

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

MEMORANDUM OF APPLICATION

IN THE MATTER OF

Original Application No. 187of 2023

Mr. Vijay Vilas Dighe --- Applicant

Versus

Yashraj Marriage hall and Multipurpose

Hall Through its Owners

1. Mr. Digambar Hanumant Kirdat

2. Mr. Datta Digambar Kirdat

3. Mr. Shankar Digambar Kirdat & Others --- Respondents

**REJOINER AFFIDAVIT IN CONNECTION WITH  
REPLY AFFIDAVIT FILED BY RESPONDENT NO.1 AS  
FOLLOWS :**

I , Mr. Vijay Vilas Dighe Age- 41, Occ-Business R/at: 269/A, near shanbag School, Daulatnagar, Karanje peth, Taluka-Dist: Satara-415002 Mobile No: 9881379881, do hereby state on solemn affirmation that;

1. The rejoinder Affidavit filed in connection with reply Affidavit filed by the Respondent No.1. The Respondent No. 3 levied EDC Rs. 11,25,000/- (Eleven Lakhs Twenty Five Thousand Rupees). The said EDC has imposed is appropriate. In pursuance to reply affidavit filed by the Respondent No.1 wherein stated that the period from 11.10.2023 to 08.04.2024 have to consider it is totally contradictory to earlier reply Affidavit filed by the Respondent No.1. According to point

No.7 the yashraj multipurpose hall operating by the Respondent No.1. The operation of the said multipurpose hall from the year 2016-2017. It is also contradictory with the terms and conditions framed by the District Collector, satata. The purpose of using of the said land for residential hotel but the Respondent No.1 using the premises for multipurpose hall.

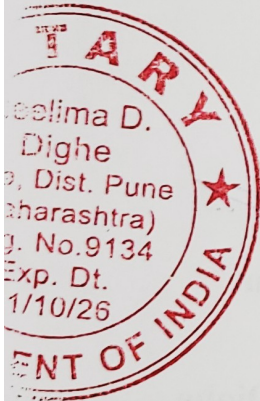
2. I states that the hotel Yashraj Mangal Karyalay/ Multipurpose Hall using for a activities of marriage, birthday parties and other functions/celebrations conducted on regular basis in the hall, it generates air and noise pollution from various sources including use of DJ Systems, use of fire crackers, large commercial utensils, blowing horns which caused significant noise pollution by hotel Yashraj Mangal Karyalay / Multipurpose Hall. In fact EDC have calculated from the period from the year 2017. The defence taken by Respondent No.1 the liability of DJ system has not lies upon the Respondent No.1. It is contradictory with the provisions under **Environmental (Protection) Act, 1986** as well as **Noise pollution (Control Regulation) Rules, 2000**. The sample of noise pollution collected by private test report dated 27.01.2024, 20.04.2024, 21.04.2024, 11.05.2024. Day time as well as night time the noise pollution crossed the necessary limits even after the premises comes under ambit of silence zone. Hereto annexed and marked as **EXHIBIT-A noise pollution collected by private test report by Nature and care dated 27.01.2024, 20.04.2024, 21.04.2024, 11.05.2024.**

3. I states that during the pendency of the present petition, the Respondent No.1 sought consent to operate from

Respondent No.3. And also during the pendency of the petition the said premises declared silence zone on 01.01.2024 by Respondent No.4. The notification issued on 01.01.2024 by Respondent No.4 **Hereto annexed and marked as EXHIBIT-B the notification issued on 01.01.2024 by Respondent No.4 regarding silence zone.**

4. I states that the Respondent No.1 did not obtain any updated Permission from collector of satara to run hotel Yashraj Mangal Karyalay / Multipurpose Hall. The Respondent No.1 illegally running the said business and ultimately it caused huge noise pollution. The terms and conditions framed while issuance of N.A order wherein clearly mentioned that the Respondent No.1 can run residential hotel. According to advertisement the capacity of hall is for 800 person.

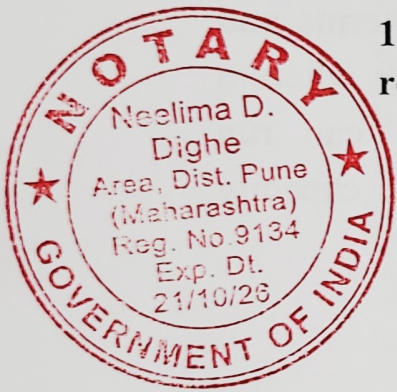
5. I states that according to noise pollution (Regulation and control) Rules, 2000 issued by State of Maharashtra dated 21/04/2009 and the Copy of Circular issued by Respondent No.3 i.e MPCB the noise limit should not be crossed in silent zone (day time 50 dB(A) and night time 40 dB. **The location of business is close vicinity of shanbag school so as to the said area pertains to silence zone and** consent to operate from Respondent No.3 on 08.04.2024 by the Respondent No.1. The noise pollution beyond permissible limits and it would be dangerous to public health. The noise pollution cross more 70 decibel when marriage or other functions/celebrations were going on, it caused huge noise pollution by hotel Yashraj



Mangal Karyalay/ Multipurpose Hall. The noise pollution and every time even by crossing decibel limits.

6. In these facts and circumstances I state on solemn affirmation that the contents of this Affidavit of Service as stated in paragraphs are read over to me and are true and correct to the best of my knowledge, information and belief.

All the contents of this Affidavit from paragraph no. 1 to 6 are true and correct to the best of my knowledge, information and belief. In witness whereof I have signed here at Pune, on this 12th day of September 2024 hence, this affidavit of service to respondents.



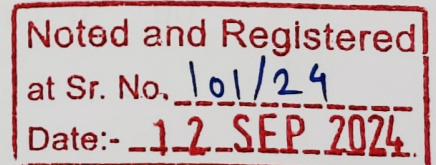
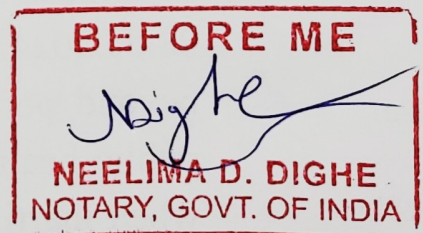
I know the Affiant,

Advocate

Rahul Kulkarni

Affiant

Vijay Vilas Dighe





### TEST REPORT

**Company Name & Address:**
**Mr. Vijay Dighe Sir,**  
 Suryawanshi Colony, Daulat Nagar, Satara, Maharashtra 415001.

**Inward No:** NCSS/2024/15

**Date of Sampling:** 27.01.24

**Your Ref No. :** Test Request

**Sampling Method:** NCSS/SOP-S/03

**Sampling Location:** Yashraj  
 Multipurpose Hall area, Daulat Nagar,  
 Satara.

**Collected By :** Nature & Care

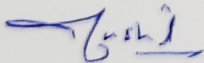
**Sample Name:** Noise Monitoring

**Date of Report:** 29:01:24

Sr. No	Monitoring Timing	Result	Unit	Standard Values	Test Method
1	01:40 pm	75.5	dB	75	L <sub>Aeq</sub> dB (A)
2	01:45 pm	84.6	dB	75	
3	01:50 pm	82.3	dB	75	
4	01:55 pm	83.1	dB	75	
5	02:05 pm	78.2	dB	75	
6	02:10 pm	76.6	dB	75	
7	02:15 pm	79.5	dB	75	
8	02:20 pm	78.1	dB	75	
9	02:25 pm	72.9	dB	75	
10	02:30 pm	71.5	dB	75	

**Note:**

1. Test Report is based on above parameters.
2. NCSS will discard the sample after one month of the date of Test Report.
3. Test Results pertain only to the sample tested.

**For Nature & Care**

**Authorize signatory**




## TEST REPORT

**Company Name & Address:**

**Mr. Vijay Dighe Sir,**  
Suryawanshi Colony, Daulat Nagar, Satara, Maharashtra 415001.

Inward No: NCSS/2024/22 -I

Date of Sampling: 20.04.24

Your Ref No. : Test Request

Sampling Method: NCSS/SOP-S/03

Collected By : Nature & Care

Sampling Location: Yashraj  
Multipurpose Hall area, Daulat Nagar,  
Satara.

Sample Name: Noise Monitoring

Date of Report: 22:04:24

Sr. No	Monitoring Timing	Result	Unit	Standard Values	Test Method
1	01:50 pm	72.2	dB	75	L <sub>Aeq</sub> dB (A)
2	01:55 pm	74.3	dB	75	
3	02:05 pm	78.5	dB	75	
4	02:10 pm	81.2	dB	75	
5	02:15 pm	80.0	dB	75	
6	02:20 pm	83.3	dB	75	
7	02:25 pm	79.5	dB	75	
8	02:30 pm	75.3	dB	75	

**Note:**

1. Test Report is based on above parameters.
2. NCSS will discard the sample after one month of the date of Test Report.
3. Test Results pertain only to the sample tested.

**For Nature & Care**

**Authorize Signatory**





## TEST REPORT

**Company Name & Address:**

**Mr. Vijay Dighe Sir,**  
Suryawanshi Colony, Daulat Nagar, Satara, Maharashtra 415001.

Inward No: NCSS/2024/22 -II

Date of Sampling: 21.04.24

Your Ref No. : Test Request

Sampling Method: NCSS/SOP-S/03

Sampling Location: Yashraj

Collected By : Nature & Care

Multipurpose Hall area, Daulat Nagar,  
Satara.

Sample Name: Noise Monitoring

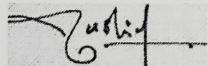
Date of Report: 22:04:24

Sr. No	Monitoring Timing	Result	Unit	Standard Values	Test Method
1	01:20 pm	74.5	dB	75	L <sub>Aeq</sub> dB (A)
2	01:25 pm	78.6	dB	75	
3	01:30 pm	80.3	dB	75	
4	01:35 pm	78.1	dB	75	
5	01:40 pm	82.2	dB	75	
6	01:45 pm	84.6	dB	75	
7	01:50 pm	79.8	dB	75	
8	01:55 pm	78.6	dB	75	
9	02:05 pm	74.2	dB	75	
10	02:10 pm	71.7	dB	75	

**Note:**

1. Test Report is based on above parameters.
2. NCSS will discard the sample after one month of the date of Test Report.
3. Test Results pertain only to the sample tested.

**For Nature & Care**



**Authorize Signatory**





### TEST REPORT

**Company Name & Address:** Mr. Vijay Dighe Sir,  
Suryawanshi Colony, Daulat Nagar, Satara, Maharashtra 415001.

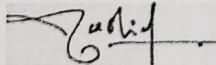
Inward No: NCSS/2024/11 -I Date of Sampling: 11.05.24  
 Your Ref No. : Test Request Sampling Method: NCSS/SOP-S/03  
 Collected By : Nature & Care Sampling Location: Yashraj  
 Multipurpose Hall area, Daulat Nagar,  
 Satara.  
 Sample Name: Noise Monitoring Date of Report: 11:05:24

Sr. No	Monitoring Timing	Result	Unit	Standard Values	Test Method
1	00:10 am	62.2	dB	< 70	L <sub>Aeq</sub> dB (A)
2	00:25 am	69.8	dB	< 70	
3	00:30 am	71.5	dB	< 70	
4	00:35 am	74.4	dB	< 70	
5	00:40 am	73.4	dB	< 70	
6	00:45 am	72.1	dB	< 70	
7	00:50 am	71.8	dB	< 70	

**Note:**

1. Test Report is based on above parameters.
2. NCSS will discard the sample after one month of the date of Test Report.
3. Test Results pertain only to the sample tested.

For Nature & Care



Authorize Signatory



## माहिती अधिकार अधिनियम २००५

१. माहिती अधिकार अर्ज क्र.१०७  
२. अर्ज प्राप्त झाल्याचा

दिनांक: २१/०२/२०२४

दिनांक: २१/०२/२०२४

जाक्र/सानप/शवि/१६२०

सातारा नगरपरिषद, सातारा

दि:- ७/०३/२०२४

प्रति,

श्री. विजय विलास दिघे

२६९/अ, शानबाग शाळेशेजारी,

दौलतनगर ता.जि.सातारा.

विषय:-माहितीचा अधिकार २००५ कलम ७(१) अन्वये मागितलेली माहिती पुरविणेबाबत.

संदर्भ:- आपला दि.२१/०२/२०२४ रोजीचा अर्ज.

उपरोक्त आपणाकडील संदर्भिय अर्जाचे अनुषंगाने शहर विकास विभागाकडील माहिती पुढील प्रमाणे कळविणेत येत आहे.

मुद्दा क्र.१ :- के एस डी शानबाग विद्यालय व जुनिअर कॉलेज सभोवतालचा परिसर शांतता क्षेत्र (सायलेंट झोन) घोषित केलेल्या परिपत्रक क्र. ४६ दिनांक ०१.०१.२०२४ रोजीचे पत्राची प्रत मिळणेबाबत.

:-सोबत छायांकित प्रत जोडली आहे.

वरीलप्रमाणे माहिती पुरवून आपला माहिती अर्ज निकाली काढणेत आला आहे.

सदरच्या माहितीने आपले समाधान झाले नाही तर, आपण हा आदेश मिळालेपासून तीस (३०) दिवसांत मा.प्रथम अपील अधिकारी, तथा मा.मुख्याधिकारी, सातारा नगरपरिषद, सातारा, १ केसरकर पेठ, सातारा मुख्यालय फो.नं. ०२१६२२३४०७६ येथे विहित नमुन्यात अपील दाखल करू शकता.



*[Signature]*  
(प्र.पु.क्षणके)

शासकीय माहिती अधिकारी,

तथा

नगर रचनाकार

(शहर विकास विभाग)

प्रत:-माहिती संकलन कक्षाकडे अग्रेषीत.

महाराष्ट्र शासन राजपत्र, भाग एक -- पुणे विभागीय पुरवणी, गुरुवार ते बुधवार, जानेवारी ११ - १७, २०२४ / पौष २१ - २७, शके १९४५ १५

The plan showing the above proposed modification to the Sanctioned Development Plan of the Baramati Municipal Council is available for inspection during working hours on all working days in Baramati Municipal Council ;

Suggestions and objections, if any, to the above proposed modification to the Sanctioned Development Plan of Baramati (Extended Area) shall be communicated in writing to the Administrator and Chief Officer, Baramati Municipal Council within one month (30 days) from the date of publication of this Notice in the Maharashtra Government Gazette.

**MAHESH ROKADE,**

Administrator and Chief Officer,  
Baramati Municipal Council, Baramati.

Baramati, 2nd January 2024.

मुख्याधिकारी यांजकडून

सातारा नगरपरिषद, सातारा

शांतता झोन जाहीर करणेबाबत

जाहीर नोटिस

क्रमांक सानप/शवि/१३२६/२०२४.— ज्याअर्थी, महाराष्ट्र शासन पर्यावरण विभाग, मंत्रालय, शासन निर्णय क्रमांक ध्वनी प्र-२००९/प्र.क्र.९५/तांक-१, दिनांक २१ एप्रिल २००९ अन्वये ध्वनी प्रदूषण (नियंत्रण व नियमन) नियम, २००० चा प्रभावीपणे अंमलबजावणी करणेकामी शहरातील रुग्णालये, शैक्षणिक संस्था व न्यायालयासभोवतालचे कमीत कमी १०० मीटर क्षेत्र शांतता झोन म्हणून जाहीर करणेचे निर्देश दिलेले आहेत.

त्याअर्थी, सातारा नगरपरिषदेने प्रशासकीय आदेश क्रमांक ४६, दिनांक १ जानेवारी २०२४ नुसार सातारा शहरातील खालील शैक्षणिक संस्था यांचे सभोवतालचे कमीत कमी १०० मीटर क्षेत्र शांतता झोन म्हणून जाहीर करणेत येत आहे.

शैक्षणिक संस्था :-

(१) के. एस. डी. शानभाग स्कूलच्या सभोवतालचे १०० मी. क्षेत्र.

अभिजित बापट,

मुख्याधिकारी,

सातारा नगरपरिषद, सातारा.

सातारा, ३ जानेवारी २०२४.

उपविभागीय अधिकारी यांजकडून

भूमी संपादन, पुनर्वसन व पुनर्स्थापना करताना वाजवी भरपाई मिळण्याचा व पारदर्शकतेचा हक्क अधिनियम, २०१३ चे कलम ११ (१) अनुसार

अधिसूचना

क्रमांक भू.सं./वाखरी/एसआर-०१/२०२३.— ज्याअर्थी, महाराष्ट्र शासन महसूल व वन विभागाची अधिसूचना क्रमांक एमआयएस-११/२०१४/सी.आर.-७७(पार्ट-२)/ए-२, दिनांक ११ सप्टेंबर २०१५ (यास यापुढे सदर "अधिसूचना" असे संबोधले जाईल) भूमी संपादन, पुनर्वसन व पुनर्स्थापना करताना वाजवी भरपाई मिळण्याचा व पारदर्शकतेचा वापर करून असे अधिसूचित केले आहे की, सदर अधिनियमाच्या कलम ३ (अ) अन्वये सार्वजनिक जमिनीच्या संपादनाबाबत १०,००० हेक्टर क्षेत्राच्या मर्यादेपर्यंत भूसंपादनासंबंधात, अशा जिल्ह्याचा जिल्हाधिकारी हा उक्त अधिनियमाच्या प्रयोजनासाठी, "समुचित शासन" असल्याचे मानण्यात येईल.

त्याअर्थी, सदर अधिसूचनेन्वये जिल्हाधिकारी, सोलापूर हे समुचित शासन आहे. त्याअर्थी, परिशिष्ट-१ मध्ये नमूद जमीन ही सार्वजनिक प्रयोजनासाठी संपादित करण्याची आवश्यकता आहे किंवा आवश्यकता भासू शकते, तसेच सार्वजनिक प्रयोजनाबाबतचे निवेदन परिशिष्ट-२ मध्ये करण्यात आले आहे. त्याअर्थी, सदर कायद्याचा कलम ११ उपकलम (१) अन्वये अधिसूचित करण्यात येते की, सार्वजनिक प्रयोजनासाठी सदर जमीन संपादनाची आवश्यकता आहे किंवा आवश्यकता भासू शकते.

आणि त्याअर्थी, परिशिष्ट-३ मध्ये भूसंपादनामुळे विस्थापित कुटुंबांसाठी प्रस्तावित जमीन संपादनाची माहिती विनिर्दिष्ट करण्यात आली आहे.

आणि त्याअर्थी, परिशिष्ट-४ मध्ये सामाजिक आघात निर्धारणाबाबतची संक्षिप्त माहिती विनिर्दिष्ट करण्यात आली आहे.