

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

O. A. NO.72 OF 2020 (WZ)

From District: Pune (MAHARASHTRA)

Prakash Ravaji Devgirikar
and others

....Applicants

v/s

State of Maharashtra and others

... Respondents



AFFIDAVIT

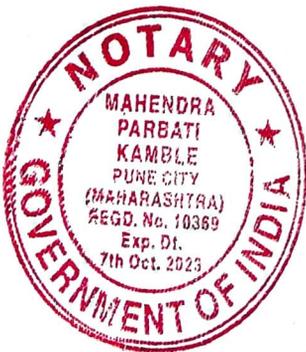
I, Uttam Patil, Deputy Collector (Rehabilitation)
Pune District, Pune, do hereby state on solemn
affirmation as follows:

1. I say that, the applicants prayed for to direct the State Authorities Respondents no.1 to 8 may be directed to pay compensation to the family of PAP's

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till actual rehabilitation of PAP's.

2. I say that, I have gone through the Original Application filed by the Applicants. I am filing this affidavit in reply to the same. Nothing in this affidavit be treated as admission of something stated in the Original Application unless it is answered, clarified or otherwise explained. I may be permitted to file additional affidavit if the circumstances so required.
3. I say that, by order dt. 20.10.2020, this Hon'ble Tribunal was pleased to direct Constitution of a Committee, consisting 1) Collector, Pune, and 2) Maharashtra State Pollution Control Board, (SPCB) and to direct them to submit a factual and action taken report.
4. I say that, the State Government has issued a resolution dated 29 March 2012 under Art.162 of the Constitution of India distributing the functions of the Collector and Additional Collector of a district. The issue of rehabilitation is dealt with by Additional Collector.

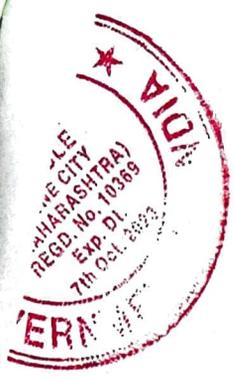


5. I say that, as per the order dated 20.10.2020, the Committee held its meeting on 29.10.2020. The following officers attended the meeting.

- 1) Mr. Vijaysingh Deshmukh - Addl. Collector, Pune.
- 2) Mr. Uttam Patil - Dy. Collector, Rehabilitation, Pune
- 3) Mr. Pratap Jagtap - Representative of Regional Office of Maharashtra Pollution Control Board (SPCB).
- 4) Mr. Digambar Dubal - Executive Engineer, Nira Deoghar Project Division.
- 5) Mr. Saourabh Pingle - Assistant Engineer, Class-I
- 6) Mr. N.V. Girme - Assistant Engineer, Class-I
- 7) the officers at Sr. Nos. 4, 5 and 6 represented Maharashtra Krishna Valley Development Corporation (the Project Authority).

6. I say that, during this meeting, a Committee comprising Additional Collector, Pune and the representative of SPCB was constituted as per the order of this Hon'ble Tribunal. This is reflected in the order dt. 15.1.2021 of the Collector, Pune, copy of which is annexed herewith and marked as **EXHIBIT 'R-1'**.

7. I say that, accordingly the Committee held its meeting on 29.10.2020. During this meeting, it was decided that, collect the documents from the PAP's to check their eligibility.



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8. I say that, accordingly the respondents issued notices to the PAPs. The details of the allotment of land to eligible applicants from O.A. No. 43/2016, O.A. No.72/2020 and Intervention Application No. 132/2018 as follows -

Sr	Details	Total
1.	Applicants of Gunjwani Project appeared before Hon'ble NGT in above mentioned matters.	99
2.	Common applicants in above matters	23
3.	Actual Remaining Applicants	76
4.	The Project Affected Person Non - eligible for alternate land due to -- (A)Project Affected Person exceeds the economic holding (B) Not paid 65% amount for alternate land.	10
5.	Number Of PAP's to whom alternate Land has been allotted prior to 2017 (Wadgaon Bande, Rahu, Pilanwadi Tal. Daund, Ganegaon Khalsa, Jategaon BK Tal. Shirur, Wagajwadi, Kenjal and Pabe Tal. Bhor)	38
6.	The Project affected persons to whom the lands are allotted in Village Amble Tal. Shirur, Dist. Pune(As per consent letter of Govt. Of Maharashtra dated 23 July 2020)	11
7.	The PAP's whose proposals are in process (incomplete applications)	17





9. I say that, in O.A. No.43/2016, there were 50 applicants. Now, 35 more applicants have filed O.A. No.72 of 2020. Certain applicants are common. The Committee is looking into the grievance regarding resettlement and seriously looking into the issue of allotment of alternate lands to the PAP's. It will submit its progress report periodically.

10. I say that, taking disadvantage of the pending proceedings, number of PAPs are multiplying the proceedings.

11. I say that, the applicants have prayed for payment of Rs.20,000/- per month by way of compensation till they are rehabilitated. The said prayer may be rejected because; the State Government has been taking steps to rehabilitate the persons affected by Gunjawani Irrigation Project. The Project Affected Persons are changing their stand continuously. The expenses on village site in Shirur Taluka were wasted, because all of sudden, they demanded village site in Velha Taluka. Accordingly, the Govt. was required to set up a village site at Dhanep in Velha Taluka, Dist.Pune. All these difficulties are pointed out in various replies and affidavits filed before the Hon'ble Tribunal. The provisions of Resettlement Act do not lay down any



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time period for rehabilitation and this demand of compensation is outside the provisions of the said Act. They are at the most entitled for the sustenance allowance, if eligible.

Place: Pune

Date: 04/09/2021

Deponent

Uttam Patil

Uttam Patil, 21/09/21
Deputy Collector
(Rehabilitation), Pune



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VERIFICATION

I, Uttam Patil, Deputy Collector (Rehabilitation), Pune District, Pune, do hereby state on solemn affirmation that whatever stated in the above, is based upon the information derived from the official records, which I believe to be true and correct.

Solemnly affirmed here at Pune on this 4th day of September of the year 2021

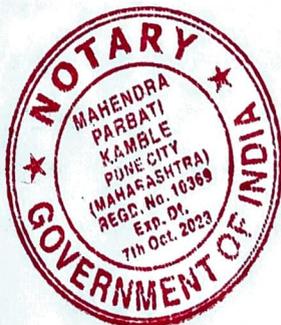
AFFIANT

Uttam Patil, Deputy Collector (Rehabilitation), Pune

Identified by me

Advocate

NOTED AND REGISTERED AT SERIAL NUMBER 418/2021



BEFORE ME

Notary Signature
MAHENDRA PARBATI KAMBLE
NOTARY, GOVT. OF INDIA
PUNE CITY (MAHARASHTRA)
REGD. No.10369

04 SEP 2021





Government of Maharashtra

Office of Deputy Collector Rehabilitation, Pune

Collector Office, Pune A Wing, Ground Floor Pune - 411001

Tel No. 020-26120101

E Mail id - dropune@gmail.com

**Read – Order of Honble National Green Tribunal, Western Zone in
Original Application No. 72/2020 dated – 20/10/2020**

No. DRO/Gunj/WS/02/2019

Date – 15/1/2020

Order,

Applicant Shri Prakash Raoji Devgirikar and Others files Original Application No.72/2020 in Honble National Green Tribunal, Western Zone. Honble National Green Tribunal, Western Zone Pune passed an order on dated 20/10/2020.

- 5. "...We deem it just and proper to constitute a Committee consisting (i) Collector Pune and (ii) Maharashtra State Pollution Control Board (SPCB) and to direct them submit a factual and action taken report. Report be submitted within six weeks.."**

As mentioned above, the order has been passed by Honble National Green Tribunal, Western Zone a meeting was held on 29/10/2020 under the chairmanship of Additional Collector, Pune. The following officers were present at the meeting.

Sr No.	Name of Officers	Designation
1.	Shri. Vijaysinh Deshmukh	Additional Collector, Pune
2.	Shri. Uttam Patil	Deputy Collector (Rehabilitaion) Pune
3.	Shri. Pratap Jagtap	Deputy Regional Officers, Maharashtra Pollution Control Board, Pune
4.	Shri. Digambar Dubal	Executive Engineer, Nira Devghar Project
5.	Shri. Saurabh Pingle	Assistant Engineer, Class – 1
6.	Shri. N.V. Girme	Assistant Engineer, Class – 1

In this meeting, Order of Honble National Green Tribunal, Western Zone, Pune in Original Application No. 72/2020 was discussed in detail. Accordingly, Order of Honble National Green Tribunal, Western Zone in Original Application No. 72/2020 dated 20/10/2020 the following two member committee is being set up.

1. Shri. Vijaysinh Deshmukh, Additional Collector Pune
2. Shri Pratap Jagtap, Deputy Regional Officers, Maharashtra
Pollution Control Board, Pune

This committee should control the rehabilitation work of the project affected person in Gunjwani Project.

Pune

Date :- 15/1/2021

XXX
(Dr. Rajesh Deshmukh)
Collector Pune

Copy to :- 1. Shri. Vijaysinh Deshmukh, Additional Collector, Pune
2. Shri. Shri Pratap Jagtap, Deputy Regional Officers,
Maharashtra Pollution Control Board, Pune
3. Deputy Collector (Rehabilitaion) Pune
2/- for Information and further action.

XXX
Collector Pune

