सानी क एतए वामन जामवा...
 मला सोपेवले मासु सो वतये पी पिसु...
 मांग मवतलाय येथीक वामावपना...
 छिगी मकत वरिण कोर गेसना जामावनी...
 मला भाटीनी नाथी वल्लारमका पा जम...
 आतना मय असनात वरिण कोरुवी...
 शार्थ मयापी अखेभिर करु क...
 उंपतेपी जीप क म x m 5438...
 उरु - शासदिक मालमलेचा भेदो ज...
 गंभा ग व जमावतीक कोरुपी...
 मरि पोलीस आयेलीने व रुथिपि पाध...
 लसेप मला अगेदी सगले कु...
 ए वेग वेगळ्या वाहनात वेगवेगळ्या...
 आदि वरुनाये लपय ले वारु क...
 A3664 @ mH26 B-121 @ mH29...
 41 & @ mH26 म 1279 @ mH29...
 ग क mH29 म 1279...
 न वरु पेलीक अलेज लपय...
 पयिले वरिण वरुनाये लपय...
 पयिले वरिण वरुनाये लपय...

Application No. 1289 of 2007 filed by Shri B.R. Bhasale, App. No.
Advocate for V.B. Kendre
Applicant in No. Misc. Cr. App. No. 628/07
~~Urgent/Ordinary~~ No. of words (240) Exh. No. 1

Total Pages 18, pages The date of which the copy was applied for 23/8/2007. (Two Thousand Six)

Xerox Charges 126=00 The date of which the application was completed 23/8/2007.

The date (when the dates once given is subsequently changed date) which is given to the applicant for taking delivery of copy — / — / 2007.

Copying Charges The date on which the copy was read for delivery on 23/8/2007.

Cur, Charges. The date on which the copy was delivered on 24/8/2007.

126=00



Mani
Asstt. Supdt., 24-8-07
District Court, Nanded.

Applicants are in M. C. R.

IN THE COURT OF HON'BLE SESSIONS JUDGE AT NANDED

Misc. Criminal Application. 628 /2007

BAI

Applicants

- 1] Sheshrao s/o Namdeo Chaudhary
age 63years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 2] Sureshchandra s/o Deviprashad
Tiwari, age 56 years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 3] Kishan s/o Anandrao Chaudhary
age 55 years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 4] Rajabhau s/o Dattatrya Thakre
age 37 years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 5] Aadesh s/o Dattanarayan Pande
age 52 years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 6] Prushottam s/o Vithoba Chaudhary
age 51years, occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 7] Vishvanath s/o Tukaram Guntalwar
age 54 years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.
- 8] Sk.Mastan s/o Sk. Chand
age 41 years. occu. agri
R/o Kautha [Bazar] Tq. Arni
Dist. Yewatmal.

18/08/07

checked by Skrl.

B M Sambhakar

Supdt.
Dist. Court, Nanded 18/8/07

18.8.07

Sd/- Noted to
Sd/- Dist J/o 21.8.07Adhoc Dist. Judge-6
& Addl. Sessions Judge
NANDED.Received by
18.08.07.

[Signature]

[2]

- 9] Deorao s/o Kishanrao Gawande
age 45 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 10] Gajanan s/o Nagorao Dakhore
age 47 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 11] Ramayaa s/o Tukaram Kogurwar
age 55 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 12] Madhukar s/o Narsimlu Golpeliwar
age 46 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 13] Tukaram s/o Govindrao Tanmane
age 44 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 14] Anandrao s/o Dagduji Gawande
age 47 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 15] Ramrao s/o Sabbana Gawrewar
@ Kawaswar age 47 yrs. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 16] Manik s/o Ukanda Hatmode
age 50 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 17] Kishan s/o Bakkana Goshkulwar
age 52 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 18] Chinayya s/o Ramlu Appadwar
age 30 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 19] Trembak s/o Haribhau Landge
age 38 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.
- 20] Vithal s/o Poshattee Pentawar
age 56 years. occu. agri
R/o Madnapur Tq.Mahur Dist. Nanded.

18/8/17
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[3]

21] Bhagwan s/o Narayan Dolas
age 35 years. occu. agri
R/o Madnapur Tq. Mahur Dist. Nanded.

22] Atul s/o Sidharth Ramtakke
age 21 years. occu. agri
R/o Madnapur Tq. Mahur Dist. Nanded.

23] Munna s/o Laxman Tanmane
age 42 years. occu. agri
R/o Madnapur Tq. Mahur Dist. Nanded.

24] Promod s/o Markhandi Kogurwar
age 32 years. occu. agri
R/o Madnapur Tq. Mahur Dist. Nanded.

25] Vishnu s/o Maroti Jarande
age 38 years. occu. agri
R/o Padsa Tq. Mahur Dist. Nanded.

26] Namdeo s/o Bapurao Katle
age 51 years. occu. agri
R/o Padsa Tq. Mahur Dist. Nanded.

27] Ramesh s/o Rodba Diwtewad
age 45 years. occu. agri
R/o Padsa Tq. Mahur Dist. Nanded.

28] Kailash s/o Kondbaji Musale
age 20 years. occu. agri
R/o Takli Tq. Mahur Dist. Nanded.

29] Datta s/o Namdeo Fad
age 35 years. occu. agri
R/o Takli Tq. Mahur Dist. Nanded.

30] Vithal s/o Nagorao Adkine
age 42 years. occu. agri
R/o Takli Tq. Mahur Dist. Nanded.

31] Vithal s/o Santoshrao Gawande
age 56 years. occu. agri
R/o Bondgavan Tq. Mahur
Dist. Nanded.

32] Devprashad s/o Jairam Gawande
age 65 years. occu. agri
R/o Bondgavan Tq. Mahur

18/8/77
SUPERINTENDENT
District Cu
NANDED

[6]

The complainant alleged that he know to one Mubarak Tawar, Pralhad Jagtap, one Gawande and Sanjay Thakre. The names of the above persons are mentioned in the F.I.R. as accused. The present applicants having no any concern with the persons supra, nor they were present at the time of alleged offence.

5] That, lastly the complainant alleged in the F.I.R. that the said Pische Saheb and other employees who were alongwith him, are admitted in the hospital at Yawatmal. The alleged incident alleged to be taken place on the way from place of incident to the village Khambala. The persons from mob also alleged to be damaged one Jeep bearing No. MXH-5438. The complainant further stated that latter on he came to know from the police and other employees of the department that the persons from said mob were came at the place of incident by their vehicles bearing No. MH-26-H-6026, MH-26-H-5210, MH-27-A-3664, MH-26-B-1121, MH-29-2211, MH-26-1356, MH-26-B-4108, MH-26-H-1379, MH-28-A-1914 and Car No.API-H-9090 and a jeep No. MH-29-1129. The persons from the said mob alleged to be came to the spot of incident by the vehicles supra. The complainant further also stated that the persons from the above mob as beaten them by kicks, blows and compelled to remove the upper side cloths weared by them and snatched articles from the persons of complainant and the officers and employees. No specific acts of the present applicant mentioned in the F.I.R, nor the overt acts of the present applicants are mentioned in the F.I.R.

6] That, the applicants being the agriculturalists and adjoining villagers of the project supra, therefore only they involved in this crime. Previously the leaders of Lower Painganga Project opposition Committee preferred a writ petition bearing writ no. 63/2004 from the region of Arni Dist. Yawatmal before Hon'ble Bombay High Court bench at Nagpur. In the said writ it is held by Hon'ble high court that state of Maharashtra without any notification or without adopting due procedure can not take any steps pertaining to the project supra. The copy of said petition is being filed herewith for perusal and kind consideration. Another writ bearing writ petition no.142/2001 Vinayak Santan and others Vs. State of Maharashtra and others also pending before Hon'ble court Bombay bench at

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 Hon'ble
 High Court
 BOMBAY

[7]

Aurangabad. Therefore on suspicion only the police involved to the applicants in this crime. Therefore considering the above facts & circumstances, it is clear that the involvement of all the present applicants in this crime by police is nothing but is out put of the political rivery.

7] That, the leaders of the lower painganga project opposition committee previously moved for anticipatory bail in this crime before this Hon'ble court vide misc. cri. Application no. 539/07, it has been rejected by this Hon'ble court. Thereafter they preferred criminal application no. 2720/2007 before Hon'ble High Court of Judicature bench at Aurangabad for grant of anticipatory and Hon'ble High Court pleased to passed an order that, " *the application is therefore disposed of as withdrawn with liberty as prayed for, however, taking in to consideration, the nature of the allegations and that the period of almost more than 3 weeks as lapsed from the date of incident, I am inclined to direct the learned the Magistrate to considered the application of the present applicant for grant bail on the same day, on which the applicant would surrender.*" Accordingly they had been in the court of Hon'ble J.M.F.C. Kinwat with a view to surrender themselves before the court, as per the directions given by the Hon'ble court. All of sudden in the court premises of J.M.F.C. Court at Kinwat, they came to be arrested by the police concerned illegally and the police produced them before the J.M.F.C. court Kinwat and asked for P.C.R. Thereafter the period of P.C.R. Hon'ble lower court pleased to taken them in M.C.R. All the main co-accused are arrested and taken in M.C.R. Still they are in M.C.R.

8] That, all the applicants being farmers, having immovable property at their respective villages. Therefore there is no any chances of their absconding. Therefore considering the above facts and circumstances, the applicants kindly be released on regular bail.

9] That, the applicants shall not leave India without prior permission of the Hon'ble court. No prima facie case made out against the applicants, but with malafide intention with a view to harass to the applicants, the police arrested

[8]

them. All the applicants are not ex-convicts, nor any other criminal cases are pending against them till date. The applicants will abide every conditions if imposed by the Hon'ble court, they will not take misuse of their liberty. Therefore more detention of the present applicants behind bar is not at all required.

10] That, other grounds would be put forth at the time of final hearing of the petition.

PRAYER

That, the application may kindly be allowed, all the applicants may kindly be enlarged on regular bail in crime no. 22 / 2007 registered with police station Mandvi Tq. Kinwat Dist. Nanded and oblige.

Date : 18/08/2007
Through

B. M. Kumbhekar
Advocate, Nanded.

Applicants

Sheshrao s/o Namdeo Chaudhari
& 32 others

5-18/8/07
18/8/07
18/8/07
18/8/07



Est bail appln.

07-1870810

Examined and signed by me
Registrar as... MASC Cm- apply

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Supt. B
Dist. Court Kansas 757877



COMMON ORAL ORDER BELOW EXH-1
IN MISC CRI(BAIL) APLN NO.605,606
617, 618 and 628/2007

1. All these applications are arising out of crime No.22/2006 of Police Station, Mandvi, Tq. Kinwat and therefore they are being disposed of by this common order.
2. All the applications are filed under section 439 of Cr P C for grant of bail.
3. I have heard the learned counsels appearing for the applicants and the learned P.P. Perused the case-diary.
4. On the report of Assistant Engineer of Nimna Painganga Project, Yeotmal, the offence under various sections of Indian Penal Code and under Bombay Police act and Indian Arms Act has been registered against the applicants Mubarak Tawar, Pralhad Jagtap, one Gavande, and Sanjay Thakre and about 200 to 300 persons. Most of the applicants have been arrested on suspicion. The incident occurred when the complainant along with some officers of the Irrigation Project and some police officials had been to village Khambala,

(2)

g. Kinwat for measurement of land for the purpose of acquisition. That time, a mob of about 3000 persons came on the spot and some 200 to 300 persons started pelting stones and compelled them to stop the work of measurements. They were against the acquisition of the land. It is alleged that those persons assaulted the complainant and the officials robbed them of their valuables tore their clothes and paraded them in semi nude condition.

6. On behalf of the applicants, it is vehemently contended that some of the applicants were arrested only because they are the office bearers of Lower Painganga Project Opposition Committee. It must be noted here that there is strong opposition from the inhabitants of that village to the proposed acquisition of land for the purpose of Irrigation Project. The learned counsels for the applicants contended that in the very first place the complainant and the officials of the Project had no business to go to the lands of the people for the purpose of measurement as

(3)

Order below Exh-1 in
In MCA 605,606,617,
618 & 628

There was no sanction from the Central Government. Their act itself was illegal. Therefore, the persons had shown resentment and protest to the complainant and other officials. According to them, there was incident but as there ^{was} ~~were~~ mob of several persons it was absolutely not ^{possible} ~~probable~~ to point out any particular person involved in commission of the alleged offences. It is contended that the names of some of the applicants figured in the FIR because they are the secretary and other office bearers of the committee opposing the lower Painganga Project. It is tried to show that infact the office bearers of this committee tried to protect the complainant and officials from the ^{unruly} ~~unholy~~ mob. Further it is submitted that the applicants had earlier moved an application for anticipatory bail in this crime . But it was rejected, so they had approached before the Hon'ble High Court, Bench at Aurangabad. There, the application was withdrawn with liberty to file application for bail by surrendering before the Magistrate

(4)

and the Magistrate was directed to consider the application for grant of bail on the same day. When the applicants surrendered before the Magistrate at Kinwat, they were taken into MCR and their bail application was rejected.

6. It is thus vehemently submitted that the applicants are totally innocent persons. Their names, except four applicants do not figured in the FIR and they have been arrested only on the basis of suspicion. It is further submitted that the custodial interrogation of the applicants is not necessary which is evident from the order of the Magistrate. Therefore, they have prayed for bail.

7. The learned P P appearing for the State in reply has contended that the complainants ^{and others} were doing their work by the order of the Government. The applicants had several other ways of showing protest to the proposed acquisition. The learned P P has severely condemned the act of the applicants in assaulting the public servants while they were discharging public duty. The

(5)

Order below Exh-1 in
In MCA 605,606,617,
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learned P P contended that not only the public servants were assaulted but they were treated in most inhuman way by making them paraded in ^{semi nude} ~~civil~~ condition and their valuables were also taken. He submitted that the property worth more than one lakh rupees has been stolen and the police ~~have~~ so far could recover only one wrist watch. He submitted that considering the nature of offences and the way in which the offences were committed and the pendency of investigation it would not be proper at this stage to release the applicants on bail. He further submitted that there is every likelihood of tampering with the investigation by the applicants if they are released since some more persons are yet to be arrested. In order to show the gravity of the incident, the learned P P has also shown me some photographs taken at the scene of occurrence.

There cannot be a denial of the fact that the incident was most unfortunate. The complainant and the other public servants

(6)

had no personal interest and they were performing their duty on the directions of the Government. There may not have been sanction from the Central Government but the act of assault and robbery, etc. cannot be defended on the grounds that the complainant and other officials were doing duty without legal sanction. The question before me at this juncture is whether all these applicants are involved in the incident and whether their custody is necessary for further period.

69. Admittedly, FIR was lodged against four persons whose names are given and some 200 to 300 persons. The names of four applicants has come on record because they are the office bearers of the protest committee. So, their names were known. Otherwise the complainant had no reason to know the names of the persons of that village. There seems substance in the arguments that the names of some of the applicants are mentioned only because they are the office bearers of the committee. So far as other applicants are concerned, it seems

(7)

Order below Exh-1 in
In MCA 605,606,617,
618 & 628

that they were arrested simply on the basis of suspicion,^{as} some of them are resident of that locality and some of them are residing in the neighbouring villages. It is not known whether they were present on the spot at that time. It may also be noted that in the same crime, six more persons were arrested and they had applied for bail vide MCA No.532/2007 and 533/2007,^{and} their bail application was allowed on 27/7/2007. It may also be noted that during the period of police custody of some of the applicants, the I O could not show any progress in the investigation ^{for} ~~but explain~~ their custody in police remand. Therefore, the learned Magistrate rejecting the application for PCR had taken them in MCR. It shows that no purpose will be served by keeping the applicants in jail. Whatever investigation the I O wanted to conduct in respect of the applicants is over. Nothing incriminating was found from them. Now, they cannot be detained in jail only because some more persons are yet to be arrested. Infact, the I O does not know

(8).

who are those persons who are to be arrested. I do appreciate the ^{concern} contentions of the learned P P, but only on that count the ^{incriminating evidence} applicants against whom so far ~~not~~ yet has been collected cannot be detained. The personal liberty of a person is a fundamental right and it cannot be taken away lightly and without any substantial grounds. I am rather doubtful about the offences under section 307 and 395 of Indian Penal Code. It is an admitted fact that the persons were protesting against the proposed acquisition and when they came to know that the officials had come for the measurement of land they arrived on the spot and started assaulting the complainant and others. Assuming for a while that there was such assault, but it was ^{reaction} spontaneous/^{mediate} without any pre-~~attack~~, design or intention. It may be possible that in that incident involving number of persons, some of the injured might have lost their wrist-watch, chain, or cash etc. It is not necessary that they were purposely robbed of their valuables.

(9)

Order below Exh-1 in
In MCA 605,606,617,
618 & 628

10. After having considered the rival submissions in the background of the case, I have come to the conclusion that the applicants are entitled to bail as no purpose will be served in keeping them behind the bars. I therefore proceed to pass the following order.

ORDER

1. All the applications are allowed.
2. The applicants be released on their furnishing personal bond of Rs.20,000/- each with one solvent surety in like sum.
3. The applicants are directed to report to Police Station, Mandvi on every Sunday between 12 noon to 5pm till filing of the charge sheet and they shall not tamper prosecution evidence.
4. Bail before lower court.

Date : 21/8/2007

(S P Muley)

Adh-Addl.Sess.Judge-6,Nanded.

3218
Date of receipt
District Court Nanded

" TRUE COPY."
21.8.07
Asstt. Supdt.
District Court Nanded

लोकमत

1084

नाशपूर

शुक्रवार दि. १३ जुलै २००७

कार्यकारी अभियंत्यासह अधिकाऱ्यांची अर्धनग्न धिड



कार्यकारी अभियंता रमेश पिसे व अनियंता अशोक तिसरे यांची अशी मित्र एक काढली

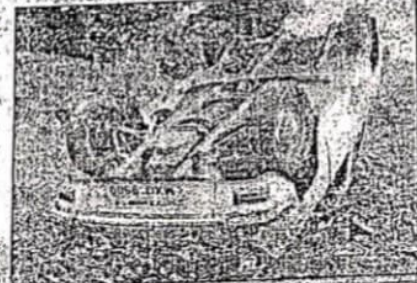
निम्न पैनागंगा धरणविरोधी संघर्ष समितीच्या समर्थकांचा हल्ला

यवतमाळ, दि. १२ (कार्यालय प्रतिनिधी) - महाराष्ट्र व आंध्र प्रदेश राज्यातील सिंचन सोईसाठी यवतमाळ जिल्ह्याच्या सीमेवर निम्न पैनागंगा प्रकल्प (हिमटा धरण) निर्माणार्थ आहे. मात्र या प्रकल्पास विरोध असलेल्या धरण विरोधी

मराठवाड्यातील किन्वट तालुक्यात येत असलेल्या खंबोळा परिसरात आज दुपारी १ वाजताच्या दरम्यान ही घटना घडली. या हल्ल्यात या प्रकल्पाचे कार्यकारी अभियंता रमेश पिसे यांच्यासह दहा अधिकारी जखमी झाले. या प्रकल्पाचे मुख्य कार्यालय यवतमाळात आहे. येथून कार्यकारी अभियंता रमेश (पान २ वर)

पोलिसांच्या उपस्थितीत
सीड नास रावला धिंगाणा

संघर्ष समितीच्या कार्यकर्त्यांनी आज या प्रकल्पाच्या कार्यकारी अभियंत्यासह अधिकाऱ्यांच्या चमूवर हल्ला केला. यावेळी अधिकाऱ्यांची अर्धनग्न धिडही झाली.



कार्यकारी अभियंत्याच्या वाहनाची केलेली लाडूमांड

कार्यकारी अभियंत्यासह अधिकाऱ्यांची अर्धनग्न धिड

पिसे हे आपल्या विभागातील चमूसह आज खंबोळा परिसरात निर्माणार्थ प्रकल्पाच्या भितीच्या जागेची मोजणी करण्यासाठी पोलिस संरक्षणात गेले होते. मात्र अगोदरच तेथे जमलेल्या संतप्त शेतकऱ्यांनी त्यांना मोजणीस मज्जाव केला. रामपूर येथील संजय ठाकरे ही व्यक्ती मोजणीत अधिक अडथळा आणत असल्याचे पाहून अधिकाऱ्यांनी त्याला वाजूला सारले. तेवढ्यातच कुणीतरी संजय ठाकरेला दगड भिरकावून मारला. यात तो जखमी झाल्याने उपस्थित जनसमुदाय भडकला. जवळपास एक हजार शेतकरी या ठिकाणी उपस्थित होते. संजय ठाकरेला धक्कावुक्की व मारहाण झाल्याने संतप्त झालेल्या समुदायाने अधिकाऱ्यांवर दगडफेक करण्यास सुरुवात केली. अनेकांनी कार्यकारी अभियंता रमेश पिसे यांना लक्ष्य बनवून त्यांना लाधावुक्क्यांनी, दगडांनी मारहाण केली. इतर अधिकाऱ्यांनाही मारहाण करण्यात आली. अधिकाऱ्यांचे कपडे काढून त्यांच्याच कमरेच्या पट्ट्याने त्यांना मारहाण करण्यात आली. जवळपास दोन किलोमीटरपर्यंत ही अर्धनग्न मिश्रणक काढून मारहाण करण्यात आली. यावेळी धरणविरोधी संघर्ष समितीचे बंडूजी नाईक, विजय पाटील राऊत, प्रल्हाद पाटील जगताप, मुबारक तंवर, पंजाब पाटील जगताप, प्रल्हादराव गावंडे आदी घटनास्थळी उपस्थित होते. या लोकांनी जनतेच्या भावना भडकविल्या, असा आरोप निम्न पैनागंगा प्रकल्पाच्या समर्थकांनी केला आहे तर संतप्त झालेल्या जनतेला शांत राहण्याचे आवाहन करून आम्ही अधिकाऱ्यांना सुखरूप बाहेर काढण्यासाठी प्रयत्न करित होते, असे धरणविरोधी संघर्ष समितीच्या नेत्यांनी म्हटले आहे. आमच्या किन्वट, मांडवी, सारखणी व आर्णा येथील वार्ताहरांनी दिलेल्या माहितीनुसार, कार्यकारी अभियंता रमेश पिसे हे मांडवी पोलिस, भूमिअभिलेख विभागाचे कर्मचारी आर्णाच्या चमूसह पैनागंगेपासून दोन कि.मी. अंतरावर असलेल्या दुगपिठ टेकडीवर धरणाच्या मुख्य भित उभारणीच्या जागेची मोजणी करण्यासाठी गेले होते. ही मोजणी होणार असल्यासंदर्भात या परिसरातील शेतकऱ्यांना ९ जुलै रोजीच पत्र देऊन मोजणी निश्चितीसाठी शेतात हजर राहण्यास कळविण्यात आले होते. त्याअनुषंगाने हे शेतकरी आणि धरणविरोधी संघर्ष समितीचे कार्यकर्ते परिसरात जमले होते.



खंबाळा येथे घडलेल्या घटनेचे दृश्य

लक्ष्मण भारत
दि १३/७/०७

निम्न पैनागंगा धरण पेटले

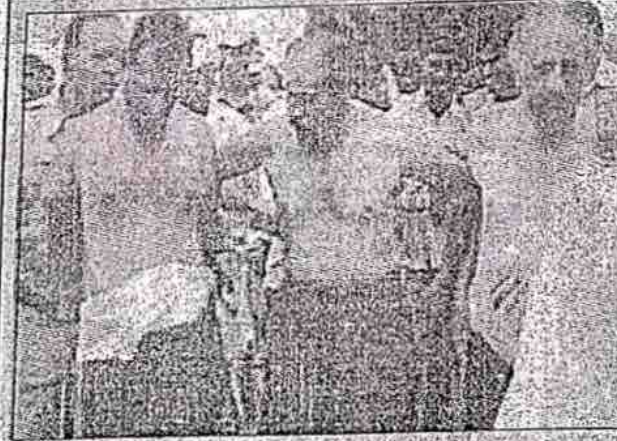
कार्यकारी अभियंत्यासह १० जणांना मारहाण

तालुका प्रतिनिधी
आर्णो, १२ जुलै

प्रस्तावित निम्न पैनागंगा धरण भूमिपूजनापूर्वीच पेटले आहे. जबरदस्त विरोध असलेल्या या धरणामध्ये जाणाऱ्या शेताची मोजणी करणाऱ्या पाटबंधारे विभागाच्या अधिकारी व कर्मचाऱ्यांना धरण विरोधकांच्या तीव्र सतापाला तोंड द्यावे लागले. गुरुवार १२ जुलै रोजी किनवट तालुक्यातील खंबाळा येथे या सर्वांना पोलिसांच्या

समक्ष सतप्त शेतकऱ्यांनी अर्धनग्न करून ठोकून काढले. गुरुवारी दुपारी १२ च्या सुमारास नांदेड जिल्ह्यातील किनवट तालुक्यातील खंबाळा येथे निम्न पैनागंगा प्रकल्प विभागातर्फे शेतांच्या मोजणीचा कार्यक्रम ठरविला होता. धरणात जाणाऱ्या शेतांच्या मोजणीची पूर्वसूचना दिल्या गेली असल्याने सुमारे २००० शेतकरी खंबाळा येथे आधीच जमले होते. पाटबंधारे विभागाने पथक मोजणी सुरु करण्यासाठी पोहोचल्यानंतर त्यांना (पान २ वर) ▶

**कपडे फाडून
मारतच हाकलले**



गुरुवारी किनवट तालुक्यातील खंबाळा येथे पाटबंधारे खात्याच्या अधिकाऱ्यांना जमावाने अशी मारहाण केली.

छायाचित्र : ललित फोटो स्टुडिओ,

सावळी सदोबा

दि लक्ष्मण भारत १३-७-०७

'त्या' धरणात हरित क्रांती घडविण्याची क्षमता

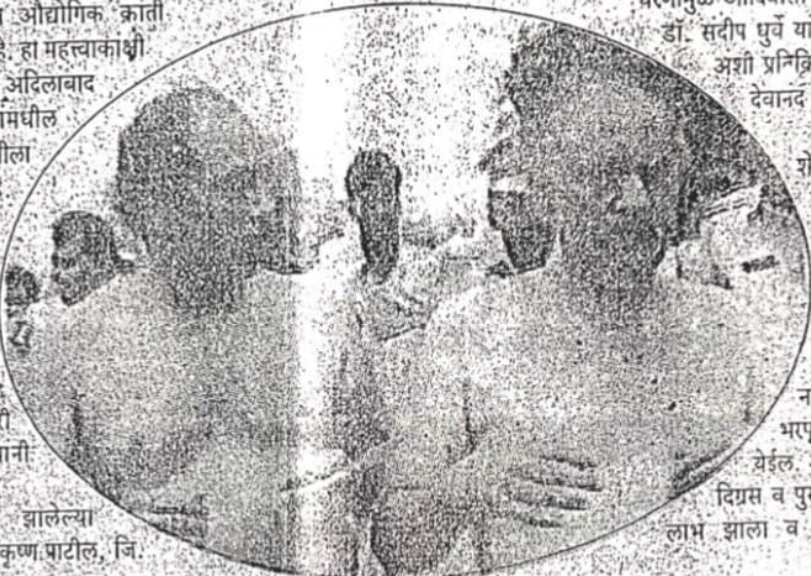
खवाळाचा भाराण प्रकार घडण्याचा : धरण समर्थकांचा आरोप

जिल्हा प्रतिनिधी
यवतमाळ, २२ जुलै

निम्न पैनागगा धरणाची या भागात, विशेषतः यवतमाळ, जिल्ह्यात हरित व औद्योगिक क्रांती घडवून आणण्याची क्षमता आहे. हा महत्त्वाकांक्षी प्रकल्प यवतमाळ, चंद्रपूर व अदिलाबाद जिल्ह्यातील बारा तालुक्यांमधील २.२५ लाख हेक्टर शेतजमिनीला पाणी मिळवून देणार आहे. शेतकऱ्यांच्या आत्महत्या थांबविण्यासाठी सिंचन क्षमता वाढविण्याच्या अशा प्रकल्पाची गरज असून ते पूर्ण झालेच पाहिजे, अशी भूमिका निम्न पैनागगा समस्या निवारण व पुनर्वसन कल्याणकारी संस्थेचे सुरेश लोणकर यानी मांडली.

येथील विश्रामभवनात झालेल्या पत्रपरिषदेत सस्थेचे नेते गोपाळकृष्ण पाटील, जि. प. सभापती देवानंद पवार, जि. प. सदस्य शंकर ज्ञानमवार, जयप्रकाश काटपेळीवार व प्रकाश कासावार यांच्यासह कृषीभूषण रामकृष्ण पाटील, माणिक मैश्राम, चंद्रशेखर पाटील, हेमंत कांबळे, डॉ. विजय कडु, गणेश इंगोले, अॅड. विजय भुरे, विजय पाटील, मदन जिंदवार, मारोतराव किनाके, रफीक पटेल, बाळासाहेब शिंदे, भाऊराव मरापे, नागोराव उरवते, विठ्ठल नाईक, किशोर भगत हेही उपस्थित होते.

१२ ला खवाळा येथे सिंचन अभयत्याना अर्धनग्न करून भाराण करण्याचा प्रकार घ्याडपणाचा आहे. धरणासदभात काहीही समस्या



आणि ताही त्याच्या राजकारणासाठी विरोध आहे. देशातील प्रत्येक प्रकल्पात आदिवासींनी जमीन जाते, त्याचे पुनर्वसनही योग्य रितीने होते. त्यामुळे धरणांमुळे आदिवासी संस्कृती लोप पावते हा आ. डॉ. संदीप घुर्वे यांचा आरोप हास्यास्पद आहे. अशा प्रतिक्रिया जि. प. शिक्षण सभापती देवानंद पवार यांनी व्यक्त केली. गेल्या काही वर्षांपासून ज्या शेतकऱ्यांच्या आत्महत्या झाल्या व होत आहेत. त्यापैकी सर्वात जास्त आत्महत्या यवतमाळ जिल्ह्यात विशेषतः घाटजी व केळापूर तालुक्यातील आहेत. ज्या ठिकाणी सिंचन नाही तेथेच शेतकऱ्यांच्या भरपूर आत्महत्या झाल्याचे दिसून येईल. अरुणावती व पुस प्रकल्पामुळे दिग्रस व पुसद या भागात सिंचनाचा जो लाभ झाला व होत आहे, त्या ठिकाणी आत्महत्या झाल्याचे दिसून येत नाही, असे प्रतिपादन यावेळी करण्यात आले.

धरण असे व्हावे आणि यासाठी व्हावे
निम्न पैनागगा धरणात जाणाऱ्या जमिनीचा जास्त जास्त आणि बाजारभावाप्रमाणे दर मिळवा, धरणग्रस्तांचे पुनर्वसन उत्तम व्हावे, त्यांच्या परिवारातील लोखंड मुलांना सरकारी नोकरीत सामावून घेतल्याच गेले पाहिजे, अशी मागणी सुरेश लोणकर यांनी केली.
या मागण्या एकदम न्याय्य आणि योग्य आहेत. त्या धरणसमर्थकांनी खंबीरपणे लावून धरल्यास आणि पूर्ण होईपर्यंत थांबल्यास आणखी १०० वर्षे हे धरण होऊ शकणार नाही, असे पत्रकारांनी त्यांच्या लक्षात आणून दिले.
या पृथ्वीवर पाऊस पडण्याचे प्रमाण एकूण पाणीसाठ्याच्या अर्धा टक्काही नाही. एकूण पाण्यापैकी १२.०२ टक्के पाणी समुद्रात, १.१५ टक्के उत्तर ध्रुवाजवळ बर्फरूपात आणि ०.३४ खूपच खोलात असते. १९.६९ टक्के पाणीसाठा अशा पद्धतीचा असतो आणि प्रत्यक्षात फक्त ०.३१ टक्केच पाणी पावसातून मिळते. त्यामुळे पावसाच्या पाण्याचे नियोजन न झाल्यास वाळवंटच होईल. हे नियोजन करण्यासाठी निम्न पैनागगा धरणासारख्या प्रकल्पांची अत्यंत आवश्यकता असल्याचे त्यांनी सांगितले.

असतील तर त्या लोकशाही मागणी सोडविता प्रकार केला असावा आरोप यावेळी येतील. या घडणाला मूठभर राजकारणी लोकांचा करण्यात आला.