

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**ORIGINAL APPLICATION NO. 167 of 2017**

**Dr. Harishcandra Purushottam Natu & Ors----- Applicants**

**V/s**

**The Executive Engineer Irrigation ----- Respondents**  
**Department Sindhudurg and Ors**

**I N D E X**

<b>Sr. No</b>	<b>Exhibit No.</b>	<b>Particulars</b>	<b>Pages</b>
1.		<b>Affidavit in Reply on behalf of Respondent No. 4</b>	<b>312 to 314</b>
2.	1	<b>copy of report dated 02/03/2023 English translated</b>	<b>315</b>
3.	2	<b>copy of report dated 23/03/2023</b>	<b>316</b>
4		<b>Original report of PWD Dt.02/03/2023</b>	<b>317 to 323</b>
		<b>last page</b>	<b>324</b>

**(Adv S. B Vaidya-Pandit)**

**For Respondent no.4**

N.R.S. No...580/2023

Date- 24 / 03 / 2023

**BEFORE THE NATIONAL GREEN TRIBUNAL****ORIGINAL APPLICATION NO. 167 of 2017**

Dr. Harishcandra Purushottam Natu &amp; Ors ----- Applicants

V/s

The Executive Engineer Irrigation ----- Respondents

Department Sindhudurg and Ors

**Compliance Affidavit on behalf of Respondent No. 4,**

I Smt. K. Manjulekshmi, Age-36 yrs. Occupation-Service, District Collector, Sindhudurg, Respondent No. 4 having my office at District Collectorate office, Sindhudurnagari, Tal. Kudal, Dist. Sindhudurg - do hereby state on solemn affirmation as under:-

1. I am filling this additional compliance Affidavit as per the direction & order of the Hon'ble Tribunal, dated 01/02/2023. I crave leave of this Hon'ble Court to add amend, alter this affidavit if so required.
2. I say and further submit that, this Hon'ble Tribunal, by order dated 01/02/2023 directed in Paragraph 4 & 5 as follows.

(4)" It is stated by the learned Counsel for the Respondent No. 4 that this construction related to skywalk, which has now been completely demolished, but an affidavit to that effect has not been filed. For filing the same, 15 day's time is being prayed for the same is allowed and no more.

(5)" we further direct the Respondents to file reply affidavit with respect to the prayers, which have been cited above, as to whether they have been complied with, except the prayer at Serial No.9 because that is for our consideration in Original Application No.45/2021 (WZ), in which we have already directed the State

SIGNED BEFORE ME  
No Of Correction----

1. 9  
G. J. SAWANT

Wetland Authority to file a detailed affidavit. Therefore, this relief would be considered by us after the said affidavit has been filed"

3. I say that, in view of the above mentioned direction, the executive Engineer PWD Kankavli by letter dated 02/03/2023 to collector's office, Sindhudurg communicated that, the said Dhamapur skywalk is now completely demolished & all the debris has been 100% removed from the lake area. They also annexed the recent photograph of the Dhamapur Lake site with their report. The English translation of the report is annexed herewith as **Ext. 1**.
4. I assured that, no any construction of skywalk & retaining wall will be constructed in future on the periphery of Dhamapur Lake. The Respondent No. 4 has also given direction to remove & abandoned water foundation erected from mid of Dhamapur lake. As per the direction of this office, the water foundation has been removed from mid of Dhamapur Lake. Washing clothes & Diesel Petrol boating are strictly prohibited at Dhamapur Lake. The Construction of artificial tanks at the bank of Dhamapur Lake for Ganpati Immersion will be completed up to March 2023.
5. I say and submit that, the completion of demolition work of construction in Dhamapur Lake is as follows. 100% flooring dismantling work, 100% slab portion dismantling work, 100% Beams & sides and also, 100% column dismantling work has been completed. The whole skywalk structure has been dismantled successfully. The report of P.W.D.Kankavli is annexed herewith as **Ext.2**.
6. I pray and submit that, Respondent No.4 Collector Sindhudurg has acted sincerely and made all efforts while implementing the order and hence I humbly pray before this Hon'ble Tribunal court to accept the present compliance report.

Place:-Sindhudurnagari

Date: 24/03/2023

(K.Manjulekshmi)  
Respondent No. 4

SIGNED BEFORE ME

No Of Correction----

UMESH SURESH SAWANT



VERIFICATION



1. Smt. K. Manjulekshmi, Age 36, Occupation-District Collector, Sindhudurg residing at Vijaydurg Bungalow, Sindhudurnagri, Sindhudurg do hereby verify that, the content of para nos. 1 to 1 are true and correct to my personal knowledge, as per the official records and documents, information and belief. In witness whereof, have signed below at Sindhudurnagari on

Place- Sindhudurnagari

Date- 24/03/2023

*K. Manjulekshmi*

(K.Manjulekshmi)

Respondent No. 4

I know deponent

*B. B. Patel*

B. B. Patel Adv.

MAH 2209/2012



N.R.S.NO. 580 / 02/2023

Total No of Correction... Nil

Document is of... three Pages

SIGNED & EXECUTED BEFORE ME

24/3/2023

Date / /201  
Kankavli

*Umesh S. Sawant*  
NOTARY  
Umesh S. Sawant  
Kankavli



~~1~~

Office of the Executive Engineer  
Public working Department  
Kankavli Dist Sindhudurg

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Jakra.sabavi/kanak/lepMalvan/1312

Dated 02/03/2023

Res. Deputy Collector  
Dist. collector.

Sub- U. A. Application No. 167/2017 Before NGT pane.

Reference: 1 Letter of your office with count Ref No -desk 8/

masha- 3/NGT/167-2017/2023 dt. 22/02/2023

2)The office Letter of Asst. Enaginerches- 1.sub Div  
pwd malva. No- jakra/kanak/malvan/ P. B / 2023  
/195Dt. 23/02/23.

As per reference No. 2 mentioned above, this office, has received. Letter from your office regarding the hearing of the Orig. App. 167/2017. (Harischandra Natu Vs. Executive Engineer Irrigation Dept & other) on 01/02/2023.

the work order for construction of Dhamapur has been sanctioned by executive Engineer shri.P.B. shinde & The actual construction work was started during the Tenure of Executive Engineer. Shri K.M Ahirrav. but it was completely stopped during tenure of executive engineer Shri. P.S.Chavan, finally the whole skywalk has been removed & all the debris from the water is cleared during tenure Of executive engineer Shri. P.S. Chavan. The written directions were also issued to P.W.D.Deputy Engineer regarding strictly prohibited any kind of work like sky walk,protection wall and other else as per the order of Hon'ble N.G.T.Pune.

Hence the report is submitted as per direction issued by Hon'ble NGT Pune west zone.

Annexed – Photo of removal of skywalk

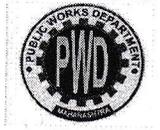
*True translated*

*P. Patel*

Sign xxx  
(Ajaykumar Sitaram Sarvagod)  
Executive Engineer  
Public work Department  
Kankavli



कार्यकारी अभियंता यांचे कार्यालय  
सार्वजनिक बांधकाम विभाग,  
कणकवली जि.सिंधुदूर्ग



Phone No. 232124	E-mail : <a href="mailto:kankavali.ee@mahapwd.gov.in">kankavali.ee@mahapwd.gov.in</a>	Fax No. 02367-232124
जा.क्र.साबांवि/कणक/संक्रिय/लेप/ 9204		दिनांक 23/03/2023

To,

Hon. Resident Dy. Collector,  
Sindhudurg

Sub - Hon.Green Tribunal Court Case No. 167/017

- Ref - 1. Your office letter No. Desk 8/Masha-3/NGT/167/2017/2023  
Date 22/02/2023.
2. Assist Engineer Grade I public work sub division malvan office letter  
knk/malvan/PB/2023/195 Date 23/02/2023
3. This office letter No. 1312 Date 02/02/2023
4. Your office letter No. Desk 8/ Masha-3/NGT/167/2017/2023  
Date 23/03/2023
5. Assist Engineer Grade I public work sub division malvan office letter  
knk/malvan/PB/2023/339 Date 23/03/2023.

This office has already submitted our reply regarding demolition of sky walk  
constructed in Dhamapur lake, vide letter under reference No.3.

Now, this is to certify that work related to demolition of sky walk and removal of  
debris are 100% completed.

This is for your information and necessary action, please.

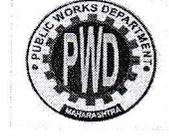
(Ajaykumar Sitaram Sarvgod)  
Executive Engineer  
Public Work Division  
Kankavli

Copy- PWD Sub division, Malvan Submitted for information.



सत्यमेव जयते  
महाराष्ट्र शासन

कार्यकारी अभियंता यांचे कार्यालय  
सार्वजनिक बांधकाम विभाग  
कणकवली जि.सिंधुदुर्ग



Phone No -232124. E-mail : <a href="mailto:kankavali.ee@mahapwd.com">kankavali.ee@mahapwd.com</a>	Fax No. 02367-232124
जा.क्र.सांबांवि/कणक/लेप मालवण/ १३१२	दिनांक ०२/०३/२०२३

प्रति,

मा.निवासी उपजिल्हाधिकारी,  
सिंधुदुर्ग.

विषय :- मा.हरित लवाद यांचे न्यायालयातील दावा क्रमांक 167/2017.

- संदर्भ :- १) आपले कार्यालयीन पत्र न्यायालयीन संदर्भ क्र.डेस्क८/ मशा-३ /NGT/१६७/ २०१७/  
२०२३, दिनांक २२/०२/२०२३.  
२) सहाय्यक अभियंता श्रेणी-१ सार्वजनिक बांधकाम उपविभाग,मालवण यांचे  
कार्यालयीन पत्र जा.क्र./कणक/मालवण/पीबी/२०२३/१९५, दिनांक २३/०२/२०२३.

उपरोक्त संदर्भिय पत्र क्र.२ च्या प्राप्त अहवालाच्या अनुषंगाने मा. राष्ट्रीय हरित लवाद पश्चिम झोन पुणे यांचे न्यायालयात प्रलंबित असलेली केस क्रमांक १६७/२०१७ (डॉ. हरीशचंद्र नातू विरुद्ध कार्यकारी अभियंता,पाटबंधारे विभाग सिंधुदुर्ग वगैरे) ची सुनावणी दिनांक ०१/०२/२०२३ रोजी झालेली असल्याचे उपरोक्त संदर्भ १ अन्वये या कार्यालयास पत्रान्वये सादर केले आहे.

सदर धामापूर येथे तलावात Sky Walk बांधण्यासाठी कार्यारंभ आदेश क्र.जा.क्र.सांबांवि/सावाडी/लेशा/निविदा/२०१४-१५/३२/७, दिनांक ०३/०१/२०१५ अन्वये तत्कालीन कार्यकारी अभियंता श्री. पी. बी. शिंदे यांनी मंजूरी दिली होती. तत्कालीन उपविभागीय अभियंता के. एम. अहिरराव यांचे कार्यकाळात सदर Sky Walk चे बांधकाम सुरु झाले होते., उपविभागीय अभियंता श्री. पी. एस. चव्हाण यांचे कार्यकाळात सदरचे बांधकाम थांबविण्यात येवून बांधण्यात आलेला Sky Walk श्री. पी. एस. चव्हाण तत्कालीन उपविभागीय अभियंता यांनी हे काम संपुर्णपणे पाण्यात पडलेला Sky Walk चा गाळ अथवा अवशेष संपुर्णपणे बाहेर काढलेले आहे तसेच भविष्यात या तलावामध्ये अथवा तलावाच्या परीसरामध्ये कोणत्याही प्रकारचे Sky Walk, संरक्षक भिंत किंवा इतर कोणतेही सा.बां. उपविभाग यांनी करू नये याबाबत संबंधीत उपअभियंता यांना लेखी सुचना देण्यात आल्या आहेत.

तसेच मे.न्यायालयाने निर्गमित केलेल्या आदेशाच्या अनुषंगाने वस्तुस्थितीबाबतचा अहवाल छायाचित्रासह सादर करण्यात येत आहे.

सोबत :- Sky Walk संपुर्णपणे तोडण्यात आलेले फोटो

(अजयकुमार सिताराम सर्वगोड)  
कार्यकारी अभियंता,  
सार्वजनिक बांधकाम विभाग,  
कणकवली

कामाचे नांव :- मा.राष्ट्रीय हरित लवाद (पुणे खंडपीठ) येथे धामापूर तलाव संदर्भात सुरु असलेली सुनावणी क्रमांक १६७/२०१७ (WZ) SkyWalk संपुर्णपणे तोडण्यात आले असून पाण्यात SkyWalk चा गाळ अथवा अवशेष संपुर्णपणे बाहेर काढण्यात आलेल्याचे फोटो.



कामाचे नांव :- मा. राष्ट्रीय हातिलेखाने (सीपी) अखिल भारतीय ग्रामपंचायत तालुका संदर्भात सुरु असलेली सुनावणी  
कामांक १६/२०१७ (Work by Work मर्यादित क्षेत्रात आणि अमान पाण्यात  
Sky Wall) चा गाळ अथवा कचरा संपादन करून काढण्याचे आलेल्याचे फोटो



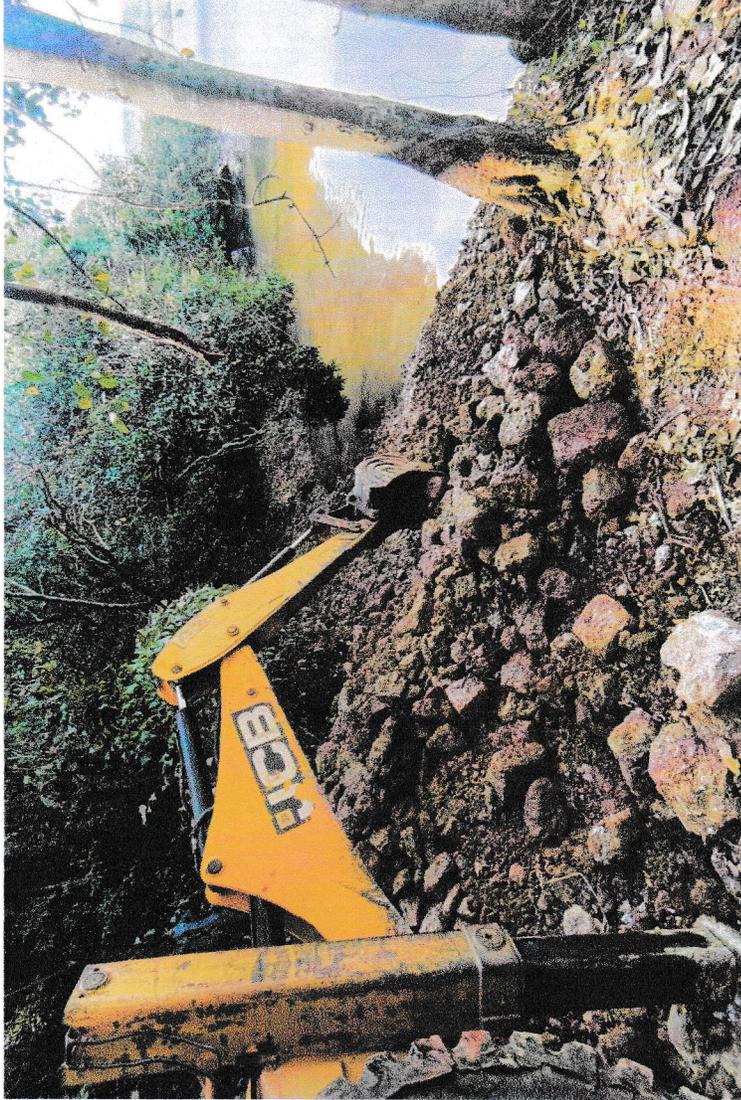
कामाचि द्याव - मा रस्यति हरिः ललाटे । १५ पां । १०० पां । यथे पापाय । तत्राय खड्गान् । सदा असलेली सुमावणी  
 क्रमांक २६७/२०१९ - २०२० Sky Walk च्या माध्यमातून जिल्हा आणि अखिल महाराष्ट्रात  
 Sky Walk च्या माध्यमातून जिल्हा आणि अखिल महाराष्ट्रात आयोजित करण्यात आलेल्या प्रकटा



कामाचे नांव :- मा.राष्ट्रीय हरित लवाद (पुणे खंडपीठ) येथे धामापूर तलाव संदर्भात सुरु असलेली सुनावणी  
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