BEFORE THE NATIONAL GREEN TRIBUNAL AT PRINCIPAL BENCH, PUNE, MAHARASHTRA

(u/s 18 with section 14 and 15 of the National Green Tribunal Act 2010)

ORIGINAL APPLICATION NO. 210 OF 2024(WZ)

IN THE MATTER OF

SUNIL RAMCHANDRA SHINDE

V/S

STATE OF MAHARASTHRA

INDEX

Pune
Dated: 01.06.2026

Adv. For Respondent no.03

BEFORE THE NATIONAL GREEN TRIBUNAL AT PRINCIPAL BENCH, PUNE, MAHARASHTRA

(under Section 18 read with Section 14 and 15 of the National Green Tribunal Act 2010)

ORIGINAL APPLICATION NO.: 210 OF 2024

IN THE MATTER OF:

SUNIL RAMCHANDRA SHINDE

& ANR

...APPLICANTS

Versus

STATE OF MAHARASHTRA

& ORS ...

RESPONDENTS

Affidavit-in-reply on behalf of Respondent No. 3:-

I, Rahul Mahadeo Ingle, aged 38 years, Occupation: Chief Officer, having address at Municipal Building,

CHIEF OFFICER
Matheran Hill Station Municipal Council

Matheran Hill Station Municipal Council, Taluka Karjat, District Raigad, do hereby state on oath and solemn affirmation as under:

1) I am the Chief Officer of Respondent No. 3. I have gone through the petition, and I am filing this Reply-Affidavit on behalf of Respondent No. 3. I hereby deny the contents of the application under reply unless and until specifically admitted hereinafter.

2) As to Para 1, the averments therein are matters of fact and are technical in nature and, thus, are generally correct.

3) As to Para III (2), it is submitted that Respondent No. 3, Matheran Municipal Council (hereinafter referred to as "MMC"), considers itself duty-bound to implement the Principle of Sustainable Development and the Precautionary Principle, as envisaged under Section 20 of the National Green Tribunal Act, 2010, as well as the Inter-Generational Equity Principle and the Public Trust Doctrine. However, it is specifically denied that there is any non-implementation of various environmental laws at the hands of Respondent No. 3, more particularly the Forest (Conservation) Act, 1980, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, and the

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Environmental Impact Assessment Notification, 2006. On the contrary, Respondent No. 3, MMC, has always acted in furtherance of the settled principles of environmental law and for strict implementation of the aforesaid Acts.

4) As to Paras 3, 4, 5, 6, and 7: The said averments state the history of Matheran. The same do not require any comments from this Respondent. However, since ages, Matheran Hill Station has existed in a unique manner. The same has been free of motorized vehicles, and the only mode of transport has been horses.

5) As to Para 8: It is incorrect to state that Respondent No. 3, MMC, has no mechanism for treating horse dung. Respondent No. 3 has taken multiple efforts to treat and dispose of horse dung in accordance with environmental laws.

6) The specifications and photographs of the same are annexed herewith as "**ANNEXURE-A**" for the kind perusal of this Hon'ble Court.

7) However, horse dung has been found to be unsuitable for the said digester. In fact, significant damage is caused to the walls of the digester due to horse dung.

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8) Another method implemented by MMC for disposal of horse dung is conversion into manure by aerobic decomposition. However, it was found that horse dung in such large quantities cannot be effectively converted into manure by this process.

9) MMC had procured a pellet/briquette machine to convert horse dung into combustible pellets. However, the same was found unsuitable for household combustion.

10) Further, the project to convert the same into biochar by pyrolysis has not been successful.

11) It is correct to state that Grass Roots Research and Consultancy, Mumbai, conducted thorough research and prepared an "Environment Management Plan for Matheran Plateau", which was funded by MMR-Environment Improvement Society. As to Para 9, the findings of the said research are matters of record.

12) It is most respectfully submitted that the report prepared by Grass Roots Research and Consultancy, Mumbai, cannot be relied upon for the purposes of the present petition, and any reference thereto is wholly uncalled for. It is submitted that this Respondent has

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taken every effort to pave the roads by laying clay paver blocks for the convenience of e-rickshaws and pedestrians. As of today, from Dasturi Naka to Regal Naka, the work has been completed, which is about three-fourths of the length of the main road. This has greatly reduced dust. During the monsoon, every effort is made to collect the dung and dump the same at the designated dumping plot. It is submitted that water from Simpson Tank is used by horses for drinking purposes. However, it is not correct to state that there is complete degradation of underground water in the surrounding forest slopes from the watershed. It is submitted that horse owners take care of infected horses and dispose of dead ponies appropriately. The water from Simpson Tank is not used by the Council.

13) This Respondent is making every effort to ensure that only licensed horses enter the jurisdiction of the Council and, from time to time, the staff of the Council instructs horse owners not to damage the environment.

14) The contents of Para 11, stating that there are two water reservoirs, viz., Charlotte Lake and Simpson Tank, are correct. The water from Charlotte Lake alone is utilized for domestic and commercial supply.

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However, the water from Simpson Tank is not utilized for such purposes.

15) The contents of Para 12 are incorrect as stated. It is true that Charlotte Lake and Simpson Tank are popular attractions. However, the said attraction is about 50 meters away from Charlotte Lake, and horses are not allowed to enter the lake water. It is submitted that drinking water to the entire Matheran Municipal Council area is supplied by Maharashtra Jeevan Pradhikaran, a separate statutory body constituted by the State of Maharashtra, which raises bills and recovers charges.

16) The contents of Para 8, as stated, are absolutely incorrect, misleading, and hence denied. It is submitted that the Municipal Council collects horse dung from stables and streets and dumps the same in land owned by Respondent No. 3, bearing Survey No.29, commonly known as the dumping ground, situated about 3 kilometres from human habitation. It is further submitted that this Respondent has been continuously making efforts to process the said dung. The Respondent attempted to process the dung in its biogas plant; however, due to technical challenges, the same could not be achieved.

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17) As to Para 12: Maharashtra Jeevan Pradhikaran processes water from the aforesaid tanks/lakes and periodically records reports of tested water samples.

18) As to Para 13: It is admitted that the adverse effects enumerated in Paras (a) to (e) are generally correct.

19) As to Paras 14 and 15: The report referred to pertains to the use of horses in Mahabaleshwar and Panchgani. The deponent has no nexus or authority with the said areas.

20) It is submitted that both regions have different topography. In Mahabaleshwar and Panchgani, vehicles are permitted, whereas in Matheran, vehicles are not allowed. Therefore, no comparison can be drawn.

21) As to Paras 16 and 17: Considering the ill effects of horses on mud pathways, this Respondent, in compliance with directions of the Hon'ble Apex Court, has already introduced alternative non-polluting vehicles, namely e-rickshaws.

22) It is submitted that under the Matheran Rules, 1959, the grant of licences to horses and ponies falls under the exclusive jurisdiction of the Police Department,

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and the same is not within the domain of this Respondent. The copy of Matheran Rules, 1959 is annexed as **'ANNEXURE-B'** herewith for kind perusal of this Hon'ble Tribunal.

23) The contents of Para 19 regarding fatalities linked to horses are matters of record.

24) It is submitted that licences for horses and ponies are issued by police authorities. Whenever an injured or deceased horse is found, the Council ensures treatment at the Animal Hospital or directs the concerned owner to take necessary action. The Animal Hospital is run by the State of Maharashtra under the Animal Husbandry Department.

25) The contents of Paras 21 to 24 relate to observations and directions issued by the Hon'ble Principal Bench in O.A. No. 187/2023 (Shailendra Kumar Jadhav vs. State of Himachal Pradesh), concerning Kufri. The same pertains to a different geographical context. However, this Respondent shall abide by any applicable directions. Excessive plying of horses may adversely affect environmental health.

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Additional Reply on behalf of Respondent No. 3

1) Matheran is a town situated in an eco-sensitive zone, having a permanent population of 4,400 residents as per the Census 2011. Since it is popular for tourist activities, it also carries a large floating population. Matheran has been known for its uniqueness, inasmuch as it is recognized as the only pedestrian hill station. The record of capitation count is annexed as **annexure -C.**

2) The MMC has a DPR for waste management. In consonance with the same, wet waste and dry waste are segregated on site. The entire wet waste is converted into biogas and the dry waste is processed by a baling machine (hydraulic baler) and is further transported out of the town. The MMC has received the requisite approval for an STP plant, and the STP plant is under construction. The details of waste management, as well as capacity building through the STP, are annexed herewith as "**ANNEXURE**-D" for the kind perusal of the Hon'ble Tribunal.

3) On 21st November 2000, the Government of Maharashtra communicated its in-principle approval to the Government of India to declare Matheran as an Eco-Sensitive Zone (ESZ). On 12th July 2001, the

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Hon'ble Apex Court issued directions that Matheran should be recognized as an ESZ. The Hon'ble Apex Court also expressly restricted all vehicular traffic in the region, except for an ambulance and a fire engine.

4) A draft notification was published on 6th February 2002, and the final notification was issued by the Ministry of Environment and Forests (MoEF) on 4th February 2003. Para 4(n) of the said notification restricted the movement of vehicular traffic within the municipal limits of Matheran, except for an ambulance and a fire engine, and the use of a tractor for transportation of solid waste.

5) As per Notification S.O. No. 133(E) dated 4th February 2003, a Monitoring Committee was also constituted. The terms of reference of the said Committee are as follows:

a. To ensure monitoring of compliance with the provisions of the Matheran Notification declaring Matheran and the surrounding region in the State of Maharashtra as an Eco-Sensitive Zone, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (ii), S.O. No. 133(E) dated 4th February 2003.

b. To discharge the functions specifically enumerated in the Notification and to do all things incidental

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thereto (except the functions required to be performed by the Central Government under the provisions of the Environment Impact Assessment (EIA) Notification dated 14th September 2006, as amended from time to time). The said Notification dated 4th February, 2003 is annexed herewith as **'ANNEXURE-E".**

6) The Committee is also responsible for compliance with orders or directions issued by the Hon'ble NGT/High Court/District Court from time to time with respect to the Matheran Eco-Sensitive Zone.

7) Vide the said notification, the Monitoring Committee is the decision-making authority of the ESZ of Matheran, and the MMC is the implementing authority.

8) As per the directions of the Hon'ble Apex Court to stop and curb the practice of hand-pulled rickshaws, the Monitoring Committee has already introduced 20 e-rickshaws in Matheran and is in the process of introducing another lot of e-rickshaws. The copy of the said order is annexed herewith as "**ANNEXURE - F".**

9) I further say that the Department of Environment and Climate Change, Government of Maharashtra, has

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constituted a Monitoring Committee as per S.O. No. 133(E) dated 4th February 2003, declaring Matheran and the surrounding regions in the State of Maharashtra as an Eco-Sensitive Zone. Moreover, as per the newly inserted Section 2A and Notification S.O. No. ___ dated 27th August 2021, the Government of Maharashtra, Department of Environment and Climate Change, has reconstituted the Monitoring Committee comprising the following:

1.	Shri K.P. Bakshi, IAS (Retd.) 2601, Tower-5, Runwal Greens, Mulund Goregan Link Road, Bhandup (West), Mumbai – 400 078, Maharashtra	Chairman
2.	Dr. Rakesh Kumar, CSIR, (Environment Expert) NEERI Building, 89B, Dr. Annie Besant Road, Worli, Mumbai – 400 018	Member
3.	David R. Cardoz, (Arch. Heritage Expert) Edmar 51/C Hill Road, Bandra, Mumbai – 400 050.	Member
4.	Representative, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi	Member
5.	Representative, Central Pollution Control Board, New Delhi	Member
6.	Principal Secretary, Environment &O Climate Change Department, Government of Maharashtra, Mantralaya, Mumbai – 32.	Member
7.	Principal Secretary, Urban Development Department – 1,	Member

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	Government of Maharashtra, Mantralaya, Mumbai – 32	
8.	Principal Secretary, Urban Development Department – 2, Government of Maharashtra, Mantralaya, Mumbai – 32	Member
9.	Collector, Raigad District	Member Secretary

Moreover, it is submitted that the tenure of the Committee shall be till further orders, provided that the non-official members shall be nominated by the State Government, from time to time. The said Committee is accordingly constituted and is functioning. However, in the present proceedings, the said Committee has not been made a party Respondent. Without the Committee being made a Respondent, the present proceedings are bad in law for non-joinder of necessary parties. It is submitted that decisions regarding development and other activities, including plying of e-rickshaws, laying of paving blocks, etc., are taken by the Committee only.

10) It is further submitted that the prayers made by the Applicant, viz., Prayers 2, 3, and 4, regarding the initiation of a new Joint Committee comprising Respondent Nos. 1 to 4 for successful rehabilitation of Ghodavalas, constitution of a Committee to monitor, present quarterly compliance, and pass any orders

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relevant thereto. The Present deponent has already participated in the joint committee and further directed DBATU to conduct technical research. The said report as well as its conclusions are a part of record. It is further submitted that, Municipal council has thoroughly participated in the report prepared by DBATU titled as "Environmental Impact Assessment Report for Air, Water and Soil in Matheran Area Due To Presence of The Horse Dung" also called as Environment Monitoring Report and further it is submitted that the council shall abide by the directions passed by this hon'ble tribunal on the basis of observations and conclusions in the said report.

Apart from the same, in prayer (i), directions are also sought to direct Respondent Nos. 1 to 4 to reduce the plying of horses in the Matheran ESZ Zone.

11) It is further submitted that Matheran has the unique status of being the only pedestrian hill station in the entire area. Moreover, the only permissible mode was horses. Since the time of the British, only horses are permitted in the area. The Matheran Municipal Council has taken efforts to reduce dependency on horses by introducing e-rickshaws. This Respondent relies upon the judgment passed in W.P. No. 202 of 1995 decided on 6th August, 2025, wherein the

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Hon'ble Supreme Court permitted the State of Maharashtra to lay clay paver blocks. Apart from the same, the Hon'ble Apex Court also permitted this Respondent to implement an e-rickshaw scheme by purchasing the same and providing the same to the genuine handcart pullers.

12) In pursuance of the same, 20 e-rickshaws have been purchased and allotted to handcart pullers. A proposal for next lot of e-rickshaws has been approved by the Monitoring Committee. This respondent has sent a proposal to District Collector to avail Corporate Environmental Responsbility (CER) funds to purchase the additional E-rickshaws. It is submitted that additional e-rickshaws will be purchased and put into operation. The same will take some time. This Respondent is committed to the same.

So also, in *In Re: T.N. Godavarman Thirumulpad vs. UOI & Ors.*, Writ Petition (C) No. 202 of 1995, I.A. Nos. 79569, 79576, 159670, and 159677 of 2019; I.A. Nos. 14261 and 14262 of 2021; I.A. Nos. 40599, 40624, and 220675 of 2023; and I.A. Nos. 111336 and 137276 of 2025, the Hon'ble Apex Court directed the Monitoring Committee to take a call with regard to permitting e-rickshaws and laying down paver blocks. The Monitoring Committee has also implemented the

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phase-wise plying of e-rickshaws in the city of Matheran as per the directions of the Hon'ble Apex Court.

The averments as to the limitation are vague and illusory. Therefore, the present application is also barred by limitation.

As such, the application along with the grounds mentioned therein is devoid of merits and the same deserves to be dismissed and the same may kindly be dismissed with heavy costs.

Whatever has been stated hereinabove is true and correct to the best of my knowledge, belief and information and in witness whereof, I have signed this at Pune on this 13 th day of ~~May~~ June, 2026.

MATHERAN H.S. MUNICIPAL COUNCIL Matheran Dist. Raigad

CHIEF OFFICER
Matheran Hill Station Municipal Council
Tal. Karjat, Dist. Raigad.

AFFIANT

I know the Affiant

Advocate

माथेरान गिरीस्थान नगरपरिषद

माथेरान ,ता .कर्जत ,जिल्हा - रायगड 410102

दुरध्वनी नंबर : 23023 ,230343 ,230341 02148 -

Email ID – mcomatheran@gmail.com

जावक क्रमांक मागिनप/ ०४६/२०१८-१९ दिनांक- १५/०१/२०१९

कार्यादेश

प्रति

मे.संपूर्ण (ई)अर्थ इनवारोमेंट सोल्युशन,
मुंबई

विषय:-माथेरान गिरीस्थान नगरपरिषदेच्या बायोगॅस प्लांट वर १.५ टन क्षमतेच प्री.डायजेस्टर बसविणे.

संदर्भ:-१.माथेरान गिरीस्थान नगरपरिषद ई- निविदासुचना क्र.मागिनप/ १५३३/२०१८-१९ दि.२१/११/२०१८.

२.आपली भरलेली ई-निविदा.

३.माथेरान गिरीस्थान नगरपरिषद स्थायी समिती सभा ठराव क्रमांक.५८(८) दिनांक ०६/१२/२०१८

४.नगरपरिषदे सोबत केलेला करारनामा.

आपणास वरील विषयाचे अनुषंगाने कळविण्यात येते की, वरील विषयाबाबतची दिनांक २१/११/२०१८ ची आपण सादर केलेली ई-निविदा सर्वात कमी दराची असल्याकारणाने स्थायी समिती सभा ठराव क्रमांक ५८(८) दिनांक ०६/१२/२०१८ अन्वये मंजुर करण्यात आलेली आहे व याबाबत आपण नगर परिषदेशी केलेल्या करारनाम्यानुसार आपण ४ महिणेच्या कालावधीत सदरचे काम पुर्ण करून देण्यात यावे.

(श्री.रामदास कोकरे)
मुख्याधिकारी
माथेरान गिरीस्थान नगरपरिषद

स्वच्छता विभाग
माथेरान नगरपरिषद
दि. 16 /2/2010

सविनय सादर,

विषय:- नागरी घनकचरा व्यवस्थापन नियम -2000 ची अंमलबजावणी करिता नैसर्गिक कचरा या पासुन पेलेटस बनविणेकरिता प्रक्रिया युनिट पुरवठा करुन त्याची उभारणी करणे प्रात्यक्षीक दाखवुन युनिट हातळणाऱ्या कर्मचाऱ्यांना प्रशिक्षित करणेच्या कामाबाबतचे बिल अदा करणेबाबत.

संदर्भ :-1.माथेरान गिरिस्थान नगरपरिषद निविदासुचना क्रमांक एमएल/383/2009-2010 दि.9/6/2002
2. माथेरान गिरिस्थान नगरपरिषद सर्वसाधारण सभा ठराव क्र.552 दि.6/8/2009
3. कार्यादेश क्र.एमएल/901/2009-2010 दि.26/8/2009

महोदया,

नागरी घनकचरा व्यवस्थापन नियम -2000 ची अंमलबजावणी करणे नगरपरिषदांना बंधनकारक झाले असुन या करिता नैसर्गिक कचरा या पासुन पेलेटस बनविणेकरिता प्रक्रिया युनिट पुरवठा करुन त्याची उभारणी करणे व प्रात्यक्षीक दाखवुन युनिट हातळणाऱ्या कर्मचाऱ्यांना प्रशिक्षित करणे या कामाकरिता संदर्भ (1) ने निविदा मागविण्यात आलेल्या होत्या त्यानुसार मे.अमेय इंजिनियर्स वर्क्स ,डोंबीवली यांची कमी दराची निविदा संदर्भ (2)ने मंजुर झालेनुसार संदर्भ(3) ने दिलेल्या कार्यादेशानुसार पुरवठाधारकाने ,

घोड्याचे लिदीचे व इतर नैसर्गिक कचरा यापासुन ब्रिकेटस/पेलेटस (ग्रीन कोल)मध्ये रुपांतर करणारे एक मे.टन क्षमतेचे प्रक्रिया युनिट पुरवठा केलेले असुन त्याची उभारणी करुन प्रात्यक्षिक दाखवुन युनिट हाताळणाऱ्या कर्मचाऱ्यांना प्रशिक्षित केले आहे.पुरवठा केलेल्या साहित्याचा तपशिल व मंजुर रक्कम खालीलप्रमाणे आहे.

क्रमांक	कामाचा व साहित्याचा तपशिल	युनिट	मंजुर दर
1.	माथेरान न.प.चे स्पेशिफिकेशन प्रमाणे घोड्याचे लिदीचे ब्रिकेटस/पेलेटस (ग्रीन कोल)मध्ये रुपांतर करणारे एक मे.टन क्षमतेचे प्रक्रिया युनिट पुरवठा करणे व त्याची उभारणी करुन प्रात्यक्षिक दाखवुन युनिट हाताळणाऱ्या कर्मचाऱ्यांना प्रशिक्षित करणे. 1.Ms covered 10hp 3 phase drive motor manual operatable with gear system	1	234000
	2. Cutter configuration is for multi purpose crushing with 10hp 3 phase drive motor manual operatable Hopper interlock with motor.dust collector/seperator arrangement,trolly with liquid seperation for glass crushing application with spare chamber and cutter set.	1	108000

घोड्याचे लिदीचे ब्रिकेटस/पेलेटस (ग्रीन कोल)मध्ये रुपांतर करणारे युनिट हा महत्वकांक्षी प्रकल्प असुन तो इतर नगरपरिषदांना पथदर्शी ठरेल अशाप्रकारे त्याचे नियोजन स्वच्छता विभागाकडुन करणेत येत आहे. याची संकल्पना ,आराखडे स्वच्छता विभागाकडुन करण्यात आली आहे.

या प्रकल्पाकरिता करावयाचा खर्च हा संत गाडगेबाबा नागरी स्वच्छता अभियान स्पर्धेत नगरपरिषदेस प्राप्त झालेल्या बक्षिसाचे रकमेतुन करण्यास विशेष सर्वसाधारण सभा ठराव क्रमांक 404 दि.22/12/2008 ने मंजुरी दिलेली आहे. स्वच्छतेशी निगडित सार्वजनिक कामासाठी 8 लक्ष रु.खर्च करण्यास मंजुरी असुन या रकमेतुन ही रक्कम खर्च करता येईल.

या प्रक्रिया युनिटची मंजुर रक्कम काम क्र.1 - रु.234000/ व काम क्र.2 -108000/ इतकी असुन त्याप्रमाणे मेसर्स AMEY ENGINEERS यांनी बिल क्र.IN/S/Nov-09/41 dt.23/11/2009 व बिल क्र.IN/S/Nov-09 /41-1 dt.23/11/2009सादर करुन बिलाची मागणी केलेली आहे.मंजुर दराप्रमाणे बिल असल्याकारणाने ती मंजुर करण्यास शिफारस आहे.या मंजुर रकमेतुन 7% सुरक्षा अनामत रक्कम रु.23940/ मात्र कपात करुन उर्वरित रक्कम रु.318060/ बिल अदा करण्यास हरकत नाही.

तरी मा.महोदयांकडे मंजुरीस्तव व आदेशासाठी सविनय सादर.

सोबत AMEY ENGINEERS यांनी सादर केलेली मुळ बिले.

आरोग्यनिरिक्षक

QUALITY & INNOVATIONS

Tax Invoice

INVOICE NO:IN/ S /Nov-09/ 41
DATE: 23-Nov-09

AMEY ENGINEERS
Patil Compound, Before Lalit Weigh-bridge,
Kalyan-Shil Road, Dombivli- 421 204.
Ph. 2871114. Fax 0251- 2870397

VAT TIN : 27640070018V
CST TIN : 27640070018C

To:
M/s. माथेरान गिरीस्थान नगरपरिषद.
माथेरान, जि. रायगड-410 102

Customer VAT No.

Vendor Code-

P.O. NUMBER	CHALLAN NO.	DISPATCH VIA
ML/901/2009-10	CH/S/Nov-09/41	Ex works
DATE	DATE	Docket / LR No.
26-Aug-09	23-Nov-09	

SR.	DESCRIPTION	QUANTITY	PRICE	AMOUNT
1	माथेरान गिरीस्थान नगरपरिषदेचे स्पेसिफिकेशन प्रमाणे घोड्याच्या लिदीचे ब्रिकेटस्/पेलेटस् (ग्रीन कोल) मध्ये रुपांतर करणारे १ मे. टन क्षमतेचे प्रक्रिया युनिट. **MOC- MS with 10 HP 3 Phase Crompton make electric Motor.** Inclusive of VAT and Site work of Installation & Training. ***Machine Sr. No.***	1	234,000.00	234,000.00

EXCISE NOT APPLICABLE UNDER G.E.N.-1/93 C.E. dated 25-02-93 & amend

Aggregate value of clearances from 1-4-09 inclusive of this clearance is Rs.

Payment Terms:- 100 % against dispatch.

NOTE- 1] Goods once sold will not be takes back.
2] Our responsibility ceases no sooner the goods leave our premises.
3] Interest at a rate of 18% will be charged after due date.
4] Subject to Kalyan jurisdiction.

SUBTOTAL	234,000.00
Packing & Forwarding 0 %	0.00
VAT	0.00
Transport	0.00
OCTROI %	0.00
TOTAL DUE	**234,000.00**

Rs. Two hundred thirty-four thousand only

ADVANCE RECEIVED	0.00	BALANCE RECEIVABLE	234,000.00

Make all checks payable to:
Amey Engineers
If you have any questions concerning this invoice, call: Mr. S.V.Lele
E.& O. E.

I/We hereby certify that my / our registration certificate under the Maharashtra Value Added Tax Act, 2002 is in force on the date on which the sale of the goods specified in this Tax Invoice is made by me / us and that the transaction of sale covered by this invoice has been effected by me / us and it shall be accounted for in the turnover of sales while filing of return and the due tax, if any, payable on the sale has been paid or shall be paid.

For AMEY ENGINEERS

Proprietor

THANK YOU FOR YOUR BUSINESS!

Office:- Lele Wada, Tilak Chowk, Kalyan-421 301.

माथेरान गिरीस्थान नगरपरिषद

माथेरान ,ता .कर्जत ,जिल्हा - रायगड 410102
दुरध्वनी नंबर : 02148 - 23023 4, 230343 , 230341
Email ID – mcomatheran@gmail.com

जावक क्रमांक मागिनप/ १५०९ /२०१८-१९ दिनांक : १५ /११/२०१८

प्रति,
डॉ. गणेश कामत (सी. ई. ओ) ऑरगानिका बायोटेक,
36,विआगर इन्डस्ट्रीयलइस्टेट डब्ल्यू. टी. पाटील मार्ग,गोवंडी
मुंबई -88.

विषय:- बायोकल्चर पुरवठा करणे बाबत.

संदर्भ:-1) या कामाबाबत आपन भरलेली निविदा.

2)माथेरान नगरपरिषद सर्वसाधराण सभा ठराव क्र. 382 दिनांक 20/07/2018

3) माथेरान नगरपरिषदे सोबत आपण केलेला करारनामा.

आपणांस वरील विषयाचे अनुषंगाने कळविण्यांत येते की, आपण सादर केलेली निविदा वरील ठरावान्वये मंजुर केलेली आहे. तरी आपण खालीलप्रमाणे नगरपरिषदेस बायो कल्चर पुरवठा करावा.

अ.क्र	तपशिल	आवश्यक परिमाण
१.	बायोकल्चर (Bio Clean Septic)	१० किलो
३.	बायोकल्चर ओला कचरा कुजवून खत तयार करण्यासाठी	१० किलो

(श्री. रामदास कोकरे)
मुख्याधिकारी
माथेरान गिरीस्थान नगरपरिषद

माथेरान, जि. रायगड

Recieved
Mayur Prabhu
Organica Biotech Pvt Ltd.

माथेरान गिरीस्थान नगरपरिषद

माथेरान ,ता .कर्जत ,जिल्हा - रायगड 410102
दुरध्वनी नंबर : 02148 - 23023 ,230343 ,230341
Email ID – mcomatheran@gmail.com

जावक क्रमांक मागिनप /४७९ /२०१८-१९ दिनांक :०८/०३/२०१९

कार्यादेश

प्रति,
जय बालदिगंबर कंन्सट्रक्शन
दहिवली,कर्जत.

विषय:- माथेरान गिरीस्थान नगरपरिषद हद्दीतील जुन्या कचरा डेपो येथे बायोमायनिंग करणे.

संदर्भ:-१.माथेरान गिरीस्थान नगरपरिषद ई- निविदा सुचना.
२.आपण भरलेली दिनांक ०५/०३/२०१९ ची ई-निविदा.
३.माथेरान गिरीस्थान नगरपरिषद स्थायी समिती सभा ठराव क्र. ११३ दि.०८/०३/२०१९
४.आपण दिनांक ०८/०३/२०१९ रोजी नगरपरिषदेशी केलेला करारनामा.

आपणास वरील विषयाचे अनुषंगाने कळविण्यात येते की, वरील विषयाबाबतची आपण सादर केलेली ई-निविदा सर्वात कमी दराची असल्याकारणाने स्थायी समिती सभा ठराव क्रमांक ११३ दिनांक ०८/०३/२०१९ अन्वये मंजुर करण्यात आलेली आहे.

स्थायी समिती सभा ठराव क्रमांक ११३ दिनांक ०८/०३/२०१९ अन्वये मंजुर दरानुसार व नगरपरिषदेशी केलेल्या करारनामा अटी - शर्ती नुसार आपणस कार्यादेश दिलेपासून ९० दिवसात म्हणजेच दिनांक ०७/०६/२०१९ पर्यंत काम करणेचे आहे .

(श्री.रामदास कोकरे)
मुख्याधिकारी
माथेरान गिरीस्थान नगरपरिषद

माथेरान गिरीस्थान नगरपरिषद माथेरान जि. रायगड.

माथेरान गिरीस्थान नगरपरिषद

माथेरान, जि. रायगड, मिनी – रायगड 410201

दुरध्वनी नंबर : - 02148 230341, 230343, 23023

Email ID – mcomatheran@gmail.com

ULB Code: ८०२७९७ दिनांक : ०४ / ०६ /२०१९

काम पूर्णत्वाचा दाखला

प्रति
नव बालदिगंबर कन्सट्रक्शन,
दहिवली कर्जत.

विषय:माथेरान गिरीस्थान नगरपरिषद हद्दीतील नुन्वा कचरा डेपो येथे बायोमायनिंग करणे.

संदर्भ:-१.आपणास सदर केलेली ई-निविदा.
२.आपणास इकडील कार्यालयामार्फत दिनांक ०८/०३/२०१९ रोजी दिलेला कार्यादेश.

उपरोक्त विषयी आपणास दाखला देणेत येत आहे कि आपणास उपरोक्त संदर्भान्वये देणेत आलेल्या कार्यादेशानुसार आपण बायोमायनिंग चे काम निहित वेळेत १००% पूर्ण केले आहे.

माथेरान गिरीस्थान नगरपरिषद जि. रायगड

(श्री.रामदास कोकरे)
मुख्याधिकारी
माथेरान गिरीस्थान नगरपरिषद

Annexure

माथेरान रुल्स १९५९

Matheran Revised rules and orders for the guidance of lease holders - visitors & other

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Government of Bombay,
Revenue Department,
Resolution No. 1059-UD-19323-B1,
Sachivalaya, Bombay, 8th September, 1959.

Matheran
Revised rules and orders
for the guidence of
lease holders - visitors & other

Government of Bombay.

Revenue Department.
Resolution No.HST.1059-UO-19323-D1,
Sachivalaya, Bombay, 8th September, 1959.

Read - Government Memorandum Revenue Department No.HST.1053-III-B, dated 15th November, 1954.

The Collector Kolaba's letter, No.RB.MRN.SR.192, dated 12th July, 1955.

The Director of Local Autjorities Central Division, Poona's endorsement No.Matheran 4/10, dated 12th June 1956.

Chief Conservator of Forest's letter No.33-D/A/6519, dated 30th November, 1956.

Consulting Surveyor to Government's letter No.MIS 75 dated 28th December, 1956.

Collector Kolaba's letter No.RB.MRN.SR/192, dated 27th March, 1957.

Resolution -
In supersession of the rules and orders of Matheran appended to Government Momorandum No.895/F.24 dated 16th February, 1938 as amended from time to time, Government is pleased to sanction the revised rules and orders typed as accompaniment to this resolution.

By order and in the name of the Governor of Bombay,

H.K.Oza.
Under Secretary to Government.

Copies to :-

The Commissioner, Poona Division,
The Settlement Commissioner and Director of Land Records,
The Legal Department,
The Home Department,
The Public Works Department,
The Local Self Government and Public Health Department
The Chief Conservator of Forests,
The Superintending Engineer, Bombay Circle,
The Executive Engineer, Kolaba Division,
The Remembrancer of Legal Affirs,
The Inspector General of Police, Kolaba,
The Deputy Superintendent of Police,
The Consulting Surveryor to Government,
The Surgeon General with Government of Bombay.

Matheran ... and orders

Accompaniment to G.R.R.D.No.HST 1059-UO-19323-B1,
dated 8th September, 1959.

RULES AND ORDERS OF MATHERAN ISSUED UNDER THE AUTHORITY OF GOVERNMENT FOR THE GUIDANCE OF LESSEES VISITORS AND OTHERS.

.....

Instructions to the Matheran Lessees.

1. The attention of every lessee is invited to the condition in his lease binding the lessees toobey and submit to all the rules or orders of Government for the time being in force relating to --

- the posession of Government land in the mofussil generally and those in force in the Kolaba District and at Matheran in particular as well as all rules or orders of Government relating to the health, safety or convenience of the inhabitants of the Kolaba district or of Matheran, Rules 2 to 16 of these rules and the rules sactioned in Government Resolution, Revenue Department No.3583, dated 13th May, 1904 (printed as appendix I hereto) for excavation of earth and quarrying of stone, xx so far as they are not covered by express conditions in the lease or by any express provisions of law, such as the Bombay Land Revenue Code, 1879, apply to every lease hold site, and any infringement of the said rules will render the lessee liable to the cancellation of his lease, in addition to any other penalty imposed by law.

2. All applications for extension of compounds renewal of lease, asignment of sale of plots, or for additions or alterations to buildings shall be made in the first instance to the Superintendent of Matheran (hereinafter referred to as "The Superintendent") who shall refer all such cases to the Collector with his remarks. Every such application shall be stamped with court-fee stamp of sixty five naye paise. The application shall be made by the lessee himself whose

named appears in Government records, or by his duly constituted representative.

3. Any person who has acquired property at Matheran by succession, gift, sale or otherwise shall within three months of the date of such acquistion make an application for the transfer of the property to his name in the Government Records. On his failure to do so, he shall be leable to the payment of a fee not exceeding Rupees twenty-five under section 135-F of the Bombay Land Revenue Code, 1879. Every such application shall be accompanied by a succession certificate or other document of title in original or by a certified copy thereof.

4. Every application for the extension of a compound shall be accompained by a site plan drawn to scale showing (a) the existing plot of the applicat (b) the buildings thereon (c) the additional land asked for, and (d) the adjacent plots, vacant land roads and paths. In the margin, of the site plan, the applicant shall state (1) the area of the existing plot (2) the area accupied by each of the buildings standing on it, and (3) the area of the land proposed to be added. He shall also state in his application the reasons for the proposed extension of the compound. He shall also state in the application whether he wishes to cut any tree if so the location thereof.

5. (1) Every application for renewal of a lease shall be made to the Superintendent six months before the expiry of the current lease. The application shall be accompanied by the lease which is about to expire. A lessee entitled under the currect lease to renewal in the old form may exercise the option of taking the renewal in the form or in the new form.

If the old form be chosen the clause respecting renewal shall be deleted from the said form and clause 6 of the the new form shall be substituted therefor. Other lessees shall obtain the renewal of their leases in the new form only.

(2) On receipt of the application, the Superintendent shall intimate to the lessee the rent payable annually and, on the lessee agreeing to it, the Superintendent shall prepare a draft lease in the prescribed form, and send it together with the lessee's application for the Collector's approval.

(3) On obtaining the Collector's approval, the Superintendent shall send a copy of the approved draft to the lessee, who shall without delay, execute the counter-part agreement drawn up in accordance with the draft in the presence of a responsible Government officer and send it to the Superintendent. The Superintendent, shall than send to the Collector (a) the lease, (b) the approved draft, (c) the counter-part agreement, and (d) the final lease to be granted to the lessee, for final sanction. After the Colledtor gives his final sanction, the approved draft and the counter-part agreement shall be filed in the office of the Superintendent and the lease duly cancelled.

6. (1) A lessee wishing to sell or otherwise assing his plot shall obtain the Collerctor's previous consent to his doing so, according to conditions of his lease. Any application made for this permission shall specify to whom the property is to be sold or assigned and for what consideration, and the status of the purchaser or assignee. On receipt of the Collector's

....4/-

consent and after the property has been actually sold or otherwise assigned, the person to whom the peoperty has been sold or assigned shall send to the Superintendent the deed of transfer, and apply to have the plot transferred in his name in the Government records. The Superintendent shall send to him a transfer certificate signed and sealed by the Collector. Until he obtains this certificate, he shall not be recognised as the lessee of the plot in the Government record.

(2) Subject to the provisions of sub-rule (I) in the case of a transfer of a plot from one party to another without any consideration and without ~~any consideration and~~ without a formal deed, the parties concerned shall respectively sign the relingquishment and acceptance forms which can be obtained from the Superintendent. On receipt of the forms duly executed, the transfer shall be effected in the Government records and a transfer certificate duly signed and sealed by the Collector as aforesaid shall be sent to the transferee,

7. (1) All applications for the permission to construct new buildings or to make additions or alterations to existing buildings shall be accompanied by the following plans :-

(I) A site plan of the plot drawn to a scale of 40 feet to an inch showing :-

(a) the area of the plot,
(b) the position of the existing and proposed buildings and the area covered by such buildings,
(c) the Boundaries of the plot,
(d) the distance of the proposed structures from the nearest boundaries of the plot or from any public road bordering on the plot,
(e) the alignments and dimensions of paths, the position of drains, sewers, privies, water closets, cesspools, if any, proposed to be made,
(f) the names of the owners of the adjoining buildings or lands together with plot numbers,

(II) A detailed plan of the proposed buildings (scale 8 feet to an inch) showing :-

(a) the ground level at 10 feet interval, and extending to at least 20 feet on all sides of the buildings,

(b) the section of the buildings (scale 8 feet to an inch) showing the roof construction, etc., the height of the plinth above ground level where the ground is highest and a so where it is lowest and also the depend of the foundation below the ground level,

(c) two or three trail pits (4 feet X at different places taken on the site proposed the building and sections of the same showing different natures of strate marked on the plan,.

(d) the plan and section of any privies on the scale of 8 feet to an inch.

(2) The scale used and the North point shall be marked on the plans.

(3) All the plans shall be signed and dated by the applicat or his Architects.

(4) The proposed buildings shall be in conformity with the building bye-laws framed by the Matheran Municipality.

(5) The maximum portion of any plot that may be built upon shall not exceed 1/3 of the total area except in the bazar area where the maximum area to be built upon shall not exceed 2/3rd.

(6) The plans shall be submitted in triplicate and if approved shall be countersigned by the Collector. One copy of the plans shall then be returned to the applicant, the other being retained, one for the Matheran Municipal Office and the other in the Office of the Superintendent for record. On the plans being approved by the Collector, the applicant shall mark out on the ground the site of the proposed house, paths and other constructions for inspection by the Superintendent; but no trees or undergrowth shall be cut until the Superintendent approves in writing the site selected and the Divisional Forest Officer Kolaba (hereinafter referred to as "the Divisional Forest Officer") gives written permission for cutting of trees.

(7) A sample plan showing what is exactly required shall be kept for inspection in the office of the Superintendent.

(8) (i) In respect of a new building, the construction be commenced within one year and completed within two years from the date of the grant of the lease. In respect of additions and alterations to already existing buildings, the work shall be started and completed within a period of one year or within such extended time limit as may be granted by the Collector.

(ii) If the lessee fails to comply with the provisions of this rule, it shall be lawful for the Superintendent with the approval of the Collector to cancel the permission granted for the construction of a new building or of addition or alteration to an existing building.

9. All new buildings or structures shall be erected and additions, extensions or alteration to existing buildings shall be made strictly in accordance with the sanctioned plans. If in the course of construction the lessee desires to make any alterations in the plans he shall first submit plans showing the proposed alterations and obtain, through the Superintendent, the sanction in writing of the Collector to such alterations.

10. The approval of the plans by the Collector shall include the approval of the materials to be used in the building.

11. Each bunglow shall have a name and number duly registered and affixed to or painted at the entrance to the bungalow.

12. A new name may be registered for a bungalow in place of the previously registered name on the lessee applying in that behalf and paying a fee of rupees five.

13. A lessee wishing to erect any temporary structure or tent on his plot shall make a written application to the Superintendent submitting therewith a rough site plan of the plot showing the location of such structure or tent. Every such application shall bear a court fee stamp of ten annas.

14. Any permit granted for the erection of a temporary structure or tent shall specify the length of time during which the structure or tent may remain standing and the lessee shall remove the structure or tent at the end of the time, specified or if an extension of time is obtained from the Superintendent at the end of such extended time.

15. If a lessee infringes the provisions of rule 9 or 14 of these rules, the Collector may cause the building, structure, addition, extension or alteration erected or made contrary to the sanctioned plan, or any temporary structure or rent remaining standing after the prescribed time, to be removed and if the expenses of such removal are not paid forthwith, he may recover the same from the lessee.

Conditions prescribed for the opening of hotels or Boarding houses.

16. In the event of a lessee wishing to open a hotel or a boarding house for the reception of paying visitors or to convert an existing place of residence into a hotel or boarding house, on a lease-hold plot, he shall first apply in writing to the Collector for permission in that behalf. The Collector shall, after such inspection of the site and surroundings of the proposed hotel or boarding house as he thinks necessary, give or refuse

sanction to the application. In giving or refusing sanction to any application regard shall be paid to the sufficiency or otherwise of the available water supply of Matheran in relation to the whole population, actual or prospective, to the possible danger of pollution of the supply by reason of the proximity of the site for the purposed hotel or boarding house and to the sufficiency of the conservancy arrangements avilable for dealing with the probable increase in the number of inhabitants of Matheran.

17. The Manager of each hotel or boarding house shall cause each room used by visitors as a sleeping apartment to be separately numbered. The number of each apartment shall be placed in a conspicuous manner over the door of the room on the outside. The maximum number of adults which each room may contain shall be fixed by the Collector having regard to the size as well as to the ventilation of the room.

18. Accommodation for each person shall not be less than 100 Square Feet.

TREES

19. A lessee shall have no title to the trees standing on his leasehold site or to any part or produce thereof and such trees shall not be pruned or felled by the lessee in contravention of the convenants of his lease except on pain of the penalties provided for their breach or, if necessary, the cancellation of the lease. A lessee who wishes to prune trees in his compound shall apply to the Superintendent who shall grant permission in consultation with the Forest Officer at Matheran without any fee. The lessee shall be allowed to purchase that much cut wood as required for his own purpose only at the price fixed by the Superintendent in consultation

with Forest Officer Matheran within a week of its cutting the remaining wood shall be removed to the Government Depot for sale.

B L A S T I N G

20. Blasting operations shall not be carried on in Matheran without the written permission of the Superintendent which is required in addition to a licence under the Indian Explosive Rules, 1914. The Superintendent's permission shall contain particulars regarding the locality, the hours between which blasting operation may be carried out and the date on which it must be discontinued. The form of licence is given in Appendix II hereto. In respect of the exp osive covered by the licence, a separate transport licence is not necessary.

REVENUE PAYMENTS.

21. All revenue payments shall, unless otherwise, specially directed by the Collector, be paid in advance. Payments shall be made into the office of the Superintdent either in cash or by money order. Cheques and Postage stamps will not be received in payment. Ground rent for the leasehold plots shall be paid annually on or before the 15th of January.

WATER SUPPLY.

22. All surface springs on the hill are the property of Government and the right of Government thereto in all lease-hold plots is strictly reserved.

LAYING OF PIPES OR WIRES IN THE LEASE HOLD LANDS.

23. In the case of any municipal water, gas or electric scheme requiring the laying of pipes or wires in or through any lease-hold lands, the lessee shall permit the laying thereof without making any claim

...10/-

to compensation or rent therefor.

PUBLIC HEALTH

24. Every lessee is required to provide sufficient accommodation both residential and sanitary, for all persons residing in his compound. Overcrowding or any other insanitary condition renders the lessee liable to the penalties laid down for a breach of the conditions of his lease.

25. During the construction or lateration of buildings every lessee is required to provide, with the sanction of the Superintendent temorary structures for the housing, and temporary latrines with sweepers, for the convenience of the workmen employed by him. They connot be allowed to live in the bazar where there is no accommodation for them.

26. Defilement of the jungle inside or outside the compounds render the offender liable to prosecution under section 268, 278, or 290 of the Indian Penal Code, 1860 or under section 117 read with section 108 of the Bombay Police Act 1951.

27. Foulling the water of any public spring or reservoir remders the offender liable to prosecution under section 277 of the Indian Penal Code, 1860 or under section 117 read with secrion 108 of the Bombay Police act 1951.

28. Bathing or washing in or by the side of any of the public sources of water supply in Matheran (except in the places specially set apart for this purpose below Charlotte Lake an Simpson's Tank) is forbidden by the District Magistrate and renders the offender liable to prosecution under section 117 read with section 107 of the Bombay Police Act, 1951.

29. No horse or cattle shall be kept in the Bazar area except with the permission of the Collector.

30. Every lessee is required to keep his compound free.

...11/-

from unsightly and insanitary accumulation and may be required by the Superintendent or the Collector by notice to remove any such accumulations.

31. Every lessee shall be responsible for the cleanliness, of his compound, the overcrowding of servants quarters and the occupation of servants quarters by unauthorised persons.

32. Every lessee shall keep his compound walls tidy, erect gate pillars and put up gate posts bearing the name of the house as well as the number given by the Matheran Municipality.

FIRE WOOD

33. The removal from leasehold sites of wood which is the property of Government and the removal of any wood from unoccupied land except with the permission of, or under a contract with Government, consitutes a theft of Government property, and persons (other than the Government servants concerned or contractors or their servants) collecting or selling Government wood from the hill are consequently liable to be prosecuted for theft under section 379 of the Indian Penal Code, 1860 or for receiving, retaining or disposing of stolen property under sections 411 and 414 of that code. Visitors and others who want wood for fuel should get it from the licensed depot only, as by buying wood from other sources they may render both themselves and the wood-seller liable to prosecution.

PONIES AND CONVEYANCES.

34. Ponies allowed to ply for hire in Matheran shall be kept in the stables built for the purpose at the expense of the Matheran municipality or on sites set apart by the authority.

35. Pony mares are not allowed to ply for hire on the

36. Each pony shall have a permit issued by the District Superintendent of Police, Kolaba (hereinafter referred to as the District Superintendent of Police,) giving a rough desceiption of the pony and each pony shall bear headband a number corresponding to that mentioned in the permit.

37. An improper use of ponies as for example in the Follwing cases shall render both the owner of the pony and the visitor using the pony to prosecution under clause (a) of section 131 of the Bombay Police Act, 1951, namely :-

(a) where a pony is allowed to doghat journeys more than once in 24 hours.

(b) where a pony is ridden from Neral to Desturi in less than one hour.

38. Furious riding is prohibited throughout the station and is punishable under sub-clause (iv) of clause (b) of section 131 of the Bombay Police Act, 1951.

39. Visitors shall not use a pony that is lame or otherwise unfit for work.

40. In the notification No.Dy.Ch/POL 123, dated 19th February, 1953, the District Magistrate Kolaba has in exercise of the powers vested in him under clause (b) of sub-section (1) of Section 33 of the Bombay Police Act 1951 ordered that:-

(1) riding of horses in Matheran Hill Station be restricted to "walking" in areas and roads specified in Schedule 'A' below.

(2) not more than two persons shall ride abreast at a time and

(3) galloping is permissible at Olympia Ground.

Schedule 'A'

(a) Pandy Play Ground along Mahatma Gandhi Road, till the Junction of Mahatma Gandhi Road, with Gymkhana Road.

(b) Kotwal Road from the Railway station via Paymaster Park to Lords Store.

(c) Elphinstone road upto Artist Nook.

(d) Coolie Path.

(e) Kasturba Road from Karsandas Mulji Library to Parsy Gymkhana.

41. Visitors may not use hill ponies for racing on Olympia without the owner's permission.

42. The rates of the hire of horses and ponies shall not exceed the rates given below :-

I class Hourses.	Rs.Nps..
For the first one hour or part thereof	3-0-0
For every additional hour or part of an hour.	1.50
IInd Class Horses.	
For the first one hour or part thereof	2-0-0
For every additional hour or part of an hour	1-0-0
IIIrd Class Horses.	
For the first 1 hour or part thereof	1.50
For the every additional hour or part of an hour.	.75

Riding of III class ponies is restricted to the childern below 15. If an adult is found ridding a III class Pony the licence of the owner of such pony will be cancelled.

Complaints about the rate of hire or about other matters in connection with the hiring of horses or ponies may be made to the District Superintendent.

43. No person shall use on the roads any motor vehicle, bicycle, tricycle, or any other kind of wheeled vehicle except childern's perambulators, rickshaws, hand carts and shall carts drawn by one bullock, provided that hand carts shall not be used otherwise than for the transport of goods and bullock carts shall not be used otherwise than for the transport of building material or for municipal purposes, provided also that no hand cart or bullock

...14/-

cart shall exceed the dimensions or be used contrary to any regulations, which may, from time to time, be prescribed in that behalf by the District Magistrate.

Note :- The District Magistrate has prescribed that, until further orders, hand carts used under this rule shll not exceed 5 feet 6 inches in width. Contravention of this rule on the part of any person shall render him liable to prosecution under section 117 of the Bombay Police Act, 1951.

44. Complaints concerning licensed conveyances or ponies shall be made to the District Superintendent of Police, in writing and shall state the number of conveyance or pony.

MISCLLANEUS.

45. By-roads that lead only to lease-hold sites shall not be repaired by the Matheran Municipality but shall be maintained by the lessees concerned.

46. The use of fire-arms and fire-works within fifty feet of a road or public place without the sanction of the Superintendent is prohibited on pain of prosecution under clause (b) of sub-section (1) of section 33 of the Bombay Police Act 1951.

47. No resident or visitor shall kill or snare wile birds, monkeys or deer on the hill. The persons contravening the rule are liable to be prosecuted under the Bombay Wile Animals and Wild Birds Protection, Act, 1951.

48. The display of advertisement between the roads and the actual walls of shops is forbidden; notices intimating the the names of the shop-keepers may be allowed by the Superintendent with due regard to their number and size.

49. Individual direction sign posts are forbidden except with the sanction of the Superintendent.

50. No person shall damage public property. A contravention of this rule shall be punishable under Chapter XVII of the Indian Penal Code, 1860.

51. Begging is prohibited on the Matheran Railway station.

BYRAMJEE JEEJEEBHOY HOSPITAL.

52. The rules for the regulation of Government Aided Charitable Dispensaries, 1928, published Government. Notification in the General Department, No.1234, dated the 3rd September, 1928, the Rules governing the levy of fees in Government ~~xxxx~~ and State-aided hospitals in the Bombay Presidency published in Government No.9734, dated the 9th February, 1937, shall apply to the Byramjee Jeejeebhoy Hospital, Matheran, subject to the follwoing modifications in the latter Rules :-

For rule 4 of the rules published in Government Notification in the General Department, No.9734, dated the 9th February, 1937 the following shall be substituted, namely :-

"4. Prescriptions bearing the signature of a registered medical practitioner shall be made up at the hospital at the rates prescribed in Scheduale A. Dispensing shall be done by day and night but when the demand for such dispensing is made putisde the dispensary hours, an extra fee of annas four for the night and annas two for the day shall be charged for each such prescription. The night hours shall be 8 P.M. to 6 P.M. One half of the extra fees thus recovered shall be credited to the hospital income and the other half shall be distributed between the two compounders in such manner as the Medical Officer shall direct".

Matheran Hill Station Municipal Council

Total Tourist Footfall (Annual)

Year	Total Tourists
2022	8,15,483
2023	8,90,159
2024	9,84,656
2025	10,18,432

Capitation Count 2022-2025 (Month-wise)

Year 2022

Month	Adult	Child	Total
Jan-2022	46956	4553	51509
Feb-2022	39290	3992	43282
Mar-2022	33663	3341	37004
Apr-2022	34051	3155	37206
May-2022	69975	12047	82022
Jun-2022	68035	8346	76381
Jul-2022	96436	4555	100991
Aug-2022	83053	7076	90129
Sep-2022	40812	3208	44020
Oct-2022	70143	10325	80468
Nov-2022	67692	10068	77760
Dec-2022	83210	11501	94711
Total	733316	82167	815483

Year 2023

Month	Adult	Child	Total
Jan-2023	59504	6718	66222
Feb-2023	35900	3204	39104
Mar-2023	33963	3077	37040
Apr-2023	52076	6553	58629
May-2023	71532	13126	84658
Jun-2023	60524	7712	68236
Jul-2023	116222	5760	121982
Aug-2023	99897	10034	109931
Sep-2023	57398	6066	63464
Oct-2023	44869	3609	48478
Nov-2023	73142	13258	86400
Dec-2023	93257	12758	106015
Total	798284	91875	890159

Year 2024

Month	Adult	Child	Total
Jan-2024	65958	7143	73101
Feb-2024	44104	3872	47976
Mar-2024	32050	3063	35113
Apr-2024	36615	4369	40984
May-2024	72163	12633	84796
Jun-2024	110108	10338	120446
Jul-2024	134392	5203	139595
Aug-2024	109675	11438	121113
Sep-2024	54120	4278	58398
Oct-2024	44519	3850	48369
Nov-2024	84429	12381	96810
Dec-2024	104040	13915	117955
Total	892173	92483	984656

Year 2025

Month	Adult	Child	Total
Jan-2025	68214	7586	75800
Feb-2025	45972	4018	49990
Mar-2025	33487	3246	36733
Apr-2025	38654	4378	43032
May-2025	74932	13264	88196
Jun-2025	114387	10842	125229
Jul-2025	137945	5486	143431
Aug-2025	111872	11953	123825
Sep-2025	55418	4467	59885
Oct-2025	45983	3994	49977
Nov-2025	87624	12986	100610
Dec-2025	107518	14206	121724
Total	922006	96426	1018432

स्वच्छ महाराष्ट्र अभियान (ना.) २.० अंतर्गत माथेरान गिरीस्थान नगरपरिषद, जि. रायगड च्या घनकचरा व्यवस्थापन प्रकल्पास प्रशासकीय मान्यता देणेबाबत.

महाराष्ट्र शासन
नगर विकास विभाग
शासन निर्णय क्रमांक : स्वमअ-२०२३/CN१०६०११२(२२)/नवि-३४
हुतात्मा राजगुरु चौक, मादाम कामा मार्ग
३ रा मजला, मंत्रालय, मुंबई
दिनांक : ०९ एप्रिल, २०२५.

संदर्भ :-

१. शासन निर्णय, नगर विकास विभाग क्र.स्वमअ-२०२२/प्र.क्र.७७/नवि-३४ दि.१५ जुलै, २०२२.
२. राज्यस्तरीय तांत्रिक समितीच्या दि. २६.०३.२०२५ रोजीच्या १६ व्या बैठकीचे इतिवृत्त.

प्रस्तावना:

केंद्र शासनाच्या "स्वच्छ भारत अभियान (नागरी) २.०" च्या धर्तीवर राज्यामध्ये स्वच्छ महाराष्ट्र अभियान (नागरी) २.० ची अंमलबजावणी संदर्भ क्र. १ येथील शासन निर्णयान्वये सुरू करण्यात आली आहे. या अभियानांतर्गत राज्यातील सर्व शहरे कचरामुक्त करण्याचे मुख्य उद्दिष्ट असून या अंतर्गत शहरातील सर्व प्रकारच्या घनकचऱ्याचे शास्त्रोक्त व्यवस्थापन व शाश्वत स्वच्छता आणि वापरलेल्या पाण्यावर प्रक्रिया करणे समाविष्ट आहे.

२. स्वच्छ महाराष्ट्र अभियान (नागरी) २.० अंतर्गत माथेरान गिरीस्थान नगरपरिषदेच्या घनकचरा व्यवस्थापन प्रकल्पाच्या प्राप्त प्रस्तावास मा. प्रधान सचिव (नवि-२), नगर विकास विभाग यांच्या अध्यक्षतेखालील राज्यस्तरीय तांत्रिक समितीच्या दि. २६.०३.२०२५ रोजीच्या १६ व्या बैठकीत मान्यता मिळाली आहे. सदर प्रस्तावास प्रशासकीय मान्यता देण्याची बाब शासनाच्या विचाराधीन होती.

<u>शासन निर्णय:-</u>

स्वच्छ महाराष्ट्र अभियान (नागरी) २.० अंतर्गत **माथेरान गिरीस्थान** नगरपरिषदेच्या घनकचरा व्यवस्थापन प्रकल्पाच्या प्रस्तावास राज्यस्तरीय तांत्रिक समितीच्या दि. २६.०३.२०२५ रोजीच्या १६ व्या बैठकीत दिलेल्या मान्यतेस अनुसरून पुढील तक्त्यात नमूद केल्यानुसार परिच्छेद-२ मध्ये नमूद अटी व शर्तींच्या अधिन राहून प्रशासकीय मंजूरी देण्यात येत आहे.

माथेरान गिरीस्थान नगरपरिषदेच्या घनकचरा व्यवस्थापन प्रकल्पाचा तपशील

Sr. No.	Component	MoHUA Approved CSWAP		Approved Proposal					
		Qty (TPD)	Amount (Rs.)	Qty (TPD)	Total Cost (Rs.)	Central Share (Rs.)	State Share (Rs.)	ULB Share (Rs.)	Additional Cost / (Savings) (Rs.)
१.	Wet Waste Plant - Compost (@ Rs. 11.5 lakh /TPD)	1.00	11,50,000	-	12,13,638	5,75,000	5,17,500	57,500	63,638
२.	Dry Waste Plant – MRF (@ Rs. 8.5 lakh /TPD)	1.00	8,50,000	-	11,30,659	4,25,000	3,82,500	42,500	2,80,659
३.	Scientific Landfill (@ Rs. 6.5 lakh /TPD)	0.19	1,20,000	-	-	-	-	-	(1,20,000)
	Adjustment of Savings from SLF #					60,000	54,000	6,000	
	Total		**21,20,000**		**23,44,297**	**10,60,000**	**9,54,000**	**1,06,000**	**2,24,297**

Savings from SLF to be adjusted for Compost and MRF

२. उपरोक्त नमूद माथेरान गिरीस्थान नगरपरिषदेच्या घनकचरा व्यवस्थापन प्रकल्पाबाबत अटी व शर्ती:

२.१) सदर प्रकल्पांसाठी कार्यान्वयीन यंत्रणा संबंधित नागरी स्थानिक स्वराज्य संस्था राहील.

२.२) उपरोक्त मंजूर प्रकल्पाचे काम तात्काळ ई निविदा प्रक्रिया राबवून करावे.

२.३) ई-निविदा प्रक्रिया राबविताना सर्व प्रचलित नियमांचे पालन करणे संबंधीत नागरी स्थानिक स्वराज्य संस्थेस बंधनकारक असेल तसेच यासाठी केंद्र शासनाकडून नमुना निविदा प्रक्रिया व कार्यपद्धती विहित करण्यात आली असेल तर त्याचा अवलंब करणे बंधनकारक राहील.

२.४) सदर प्रकल्पा अंतर्गत करण्यात येणाऱ्या खर्चामुळे आदर्श आचार संहितेचा भंग होणार नाही याची दक्षता घेण्यात यावी.

२.५) सदर प्रकल्पा अंतर्गतची कामे सुरू करण्यापूर्वीच्या स्थितीचे चित्र व काम पूर्ण झाल्यानंतरची कामाची चित्रे कार्यान्वयीन यंत्रणेने अभिलेखात जपून ठेवावीत.

२.६) केंद्र शासनाच्या गृहनिर्माण व नागरी कार्य मंत्रालय (MoHUA) व केंद्रीय प्रदूषण नियंत्रण मंडळ (CPCB) यांनी देशातील शहरांना **घनकचरा व्यवस्थापन** प्रकल्पांच्या अंमलबजावणीसाठी निर्धारित केलेल्या मार्गदर्शक तत्वाचे पालन करावे.

२.७) उपरोक्त प्रकल्पांच्या कामांचा प्रगती अहवाल दरमहा संचालनालयास सादर करावा. सदर प्रकल्पाची अंमलबजावणी विहित मुदतीत करण्याची जबाबदारी संबंधित मुख्याधिकारी यांची राहील.

३.निधी वितरण:-

३.१) सदर प्रकल्पाकरीता केंद्र, राज्य व नागरी स्थानिक स्वराज्य संस्थांचा हिस्सा उपरोक्त तक्त्यात नमूद केल्याप्रमाणे राहील. केंद्र, राज्य व नागरी स्थानिक स्वराज्य संस्था हिस्सा वगळून अधिकची रक्कम संबंधित नागरी स्थानिक स्वराज्य संस्थेने त्यांच्या स्वनिधीतुन भरावी. नागरी स्थानिक स्वराज्य संस्थेसाठी प्रकल्प मंजूर झाल्यानंतर, मूळ प्रकल्प किंमतीमध्ये कोणत्याही कारणास्तव वाढ झाल्यास त्याची संपूर्ण जबाबदारी

संबंधीत नागरी स्थानिक स्वराज्य संस्थेची राहील. यासाठी कोणतेही वाढीव अनुदान उपलब्ध करून दिले जाणार नाही.

३.२) ई-निविदा अंती खर्च प्रकल्प खर्चापेक्षा कमी असल्यास शिल्लक रक्कम शासनास जमा करण्यात यावी.

३.३) सदर प्रकल्पातील राज्य शासनाच्या हिश्याचा निधी केंद्र शासनामार्फत प्राप्त होणाऱ्या निधीच्या प्रमाणात उपलब्ध करून देण्यात येईल.

३.४) सदर प्रकल्पासाठी वितरीत केलेला निधी त्याच प्रकल्पासाठी वापरणे बंधनकारक असून त्याचा वापर इतर प्रयोजनार्थ केल्यास सदर बाब ही गंभीर वित्तिय अनियमितता समजण्यात येईल.

३.५) प्रकल्पाच्या एकत्रित खर्चाचे उपयोगिता प्रमाणपत्र केंद्र शासनाने विहित केलेल्या प्रपत्रात सादर करणे संबंधित नागरी स्थानिक स्वराज्य संस्थेवर बंधनकारक राहील.

३.६) सदर प्रकल्पासाठी उपलब्ध करून दिलेल्या केंद्र व राज्य शासनाच्या हिश्श्याच्या प्रथम हप्त्याच्या निधीचे विहित नमुन्यातील ७५% खर्चाचे उपयोगिता प्रमाणपत्र भौतिक प्रगतीसह सादर केल्यानंतर द्वितीय हप्ता केंद्र शासनाकडून निधी उपलब्धतेनुसार वितरीत करण्यात येईल.

३.७) सदर प्रकल्पाचे काम अन्य कोणत्याही योजनेतून अथवा स्वउत्पन्नातून होत नाही यांची खातरजमा संबंधित कार्यान्वयीन यंत्रणेने करावी. कोणत्याही परिस्थितीत कामांची द्विरुक्ती होणार नाही याची दक्षता घ्यावी.

४. सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संगणक संकेतांक २०२५०४०९१५२६१७८४२५ असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

ANIRUDDHA
VENKTESH
JEWLIKAR

Digitally signed by ANIRUDDHA VENKTESH JEWLIKAR
DN: c=IN, o=GOVERNMENT OF MAHARASHTRA, ou=URBAN DEVELOPMENT DEPARTMENT, 2.5.4.20=29c6c42b5811a121a201ecd7ace2ce3251c7d1ded91f1b0e1a868d86b600c6bd, postalCode=400032, st=Maharashtra, serialNumber=B9B6D51C7C29938C2BB853D563F07DFC61C84B730C891184D7ECAB6A27C67C4C, cn=ANIRUDDHA VENKTESH JEWLIKAR
Date: 2025.04.09 15:27:32 +05'30'

(अनिरुद्ध जेवळीकर)
उप सचिव, महाराष्ट्र शासन

प्रत:-

१) मा. राज्यपाल यांचे सचिव, राजभवन, मलबार हिल, मुंबई
२) मा. मुख्यमंत्री महोदयांचे प्रधान सचिव, मंत्रालय, मुंबई.
३) मा. मुख्य सचिव, महाराष्ट्र शासन, मंत्रालय, मुंबई.
४) मा. प्रधान सचिव (नवि-२), नगर विकास विभाग, मंत्रालय, मुंबई.
५) विभागीय आयुक्त, कोंकण.
६) जिल्हाधिकारी, रायगड.
७) राज्य अभियान संचालक, स्वच्छ महाराष्ट्र अभियान (नागरी) संचालनालय, मुंबई.
८) मुख्याधिकारी, माथेरान गिरीस्थान नगरपरिषद, जि. रायगड.
९) महालेखाकार (लेखा व अनुज्ञेयता)-१, मुंबई.
१०) महालेखाकार (लेखा व अनुज्ञेयता)-२, नागपूर.
११) उप सचिव (नवि-३४/ नवि-४), नगर विकास विभाग, मंत्रालय, मुंबई.
१२) निवडनस्ती, नवि-३४.

महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियान माथेरान शहराच्या मलनिःस्सारण प्रकल्पास प्रशासकीय मान्यता देण्याबाबत

महाराष्ट्र शासन
नगर विकास विभाग
शासन निर्णय क्रमांक :- नगरो-२०२२/प्र.क्र.३५०/नवि-३३
मंत्रालय, मुंबई - ४०० ०३२.
दिनांक :- ०९ फेब्रुवारी, २०२३

संदर्भ :-

१. नगर विकास विभाग, शासन निर्णय क्र: नगरो-२०१४/प्र.क्र.११९/नवि-३३, दिनांक २१ ऑगस्ट, २०१४.
२. नगर विकास विभाग, शासन निर्णय क्र: नगरो-२०१५/प्र.क्र.६४/नवि-३३, दिनांक २७ मे, २०१६.
३. नगर विकास विभाग, शासन निर्णय क्र: नगरो-२०१६/प्र.क्र.३२८/नवि-३३, दिनांक ०४ ऑक्टोबर, २०१६.
४. नगर विकास विभाग, शासन निर्णय क्र: संकिर्ण-२०१६/प्र.क्र.२८/नवि-३३, दिनांक १४ फेब्रुवारी, २०१७.
५. नगर विकास विभाग, शासन निर्णय क्र: संकिर्ण-२०१६/प्र.क्र.२५९/नवि-३३, दिनांक ३० नोव्हेंबर, २०१७.
६. शासन निर्णय, पाणी पुरवठा व स्वच्छता विभाग क्र: ग्रापाधो-२०२१/प्र.क्र.१२२/पापु-०७, दिनांक २९ जून, २०२२.
७. नगरपरिषद प्रशासन संचालनालयाचे क्र.नपप्रसं/माथेरान न.प. भु.ग./प्र.क्र.७६१/२०२२/का.७/५४८१, दिनांक २८ नोव्हेंबर, २०२२.
८. दिनांक ०१ डिसेंबर, २०२२ रोजी झालेल्या महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानांतर्गत प्रकल्प मान्यता व सनियंत्रण समितीच्या बैठकीचे इतिवृत्त.
९. मुख्य अभियंता, महाराष्ट्र जीवन प्राधिकरण ठाणे यांचे पत्र क्र. मजीप्रा/ मु.अ.(ठाणे)/तांशा-१/नगरो.माथेरान मैलापाणी/१५२१, दिनांक १३ जुलै, २०२२.

प्रस्तावना:-

१. राज्यातील नागरी भागात मुलभूत पायाभूत सुविधा पुरविण्यासाठी व त्यांचा दर्जा वाढविण्याकरिता संदर्भाधीन क्रमांक १ येथील शासन निर्णयाच्या तरतूदीन्वये महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियान राबविण्यात येत आहे.

२. महाराष्ट्र सुवर्ण जयंती नगरोत्थान अभियानांतर्गत **माथेरान नगरपरिषदेचा मलनिःस्सारण** प्रकल्पास मुख्य अभियंता, महाराष्ट्र जीवन प्राधिकरण, ठाणे यांनी चालू दरसूचीनुसार तांत्रिक मान्यता दिलेली आहे. त्याअनुषंगाने राज्यस्तरीय प्रकल्प मान्यता समितीने दिनांक ०१ डिसेंबर, २०२२ रोजी झालेल्या बैठकीमध्ये केलेल्या शिफारसीनुसार सदर प्रकल्पास प्रशासकीय मंजूरी देण्याची बाब शासनाच्या विचाराधीन होती.

शासन निर्णयः-

१. महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानांततर्गत सादर करण्यात आलेल्या **माथेरान नगरपरिषदेच्या मलनिःस्सारण प्रकल्पास** संदर्भाधीन शासन निर्णयातील अटी व तरतूदीच्या व महाराष्ट्र जीवन प्राधिकरणाने दिलेल्या तांत्रिक मान्यतेच्या अधीन राहून खालील विवरणपत्रात नमूद केल्यानुसार या शासन निर्णयाद्वारे मंजूरी देण्यात येत आहे.

२. माथेरान नगरपरिषदेच्या CRZ अंतर्गत भागाकरिता व CRZ भाग वगळून उर्वरित भागाकरिताच्या मलनिस्सारण प्रकल्प सदर प्रकल्पात एकत्रित समाविष्ट आहे. सदर शहरातील मलनिस्सारणाच्या अनुषंगाने मा. राज्य मानवी हक्क आयोगाचे, मा. राष्ट्रीय हरीत लवादमधील निर्णय यांचे निर्देश व राज्य शासनाचे धोरण विचारात घेता **माथेरान शहराच्या मलनिःस्सारण प्रकल्पास सद्यस्थितीत मान्यता देण्यात येत आहे**. या योजनेस खालील विवरण पत्रात नमूद केल्यानुसार या शासन निर्णयाद्वारे प्रशासकीय मंजूरी देण्यात येत आहे. या प्रकल्पातील उपांगे व त्यांचे किंमतीचे विवरण पुढीलप्रमाणे आहे :-

Sr. No.	Component	Amount In Rs.
A	**Collection And Conveyance System**	
1	Gravity Sewer Zone-01	20758602
2	Gravity Sewer Zone-02	20604368
3	Gravity Sewer Zone-03	13127611
4	Gravity Sewer Zone-04	8797687
5	Gravity Sewer Zone-05	11841696
6	Gravity Sewer Zone-06	13781164
B	**Pre-Fab Pumping Station & Machinery**	
1	Pumping Station for Zone-01 (Civil)	418720
2	Pumping Station for Zone-01 (Mechanical)	4012783
3	Pumping Station for Zone-01 (Electrical)	3008060
C	**Pumping Main**	
1	Rising Main	227923
D	**Plot Development For STP Work**	
1	STP Plot for Zone-1	3441408
2	STP Plot for Zone-2	4899270
3	STP Plot for Zone-3	5076596
4	STP Plot for Zone-4	3467214
5	STP Plot for Zone-5	3397068
6	STP Plot for Zone-6	3682476
E	**Sewage Treatment Plant (IWT Technology)**	

Sr. No.	Component	Amount In Rs.
1	STP (180 KLD) Zone-1	36580230
2	STP (300 KLD) Zone-2	60929200
3	STP (120 KLD) Zone-3	24434600
4	STP (120 KLD) Zone-4	24413450
5	STP (80 KLD) Zone-5	16325330
6	STP (120 KLD) Zone-6	24561490
F	**Property Connection**	
1	Sewer Property Connections For Zone-1	9291794
2	Sewer Property Connections For Zone-2	9963040
3	Sewer Property Connections For Zone-3	5436157
4	Sewer Property Connections For Zone-4	3954368
5	Sewer Property Connections For Zone-5	5294864
6	Sewer Property Connections For Zone-6	6698260
G	**Road Reinstating**	
1	Road Reinstating For Zone-1	8326700
2	Road Reinstating For Zone-2	8494198
3	Road Reinstating For Zone-3	4729233
4	Road Reinstating For Zone-4	3253280
5	Road Reinstating For Zone-5	4481985
6	Road Reinstating For Zone-6	5637379
H	Utility Shifting Work	1184289
I	Survey Work	1614841
J	Railway Crossing (Trenchless Technology)	944360
K	Trial Run	463426
L	Provisional Fund (For MSEDCL/Railway Deposits)	13477871
	Total	401032990
	Add 18 % GST	72185938
	Grand Total	473218929
	Say Rs.	**47.32 Cr.**
	प्रकल्प पूर्ण करण्याचा कालावधी	**कार्यादेश दिनांकापासून १८ महिने**

३. **माथेरान नगरपरिषदेच्या मलनिःस्सारण प्रकल्पाचा** वित्तीय आकृतिबंध पुढीलप्रमाणे राहील:-

अ.क्र.	नागरी स्थानिक स्वराज्य संस्थेचे नाव	योजनेची मंजूर किंमत	राज्य शासनामार्फत अनुज्ञेय अनुदान (प्रकल्प किंमतीच्या ९०%)	नागरी स्थानिक स्वराज्य संस्थेचा सहभाग (प्रकल्प किंमतीच्या १०%)
१	२	३	४	५
१	माथेरान नगरपरिषद	रु.४७.३२ कोटी	रु. ४२.५८८ कोटी	रु. ४.७३२ कोटी

४. संदर्भाधीन क्रमांक १ येथील शासन निर्णयानुसार **माथेरान नगरपरिषदेच्या मलनिःस्सारण प्रकल्पास** खालील अटींच्या अधीन राहून प्रशासकीय मंजूरी देण्यात येत आहे:-

अ) प्रकल्प कार्यान्वयन यंत्रणा :-

१. सदर प्रकल्पाचे कार्यान्वयन **माथेरान नगरपरिषदेमार्फत** करण्यात यावे.

२. सदर प्रकल्पासाठी नगरपरिषदेने प्रकल्प व्यवस्थापन सल्लागार म्हणून महाराष्ट्र जीवन प्राधिकरणास प्रकल्प किंमतीच्या ३% इतके शुल्क स्वनिधीतून प्रदान करावे. (शासन निर्णय दिनांक ०४.०६.२०१८ अन्वये विहीत केल्याप्रमाणे व त्या शासन निर्णयातील तरतूदींच्या अधीनतेने)

३. सदर प्रकल्पास मान्यता देताना राज्यस्तरीय प्रकल्प मान्यता समितीने विहित केलेल्या सर्व अटींची पूर्तता करणे कार्यान्वयन यंत्रणेवर बंधनकारक राहील.

ब) सुधारणांची पूर्तता:- महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानाच्या संदर्भाधीन क्र. १ च्या शासन निर्णयानुसार नागरी स्थानिक स्वराज्य संस्थांना खाली दर्शविलेल्या बंधनकारक व वैकल्पीक सुधारणा (रिफॉर्म) पूर्ण करणे आवश्यक राहिल. त्यापैकी ८० टक्के वैकल्पिक अटींची पूर्तता प्रकल्पाच्या दुसऱ्या वर्षापर्यंत करणे आवश्यक राहील.

I) बंधनकारक सुधारणा:-

१. प्रकल्प मंजूरीच्या पहिल्या वर्षात नगरपरिषदेने त्यांच्या कामकाजाचे पूर्ण संगणकीकरण करणे अनिवार्य राहील. यात प्रामुख्याने ई-गव्हर्नन्स, लेखा, जन्म-मृत्यू नोंद सुधारणा याची १०० टक्के अंमलबजावणी करणे बंधनकारक राहील.

२. उचित उपभोक्ता कर लागू करुन किमान ८० टक्के वसुली करणे.

३. नागरी क्षेत्रातील गरिबांसाठी अर्थसंकल्पात विवक्षित निधीची तरतूद करणे.

४. संबंधित स्थानिक नागरी स्वराज्य संस्थेने, द्विलेखा नोंद पद्धती सहा महिन्यात पूर्ण करणे आवश्यक राहील.

५. संबंधित नागरी स्थानिक स्वराज्य संस्थेने त्यांच्या क्षेत्रातील मालमत्ता कराचे पुनर्मुल्यांकन झाले नसल्यास, प्रकल्प मंजूरीपासून पुढील एक वर्षाच्या कालावधीत ते पूर्ण करणे बंधनकारक राहिल.

६. संबंधित नागरी स्थानिक स्वराज्य संस्थेने "घनकचरा व्यवस्थापन नियम २०१६" च्या तरतूदीनुसार त्यांच्या कार्यक्षेत्रातील घनकचरा व्यवस्थापन उचित रित्या करणे बंधनकारक राहील.

७. संबंधित नागरी स्थानिक स्वराज्य संस्थेने त्यांच्या कार्यक्षेत्रातील मालमत्ता कराची व पाणीपट्टीची वसुली पहिल्या वर्षी किमान ८०% करणे बंधनकारक

राहील. त्यापुढील वर्षात सदरहू वसूली उर्वरीत ९०% या प्रमाणात करणे आवश्यक राहील.

II) **वैकल्पिक सुधारणा:-**

१. मलनिस्सारण प्रकल्प हाती घेतलेल्या नागरी स्थानिक स्वराज्य संस्थांनी नागरी भागातील सांडपाण्याचे पुनर्प्रक्रिया व पुर्नवापर करण्याबाबतच्या घटकांचा समावेश त्यांच्या सविस्तर प्रकल्प अहवालामध्ये करावा.

२. संबंधित नागरी स्थानिक स्वराज्य संस्थांनी त्यांच्या मालकीच्या इमारतीवर पर्जन्यजल संचय करावे.

३. संबंधित नागरी स्थानिक स्वराज्य संस्थेने नियमितपणे जल लेखापरिक्षण (वॉटर ऑडीट) करुन घ्यावे. जललेखापरिक्षण अहवालात नमूद त्रूटींचे निराकरण करण्याबाबत संबंधित नागरी स्थानिक स्वराज्य संस्थेने, त्यासंदर्भात आवश्यक कृती कार्यक्रम तयार करुन विहित कालावधीत त्रूटींची पूर्तता करणे आवश्यक राहील.

क) निधी वितरणाची कार्यपद्धती:-

१. महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानामधील प्रकल्पांसाठी प्रशासकीय मान्यता दिल्यानंतर संबंधित नागरी स्वराज्य संस्थेने प्रकल्पाचा आर्थिक आराखडा (Financial Closure Report) नगर विकास विभागास सादर करावा. त्यानंतर व कार्यादेश दिल्यानंतर सदर प्रकल्पासाठी पहिल्या हप्त्याचा निधी वितरीत करण्यात येईल.

२. महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियान अंतर्गत मंजूर प्रकल्पास पहिल्या हप्त्याचा निधी वितरीत केल्यानंतर तो हप्ता व स्थानिक स्वराज्य संस्थेचा त्याप्रमाणातील स्वहिस्सा हा एकत्र निधी, शासनाच्या प्रचलित धोरणानुसार विहित केलेल्या बँकांमध्ये, स्वतंत्र खाते उघडून ठेवणे अनिवार्य राहील.

३. महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानांतर्गत मंजूर प्रकल्पासाठी स्वहिश्याचा निधी उभारताना नागरी स्थानिक स्वराज्य संस्थानी त्यांना राज्य शासनाकडून प्राप्त होणाऱ्या १४ व्या वित्त आयोग (मुलभूत व कार्यात्मक) अनुदानाशी तसेच, १५ व्या वित्त आयोगाच्या अनुदानाशी सांगड घालणे (Convergence) आवश्यक राहील. यासाठी त्यांनी यामधून मिळणारा निधी चिन्हांकीत करुन ठेवणे त्यांच्यावर बंधनकारक राहील.

४. राज्य शासनाने वितरीत केलेल्या पहिल्या हप्त्याच्या अनुदानाची रक्कम व त्या प्रमाणात नागरी स्थानिक स्वराज्य संस्थेने जमा केलेली पहिल्या हप्त्याची स्वहिश्याची रक्कम अशा एकत्रित रकमेच्या ७५ टक्के खर्चाचे उपयोगिता

प्रमाणपत्र, नगरपरिषद प्रशासन संचालनालयामार्फत शासनास सादर केल्यानंतरच राज्य शासनाचा दुसरा हप्ता वितरीत केला जाईल.

५. नागरी स्थानिक स्वराज्य संस्थांनी दुसऱ्या हप्त्याची मागणी करण्याचा प्रस्ताव नगरपरिषद प्रशासन संचालनालयामार्फत शासनास सादर करावा. नगरपरिषद प्रशासन संचालनालय यांनी प्रस्तावांची छाननी करून उचित अभिप्रायांसह शासनास प्रस्ताव सादर करावा.

६. या अभियानांतर्गत मंजूर प्रकल्पास राज्य शासनाने संबंधित स्थानिक स्वराज्य संस्थेस राज्य शासनाचा हिस्सा मंजूर केल्यानंतर त्यामधून खर्च करताना प्रत्येक टप्प्यावर प्रत्येक देयकामध्ये राज्य शासनाच्या हिश्श्यामधून जेवढी रक्कम प्रदान होणार असेल त्याप्रमाणात संबंधित स्थानिक स्वराज्य संस्थेने स्वहिश्श्याची रक्कम प्रदान करावी. यामुळे अशा योजनेत स्थानिक स्वराज्य संस्थेचा हिस्सा एकाच वेळी भरण्याची वेळ येणार नाही.

७. महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानामधील मंजूर प्रकल्पांसाठी राज्य शासनाने मंजूर केलेला निधी फक्त त्याच प्रकल्पासाठी वापरता येईल व तो अन्य कोणत्याही कामासाठी वळवता किंवा वापरता येणार नाही. अशाप्रकारे मूळ निधी किंवा त्यावरील व्याज कायम स्वरुपी किंवा तात्पुरत्या स्वरुपात अन्यत्र वळविणे ही गंभीर स्वरुपाची आर्थिक अनियमितता मानली जाईल, त्यासाठी संबधित स्थानिक स्वराज्य संस्था/संबधित अधिकारी कारवाईस पात्र ठरतील.

ड) निविदा प्रक्रिया, कार्यादेश व कार्यान्वयन :-

१. या अभियानांतर्गत मंजूर प्रकल्पास प्रशासकीय मान्यता दिल्यानंतर ७ दिवसाच्या कालावधीत निविदा काढणे व तीन महिन्याच्या कालावधीत कार्यादेश देणे व ९१ व्या दिवसापूर्वी कामाचा प्रत्यक्ष प्रारंभ करणे बंधनकारक राहील. या प्रकल्पासाठी कार्यान्वयन यंत्रणा माथेरान नगरपरिषद आहे. त्यामुळे या कालमर्यादेचे पालन करण्याची संपूर्ण जबाबदारी मुख्याधिकारी, माथेरान नगरपरिषद व महाराष्ट्र जीवन प्राधिकरण यांची राहील.

२. सदर प्रकल्पाची निविदा प्रक्रिया राबविताना संदर्भाधीन क्रमांक ३ च्या शासन निर्णयातील सूचनाचे तंतोतंत पालन करणे कार्यान्वयन यंत्रणेस बंधनकारक राहील.

३. यानुसार कार्यवाही न झाल्यास संबंधित नागरी स्थानिक स्वराज्य संस्थेस अशा प्रकल्पासाठी मंजूर केलेला निधी त्यावरील व्याजासह शासनास परत करणे आवश्यक राहील.

४. सदर **मलनिःस्सारण प्रकल्प** पूर्ण करताना राज्य शासनाने संदर्भाधीन क्र. ४ येथील शासन परिपत्रकान्वये विहित केलेल्या कार्यपध्दतीचा अवलंब करणे बंधनकारक राहील.

५. सदर प्रकल्पासाठी विहित केलेल्या कार्यमर्यादेत प्रकल्पाचे काम पूर्ण करणे संबंधित कार्यान्वयन यंत्रणेस बंधनकारक राहील.

६. सदर प्रकल्पाच्या कामाचे कार्यादेश दिल्यानंतर प्रकल्पामध्ये समाविष्ट असलेल्या पाईप्स इत्यादी वस्तूंची खरेदी ही प्रकल्पाच्या आवश्यकतेनुसार प्रकल्प व्यवस्थापन सल्लागाराच्या मार्गदर्शनाने करावी.

७. सदर प्रकल्पासाठी सुरुवातीला अनावश्यक स्वरुपात **कोणत्याही प्रकारच्या पाईप्सची खरेदी करणे व त्यासाठी प्रकल्प निधीतून प्रदान करणे ही गंभीर स्वरुपाची वित्तिय अनियमितता** समजण्यात येईल व त्यासाठी **संबंधित कार्यान्वयन यंत्रणा व प्रकल्प व्यवस्थापन सल्लागार यंत्रणेस जबाबदार** धरण्यात येईल.

८. सदर प्रकल्पाच्या निविदेमध्ये पाणी पुरवठा व स्वच्छता विभागाच्या दिनांक २९ जून, २०२२ रोजीच्या भावभिन्नता व विशेष मदतीबाबतच्या शासन निर्णयातील आवश्यक तरतूदींचा समावेश करण्यात यावा.

इ) प्रकल्पांचे त्रयस्थ तांत्रिक परिक्षण :-

- महाराष्ट्र सुवर्ण जयंती नगरोत्थान महाभियानातंर्गत" मंजूर प्रकल्पांचे, अंमलबजावणीच्या विविध टप्प्यावर वेळोवेळी शासनाने विहीत केलेल्या यंत्रणेंपैकी एका यंत्रणेकडून "त्रयस्थ तांत्रिक परिक्षण" (थर्ड पार्टी टेक्नीकल ऑडीट) संबंधित नागरी स्थानिक स्वराज्य संस्थेने करुन घेणे बंधनकारक राहिल. तसेच प्रकल्पांतर्गत दुसरा हप्ता मंजूर करण्याबाबतचा प्रस्ताव सादर करताना सदर "त्रयस्थ तांत्रिक परिक्षणाचे"गुणवत्तेबाबतचे प्रमाणपत्र सादर करणे आवश्यक राहील. तद्नंतरच दुसऱ्या हप्त्याचा निधी वितरीत केला जाईल.

फ) प्रकल्पासाठी आवश्यक स्वहिश्याचा निधी भरण्याकरिता कर्ज उभारणी:-

१. महाराष्ट्र सुवर्णजयंती नगरोत्थान महाभियानातंर्गत" मंजूर प्रकल्पांसाठी संबंधित नागरी स्थानिक स्वराज्य संस्थांना त्यांचा स्वहिश्याचा निधी उभारण्यासाठी "राष्ट्रीयीकृत बँकांकडून" तसेच "मुंबई महानगर प्रदेश विकास प्राधिकरण" (एमएमआरडीए), "महाराष्ट्र नागरी पायाभूत सुविधा विकास कंपनी

मर्यादीत" (एमयुआयडीसीएल) व शासन मान्य वित्तिय संस्थांकडून कर्ज घेण्याची मुभा राहील.

२. तथापि, वित्तिय संस्थांकडून कर्ज घेताना त्यासंदर्भात आवश्यक त्या बाबींची पूर्तता केल्यानंतर प्रचलित नियमांच्या अधीन राहून कर्ज घेण्याबाबत शासनाची परवानगी घेण्यात येईल. तसेच शासनाच्या विहित प्रचलित नियमांच्या अधीन राहून आवश्यक कार्यवाही करणे बंधनकारक राहील.

ग) **प्रकल्पाची देखभाल व दुरूस्ती:-**

१. महाराष्ट्र सुवर्णजयंती नगरोत्थान महाभियानांतर्गत मंजूर प्रकल्पाच्या देखभाल व दुरुस्तीबाबत आवश्यक ते नियोजन संबंधित कार्यान्वयन यंत्रणेमार्फत करण्यात यावे, जेणेकरुन सदर प्रकल्पांतून होणारी फलनिष्पत्ती ही शाश्वत राहील.

२. सदर योजनेची देखभाल व दुरूस्ती करण्याची जबाबदारी संबंधित नागरी स्थानिक स्वराज्य संस्थेची राहील. योजनेच्या देखभाल व दुरूस्तीसाठी कोणताही निधी शासनाकडून प्राप्त होणार नाही.

ह) **इतर बंधनकारक अटी व शर्ती :-**

१. राज्य शासनामार्फत नागरी स्थानिक स्वराज्य संस्थेसाठी प्रकल्प मंजूर झाल्यानंतर, मूळ प्रकल्प किंमतीमध्ये कोणत्याही कारणास्तव वाढ झाल्यास त्याची संपूर्ण जबाबदारी संबंधित **नागरी स्थानिक स्वराज्य संस्थेची** राहील. राज्य शासनामार्फत त्याकरिता कोणतेही वाढीव अनुदान उपलब्ध केले जाणार नाही.

२. संदर्भाधीन क्र. १ ते ४ या शासन निर्णयातील तरतूदी तसेच सर्व अटी व शर्तींची पूर्तता करणे संबंधित कार्यान्वयन यंत्रणेवर बंधनकारक राहील.

सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in संकेतस्थळावर उपलब्ध करण्यात आला असून, त्यांचा संगणक संकेतांक २०२३०२०९१९२६२१७२२५ असा आहे. हा शासन निर्णय डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

SHRIKANT C ANDGE

Digitally signed by SHRIKANT C ANDGE
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Date: 2023.02.13 18:58:13 +05'30'

(श्रीकांत आंडगे)

उप सचिव, महाराष्ट्र शासन

प्रति,

१. मा. मुख्यमंत्री, मंत्रालय, मुंबई.

२. मा. उप मुख्यमंत्री, मंत्रालय, मुंबई.

३. अप्पर मुख्य सचिव, वित्त विभाग यांचे स्वीय सहायक, मंत्रालय, मुंबई.
४. अपर मुख्य सचिव, नियोजन विभाग यांचे स्वीय सहायक, मंत्रालय, मुंबई.
५. अपर मुख्य सचिव, पाणी पुरवठा विभाग यांचे स्वीय सहायक, गो. ते. रुग्णालय, मुंबई.
६. प्रधान सचिव, नगर विकास विभाग (२) यांचे स्वीय सहायक, मंत्रालय, मुंबई.
७. व्यवस्थापकीय संचालक, एम.यु.आय.डी.सी.एल, मुंबई.
८. सदस्य सचिव, महाराष्ट्र जीवन प्राधिकरण, मुंबई.
९. आयुक्त तथा संचालक, नगरपरिषद प्रशासन संचालनालय, वरळी, मुंबई.
१०. विभागीय आयुक्त, ठाणे.
११. जिल्हाधिकारी, रायगड.
१२. मुख्य अभियंता, महाराष्ट्र जीवन प्राधिकरण, ठाणे विभाग.
१३. जिल्हा प्रशासन अधिकारी, रायगड.
१४. मुख्याधिकारी, माथेरान नगरपरिषद, जि. रायगड.
१५. निवडनस्ती, नवि-३३.

Annexure D

माथेरान गिरीस्थान नगरपरिषद

माथेरान, ता. कर्जत, जिल्हा- रायगड. ४१० १०२, ई-मेल आयडी : mcomatheran@gmail.com

जावक क्र. - मागिनप :१३०५ : २०२३-२४ दिनांक :२८/११/२०२३

कार्यादेश

प्रति
आर्यन अग्रो बिझनेस अँड इन्फ्रा प्रोजेक्ट्स एल.एल.पी.,
नवी मुंबई,ठाणे.

विषय:- माथेरान गिरीस्थान नगरपरिषद हद्दीतील रहिवासी भागातील सांडपाणी वाहून नेणेकरीता विविध ठिकाणी मैला पाणी प्रक्रिया केंद्र उभारणे या कामाच्या निविदेबाबत.

संदर्भ:- १. टेंडर आय डी- 2023_DMA_908384_1
२.माथेरान गिरीस्थान नगरपरिषद प्रशासकीय ठराव क्र.१३९ दि.१७/११/२०२३
३.या कार्यालयाचे दि.१७/११/२०२३ चे निविदा मंजुरी पत्र क्र.मागिनप/१२७५/२३-२४

वरील संदर्भिय निविदा मंजुरी पत्राच्या अनुषंगाने आपण प्रारंभिक सुरक्षा अनामत रक्कम भरल्याने व विहित नमुन्यात करारनामा केल्याने आपणास काम सुरु करण्याच्या आदेश देण्यात येत आहे व त्याचा तपशील पुढीलप्रमाणे आहे.

१.	कामाचे नाव	माथेरान गिरीस्थान नगरपरिषद हद्दीतील रहिवासी भागातील सांडपाणी वाहून नेणेकरीता विविध ठिकाणी मैला पाणी प्रक्रिया केंद्र उभारणे.
२.	अंदाजपत्रकीय रक्कम	रु.३८,७५,५५,१२०/- (Without GST)
३.	निविदा सूचना क्रमांक	माथेरान नगरपरिषद पत्र जावक क्र.मागिनप/६७४/२०२३-२४ दि.२४/०५/२०२३.
४.	मंजुरीचा तपशील	माथेरान गिरीस्थान नगरपरिषद निविदा मंजुरी प्रशासकीय ठराव क्र.१३९ दि.१७/११/२०२३
५.	मंजूर रक्कम/दर	रक्कम रु.४०,६९,३२,८७६/- अंदाजपत्रकीय दरापेक्षा (+) ५.००% अधिक दराने [चालू दरानुसार १.७४ % कमी(-)]
६.	कंत्राटदाराचे नाव व पत्ता	आर्यन अग्रो बिझनेस अँड इन्फ्रा प्रोजेक्ट्स एल.एल.पी.,प्लॉट नं. A-596 TTC Industrial Area, Mahape MIDC,नवी मुंबई,ठाणे ४००७१०.
७.	कामाचा थोडक्यात तपशील	निविदेत विनिर्दीष्ट केल्याप्रमाणे सदरचे काम पूर्ण करण्यासाठी आवश्यक असलेले बांधकाम साहित्य,मजूर इ.पुरविणे व दिलेल्या मुदतीत काम पूर्ण करणे.
८.	काम सुरु करण्याची तारीख	२९/११/२०२३
९.	कामाचा कालावधी	१८ महिने
१०.	काम पूर्ण करण्याची तारीख	२८/०५/२०२५

माथेरान गिरीस्थान नगरपरिषद माथेरान, ता. कर्जत, जि. रायगड

मुख्याधिकारी
माथेरान गिरीस्थान नगरपरिषद

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 4th February. 2003

S. O. 133(E).- Whereas a draft notification under sub-section (1) and clause (v) of subsection (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), inviting objections or suggestions against the proposal for notifying Matheran and surrounding region as an Eco-sensitive Zone and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment was published in the Gazette of India vide notification of the Government of India in the Ministry of Environment and Forests number S.O. No. 167(E) dated the 6th February, 2002;

And whereas copies of the said Gazette were made available to the public on the 6th day of February, 2002;

And whereas all objections and suggestions received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies Matheran and surrounding region in the State of Maharashtra as the Matheran Eco-sensitive Zone (herein after called "the Ecosensitive Zone").

2. The said Eco-sensitive Zone covers an area of 214.73 sq. kms. and a 200 mts. buffer zone and it shall consist of the area of the Matheran Municipal Council and its environs. The map of the Eco-sensitive Zone is at Annexure-A. A description of the boundary along with the list of villages is at Annexure-B and the exceptions and exemptions in the 200 mts. buffer zone are at Annexure-C.

3. All activities in the forest (both within and outside municipal areas) shall be governed by the provisions of the Indian Forest Act, 1927 (16 of 1927) and Forest (Conservation) Act, 1980 (69 of 1980). All activities in the protected areas shall be governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

The following activities shall be regulated in the Eco-sensitive Zone namely:

(a) Zonal Master Plan for the Eco-sensitive Zone:-

(i) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government by following a procedure similar to that prescribed under the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act XXXVII of 1966), within a period of two years from the date of publication of this notification in the Official Gazette and approved by the Ministry of Environment and Forests in the Government of India. The Zonal Master Plan shall be prepared with due involvement of all concerned Departments for integrating environmental considerations into it. The Zonal Master Plan shall provide for restoration of denuded areas, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, provision for fuel wood, needs of local community and such other aspects of the ecology and environment that need attention.

(ii) The Zonal Master Plan shall demarcate all the existing gaothans, gaothan expansion areas, forests, green areas, horticultural areas, agricultural areas, orchards, tribal areas including tribal hamlets, natural springs, natural heritage sites, historic Neral-Matheran railway line and other environmentally and ecologically sensitive areas. No change of land use from green uses such as orchards, horticulture areas, agriculture, parks and other like places to non-green uses and tribal uses to non-tribal uses shall be permitted in the Zonal Master Plan without the prior approval of the Central Government in the Ministry of Environment and Forests. The Zonal Master Plan shall also indicate measures and lay down stipulations for regulating traffic, especially through traffic in the Eco-sensitive Zone.

(iii) The areas within and outside Matheran Municipal Council area shall have separate Sub-zonal Master Plans which may be prepared by the State Government as a component of the Zonal Master Plan and concurrence of the Ministry of Environment and Forests shall be obtained on such Subzonal Master Plans. All habitations in the Eco-sensitive Zone having population of more than 5000 should also have Area Development Plans. The Sub-zonal Master Plan shall also include development regulations for gaothan and gaothan expansion areas.

(iv) Pending the preparation of and approval by the Ministry of Environment

and Forests to the Zonal Master Plan and Sub-zonal Master Plan for Ecosensitive Zone, there shall be no increase in the existing parameters of permissible Floor Area Ratio, permissible height, maximum number of storeys and ground coverage for buildings in Matheran Municipal limits. No new constructions shall be allowed but repairs and restoration may be permitted provided that it does not involve structural

changes and are on the existing authorised plinth area in the Matheran Municipal limits. In areas other than Matheran Municipal limits:-

(1) There shall be no reduction in Tribal Area, Forest Zone, Green Zones and Agricultural Area.

(2) Absolute height of buildings shall not exceed 9 meters and the number of storeys shall not exceed ground plus one upper storey.

(3) Activities mentioned in Annexure-D may be permitted by the Monitoring Committee subject to the State and local laws and the rules and regulations made there under.

(4) All development activities including additions, alterations, demolitions, repairs, renovations and restorations of buildings shall require prior approval of the Monitoring Committee and shall be subject to heritage clearance if necessary.

(5) The Monitoring Committee shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

(b) Industrial units:- On or after the publication of this notification in the Official Gazette, only non-polluting, non-hazardous small-scale and service industries, agriculture, floriculture, horticulture or agro-based industries producing products from indigenous goods from the Eco-sensitive Zone and which do not cause any adverse environmental impact shall be permitted. Accordingly, guidelines shall be drawn by the Government of Maharashtra and approved by the Ministry of Environment and Forests. No such, guidelines shall conflict with the provisions of the Environment Impact Assessment Notification number S.O. 60(E) dated the 27th January, 1994 of the Government of India in the Ministry of Environment and Forests and as amended from time to time.

(c) Quarrying and Mining:- Quarrying and Mining activities shall be banned in the Eco-sensitive Zone and no fresh mining lease shall be granted. However, the Monitoring Committee shall be the authority to grant special permission for limited quarrying of materials required for the construction of local residential housing and traditional road making and maintenance work in Matheran Municipal Council area based on site evaluation. No quarrying shall be permitted on steep hill slopes or areas with a high degree of erosion or on forestlands.

Explanation:- In this notification, "steep hill slope" means a hill slope with a gradient of 20 degrees or more.,

(d) Trees:- There shall be no felling of trees whether on Forest, Government, Revenue or private lands, without the prior permission of the State Government in case of forest land, and the respective District Collector in case of Government, Revenue and private land, as per procedure which shall be laid down by the State Government.

(e) Tourism:- (1) Tourism activities shall be as per a Tourism Master Plan, with emphasis on eco-tourism, eco-education and eco-development, to be prepared by the Department of Tourism of the State Government in consultation with the Ministry of Tourism of Government of India and approved by the Ministry of Environment and Forests. The Tourism Master Plan shall also form a component of the Zonal Master Plan. There shall be a ban on new and additional tourist facilities like hotels, restaurants, inns, lodging and boarding houses and the like within Matheran Municipal Council area till the Tourism Master Plan is approved by the Ministry of Environment and Forests. Pending the approval of the Tourism Master Plan by the Ministry of Environment and Forests, the use of existing heritage buildings for heritage hotels within Matheran Municipal Council area may be permitted by the Monitoring Committee only after it is approved by the Heritage Conservation Committee.

(2) The Tourism Master Plan shall be based on a detailed Carrying Capacity Study of the Eco-sensitive Zone which may be carried out by the State Government and submitted to the Ministry of Environment and Forests for approval within a period of two years from the date of publication of this notification. All new tourism activities, developments for tourism and expansion of existing tourism activities shall be permitted only within the parameters of the Tourism Master Plan and carrying capacity study. Till the Tourism Master Plan is approved by the Ministry of Environment and Forests, outside Matheran Municipal Council area, new tourism activities, development for tourism and expansion of existing tourism activities may be permitted only after a detailed analysis is carried out and approved by the Monitoring Committee subject to guidelines laid down by the Ministry of Environment and Forests.

(f) Natural Heritage:- The sites of valuable natural heritage in the Eco-sensitive Zone shall be identified, particularly rock formations, waterfalls, pools, springs, gorges, groves, caves, points, walks, rides and the like and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan and Sub-zonal Master Plan. Strict guidelines shall be drawn up by the State Government to discourage construction activities at or near these sites including under the garb of providing tourist facilities.

Development or construction activities at or around the heritage sites shall be regulated under the statutory provisions of the State Government, made in accordance with the Model Regulations for Conservation of Natural and Man-made Heritage Sites formulated by the Ministry of Environment and Forests in 1995 and as amended from time to time. The State Government may draw up proper plans for their conservation or preservation within one year from the date of publication of this notification. These plans shall form a part of the Zonal Master Plan and Sub-zonal Master Plan.

(g) Man-made heritage:- Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetical, and cultural significance shall be identified in the Eco-sensitive Zone and plans for their conservation, particularly their exteriors (and wherever deemed appropriate their interiors also) shall be prepared and incorporated in the Zonal and Sub-zonal Master Plan within one year from the date of publication of this notification. Guidelines shall be issued by the State Government to regulate building and other activities in the Eco-sensitive Zone, particularly in Matheran Municipal Council area, so that the special character and distinct ambience of the town and the Eco-sensitive Zone are maintained. Development or construction activities at or around the heritage sites shall be regulated under the statutory provisions of the State Government, made in accordance with the Model Regulations for Conservation of Natural and Manmade Heritage Sites formulated by the Ministry of Environment and Forests in 1995 and as amended from time to time.

(h) Ground Water:- Extraction of ground water for the bona-fide agricultural and domestic consumption of the occupier of the plot is allowed. Extraction of ground water for industrial, commercial or residential complexes shall require prior written permission, including the amount that can be extracted, from the State Ground Water Board. No sale of ground water shall be permitted except with the prior approval of the Monitoring Committee constituted under paragraph 4 of this notification. All steps shall be taken to prevent contamination or pollution of water, including from agriculture activities.

(i) Use of plastics:- No person shall use plastic bags within Matheran Municipal Council area. The use of plastics, laminates and tetra-packs within the Eco-sensitive Zone shall be regulated by the Monitoring Committee.

(j) Protection of Hill Slopes:- (i) The Zonal Master Plan shall indicate areas on hill slopes where construction shall not be permitted.

(ii) No construction on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

(k) Discharge of effluents:- (i) The discharge of any untreated effluent is prohibited within the Eco-Sensitive Zone.

(ii) No effluent, either treated or untreated, shall be permitted to be discharged into any water body or water source within the Eco-sensitive Zone.

(l) Solid Wastes:- (i) The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components.

(ii) The biodegradable material may be recycled preferably through composting or vermiculture and the inorganic material may be disposed of at environmentally acceptable locations.

(iii) No burning or incineration of solid wastes shall be permitted.

Explanation.- In this notification, "solid wastes" shall include domestic, industrial, commercial and garden wastes.

(m) Natural Springs:- (i) The catchment area of all natural springs shall be identified and plans for their conservation and rejuvenation of those that have run dry in their natural setting shall be incorporated in the Zonal Master Plan.

(ii) Strict guidelines shall be drawn up by the State Government to ban development activities at or near these areas.

(n) Traffic:- No vehicular traffic shall be permitted within the Matheran Municipal limits, except ambulance and fire engine and use of tractor for transportation of solid waste.

5. **Monitoring Committee:-**(1) In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby constitutes a Committee to be called the Monitoring Committee, to monitor and ensure compliance with the provisions of this notification.

(2) The Monitoring Committee shall consists of not more than ten members.

(3) The Monitoring Committee shall consist of a representative each from the Ministry of Environment and Forests, Central Pollution Control Board, Department of Environment of the Government of Maharashtra, Department of Urban Development of the Government of Maharashtra, subject expert knowledgeable about the Eco-sensitive Zone and at least two representatives of non-government organisations working in the field of environment (including

heritage conservation) and the Collector of Raigad District, in the State of Maharashtra and any other persons or persons nominated by the Central Government.

(4) The Chairman of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local problems.

(5) The Collector of Raigad District shall be the Convener of the Monitoring

Committee.

6. **Powers and functions of the Monitoring Committee:-** (1) In exercise of the powers conferred by sub-section (3) of section 3 and read with Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby empowers the Monitoring Committee to discharge the functions specifically enumerated in the notification and to do all things incidental thereto (except the function as are required to be performed by the Central Government under the provisions of the Environment Impact Assessment Notification of 27th January, 1994, as amended from Lime to time).

(2) It shall be the duty of the Monitoring Committee to file complaints under section 19 of the Environment (Protection) Act, 1986 if commission of any offences under the said Act comes to its notice and in case of non-compliance of the directions issued by it.

(3) The Monitoring Committee or member of the Monitoring Committee authorised by it shall file complaints under the Environment (Protection) Act, 1986.

6. **Appeal:-** (1) Any person aggrieved by a decision or order of the Monitoring Committee shall prefer an appeal against such decision or order to the Government of India in the Ministry of Environment and Forests.

(2) Every memorandum of appeal under this paragraph shall precisely state the facts of the case, the particulars of the decision or order appealed against and the reasons for being aggrieved by the decision or order and the remedy sought for and shall be addressed to the Secretary to the Government of India, Ministry of Environment and Forests, New Delhi.

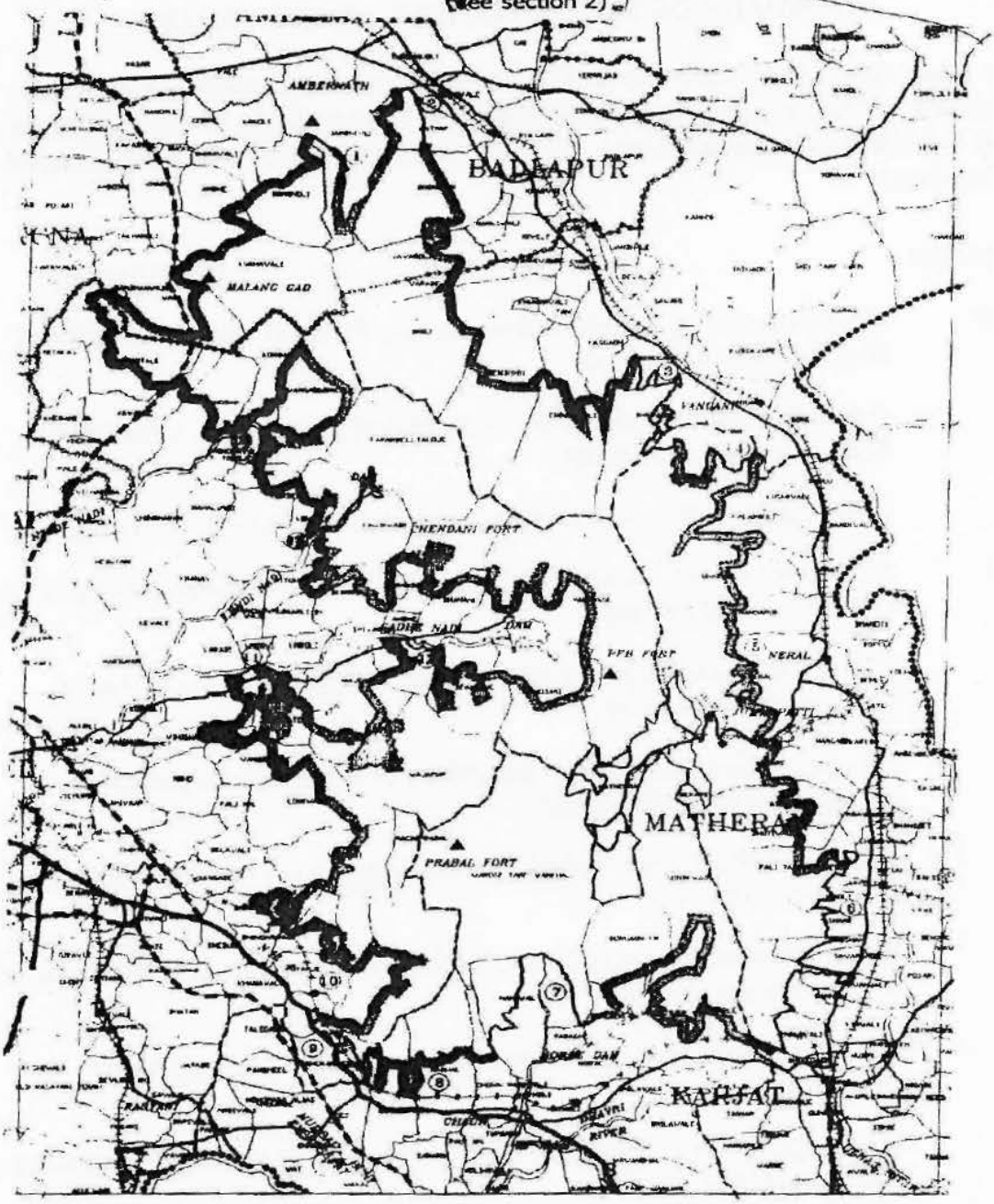
(3) Every memorandum of appeal shall be made within ninety days from the date of receipt of the decision or order by the affected person.

(4) The Ministry of Environment and Forests shall, after giving the parties to the appeal an opportunity to present their case, dispose of the appeal within ninety days of date of receipt of the memorandum of appeal.

[F.No.J-20011/1/99-I.A.-III]

Dr. V RAJAGOPALAN. Jt. Secy.

Annexure-A
(see section 2)



PROPOSED ECO-SENSITIVE ZONE

BUFFER ZONE
(200 M. AROUND ESZ)

8

Annexure-B
(see section 2)

BOUNDARY OF MATHERAN ECO-SENSITIVE ZONE

The boundary of the Eco-Sensitive Zone comprising area of Matheran Hill Station Municipal Council, contiguous Forest Zone of the Regional Plan for MMR and Buffer Zone around the Forest Zone shall be defined as follows:-

Direction	**Bounded By**
North	Boundary of the Forest Zone passing through village Jambhivali, then outer boundary of the buffer zone passing through Village Jambhivali, Chikhaloli; then boundary of Forest Zone passing through village Chikhaloli of Ulhasnagar Tehsil
East	Boundary of the Forest Zone passing through Village Katrap; then outer boundary of the buffer zone passing through villages Shirgaon, Savroli, Varde, Bhoj, Bensil, Chinvali, Kasgaon, Goregaon; then boundary of Forest Zone passing through villages Goregaon, Davle of Ulhasnagar Tehsil and Bedisagaon of Karjat Tehsil; then outer boundary of buffer zone and Forest Zone passing through villages Bedisagaon; then outer boundary of buffer zone passing through villages Kushivali, Kalamboli, Damat, Bhadaval, Mamdapur, Neral, Mangaon Tarf Waredi, Bhikare, Asai, Bhutiwali, Pali Terf Varde; then boundary of Forest Zone passing through villages Pali Tarf Verde, Umroli, Asane, Kasane, Vanjale, Kariwali, Paliwali, Bhisegaon of Karjat Tehsil.
South	The outer boundary of buffer zone passing through village

Bhisegaon of Karjat Tehsil

then outer boundary of buffer zone passing through villages Warele, Wadvihar,

Sondewadi, Boregaon Kh., Boregaon Bk.; then boundary of Forest Zone passing through

villages Boregaon Bk., Warose Tarf Wankhal, Naniwal; then outer boundary of buffer

zone passing through villages Chowk Maniwali, Nadhal, Lodhivali of Khalapur Tehsil.

West Boundary of Forest Zone passing through villages Bhokarpada, Barwai, then outer

boundary of buffer zone passing through Villages Barwai, Pali Bk., Poyanje, Mohope,

Bhingarwada, Bherle, Wardoli, Loniwali, Wangani Tarf Waje, Ambivali, Vihighar, Nere;

then boundary of Forest Zone Passing through village Nere; then outer boundary of

buffer zone passing through villages Sangartoli, Cheravali, Wajapur, Waje, Gadhe; then

boundary of Forest Zone passing through village Gadhe; then outer boundary of buffer

zone passing through villages Dehrang, Dhodani, Maldunge, Dhamani, Tamsai,

Khairwadi, Karambeli, Dhundre, Usarli Bk. Ritghar, Khairwadi, Kondale, Morbe, Ambhe

Tarf Taloje, Shiriavali, Karambeli Tarf Taloje, Wangani Tarf Taloje, Kondap, Mohodar,

Vavanje, Nitale, Chorme of Panvel Tehsil; then outer boundary of buffer zone passing

through villages Wadi, Bandhanwadi, Khusavali, Ambhe, Shiravali, Bohonole, Jambhavali

of Ulhasnagar Tehsil.

Within the above bounded zone, the entire Municipal Area of Matheran Hill Station Municipal Council in Karjat Tehsil and entire village of Machi Prabhal, Maldunge in Panvel tehsil is included in the Eco-Sensitive Zone.

Note:

i. The Buffer Zone within the Eco -Sensitive Zone shall encompass only Green Zone 1 and Green Zone 2 of the sanctioned Regional Plan for Mumbai Metropolitan Region 1996-2011 and in 14 exceptional cases the Eco-Sensitive Zone Is restricted to Forest Zone.

ii. No area of Urbanisable Zone 1, Urban1sable Zone 2 and Industrial Zone shall fall within the Eco-Sensitive Zone or the Buffer Zone except the Urbanisable Zone 1 of Matheran Municipal Council

LIST OF VILLAGES OF MATHERAN ECO-SENSITIVE ZONE

DISTRICT: RAIGAD

TEHSIL: KARJAT

S No.	VILLAGE	STATUS
1.	Asai	Partial
2.	Ashane	Partial
3.	Bedisgaon	Partial
4.	Bekare	Partial
5.	Bhadwal	Partial
6.	Bhisegaon	Partial
7.	Bhutiwali	Partial
8.	Damat	Partial
9.	Halivali	Partial
10.	Kalamboli	Partial
11.	Kirwali	Partial
12.	Koshane	Partial

13.	Kushivali	Partial
14.	Mamdapur	Partial
15.	Mangaon Tarf Waredi	Partial
16.	Matheran	Full
17.	Neral	Partial
18.	Pali Tarf Waredi	Partial
19.	Umroli	Partial
20.	Wanjale	Partial

Note - The entire file Matheran Municipal Council area is included.

TEHSIL: KHALAPUR

S No.	VILLAGE	STATUS
21.	Borgaon Bk.	Partial
22.	Borgaon Kh.	Partial
23.	Chowk Maniwali	Partial
24.	Lodhivali	Partial
25.	Nadhal	Partial
26.	Naniwali	Partial
27.	Sondewadi	Partial
28.	Wad Vihar	Partial
29.	Warose Tarf Wankhal	Partial
30.	Wawarle	Partial

TEHSIL: PANVEL

S No.	VILLAGE	STATUS
31.	Ambhe Tarf Taloje	Partial
32.	Ambivali	Partial
33.	Barwai	Partial
34.	Bherle	Partial
35.	Bhingar	Partial
36.	Bhokarpada	Partial
37.	Cheravali	Partial
38.	Chorme	Partial
39.	Deharang	Partial
40.	Dhamani	Partial
41.	Dhodani	Partial
42.	Dundre	Partial
43.	Gadhe	Partial
44.	Karabeli	Partial
45.	Karambeli Tarf Taloje	Partial
46.	Khairwadi	Partial
47.	Kondale	Partial
48.	Kondap	Partial
49.	Luniwali	Partial
50.	Machiprabal	Full
51.	Mahoda	Partial
52.	Maldunge	Partial
53.	Mohope	Partial

54.	Morbe	Partial
55.	Nere	Partial
56.	Nitale	Partial
57.	Pali Bk.	Partial
58	Poyanje	Partial
59.	Ritghar	Partial
60.	Sangatoli	Partial
61.	Shriavali	Partial
62.	Tamsai	Partial
63.	Usarli Bk.	Partial
64.	Vavanje	Partial
65.	Vihighar	Partial
66.	Wajapur	Full
67.	Waje	Partial
68.	Wangani Tarf Taloje	Partial
69.	Wangani Tarf Waje	Partial
70.	Wardoli	Partial

DISTRICT : THANE

TEHSIL: ULHASNAGAR

S No.	**VILLAGE**	**STATUS**
71.	Ambhe	Partial
72.	Bandhanwadi	Partial
73.	Bendshil	Partial
74.	Bhoj	Partial

75.	Bohonoli	Partial
76.	Chikhaloli	Partial
77.	Chinchvali	Partial
78.	Dhavale	Partial
79.	Goregaon	Partial
80.	Jambhivali	Partial
81.	Kasgaon	Partial
82.	Katrap	Partial
83.	Kushavali	Partial
84.	Savaroli	Partial
85.	Shiravali	Partial
86.	Shirgaon	Partial
87.	Vangani	Partial
88.	Varade	Partial
89.	Wadi	Partial

Annexure-C

(see section 2)

MODIFICATION TO THE BOUNDARY OF THE ESZ - EXCEPTIONS AND EXEMPTIONS IN THE 200 M. BUFFR ZONE

Reference Number corresponding with the map 1 and 2	Areas or villages for which exemptions are sought	Landuse	Remarks
Thane District			
1	Jambivali, (Ambernath)	Urbanisable Zone 1	The U-1 zone of Ambernath Municipal Council abuts the F Zone the buffer zone is less than 200 M. or no buffer is proposed
2.	Jambhavali, (Ambernath) Katrap, (Badlapur)	Industrial Zone and Urbanisable Zone I	The I-Zone of Ambernath Additional Industrial Estate planned by Maharashtra Industrial Development Corporation and U-I Zone of Kulgaon Badlapur Municipal Council abuts the F-Zone the buffer zone is less than 200 M. or No buffer is proposed
Raigad District			
3.	Goregaon, Vangani	Urbanisable Zone 2	U-2 Zone of the sanctioned Regional Plan abutting the F Zone.
4.	Vangani	Urbanisable	U-1 Zone of the dormitory

			town planned in the
		Zone 1	1973 sanctioned Regional Plan abutting Forest Zone
5.	Neral	Urbansiable Zone 1	U-1 Zone of 1999 sanctioned Regional Plan abutting F Zone
6.	Pali Tarf Verde, Umroli, Asane, Kasane, Vanjale, Kariwali, Paliwali, Bhisegaon	Urbanisable Zone 2	U-2 Zone of the sanctioned Regional Plan abutting the F Zone.
7.	Boregaon Bk., Warose Tarf Wankhal, Naniwal	Morbe Dam	Earthen dam is under construction for drinking water supply benefiting Navi Mumbai and other adjoining towns. Excavation of dam floor and strengthening of embankment by using local material and for repairs and maintenanc may be necessary.
8.	Chowk Maniwali, Nadhal, Lodhivali	Railway Line	The buffer Zone is restricted upto the railway line which acts as a physical buffer for development.
9.	Barwai, Pali Bk.	Road and Railway Line	The buffer Zone is restricted upto the railway line which acts as a physical buffer for development.
	Bhingarwada,	Railway Line	The buffer Zone is restricted upto the railway

	Bherle		line which acts as a physical buffer for development.
11.	Nere, Sangartoli	River Gadhe	River acts as the natural buffer, no additional buffer is therefore proposed.
12.	Gadhe	River Gadhe	River acts as the natural buffer, no additional buffer is therefore proposed.
13.	Khairwadi	River Lendhe	River acts as the natural buffer, no additional buffer is therefore proposed.
14.	Mohodar	River Nande	River acts as the natural buffer, no additional buffer is therefore proposed.

Annexure- D

[see section 4(a)(iv)(3)]

PERMISSIBLE DEVELOPMENTAL ACTIVITES IN MATHERAN ECO-SENSITIVE ZONE

1. FOREST ZONE

When any land is situated outside Reserve Forest, Protected Forest, Acquired Forest or Forests as defined as per the Supreme Courts Order dated 12th December 1996, the development of such land shall be regulated in accordance with the provisions for Green Zone-2.

2. GREEN ZONE-2

2.1 The permissible uses in Green Zone-2 (G-2 Zone) are as follows:-

(a) Dwelling Units for the bona fide use of the holder as per Revenue Department records of any cultivated land, held exclusively for the purpose of agricultureal activities.

(b) Horticulture, floriculture, and, agricultural and allied activities of rice and poha mill, poultry farms, cattle stables, piggeries and sheep farms.

(c) Religious places, crematorium and cemetery.

(d) Schools, pre-primary school and health centre.

(e) Clinics and dispensaries.

(f) Roads and bridges, railways, underground pipelines and cables, electricity transmission lines, communication towers, small check dams for watershed management, ropeways

2.2 The minimum plot size shall be 0.4 ha.

3. GREEN ZONE-1

3.1 The permissible uses in Green Zone-1 (G-1 Zone) are as follows:-

a. Dwelling Units for the bona fide use of the holder as per Revenue Department records of any cultivated land, held exclusively for the purpose of agricultural activities.
b. Holiday resort and holiday homes.
c. Educational, medical, social, cultural and religious institutions along with residential quarters and shops for the staff on plots not be less than 2.5 ha.
d. Schools, pre-primary school and health centre.
e. Clinics, dispensaries and health centres.
f. Storage of LPG cylinders.
g. Horticulture, floriculture, and, agricultural and allied activities of rice and poha mill, poultry farms,cattle stables, piggeries and sheep farms.
h. Religious places, crematorium and cemetery.
i. Parks, gardens, play fields, camping grounds with public conveniences.
j. Roads and bridges, railways, underground pipelines and cables, electricity transmission lines, communication towers, small check dams for watershed management

3.2 The minimum plot size shall be 0.4 ha.

4. URBANISABLE ZONE-2

4.1 The permissible activities in Urbanisable Zone-2 are :-

a. Dwelling Units for the bona fide use of the holder as per Revenue Department records of any cultivated land, held exclusively for the purpose of agricultural activities.
b. Non polluting scientific institutions
c. Schools, pre-primary school and health centre
d. Clinics, dispensaries and health centres
e. With the prior approval of the Monitoring Committee, hotels, tourists resorts, holiday homes, motels and club houses
f. Houses for residential purposes only
g. Parks, gardens, play-fields and camping grounds with public conveniences
h. Religious places, crematorium and cemetery.
i. Horticulture, floriculture, and, agricultural and allied activities of rice and poha mill, poultry farms, cattle stables, piggeries and sheep farms
j. Retail shops, whole sale shops, restaurants and banks
k. Government offices
l. Garages, petrol pumps, automobile repair workshops
m. With prior approval of the Monitoring Committee, public services and utility establishment of water treatment plant, sewage treatment plant, solid waste treatment and disposal facilities electricity substation, gas works, fire brigade, police station, telephone exchange, bus shelters, terminals and depots
n. Roads and bridges,, railways, underground pipelines and cables, electricity transmission lines, communication towers, small check dams for watershed management

4.2 The minimum plot size for item (b) to (f) of paragraph 4.1 shall be 2,000

sq. m.

URBANISABLE ZONE-1

5.1 In preparing the sub-Zonal Master Plan for Matheran Municipal Council area the recommendations of the report titled Matheran: A Comprehensive Heritage Listing Proposal commissioned by the Mumbai Metropolitan Region - Heritage Conservation Society shall be taken into account.

5.2 The development of lands within the Urbanisable Zone-1 of Neral and Wangani falling outside the area under the Layout prepared as a part of

the final Regional Plan 1973 shall be regulated in accordance with the provisions for Green Zone-1.

6. GOATHAN and GAOTHAN EXPANSION

6.1 The following provisions irrespective of Zones shall regulate Gaothan and Gaothan Expansion.

6.2 The boundary of the Gaothan shall be as shown in the revenue maps when the Regional Plan came into force.

6.3 Gaothan Expansion may be permitted by the Monitoring Committee based on needs and requirements of and for existing gaothan residents only.

6.4 The lands in Gaothan and Gaothan Expansion may be used for any of the following purposes :

a. Residential.
b. Shops, garages, small eating places, banks and post offices.
c. Schools.
d. Community centres and other social institutions.
e. Religious places.
f. Clinics, dispensaries and health centres.
g. Essential public services and utilities including local Government offices.
h. Stables for domestic animals subject to limit of 5 animals on each plot.
i. Traditional household industries.
j. Storage of crop, fodder, manure, agricultural implements and other

similar needs

k. Parks, gardens and playgrounds.
l. Public conveniences.
m. Storage of fuels for domestic and commercial uses.

6.5 Floor Area Ratio and Ground Coverage

Area	FAR	Ground coverage
Gaothan	1.00	-
Gaothan Expansion	0.40	40%

Note: The classification of zones referred to above is as per the sanctioned Regional Plan of the Mumbai Metropolitan Region, September 1999.

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (ii) DATED 16TH JANUARY, 2004]

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 16th January 2004

S.O. 83 (E) – Whereas by the notification of the Government of India in the Ministry of Environment and Forests number S.O. 133 (E), dated the 4th February, 2003 (hereinafter referred to as the said notification), the Central Government notified Matheran and surrounding areas an Eco-sensitive Zone (ESZ) and imposed restrictions on industries, operations, processes and other developmental activities in the said zone.

Now, therefore, in exercise of powers conferred by sub-section (1) read with clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the aforesaid notification, namely :-

1. In paragraph 2, in line 2, after the words "buffer zone", the words

   "comprising of a total area of 251.56 sq. kms" shall be inserted;

2. In paragraph 3, the following shall be inserted at the end, namely:-

   "In particular, and without prejudice to the provisions of the said Acts, following steps shall also be taken:

   (a) In any proposal for use of forest area for non-forestry purpose, the procedure laid down for National Parks and Sanctuaries shall be followed.

   (b) Adequate fuel wood plantation shall be undertaken in the surrounding area to prevent illegal cutting of trees for firewood, etc.

   (c) A specific Forest Protection Plan shall be prepared by the Maharashtra State Forest Department and necessary funds for implementation of the Protection Plan shall be provided by the State Government on priority basis."

3. In paragraph 4,-

(a) in sub-paragraph(a), in item (iv),

(i) in line 5, after the words "ground coverage for buildings" the words "in Matheran Municipal limits" shall be omitted;

(ii) in line 10, for the words "In areas other than Matheran Municipal limits:-" the words "In the Eco-Sensitive Zone:-" shall be substituted.

(b) in sub-paragraph (h), in line 7, for the figure "4", the figure "5" shall be substituted.

(c) in sub-paragraph (n), in line 2, for the words "except ambulance and fire engine and use of tractor for transportation of solid waste", the words "except one ambulance and one fire engine and in addition to one ambulance and one fire engine as standby" shall be substituted.

4. In paragraph 6, after sub-paragraph (3), the following sub-paragraphs shall be inserted, namely:-

"(4) It shall be the duty of the Monitoring Committee to inquire into or review cases of alleged violations of the provisions of the Environment (Protection) Act, 1986, and the rules made thereunder, and if found necessary in a specific case, issue directions under section 5 of the said Act.

(5) The Monitoring Committee or any Officer or member of the Monitoring Committee authorised by it shall be authorised to take action under section 10 of the said Act to verify the facts concerning the issues arising from the above."

5. At page 26, in line 1, for the figure and words " 6. Appeal", the figure and words "7. Appeal" shall be substituted.

6. In Annexure–B, in line 2, for the words "MMR" the words "Mumbai Metropolitan Region (MMR)" shall be substituted.

7. In Annexure-D, sub-paragraph 5.2 shall be omitted.

[F. No. J-20011/1/99-I.A.-III]

Dr. R.R. Khan
Adviser

511555/2021/ESZ

रजिस्ट्री सं. डी.एल.- 33004/99 REGD. No. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
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अधिसूचना

नई दिल्ली, 27 अगस्त, 2021

का.आ. 3592(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1), उपधारा (2) के खंड (v) और उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र राज्य के माथेरन और आसपास के क्षेत्रों को पारिस्थितिकी संवेदनशील क्षेत्र के रूप में घोषणा के लिए संख्यांक का.आ. 133 (अ), तारीख 4 फरवरी, 2003 में प्रकाशित भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना में निम्नलिखित और संशोधन करती है, अर्थात्:-

उक्त अधिसूचना के,-

i. पैरा 4 में, खंड (क) के, उपखंड (i) में, "इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो वर्ष की अवधि के भीतर और भारत सरकार के पर्यावरण और वन मंत्रालय द्वारा अनुमोदित किया जाएगा" शब्दों के स्थान पर, "और राज्य सरकार के सक्षम प्राधिकारी द्वारा उसके प्रभावी कार्यान्वयन के लिए अनुमोदित किया जाएगा" शब्द, रखे जाएंगे;

ii. पैरा 5 में, उप-पैरा (2) के बाद, निम्नलिखित उप-पैरा रखा जाएगा, अर्थात्:-

"(2ए) मानीटरी समिति का कार्यकाल अगले आदेश होने तक होगा, परंतु यह कि समिति के गैर-सरकारी सदस्यों को समय-समय पर राज्य सरकार द्वारा नामनिर्दिष्ट किया जाएगा।"।

[फा.सं. 25/24/2012-ईएसजेड-आरई]

डॉ. सतीश चन्द्र गडकोटी, वैज्ञानिक "जी"

टिप्पण: मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपधारा (ii) में अधिसूचना संख्यांक का.आ. 133(अ), तारीख 4 फरवरी, 2003 द्वारा प्रकाशित की गई थी और संख्यांक का.आ. 83(अ), तारीख 16 जनवरी, 2004 द्वारा अंतिम बार संशोधित की गयी थी;

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 27th August, 2021

S.O. 3592(E).—In exercise of the powers conferred by sub-section(1), clause (v) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Environment and Forests, published vide number S.O. 133(E), dated the 4th February, 2003 for declaration of Matheran and surrounding region in the State of Maharashtra as an ecologically fragile area, namely:—

In the said notification, -

(i) in paragraph 4, in clause(a), in sub-clause(i), for the words "within a period of two years from the date of publication of this notification in the Official Gazette and approved by the Ministry of Environment and Forests in the Government of India", the words "and shall be got approved by the Competent Authority in the State Government for its effective implementation" shall be substituted;

(ii) in paragraph 5, after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:-

"(2A) The tenure of the Monitoring Committee shall be till further orders, provided that the non-official members of the Committee shall be nominated by the State Government from time to time.".

[F. No. 25/24/2012-ESZ-RE]

Dr. SATISH C. GARKOTI, Scientist "G"

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii),vide notification number S.O. 133(E), dated the 4th February, 2003 and was last amended vide number S.O. 83(E), dated the 16th January, 2004.

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Government of Maharashtra

Department of Environment and Climate Change

15th Floor, New Administrative Building,
Hutatma Rajguru Chowk,
Madama Cama Road, Mantralaya,
Mumbai-32

No-Committee-2019/CR366/TC-1 Dated: 06th October, 2021

OFFICE MEMORANDUM

Subject: **Reconstitution of Monitoring Committee under the Notification S.O. No. 133 (E) dated the 4th February, 2003 (Matheren Notification) declaring Matheren and surrounding region in the State of Maharashtra as Eco-sensitive Zone.**

In pursuance of the Notification S.O. No. 133 (E) dated the **4th February, 2003** (Matheren Notification) declaring Matheran and surrounding region in the State of Maharashtra as Eco-sensitive Zone, and under the provisions of sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and under the newly inserted provision of (2A) of Notification S.O No.3592 (E) dated 27th August, 2021, the Government of Maharashtra in the Department of Environment & Climate Change hereby reconstitutes the Monitoring Committee comprising of the following:-

1.	Shri. K.P. Bakshi, IAS (Retd), 2601, Tower-5, Runwal Greens, Mulund Goregan Link Road, Bhandup (West), Mumbai-400078, Maharashtra.	Chairman
2.	Dr. Rakesh Kumar, CSIR, (Environment Expert) NEERI Building, 89B, Dr.Annie Besant Road, Worli, Mumbai-400018	Member
3.	David R Cardoz, (Arch. Heritage Expert) Edmar 51/C Hill Road, Bandra, Mumbai-400050	Member
4.	Representative, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi	Member
5.	Representative, Central Pollution Control Board, New Delhi	Member
6.	Principal Secretary, Environment & Climate Change Department, Government of Maharashtra, Mantralaya, Mumbai-32	Member
7.	Principal Secretary, Urban Development Department- 1, Government of Maharashtra, Mantralaya, Mumbai-32	Member
8.	Principal Secretary, Urban Development Department- 2, Government of Maharashtra, Mantralaya, Mumbai-32	Member
9.	Collector, Raigad District	Member Secretary

2. The terms of reference of the Monitoring Committee are as follows:-

(i) To ensure monitoring of compliance of the provisions of the (Matheran Notification) declaring Matheran and surrounding region in the State of Maharashtra as Eco-sensitive Zone published in the Gazette of India, Extraordinary Part 11 Section (3) Sub-Section (ii), S.O. No. 133 (E) dated the 4th February, 2003

(ii) To discharge the functions specifically enumerated in the Notification and do all things incidental thereto (except the functions as are required to be performed by the Central Government under the provisions of the Environment Impact Assessment (EIA) Notification of 14th September, 2006 as amended from time to time),

3. The Committee or any officer or member of the Monitoring Committee authorized by the Committee shall file complaints under Section 19 of the Environment (Protection) Act, 1986, if offences under the said Act came to the notice of the Committee.

4. The orders/directions issued by Hon' ble NGT/Supreme Court/ High Court/District Court as the case may be from time to time w.r.t. Matheran Eco-sensitive zone shall be complied with by the State Government and the Monitoring Committee.

5. The tenure of the Committee including Chairman and Non-official members shall be till further orders by the Government of India/ Government of Maharashtra.

6. The Monitoring Committee shall meet at least once in a month and dispose of its assignments within a period of 90 days.

7. The quorum for the Monitoring Committee shall not be less than five members including the Chairman.

8. Expenditure of Monitoring co including TA/DA to the non-official members of the Committee shall be met by the Collector, Raigad as per the State Government rules.

This is issued with the approval of Competent Authority

(Joy Thakur)
Scientist-I & Deputy Secretary

To,

1. The Chief Secretary, Government of Maharashtra, Mantralaya, Mumbai-32
2. Shri. K.P. Bakshi, IAS (Retd), 2601, Tower-5, Runwal Greens, Mulund Goregan Link Road, Bhandup (West), Mumbai-400078, Maharashtra.
3. Dr. Rakesh Kumar, CSIR, NEERI Building, 89B, Dr.Annie Besant Road, Worli, Mumbai-400018
4. Shri David R Cardoz, Edmar 51/C Hill Road, Bandra, Mumbai-400050

5. Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi.
6. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032
7. Principal Secretary, Environment & Climate Change Department, Government of Maharashtra, Mantralay, Mumbai-32
8. Principal Secretary, Urban Development Department-1, Government of Maharashtra, Mantralay, Mumbai-32
9. Principal Secretary, Urban Development Department-2, Government of Maharashtra, Mantralay, Mumbai-32
10. Collector, Raigad District

Copy To,

1. Additional Chief Secretary to Hon'ble Chief Minister, Mantralaya, Mumbai 32
2. Secretary to Hon'ble Dy. Chief Minister, Mantralaya, Mumbai 32
3. Personal Secretary to Hon'ble Minister , Environment & Climate Change Dept. Mantralaya, Mumbai 32
4. Personal Secretary to Hon'ble Minister, (all Other Dept.)
5. Personal Secretary to Hon'ble Minister of State, Environment & Climate Change Dept.Mantralaya, Mumbai 32
6. Personal Secretary to Hon'ble Minister of State, Other Dept. Mantralaya, Mumbai 32
7. Secretary to Hon'ble Chairman, Vidhan Parishad, Vidhan Bhavan, Mumbai
8. Secretary to Hon'ble Speaker, Vidhan Sabha, Vidhan Bhavan, Mumbai
9. Personal Secretary to Hon'ble Leader of Opposition, Vidhan Sabha, Vidhan Bhavan,Mumbai
10. Personal Secretary to Hon'ble Leader of Opposition, Vidhan Parishad, Vidhan Bhavan,Mumbai
11. All Member of Vidhan Sabha and Vidhan Parishad, Vidhan Bhavan, Mumbai
12. Chairman, Maharashtra Pollution Control Board, Mumbai
13. Member Secretary, Maharashtra Pollution Control Board, Mumbai
14. Divisional Commissioners, Raigad
15. All other Mantralaya Departments, Mantralaya, Mumbai
16. Select File

2025 INSC 996

REPORTABLE

IN THE SUPREME COURT OF INDIA
ORIGINAL JURISDICTION

I.A. NOS. 79569, 79576, 159670 AND 159677 OF 2019, I.A. NOS.14261 AND 14262 OF 2021, I.A. NOS. 40599, 40624 AND 220675 OF 2023, I.A. NOS.111336 AND 137276 OF 2025

IN

WRIT PETITION (C) NO. 202 OF 1995

IN RE: T.N. GODAVARMAN THIRUMULPAD

...PETITIONERS

VERSUS

UNION OF INDIA AND OTHERS **...RESPONDENTS**

JUDGMENT

B.R. GAVAI, CJI

1. The present applications pertain to various issues with regard to one of the smallest but one of the most popular hill stations in the State of Maharashtra situated in Raigad District, namely Matheran. It is situated in the biologically rich Western Ghats, and is now recognized as an eco-sensitive

region. It is also a home to several species of flora and fauna, including the bonnet macaque, Hanuman langur, Malabar giant squirrel, barking deer, and various endemic orchids, etc.

2. Matheran has a permanent population of approximately about 4,400 persons, as per the 2011 Census. However, apart from the permanent population, the region also sees the inflow of large number of tourists throughout the year and specially during summer. However, lately, the monsoon tourism has also become quite popular in Matheran, when the tourists go to enjoy the monsoon of Matheran. The approximate foot fall of the tourists is around 8 lakhs in a year.

3. Matheran has been known for its uniqueness, inasmuch as it is recognized as the only pedestrian hill station.

4. On 21st November 2000, the Government of Maharashtra communicated its in-principle approval to the Government of India to declare Matheran as an Eco Sensitive Zone (ESZ). On 12th July 2001, this Court had issued directions in I.A. Nos.669 and 659 in the present proceedings, that in the interim, Matheran should be recognized as an ESZ. This Court also expressly restricted all vehicular traffic in the region, except for an ambulance and a fire engine.

5. A draft notification was published on 6th February 2002, and the Final Notification was issued by the Ministry of Environment and Forest (MoEF) on 4th February 2003. Para 4(n) of the said notification restricted the movement of vehicular traffic within the municipal limits of Matheran, except for an ambulance and fire engine and the use of a tractor for transportation of solid waste. By a subsequent order dated 21st July 2003, this Court issued a clarification to its order of 12th July 2001, to the extent that only one ambulance and one fire engine should be allowed in addition to one each as standby in Matheran. In pursuance to the orders passed by this Court, a Notification dated 16th January 2004 came to be issued.

6. It appears that subsequently taking into consideration the changed circumstances, the Government of Maharashtra proposed to lay paver blocks on the road between the Dasturi Naka to Shivaji Maharaj Statue, which is approximately 4 kms., and is a lifeline for the town of Matheran. One of the reasons for laying the paver blocks was to arrest the soil erosion, inasmuch as it was found that on account of heavy rains, there was a possibility of the erosion of soil.

7. There is another issue with regard to the permission to operate battery operated e-rickshaws to replace the practice of hand pulled carts/rickshaws. The Matheran Municipal Council has, accordingly, made an application to this Court to stop the practice of hand pulled carts/rickshaws being plyed on the road.

8. Pursuant to the application made by the Municipal council, the District Collector, Konkan Division opined that the ESZ notification of 4th February 2003 should be amended to allow battery operated e-rickshaws in Matheran. On 25th September 2017, the District Collector, Raigad, wrote to the Principal Secretary, Department of Environment, Mumbai justifying the use of e-rickshaws for the benefit of the population of Matheran. He also recommended an amendment to the Matheran Rules, 1959 and ESZ Notification.

9. In this background, the matter is pending before last couple of years on the issue whether the paver blocks should be permitted to be laid on the road between Dasturi Naka to Shivaji Maharaj Statue and as to whether hand pulled carts/rickshaws be replaced with e-rickshaws. In the meantime, an issue as to whom the e-rickshaws have to be allotted also arose.

10. On account of various disputes, this Court vide an order dated 24th July 2024 had requested the Principal District and Sessions Judge, Raigad to conduct an inquiry and to examine the process of allotting e-rickshaws. In the inquiry certain issues were noticed that the genuine rickshaw pullers were not being allotted the e-rickshaws. This Court, therefore, on 20th February 2025 directed the State Government to file a proposal for revising the process of allotment of e-rickshaws, considering the disputed position. The State, therefore, proposed a six stage procedure as under:-

(i) Calling for applications from hand cart pullers through a public notice,

(ii) Calling for objections,

(iii) Personal hearing to the applicant and objector,

(iv) Consideration of reports from administrative agencies,

(v) Scrutiny of the applications, and

(vi) Shortlisting of genuine hand cart pullers.

11. In pursuance to the aforesaid procedure, the State had conducted an inquiry and after scrutiny only 13 persons were shortlisted as actual/genuine hand cart/rickshaw pullers. It

was also found that 6 persons who were earlier genuine hand cart/rickshaw pullers but who on account of their age could not engage in hand pulling were willing to undertake the training for plying of e-rickshaws. It was also found that apart from that there are about 86 daily wages workers who pull hand cart/rickshaw, although they are not licence holders.

12. We have heard Mr. K. Parameshwar, learned Senior Counsel, who is assisting this Court as an Amicus Curiae. We have also heard Ms. Nina Nariman, learned counsel who espouses the cause of protection of the environment and the persons who are owners/the persons dependent on horses for their livelihood. On the previous occasions Ms. Nariman was led by Mr. Shyam Divan, learned Senior Counsel. We have also heard Mr. Colin Gonsalves, learned Senior Counsel who appears on behalf of the hand cart/rickshaw pullers and Mr. Siddharth Dharmadhikari learned counsel who appears on behalf of the State of Maharashtra.

13. Ms. Nariman submits that if the paver blocks are to be permitted only the clay paver blocks should be permitted. It is also submitted that while laying the clay paver blocks, concrete has been used as a bed for paver blocks which serves no

purpose. She, therefore, submits that if the clay paver blocks are to be laid, they should be laid without having a concrete bed. Another issue which is flagged by Ms. Nariman, learned counsel, is that the paver blocks should be permitted only from Dasturi Naka to Shivaji Maharaj Statue. She submits that if the paver blocks are also attempted to be laid on the other internal trekking routes, it would be against the very concept of Matheran being the only pedestrian hill station. She further submits that if the paver blocks are to be laid, then a side strip/way should be kept so that the horses can also ply on the said route.

14. Ms. Nariman, learned counsel, further submits that if e-rickshaws are to be permitted, then there should be a restriction on the numbers of e-rickshaws and that e-rickshaws should be allotted only to the persons who are genuine hand cart/rickshaw pullers.

15. On earlier occasions, Mr. Shyam Divan, learned Senior Counsel, had also assisted this Court on behalf of the applicant(s) who are concerned with the protection of the environment and the owners/persons dependent on the horses for their livelihood. However, Mr. Divan at the relevant time

during today's proceedings was on his legs before some other court. No doubt, even today, Mr. Divan subsequently joined Ms. Nariman but he permitted her to proceed with the arguments and chose to assist her.

16. Mr. Gonsalves, learned Senior Counsel, on the other hand submits that the report of the State Government with regard to the genuine hand cart/rickshaw pullers is incomplete, as the report should take into consideration the complete data. He submits that he has a list of genuine hand cart/rickshaw pullers, who are dependent upon rickshaw pulling for their livelihood.

17. Mr. Dharmadhikari, learned counsel appearing for the State of Maharashtra, submits that the paver blocks are installed taking into consideration the report of the experts. He also submits that only the genuine hand cart/rickshaw pullers would be allotted e-rickshaws.

18. Mr. Parameshwar, learned Amicus Curiae, has been assisting the Court throughout the proceedings.

19. Mr. Parameshwar submits that with changing times, the necessary changes are required to be adopted. He submits that if the clay paver blocks are laid it will rather than adversely

affecting the environment will, in fact, arrest the soil erosion and will also be beneficial for protecting the road. He further submits that the rights of the persons who are hand cart/rickshaw pullers and the right of the persons who are dependent on horses for their livelihood has to be balanced. He, however, submits that in the 21st Century, the inhuman practice of one human being towing other human beings in a hand cart/rickshaw, has not only to be stopped but should also be castigated. He submits that if the country is continuing with the practice of one human being towing other human beings and that too in a hilly terrain, the same not only attacks the dignity of the individual but also depicts a very sorry picture. To buttress his submission, he relies on the judgment of this Court in the case of ***People's Union for Democratic Rights and Others v. Union of India and Others***[1].

20. In this background, we are called upon to consider the following issues:

(i) As to whether the paver blocks should be permitted to be laid on the road between the Dasturi Naka to Shivaji Maharaj Statue, which is the main road that

[1] **(1982) 3 SCC 235**

connects Matheran from Dasturi Railway Station to the last point inasmuch as most of the habitations are situated on this road. The internal roads are also accessible from the said main road;

(ii) If the answer to issue (i) is in the affirmative, then which type of paver blocks should be permitted to be laid down;

(iii) As to whether e-rickshaws should be permitted on the said road between Dasturi Naka to Shivaji Maharaj Statue or not;

(iv) If the answer to issue (iii) is in the affirmative, then we would have to consider as to what should be the number of e-rickshaws that should be permitted to be plyed on the said road;

(v) The last issue that would, accordingly, be required to be considered is as to who should be the persons to whom the said e-rickshaws be allotted to.

21. Insofar as the laying of the paver blocks is concerned, we had requested the Indian Institute of Technology, Bombay (for short, "IIT, Bombay") to submit a report.

22. In accordance with the directions issued by this Court, the IIT Bombay submitted a report, as under:

(i) Clay paver blocks were in fact an eco-friendly option that offer good slip resistance in rain prone areas;

(ii) They have a low water absorption rate, allowing better drainage to be maintained;

(iii) Their colour and texture enhances visual appearance of the pathways;

(iv) They minimize waste, can be efficiently produced locally, and are recyclable and reusable.

23. The report further recommended that sand blasting could be undertaken prior to every monsoon, to avoid the clay paver blocks becoming slippery. Other measures that were recommended were to increase drainage and prevent waterlogging by inclusion of a non-woven geotextile layer beneath the sand bedding, cambering of roads to help reduce erosion, construction of contour bunds, inclusion of lateral drains, and rumble strips for foot support.

24. However, since Mr. Divan, learned Senior Counsel, was not satisfied with the said report of IIT, Bombay, we thought it fit that the matter be examined by the National Environmental and

Engineering Research Institute (for short, "NEERI"). Accordingly, vide order dated 19th March 2025, this Court directed the NEERI to examine and submit its report to this Court on the following issues:

(i) As to whether it is necessary to install the paver blocks in order to avoid soil erosion;

(ii) As to whether there could be any other alternative than installation of clay-paver blocks, in order to avoid the soil erosion;

(iii) As to whether, installation of paver blocks would arrest the soil erosion;

(iv) As to whether the use of clay-paver blocks instead of the concrete paver blocks would address the issue.

25. NEERI, which is undoubtedly one of the most prominent institutions in the matters of environmental studies and research submitted its report with regard to the necessity of laying the paver blocks. It will be relevant to refer to the following observations of NEERI in its report:

> "The trampling effect of horses will reduce soil aggregate stability which ultimately increases the soil movement with water and air (...). It was found during the site inspection that, the mud road paved

> with laterite near the Charlotte Lake is weakened mainly by the movement of horse. (Figure 6). In order to avoid soil erosion on mud road, a material which can withstand the force of rain and the trampling effect of horses is required in the Matheran region. Hence, paving off road with suitable material is the best method for arresting soil erosion."

26. It can thus be seen that NEERI also concurred with the report of IIT Bombay and came to a specific finding that in order to avoid soil erosion, paving of road with suitable material was the best method for arresting soil erosion. It is further observed in its report, as under:

> "Paver block installation is a solution for arresting soil erosion of mud road in Matheran. With the installation of paver blocks, the soil will not be exposed to rain as well as the trampling effect of horses. Hence, the detachment of individual soil particles from the soil mass will be reduced."

27. It can thus be seen that NEERI also observed that with the installation of the paver blocks, the soil will not be exposed to rain as well as the trampling effect of horses, hence the detachment of individual soil particles from the soil mass will be reduced. The NEERI, therefore, recommended thus:

> "Based on the site inspection it is found the clay paver block installed in 2022 is having enough potential to resist the trampling effect of horses. Because, the inspection team couldn't see much changes on the surface of clay paver blocks. It was

> reported by Dr. Abhay Bambole that the comprehensive strength of the material was (...) equivalent to M40 grade concrete paver block. Hence, clay paver block can be considered as the best solution for arresting soil erosion on mud roads of Matheran, an eco-sensitive zone.
>
> In addition to the soil erosion on mud road, a study on soil erosion of the Matheran region is needed for its prevention with the objective to (i) Assess the soil erosion potential of the region; (ii) Identify potential soil erosion sites in the region and prepare of management plan."

28. It is thus clear that the NEERI came to a specific finding that clay paver blocks can be considered as the best solution for arresting soil erosion on mud roads of Matheran and Eco Sensitive Zones.

29. Time and again, we have observed that this Court cannot sit in an appeal over the wisdom of experts. The two expert bodies i.e., IIT, Bombay and NEERI have examined the issue and found that laying of paver blocks was necessary to arrest the soil erosion. They also found that the paver blocks is the best solution.

30. We are, therefore, inclined to accept the recommendation of the IIT, Bombay and NEERI that the laying of clay paver blocks is a best solution for arresting the soil erosion.

31. The next issue is as to whether the practice of towing by hand the carts/rickshaws should be permitted or not.

32. As early as in the year 1982, this Court had an occasion to consider the issue in the case of ***People's Union for Democratic Rights*** (supra). It will be appropriate to refer to the following observations:

> "**12.** Article 23 enacts a very important fundamental right in the following terms:
>
> > "23. *Prohibition of traffic in human beings and forced labour.*—(1) Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.
>
> .....
>
> But there are certain fundamental rights conferred by the Constitution which are enforceable against the whole world and they are to be found inter alia in Articles 17, 23 and 24. ..... It is Article 23 with which we are concerned and that article is clearly designed to protect the individual not only against the State but also against other private citizens. Article 23 is not limited in its application against the State but it prohibits "traffic in human being and begar and other similar forms of forced labour" practised by anyone else. **The sweep of Article 23 is wide and unlimited and it strikes at "traffic in human beings and begar and other similar forms of forced labour" wherever they are found.** ..... Now there was one feature of our national life which was ugly and shameful and which cried for urgent attention and that was the existence of bonded or forced labour in large parts of the country. **This evil was the relic of a feudal exploitative society and it was totally incompatible**

with the new egalitarian socio-economic order which "we the people of India" were determined to build and constituted a gross and most revolting denial of basic human dignity. ..... This is the reason why the provision enacted in **Article 23 was included in the Chapter on Fundamental Rights.** The prohibition against "traffic in human beings and begar and other similar forms of forced labour" is **clearly intended to be a general prohibition, total in its effect and all pervasive in its range and it is enforceable not only against the State but also against any other person indulging in any such practice**.

13. ..... What are the forms of "forced labour" prohibited by that article and what kind of labour provided by a person can be regarded as "forced labour" so as to fall within this prohibition? ..... **This Article strikes at forced labour in whatever form it may manifest itself, because it is violative of human dignity and is contrary to basic human values.** The practice of forced labour is condemned in almost every international instrument dealing with human rights. It is interesting to find that as far back as 1930 long before the Universal Declaration of Human Rights came into being, International Labour Organisation adopted Convention No. 29 laying down that every member of the International Labour Organisation which ratifies this convention shall "suppress the use of forced or compulsory labour in all its forms" and this prohibition was elaborated in Convention No. 105 adopted by the International Labour Organisation in 1957. The words "forced or compulsory labour" in Convention No. 29 had of course a limited meaning but that was so on account of the restricted definition of these words given in Article 2 of the Convention. Article 4 of the European Convention of Human Rights and Article 8 of the International Covenant on Civil and Political Rights also prohibit forced or compulsory labour. **Article 23 is in the same strain and it enacts a prohibition against forced labour in whatever form it may be found.** ..... We do not think it would be right to place

on the language of Article 23 an interpretation which would emasculate its beneficent provisions and defeat the very purpose of enacting them. **We are clearly of the view that Article 23 is intended to abolish every form of forced labour.** ..... **Every form of forced labour, "begar" or otherwise, is within the inhibition of Article 23 and it makes no difference whether the person who is forced to give his labour or service to another is remunerated or not. Even if remuneration is paid, labour supplied by a person would be hit by this article if it is forced labour, that is, labour supplied not willingly but as a result of force or compulsion.**

.....

This article strikes at every form of forced labour even if it has its origin in a contract voluntarily entered into by the person obligated to provide labour or service. The reason is that it offends against human dignity to compel a person to provide labour or service to another if he does not wish to do so, even though it be in breach of the contract entered into by him. There should be no serfdom or involuntary servitude in a free democratic India which respects the dignity of the individual and the worth of the human person. Moreover, in a country like India where there is so much poverty and unemployment and there is no equality of bargaining power, a contract of service may appear on its face voluntary but it may, in reality, be involuntary, because while entering into the contract, the employee, by reason of his economically helpless condition, may have been faced with Hobson's choice, either to starve or to submit to the exploitative terms dictated by the powerful employer. ....."

[emphasis supplied]

33. It can thus be seen that this Court in the said case had an occasion to consider the effect of Article 23 of the Constitution

of India, which prohibits traffic in human beings and forced labour. The Court found that with the new egalitarian socio-economic order which "we the people of India" were determined to build; forced labour, in whatever form, is violative of human dignity and is contrary to the human order. The Court gave an expanded meaning to Article 23 and held that Article 23 intended to abolish every form of forced labour. The Court also found that even if remuneration is paid, labour supplied by a person would be hit by Article 23, if it is a forced labour i.e., labour supplied not willingly but as a result of force or compulsion.

34. The persons towing hand cart/rickshaw in Matheran do so not of their own choice but since they have no other source of livelihood. Permitting such an inhuman practice, which hits the concept of human dignity in a country like India, which is marching towards becoming a developed country from a developing country, belittles the constitutional promise of social and economic justice.

35. In a similar situation, this Court in the case of ***Azad Rickshaw Pullers' Union and Others v. State of Punjab***

and Another[2] considered the issue of rehabilitation of manual rickshaw pullers in Punjab. In his inimitable style, Justice Krishna Iyer observed thus:-

> "1. No higher duty or more solemn responsibility rests upon this Court than to uphold every State measure that translates into living law the preambular promise of social justice reiterated in Article 38 of the Constitution. We might have been called upon to examine from this angle of constitutionalised humanism, the vires of the Punjab Cycle Rickshaws (Regulation of Licence) Act, 1976 (Punjab Act 41 of 1976) ("the Act" for short), designed to deliver the tragic tribe of rickshaw pullers, whose lot is sweat, toil, blood and tears, from the exploitative clutches of cycle rickshaw owners by a statutory ban on non-owner rickshaw drivers."

36. Though the said case does not pertain to the hand cart/rickshaw pullers but to the cycle rickshaw pullers, this Court found that even such a practice of cycle rickshaw pullers was not consistent with the preambular promise of social justice as contained in Article 38 of the Constitution of India. The Court further observed thus:

> "11. (...) It is a notorious fact that rickshaw pullers have an occupational hazard and suffer from pulmonary tuberculosis and so, the State must be deeply concerned progressively to replace rickshaw pulling with mechanical propulsion. It would appear that short of scooters there are mechanised cycle rickshaws which are fairly inexpensive and which are

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[2] **(1980) Supp. SCC 601**

> being experimented with. Such vehicles may be a boot to the miserable who now torture themselves to keep body and soul together. After all, the quality of life of the weakest in society is the true measure of social justice."

37. The above words depict the agony which the rickshaw pullers were undergoing. The Court observed that they suffer from pulmonary tuberculosis and the State must be deeply concerned progressively to replace rickshaw pulling with mechanical propulsion. The Court further observed that such vehicles may be a boot to the miserable who now torture themselves to keep body and soul together. It also observed that the quality of life of the weakest in society is the true measure of the social justice.

38. In light of this observation, it will also be relevant to consider a recent medical study of the manual rickshaw pullers in India, which reads thus:

> "Overall 61.0% of rickshaw pullers were suffering from either acute or chronic health problems during their lifetime and almost half (49.5%) of them had at least one spell of sickness in the last 15 days. Factors like the consumption of tobacco and alcohol, and the low socioeconomic status might be contributing to the health problems. (...) The chronic illnesses, among study subjects, were found to be of dental origin (32.8%), vascular origin (31.1%) including varicose veins, and musculoskeletal problems (30.1%) including generalized body ache and leg pain. The possible attributes to these problems might

> be poor personal hygiene; a high rate of tobacco consumption; long hours spent on pedaling rickshaws. In a study from Odisha, India, musculoskeletal pain problem was found as the major morbidity (91.7%) among the study subjects followed by gastrointestinal problems (55.9%), ophthalmic problem as impaired vision (51.0%). Aches and pains, and physical weakness constitute 43% of all chronic ailments, likely to be associated with rickshaw pulling itself, reported from Bangladesh. (...) The majority of the study subjects (73.4%) in the present study had BMI within the normal limits. However, 24.6% of them were underweight and only 2.0% were overweight. Similar observations have been reported from Odisha and may be due to the nature of the job involving intense physical activity for prolonged durations."

39. The study shows that 61% of the rickshaw pullers were suffering from either acute or chronic health problems during their lifetime and almost half of them had at least one spell of sickness in the last fifteen days. It was found that long hours spent on pedaling rickshaws lead to musculoskeletal pain problem amongst 91.7% of the persons who were subjected to the study. Again, it must be noted that this was also a report with regard to those plying cycle rickshaws. If this is the case of the cycle rickshaw pullers, one can only imagine the plight of the hand cart/rickshaw pullers.

40. In the totality of circumstances, we are at pains to observe that even after 45 years of the observations made by

this Court in the case of ***Azad Rickshaw Pullers' Union*** (supra), the inhuman practice of a human being towing other human beings is still very much prevalent in the town of Matheran. The question that we will, therefore, have to ask ourselves is as to whether we, as a society, are alive to the constitutional promise of social and economic equality and social and economic justice.

41. The answer, unfortunately, will have to be in the negative.

42. Continuing such an inhuman practice even after 78 years of the country getting its freedom and after 75 years of the Constitution being enacted and promising social and economic justice to its citizens, in our view, would be betraying the promise given by the people of India to themselves.

43. We, therefore, find that the practice of permitting hand pulled carts/rickshaws needs to be stopped forthwith. At the same time, the question that would arise next is, if we stop this practice what will happen to those who are dependent on it for their livelihood.

44. The answer to that was given way back in the 1980s in the case of ***Azad Rickshaw Pullers' Union*** (supra).

Forty-five years of technological development in the country has now led to the introduction/invention of e-rickshaws, which are not only environment friendly/cause the least pollution but also prevent the human beings from adopting practices that hit at an individual's dignity.

45. We, therefore, find that the State which has also a duty under the Directive Principles of State Policy to ensure that social and economic justice is done to the citizen, should form a scheme for rehabilitation of these hand cart/rickshaw pullers so that they are not deprived of their livelihood.

46. We may gainfully refer to a scheme, which is implemented in the town of Kevadia (Sardar Patel Sarovar) in the State of Gujarat. The State of Gujarat in collaboration with the Statue of Unity Area Development and Tourism Governance Authority (SoUADTGA) has purchased a number of e-rickshaws. The said e-rickshaws are given on a nominal hire basis to the tribal women residing in the vicinity of the Sardar Patel Sarovar. It has become a famous tourist spot and hundreds of Adivasi women have not only become self-dependent but have also flourished on account of this scheme

which has been implemented by the State of Gujarat and SoUADTGA.

47. We, therefore, find that it will be appropriate that the State of Maharashtra studies the said scheme and implements the same in the town of Matheran so that not only the genuine hand cart/rickshaw pullers are rehabilitated but also the other underprivileged persons in and around the town of Matheran, including the Adivasi women, are benefited therefrom.

48. As we understand from the said Scheme, the ownership of the e-rickshaw is with the SoUADTGA. During the night hours, the e-rickshaws are charged and, in the morning, the tribal women, on a payment of a certain amount, are given the e-rickshaw for plying for the day and whatever is the surplus above the rental amount, which we understand is a substantial amount, is retained by them as a reward for their labour.

49. In the light of the aforesaid, we dispose of the present batch of applications by issuing the following directions:-

(i) The State Government is permitted to lay the clay paver blocks on the road between the

Dasturi Naka to Shivaji Maharaj Statue. While laying clay paver blocks, we direct that no concrete bed shall be laid below the said clay paver blocks, however, the other measures, as recommended by the IIT Bombay to increase drainage and prevent waterlogging such as inclusion of non-woven geotextile layer beneath the sand bedding, cambering of roads to help reduce erosion, construction of contour bunds, inclusion of lateral drains, and rumble strips for foot support shall be implemented. Needless to also state that the recommendations given by the NEERI shall also be given effect to. Needless to state that if any concrete paver blocks are laid and if any concrete bedding is laid below the paper blocks the same shall be removed and replaced by the bedding as recommended by the IIT, Bombay and NEERI. Similarly, if any concrete paver blocks are already laid, they shall be removed and replaced by clay paver blocks;

(ii) We clarify that though the clay paver blocks would be permitted to be laid on the road between Dasturi Naka to Shivaji Maharaj Statue, no paver blocks would be laid on the internal roads and in no case on the trekking routes. We find that this measure, apart from providing an accessible road from Dasturi Naka to Shivaji Maharaj Statue and easy movement of the e-rickshaws would also ensure that the internal roads and the trekking routes are exclusively available only for the trekkers and for the persons dependent on the horses for their livelihood. This will balance the right of the hand cart/rickshaw pullers and the persons dependent on the horses;

(iii) We direct the State of Maharashtra to forthwith stop the practice of plying hand pulled carts/rickshaws in the town of Matheran in a phased manner and in any case within a period of six months from today;

(iv) The State Government shall evolve a scheme taking the scheme applicable in Kevadia to be a model scheme. The State or an authority constituted on their behalf would purchase the e-rickshaws and give them on a hire basis on payment of a fixed amount to the genuine rickshaw pullers or the other underprivileged persons, including Adivasi women. Needless to state that the genuine hand cart/rickshaw pullers would be given a priority in the matter of allotment of such e-rickshaws on hire basis.

(v) Insofar as the identification of the genuine hand cart/rickshaw pullers is concerned, since many flaws have been found by the learned Principal District Judge, Raigad in his inquiry and since Mr. Gonsalves, learned senior counsel, is not satisfied with the *modus operandi* of the State Government, we direct the Matheran Monitoring Committee under the Chairmanship of the Collector, Raigad, which is constituted under the ESZ Notification to identify the

persons who are genuine hand cart/rickshaw pullers. The number of e-rickshaws to be permitted would also be determined by the said Committee taking into consideration the ground realities. The remainder of the e-rickshaws, if available, would be allotted to the underpriviledged persons residing in and around Matheran and preferably to Adivasi women who on account of the same will have an opportunity to earn their livelihood and become self-dependent, as is done in the case of the scheme implemented in Kevadia, Gujarat. Needless to state that the State Government shall also bear the expenses for providing the necessary training to the genuine hand cart/rickshaw pullers and the other allottees, who are found to be eligible.

(vi) We clarify that the State Government would be at liberty to implement the aforesaid scheme through Corporate Social Responsibility (CSR) Funds or any other mode available to it.

However, we clarify that non-availability of funds would not be treated as an excuse for not implementing the aforesaid scheme. We earnestly hope that the State would render all necessary assistance in stopping such an inhuman practice, which hits at the basic human dignity, in the right perspective.

(vii) Needless to state that while undertaking aforesaid exercises, the State Government and relevant authorities shall ensure that the character of Matheran as a pedestrian hill station, which is unique to the town of Matheran, shall be maintained to the extent possible.

50. Before we part with the judgment, we express our deep appreciation for the valuable assistance provided by Mr. K. Parameshwar, learned Amicus Curiae ably assisted by Mr. M.V. Mukunda, Ms. Kanti, Mr. Shreenivas Patil, Mr. Raji Gururaj, Mr. Veda Singh, and Mr. Prasad Hegde, learned counsel. We also express our deep appreciation to Ms. Nina Nariman, learned counsel, ably assisted by Mr. Shyam Divan,

learned Senior Counsel and Mr. Colin Gonsalves, learned Senior Counsel, ably assisted by Mr. Vivek Vishal Gautam, Mr. Lalit Mohan and Mr. Paul Kumar Kalai, learned counsel. We also express our deep appreciation to Mr. Siddharth Dharmadhikari, learned counsel for the State of Maharashtra, for being responsive to the suggestions given by the Court.

.....CJI
(B.R. GAVAI)

.....J
(K. VINOD CHANDRAN)

.....J
(N.V. ANJARIA)

NEW DELHI;
AUGUST 06, 2025.

Exhibit No.

VAKALATNAMA

IN THE COURT OF Hon'ble National Green Tribunal
O.A. NO. 210 OF 2024 (WZ)
Western Zone Bench, Pune

Sunil Ramchandra Shinde & Anr. — Appellant/Applicant / Complainant / Petitioner/Plaintiff

VERSUS

State of Maharashtra & ors. — Respondent / Opponent / Accused/Defendant

I / We, the undersigned
Matheran Hill Station Municipal Council
the Respondent No. 3 above-named hereby appoint & authorize

Shri Ajay Gadegaonkar
Advocate
Mah/506/1999
Mobile No-9850709394
ajaygadegaonkar@yahoo.in

Priya Vaidya- Gondhalekar
Advocate
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6, Sarswati Sadan
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Pune-411004
Phone No-02025530012

to appear and plead for me / us as my / our Advocate/s in the matter.

In witness whereof, I / we have signed below this 01 day of June 2026

Accepted and filed on 01/06/2026

Signature of Advocate/s

CHIEF OFFICER
Matheran Hill Station Municipal Council
Tal. Karjat, Dist. Raigad.

माथेरान नगरपरिषद
माथेरान
जि. रायगड