

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH, PUNE**

NOTED & REGISTERED

Page No...3.....Sr. No...497....

Dated...27...OCT...2020.....

APPLICATION NO. 167/2017 (WZ)

Dr. Hanishchandra Purushottam Natu &

... Applicants

Versus

The Executive Engineer, Irrigation
Department

... Respondents

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO.1

I Shri Jagdish M Patil, Age: 40 Adult male , Occupation: Service, Working as the Executive Engineer, Sindhudurg Irrigation Division, of the Respondent no.1 having my office at Sindhudurg Irrigation Division, Ambadpal, Tal: Kudal, Dist: Sindhudurg, Maharashtra, do hereby beg to state on solemn affirmation as under :

1. I say and submit that vide the Hon'ble Tribunal'S order dated 9.10.2020, The Collector Sindhudurg (Respondent No.4), directed the PWD (Respondent No.2) to demolish the skywalk in Dhamapur reservoir. It is submitted that the present Respondent in view of the said order wants to put forth certain facts on record.
2. I say and submit that as per the collectors order the demolishing work of the skywalk has been started by the public works department on 15 oct 2020, till 26.10.2020 100% flooring work, 40% slab has been demolished and The demolishing work is in progress.

NOTARIAL

NOTARIAL

NOTARIAL

3. I say and submit that the water level of the reservoir at present is 96.85 m and the reported foundation level of the sky walk structure is 93.30 m. It is further submitted that all the columns and foundation are submerged in water by 3.55m. That the water level of the lake depletes to a level of 93.00m. around the last week of April as previous years records

4. I say and submit that as the water is being used for Irrigation and drinking purpose therefore dam cannot be depleted right now. So also, the columns and foundation submerged in water could be demolished only after month of April when the water level will reach below the level of 93.00m.

5. I say and submit that the water from the lake is being used for irrigation by the WUA (Water Users Association) to irrigate the command area and also as drinking water source by the Malvan Nagarpanchayat, Dhamapur Grampanchayat and Kalase Gram Panchayat and therefore while demolishing the skywalk utmost care is taken so that the debris, dust, small particles etc. will not contaminate the water source. The debris of the demolished structure has been safely disposed beyond the water body at safe place.

Solemnly affirmed on this the 27 day of October, 2020.

Pune

Date 27/10/2020



Respondent No. 3

(Irrigation department)



AFFIDAVIT
I, Shri. Jeyadish M. Patil / M.
Aged 40 Occ. Service
Do Hereby State on Oath. That the Contents
of Documents are True and Correct to the
best of the knowledge & belief.
Hence Verified on 27 OCT 2020
at Ratnagiri

BEFORE ME

Adv. ASHISH A. GHOSALE
Notary Govt. of India
Tal. & Dist. Ratnagiri (MAH)

GOVERNMENT OF MAHARASHTRA
WATER RESOURCES DEPARTMENT
RATNAGIRI IRRIGATION CIRCLE RATNAGIRI.
IDENTITY CARD NO. RIC/40/2018



NAME : JAGDISH MADHUKAR PATIL

नाव : जगदीश मधुकर पाटील

DESIGNATION: EXECUTIVE ENGINEER

पदनाम : कार्यकारी अभियंता

DATE OF BIRTH: 26/06/1979

जन्मदिनांक : २६/०६/१९७९

Patil
SUPERINTENDING ENGINEER
RATNAGIRI IRRIGATION CIRCLE
KUWARBAV-RATNAGIRI

EMPLOYEE SIGN.



Address - R 2/2 Irrigation Colony Kuwarbav Ratnagiri

Mob. No. - 9960471636

Aadhar No. - 801383459485 Pan No. - ATNPP6111H

Blood Group.- A+ve



Preference should be given to Government
Servant travelling for Government work as
mentioned in G.R.No.(Revenue & Forest)
ASN 1067/117399 T Dt. 25/12/1997.

This identity card is to be used for office work only.