

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

**Original Application No. 11 OF 2021 (WZ)**

**Mr. Dinesh Chandrakant Chavan And Others .. APPLICANTS**

**Versus**

**Union of India And Others ... RESPONDENT**

**COMPILATION OF DOCUMENTS**

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Place: Pune

Date: - 01/06/2021

**ADVOCATE FOR THE APPLICANTS**



DEVROUKH NAGAR PANCHAYAT DEVROUKH  
DISTRICT RATNAGIRI

Phone No. 02354 - 260146, 260, 157

Toll Fee No. 18002330157

Pin Code - 415 804

email Id: npdevrukh@gmail.com

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Outward No. NaPaDe/186/2019-20

Nagar Panchayat Office Devrukh

Dated: 22/05/2020

To,

Hon. District Collector

And Chairman, District Level Committee, Ratnagiri,

District Ratnagiri.

Subject: Regarding approval of site inspection report required for Devrukh Nagar  
Panchayat Solid Waste Management Project

Reference: Letter sent to Hon. Chairman, District Level Committee, Ratnagiri Outward  
No. NaPaDe/94/2019-20 dated 13/04/2020

Dear Sir:

Devrukh NagarPanchayat does not have its own Land Fill Site therefore, an advertisement was published in Daily RatnaBhoomi on 06.03.2020 for seeking a suitable land plot to be bought from the private landowners vide Government Resolution No. GhaKaVya-1003/Pra.Kra.675/Popu-22, Mantralay, Mumbai-400032, Date: 26 August 2003. According to the advertisement, the application of Shri Santosh Krishna Kedari Residing At Middle Lane, Devrukh was received.

Hon'ble District Committee Ratnagiri was informed to conduct a joint survey of the site vide an official letter No. NaPaDe/94/2019-20 dated 13/04/2020 on 13/04/2020. Accordingly, the District Committee has prepared a joint survey report on 20/04/2020 and 08/05/2020 as per the Solid Waste Management Rules 2016 and is submitting it along with this letter for its simulation and approval.

Its details are as follows.

Sr. No.	Name of the Village	Land Survey No	Area	Name of the Owner	Remarks of the District Level Committee
1	Devrukh (Kanjivara)	446/10	31400 sq. m.	Mr. Santosh Krishna Kedari	The site may be recommended for a solid waste management project subject to the availability of an access road of at least 12 m width.

However, we request your approval to set up a solid waste management project of Nagar Panchayat on S. N. 446, HN 10 of Shri Santosh Krishna Kedari, with an area of 31400 square meters.

Sd/-

Chief Officer,

Devrukh Nagar Panchayat, Devrukh

### JOINT INSPECTION REPORT

Members of the Committee formed vide Government Resolution No. GhaKaVya-1003/Pra.Kra.675/Popu-22, Mantralay, Mumbai-400032, Date: 26 August 2003 under the Chairmanship of Hon. Chairman and District Collector, District Level Committee, Ratnagiri for the Joint Inspection of land for Solid Waste Management Project in the boundaries of Devrukh Nagar Panchayat on Date: 20.4.2020 and Date: 8.5.2020

1. Sub-Divisional Officer, Maharashtra Pollution Control Board, Ratnagiri
2. Divisional Range Forest Officer, Chiplun, Ratnagiri
3. District Senior Geologist, Ground Water Surveys and Development
4. Assistant Director, Town Planning, Ratnagiri
5. Superintendent Engineer, Irrigation Department
6. District Administrative Officer, Municipal Administration, District Collector Office, Ratnagiri
7. Chief Officer, Nagar Panchayat Devrukh

Have physically visited the following places under Joint Inspection.

1. Land owned by Shri. Santosh Krushna Kedari, Residing At Middle Lane, Devrukh, bearing Land Survey No. 446/10, Total area 314 Gunthe.

The following observations have been reported for the place above.

"The site is at a distance of about 680 meters from the main road owned by the Nagar Panchayat and the approach road is available from the applicant's land to reach the site. Also, the site is generally flat. Populations/houses are found at a distance of about 260 meters from the place. Sources of drinking water are not found. There is a river/nullah at a distance of about 880 meters towards North", such observations have been reported.

While inspecting the above site, the site may be recommended for a solid waste management project subject to the availability of an access road of at least 12 m width in connection with the solid waste management waste project.

1. Sub-Divisional Officer, Maharashtra Pollution Control Board, Ratnagiri – Sd/- (for)
2. Divisional Range Forest Officer, Chiplun, Ratnagiri – Sd/- (for)
3. District Senior Geologist, Ground Water Surveys and Development – Sd/- (for)
4. Assistant Director, Town Planning, Ratnagiri – Sd/- (for)
5. Superintendent Engineer, Irrigation Department
6. District Administrative Officer, Municipal Administration, District Collector Office, Ratnagiri –
7. Chief Officer, Nagar Panchayat Devrukh – Sd/-

Note: This report is also signed by Assistant Director, Department of Archaeology, Government of Maharashtra, Ratnagiri

**MINUTE OF THE MEETING FOR MANAGEMENT & HANDING RULES, 2016**  
**for Devrukh Nagar Panchayat, Devrukh**  
**Shri. Santosh Krushna Kedari Survey No. 446/10**

Sl. No	Site Details	Prescribed Limits (more than)	Remarks & Actual site details
1	Location	-	Survey No.446/10
2	Total Land Available	-	31400 sq m
3	Distance From habitation	200 m.	More than 250 Meter.
4	Distance From river	100 m.	More than 800 km.
5	Distance From water supply well	200 m.	No water Supply Well Observed nearby
6	Distance From Highway	200 m.	No any State/National highway within 200 meter.
7	Development Plan (zoning)	-	DP not finalised
8	Geomorphology, Geology, Hydrogeology	-	Geomorphology - Gently sloping land .. Slope Towards North Geology - Area mainly consisting of Highly Weathered Basalt overlain by lateritic soil cover. Hydrogeology - No major drainage found near site.
9	Distance From pond	200 m.	Pond Not available.
10	Distance From public park	200 m.	Public park not available.
11	Distance From Airport/Airbase	20 km. away	No airport within 20 km radius.
12	CRZ	Not permitted	Not applicable.
13	Flood Plains	Site not permitted within the flood plains as recorded for last 100 years.	Not applicable
14	Critical Habitat Areas, Sensitive eco-fragile areas	Not Permitted	Not applicable
15	Any other remarks		There is no approach road to the site. Nearest existing road at around 200 meter.

Conclusion - As per the guideline of Solid Waste Management Rule 2016 & Survey (joint inspection) carried on 20/04/2020 on proposed site at Survey No.446/10, Devrukh, Tal. Sangameshwar, Dist. Ratnagiri

  
 Chief Officer,  
 Nagar Panchayat, Devrukh

District Administration Officer,  
 Ratnagiri

Division Forest Officer,  
 Chiplun

  
 Sr. Geologist,  
 GSDA, Ratnagiri

  
 Sub Regional Officer,  
 MPCB, Ratnagiri

  
 Assistant Director of Town Planning,  
 Ratnagiri

Superintendent Engineer,  
 Irrigation Project Construction,  
 Division Ratnagiri

District Collector,  
 Ratnagiri

DEVROKH NAGAR PANCHAYAT DEVROKH  
DISTRICT RATNAGIRI

Phone No. 02354 - 260146, 260, 157

Toll Fee No. 18002330157

Pin Code - 415 804

email Id: npdevrukh@gmail.com

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Outward No. NaPaDe/655/2020

Nagar Panchayat Office Devrukh

Dated: 21/08/2020

To,  
Hon. District Collector  
And Chairman, District Level Committee, Ratnagiri,  
District Ratnagiri.

Subject: Regarding approval of site inspection report required for Devrukh Nagar  
Panchayat Solid Waste Management Project

Reference: Letter sent to Hon. Chairman, District Level Committee, Ratnagiri Outward  
No. NaPaDe/94/2019-20 dated 13/04/2020

Dear Sir:

Devrukh NagarPanchayat does not have its own Land Fill Site therefore, an advertisement was published in Daily RatnaBhoomi on 06.03.2020 for seeking a suitable land plot to be bought from the private landowners vide Government Resolution No. GhaKaVya-1003/Pra.Kra.675/Popu-22, Mantralay, Mumbai-400032, Date: 26 August 2003. According to the advertisement, the application of Shri Santosh Krishna Kedari Residing At Middle Lane, Devrukh was received.

Hon'ble District Committee Ratnagiri was informed to conduct a joint survey of the site vide an official letter No. NaPaDe/94/2019-20 dated 13/04/2020 on 13/04/2020. Accordingly, the District Committee has prepared a joint survey report on 20/04/2020 and 08/05/2020 as per the Solid Waste Management Rules 2016 and is submitting it along with this letter for its simulation and approval.

Its details are as follows.

Sr. No.	Name of the Village	Land Survey No	Area	Name of the Owner	Remarks of the District Level Committee
1	Devrukh (Kanjivara)	446/10	31400 sq. m.	Mr. Santosh Krishna Kedari	Land has an approach road of 4 to 9-meter width. However, a road of at least 12 meters width is required for public use. And a no-objection certificate from three households is necessary.

However, we request your approval to set up a solid waste management project of Nagar Panchayat on S. N. 446, HN 10 of Shri Santosh Krishna Kedari, with an area of 31400 square meters.

Attached:

1. Copy of Resolution No. 33 dated 14/08/2020
2. Joint Inspection Report dated 20/04/2020 and 2/05/2020

Sd/-

Chief Officer,

Devrukh Nagar Panchayat, Devrukh

DEVROKH NAGAR PANCHAYAT DEVROKH  
DISTRICT RATNAGIRI

Phone No. 02354 - 260146, 260, 157

Toll Fee No. 18002330157

Pin Code - 415 804

email Id: npdevrukhh@gmail.com

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General meeting of Nagar Panchayat Devrukhh dated 14/08/2020, true Copy of general meeting resolution no. 33 is as follows.

**Subject:** To decide on the purchase of land for solid waste management of Mr. Santosh Krishna Kedari, S. N. 446/10 located at Kanjiwara in Nagar Panchayat area.

**Resolution No. 33-** Hon. District Level Committee has inspected the land of Mr. Santosh Krishna Kedari, S. N. 446/10 for solid Waste Management Project located at Kanjiwara in Nagar Panchayat area. The houses of Smt. Vaishali Dattaram Kadam, Smt. Savitri Vishram Kadam, and Smt. Asha Dashrath Murudkar built by the Gram Panchayat are adjacent to this place. Out of these, Mrs. Savitri Vishram Kadam and Mrs. Asha Dashrath Murudkar have given their consent to implement a solid waste management project in this area. But Mrs. Vaishali Dattaram did not give consent. Therefore, if it is necessary to rehabilitate the house while processing solid waste, it was unanimously agreed that the expenditure incurred should be borne by the government or through Devrukhh Nagar Panchayat and the land of Shri Santosh Krishna Kedari, S. N. 446/10 should be purchased for setting up a solid waste management project.

Proposed By: Mr. Sushant Suresh Mulye

Seconded By: Mr. Rajendra Vyankappa Gavandi

Unanimously Passed the Resolution

(Mrs. Mrunal Abhijit Shetye)

Presiding Authority General meeting of  
Nagar Panchayat Devrukhh

And Mayor, Nagar Panchayat, Devrukhh

.....

It is a true copy as above

### **JOINT INSPECTION REPORT**

Members of the Committee formed vide Government Resolution No. GhaKaVya-1003/Pra.Kra.675/Popu-22, Mantralay, Mumbai-400032, Date: 26 August 2003 under the Chairmanship of Hon. Chairman and District Collector, District Level Committee, Ratnagiri for the Joint Inspection of land for Solid Waste Management Project in the boundaries of Devrukh Nagar Panchayat on Date: 20.4.2020 and Date: 8.5.2020

1. Sub-Divisional Officer, Maharashtra Pollution Control Board, Ratnagiri
2. Divisional Range Forest Officer, Chiplun, Ratnagiri
3. District Senior Geologist, Ground Water Surveys and Development
4. Assistant Director, Town Planning, Ratnagiri
5. Superintendent Engineer, Irrigation Department
6. District Administrative Officer, Municipal Administration, District Collector Office, Ratnagiri
7. Chief Officer, Nagar Panchayat Devrukh

Have physically visited the following places under Joint Inspection.

1. Land owned by Shri. Santosh Krushna Kedari, Residing At Middle Lane, Devrukh, bearing Land Survey No. 446/10, Total area 314 Gunthe.

The following observations have been reported for the place above.

"The site is at a distance of about 680 meters from the main road owned by the Nagar Panchayat and the approach road is available from the applicant's land to reach the site. Also, the site is generally flat. Populations/houses are found at a distance of about 260 meters from the place. Sources of drinking water are not found. There is a river/nullah at a distance of about 880 meters towards North", such observations have been reported.

While inspecting the above site, the site may be recommended for a solid waste management project subject to the availability of an access road of at least 12 m width in connection with the solid waste management waste project.

1. Sub-Divisional Officer, Maharashtra Pollution Control Board, Ratnagiri – Sd/- (for)
2. Divisional Range Forest Officer, Chiplun, Ratnagiri – Sd/- (for)
3. District Senior Geologist, Ground Water Surveys and Development – Sd/- (for)
4. Assistant Director, Town Planning, Ratnagiri – Sd/- (for)
5. Superintendent Engineer, Irrigation Department
6. District Administrative Officer, Municipal Administration, District Collector Office, Ratnagiri –
7. Chief Officer, Nagar Panchayat Devrukh – Sd/-

Note: This report is also signed by Assistant Director, Department of Archaeology, Government of Maharashtra, Ratnagiri

Site Selection Checklist for Devrukh Nagarpanchayat Devrukh  
Shri.Santosh Krushna Kedari,Survey No.446/10

Sr.No	Site Details	Prscrible Limits (more than)	Remarks & Actual site details
1.	Location	-	Survey No.446/10
2.	Total Land Available	-	31400 Sq.Meter
3.	Distance From habitation	200 m.	180 meters
4.	Distance From river	100 m.	More than 800 meter
5.	Distance From water supply well	200 m.	No water supply we observed nearby
6.	Distance From Highway	200 m.	No any State/national Highway Within 200 meters
7.	Development Plan (zoning)	-	DP not finalised
8.	Geomorphology, Geology, Hydrgeology	-	Geomorphology – Gently sloping land....slop towards north. Geology – Area mainly consisting of Highly Weathered basalt overlain by lateritic soil cover Hydrogeology – no major drainage found near site .
9.	Distance From pond	200 m.	Pond Not available
10.	Distance From public park	200 m.	Public Park not available
11.	Distance From Airport/Airbase	20 km. away	No airport within 20 km radius.
12.	CRZ	Not permitted	Not applicable
13.	Flood Plains	Site not permitted within the flood plains as recorded for last 100 years.	Not applicable
14.	Critical Habitat Areas, Sensitive eco-fragile areas	Not Permitted	Not applicable
15.	Any other remarks	-	Existing road to the site is approx 4 to 9 m in width but as public purpose is considered at least 12 m wide road is requ Also there is need to take no objection certificates from 3 houses (Gharkul) which are nearby to the site.

Conclusion – As per the guideline of Solid Waste Management Rule 2016 & Survey (joint inspection) carried on 20/04/2020 & 8/5/2020 on proposed site at Survey No.446/10 Devrukh, Tal-Sangmeshwar, Ratnagiri

  
Chief Officer,  
Nagar Panchayat Devrukh

  
Assistant Director  
of Archaeology,  
Ratnagiri

District Administrative Officer,  
Ratnagiri

  
Division Forest Officer,  
Chiplun

  
Superintendent Engineer,  
Irrigation Project Contruction  
Division Ratnagiri

  
Assistant Director Of Town Planning,  
Ratnagiri

  
for Sub Regional officer,  
M.P.C.B. Board Ratnagiri

District C  
Ratn:

**JOINT INSPECTION REPORT**

Members of the Committee formed vide Government Resolution No. GhaKaVya-1003/Pra.Kra.675/Popu-22, Mantralay, Mumbai-400032, Date: 26 August 2003 under the Chairmanship of Hon. Chairman and District Collector, District Level Committee, Ratnagiri for the Joint Inspection of land for Solid Waste Management Project in the boundaries of Devrukh Nagar Panchayat on Date: 20/04/2020, 08/05/2020 and Date: 17/08/2020

1. Sub-Divisional Officer, Maharashtra Pollution Control Board, Ratnagiri
2. Divisional Range Forest Officer, Chiplun, Ratnagiri
3. District Senior Geologist, Ground Water Surveys and Development
4. Assistant Director, Town Planning, Ratnagiri
5. Superintendent Engineer, Irrigation Department
6. District Administrative Officer, Municipal Administration, District Collector Office, Ratnagiri
7. Chief Officer, Nagar Panchayat Devrukh

Have physically visited the following places under Joint Inspection.

1. Land owned by Shri. Santosh Krushna Kedari, Residing At Middle Lane, Devrukh, bearing Land Survey No. 446/10, Total area 314 Gunthe.

The following observations have been reported for the place above.

"The site is at a distance of about 680 meters from the main road owned by the Nagar Panchayat and the approach road is available from the applicant's land to reach the site. Also, the site is generally flat. Populations/houses are found at a distance of about 260 meters from the place. Sources of drinking water are not found. There is a river/nullah at a distance of about 880 meters towards North", such observations have been reported.

While inspecting the above site, the site may be recommended for a solid waste management project subject to the availability of an access road of at least 12 m width in connection with the solid waste management waste project.

1. Sub-Divisional Officer, Maharashtra Pollution Control Board, Ratnagiri – Sd/-
2. Divisional Range Forest Officer, Chiplun, Ratnagiri – Sd/-
3. District Senior Geologist, Ground Water Surveys and Development – Sd/-
4. Assistant Director, Town Planning, Ratnagiri – Sd/- (for)
5. Superintendent Engineer, Irrigation Department – Sd/-
6. District Administrative Officer, Municipal Administration, District Collector Office, Ratnagiri –
7. Chief Officer, Nagar Panchayat Devrukh – Sd/-
8. Assistant Director, Department of Archaeology, Government of Maharashtra, Ratnagiri – Sd (for)

MUNICIPAL SOLID WASTE MANAGEMENT & HANDING R.C.S.2016  
 Site Selection Checklist for Devrukh Nagarpanchayat Devrukh  
 Shri. Santosh Krushna kedari, Survey No 446/10 Devrukh

Sr.No	Site Details	Prscrible Limits (more than)	Remarks & Actual site details
1.	Location	-	
2.	Total Land Available	-	Survey No 446/10 Devrukh
3.	Distance From habitation	200 m.	31400 Sq.Meter
4.	Distance From river	100 m.	180 meters
5.	Distance From water supply well	200 m.	More than 800 meters
6.	Distance From Highway	200 m.	No water supply well observed nearby.
7.	Development Plan (zoning)	200 m.	No any State/National highway within 200 meters
8.	Geomorphology, Geology, Hydrogeology	-	DP not finalized Geomorphology - Gently sloping land .....stop towards north Geology - Area mainly consisting of highly weathered basalt overlain by lateritic soil cover. Hydrogeology - No major drainage found near site.
9.	Distance From pond	200 m.	Pond Not available
10.	Distance From public park	200 m.	Public Park not available
11.	Distance From Airport/Airbase	20 km. away	No airport. within 20 km radius.
12.	CRZ	Not permitted	Not applicable
13.	Flood Plains	Site not permitted within the flood plains as recorded for last 100 years.	Not applicable
14.	Critical Habitat Areas, Sensitive eco-fragile areas	Not Permitted	Not applicable
15.	Any other remarks		Existing road to the site is approximate 4 to 9 meter width but as public purpose is considered at least 12 meter wide road implementation of development plan municipal council will widen the road. There are three Houses (Gharkul) which are these three Houses 2 Houses (Gharkul) given NOC and council has passed the resolution No 33 dated 14/08/2020 and del house if required

Conclusion - As per the guideline of Solid Waste Management Rule 2016 & Survey (joint inspection) carried on date 20/04/2020, date 08/05/2020 & date 17/08/2020 on proposed site at Survey Tal-Sangmeshwar, Dist-Ratnagiri. This site is recommended for SWM

*Santosh*  
 Chief Officer,  
 Nagar Panchayat Devrukh

*A. A. 2020*  
 District Administrative Officer,  
 Ratnagiri

*Santosh*  
 Division Forest Officer,  
 Chiplun

*Santosh*  
 Sr. Geologist,  
 Ratnagiri

*Santosh*  
 Assistant Director of,  
 Ratnagiri

*Santosh*  
 4/9/2020  
 Assistant Director of Town Planning,  
 Ratnagiri

*Santosh*  
 Sub Regional officer,  
 M.P.C.B. Board Ratnagiri

*Santosh*  
 Superintendent engineer,  
 Ratnagiri Irrigation circle  
 Kuarbav, Ratnagiri

*Santosh*  
 District Collector,  
 Ratnagiri

डॉ. संजय लक्ष्मण कदम  
 ६०६/२-C, श्री. गणेशनगर को. ऑप. सोसा.,  
 लालबाग मार्केट, डॉ. बी. आर आंबेडकर  
 रोड, मुंबई-४०००१२  
 मो. ८८९८४७०६२४  
 दि. ०८/०१/२०२१

प्रति,

मा. मुख्याधिकारी,

देवरुख नगरपंचायत,

देवरुख, ता. संगमेश्वर, जि. रत्नागिरी

विषय: स. नं. ४४६ हि. नं. १२ मध्ये उभारण्यात आलेली शेड हटविण्याबाबत...  
 मा. महोदय,

मी डॉक्टर संजय लक्ष्मण कदम मुंबई येथे मुंबई महानगरपालिकेच्या वैद्यकीय सेवेत वैद्यकीय अधिकारी म्हणून कार्यरत असून आमची देवरुख नगरातील कांजीवरा परिसरात स. नं. ४४६ हि. नं. ९, १२ व १५ अशी जमीन आहे. कोरोना विषाणूच्या प्रादुर्भावामुळे संपूर्ण देशात मार्च महिन्यापासून लॉक डाऊन करण्यात आल्याने गेल्या दहा महिन्यात देवरुखला येऊ शकलो नव्हतो. दिनांक ०६ जानेवारी २०२० रोजी नातेवाईकांना भेटण्यासाठी देवरुखला आल्यानंतर उपरोक्त जमिनीला भेट दिली असता आमच्या मालकीच्या स. नं. ४४६ हि. नं. १२ मध्ये शेड उभारल्याची बाब माझ्या निदर्शनास आली. तसेच स. नं. ४४६ हि. नं. ९, व १५ मधून रस्ता तयार करण्यात आला आहे हेही आढळले.

याबाबत माझ्या नातेवाईकांकडे अधिकची चौकशी केली असता सदरची शेड नगरपंचायतीने घनकचरा प्रकल्प सुरू करण्याच्या हेतूने एप्रिल महिन्यात उभारल्याची माहिती प्राप्त झाली. तसेच नगरपंचायत प्रशासनाने स. नं. ४४६ हि. नं. १० ही जमीन घनकचरा प्रकल्प उभारण्याच्या हेतूने खरेदी केल्याची माहिती प्राप्त झाली.

खरंतर शेड उभारण्यापूर्वी नगरपंचायत प्रशासनाने संबंधित जागा मालकाची परवानगी घेणे आवश्यक असताना आमची परवानगी नसताना आमच्या मालकीच्या स. नं. ४४६ हि. नं. १२ मध्ये शेड उभारण्यात आली आहे. मी या अर्जाद्वारे सदर गंभीर बाबीकडे प्रशासनाचे लक्ष वेधत संबंधित शेड तात्काळ हटविण्याची मागणी करत आहे. तसेच सदर जागेवर यापुढे कोणत्याही प्रकारचा वावर करण्यात येऊ नये. नगरपंचायत प्रशासनाने खरेदी केलेल्या स. नं. ४४६ हि. नं. १० च्या सीमारेषा लवकरात लवकर अधिकृत करून घेण्यात याव्यात.

महोदय, सदर बाबीमध्ये लक्ष घालून तात्काळ कार्यवाही करण्यात यावी, ही नम्र विनंती.

कळावे  
 [Signature]

आपला नम्र

डॉ. संजय लक्ष्मण कदम

सोबत:

- ७/१२ उतारा व नकाशा

प्रत,

१. विभागीय आयुक्त, कोकण विभाग, कोकण भवन, नवी मुंबई.
२. मा. जिल्हाधिकारी, रत्नागिरी जिल्हा, महाराष्ट्र शासन, रत्नागिरी
३. मा. तहसीलदार, संगमेश्वर तालुका तहसील कार्यालय, देवरुख.

यांजकडे योग्य त्या कार्यवाहीसाठी विनंतीने सविनय सादर.

[Signature]  
 प्लॉक  
 ९.०१.२०२१  
 पार पणवत देवरुख  
 दि. रत्नागिरी



Dr. Sanjay Lakshman Kadam,  
606/2-C, Shri. Ganeshnagar Co. Op. Soc.  
Lalbag Market, Dr. B. R. Ambedkar Road,  
Mumbai-400012  
Mob. 8898470624  
Date: 08/01/2021

To,  
Hon. Chief Officer,  
Devrukh Nagarpanchyat,  
Devrukh, Tal Sangmeshwar, Dist. Ratnagiri

**Subject:** Regarding the removal of a shed erected in S. N. 446, H. N. 12...

Hon. Sir,

I am Dr. Sanjay Lakshman Kadam working as a medical officer in the medical service of Mumbai Municipal Corporation and our owned land is in the Kanjivara Area of Devrukh town with S.N. 446, H.N. 9, 12, and 15. Due to the outbreak of Coronavirus, the entire country has been locked down since March and I could not come to Devrukh in the entire year 2020. After coming to Devrukh to meet the relatives on January 06, 2020, I visited the above-mentioned land and I observed that the shed has been erected on our owned land S.N 446, H. N. 12. Also, it is noticed that a road has been constructed in the S. N. 446, H. N. 9 and 15.

When I inquired to my relatives regarding the same, I come to know that the shed has been erected by Nagarpanchyat in April 2020 with the view to set up a solid waste management project on the said land. Also, I got the information that Nagarpanchyat has purchased the land of S.N. 446 H.N. 10 with the view to set up a solid waste management project.

While the Nagarpanchyat should take permission from the landowner before erecting the shed, the shed has been set up in our owned land S. N. 446, H. N. 12 without our permission. With this application, I am drawing attention to this serious matter and demanding the immediate removal of the shed. Also, I put it to your notice that no further work/usage should be practiced at the site. The boundaries of the land Survey No. 446 H. No. 10 purchased by Nagrpanchyat Administration should be authorized as soon as possible.

Hon. Sir, I request you, kindly look into the matter immediately and take the appropriate action.

Yours faithfully

Dr. Sanjay Lakshman Kadam

Enclosures:

- 7/12 Extract and the Map

डॉ. संजय लक्ष्मण कदम

Copy to,

1. Divisional Commissioner, Konkan Division, Konkan Bhavan, New Mumbai.
2. Hon. Collector, Ratnagiri District, Maharashtra Government, Ratnagiri.
3. Hon. Tehsildar, Sangmeshwar Taluka Tehsil Office, Devrukh.

Submitted with courtesy for appropriate action.

GOVERNMENT OF MAHARASHTRA  
Department of Revenue and Forests  
OFFICE OF THE COLLECTOR, RATNAGIRI  
Municipal Administration Branch

E-mail ID: dpoduda.ratnagiri@gmail.com

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Number: NaPaPra-3/Ma.A.KaVi-46/2020

Date: 29/09/2020

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From:  
District Administration Officer, and  
Public Information Officer,  
Collector Office, Ratnagiri

To,  
Mr. Dinesh ChandrakantChavhan,  
Kanjivara, At. Po. Devrukh,  
Tal. Sangameshwar, Dist. Ratnagiri

Subject: - Regarding access to information Vide Right to Information Act, 2005

Reference: - Your Application, Dated 19/09/2020.

Concerning the subject above, it is informed that an application vide the Right to Information Act, 2005, as mentioned above has been received by this office.

Following the complaint mentioned in the application, information about the proceedings made by this office on the subject matter has been requested. Accordingly, it is hereby informed that, according to the statement given by the people on 21st May and 03rd August 2020 opposing the proposed Solid Waste project of the Devrukh Nagar Panchayat, the site has been inspected by a three-

member committee of this office. A copy of this inspection report is being provided to you.

The appellate officer, in this case, is the Hon'ble Deputy Collector (General Administration), Collector Office, Ratnagiri. You can appeal within 30 days of receiving this letter.

Sd/-

(ShilpaNaik)

Public Information Officer and  
District Administration Officer,  
Collector Office, Ratnagiri

INSPECTION REPORT ON COMPLAINTS REGARDING PROPOSED  
SOLID WASTE DISPOSAL OF DEVRUKH NAGAR PANCHAYAT

A complaint was lodged with the District Collectors Office by the local villagers regarding the proposed solid waste Disposal land of Devrukh Nagar Panchayat. Following the complaint, District Administration Officer, Deputy Regional Officer, Maharashtra Pollution Control Board, Ratnagiri, and Assistant Town Planner visited the proposed site and inspected it. The following are their observations.

Sr. No.	Issues	Information
1	While it was necessary to set up the project on the land sanctioned by the State Pollution Control Board through the District Level Committee, the Hon'ble Chief Officer did not fulfill his duty to set up a project on the concerned land. At present, the land sanctioned by the district level committee is available, the Nagar Panchayat administration is deliberately and intentionally squandering the land sanctioned by the district level committee for financial gain to the existing Corporator. It is clear (schedule 2) that the concerned officers have conspired with the existing Corporator.	To date, 12 private plots and 1 Nagar Panchayat owned land have been inspected for Devrukh Nagar Panchayat. Out of this inspected area, one area of Nagar Panchayat is 20 Gunthas which is not enough. Out of the remaining private land, Mr. Santosh Krishna Kedaris, 314 Gunthas in Gat No. 446/10 have been jointly inspected by the District Committee on 20-04-2020 and 08-05-2020 and it is recommended to take the land for the Solid Waste Management Project subject to availability of access road of at least 12 Metres wide.

2	<p>According to the Solid Waste Management Rules 2016 issued by the central government, it has been clearly stated that such solid waste management/ processing center cannot be set up within 200 meters of the residential area. Despite this, the Nagar Panchayat administration has given a contradictory and misleading answer to the fact that there is no settlement within 200 meters.</p>	<p>This is considered if it has a population of at least 1000 in residential areas. 3 residential houses are coming under Indira AwasYojana at a distance of 180 meters, out of which 2 residential holders have submitted no objection to this project.</p>
3	<p>The Solid Waste Management Regulation 2016, clearly states that no waste management project can be set up on hills or slopes. The Nagar Panchayat administration says that the actual area is not on the slope of the hill. However, the fact that the proposed site is on a hill and the slope of the hill is clear from the accompanying Google image.</p>	<p>The excavated area is slightly sloping but can be leveled and used. It is suitable as per Solid Waste Management Regulation 2016. The proposed site is not on a steep slope. Considering the geographical situation in Konkan, it is on a low slope.</p>
4	<p><u>According to the Solid Waste Management Regulation 2016, there must be an access road to the solid waste disposal project.</u></p> <p>On 25 Feb 2020, the district level committee had visited the site of the solid waste management project in Devrukh Nagar Panchayat. While the committee has rejected the area of Mr. Prashant Dattaram Vinchu as there is no access road, it is clear that the Nagar Panchayat Administration has chosen the place without access road for the benefit of the incumbent Corporator. Gond village is only 3 feet away from the site of the proposed solid</p>	<p>During the inspection Conducted dated 01/06/2020, a 4 Meters wide access road to the proposed site was seen. In the future, 12 meters of widening work should be carried out by Nagar Panchayat.</p>

	<p>waste management project. More importantly, this Gond is a seasonal Nala. This Nala goes further and joins the river Saptalingi. This is a fact. The Nagar Panchayat Administration has made changes in the geographical structure by closing the natural water flow by constructing a road by filling the Nala. Therefore, in the rainy season, there will be a problem with the natural flow of water from the hill slopes. This is clear from the accompanying google images and photographs, but surprisingly the this has not come to the notice of the Nagar Panchayat administration.</p>	
5	<p><u>According to the Solid Waste Management Regulation 2016, it is clearly stated that there should not be any source of flow near the Solid Waste Management Project.</u> The district-level committee had visited the site of the solid waste management project in Devrukh Nagar Panchayat on 05-02-2020. The committee has denied permission as there are two seasonal Nalas near the land of Mr. Vijay Sakharam Kadam and 6 others. <u>However, the Nagar Panchayat administration has deliberately selected the place where the seasonal Nala originates only to provide financial benefits to the incumbent Corporator. This is clear from the Google image under Sr.No. 4 above, and the photo provided below.</u></p>	<p>As mentioned in the Joint Inspection Report of the Honourable district-level committee dated 20/04/2020 and 08/05/2020, there is a river/Nala about 880 meters down the north. According to the Solid Waste Management Regulation, 2016, there should be no source of drinking water within 200 meters of the solid waste management project. There is no mention of seasonal Nala in the Solid Waste Management Regulation, 2016. There is no source of drinking water within 200 meters of the</p>

		proposed site.
6	<p>Wind speed and direction should be taken into consideration while setting up a solid waste management project. Nagar panchayat Administration has not considered this and this is stated in the letter dated 22<sup>nd</sup> April 2020. The relevant report has been requested on 23<sup>rd</sup> April 2020 but the report has not been given consciously yet. On the contrary, the administration verbally stated on 23 April 2020 that no such report was available. Every afternoon the wind blows from the <u>West</u> to East direction i.e. from the hill to the colony and the wind speed is 23 to 30 miles per hour. Sometimes it increases to 32 to 38 miles per hour. Therefore, they will have a serious impact on the residential area. <u>(A video showing the wind speed in the area is given in the accompanying CD).</u></p>	<p>As per the Solid Waste Management Regulations, 2016 there are no regulations regarding wind speed. Necessary precautions will be taken by the Nagar Panchayat as a Processing unit will be set up at the site inspected. e.g. Planting tall trees around the site, construction of shades, construction of high compound walls, etc.</p>
7	<p>Below the proposed area i.e. to the north is the wetland (adjacent to the proposed site), there is a wetland. This wetland is generally wet till November, sometimes the rains last longer than usual and even till December. The accompanying photograph clearly shows the moisture content of the soil even in May.</p>	<p>The wetland rules are not applicable in the Devrukh Nagar Panchayat area.</p>
8	<p>The Mhasoba Shrine is already a few feet away from the shade erected from the proposed land. Considering these environmental and social</p>	<p>The temple mentioned is in the place of the owner. The landlord of this temple will relocate it. The archaeological department has</p>

<p>problems, a statement has been submitted to the local administration on behalf of the citizens of the area. A copy has been given to the Honourable Tahsildar and Inspector of Police. Due to the effect of the statement given by us, garbage has not been dumped at that place yet. However, with a clear intention to provide financial benefits to the existing Corporator, the Nagar Panchayat administration has started a movement with the financial connivance to get the approval of the District Committee for this illegal land. Accordingly, while the District Committee is required to visit the proposed site on 20<sup>th</sup> April 2020 and 5<sup>th</sup> May 2020 and submit its report, the committee members have visited the site separately on two different days. At first glance, it appears that the report has been prepared without any in-depth analysis.</p>	<p>no record of the temple mentioned above. The certificate of the Nagar Panchayat is attached.</p>
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<p>Sd/- (ShilpaNaik) District Administration Officer, Collector Office, Ratnagiri</p>	<p>Sd/- (Indira Gaikwad) Sub-Divisional Officer, Maharashtra Pollution Control Board</p>	<p>Sd/- (Milind Aawade) Assistant Director, Town Planning, Ratnagiri</p>
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