

**COLLECTOR OFFICE, AHMEDNAGAR  
(MINING BRANCH)**

Phone No. 0241-2344002

email id- [ah\\_mngdmo@gmail.com](mailto:ah_mngdmo@gmail.com)

क्र./जोयक/४३५/४०१/२०२१  
दिनांक - १८/०३/२०२१.

To,

**The Registrar,  
Hon'ble National Green Tribunal,  
Principal Bench, New Delhi.**

**Sub.** - Submission of action taken report in OA No. 53/2019 (WZ).

**Ref.** - Hon'ble NGT Order dtd. 02/11/2020.

Respected Sir,

As per the Order dtd. 02/11/2020 passed by Hon'ble National Green Tribunal in OA No. 53/2019 (WZ), the joint committee of the undersigned, Conservator of Forest (Wildlife), Pune, Additional Director, CPCB, Pune & Sub Regional Officer, MPCB, Ahmednagar visited the site of stone crusher and excavated land on 21/01/2021 for submission of factual report in respect of issues raised in the said order. The joint committee action taken report is enclosed herewith for ready reference and kind perusal, please. As per directions of Hon'ble NGT further action as directed will be taken.

  
(Dr. Rajendra B. Bhosale)  
Collector, Ahmednagar.

**Action Taken Report as per Hon'ble NGT, Principal Bench,  
New Delhi Order dtd.02/11/2020 in O.A. No. 53/2019 (WZ)**

Hon'ble NGT, Principal Bench, New Delhi vide Order dtd. 2/11/2020 in O.A. No. 53/2019 (WZ) directed for constitution of a Joint Committee comprising the Chief Wildlife Warden (PCCF), Wildlife, the Collector, Ahmednagar, the State PCB & the CPCB to deal with the matter about fixing the quantum of compensation, preparation of restoration plan and grievances of Respondent in I.A. No. 122/2020.

The Joint Committee constituted to deal with the above matter is as follows.

- 1) Dr. Rajendra Bhosale, Collector, Ahmednagar.
- 2) Shri. Rameshkumar, Conservator of Forest (Wildlife), Pune.
- 3) Shri. Shashikant Lokhande, Additional Director, CPCB, Pune.
- 4) Shri. Sanjeev Redasni, Sub Regional Officer, MPCB, Ahmednagar.

M/s. Shrigonda Stone Crusher is located in Gut No. 148 of Village Wadali, Tal. Shrigonda, Dist. Ahmednagar on 0.8 R land. Maharashtra Pollution Control Board have already taken action against the said Stone Crusher as follows.

- 1) Closure Directions under section 33A of Water (P & CP) Act, 1974 and section 31A of Air (P & CP) Act, 1981 is issued on 20/11/2019. The copy of same is enclosed as Annexure 1.
- 2) Notice for environmental damage compensation of Rs. 1,99,25,000/- issued on 28/02/2020 by invoking pollutant to pay principle for Air pollution control measures non-compliance. The copy of same is enclosed as Annexure 2.
- 3) The said Stone Crusher owner (Respondent No. 15) has preferred an appeal before appellate authority of MPCB & is pending.

The Mining Department imposed the penalty on land owners of excavated land at Wadali, Tal. Shrigonda, Dist. Ahmednagar and its detail are as follows.

Sr. No.	Gut No.	Size of excavated land in Meter	Total Minor Minerals excavated in Brass	Penalty imposed in Rs.	Remarks
1.	160	148x68x3.2	10710	8,03,25,000/-	Illegal excavation
2.	74/2	69x20.5x4.4	2199	1,64,92,500/-	Illegal excavation
3.	108	72x12x6	1832	1,37,40,000/-	Illegal excavation
4.	22	56x38x5	3760	2,82,00,000/-	Illegal excavation
5.	54	60x30x5	3180	2,38,50,000/-	Illegal excavation
6.	109 & 110	140x84x7.2 & 84x50x7.2	10091	7,56,82,500/-	Illegal excavation
7.	270	60x26x2	1102	82,65,000/-	Illegal excavation
8.	123	32x18x3.5	712	Nil	Permitted excavation & paid Royalty by M/s. Shrigonda Stone Crusher owner.
9.	294	72x20x8	4071	Nil	Permitted excavation & paid Royalty by M/s. Shrigonda Stone Crusher owner.
10.	81	42x35x7	3636	Nil	Permitted excavation & paid Royalty by M/s. Shrigonda Stone Crusher owner.
11.	148	---	---	---	No excavation and M/s. Shrigonda Stone Crusher is located in the said land.
12.	317	---	---	---	Govt. land

The Joint Committee visited the site of M/s. Shrigonda Stone Crusher, Gut No. 148, Village Wadali, Tal. Shrigonda, Dist. Ahmednagar and excavated land of Gut No. 109,110 & 81 of Village Wadali on 21/01/2021 and following observations are made.

- 1) The Stone Crusher was not found in operation and it is closed from 16/11/2019.
- 2) At present excavated areas are filled with rain water and farmers are utilising the water for agriculture purpose from these excavated land. The electrical pumps and pipelines for utilisation of water for irrigation purpose from these excavated land by surrounding farmers are noticed during the site visit.
- 3) These excavated land are in natural condition and no any artificial structures are observed in these excavated land during the site visit.

From the above observations, Committee opined that the rain water stored in the excavated area may help to recharge the groundwater level and also helpful for irrigation of surrounding agriculture land. During the site visit, the owners of excavated area to whom penalty imposed for illegal Minor Mineral excavation claimed that they have used the excavated material for the purpose of agriculture land levelling in their own land and they are using the water stored in the excavated area for irrigation of their agriculture land. The Stone Crusher owner informed that he had utilised the excavated material for crushing in his stone crusher from Gut No. 81, 294 & 123 during 2014 - 2019 and for that he has paid Royalty to the Govt.

During the site visit farmers have given the presentation to the Joint Committee and claimed that whatever excavation they have done in their own lands is only for purpose of agriculture and these farm ponds is useful for percolation and preservation of water. It is also claimed that they have done the excavation because of low level land, mostly rocky land and unfertile or low fertility land. All these excavation done for period ranging from 8 to 20 years

old except the excavation done by stone crusher owner. The farmers also claimed that they have not done any commercial mining and had used material for their levelling. It is also stated in the presentation that at present about 334 lakh Ltr. water is stored in these excavated land and about 100 Acre land is getting irrigated by utilising the water stored in these excavated area. The copy of said presentation is enclosed as Annexure 3.

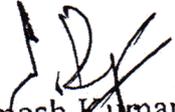
During the site visit, the applicant has given presentation in writing to the Committee. The copy of same is enclosed as Annexure 4. During the visit Collector, Ahmednagar directed to the Tahsildar, Shrigonda for verification of facts as per the said presentation of applicant.

**Conclusion :-**

- 1) The water stored in the excavated lands is helpful for recharge of ground level and irrigation of surrounding agriculture area.
- 2) The excavated areas are serving as water holding bodies and contributing for groundwater recharge and irrigation. The restoration of these excavated land by way of refilling will decrease water holding and water recharge capacity. The excavation of material from other areas for refilling these excavated areas may lead to further environmental damage.
- 3) These excavations are old and today no data available about environmental damage occurred in past. However, considering the fact of illegal excavation penalty is already imposed on the land owner.
- 4) As per 2011 guidelines of Eco-sensitive Zone and Eco-sensitive Zone Notification dtd. 11/02/2020, the rain water harvesting is promoted activity.
- 5) Committee is of opinion that nosignificant environmental damage has been caused due to excavation in these excavated land. The present fact is that these excavated land is useful for environment, agriculture of the surrounding area and economy of the farmers. The environmental damage compensation already imposed by MPCB on the Stone Crusher owner.

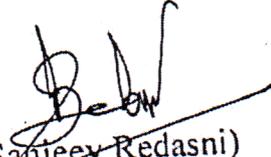
Committee also opined that the existing structure of these excavated land is helpful to the environment and no necessity to take action for restoration of these excavated area.

- 6) Committee also opined that these excavated land can be fenced to avoid any accident. ~~thick~~ thick plantation can be undertaken by the land owners.

  
(Ramesh Kumar)  
Conservator of forest (Wildlife), Pune

  
(Shashikant Lokhande)  
Additional Director, CPCB, Pune

  
(Dr. Rajendra Bhosale)  
Collector, Ahmednagar

  
(Sanjeev Redasni)  
Sub Regional Officer, MPCB,  
Ahmednagar

Annexure - 1

①

## MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 0253-2365150  
 Fax : 0253-2365140  
 Website: <http://mpcb.gov.in>  
 E-Mail: ronashik@mpcb.gov.in



Udyog Bhavan, First Floor Trimba k  
 Road, Near ITI, Satpur, Nashik-  
 422007.

**BY R.P.A.D./FAX/HAND DELIVERY**

L. No: MPCB/RONK/CD/274/2402/2019

Date: 20/11/2019.

To,  
 M/s. Shrigonda Stone Crusher,  
 Gat No.-148, Moje  
 Wadali, Tal- Shrigonda,  
 Dist- Ahmednagar.

**Sub:- Closure Directions under Section 33 A of Water (P & CP) Act, 1974 &  
 Under Section 31 A of Air ( P & CP ) Act.1981.**

- Ref:-1. Order passed by Hon'ble NGT Original Application No. 53/2019 (WZ). Dr. Vinaykumar Jathar V/s District Mining Officer-Ahmednagar & Ors. dtd. 26.09.2019.  
 2. Consent granted by the Board on 12.04.2016 valid up to 31.12.2021.  
 3. Visit of joint committee at your stone crusher on 23.10.2019.

**WHEREAS**, it is mandatory and obligatory on your part to abide the provisions made under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Waste (Management & Tran boundary Movement) Rules, 2016 for running the industrial activity at aforesaid location.

**ANDWHEREAS**, Hon'ble NGT Principal Bench, New Delhi in the Original Application No. 53/2019 (WZ). Dr. Vinaykumar Jathar V/s District Mining Officer-Ahmednagar & Ors. have passed the order on 26.09.2019 to directed District Collector, Ahmednagar District, the Deputy Conservator of Forest, Ahmednagar and the Maharashtra Pollution Control Board (MPCB) jointly inspect the offending stone mine and stone crushing units. verify on the facts stated in the application and to submit a report.

**ANDWHEREAS**, accordingly joint visit was carried out on 23.10.2019 and observed that your unit is located in Eco-Sensitive Zone (ESZ) of the Great Indian Bastard Wildlife Sanctuary.

**ANDWHEREAS**, after examining the record of your case and after making necessary enquiry this office has concluded that the industry is located in Eco-Sensitive Zone (ESZ) of the Great Indian Bastard Wildlife Sanctuary, and the industry has violated the provisions made under various environmental enactments and causing pollution problem in the nearby surrounding area knowingly and wilfully.

**NOW THEREFORE**, in exercise of the powers confirmed upon me by the Board, I Dr.J.B Sangewar, Regional Officer of the Board at Nashik hereby directed to stop the production activity forthwith till further directions/order of the Board forthwith and the competent authorities are hereby also directed to disconnect electricity and water supply of the industry immediately, which may be noted.

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This is issued with the Post-facto approval of the competent authority of the Board.

(Dr.J.B Sangewar)  
Regional Officer, Nashik.

**Copy Submitted for information to:-**

1. The Member Secretary, MPC Board, Mumbai.
2. The Principal Scientific Officer, M.P.C. Board, Mumbai.

**Copy forwarded with compliments to:-**

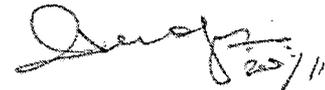
The Executive Engineer, MSEDCL, Ahmednagar Tal. & Dist. Ahmednagar - He is directed to disconnect the electricity supply of the said industry within 24hrs from date of receipt of these directions and communicate the action taken by you immediately.

**Copy forwarded with compliments to:-**

The Executive Engineer, Irrigation Department, Ahmednagar Tal. & Dist. Ahmednagar - He is directed to disconnect the water supply of the said industry within 24hrs from date of receipt of these directions and communicate the action taken by you immediately.

**Copy forwarded to:-**

Sub-Regional Officer MPCB, Ahmednagar - He is directed to serve the copy of these directions to the industry and competent authorities for disconnection of electricity and water supply. It is also directed to take follow up with concerned department towards implementation of these directions and submit compliance report within a week period.



(Dr.J.B Sangewar)  
Regional Officer, Nashik.

Annexure - 2

(2)

**MAHARASHTRA POLLUTION CONTROL BOARD**  
**REGIONAL OFFICE, NASHIK**

Phone: 0253/2365150  
Fax: 0253/2365140  
Visit us at [www.mpcb.gov.in](http://www.mpcb.gov.in)  
E-mail: [ronashik@mpcb.gov.in](mailto:ronashik@mpcb.gov.in)



Regional Office  
Udyog Bhavan, First Floor  
Trimbak Road, Near ITI, Satapur,  
Nashik - 422007

No. MPCB/RO/NASHIK/SCN/511/73 /2019

Date: 28 /02/ 2020

To,  
M/s. Shrigonda Stone Crusher,  
Gat No- 148, Moje - Wadali,  
Tal - Shrigonda, Dist.-Ahmednagar.

Sub: Environmental Damage Compensation by invoking the 'Polluter Pays' principle for air pollution control measures noncompliance reg...

- Ref: 1.Order dtd. 28.11.2019 passed by Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A No- 53/2019 (WZ).  
2. Guidelines issued on 09.02.2011 by Central Government for declaration of Eco-Sensitive Zone around National Park & Wildlife Sanctuaries).  
3. Closure Direction issued on 20.11.2019.

.....

WHEREAS, you are operating your industry in Water Pollution Prevention area and Air Pollution Prevention area declared the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and amendments thereto.

AND WHEREAS, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A No- 53/2019 passed an order dtd. 28.11.2019, directing that Assessment of Environmental Compensation to be recover for illegal running of the unit in the area even after declaration of the notification of Eco- Sensitive Zone.

AND WHEREAS, Board has issued closure direction on 20.11.2019.

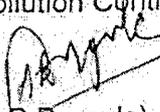
AND WHEREAS, as per office records and verification from Board official, it is notice that your unit is located in Eco- Sensitive Zone (ESZ) of the Indian Bastard Wildlife Sentyary, and even after declaration of Eco- Sensitive Zone by Central Government, you have operate your unit for 3188 days.

NOW THEREFORE, you are hereby directed to pay an amount of Rs- 1,99,25,000/- ( Rs- One Crore ninety nine lacks and twenty five thousand only) Environmental compensation assessed on 'Polluter Pays" principal for violation of direction and non-compliance of ESZ conditions as per reforms of National Green Tribunal Order and as your units falls in SSI category . The Environmental compensation has been assessed from the date of declaration of Eco- Sensitive Zone ie. On 09.02.2011 to the date of issuing closure direction on 20.11.2019 (Total- 3188 days).

The Environmental compensation of Rs- 1,99,25,000/- ( Rs- One Crore ninety nine lacks and twenty five thousand only) may kindly be deposited in favor of Regional Officer, Maharashtra Pollution Control Board, Nashik at the earliest.

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For and on behalf of the  
Maharashtra Pollution Control Board

  
(Anar B. Durgule)  
Regional Officer, Nashik.

Copy submitted for favor of information to:  
PSO, MPCB, Mumbai.

Copy to:-  
SRO, Ahmednagar – You are directed serve the copy to the Industry, submit the compliance, and take necessary follow up.

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Annexure - 3

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Date :- 21/1/20 21

To,  
The Hon'ble Collector  
And other Hon'ble members of Committee constituted  
by the Hon'ble National Green Tribunal bench at Pune

**Subject :-** Say of Farmers during inspection dated 20/1/2021 about loss to environment and compensation of restoration thereof.

Sir,

In view earlier orders of the Ld. Collector and mining officer dated 19/8/2020 by which penalty for excavation has been imposed on the following farmers, the Hon'ble Green Tribunal was pleased to constitute committee for spot inspection and finding of the fact that if there is any loss caused to environment because of excavation activity and compensation is required or not to restore the environment.

The farmers humbly point out that what ever digging or excavation they have done in the lands owned by them are for the purpose of agriculture and these are farm ponds focusing on water percolation and preservation. The digging was started because the land was low level land, mostly rocky, unfertile or low in fertility, earlier used for well or rain water storage and naturally required for adjoining lands as percolation tank.

Farmer namely Shivaji Sambhaji Jathar having his land at Gut no. 74/2 which is coming way 2.3 km outside the notified boundary of eco-sensitive zone, has excavated his 22 R land to construct farm pond sometime in the year 2012 and has made farm pond which can accumulate 50 lakh liter of water and adjoining land owners Gulab and Dadam of whom ground water level has been increased due to percolation. Due to this tank the owner Shivaji is able to take bagayati crops in his 12 Acres adjoining land (having his total land of 1 H 02 R in the said gut number and total joint family adjoining land as 12 acres). Due to the water percolation adjoining

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12 acres of land are taking Bagayati crops. Earlier panchanama showing that the percolation tank so constructed is 8 years old and 7/12 of the relevant land are annexed herewith and marked as **annexure -1**.

Farmer namely Pravin Bapu Wagaskar having his land at Gut no. 270 (having total land of 1 H 94 R acres in the said gut number) which is coming way outside 3.1 km outside the notified boundary of eco-sensitive zone, has excavated his 17 R land to construct farm pond sometime in the years 2008-2009 and has made farm pond which can accumulate **30 lakhs liter** of water and adjoining land owners Balkrushna Wagaskar, Uddhav Wagaskar of whom ground water level has been increased due to percolation. Due to this tank the owner Pravin is able to take bagayati crops in his 35 acres adjoining brothers and family land. Due to the water percolation adjoining 25 acres of adjoining land are taking Bagayati crops. Earlier panchanama showing that the percolation tank so constructed is 11 years old and 7/12 of the relevant land are annexed herewith and marked as **annexure -2**.

Farmer namely Dhiraj Suryabhan Dange having his land at Gut no. 160 (having total 2 acres of agricultural land in the gut number 162 ) which is coming way outside 2.6 km outside the notified boundary of eco-sensitive zone, has excavated his 30 R land to construct farm pond sometime in the year 1999 and this farmer had purchased the land in the year 2000 and this farm pond can accumulate **35 lakhs liters** of water and adjoining gut numbers 162 and popat bapu Baiker and Gorakh Baiker of whom ground water level has been increased due to percolation are suing the said water also. Due to this tank the owner Dhiraj is able to take bagayati crops in his 2 acres adjoining land in gut no. 162. Due to the water percolation adjoining 10 acres of land are taking Bagayati crops. Earlier panchanama showing that the percolation tank so constructed is 20 years old and 7/12 of the relevant land are annexed herewith and marked as **annexure -3**.

Farmer namely Satish Dattatray Wagaskar having his land at Gut no. 108 (having total land of 1 H 91 R in the said gut number) which is coming way outside 1.35 km outside the notified boundary of eco-sensitive zone, has excavated his 10 R

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land to construct farm pond sometime in the year 2012 and has made farm pond which can accumulate **16 lakh liters** water and adjoining land owners numbers Sanjay Salunke and Satish Ambadas Wagaskar family of whom ground water level has been increased due to percolation. Due to this tank the owner Satish is able to take bagayati crops in his 1 H 80 R adjoining land. Due to the water percolation adjoining 30 acres of land are taking Bagayati crops. Earlier panchanama showing that the percolation tank so constructed is 10 years old and 7/12 (& 8A) of the relevant land are annexed herewith and marked as **annexure -4**.

Farmer namely Radha Santosh Chavan having his land at Gut no. 22 (having total land of 44 R in the said gut number) which is coming way outside 3 km outside the notified boundary of eco-sensitive zone, has excavated their total 23 R land to construct farm pond sometime in the year 2012 and has made farm pond which can accumulate **50 lakh liter** water and adjoining farm owners Kundalik chavan, Baban Chavan, Appa chavan, raju chavan, of whom ground water level has been increased due to percolation. Due to this tank the owner Radha is able to take bagayati crops in his 21 R adjoining land. Due to the water percolation adjoining 23 acres of adjoining joint family land are taking Bagayati crops. Earlier panchanama showing that the percolation tank so constructed is 8 years old and 7/12 (or 8A) of the relevant land are annexed herewith and marked as **annexure -6**.

As per the notification 9/2/2011 the water percolation (rain water harvesting) activity is permitted as per Sr. No. 12. The tentative 10 km proposed eco-sensitive zone is not applicable for rain water harvesting therefore, nothing illegal has been done by the farmers. A copy of summary reply to IA no. 53/2019 prepared for the purpose of NGT is also annexed herewith for information of this committee as **annexure A-7**.

All the farmers collectively submit that, they have not done any commercial mining. Material excavated by them have been used personally for bandh, leveling of land, house hold constructions and adjoining land leveling requirement. All excavations are 8 to 10 years to 20 years old and there are no recent excavations. All

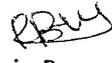
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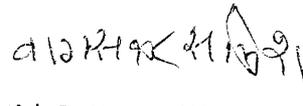
farmers has visited office of the collector on 25/11/2020 and submitted their representation. Today some of the farmers were available on the spot.

Hence this collective say for all the farmers.

Yours Faithfully

  
Suraj Surayabhan Dange (for himself and  
for Mathurabai Dange)

  
Pravin Babu Wagaskar

  
Satish Dattatray Wagaskar

  
Shivaji Sambhaji Jathar

  
Radha Santosh Chavan

  
Dhirsaj Surayabhan Dange

पंचनामा

दि. १२/०२/२०२० (१/०)

आम्ही श्वाकीक प्रमाण कळवते पंचनामा  
 शा. तपली - शा. एम. जी. बोर्डा शा. विठ्ठल श्वाकीक अशिक्षा  
 अक्षरकार चांकी बोलावले वरून श्वाकीक प्रमाण  
 पंचनामा लिष्टुन देत आलोत मीने. पडाची येथील  
 नरनं ०४/२ मधील दार श्वाकीकरी गोंड श्वाकीक  
 १०७लाची मोन - भाणे कळत देणेफाजी बोलावले.  
 अशा अशिक्षारी व आम्ही पंच दार श्वाकीकरी पहाणे  
 केलेली त्यावेळी श्वाकीकरी पाठी आठवून आलेला  
 दिकावणे देणुषारी - दार श्वाकीकरी कांबी, रंजी व  
 श्वाकीकरी कीनगाग - अली अक्षुन त्याची मोनगाचे  
 श्वाकीक प्रमाणे आहेत.

- १) उत्तरेकडील कांबी ५१ मी. दक्षिणेकडील १० मी
- २) दंडी पूर्वेकडील ३५ मी. पश्चिमेकडील ६ मी
- ३) सरासरी रेषेची ७ + ५ + ३ + ४ + २

उपरोक्त पहाणीच्या वेळी नमीग मालफ  
 जागेवर उपवाळय नव्हते, पहाणीच्या वेळी वाड  
 शंगन बंद रुपल्येन आठवून आली. सदरची  
 शंगन श्यामिद्रु चोफडीग दगाड शंगन कुमारे  
 पुते ७ वर्षासुद्धा कुलव्याचे सत्तगले

दि. १२/०२/२०२० वेळ. १:५५ ते २:१०

समक्ष

१) वरून बापु डंगो श. श. श.

श  
 (उपनिर्देशक)  
 शिवाजी श्वाकीक अशिक्षा  
 कार्यालय

२) बाबासाहेब वरून शिवाजी श. श.

अहवाल दिनांक : 20/02/2020

10

गाव नमुना सात  
अधिकार अभिलेख पत्रक  
। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम ३.५.६ आणि ७ ।

गाव - वडाळी तालुका :- श्रीगोंदा जिल्हा - अहमदनगर शेवटचा फेरफार क्रमांक : 2865 व दिनांक : 21/11/20 18  
गट क्रमांक व उपविभाग : 74/2

गट क्रमांक व उपविभाग 74/2	भू-धारणा पध्दती भोगवटादार वर्ग -1	भोगवटादाराचे नाव				
शेताचे स्थानिक नाव :-		क्षेत्र	आकार	पो.ख.	फ.फा	खाते क्रमांक
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जिरायत	-					कुळाचे नाव
व्याघायत	0.75 00					इतर अधिकार
तारी	-					इतर
दारकरा	-					इतर
इतर	-					बोजा - सहकारी सोसायटी इकरार
एकूण क्षेत्र	0.75 00					वडाळी वि का सो र रु 50000/- दि 1/11/2019
पोट-खराब (लागवडीस अयोग्य)	-					799 )
वर्ग (अ)	0.05 00					बोजा - राष्ट्रीयकृत बँक गहाण
वर्ग (ब)	-					1819 ( 876 )
एकूण पो ख	0.05 00					बोजा - सहकारी सोसायटी इकरार
आकारणी	0.96					1924 ( 1625 )
जुडी किंवा विशेष	-					इतर
आकारणी	-					इतर
						इतर
						। बोजा - राष्ट्रीयकृत बँक गहाण ( 28558 )
						। एच डी एफ सी बँक शाखा दौंड गहाण खत र रु
						लाख 59 हजार शिवाजी ( 2858 )
						इकरार - वि.का.स.सो.
						वडाळी वि का सोसायटी लि वडाळी र रु
						5,00,000/-शिवाजी ( 2865 )
जुन फेरफार क्र	(82),(174),(1819),(1820),(1821),(1925)	सीमा आणि भूमापन चिन्ह :				

गाव नमुना बारा  
पिकाची नोंदवही

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम २९ ।

गाव - वडाळी तालुका :- श्रीगोंदा जिल्हा - अहमदनगर शेवटचा फेरफार क्रमांक : 2865 व दिनांक : 21/11/20 18  
गट क्रमांक व उपविभाग : 74/2

वर्ष	हंगाम	पिकाखालील क्षेत्राचा तपशील									लागवडीसाठी उपलब्ध नसलेली जमीन	जल सिंचनाचे साधन	शेरा	
		मिश्र पिकाखालील क्षेत्र						निभळ पिकाखालील क्षेत्र						
		घटक पिके व प्रत्येकाखालील क्षेत्र		पिकाचे नाव		जल सिंचित		पिकाचे नाव		जल सिंचित				अजल सिंचित
(१)	(२)	मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित	स्वरूप	क्षेत्र	(१४)	(१५)
			हे आर चौ मी	हे आर चौ मी		हे आर चौ मी	हे आर चौ मी		हे आर चौ मी	हे आर चौ मी		हे आर चौ मी		
2019-20	रब्बी							ऊस	0.7500				विहीर पाणी	

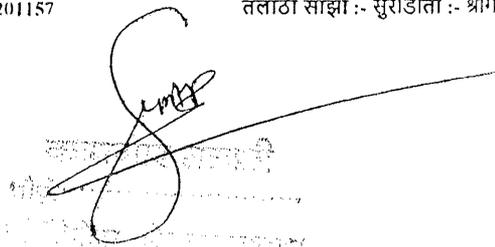
"शासकीय कामासाठी निशुल्क प्रत."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220201157

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साक्षा :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर



वर्ष: २०२०-२१		गाव नमुना आठ-अ			12/10/2020				
		धारण जमिनीची नोंदवही (कृषिक)							
		(आसामीवार खतावणी -- जमाबंदी पत्रक)							
गाव: वडाळी		तालुका: श्रीगोंदा		जिल्हा: अहमदनगर					
गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	वसुलीसाठी	एकूण					
		लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किंवा जुडी	दुमाला जमिनीवरील चुकसान.	स्थानिक उपकर	जि.प. ग्रा. प.	
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ)	(६ब)	(७)
खाते क्रमांक ४४४	शिवाजी संभाजी जठार .								
व्यक्तिगत खातेदार ७१		०.२२.००	०.००००	०.२२.००	०.१७	०	१.१९	०.१७	१.५३
	७४/२	०.७५.००	०.०५.००	०.८०.००	०.९६	०	६.७२	०.९६	८.६४
	एकूण	०.९७.००	०.०५.००	१.०२.००	१.१३	०	७.९१	१.१३	१०.१७

"या प्रमाणित प्रतीसाठी फी म्हणून १५/- रुपये मिळाले."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220202199

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- ता :- श्रीगोंदा जि :- अहमदनगर

*Sunil*  
 तलाठी  
 श्रीगोंदा





## महाराष्ट्र शासन

गाव नमुना सात  
अधिकार अभिलेख पत्रक

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम ३, ५, ६ आणि ७ ।

गाव :- वडाळी

तालुका :- श्रीगोंदा

जिल्हा :- अहमदनगर

शेवटचा फेरफार क्रमांक : 3275 व दिनांक : 12/10/2020

गट क्रमांक व उपविभाग : 270

गट क्रमांक व उपविभाग 270	भू-धारणा पध्दती भोगवटादार वर्ग -।	भोगवटादाराचे नांव	क्षेत्र	आकार	पो.ख.	फे.फा	खाते क्रमांक
शेताचे स्थानिक नाव :-							
क्षेत्र एकक	हे आर चौ.मी	नितीन बापू वागसकर	1.80.00	1.36		( 2379 )	190, [402], [240], [267], 311, 427, [45002]
जिंरायत							501, 1548, 1549, [4732], 1831, 1832
बागायत	9.07.00	। प्रविण बापू वागसकर	4.80.00	4.36	0.0500	( 1 )	कुळाचे नाव
तरी							इतर अधिकार
वरकरा		। पोपट मूलाब वागसकर	2.26.00	1.74		( 2921 )	इतर
इतर		। सुप्रिया अमोल धाडगे				( 2947 )	वोजा - सहकारी सोसायटी इकरार
एकूण क्षेत्र	9.07.00	। मंगल पोपट वागसकर				( 2947 )	इकरार ( 174 )
पोट खराब (लागवडीस अयोग्य)		। राहुल पोपट वागसकर	2.26.00	1.74		( 3275 )	इतर
वर्ग (अ)	0.16.00	। अक्षय पोपट वागसकर				( 3275 )	इतर
वर्ग (ब)		----- सामाईक क्षेत्र -----					इतर
एकूण पोख	0.16.00						इतर
आकारणी	6.87	। वैशाली संजय काटे				( 2370 )	वोजा - सहकारी सोसायटी इकरार
जुडी किंवा विशेष		। विजय बापू वागसकर				( 2370 )	वि का सो इ प क रू 25000/- दि 1.3.7.97
आकारणी		। प्रविण बापू वागसकर	2.26.00	1.74		( 2379 )	नितीन ( 710 )
		। प्रितीन बापू वागसकर				( 2379 )	वि का सो इ प क रू 25000/- दि 1.7.97 प्रविण ( 710 )
		----- सामाईक क्षेत्र -----					इतर
		मंगल पोपट वागसकर	2.27.00	1.71		( 349 )	वोजा - सहकारी सोसायटी इकरार
		शंकर आप्पा काटे	0.02.00	0.01		( 778 )	वडाळी वि का से सह सो इ पत्र बोजा रू 50,000/-
		। राधा संतोष चव्हाण				( 778 )	दि 1-7-99 मंगल ( 810 )
		रेश्मा नितीन वागसकर	0.46.00	0.35		( 2379 )	बोजा वि का से सह सो इ पत्र बोजा रू 50,000/- दि 1-7-99 पोपट ( 810 )
		वैशाली प्रविण वागसकर	0.46.00	0.35		( 2379 )	इतर
		प्रविण बापू वागसकर	1.80.00	1.36		( 1 )	बोजा
		। बापू मूलाब वागसकर	2.26.00	1.74	0.0500	( 2321 )	वडाळी वि का से सो र रू 10,00,000/- पोपट ( 1760 )
		अक्षय पोपट वागसकर	1.32.00	1.00		( 3275 )	वडाळी वि का से सो र रू 6,00,000/- मंगल ( 1760 )
		राहुल पोपट वागसकर	0.94.00	0.71		( 3275 )	वडाळी वि का से सो र रू 4 लाख प्रविण ( 1760 )
							वोजा - पतसंस्था
							इंदिरा गांधी पत स जमिन जप प्रविण ( 1831 )
							। वोजा राष्ट्रीयकृत बँक महामण ( 2266 )
							। कॅवरा बँक शाखा श्रीगोंदा कर्ज रू 20,00,000/- दि 1-7-99 पोपट ( 2266 )
							। वोजा सहकारी सोसायटी इकरार ( 2541 )
							। वडाळी वि का से सो र रू 1 लाख बापू ( 2541 )
							गहाणखत
							एच डी एफ सी बँक शा श्रीगोंदा रू 670000/- रामदास व शंकर ( 2570 )
							। वोजा सहकारी सोसायटी इकरार ( 2615 )
							। वडाळी वि का से सो र रू 1 लाख प्रितीन ( 2615 )
							। वडाळी वि का से सो र रू 5,00,000/- बापू ( 2615 )
							इकरार - वि.का.स.सो.
							वडाळी विविध कार्यकारी सेवा सह सोसायटी
							वडाळी रू 2,00,000/- वैशाली ( 2616 )
							इकरार - वि.का.स.सो.
							वडाळी विविध कार्यकारी सेवा सह सोसायटी
							लि. वडाळी रू 1800000/- नितीन ( 2662 )
							वोजा - सहकारी सोसायटी इकरार
							दिनांक 07/08/2020 रोजी वडाळी
							वि का सोसायटी चा वैशाली प्रविण वागसकर यांच्या
							नावे रू 200000/- कर्ज ( 3175 )
							वोजा - सहकारी सोसायटी इकरार
							दिनांक 09/09/2020 रोजी वडाळी वि का से सह
							सोसायटी चा प्रविण बापू वागसकर यांच्या नावे
							रू 1000000/- कर्ज ( 3227 )
जुने फेरफार क्र ( 1 ), ( 124 ), ( 326 ), ( 329 ), ( 338 ), ( 349 ), ( 379 ), ( 426 ), ( 778 ), ( 814 ), ( 1323 ), ( 1818 ), ( 2321 ), ( 2379 ), ( 2589 ), ( 2921 )							सीमा आणि भुमापन चिन्हे :

गाव नमुना बारा  
पिकांची नोंदवही  
महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवही ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम २९।  
ता. श्रीगोंदा जिल्हा - अहमदनगर शेतवटचा फेरफार क्रमांक : ३२७५ व दिनांक : १२/१०/२०२०  
गाव : वडाळी गट क्रमांक व उपविभाग : २७०

वर्ष	हंगाम	पिकाखालील क्षेत्राचा तपशील										लागवडीसाठी उपलब्ध नसलेली जमीन	जल सिंचनाचे साधन	शेरा
		मिश्र पिकाखालील क्षेत्र					निभळ पिकाखालील क्षेत्र							
		मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	घटक पिके व प्रत्येकाखालील क्षेत्र	पिकांचे नाव	जल सिंचित	अजल सिंचित	पिकांचे नाव	जल सिंचित	अजल सिंचित			
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)	(१२)	(१३)	(१४)	(१५)
			हं आर चौ मी	हं आर चौ मी		हं आर चौ मी	हं आर चौ मी		हं आर चौ मी	हं आर चौ मी		हं आर चौ मी		
२०१९-२०	रब्बी							ज्वारी	७.२५००		विहीरपड	०.०२००		
								कागदी लिंबू	०.८०००					
								कांदा	१.००००					

"शासकीय कामासाठी निशुल्क प्रत."

दिनांक :- १०/१२/२०२०

सांकेतिक क्रमांक :- २७२६००१२०३३२९०००००१२२०२०११५५

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साक्षात :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर

*(Handwritten Signature)*

तलाठी साक्षात :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर

वर्ष: २०२०-२१		गाव नमुना आठ-अ				12/10/2020				
		धारण जमिनीची नोंदवही (कृषिक)								
		( आसामीवार खतावणी -- जमाबंदी पत्रक )								
गाव: वडाळी		तालुका: श्रीगोंदा				जिल्हा: अहमदनगर				
गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	क्षेत्र	क्षेत्र	वसुलीसाठी	एकूण				
		लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किंवा जुडी	दुमाला नुकसान.	स्थानिक उपकर			
		(हे.आर.चौ.मी)	(हे.आर.चौ.मी)	(हे.आर.चौ.मी)			जि.प. ग्रा. प.			
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ)	(६ब)	(७)	
खाते क्रमांक १५४९	प्रविण बापू वागसकर .									
व्यक्तिगत खातेदार	२७०	१.८०.००	०.००००	१.८०.००	१.३६	०	९.५२	१.३६	१२.२४	
	३०१	०.१४.००	०.००००	०.१४.००	०.११	०	०.७७	०.११	०.९९	
	एकूण	१.९४.००	०.००००	१.९४.००	१.४७	०	१०.२९	१.४७	१३.२३	

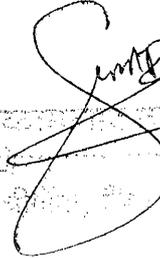
"या प्रमाणित प्रतीसाठी फी म्हणून १५/- रुपये मिळाले."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220202197

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- ता :- श्रीगोंदा जि :- अहमदनगर



पंचनामा

(79)  
दि० १२/०२/२०२०

आम्ही शालीत शिवाय कऱ्याचे पंचकोट गा. तालुकी गा. एीगोंवा गा. निहा २० दिक्का अधिकारी अहमदगार यांनी बीलाखते वजन शालीत प्रमाणे पंचनामा जुलुड देत आलेला आहे. तालुकी एीगोंवा गा. नं १६० मधील दगाड शिवायचे गोंड शिवाय उपखान्याची मोग. गा. वजन देणेकामी बीलाखते सदर अधिकारी व आम्ही पंच दगाड शिवायची पहली केकी त्याखेरी दगाड शिवायचे पाणी आठवून आले त्या ठिकाणी टप इवत्रि दगाड शिवायची लाळी. वरी व शोकी मोग्याग आली अतुन त्याची मोग्याचे शालीत प्रमाणे आहेत.

- १) शालीच्या पूर्व - पश्चिम लांबी - १४८ मी
- २) दक्षिण - उत्तर लांबी - ६४ मी
- ३) शोकी २ + ४ + ५ + ३ + २

उपरोक्त पाहणीच्या वेळी मोग मालक नागिबत उपखान्या आहेत. त्यामिद मोकडीत सदर दगाड शिवाय १५ ते २० वर्षीयातुनचे आहेत. तसेच पाहणीच्या वेळी दगाड शिवाय बंद अवस्थेत थालणेचे दिकुन आले. वेळ १:३० ते १:४०

दि० १५/०२/२०२०

समक्ष

(उपाय मोग)

जिहा रविकर अधिकारी  
अहमदगार

१) बबन बापु डांगे २१ ४४.

२) बाळसाहेब बबन किपर ५३.

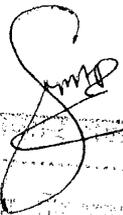
(२१)



वर्ष: २०२०-२१		गाव नमुना आठ-अ			12/10/2020		
		धारण जमिनीची नोंदवही (कृषिक)					
		(आसामीवार खतावणी -- जमाबंदी पत्रक)					
गाव: वडाळी		तालुका: श्रीगोंदा			जिल्हा: अहमदनगर		
गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	वसुलीसाठी	एकूण			
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ) (६ब) (७)
		लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किवा जुडी	दुमाला जमिनीवरील नुकसान.	स्थानिक उपकर
		(हे.आर.चौ.मी)	(हे.आर.चौ.मी)	(हे.आर.चौ.मी)			जि.प. ग्रा. प.
खाते क्रमांक १६४	धिरज सुर्यभान डांगे .						
व्यक्तिगत खातेदार	१६०	०.०५.००	०.३०.००	०.३५.००	०.०३	०	०.२९ ०.०३ ०.२७
	एकूण	०.०५.००	०.३०.००	०.३५.००	०.०३	०	०.२९ ०.०३ ०.२७

"या प्रमाणित प्रतीसाठी फी म्हणून ₹५/- रुपये मिळाले."  
दिनांक :- 10/12/2020  
सांकेतिक क्रमांक :- 2726001203329000001220202194

( नाव :- अतुल प्रल्हाद सुपेकर )  
तलाठी साक्षा :- ता :- श्रीगोंदा जि :- अहमदनगर

  
तलाठी साक्षा :- श्रीगोंदा जि :- अहमदनगर

पंचनामा

दि० १२/०२/२०२०

शहरी शालीक अन्वय कालाखि पैवा किडु ज. वडाकी  
 ल. धीसोदा मा. विद्या शालिकमा आशुकाजी अक्षरका  
 यांनी बोक्नुले परवन शालीक प्रकारे पंचनामा लिडुन  
 देन आहिन भोने. वडाकी शालीक गण १०८ शालीक  
 वडा. शालीकको गोन शालीक ३००कापी भोन. मापे  
 काज देनेकासी बोलावने सदा आशुकाजी व आसी  
 पंच वडा शालीकी पहरी केही त्या वेदी वडा  
 शालीक मध्ये पाणी आशुकाजी आले. रमा शालीकी रेष  
 शालीक वडा शालीकी काँची, कदी य शालीकी भोन.  
 शालीक काँची कनुन त्याची भोनमापे शालीकी प्रकारे  
 भोने.

- १) पूर्व. पश्चिम काँची ७२ मी.
- २) दक्षिण. उत्तर कदी १२ मी
- ३) शालीकी शाली ६ मी

उपरोक्त पहरीका वेदी शहरी शालीक गण  
 वडाका मध्ये, वडा शालीका पश्चिमेका काँची,  
 पूर्विका, ज्वारी, प्रकरका गडु, दक्षिणेका काँची  
 हे किडु काँचीका आशुकाजी आले पाणी पोकशीमध्ये  
 सदा वडाका मध्ये कुनै १० वर्षेपाकुन अन्वयमापे  
 भोने

दि० १२/०२/२०२० वेळ - १ ते १:१०

- १) वडाका बापु. डाँगे श. ४. ४.
- २) वडाका वडाका श. ४. ४.
- ३) शालीक काँची कनुन श. ४. ४.
- ४) शालीक काँची कनुन श. ४. ४.

साक्ष  
श. ४. ४.  
 शालीक काँची कनुन  
 कनुन



21

गाव नमुना बारा पिकांची नोंदवही  
 | महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवही ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम २-९।  
 तालुका :- श्रीगोंदा जिल्हा :- अहमदनगर शेतकरी फेरफार क्रमांक : 3216 व दिनांक : 29/09/2020  
 गाव - वडाळी गट क्रमांक व उपविभाग : 108

वर्ष	हंगाम	पिकाखालील क्षेत्राचा तपशील											जल सिंचनाचे साधन	शेरा
		मिश्र पिकाखालील क्षेत्र						निभळ पिकाखालील क्षेत्र			लागवडीसाठी उपलब्ध नसलेली जमीन			
		मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	पिकांचे नाव	जल सिंचित	अजल सिंचित	पिकांचे नाव	जल सिंचित	अजल सिंचित	स्वरूप	क्षेत्र		
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)	(१२)	(१३)	(१४)	(१५)
			हे.आर चौ.मी	हे.आर चौ.मी		हे.आर चौ.मी	हे.आर चौ.मी		हे.आर चौ.मी	हे.आर चौ.मी		हे.आर चौ.मी		
2019-20													विहीर	
								डाळींब	2.2100					
								कादा	1.0000					

"शासकीय कामासाठी निशुल्क प्रत."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220201158

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर

वर्ष: २०२०-२१		गाव नमुना आठ-अ			12/10/2020					
		धारण जमिनीची नोंदवही (कृषिक)								
		(आसामीवार खतावणी -- जमाबंदी पत्रक)								
गाव: वडाळी		तालुका: श्रीगोंदा			जिल्हा: अहमदनगर					
गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	वसुलीसाठी	एकूण	लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किंवा जुडी	दुमाला जमिनीवरील नुकसान.	स्थानिक उपकर
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ)	(६ब)	(७)	(९)
खाते क्रमांक ११४८	सतिष दत्तात्रय वागसकर .									
व्यक्तिगत खातेदार	१०८	१.२०.००	०.००००	१.२०.००	०.९८	०	६.८६	०.९८	८.८२	
	१८९/१	०.७१.००	०.००००	०.७१.००	१.६२	०	११.३४	१.६२	१४.५८	
	एकूण	१.९१.००	०.००००	१.९१.००	२.६०	०	१८.२०	२.६०	२३.४०	

सूचना : सदर ८-अ उतारा खाते विभाजनासाठी प्रलंबित आहे ज्यामुळे या उतार्यावर काही कंस अथवा अतिरिक्त गावे दिसत आहेत. सदर उतारा शासकीय / कार्यालयीन कामासाठी वापरण्यापूर्वी आज्ञावली मधून अद्यावत करून घ्यावा याची कृपया नोंद घ्यावी.!!!

"या प्रमाणित प्रतीसाठी फी म्हणून १५/- रुपये मिळाले."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220202200

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- ता :- श्रीगोंदा जि :- अहमदनगर

अहमदनगर  
जिल्हा  
तलाठी साझा

AS  
23

पंचनामा

दि० १२/०२/२०२०

आम्ही श्वाळीत लहान कळगे पंच लोक म वडाकी ना. श्रीगोंदा ना. तिला श्वाळीत अशिकारी कुलद्वारा यांनी बोळवले व लहान श्वाळीत पंचनामा लिहून देत असोय मोजो. वडाकी श्वाळीत जे जे १०९ व ११० श्वाळीत वडा श्वाळीत कडचे गोरू श्वाळीत कुलद्वाराची मोग मापे कडून देणेकरी बोळवले सदर अशिकारी व आम्ही पंच वडा श्वाळीत पहाणी केली त्यावेळी वडा श्वाळीत कडचे पाणी आठबुन काळे त्या शिकारी टेपडवारे वडा श्वाळीची लावी, खंदी व श्वाळीची मोजण्यात काळी कडून त्याची मोजमापे श्वाळीत पहाणे काहेत.

- १) श्वाळीच्या उत्तरे कडील लांबी १४० मी.
- २) श्वाळीच्या पूर्वेकडील लांबी ५० मी
- ३) श्वाळीच्या दक्षिणेकडील लांबी ९४ मी
- ४) श्वाळीच्या पूर्वेकडील लांबी ३० मी
- ५) श्वाळीच्या दक्षिणेकडील लांबी ९० मी
- ६) श्वाळीच्या पश्चिमेकडील लांबी ९० मी
- ७) श्वाळीची लांबी ७ + ९ + ५ + ९

उपरोक्त पहाणीच्या वेळी जमीन मालक गावे पर उपकडून नव्हते. वडा श्वाळीच्या पाण्यामध्ये १५.५ द विष्णु मोजारी कडून त्या डवारे श्वाळी बाजूच्या शेतीला पाणी पुरवठा केला जातो. श्वाळीत चौकडीत सदर वडा श्वाळीत कुजारे १० वर्षीपादुन असल्याचे समजले. वेळ १२:३० ते १:००

19

सहस्र  
पंचनामा

दि. १२/०२/२०२०

- १) बबन बापु डोरे
- २) बाळसाहेब बबन किनकर
- ३) अशोक कापडा कुलद्वारा



अहवाल दिनांक : 08/12/2020

24

## महाराष्ट्र शासन

गाव नमुना सात

अधिकार अभिलेख पत्रक

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम ३,५,६ आणि ७ ।

गाव - वडाळी

तालुका - श्रीगोंदा

जिल्हा - अहमदनगर

शेवटचा फेरफार क्रमांक : 3306 व दिनांक : 23/11/2020

गट क्रमांक व उपविभाग : 109

गट क्रमांक व उपविभाग 109	भू-धारणा पध्दती भोगवटादार वर्ग -I	भोगवटादाराचे नाव				खाते क्रमांक
शेताचे स्थानिक नाव :-	क्षेत्र	आकार	पो.ख.	फ.फा		
क्षेत्र एकक हे आर चौ मी	मथुराबाई सुर्यभान डारगे	0.40.00	0.27		( 873 )	314, 638, 1579
जिरायत	भगवान माधव धुमाळ				( 873 )	कुळाचे नाव
बागायत 2.06.00	। चंद्रकर्णत माधव धुमाळ				( 2525 )	इतर अधिकार
तरी	जयसिंग माधव धुमाळ				( 2525 )	इतर
वरकस	सामाईक क्षेत्र	1.33.00	0.93	0.06.00		इतर
इतर						इतर
एकूण क्षेत्र 2.06.00						वोजा - सहकारी सोसायटी इकरार
पोट खराब (लागवडीस अयोग्य)	विजय भगवान धुमाळ	0.33.00	0.23		( 2525 )	1732 ( 1111 )
वर्ग (अ) 0.06.00						। वोजा - सहकारी सोसायटी इकरार ( 2257 )
वर्ग (ब)						। वडाळी वि का सो साय टी इ करार ( 2257 )
एकूण पो ख 0.06.00						। वोजा - सहकारी सोसायटी इकरार ( 2618 )
आकारणी 1.44						। इकरार - रु ( 2618 )
जुडी किंवा विशेष						इकरार - वि.का.स.सो.
आकारणी						वडाळी वि का सोसायटी वडाळी र रु
						1,00,000/- विजय ( 2655 )
						। वोजा - राष्ट्रीयकृत बँक महामण ( 2728 )
						। एच.डी.एफ.सी.बँक श्रीगोंदा र रु 1000000
						जयसिंग ( 2728 )
						। वोजा - राष्ट्रीयकृत बँक महामण ( 2740 )
						। एच.डी.एफ.सी.बँक शाखा दोंड र रु 3,20,000/-
						राजेन्द्र - भगवान मंदाबाई ( 2740 )
						। एच.डी.एफ.सी.बँक श्रीगोंदा र रु 6,35,000/-
						भगवान ( 2740 )
						। वारस ( 2898 )
						। सुर्यभान यांच्या हिस्सावर - बाळराहेब बाधा व
						सौ मथुराबाई कर्जाकरिता ( 2898 )
						इकरार - वि.का.स.सो.
						वडाळी वि का सोसायटी वडाळी र रु
						20,00,000/- मथुराबाई ( 2906 )
सुने फेरफार क्र (1),(37),(102),(202),(420),(425),(507),(527),(599),(664),(873),(1704),(1740),(2256),(2525), (3001),(3306)						सीमा आणि भुमापन चिन्हे :

गाव नमुना बारा  
पिकांची नोंदवही

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम २९ ।

गाव - वडाळी

तालुका - श्रीगोंदा

जिल्हा - अहमदनगर

शेवटचा फेरफार क्रमांक : 3306 व दिनांक : 23/11/2020

गट क्रमांक व उपविभाग : 109

वर्ष	हंगाम	पिकाखालील क्षेत्राचा तपशील									लागवडीसाठी उपलब्ध नसलेली जमीन		जल सिंचनाचे साधन	शेरा
		मिश्र पिकाखालील क्षेत्र			घटक पिके व प्रत्येकाखालील क्षेत्र			निभळ पिकाखालील क्षेत्र			स्वरूप	क्षेत्र		
		मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित				
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)	(१२)	(१३)	(१४)	(१५)
			हे आर चौ मी	हे आर चौ मी		हे आर चौ मी	हे आर चौ मी		हे आर चौ मी	हे आर चौ मी		हे आर चौ मी		
2019-20	रब्बी							ज्वारी	0.5600		विहीरपड	0.1000		
								ऊस	0.4000					
								कांदा	1.0000					

"शासकीय कामासाठी निशुल्क प्रत."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220201154

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर



महाराष्ट्र शासन

गाव नमुना सात  
अधिकार अभिलेख पत्रक

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम ३.५.६ आणि ७।

अहवाल दिनांक : 10/12/2020

25

प्रलंबित फेरफार क्र. : 3352

गाव - वडाळी

तालुका - श्रीगोंदा

जिल्हा - अहमदनगर

शेवटचा फेरफार क्रमांक : 3146 व दिनांक : 28/09/2020

गट क्रमांक व उपविभाग : 110

गट क्रमांक व उपविभाग 110	भू-धारणा पध्दती भोगवटादार वर्ग - I	भोगवटादाराचे नाव			
शेताचे स्थानिक नाव :-	क्षेत्र	आकार	पां.ख.	फ.फा	खाते क्रमांक
क्षेत्र एकूण हे आर चौ मी	सुरज सुयभान डांगे	0.40 00	0.43	( 1729 )	500, 520, 1785
जिरायत	सोनबा-तबा-ससाणे   शांसाबाई सोनबा ससाणे   सतिष अंबादास वागसकर   संदिप अंबादास वागसकर   बाळु सोनबा ससाणे   मंगल दादा शेंडगे   रामदास सोनबा ससाणे   सामाईक क्षेत्र-----	1.09 00	1.18	( 2547 )	कुळाचे नाव
बागायत 1.49 00		1.09 00	1.18	( 2912 )	इतर अधिकार
तरी		( 2996 )	बोजा - सहकारी सोसायटी इकरार		
वरकस		( 2996 )	इ प क र रू 75/-दि 6/7/97 ( 1 )		
इतर		( 2996 )	वारस		
एकूण क्षेत्र 1.49 00		( 3146 )	हरुबाई तबा ससाणे ( 63 )		
पोट ख रांब (लागवडीस अयोग्य)		( 3146 )	इतर		
वर्ग (अ) 0.04 00		( 3146 )	बोजा - सहकारी सोसायटी इकरार		
वर्ग (ब)			वडाळी वि का सो इ प क र रू 50000/- ( 998 )		
एकूण पी ख 0.04 00					
आकार पी 1.62	मंगल दादा शेंडगे	0.20 00	0.22	( 2951 )	
जुडी किंवा विशेष आकार पी					
अंती फेरफार क्र (1),(63),(426),(1729),(2438),(2547),(2912),(2951),(2995)					सीमा आणि भूमापन चिन्ह :

गाव नमुना बारा  
पिकांची नोंदवही

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवहा ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम २९।

गाव - वडाळी

तालुका - श्रीगोंदा

जिल्हा - अहमदनगर

शेवटचा फेरफार क्रमांक : 3146 व दिनांक : 28/09/2020

गट क्रमांक व उपविभाग : 110

वर्ष	हंगाम	पिकाखालील क्षेत्राचा तपशील									लागवडीसाठी उपलब्ध नसलेली जमीन	जल सिंचनाचे साधन	शेरा	
		मिश्र पिकाखालील क्षेत्र						निभळ पिकाखालील क्षेत्र						
		मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित				
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)	(१२)	(१३)	(१४)	(१५)
			हे आर चौ मी	हे आर चौ मी		हे आर चौ मी	हे आर चौ मी		हे आर चौ मी	हे आर चौ मी		हे आर चौ मी		
2019-20	रब्बी							मका	0.4000		विहीरपड	0.0200		
								कांदा	1.0700					

"शासकीय कामासाठी निशुल्क प्रत."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220201153

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साक्षा :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर

वर्ष: 2020-21

गाव नमुना आठ-अ

12/10/2020

धारण जमिनीची नोंदवही (कृषिक)  
(आसामीवार खतावणी -- जमाबंदी पत्रक)

गाव: वडाळी

तालुका: श्रीगोंदा

जिल्हा: अहमदनगर

गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	वसुलीसाठी एकूण	एकूण	लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किंवा जुडी	दुमाला जमिनीवरील नुकसान.	स्थानिक उपकर	जि.प. ग्रा. प.
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ)	(६ब)	(९)		
खाते क्रमांक ५००	सुरज सुर्यभान डांगे.										
व्यक्तिगत खातेदार ११०		०.४०.००	०.००००	०.४०.००	०.४३	०	३.०१	०.४३	३.८७		
एकूण		०.४०.००	०.००००	०.४०.००	०.४३	०	३.०१	०.४३	३.८७		

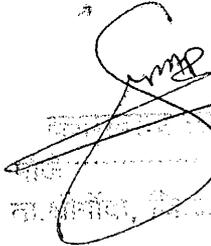
"या प्रमाणित प्रतीसाठी फी म्हणून १५/- रुपये मिळाले."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220202195

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साक्षात :- ता :- श्रीगोंदा जि :- अहमदनगर

  
तलाठी साक्षात  
श्रीगोंदा, दि. 10/12/2020

27

वर्ष: २०२०-२१

गाव नमुना आठ-अ

12/10/2020

धारण जमिनीची नोंदवही (कृषिक)  
(आसामीवार खतावणी -- जमाबंदी पत्रक)

गाव: वडाळी

तालुका: श्रीगोंदा

जिल्हा: अहमदनगर

गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	वसुलीसाठी एकूण	एकूण	लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किंवा जुडी	दुमाला जमिनीवरील नुकसान.	स्थानिक उपकर	जि.प. ग्रा. प.
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ)	(६ब)	(७)	(८)	(९)

खाते क्रमांक ३१४

व्यक्तिगत खातेदार	१०९	०.४०.००	०.००००	०.४०.००	०.२७	०	१.८९	०.२७	२.४३		
एकूण		०.४०.००	०.००००	०.४०.००	०.२७	०	१.८९	०.२७	२.४३		

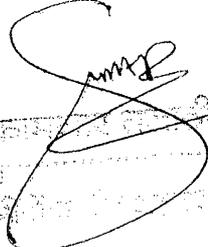
"या प्रमाणित प्रतीसाठी फी म्हणून १५/- रुपये मिळाले."

दिनांक :- 10/12/2020

सांकेतिक क्रमांक :- 2726001203329000001220202196

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- ता :- श्रीगोंदा जि :- अहमदनगर

  
तलाठी साझा

28

पंचनामा

दि. १२/०२/२०२० (८३)

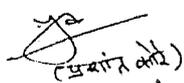
आम्ही श्वालीक सहाय करणारे पंचलोड ना. वसाही ना. एजीटा ना. निरहा शक्तिर्ण अधिकारी अक्षयनाथ यांची बीजावले ठावून श्वालीक प्रजाती पंचनामा लिपुन देण आघेत मोजे. वसाही ये रिक्त करून २२ महीक दगा श्वालीकस्थी जोकरपतिग इत्य. जापी मोज. मापे करून देणेसाठी बीजावले तदत अधिकारी व आम्ही पंच दगा श्वालीची पहाणी केली ताचेही दगा श्वालीकस्थी पाणी आठवून झाले त्या दिनांती देच हवारे दगा श्वालीची लांबी २६ मी क श्लोली मोजण्यात आली आरुन त्याची मोज. मापे श्वालीक प्रजाती काहो.

- १) उगात दयिण लांबी ५६ मी
- २) पूर्वी पाईघात रूंदी ३१ मी
- ३) सरासरी श्लोली ५ मी

उपरोक्त पहाणीचा केली जाणून आठवून जागे वर उपलब्ध नव्हते श्वालीक चौकशीत अदर दगा श्वाली ५ मी ७ वर्षी वाढवूनची अलव्याचे मापणो नयेच पहाणीचा केली दगा श्वाली बंद आरुन आठवणे लिपुन झाले पाठ्याप्रस्थी देण लिपुन मोजी आठवून झाले.

दि. १२/०२/२०२० वेळ. ३:३० ते ३:५०

दिनांक

 (प्रमाणित आहे)

शुभकर बापु डांगे २१.२.८.

जिना रविकर्ण काचिकरी  
कारणकार.

१) बाघागाहेस वरून किनार

27



## महाराष्ट्र शासन

गाव नमुना सात  
अधिकार अभिलेख पत्रक

। महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवह्या ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम ३.५.६ आणि ७ ।

गाव - वडाळी  
पट क्रमांक व उपविभाग : 22

तालुका - श्रीगोंदा

जिल्हा - अहमदनगर

शेवटचा फेरफार क्रमांक : 3269 व दिनांक : 28/11/2020

गट क्रमांक व उपविभाग 22	भू-धारणा पध्दती भागवटादार वर्ग - 1	भागवटादाराचे नाव	क्षेत्र	आकार	पो.ख.	फे.फा	खाते क्रमांक
शेताचे स्थानिक नाव :-							
क्षेत्र एकक	हे आर चौ मी	ताराबाई पोपट चव्हाण	1.00.00	1.17		( 2363 )	106, 213, 215, 345, 471, 10 88, 15000, 1552
जिरायत		पाझर तलाव -	0.50.00	0.58		( 1 )	कुळाचे नाव
बागायत	6.79.00	पोपट शिवाराम चव्हाण	1.00.00	1.17		( 2363 )	इतर अधिकार
तरी		रखमाबाई भालचंद्र चव्हाण	0.60.00	0.70		( 392 )	इतर
वरकस		संतोष पोपट चव्हाण	1.00.00	1.17	0.20.00	( 2363 )	इतर
इतर		विलास राजाराम शिंदे	0.80.00	0.93		( 856 )	इतर
एकूण क्षेत्र	6.79.00	राधा संतोष चव्हाण	0.44.00	0.51		( 2363 )	बापु दिनकर चव्हाण हनुमंत दगड जाडे यांचा विहीरीत प्रत्येकी 5 आणे 4 हिस्सा पाणी घेण्याचा हक्क ( 387 )
पोट. खराब (लागवडीस अयोग्य)		शिवाजी पोपट चव्हाण	1.45.00	1.70	0.21.00	( 2363 )	बोजा - सहकारी सोसायटी इकरार इकप र रू 50,000/- दि 5-11-96 ताराबाई ( 684 )
वर्ग (अ)	0.41.00						बोजा - सहकारी सोसायटी इकरार वडाळी वि का से स सो इ पत्र बोजा र रू 50,000/- दि 16-6-99 पोपट ( 70 8 )
वर्ग (ब)	0.41.00						बोजा - सहकारी सोसायटी इकरार वडाळी वि का से स सो इ पत्र बोजा र रू 50,000/- रखमाबाई ( 1014 )
एकूण पोख	0.41.00						बोजा - सहकारी सोसायटी इकरार वडाळी वि का से सो र रु 300000/- ताराबाई व संतोष प्रत्येकी ( 1526 )
आकारणी	794						बोजा - सहकारी सोसायटी इकरार पारनेर ता से सह बँक कर्ज कुंडलिक चव्हाण राहु कर्ज दार भालचंद्र चव्हाण, रखमाबाई भालचंद्र चव्हाण र रु 50,000/- ( 1751 )
जुडी किंवा विशेष आकारणी							इकरार - वि.का.स.सो. वडाळी वि. का. से. सोसा इकरार र रु 3लाख पोपट ( 2359 )
							बोजा - राष्ट्रीयकृत बँक गृहाण आय सी आय सी आय बँक शा श्रीगोंदा र रु 1.34.800/- हनुमंत ( 2778 )
							आय सी आय सी आय बँक शा. श्रीगोंदा र रु 1.34.800/- भालचंद्र ( 2778 )
							आय सी आय सी आय बँक शा श्रीगोंदा र रु 1.34.800/- रखमाबाई ( 2778 )
							बोजा - सहकारी सोसायटी इकरार दिनांक 01/10/2020 रोजी वडाळी वि का से सह सोसायटी चा ताराबाई पोपट चव्हाण यांच्या नावे र रु 500000/- कर्ज ( 3267 )
							बोजा - सहकारी सोसायटी इकरार दिनांक 01/10/2020 रोजी वडाळी वि का से सह सोसायटी चा संतोष पोपट चव्हाण यांच्या नावे र रु 500000/- कर्ज ( 3268 )
							बोजा - सहकारी सोसायटी इकरार दिनांक 01/10/2020 रोजी वडाळी वि का से सह सोसायटी चा पोपट शिवाराम चव्हाण यांच्या नावे र रु 500000/- कर्ज ( 3269 )
							बोजा - सहकारी सोसायटी इकरार दिनांक 01/10/2020 रोजी वडाळी वि का से सह सोसायटी चा राधा संतोष चव्हाण यांच्या नावे र रु 200000/- कर्ज ( 3270 )
							बोजा - सहकारी सोसायटी इकरार दिनांक 01/10/2020 रोजी वडाळी वि का से सह सोसायटी चा शिवाजी पोपट चव्हाण यांच्या नावे र रु 800000/- कर्ज ( 3271 )
							बोजा - सहकारी सोसायटी इकरार दिनांक 05/10/2020 रोजी वडाळी वि का से सह सोसायटी चा रखमाबाई भालचंद्र चव्हाण यांच्या नावे र रु 500000/- कर्ज ( 3273 )
जुने फेरफार क्र.	(1),(80),(154),(174),(380),(2583)						सीमा आणि भ्रमापन चिन्ह :

30

गाव नमुना बारा  
पिकांची नोंदवही  
महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवही ( तयार करणे व सुस्थितीत ठेवणे ) नियम, १९७१ यातील नियम २९।  
तालुका :- श्रीगोंदा जिल्हा - अहमदनगर शेवटचा फेरफार क्रमांक : ३२६९ व दिनांक : २८/११/२०२०  
गाव :- वडळी गट क्रमांक व उपविभाग : २२

वर्ष	हंगाम	पिकाखालील क्षेत्राचा तपशील							लागवडीसाठी उपलब्ध नसलेली जमीन		जल सिंचनाचे साधन	शेत		
		मिश्र पिकाखालील क्षेत्र			निभळ पिकाखालील क्षेत्र				स्वरूप	क्षेत्र				
		मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	पिकाचे नाव	जल सिंचित	अजल सिंचित	पिकाचे नाव					जल सिंचित	अजल सिंचित
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)	(१२)	(१३)	(१४)	(१५)
			हे आर चौ.मी	हे आर चौ.मी		हे आर चौ.मी	हे आर चौ.मी		हे आर चौ.मी	हे आर चौ.मी		हे आर चौ.मी		
२०१७-२०	रब्बी							ज्वारी	३.००००		गवतपड	०.०५००		
								हरभरा	०.४४००		तलाव पड	०.५०००		
								कागदी लिंबू	०.८०००					
								कांदा	२.००००					

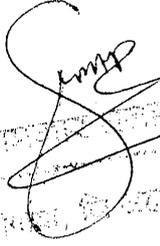
"शासकीय कामासाठी निशुल्क प्रत."

दिनांक :- १०/१२/२०२०

सांकेतिक क्रमांक :- २७२६००१२०३३२९०००००१२२०२०११५६

( नाव :- अतुल प्रल्हाद सुपेकर )

तलाठी साझा :- सुरोडीता :- श्रीगोंदा जि :- अहमदनगर



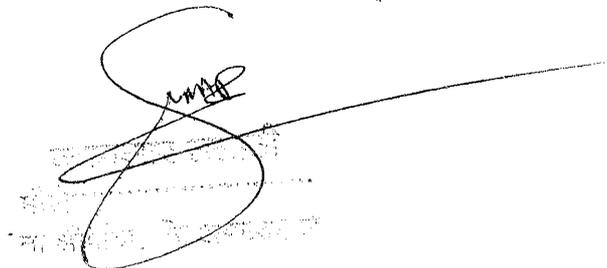
31

वर्ष: 2020-21		गाव नमुना आठ-अ			12/10/2020					
		धारण जमिनीची नोंदवही (कृषिक)								
		(आसामीवार खतावणी -- जमाबंदी पत्रक)								
गाव: वडाळी		तालुका: श्रीगोंदा			जिल्हा: अहमदनगर					
गाव नमुना सहा मधील नोंद	भूमापन क्रमांक व उपविभाग क्रमांक	क्षेत्र	वसुलीसाठी एकूण	एकूण	लागवडी योग्य क्षेत्र	पोटखराब क्षेत्र	एकूण क्षेत्र	आकारणी किंवा जुडी	दुमाला जमिनीवरील नुकसान.	स्थानिक उपकर
(१)	(२)	(३अ)	(३ब)	(३क)	(४)	(५)	(६अ)	(६ब)	(७)	(८)
खाते क्रमांक १५००	राधा संतोष चव्हाण .									
व्यक्तिगत खातेदार २२		०.४४.००	०.००००	०.४४.००	०.५९	०	३.५७	०.५९	४.५९	
एकूण		०.४४.००	०.००००	०.४४.००	०.५९	०	३.५७	०.५९	४.५९	

सूचना : सदर ८-अ उतारा खाते विभाजनासाठी प्रलंबित आहे ज्यामुळे या उतार्यावर काही कंस अथवा अतिरिक्त नावे दिसत आहेत. सदर उतारा शासकीय / कार्यालयीन कामासाठी वापरण्यापूर्वी आज्ञावली मधून अद्यावत करून घ्यावा याची कृपया नोंद घ्यावी.!!!

"या प्रमाणित प्रतीसाठी फी म्हणून १५/- रुपये मिळाले."  
दिनांक :- 10/12/2020  
सांकेतिक क्रमांक :- 2726001203329000001220202198

( नाव :- अतुल प्रल्हाद सुपेकर )  
तलाठी साझा :- ता :- श्रीगोंदा जि :- अहमदनगर



32

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE AT PUNE**

Original Application no. 53/ of 2019

(under section 18(1) read with section 14,15 and 20 of the National Green  
Tribunal Act, 2010)

Dr. Vijaykumar Vitthal Jathar

... .. **Applicant**

**Versus**

District Mining officer Ahmednagar and others

... .. **Respondents**

**Reply on behalf of the Respondent no. 16 to 31**

HUMBLE SUBMISSIONS OF  
THE RESPONDENTS  
ABOVENAMED

MOST RESPECTFULLY SHOWETH AS UNDER

I, Dhiraj Suryabhan Dange, age:- \_\_\_ years, Occu:-  
Agriculture, R/o Village Vadali, Tq. Shrigonda, Dist.  
Ahmednagar, being respondent no. 29 having authorized on  
behalf of the respondent no. 16 to 28 and 30 to 31 do hereby  
take oath and state on solemn affirmation and state as under,

1. I have gone through the entire application no. 53 of 2019  
filed by the applicant and also noted the prayers in the same. I  
am filing this short reply with the hope that as the application  
No. 53/2019 is premature and not maintainable, detail reply  
would be filed if required, with the prior leave of this Hon'ble  
Tribunal.

2. I say and submit that, at the outset on behalf of all the Respondents no. 16 to 31, it is humbly pointed out that, the Respondents not only respect the mother nature but also care for conservation of forest as well as endangered species. The Respondents respect the initiatives of the Union as well as State Government to reserve lands, declare sanctuaries and notify the ecologically sensitive zone so that flora & fauna, ecological balance as well as endangered species could be protected.

3. I say and submit that, the Great Indian Bustard Sanctuary as can be seen at page no. 411 of Interlocutory application is a vast portion covering two districts but the same is 'projected portion' (as on page no. 411). The first declaration dated 27/9/1979 projecting area of sanctuary as 7818.47 square kilometers was increased by adding some part of Solapur district (adding 677.97 sq.km.) it became 8496.44 sq.km. Such General projected area (may be for the purpose of observation of birds for identification of habitats) was reduced rationalized to 1222.61 sq. km. by declaration dated 27/2/2012. It may not be out of place to mention that in Solapur District the endangered specifies bird (Bustard) was seen 2011 therefore specific villages and specific land was declared for solapur district as Bird Sanctury by declaration dated 28/2/2012. So it can be said that till 27/2/2012, although entire Shrigonda Taluka in Ahmednagar District was referred to be declared part of bird sanctuary, it was only

“projected part” and not the notified area of the sanctuary or ecologically sensitive zone.

If entire Taluka is presumed to be taken as notified then each road/house/building construction in every village of Shrigonda taluka would require NOC from forest department. The Respondents believes that any land or activity outside the notified forest/sanctuary/protected wild life area and outside eco-sensitive zone would not require NOC from forest Department or environment protection department.

A copy of the Sultanpur national park Gurgaon (Delhi) notification declaring the sanctuary therein with GPS location of ECZ boundaries, is annexed herewith & marked as **Exhibit R-1**.

A copy of the Revenue and forest department circular no. WLP-10.11/CR237/F-1 dated 28/2/2012 notifying specific villages of Solapur district with boundaries of sanctuary is annexed herewith and marked as **Exhibit R-2**.

4. I say and submit that, it has been specifically mentioned in the Revenue and Forest Department Circular dated 27/2/2012 that Great Indian Bustard Sanctuary is comprising of six areas i.e. Nevasa (in part), Karjat and Shrigonda Taluka in Ahmednagar District and Karmala, Madha, Mohol and north solapur Tahasils. If total dimension of all such tahasils was 8496.44 square kilometers, the actual possibility of land for survey of wild life was only projected to

(35)

be 1222.61 sq. km. Therefore the general area of 8496.44 sq. kms was rationalized as 1222.61 sq. km.

A copy of Revenue Forest Department Circular dated 27/2/2012 bearing Sr. No. WLP-10.11./C.R. 237/F-1 is annexed herewith and marked as **Exhibit R-3**.

5. I say and submit that, further deep survey found that the actual habitat of the endangered species would be only within 366.26 square kilometers and such declaration was issued on 5/3/2016. This dimension of the sanctuary included the entire 'Shrigonda Taluka'. It may not be out of place to mention that entire shrigonda taluka includes various villages, and human occupied residential area, therefore, the actual identification of wild life habitat patch was pending as on 5/3/2106.

A copy of reducing declaration declaring 366.26 sq. k.m. as sanctuary core area is annexed herewith & marked as **Exhibit R-4**.

6. I say and submit that, the revenue and forest department by notification in Part Four -A of extraordinary Gazette notified the GIBS sanctuary area has been restructured (being 366.26 sq.kms) and projected area of eco-sensitive zone is approximately 400 square kms. This notification is only about reconstitution of sanctuary but not about actual patch of wild life habitat or notification of eco-sensitive zones.

36

A copy of notification dated 9/3/2016 published in official gazette is annexed herewith & marked as **Exhibit R-5**.

7. I say and submit that, identification and declaring of boundaries of 366.27 sq. kms was done by the government by notification dated 9/3/2016 which included entire Shrigonda Taluka irrespective of mentioning how many villages and how much residential zone falls within the Shrigonda taluka. For the first time on 11/2/2020 the Government fixed the wild life or ecologically possible wild life zone by identifying 100 patch scattered in Ahmednagar and Solapur District which constitute the Great Indian Bustard Sanctuary. The village Wadali where the respondent no.16 to 31 are residents and having land, has no such patch identified for wild life. The nearby village BelwandiKothar (patch Sr. No. 20 page no.393 of the Interlocutory application) is identified as wild life patch. From such boundary of eco-sensitive zone for patch no. 20 the lands of the Respondents are at least 2.5 km. away and outside the eco sensitive zone.

8. I say and submit that, the Application no. 53/2019 is premature as the boundaries of eco-sensitive zone was not **notified** at the time of filing of the application. I say and submit that, if the report dated 13/11/2019 submitted by the competent officers in this Hon'ble Court suggests that from Belwandi-kothar Gut no. 79, the lands of these answering Respondents are within 10 km and therefore falling within eco-sensitive zone, then such remarks are based on guidelines

dated 9/2/2011, as mentioned in the said report. On the date of report the eco-sensitive zone was neither declared nor notified. The Guidelines dated 9/2/2011 are projection of possibility or authority of government that it can declare upto 10 k.m from the boundary of a sanctuary as Eco-Sensitive Zone (ECZ). But Guideline dated 9/2/2011 is neither notification nor declaration of uniform ECZ for entire India.

9. I say and submit that, since 1984 rarely habitats of Bustard have been found within Shrigonda taluka, therefore, the 100 patch fixing points and the boundaries of Eco-sensitive zone could have been delayed. Such letter issued by the Forest department (dated 3/11/2018) under right to information has been annexed at page no. 734 of the reply of the Respondent no. 15.

10. I say and submit that, the present answering respondent no. 16 to 31 are not carrying out any illegal mining. They have dug out rocky soil just to preserve water by creating farm pond so that water accumulated during rain could be used for farming. The excavation soil and rocks have been used as filling by the Respondents in their other farms and lands. The Respondent did not apply the government under any scheme for Farm Pond subsidy therefore, Tahasil offices are contending to have no records. As the farmers i.e. Resp. No. 16 to 31 wanted to use dug out soil, rocks for betterment or leveling of their own land and the lands dug are quite rocky, digging the soil was better option than erecting

clay walls putting expensive plastic inside farm pond just to collect the rain water. There is panchanama of revenue officers finding the ponds of these answering Respondents, having filled with water during rainy season. If excavation was for mining there would have no question of filling the excavated portion with water. Copies of individual statements during inspection of respondent no.16 to 31 alongwith other relevant letters are annexed herewith and marked as **Exhibit R-6 colly**.

11. I say and submit that, these answering Respondents humbly invite this Hon'ble Tribunal's kind attention to the order dated 26.9.2019 wherein it has projected before proceeding further in this matter it would be appropriate to call for report. If such report dated 13/11/2019 is based on incorrect interpretation of guideline as G.R. dated 9/2/2011, then the present answering Respondents have not been heard before passing orders dated 28.11.2019 therefore, orders dated 28.11.2019 may please be recalled to the extent of action to be taken against the present Respondents.

12. I say and submit that, the lands of Respondents No.21, 26 and 28 are not having any excavated portion or farm pond. Just because their names are in the 7/12 extract, without verifying anything the applicant arrayed these respondents as party to this proceedings. The conduct of the applicant making vague allegations against everybody, shows the lack of the merit in the present Application no. 53/2019. Since the respondent no.19, 27 and 31 had larger area used for farm

pond having greater depth, the excessive material excavated was used by Respondent no.15 and therefore, the royalty to the government is paid accordingly. However purpose of excavation was creating farm pond only.

13. I say and submit that, this Hon'ble Tribunal by order dated 28.11.2019 directed to assess the environmental compensation after date of notification of eco sensitive zone. The Eco Sensitive Zone was notified on 11.2.2020. and Respondents' lands are far away from and outside the boundaries of eco Sensitive zone, therefore, The present proceedings i.e. Application no. 53/2019 may please be dismissed and order dated 28.11.2019 may please be recalled.

Hence this reply on behalf of Respondents no. 16 to 31 with further liberty to file any additional reply if required with the leave of this Hon'ble Tribunal.

Date:- \_\_\_/10/2020  
Place:-Pune

Dhiraj Suryabhan Dange  
Being Resp. No.29 and for  
Resp. no. 16 to 28 & 30 to 31

Annexure - 4

Before The Hon`ble Joint Committee (Constituted as per the order

40

dated 02/11/2020 of Hon`ble NGT)

I.A. No.122/2020

IN

Original Application No. 53 of 2019 (WZ)

Between

Dr. Vinaykumar Vitthalrao Jathar

..... Applicant

Versus

District Mining Officer-Ahmednagar

and others

.....

..... Respondents

## INDEX

Sr. No.	Particulars	Page No.
1	Reply by Original Applicant to the IA No.122/2020 filed by Respondent No.15	4-42
2	Annexure- Exh- "P-1" Order dated 26/09/2019 of the Hon`ble Tribunal.	43-44
3	Annexure- Exh- "P-2" Report dated 13/11/2019 submitted by the Committee through Respondent No.2, The Collector, Ahmednagar.	45-48
4	Annexure- Exh- "P-3" Order dated 28/11/2019 of the Hon`ble Tribunal.	49-52
5	Annexure- Exh- "P-4" Order dated 30/01/2020 of the Hon`ble Tribunal.	53
6	Annexure- Exh- "P-5" Order dated 04/03/2020 of the Hon`ble Tribunal.	54-55

7	Annexure- <b>Exh- "P-6"</b> Order dated 16/07/2020 of the Hon'ble Tribunal.	56-57
8	Annexure- <b>Exh- "P-7"</b> Action taken Report dated 28/08/2020 submitted by the Additional Collector, Ahmednagar through Respondent No.2, The Collector, Ahmednagar.	58-61
9	Annexure- <b>Exh- "P-8"</b> Order dated 02/11/2020 of the Hon'ble Tribunal.	62-65
10	Annexure- <b>Exh- "P-9"</b> Copies of complaints dated 26/06/2014 and 01/11/2014 filed by Mr. Bharat Balasaheb Dange and letters of Additional Collector, Ahmednagar dated 30/06/2014 and 01/07/2014 and complaint dated 26/12/2016 filed by Mr. Machindra Baban Dange.	66-74
11	Annexure- <b>Exh- "P-10"</b> copies of i) order dated 04/12/2006 of the Hon'ble Supreme Court in Writ Petition No.460/2004, ii) letters dated 11/12/2012 and 31/12/2012 issued by Deputy Inspector General, Wildlife (MoEF), Government of India to Chief Secretaries of all States/ Union Territories and iii) Office Memorandum dated 08/08/2019 issued by Government of India.	75-81
12	Annexure- <b>Exh- "P-11"</b> Copy of news report dated 20/03/2020 published in Marathi daily Newspaper "Lokmat"	82

Pune Vadali

Date- 21/01/2021

V Jather  
Applicant

Before The Hon`ble Joint Committee (Constituted as per the  
order dated 02/11/2020 of Hon`ble NGT)

Original Application No. 53 of 2019 (WZ)

Between

Dr. Vinaykumar Vitthalrao Jathar ..... Applicant

Versus

District Mining Officer-Ahmednagar

and others ..... Respondents

Reply by the Applicant to the I.A. No. 122/2020 filed by the  
Respondent No.15

Most Respectfully Showeth:

I, Vinaykumar Vitthalrao Jathar, Age: 43, Occu: Profession, Agri &  
Social Activist, R/O: Bankar Nagar, Shrigonda, Tq: Shrigonada, Dist:  
Ahmednagar, Maharashtra, do hereby state on solemn affirmation as  
under,

Background of the Case

(42)

1. Applicant states that, Applicant has filed the Original Application for grievance of stone crushing and mining units located within Eco Sensitive zone of the Great Indian Bustard Bird Sanctuary (*Hereinafter referred as GIBS*) and more particularly at Gat Nos. 148, 317, 270, 160, 81, 74/2, 123, 108, 109, 22, 54 and 110 of village Vadali, T-Shrigonda, Dist- Ahmednagar, Maharashtra. That the above-mentioned Original Application was listed for admission before Hon'ble Tribunal on 26/09/2019 and the Hon'ble Tribunal after hearing the applicant, was pleased to constitute a Committee comprising of i) District Collector, Ahmednagar, ii) the Deputy Conservator of Forests, Ahmednagar and iii) Maharashtra State Pollution Control Board. The MPCB is the nodal agency. The Committee was directed to jointly visit the offending stone mine and stone crushing units, verify on the factual aspects set out in the Original Application and submit report. That the Committee was also directed to take appropriate action in accordance with the law against respondent, in the event the allegations are found to be correct and action taken report was directed to be submitted on the next date. *Hereto annexed and marked as Exhibit "P-1" is the copy of said order dated 26/09/2019.*
2. Applicant states that, then, the Original Application was listed on 28/11/2019 for filing the report in compliance with the order

43

dated 26/09/2019. That the Committee filed the report dated 13/11/2019 through Respondent No.2, The Collector, Ahmednagar and admitted therein that the stone crushing unit and mines are located within Eco Sensitive Zone of the Great Indian Bustard Bird Sanctuary. That said stone crushing unit and mines were directed to be closed. *Hereto annexed and marked as Exhibit "P-2" is the copy of said report dated 13/11/2019 submitted by the Committee through Respondent No.2, The Collector, Ahmednagar.*

3. Applicant states that, thereafter on the said date i.e. 28/11/2019, the Hon'ble Tribunal considered the said report dated 13/11/2019 and directions were issued to file final action taken report. The Hon'ble Tribunal directed that the final action taken report shall contain, i) Assessment of Environmental Compensation for illegal running of the units in the area ii) fixing responsibility on those responsible for having allowed the activities to continue after publication of notification of the Eco Sensitive Zone. That the Hon'ble Tribunal further directed that, action against forest personnel involved in permitting illegal operation of the unit shall be taken by the PCCF (HoFF), Maharashtra, against the revenue officers by the Secretary, Department of Revenue, Government of Maharashtra and against the personnel of the State PCB by the Chairman, MPCB.

(44)

*Hereto annexed and marked as Exhibit "P-3" is the copy of said order dated 28/11/2019.*

4. Applicant states that, the Original Application was then listed on 30/01/2020 but on that day action taken report as directed as per the order dated 28/11/2019 was not submitted hence, Original Application was adjourned to 04/03/2020. *Hereto annexed and marked as Exhibit "P-4" is the copy of said order dated 30/01/2020.*
5. Applicant states that, the Original Application was then listed on 04/03/2020 and on that day, it is reflected in the order that the time was again sought by Respondent No. 5, MPCB and the PCCF (HoFF) was directed to file report in terms of order dated 28/11/2019 without fail before next date. *Hereto annexed and marked as Exhibit "P-5" is the copy of said order dated 04/03/2020.*
6. Applicant states that, the Original Application was then listed on 16/07/2020 and on that day, it is reflected in the order that the report was not filed and hence Hon`ble tribunal directed to issue reminder to committee to submit report within 6 weeks and therefore, Original Application was adjourned to 02/11/2020 *Hereto annexed and marked as Exhibit "P-6" is the copy of said order dated 16/07/2020.*

45

7. Applicant states that, the Original Application was then listed on 02/11/2020 and on that day it is reflected in the order that, the action taken report dated 28/08/2020, in compliance with the order dated 28/11/2020 was filed. That the Applicant submits that the copy of the said action taken report dated 28/08/2020 was not served on applicant and hence on 02/11/2020, Applicant could not file his response/objections to the said report. That the copy of the said report is served on Applicant on 04/11/2020 through mail by the office of Respondent No.1. *Hereto annexed and marked as Exhibit "P-7" is the copy of said report dated 28/08/2020.*
8. That this Hon'ble Tribunal after perusal of the said report directed constitution of present Joint Committee. That the Joint Committee is directed to deal with the matter in respect of calculation and recovery of appropriate amount of compensation and initiating prosecution. *Hereto annexed and marked as Exhibit "P-8" is the copy of said order dated 02/11/2020.*
9. That on the said date, Respondent No.15 had filed the IA No.122/2020 and had raised some objections/contentions in respect of OA and the reports dated 13/11/2019 and 28/08/2020 and the Hon'ble Tribunal has passed an order to Joint

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Committee look in to the said IA and in view of the same Applicant is filing the present reply to said IA as follows:-

10. Para-wise Reply

- a) The contentions raised by the Respondent No.15 in present IA No.122/2020 are false, vexatious and misleading and no part thereof is deemed to be admitted by the Applicant unless specifically admitted in the present reply for reasons non-traverse.
- b) That the present IA filed by the Respondent is devoid of merit and therefore ought to be dismissed in limine.
- c) That the contentions of para 1 and 2 of IA does not need any specific reply.
- d) That the contentions of para 3 of IA in respect of *“challenging the reports dated 13/11/2019 and 28/08/2020 file by the District Collector, Ahmednagar and consequential notice dated 28/02/2020 issued by Respondent No.5”* are denied by the Applicant as there is no any lawful and valid ground.
- e) That the contentions of para 4 of IA in respect of *“there was no Eco Sensitive Zone notified by State or Central Government for said area till 20/11/2019 and as such there is no breach or violation of ESZ on part of Respondent No.15”* is factually incorrect and denied by the Applicant and

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Applicant will be dealing with the said contention in detail in later part of this reply.

- f) That the contentions of para 5 of IA in respect of the "Notifications dated 27/09/1979, 16/09/1985, 27/02/2012, 05/03/2016 and 09/03/2016" are true and correct.
- g) That the contentions of para 6 of IA in respect of "permission dated 05/12/1994 and 12/04/2016 granted to Respondent No.15" is factually correct but Applicant submits that, firstly, the said permissions were granted for specific period of time which were not renewed and secondly, permissions were granted by Respondent No.5, MPCB in violation of environmental laws and procured by Respondent No.15 by suppressing material facts.
- h) That the contentions of para 7 of IA in respect of "stone crushing conducted with permission of MPCB, without damaging environment, no complaint in last 26 years from any individual" is factually incorrect and is also misleading.
- That the Applicant submits that permission granted by MPCB in the year 1994 is totally illegal and is granted in violation of environmental laws, as the said area was "Reserved Forest" for The Great Indian Bustard Bird Sanctuary, as per the Notification dated 27/09/1979 and 16/09/1985. Hence, as the crushing and mining activities**

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are prohibited in forest area, such permission cannot be granted by MPCB, unless permission / NOC is obtained as per the provisions of the Forest Conservation Act, 1980 and as no such permission / NOC is obtained by the Respondent No.15, the environmental compensation needs to be assessed from the year, 1994 and not from year, 2011 and needs to be enhanced. That Applicant further submits that, from the year 2012, the said area was de-forested vide Maharashtra State Government Gazette dated 27/02/2012, but remained under Eco Sensitive Zone as was within 10 km from the boundary of Reserved Forest and therefore, even the permissions granted in the year 2012 and thereafter are in violation of law as, MPCB cannot grant such permission in Eco Sensitive Zone, unless permission is taken from National Board for Wildlife, as per the guidelines. That Applicant submits that, the permissions/consents obtained by Respondent No.15 are obtained fraudulently by suppressing the fact that the said area was "Reserved Forest" till year 2012 and thereafter "Eco Sensitive Zone" till February, 2020. That the Applicant further submits that, there are complaints from people living and farming around the said crushing unit. That one resident of the village Mr. Bharat Balasaheb Dange lodged the complaint dated 26/06/2014 with the Respondent

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No.2, The Collector, Ahmednagar. Thereafter on 01/11/2014, the said person along with his entire family of 7 members, again made complaint to Hon`ble The President of India and the copy of the same was forwarded to Hon`ble Prime Minister, Hon`ble Chief Minister, Hon`ble Chief Secretary, Maharashtra and others. That the Ld. Collector, Ahmednagar vide letters dated 30/06/2014 and 01/07/2014 informed the SRO, Ahmednagar to investigate the said complaint. Further one more resident Mr. Machindra Baban Dange also made complaint to the Hon`ble Chairman, MPCB on 26/12/2006. The said complaint was also forwarded to all the concerned Government Authorities. *Hereto annexed and marked collectively as Exhibit "P-9" are the copies of said complaints dated 26/06/2014 and 01/11/2014 filed by Mr. Bharat Balasaheb Dange and letters of Additional Collector, Ahmednagar dated 30/06/2014 and 01/07/2014 and complaint dated 26/12/2016 filed by Mr. Machindra Baban Dange.*

- i) That the contentions of para 7 of IA in respect of "entire activity of stone crusher was conducted in absolutely lawful manner without damaging the environment surrounded by the unit. No complaint or action against the Respondent No.15 at the instance of any respondent or from any of the

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*individuals/ resident in the said area*” are false and incorrect. That the Applicant submits that, the very fact that the stone crushing unit was operating firstly, within the “Reserved Forest” area and thereafter within “Eco Sensitive Zone”, itself is illegal and damaging to the environment and the flora, fauna and ecology of the forest. That apart from this, there are other violations, **such as the said unit is located within 10 Meters from the District Road, in violation of the circular laying down criteria for distance of stone crusher (the said circular dated 09/06/2008 is annexed with OA at Exh. “K”, Page Nos. 193 to 195). That said unit is also located near Rivulet (Map issued by D.S.L.R. is annexed with OA at Exh. “M”, Page Nos. 252 to 255).** Further, the said unit is also located near the irrigated agricultural lands causing damage. Therefore, the guidelines issued by the MPCB for environmentally sound operation for stone quarries are not followed. (Said guidelines are annexed with OA at Exh. “AA” at page Nos. 610 to 615.)

- j) That the contentions of para 8 of IA in respect of “*the guidelines dated 09/02/2011 in respect of Eco Sensitive Zone around National Parks and Bird Sanctuaries*” are factually correct.

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k) That the contentions of para 9 of IA in respect of in respect of "order dated 26/09/2019 passed by this Hon`ble Tribunal" are correct but the contention in respect said order passed "without notice to Respondent No.15" is misleading, as the Hon`ble Tribunal did not thought it fit to issue notice to Respondent No.15 and other private respondents, since the government authorities had failed to take action as per law even though complaints were made to them and Hon`ble Tribunal rightly passed the directions of constitution of Joint Committee. Even otherwise, before approaching the Tribunal and before passing the said order, on the complaint of Applicant, the enquiry was conducted by the Ld. Collector, Ahmednagar and during said enquiry the statements of Respondent No.15 and other private respondents were recorded by the government authorities and all the private respondents including the present Respondent No.15 have admitted that, there is stone crushing unit and they have carried out excavation work in their land for agriculture purpose, without taking permission of concerned government authorities. (the said statements of the Respondent No.15 and other private respondents are annexed with OA at Exh. T, page nos. 360 to 385).

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1) That the contentions of para 10 of IA in respect of "*the Collector, Ahmednagar without intimating the present applicant and other opponents and without giving any opportunity of hearing, submitted unilateral report on 13/11/2019*" are not true and correct. Applicant submits that the Hon`ble Tribunal by order dated 26/09/2019 had formed the Joint Committee comprising of i) District Collector, Ahmednagar, ii) the Deputy Conservator of Forests, Ahmednagar and iii) Maharashtra State Pollution Control Board. The MPCB is the nodal agency. The Committee was directed to jointly visit the offending stone mine and stone crushing units, verify on the factual aspects set out in the Original Application and submit report. That the Committee was also directed to take appropriate action in accordance with the law against respondents, in the event the allegations are found to be correct. That as per the said order, the Joint Committee visited the offending mines and crushing unit and found that they are operating the same illegally. Therefore, the Ld. Collector, Ahmednagar rightly directed the closure of said crushing unit and mines as per the law and filed the factual report before the Hon`ble Tribunal on behalf of the Committee. While filing the said report, Ld. Collector, Ahmednagar also taken into consideration the reports filed

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by the Forest Department and MPCB. That Applicant submits that, when the Ld. Collector, Ahmednagar found that the Respondent No.15 and other private respondents were operating the crushing unit and stone mines in total contravention of the law, particularly the environmental laws, there was no need to issue notice to them as the Ld. Collector has powers conferred upon him as per law but before taking action the Respondent Nos. 1 and 2 have issued show cause notices to all the Private Respondents including the Respondent No.15.

m)That the contentions of para 11 of IA in respect of "*Ld. Collector of Ahmednagar has observed that the site of stone crusher is in the Eco Sensitive Zone of the Great Indian Bustard Bird Sanctuary.....further Ld. District Collector has wrongly observed that as per the guidelines the act of commercial mining falls under prohibited activities*" are not correct and are misleading. That the said guidelines are mandatory in nature (Applicant has discussed in detail why the said guidelines are mandatory in para "t" of the present reply) and as per the said guidelines, if the stone crushing unit and mining units are situated within the Eco Sensitive Zone, action as per law can be taken. Hence, the Ld. Collector, after taking into consideration the report of the Forest Department

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confirming the existence of stone crushing unit and mining units situated within the Eco Sensitive Zone, rightly observed that crushing unit and mining activities was carried within the Eco Sensitive Zone of the Great Indian Bustard Bird Sanctuary.

- n) That the contentions of para 12 of IA in respect of "*in fact the said report dated 13/11/2019 itself specifically mentions that there were heavy rains in the area .....thereafter the Ld. Collector could not examine and assess the exact nature of environmental damage*" is also misleading. That the Applicant submits that the report dated 13/11/2019 is factual report and not an action taken report and as the Hon`ble Tribunal had directed to take action against the crusher and quarry owners as per law, if contentions of OA are found to be correct. That the Joint Committee, after visit to the site found that the crushing unit and quarries are in existence, but they could not assess the damage due to heavy rains. Hence, the Ld. Collector informed the said fact to the Hon`ble Tribunal, but later on the damage is assessed and then only action taken report dated 28/08/2020 is filed.
- o) That the contentions of para 13 of IA in respect of "*on 28/11/2019, this Applicant/ op no 15 appeared for the first time before this Hon`ble Tribunal*" is factually correct, but

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the Hon`ble Tribunal had not issued notice to Respondent No.15 or for that matter to any private respondents, as the government authorities had failed to discharge their duties as per law, hence notice only to them was issued. That the Respondent No.15 had appeared Suo-moto. That the further contention in respect of "stone crushing unit is closed since 20/11/2019" is factually correct.

p) That the contentions of para 14 of IA in respect of "*the observations of this Hon`ble Tribunal in order dated 28/11/2019 in regards to report dated 13/11/2019 of the Ld. Collector, Ahmednagar*" are correct, but the further contention that, "*the said observations have been passed by the Hon`ble Tribunal without ascertaining the correctness of the said report and without giving any opportunity to the Respondent No.15 to go through to the said report and comment on the same*" are totally misleading. That the Applicant submits that, when the Ld. Collector found that the crushing unit and mines are operating illegally, the same were directed to be closed down, as per law and same was reported to the Hon`ble Tribunal and the Hon`ble Tribunal after noticing the same, passed the correct directions in respect of action to be taken. In any case, it is not a fact that, the Respondent No.15 and other private respondents have

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never been given an opportunity to being heard. That their statements have been recorded and even in the report dated 13/11/2019, it is mentioned that the statements of the quarry owners have been recorded on 31/10/2019. That Applicant further submits that, before the filing the OA before the Hon'ble Tribunal, Applicant had issued legal notice dated 11/08/2018 to Respondent No.15 and also to other private respondents but no any reply is received by the Applicant or any other private respondent. (*Said legal notice is annexed with OA at Exh. "BB" page Nos. 616 to 633*)

q) That the contentions of para 15 of IA in respect of "*pursuant of the said order dated 28/11/2019, the impugned Notice dated 28/02/2020 came to be issued..... accordingly it was directed to pay an amount of Rs. 1,99,25,500/- (Rs. One Crore Ninety Lacs and Twenty Five Thousand Only) towards 'environmental compensation' assessed on polluter pays principal, as per the reforms of National Green Tribunal order*" is factually correct. In this context, Applicant submits that, the Respondent No.5, MPCB has wrongly assessed the 'environmental compensation' from 09/02/2011. **That, as the Respondent No.15, now has categorically admitted in the present IA, that it is operating the said stone crusher unit from the year 1994, the said compensation needs to**

be assessed from the Year 1994 and hence needs to be enhanced, as admittedly, the said area was "Reserved Forest" for The Great Indian Bustard Bird Sanctuary, as per the Notification dated 27/09/1979 and 16/09/1985 and the crushing and mining activities are prohibited in forest area as per the provisions of the Forest Conservation Act,1980.

r) That the contentions of para 16 of IA in respect of "*the said report was completely silent as to what, how and where environment is damaged due to stone crushing unit.....further the report is also silent as to what formula and what data was used to assess the environmental damage by the said Respondent no.15*". In this context, the Applicant submits that, it is not for Applicant to comment on the procedure and formula used by MPCB for assessment environmental compensation, but since the Respondent No.15 was operating the crusher unit, firstly within "Reserved Forest" and then within "Eco Sensitive Zone", itself is sufficient to cause damage to ecology. That the Applicant further submits that, the formula for assessing the environmental compensation incorporates the anticipated severity the environmental pollution in terms of pollution index, duration of violation in terms of number of days, scale

of operation and location in terms of proximity to the large habitations.

- s) That the contentions of para 17 of IA in respect of *“the present applicant received the said notice dated 28/02/2020 and 03/03/2020 by email and by registered post on 06/03/2020.....by no stretch of imagination it can be said that the unit of the present applicant was operated illegally”* is factually incorrect and misleading. That the Applicant submits that, Applicant cannot comment on the notice issued to Respondent No.15 by Respondent No.5, MPCB and the reply sent by Respondent No.15 for want of knowledge, but the contentions of Respondent No.15 about the crusher unit was operating with permission from Respondent No.5, MPCB is misleading. That permissions were granted by Respondent No.5, MPCB in violation of environmental laws and procured by Respondent No.15 by suppressing material facts, as the Respondent No.15 was operating the crusher unit, firstly within “Reserved Forest” and then within “Eco Sensitive Zone” and therefore MPCB cannot grant the permissions.
- t) That the contentions of para 18 of IA in respect of *“further it was informed by the present applicant to Respondent No.5, by way of the said Appeal/ Reply dated 18/03/2020 that the*

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entire action appears to have been initiated after the order dated 28/11/209 passed by this Hon`ble Tribunal.....the said so called Notification as claimed by the Applicant before this Hon`ble Court in OA and also blindly relied upon by the Ld. Collector, Ahmednagar, is nothing but a guideline issued by Central Government to declare a particular area as Eco Sensitive Zone” is totally misleading. That Applicant submits that the said Guidelines were issued by the Central Government in view of the directions of the Hon`ble Supreme Court dated 04/12/2006 passed in Writ Petition No. 460/2006. That the Hon`ble Supreme Court had directed the Ministry of Environment and Forest, Government of India to give final opportunity to all states/ Union Territories to respond to earlier letter dated 27/05/2005. It was also directed that, where environmental clearances were granted, where activities are within 10 kms zone, be referred to Standing Committee of National Board for Wildlife. That the Applicant further submits that, the area of village Vadali, T- Shrigonda, Dist- Ahmednagar, Maharashtra, where the stone crusher of Respondent No.15 is situated was “Reserved Forest” of GIBS from the year 1979 to 2012. In the year 2012, the said area was deforested vide

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Maharashtra State Government Gazette dated 27/02/2012, but remained under Eco Sensitive Zone as was within 10 km from the boundary of Reserved Forest. That as per the said Guidelines of the Central Government, it was mandatory for Maharashtra State Government to issue Notification in respect of Eco Sensitive Zone of GIBS, but state government failed to do the same and hence, in absence of specific notification, Eco Sensitive Zone of GIBS is governed by the said Guidelines of the Central Government as the "deemed" Eco Sensitive Zone. That the Central Government through Ministry of Environment and Forest (MoEF), had vide letters dated 11/12/2012 and 31/12/2012 issued by Deputy Inspector General, Wildlife (MoEF) to Chief Secretaries of all States/ Union Territories informed that, if State Governments fail to submit the proposals in respect to Eco Sensitive Zones within deadline i.e. latest by 15/02/2013, the activities that have been prohibited as per the MoEF Guidelines dated 09/02/2011 would stand prohibited within 10 km of the boundary of the National Parks and Sanctuaries. That even thereafter, the Maharashtra State Government failed to do the same. Therefore, it is crystal clear that, when there is no any

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specific Notification in regards to the Eco Sensitive Zone of particular National Park/ Sanctuary, then the Eco Sensitive Zone is governed by the said Guidelines. There cannot be a National Park or Sanctuary without an Eco Sensitive Zone. That thereafter Government of India through MoEF issued Office Memorandum dated 08/08/2019, whereby at point no. iii, it was again clarified as follows:

*“Proposals involving developmental activity/ project located within 10 km of National Park/ Wildlife Sanctuary wherein final ESZ notification is not notified (or) ESZ notification is in draft stage, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference/ environmental clearance as well as wildlife clearance”.*

In the present case, even the Ld. Deputy Conservator of Forests, Ahmednagar has filed report dated 24/10/2019 before this Hon`ble Tribunal and has categorically submitted that the area in question falls within 2 to 2.5 kms from the boundary of GIBS and is in Eco Sensitive Zone and is governed by the said guidelines. In the said report, the Ld. Deputy Conservator of Forests, Ahmednagar has also mentioned that, as per the letter No. FLD- 2018/ Pra k 268/F-10 dated 05/10/2018 issued by the Revenue and Forest Department, Government of Maharashtra, any mining

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activity is prohibited within 10 kms from the boundary of Reserved Forest, unless permission is taken from National Board for Wildlife. Hence, it is submitted that the Guidelines dated 09/02/2011 issued by the Central Government are mandatory in nature. *Hereto annexed and marked collectively as Exhibit "P-10" are the copies of i) order dated 04/12/2006 of the Hon'ble Supreme Court in Writ Petition No.460/2004, ii) letters dated 11/12/2012 and 31/12/2012 issued by Deputy Inspector General, Wildlife (MoEF), Government of India to Chief Secretaries of all States/ Union Territories and iii) Office Memorandum dated 08/08/2019 issued by Government of India.*

u) That the contentions of para 19 of IA in respect of "it is also mentioned in Appeal/Reply dated 18/03/2020 that there is difference in actual issuance of Notification.....the said document is misconstrued and misinterpreted as a Notification by the Ld. District Collector" is not true and correct. That the Ld. Collector based on the inspection report of the Joint Committee and opinion/report of the Deputy Conservator of Forests, Ahmednagar has rightly observed that, the area in question falls under the Eco Sensitive Zone of the GIBS. That the Applicant has dealt with the contentions in respect of Guidelines dated 09/02/2011, in the

para "10 t" of the present reply and for the sake of convenience and brevity, the contentions raised by the applicant in para "10 t" of the present reply may be read as reply to Para 19 of the IA of the respondent number 15.

v) That the contentions of para 20 of IA in respect of *"further it is also mentioned in the said Appeal/Reply dated 18/03/2020 that the Pollution Control Board is casted with responsibility to examine the correct state of affairs.....there is no question violating any of the environmental laws or causing damage to the environment as claimed by Original Respondent No.2"* is not true and correct. That based on guidelines issued by the Central Government, which are mandatory and opinion/report of the Deputy Conservator of Forests, Ahmednagar, the Respondent No.2, MPCB has issued environmental compensation notice. In fact, as mentioned in earlier paras, the environmental compensation needs to be assessed from the year 1994 and not from year 2011 and needs to be enhanced as the permission granted by MPCB in the year 1994 is totally illegal and is granted in violation of environmental laws, as the said area was "Reserved Forest" for The Great Indian Bustard Bird, as per the Notification dated 27/09/1979 and 16/09/1985. Hence, as the crushing and mining activities are prohibited in forest

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area, such permission cannot be granted by MPCB, unless permission / NOC is obtained as per the provisions of the Forest Conservation Act, 1980 and no such permission / NOC is obtained by the Respondent No.15.

w) That the contentions of para 21 of IA in respect of *“pursuant to the order dated 28/11/2019, another report dated was submitted by the Ld. Collector, Ahmednagar.....however in view of said fact that the said area was never notified, the entire exercise is futile and baseless exercise and both reports and demand notice deserves to be quashed and set aside”* is totally misleading. That as sated in earlier paras, Central Government had directed all States/Union Territories to issue notification in regards to the Eco Sensitive Zone of the National Parks/ Sanctuaries and as State of Maharashtra had not issued any such notification of GIBS, the Eco Sensitive Zone is governed by the guidelines and have binding effect. That the guidelines were specifically formed in view of the directions of Hon`ble Supreme Court to protect the ecology, in absence of specific notification. That Environment is one of the facets of the right to life guaranteed under Article 21 of the Constitution of India.

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- x) That the contentions of para 22 of IA in respect of *“as per the report submitted by the Deputy Conservator of Forests, Ahmednagar on 28/10/2019 to the Ld. District Collector, Ahmednagar.....then also, the unit operated by the applicant is not falling within radius of so called protected area of GIBS”* is not correct and misleading. That the *“Protected Area”* mentioned in the said report is meant to be the boundary of the *“Reserved Forest”* of GIBS, from where the Eco Sensitive Zone starts and therefore it is mentioned therein that the stone crusher unit is located 2 to 2.5 kms from the *“Protected Area”*. If the unit had not been in the Eco Sensitive Zone, then there was no occasion for the Deputy Conservator of Forests, Ahmednagar to categorically submit in the report that the said unit is situated within the Eco Sensitive Zone.
- y) That the contentions of para 23 of IA in respect of *“Notification dated 11/02/2020 of the Central Government and remaining contentions in the said para in respect of stone crusher”* are factually correct, but the applicant submits that, the said crusher unit of the respondent number 15 was granted *“consent to establish”* on 05/12/1994. On the said date the area was within Reserved Forest. From the year 2012, the said area was deforested but remained within Eco

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Sensitive Zone. So on the date i.e. 05/12/1994, the crusher unit was within Reserved Forest and from year 2012 within the Eco-Sensitive Zone of the Great Indian Bustard Sanctuary and therefore, firstly till the year 2012, it was governed by the Forest Conservation Act, 1980 and thereafter was governed by the guidelines dated 09/02/2011 issued by the Ministry of Environment and Forest (Wildlife division), Government of India and the order dated 04/12/2006 of the Hon'ble Supreme Court passed in the matter of Goa Foundation vs Union of India, WP No.460/2004 which mandates the project proponent to seek prior environmental clearance from Standing Committee of National Board for Wildlife. Since, the respondent Number 15, on the date of establishment of project, i.e. on 05/12/1994 and thereafter from the year 2012, failed to comply with both the above requirements, cannot now take advantage of the Notification dated 11/02/2020 issued by the Ministry of Environment, Forest and Climate Change, Government of India. It is further submitted that, admittedly the crusher unit of the respondent number 15 is established without complying with the laws in force at relevant time, particularly the environmental legislations, cannot be benefited by retrospectively applying the Notification dated 11/02/2020. It is further submitted that,

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the Notification dated 11/02/2020 cannot be given "retrospective operation". The respondent number 15 cannot take advantage of his own illegal act and wrong conduct which was in violation of the laws in force at the relevant time.

z) That the contentions of para 24 of IA in respect of "*the said declaration of Eco Sensitive Zone was done for the first time by the Central Government by virtue of said Notification..... As such by no stretch of imagination it can be concluded or presumed that the stone activity was carried out in Eco Sensitive Zone at the instance of applicant*" is totally misleading. That the Applicant submits that, as already stated, before the issuance of the said Notification dated 11/02/2020 by Central Government, the Eco Sensitive Zone of GIBS was governed by the said guidelines and as per the guidelines, the unit was within Eco Sensitive Zone. That the contents of the Respondent No.15 are very surprising and wants to pretend that, there was no any Eco Sensitive Zone of GIBS till the issuance said Notification dated 11/02/2020 by Central Government, and said contention, if accepted, can be disastrous for the environment, as without an Eco Sensitive Zone, the areas outside the protected area which are often vital ecological links and needs protection and can be

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vulnerable and this is the very reason why the said Guidelines were framed and issued to make sure that, when there is no any specific notified Eco Sensitive Zone of any particular National Park/ Sanctuary, then the same will be governed by the said guidelines, in order to save the ecology.

aa) That the contentions of para 25 of IA in respect of *"in the said Notification dated 11/02/2020, the activities which are completely banned and which are regulated are also specified..... this aspect clearly indicate that even today the stone crushing activity is not completely banned by Central Government in the said area"* is not correct and misleading. That it is correct that in the said Notification the small scale crushing activity for domestic use purpose is permitted but the commercial activity is banned. That it can be presumed that the Respondent No.15 must not be doing the crushing activity for last 26 years for domestic purpose. That since last 26 years Respondent No.15 is doing commercial mining and stone crushing and that too firstly, within Reserved Forest and then within an Eco Sensitive Zone. That as stated earlier, the Notification dated 11/02/2020 cannot absolve Respondent No.15 from his earlier wrong doings as said Notification is not retrospectively applicable.

- bb) That the contentions of para 26 of IA in respect of demand notices issued by Respondent No.15, MPCB to Respondent No.15 are not known to Applicant. That the Applicant submits that, **money is never an alternative to the damage caused to the Mother Earth**, but for restoration of the same, compensation needs to be recovered.
- cc) That the contentions of para 27 of IA in respect of "*filing of Petition before the Hon`ble Bombay High Court*" does not need any specific reply.

**Reply to Grounds of IA**

- dd) That the contentions of ground no. "A" are not true and correct. That the said notice is issued by the Respondent No.5, MPCB on the basis of "Polluters pay principal". Further the report of Ld. District Collector, Ahmednagar is based on the opinion of the Ld. Deputy Conservator of Forest, Ahmednagar relying upon the mandatory guidelines dated 09/02/2011 issued by Central Government.
- ee) That the contentions of ground no. "B" in respect of "*impugned notice of demand is issued under misunderstanding and misconception by the respondents.....moreover the main proceedings are yet to be finalized before this Hon`ble Tribunal*" are not true and correct. There was no incorrect report submitted by the Ld.

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District Collector, Ahmednagar. The report is based on Site Inspection Report of Joint Committee and also on the report of the Deputy Conservator of Forest, Ahmednagar and following the guidelines dated 09/02/2011. That the Hon'ble Tribunal by an order dated 28/11/2019, had directed the Respondent No.5, MPCB to take action as per law. Hence, the notice issued by the Respondent No.5, MPCB is as per law, therefore pendency of OA is not an obstacle for recovery of environmental compensation.

ff) That the contentions of ground no. "C" in respect of "*further as per the said order dated 28/11/2019 passed in OA No.53/2019, the respondents are required to examine.....concerned authorities have misinterpreted and misconstrued the guidelines as notification presented incorrect facts*" is not true and correct. That the report is based upon the findings of Joint Committee who have done inspection at the site and also on the opinion/report of the Deputy Conservator of Forests, Ahmednagar in view of the guidelines. That the Applicant has replied in respect of the Guidelines at para "10 t" of the present reply and for the sake of convenience and brevity, the contentions raised by the applicant in para "10 t" of the present reply may be read as

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reply to Ground No "C" of the IA of the respondent number 15.

gg) That the contentions of ground no. "D" in respect of Guidelines dated 09/02/2011 have already been replied in detail by the Applicant at para "10 t" of the present reply and for the sake of convenience and brevity, the contentions raised by the applicant in para "10 t" of the present reply may be read as reply to Ground No "D" of the IA of the respondent number 15.

hh) That the contentions of ground no. "E" in respect of "*that the authorities appears to have carried away by averment made by Original Applicant Dr Vinay Jathar.....the reports dated 13/11/2019 and 28/08/2020 filed by District Collector, Ahmednagar and impugned notice dated 28/02/2020 are per se illegal and abuse of process of law*" are totally misleading. That the Applicant has correctly pleaded in OA about existence of stone crusher and quarries within the Eco Sensitive Zone of GIBS and the said pleadings were based on the information received by the Applicant from Forest Department under RTI, Act. That in absence of specific Notification, the Eco Sensitive Zone is governed by the said Guidelines dated 09/02/2011. That the said reports dated 13/11/2019 and 28/08/2020 are filed after thorough site

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investigation and opinion of the Joint Committee and the opinion of the Ld. Deputy Conservator of Forest, Ahmednagar and not only on the pleadings of the Applicant.

ii) That the contentions of ground no. "F" in respect "*it is required to be noted that the said Impugned Notice is issued after the order dated 28/11/2019 by this Hon`ble Tribunal.....in fact, after service of reply Notice dated 18/03/2020 at the instance of present applicant, the authorities ought to have moved this Hon`ble Tribunal, however, till date no such effort are coming forward from respondent authorities*" are not true and correct. As already stated, the Eco Sensitive Zone is governed by the said Guidelines dated 09/02/2011. That the said reports dated 13/11/2019 and 28/08/2020 are filed after thorough site investigation and opinion of the Joint Committee and the opinion of the Ld. Deputy Conservator of Forest.

jj) That the contentions of ground no. "G" in respect of "*in any event, subjecting the Applicant with such heavy compensation and cost.....that too without giving any opportunity of the hearing to the present applicant would not be valid in the eyes of law and therefore the said report deserves to be quashed*" is not true and correct. Applicant submits that the Hon`ble Tribunal by order dated 26/09/2019

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73

had formed the Joint Committee comprising of i) District Collector, Ahmednagar, ii) the Deputy Conservator of Forests, Ahmednagar and iii) Maharashtra State Pollution Control Board. The MPCB is the nodal agency. The Committee was directed to jointly visit the offending stone mine and stone crushing units, verify on the factual aspects set out in the Original Application and submit report. That the Committee was also directed to take appropriate action in accordance with the law against respondents, in the event the allegations are found to be correct. That as per the said order, the Joint Committee visited the offending mines and crushing unit and found that they are operating the same illegally. Therefore, the Collector, Ahmednagar rightly directed the closure of said crushing unit and mines as per the law and filed the factual report before this Hon'ble Tribunal on behalf of the Committee. While filing the said report, Collector, Ahmednagar also taken into consideration the reports filed by the Forest Department and MPCB. That Applicant submits that, when the Ld. Collector, Ahmednagar found that the Respondent No.15 and other private respondents were operating the crushing unit and stone mines in total contravention of the law, particularly the environmental laws, there was no need to issue notice to them as the Ld.

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Collector has powers conferred upon him as per law. In any case, it is not a fact that, the Respondent No.15 and other private respondents have never been given an opportunity to being heard. That their statements have been recorded and even in the report dated 13/11/2019, it is mentioned that the statements of the quarry owners have been recorded on 31/10/2019. Applicant further submits that in fact, the Respondent No.5, MPCB has wrongly assessed the 'environmental compensation' from 09/02/2011. That, as the Respondent No.15, now has categorically admitted in the present IA, that it is operating the said stone crusher unit from the year 1994, the said compensation needs to be assessed from the Year 1994 and hence needs to be enhanced, as admittedly, the said area was "Reserved Forest" for The Great Indian Bustard Bird, as per the Notification dated 27/09/1979 and 16/09/1985 and the crushing and mining activities are prohibited in forest area as per the provisions of the Forest Conservation Act, 1980.

kk) That the contentions of ground no. "H" in respect of *"the said so called Great Indian Bustard Bird (Maldhok Bird) which is claimed to be found in said area has not been seen in the entire forest since 1984.....the Great Indian Bustard Bird is not seen in the area since last 35 years"* is

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not correct and misleading. The Great Indian Bustard Bird is a critically endangered species and due to constant encroachment on the lands of GIBS and its ESZ since last 40 years, the habitat of Great Indian Bustard Bird is drastically reduced but to say that said bird is not seen in last 35 years is absolutely wrong. That as per the recent news report published in Marathi daily newspaper "Lokmat" on 20/03/2020, Great Indian Bustard Bird was spotted at this very Great Indian Bustard Bird Sanctuary. *Hereto annexed and marked as Exhibit "P-11" is the copy of said news report dated 20/03/2020.*

ll) That the contentions of ground no. "I" in respect "*of the said location of stone crusher unit operated by applicant neither falls within water prevention Pollution area nor air pollution prevention area as claimed in the impugned notice*" are not true and correct. That the very consents granted by Respondent No.5, MPCB to Respondent No.15 are granted under the provisions of Water (Prevention and Control of Pollution), Act and Air (Prevention and Control of Pollution), Act. That further, said unit is also located near Rivulet (*Map issued by D.S.L.R. is annexed with OA at Exh. "M", Page Nos. 252 to 255*). Further, the said unit is also located near human habitat and the irrigated agricultural lands causing

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damage by its enormous quantity of dust of various sizes which passes in to air and disperse significant amount of gaseous pollutants in to atmosphere.

- mm) That the contentions of ground no. "J" in respect of Notification dated 11/02/2020 declaring Eco Sensitive Zone is true. That as stated earlier, in absence of Notification, the Eco Sensitive Zone of GIBS was governed by the Guidelines dated 09/02/2011 issued by Central Government and as per the said guidelines, the said unit is within Eco Sensitive Zone.
- nn) That the contentions of ground no. "K" in respect of issuance Notification dated 11/02/2020 are correct but the crusher unit of the respondent number 15 is established without complying with the laws in force at relevant time, particularly the environmental legislations, cannot be benefited by retrospectively applying the Notification dated 11/02/2020. It is further submitted that, the Notification dated 11/02/2020 cannot be given "retrospective operation". The respondent number 15 cannot take advantage of his own illegal act and wrong conduct which was in violation of the laws in force at the relevant time.
- oo) That the contentions of ground no. "L" are not true and correct and the Ld. Deputy Conservator of Forests, Ahmednagar has filed report dated 24/10/2019 before this

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Hon'ble Tribunal and has categorically submitted that the area in question falls within 2 to 2.5 kms from the boundary of GIBS and is in Eco Sensitive Zone and is governed by the guidelines dated 09/02/2011 issued by Central Government. **when there is no any specific Notification in regards to the Eco Sensitive Zone of particular National Park/ Sanctuary, then the Eco Sensitive Zone is governed by the said Guidelines. There cannot be a National Park or Sanctuary without an Eco Sensitive Zone.**

pp) That the contentions of ground no. "M" are not true and correct. That the Applicant has dealt with the contentions in respect of the activities which are allowed and banned as per the Notification dated 11/02/2020, in the para "10 aa" of the present reply and for the sake of convenience and brevity, the contentions raised by the applicant in para "10 aa" of the present reply may be read as reply to Ground "M" of the IA of the respondent number 15.

qq) That the contentions of ground no. "N" are not true and correct. the Ld. Deputy Conservator of Forests, Ahmednagar has filed report dated 24/10/2019 before the Hon'ble Tribunal and has categorically submitted that the area in question falls within 2 to 2.5 kms from the boundary of GIBS and is in Eco Sensitive Zone and is governed by the

78

guidelines dated 09/02/2011 issued by Central Government. when there is no any specific Notification in regards to the Eco Sensitive Zone of particular National Park/ Sanctuary, then the Eco Sensitive Zone is governed by the said Guidelines. There cannot be a National Park or Sanctuary without an Eco Sensitive Zone.

rr) That the contentions of ground no. "O" are not true and correct. That the very establishment of the stone crusher unit is illegal and therefore the directions were passed by the Hon'ble Tribunal for action as per law and hence the procedure adopted by Respondent No.5, MPCB for recovery of environmental compensation is correct.

ss) That the contentions of ground no. "P" are not true and correct. That the report of Ld. Collector, Ahmednagar is based upon the findings of Joint Committee who have done inspection at the site and also on the opinion/report of the Deputy Conservator of Forests, Ahmednagar in view of the guidelines. That the Applicant has replied in respect of the Guidelines at para "10 t" of the present reply and for the sake of convenience and brevity, the contentions raised by the applicant in para "10 t" of the present reply may be read as reply to Ground No "P" of the IA of the respondent number 15.

- tt) That the contentions of ground no. "Q" are not true and correct. Applicant submits that, firstly, the said permissions were granted for specific period of time which were not renewed and secondly permissions were granted by Respondent No.5, MPCB in violation of environmental laws and procured by Respondent No.15 by suppressing material facts.
- uu) That the contentions of ground no. "R" are not true and correct. That the report of Ld. Collector, Ahmednagar is based upon the findings of Joint Committee who have done inspection at the site and also on the opinion/report of the Deputy Conservator of Forests, Ahmednagar in view of the guidelines and hence even though appeal, *if any* is filed by Respondent No.15, the fact remains the same that the Crusher unit is in the Eco Sensitive Zone of GIBS.
- vv) That the contentions of ground nos. "S" and "T" are not true and correct. Applicant submits that, it is not for Applicant to comment on the procedure and formula used by MPCB for assessment environmental compensation, but since the Respondent No.15 was operating the crusher unit, firstly within "Reserved Forest" and then within "Eco Sensitive Zone", itself is sufficient to cause damage to ecology. That the Applicant further submits that, the formula

pg 40

80

for assessing the environmental compensation incorporates the anticipated severity the environmental pollution in terms of pollution index, duration of violation in terms of number of days, scale of operation and location in terms of proximity to the large habitations.

- ww) That the contentions of ground no. "U" are not true and correct. That the Applicant has replied in respect of the Guidelines at para "10 t" of the present reply and for the sake of convenience and brevity, the contentions raised by the applicant in para "10 t" of the present reply may be read as reply to Ground No "U" of the IA of the respondent number 15.
- xx) That the contentions of ground no. "V" are not true and correct. That there are no any valid grounds to quashing and setting aside the said reports dated 13/11/2019 and 28/02/2019 as the reports are based upon the findings of Joint Committee who have done inspection at the site and also on the opinion/report of the Deputy Conservator of Forests, Ahmednagar in view of the guidelines dated 09/11/2011.
- yy) That the contents of paras 29, 30, 31 and 32 of the IA doesn't need any specific reply.

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zz) Under these circumstances, none of the prayers of the Respondent No.15 are maintainable as per the law and hence the contentions of the IA may not be considered.

aaa) The Respondent No.5, MPCB be directed to assess the Environmental Compensation from the Year 1994 as admittedly, the said area was "Reserved Forest" for The Great Indian Bustard Bird, as per the Notification dated 27/09/1979 and 16/09/1985 and the crushing and mining activities are prohibited in forest area as per the provisions of the Forest Conservation Act,1980.

PLACE: PUNE Vadali  
DATE: 21/01/2021

V. Jathar

Applicant

82

Exhibit "P-1"

43

Item No. 02

Corrected copy

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 53/2019 (WZ)

Dr. Vinaykumar Jathar

Applicant(s)

Versus

District Mining Officer-Ahmednagar &amp; Ors.

Respondent(s)

Date of hearing: 26.09.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Asim Sarode alongwith Ms. Parikrama  
Khot, Advocate

For Respondent (s): None

**ORDER**

1. Heard.
2. Allegation in this application is operation of illegal sand mining and stone crushing activities at Gat Nos. 148, 317, 270, 160, 81, 74/2, 123, 108, 109, 22, 54 and 110 of village Vadali, Taluka-Shrigonda, District-Ahmednagar, Maharashtra in a forest area and, in the Eco-Sensitive Zone (ESZ) of the Great Indian Bastard Wildlife Sanctuary. The consent to establish is alleged to have been obtained fraudulently by the Respondent No. 15.
3. Before proceeding further in this matter, we deem it appropriate to call for a report from the District Collector, Ahmednagar District,

44

83

the Deputy Conservator of Forest, Ahmednagar and the Maharashtra Pollution Control Board (MPCB) and direct them to jointly inspect the offending stone mine and stone crushing units, verify on the facts stated in the application and to submit a report.

The MPCB shall be the nodal agency for coordination and for providing logistic support.

4. In the event the allegations are found to be correct, appropriate action be instituted against the Respondents in accordance with law in exercise of their powers conferred upon them by law.
5. Let the report shall be transmitted to this Tribunal through email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in), within a period of one month from hence.
6. The Applicant shall furnish complete set of papers filed before us to the Members of the Committee for their convenient transaction of the task entrusted upon them by this order within one week from hence.
7. List on 28.11.2019.

S. P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

26<sup>th</sup> September, 2019  
O.A. 53/2019 (WZ)  
avt

(84)

Exhibit "P-2" 45

COLLECTOR OFFICE, AHMEDNAGAR  
(MINING BRANCH)

Phone No. 0241-2344002

email id- [ah.mngdmo@gmail.com](mailto:ah.mngdmo@gmail.com)

Kr. Mining/kavi 4C/123/2019

Date- 13/11/2019

To,  
The Registrar,  
Hon'ble National Green Tribunal,  
Principal Bench, New Delhi.

Subject- Order dated 26/09/2019 passed by this Hon'ble  
Tribunal in O.A. No. 53/2019 (W.Z)

Respected Sir,

This Hon'ble Tribunal while dealing with the O.A.No. 53/2019 (W.Z.) has passed the order dated 26/09/2019 and pleased to constitute a committee comprising of the Regional Officer of the Maharashtra Pollution Control Board (MPCB), the District Collector and the Deputy Conservator of Forest, Ahmednagar and further directed to jointly inspect the areas of Gat No. 148,22, 54, 74/2, 81, 108, 109, 110, 123, 160, 270, 294 & 317 of village Wadali Tal. Shrigonda Dist. Ahmednagar and verify on the factual aspects alleged in the Original Application and submit the report.

1. Accordingly, the Additional Collector, Ahmednagar came to be authorised by the Collector, Ahmednagar to inspect the areas in question and to verify on the factual aspects alleged in the original application, vide letter dated 05/10/2019 along with other committee members.
2. Accordingly, Assistant Conservator of Forest (EGS & Encroachment Removal) Shrigonda, Ahmednagar came to be authorised by the Deputy Conservator of Forest, Ahmednagar to inspect the areas in question and to verify on the factual aspects alleged in the original application, vide letter dated 11/10/2019 along with other committee members.
3. In view of the directions given by this Hon'ble Tribunal vide order dated 26/09/2019, the concerned officers of the committee have jointly visited the areas in question and verified on the factual aspects alleged in the original application and carried out detailed report.

46

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A) The report of said Joint inspection is submitted herein under

1) After inspection, Shrigonda Stone Crusher owned by Balasaheb Sonyabapu Wagh situated in Gat No.148 of Wadali Tal. Shrigonda in the area 0.80 R and the same is in closed condition. The total area of said Gat No.148 is 9 H. 62 R and out of said area 0.80 R are has been handed over to Balasabeb Wagh by Subhash Bhausaheb Dange, Suraj Suryabhan Dange and Mathurabai Suryabhan Dange by an agreement. Approximately 30 to 35 brass crushed stone (Khadi) and 50 brass stone has been found in the said Gat number. To the northern side of stone crusher there is factory of manufacturing the paver block of Dhiraj Suryabhan Dange. Throughout in said Gat number around 800 to 900 trees are planted. At the time of inspection Owner of Stone Crusher Balasaheb Wagh and Dhiraj Dange were present.

2) After inspection a stone quarry having length around 100 mtr. and width 80 mtr. is situated in Gat No.109 & 110 of Wadali Tal. Shrigonda. The land owners of Gat No.109 are 1. Mathurabai Suryabhan Dange 2. Jaysingh Madhav Dhupal 3. Bhagwan Madhav Dhupal 4. Vijay Bhagwan, Dhupal. The land owners of Gat No. 110 are 1. Suraj Suryabhan Dange 2. Ramdas Sonba Sasane 3. Baly Sonba Sasane 4. Mangal Dada Shendge. The stone quarry situated in said Gat Nos. is filled with water having depth 15 to 20 feet. This water is used for crop irrigation. In this water 3 agriculture pumps are seen. As per 7x12 extract total area of this gat no is 3H.55R.

3) After inspection, a stone quarry having length around 60 mtr. and width 30 mtr. is situated in Gat No.108 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 10 to 12 feet. The land owner of this gat no is Shri. Satish Dattatraya Wagaskar having area-1 H. 20 R. The water in this quarry is used for crop irrigation. In this water 1 agriculture pump is seen. As per 7x12 extract total area of this gat no is 3 H. 71 R.

4) After inspection, a stone quarry having length around 70 mtr. and width 70 mtr. is situated in Gat No.81 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 25 to 30 feet. The stone quarry owner of this gat no. is Vilas Hanumant Dange. The Stone Crusher owner of Shrigonda Stone Crusher

86

47

- Balasaheb Wagh told that he has excavated minor mineral from this quarry after paying royalty to State Government during the period 1994 to 2018. The water in the said quarry is used for crop irrigation. In this water 1 agriculture pump is seen. As per 7x12 extract total area of this gat no is 8 H. 25 R.
- 5) After inspection, a stone quarry having length around 60 mtr. and width 3 mtr. is situated in Gat No.74/2 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 20 to 22 feet. The owner of this quarry is Shivaji Sambhaji Jathar having area 0.75 R. The water in the said quarry is used for crop irrigation. In this water 1 agriculture pump is seen. As per 7x12 extract total area of this gat no is 0.75 R.
- 6) After inspection, a stone quarry having length around 70 mtr. and width 40 mtr. is situated in Gat No.160 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 10 to 15 feet. The owner of this quarry is Dhiraj Suryabhan Dange having area 0.05 R. The water in the said quarry is used for crop irrigation. As per 7x12 extract total area of this gat no. is 2 H. 84 R.
- 7) After inspection, a stone quarry having length around 70 mtr. and width 35 mtr. is situated in Gat No.270 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 20 to 22 feet. The owner of this quarry is Pravin Babu Wagaskar having area 1 H. 80 R. The water in the said quarry is used for crop irrigation. In this water 2 agriculture pumps are seen. As per 7x12 extract total area of this gat no. is 9 H. 23 R.
- 8) After inspection, a stone quarry having length around 75 mtr. and width 25 mtr. is situated in Gat No.294 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 10 to 15 feet. The owner of this quarry is Sulochana Vitthal Jadhav having area 0.53 R. The water in the said quarry is used for crop irrigation. In this water 1 agriculture pump is seen. Onion crop is seen adjacent to the said quarry. As per 7x12 extract total area of this gat no. is 8 H. 75 R.
- 9) After inspection, a stone quarry having length around 70 mtr. and width 30 mtr. is situated in Gat No.22 of Wadali Tal. Shrigonda. This stone quarry is filled with water having depth around 15 to 20 feet. The owner of this quarry is Radha Santosh Chavan having area 0.44 R. The water in the said quarry is used for crop

48

So also, at the time of inspection no sand excavation was observed in the above mentioned gat numbers. At the time of inspection the statements of the owners of the said stone quarries could not be recorded since they were not present at the time of inspection. The Statement of the concerned quarry owner are recorded on dated 31/10/2019.

Due to heavy rainfall in the last month in the district, the said stone quarries are completely filled with water. We ensure that the mining activities will not be permitted in the said areas henceforth. After the removal of water, the action will be proposed on the quarry owners by taking volumetric measurements of each stone quarry. Accordingly the action will be proposed on concerned as per the provisions under Maharashtra Land Revenue Code 1966 for illegal mining in the said areas.

The Collector, Ahmednagar vide letter dated 13/11/2019 directed to Regional Officer, Maharashtra Pollution Control Board, Nashik, Ahmednagar and Tahsildar Shrigonda to close down the crusher and also directed to Executive Engineer, Maharashtra State Electricity Co.Ltd. Ahmednagar to disconnect electricity of the crusher. The final action taken report will be submitted to this Hon'ble Tribunal as early as possible.

It is therefore respectfully submitted that in the State of Maharashtra the Assembly Elections were held during the period 21/09/2019 to 24/10/2019. Therefore, since last one month the staff of Government offices is entrusted with the work of election duty. In this view of the matter, present report of the committee is submitted herewith.

Yours Faithfully,

  
(Rahul Dwivedi)  
Collector, Ahmednagar.

88

Exhibit "P-3"

49

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 53/2019 (WZ)

Dr. Vinaykumar Jathar

Applicant(s)

Versus

District Mining Officer-Ahmednagar &amp; Ors.

Respondent(s)

Date of hearing: 28.11.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

Mr. Asim Sarode along Advocate

For Respondent (s):

Mrs. S. B. Vaidya Pandit, Law Officer,  
Pune along with Mr. Kore, District Mining  
Officer, Ahmednagar, for Respondent No.  
Mrs. Manasi Joshi, Advocate for  
Respondent No. 5  
Mr. Tejesh Dande, Mr. Vinod Ambad and  
Mr. Manish Shroff Advocates for  
Respondent No. 15

**ORDER**

1. Heard.

2. The applicant in this application has complained about operation of illegal sand mining and stone crushing units in Gat Nos. 148, 317, 270, 160, 81, 74/2, 123, 108, 109, 22, 54 and 110 of village Vadali, Taluka-Shrigonda, District-Ahmednagar, Maharashtra in a forest area and in the Eco-Sensitive Zone (ESZ) of the Great Indian Bustard Wildlife Sanctuary. Even the consent to establish is stated to have

50

been obtained fraudulently by the Respondent No. 15 according to the applicant.

3. Considering the facts and circumstances, a report was called from the committee constituted by the District Collector, Ahmednagar District, the Deputy Conservator of Forest, Ahmednagar and the Maharashtra Pollution Control Board directing them to jointly inspect the offending stone mines and stone crushing units and to submit a report.
4. In terms of the aforesaid orders report has been filed by the committee through the Collector, Ahmednagar. The relevant portion of the report is reproduced below:

*"The Stone Crusher situated in Gat No.148 of Wadali Tal. Shrigonda Dist. Ahmednagar is in the Eco-Sensitive Zone of the Great Indian Bustard Sanctuary. The stone excavation has been observed in the areas viz. in Gat No 22, 54, 74/2, 81, 108, 109, 110, 123, 160, 270, 294 & 317 of Wadali Tal. Shrigonda Dist. Ahmednagar. All these areas of the said Gat nos. falls in the Eco-Sensitive Zone of the Great Indian Bustard Sanctuary.*

*As per the guidelines issued by Central Govt. vide its letter dated 09/02/2011 (Guidelines for declaration of Eco-Sensitive Zones around National Parks & Wildlife Sanctuaries), issue No.1 In the list of identification of Annexure-1, the act of Commercial Mining falls in Prohibited activities. The Hon. Supreme court vide its order dated 04/08/2006 has given direction in Writ Petition (Civil) No.202/1995 that no mining activities has been allowed within 1 k.m. in the areas of National Parks /Sanctuary/Nature Reserve (Protected Area). As per the letter No.LFD -2018/P.K.268/F-10 Dated 05/10/2018 issued by Revenue & Forest Dept., Government of Maharashtra, a prior permission from National Wildlife Board is required for mining within 10 k.m. from the protected areas of Eco-Sensitive Zone.*

*In this view of the matter the following facts are revealed that, one stone crusher situated in Gat No.148 and the stone quarries situated in Gat Nos. 22, 54, 74/2, 81, 108, 109, 110, 123, 160, 270, 294 & 317 in Wadali Tal. Shrigonda Dist. Ahmednagar. As per the guidelines of Central Government dated 09/02/2011, all the said Gat.Nos. falls within the notified area in the Eco-Sensitive Zone of the Great Indian Bustard Sanctuary.*

*So also, at the time of inspection no sand excavation was observed in the above mentioned gat numbers. At the*

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time of inspection the statements of the owners of the said stone quarries could not be recorded since they were not present at the time of inspection. The Statement of the concerned quarry owner are recorded on dated 31/10/2019.

Due to heavy rainfall in the last month in the district, the said stone quarries are completely filled with water. We ensure that the mining activities will not be permitted in the said areas henceforth. After the removal of water, the action will be proposed on the quarry owners by taking volumetric measurements of each stone quarry. Accordingly the action will be proposed on concerned as per the provisions under Maharashtra Land Revenue Code 1966 for illegal mining in the said areas.

The Collector, Ahmednagar vide letter dated 13/11/2019 directed to Regional Officer, Maharashtra Pollution Control Board, Nashik, Ahmednagar and Tahsildar Shrigonda to close down the crusher and also directed to Exec. Engineer, Maharashtra State Electricity Co.Ltd, Ahmednagar to disconnect electricity of the crusher. The final action taken report will be submitted to this Hon'ble Tribunal as early as possible."

5. As would appear from the above, there is no doubt of the fact that the Stone Crushing Units and the Stone Mines are located in the notified Eco Sensitive Zone of the Great Indian Bustard Sanctuary against which actions are being taken. We, therefore, direct that the final action taken report be filed before the next date. The Final Action Taken Report shall contain the following:
- I. Assessment of Environmental Compensation for illegal running of the units in the area even after declaration of the notification of the Eco Sensitive Zone.
  - II. Fixing responsibility on those responsible for having allowed the activities to continue after publication of the notification of the Eco Sensitive Zone.
6. Action against forest personnel involved in permitting illegal operation of the unit shall be taken by the PCCF (HoFF), Maharashtra, against

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the revenue officers by the Secretary, Department of Revenue, Government of Maharashtra and against the personnel of the State PCB by the Chairman, MPCB.

7. Environment Compensation shall be assessed by the State Pollution Control Board. If necessary, the State Pollution Control Board may seek assistance of the CPCB.

8. Let the report be filed before the next date.

9. List on 30.01.2020.

S. P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

28<sup>th</sup> November, 2019  
O.A. 53/2019 (WZ)

Exhibit - "P-4"

53

Item No. 03

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 53/2019 (WZ)

Dr. Vinaykumar Jathar

Applicant(s)

Versus

District Mining Officer-Ahmednagar &amp; Ors.

Respondent(s)

Date of hearing: 30.01.2020

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Appellant (s): Ms. Parikrama Khot holding for Mr. Asim Sarode, Advocate

For Respondent (s): Mrs. S. B. Vaidya Pandit, Law Officer, Pune along with Mr. Kore, District Mining Officer, Ahmednagar, for Respondent Nos. 1 & 2.  
Mrs. Manasi Joshi, Advocate for Respondent No. 5.  
Mr. Tejesh Dande along with Mr. Rajendra Anbhule, Advocates for Respondent Nos. 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 & 31.

**ORDER**

1. Time sought for on behalf of the PCCF (HoFF) and the Maharashtra State Pollution Control Board to file report in terms of the order dated 28.11.2019, is allowed.
2. Let those be filed before the next date with advance copies on the other side.
3. List on 04.03.2020.

S.P. Wangdi, JM

Siddhanta Das, EM

30<sup>th</sup> January, 2020  
avt

93

Exhibit - "P-5"

54

Item No. 03

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 53/2019 (WZ)

Dr. Vinaykumar Jathar

Applicant(s)

Versus

District Mining Officer-Ahmednagar &amp; Ors.

Respondent(s)

Date of hearing: 04.03.2020

**CORAM: HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s):

Ms. Parikrama Khot holding for Mr. Asim Sarode, Advocate

For Respondent(s):

Mr. Prashant Kore, District Mining Officer,  
Ahmednagar, for Respondent Nos. 1 & 2  
Ms. Manasi Joshi, Advocate for  
Respondent No. 5  
Mr. Vinod Ambad, Advocate for  
Respondent No.15

**ORDER**

1. Vide order dated 28.11.2019, action taken report was called for in respect of (i) assessment of environmental compensation for illegal running of units in the area even after declaration of the Notification of Eco-Sensitive Zone (ESZ), and (ii) fixing responsibility against those allowing the activities to continue after publication of the Notification.
2. So far as the assessment of environmental compensation is concerned, Ms. Mansi Joshi, learned Counsel for the State PCB

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prays for time to file report.. However, no report has been filed by the PCCF (HoFF) in respect of action taken in terms of the second direction.

3. This perhaps is due to the reason that the PCCF (HoFF) had not been informed of the order. Thus, before proceed further to take an exception, a copy of this order and order dated 28.11.2019 be transmitted to the PCCF (HoFF), Maharashtra for compliance.
4. Although vide order dated 30.01.2020, it has been recorded that time had been sought for on behalf of the PCCF (HoFF), it appears that none had in fact appeared for the officer as per the learned Counsel for the State PCB. The order accordingly stands rectified and the time sought for shall be confined only to the Maharashtra State PCB.
5. The PCCF (HoFF) shall ensure that report is filed in terms of the order dated 28.11.2019 without fail before the next date.
6. List on 03.04.2020.

S.P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

04<sup>th</sup> March, 2020  
Original Application No. 53/2019 (WZ)  
R

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Exhibit - "P-6"

56

Item No. 4 (Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 53/2019 (WZ)

Dr. Vinaykumar Jathar

Applicant(s)

Versus

District Mining Officer-Ahmednagar &amp; Ors.

Respondent(s)

Date of hearing: 16.07.2020

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER  
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Applicant(s) : Mr. Asim Sarode, Advocate  
For Respondent(s) : Mrs. S. B. Vaidya Pandit, Advocate for Respondent  
No. 1  
Mrs. Mansi-Joshi, Advocate for Respondent No. 5  
Mr. Tejash Dande Advocate for Respondent No. 15

**ORDER**

1. The reply/report as directed on the previous date of hearing has not been filed by the respondents/Committee.
2. Issue reminder directing the respondents and the Committee to submit the report within six weeks. Service of notices, summons and pleadings etc. have not been possible during the period of lockdown because this involves visits to post offices, courier companies or physical delivery of notices, summons and pleadings. We, therefore, consider it appropriate to direct that such services of all the above may be effected by e-mail, FAX, commonly used instant messaging services, such as WhatsApp, Telegram, Signal etc. However, if a party intends to effect service by means of said instant messaging services, we direct that in addition thereto, the party must also effect service of the same document/documents by e-mail, simultaneously on the same date.

(96)

57

3. The applicant is directed to provide the mobile WhatsApp no. and e-mail address of all the respondents, if possible and applicants and respondents are directed that at the time of filing the application or reply, the party concerned has to provide WhatsApp no. and e-mail I.D. so that the summons and notices may be served immediately for compliance and for further disposal and proceeding of the case.
4. Registry is directed to develop a software adding the WhatsApp mobile no. and email I.D. against their names and also develop a software with regard to summons and notices in the prescribed performa as provided in the rules and find out a way that by clicking on the mobile WhatsApp and email, generated summons and notices be automatically send to the addressee, it may assist the further proceeding of the Tribunal in Covid-19 period and make easy the process of service.
5. The Registry at Pune is directed to prepare a list of all those cases in which the State Pollution Control Board has been directed to submit a report and the report has not been submitted till date. Reminder be issued and it is ensured that before the date of listing, the required information and the reply or the report be submitted and attached with the file.
6. List it on 02.11.2020.

Sheo Kumar Singh, JM

Dr. Satyawan Singh Garbyal, EM

Siddhanta Das, EM

July 16, 2020  
Original Application No. 53/2019 (WZ)  
R

Exhibit "P-7" 58

97

COLLECTOR OFFICE, AHMEDNAGAR  
(MINING BRANCH)

Phone No. 0241-2344002

email id- ah.mngdmo@gmail.com

Kr. Mining/kavi 4C/ 678/2020  
Date - 28/08/2020

To,  
The Registrar,  
Hon'ble National Green Tribunal,  
Principal Bench, New Delhi.

**Subject-** Order dated 28/11/2019 passed by this Hon'ble Green Tribunal in O.A. No. 53/2019 (W.Z).

Respected Sir,

This Hon'ble Tribunal while dealing with the O.A.No. 53/2019 (W.Z.) has passed the order dated 28/11/2019 and directed that the final action taken report be filed before the next date. The final action taken report shall contain the following:

- I: Assessment of Environmental Compensation for illegal running of the units in the area even after declaration of the notification of the Eco Sensitive Zone.
- II. Fixing responsibility on those responsible for having allowed the activities to continue after publication of notification of the Eco Sensitive Zone.
- III. Action against forest personnel involved in permitting illegal operation of the unit shall be taken by the PCCF (Hoff) Maharashtra against the revenue officers by the Secretary, Department of Revenue, Government of Maharashtra and against the personnel of the State PGB by the Chairman, MPCB.
- IV. Environment Compensation shall be assessed by the State Pollution control Board. If necessary, the State Pollution Control Board may seek assistance of the CPCB.

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The Hon'ble Green Tribunal (PB) New Delhi (Through Video Conferencing) vide order dated 16/07/2020 in O.A.No. 53/2019 (WZ) (Dr. Vinaykumar Jathar vs District Mining Officer, Ahmednagar and other ) has passed the following order,

"1. The reply/report as directed on the previous date of hearing has not been filed by the respondents/committee.

2. Issue reminder directing the respondents and the committee to submit the report within six weeks.

The Under Secretary, Revenue and Forest Department, Mantralaya, Mumbai issued his letter dated 02/03/2020, authorized District Collector, Ahmednagar for taking action on officers of revenue department and for submission and to submit the affidavit in reply to the Hon'ble Green Tribunal.

There are following 3 officers involved in permitting mining operation in the said area,

- 1- Smt. Vandana Kharmale who is posted as Sub Divisional Officer, Kudal Dist Sindhudurg.
2. Shri. Vinod Bhamare, Tahsildar Kada Project, Dist Jalgaon.
3. Shri. Mahendra Mali, Tahsildar Tenancy, Dist- Jalgaon.

Accordingly, show cause notice dated 15/01/2020 has been issued by this respondent to above officers and called explanation as to why action should not be taken against them under the provisions of Maharashtra Civil Services (Discipline and Appeal) Rule, 1979 regarding the grant of permission for excavation in the Eco Sensitive Zone.

In response to the said show cause notice Vandana Kharmale who is now posted as Sub Divisional Officer, Kudal Dist Sindhudurg has submitted her written explanation dated 24/01/2020 to the notice issued by this respondent.

So also, Mahendra Mali, now Tahsildar Tenancy, Dist- Jalgaon has also submitted his written explanation dated 07/02/2020 to the issued by this respondent.

After submission of the reply by Vandana Kharmale and Mahendra Mali the then Tahsildars the present respondent has decided to stop one increment temporarily for one year. In so far as another tahasildar, Vinod Bhamare has is concerned, he has not submitted his written explanation in response to the notice issued by this respondent, hence present respondent has decided to stop one increment temporarily for two years. Accordingly, this respondent has again issued show cause notice issued dated 19/08/2020 to concerned Tahsildars and called upon to submit the written explanation within 3 days from receipt of said notice as to why the increment as proposed should not be stopped. The written explanation has not been received from the concerned Tahsildars and after receipt of the said explanation further necessary orders will be passed immediately.

The applicant has shown gut number of village vadali tal shrigonda dist Ahmednagar are 148,317,270,160, 81, 74/2,123,108,109,22,54 and 110. As per the order issued by this Hon'ble Green Tribunal, District Mining Officer Ahmednagar has visited the area mentioned above on 06/02/2020 and 12/02/2020. During the inspection minor minerals are found to be excavated in the areas of gut no. 22,54,160,81,74/2,109,110,108,294,123 and 270. The panchanama has also been carried out by District Mining Officer, Ahmednagar. The notices have also been issued to the quarry owners/land owners of the concerned land situated at Vadali Tal Shrigonda.

However, concerned land owners have not submitted there say before the District Mining Officer. Therefore, District Mining Officer after

100

verifying the all relevant facts and documents on record has proceeded further and imposed penalty of rupees to the concerned land owners at Vadali Tal Shrigonda Dist Ahmednagar who have found to be indulged in illegal excavation of minor minerals.

The details of the penalty imposed, names of the concerned land owners and others details are given herein under for the kind perusal of this Hon'ble Tribunal.

S.N.	Gat No.	Quantity excavated in brass	Name of land owner	Penalty imposed in Rs	Order No. And DT.
1	108	1832	Satish Dattatray Vagaskar	1,37,40,000/-	656 19/08/2020
2	109,110	10091	Mathurabai Suryabhan Dange and Suraj Suryabhan Dange	7,56,82,500/-	657 19/08/2020
3	74/2	2199	Shivaji Sambhaji Jathar	1,64,92,500/-	658 19/08/2020
4	54	3180	Bhausahab Sahebrao Baykar	2,38,50,000/-	663 19/08/2020
5	160	10710	Dhiraj Suryabhan Dange	8,03,25,000/-	662 19/08/2020
6	22	3760	Radha Santosh Chavan	2,82,00,000/-	664 19/08/2020
7	270	1102	Pravin Bapu Vagaskar	82,65,000/-	666 19/08/2020

Hence this report submitted for perusal

  
Additional Collector  
Ahmednagar

6/WB/T - "P-8"

62 (10)

Item No. 01 (Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 53/2019 (WZ)

(With report dated 28.08.2020)

Dr. Vinaykumar Jathar

Applicant

Versus

District Mining Officer-Ahmednagar &amp; Ors.

Respondent(s)

Date of hearing: 02.11.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**Applicant: Mr. Asim Sarode, Advocate  
Mr. Tejash Dande, Advocate (in IA No. 122/2020)Respondent: Ms. Swati Vaidya Pandit, Advocate for R-1 & R-2  
Mr. Mukesh Verma, Advocate for MPCB**ORDER**

1. Issue for consideration is the remedial action against illegal mining and stone crushing activities to the detriment of the environment in forest area and in Eco-Sensitive Zone (ESZ) of the Great Indian Bustard Wildlife Sanctuary in District Ahmednagar.
2. Vide order dated 26.09.2019, the Tribunal sought a report from the Collector, Ahmednagar, the Deputy Conservator of Forest, Ahmednagar and the State PCB, after taking action in exercise of powers conferred on them as per law.

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3. On 28.11.2019, the Tribunal considered the report acknowledging the violation of law. It was found that illegal stone crushing activities were found in the forest and the notified Eco-Sensitive Zone. The Tribunal directed action taken report to be filed in terms of recovery of Environmental Compensation on 'Polluter Pays' principle and fixing of responsibilities of the concerned officers for collusion in defeating the law.

4. Accordingly, report dated 28.08.2020 has been filed by the Collector, Ahmednagar. It is stated that the Collector has been authorized by the Under Secretary, Revenue Department of the State on 02.03.2020 to take action against officers of the said Department. Three officers were found involved in permitting illegal mining. Show cause notices were given to them under the relevant rules and after considering their replies, action has been taken against them. Minor minerals were found to have been illegally excavated. Notices were also issued to the quarry owners who did not submit any reply. The facts were verified and penalty was imposed on the land owners as follows:-

S. No.	Gat No.	Quantity excavated in brass	Name of land owner	Penalty imposed in Rs	Order No. and DT.
1	108	1832	Satish Dattatray Vagaskar	1,37,40,000/-	656 19/08/2020
2	109,110	10091	Mathurabai Suryabhan Dange and Suraj Suryabhan Dange	7,56,82,500/-	657 19/08/2020
3	74/2	2199	Shivaji Sambhaji Jathar	1,64,92,500/-	658 19/08/2020
4	54	3180	Bhanusaheb Sahebrao Baykar	2,38,50,000/-	663 19/08/2020

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5	160	10710	Dhiraj Suryabhan Dange	8,03,25,000/-	662 19/08/2020
6	22	3760	Radha Santosh Chavan	2,82,00,000/-	664 19/08/2020
7	270	1102	Pravin Babu Vagaskar	82,65,000/-	666 19/08/2020

5. While the compensation was to be assessed and recovered as per norms been laid down by the CPCB, the order does not show compliance of the said norms. Penalty imposed is not a substitute for damage to the environment with reference to the cost of restitution, with deterrence element. The State PCB is expected to take action *inter-alia* under the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 by initiating prosecution of the persons found engaged in illegal mining and recovery of compensation.

6. In view of the above, further action needs to be taken for calculation and recovery of appropriate amount of compensation and initiating prosecution by the State PCB. Having regard to the circumstances of serious violations, we direct constitution of a joint Committee comprising the Chief Wildlife Warden (PCCF), Wildlife, the Collector, Ahmednagar, the State PCB and the CPCB to deal with the matter. The penalty, if recovered, be taken into account by the joint Committee while fixing the quantum of compensation. The State PCB will be the nodal agency for coordination and compliance. The said Committee will follow due process of law including giving hearing to the concerned parties before finalizing the amount of compensation. The joint Committee may complete its task as far as possible within three

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months. The Committee may also prepare a restoration plan which may be executed in the manner suggested by the Committee. The Committee will be at liberty to consult any other Expert in the matter.

I.A. No. 122/ 2020 has been filed by Respondent no. 15 which may be looked into by the Joint Committee. The same stands disposed of accordingly.

An action taken report be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 26.03.2021.

A copy of this order be forwarded to the Chief Wildlife Warden (PCCF Wildlife), the Collector, Ahmednagar, the State PCB and the CPCB by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. S.S. Garbyal, EM

Dr. Nagin Nanda, EM

November 02, 2020  
Original Application No. 53/2019 (WZ)  
SN

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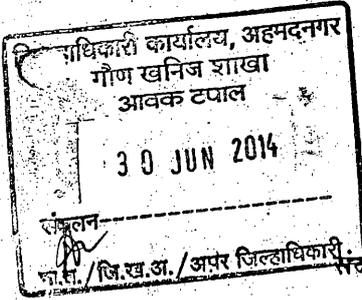
दि. २६/०६/२०१४

प्रति,

मा. जिल्हाधिकारी साहेब,  
अहमदनगर

विषय :-

बेकायदेशीरपणे चालू असलेल्या खडी क्रेशर मशिनच्या हादऱ्यांमुळे घरास तडे जावून नुकसान झाले तसेच भविष्यात घर पडून जिवीत हानी होण्याचा धोका असल्यामुळे, तसेच सदर खडी मशिनच्या होणाऱ्या प्रदूषणामुळे संबंधीत खडी क्रेशर मशिन चालकावर गुन्हा दाखल होवून माझ्या घराचे झालेले नुकसान भरपाई न मिळाल्याने सोमवार दि. ३०/०६/२०१४ रोजी तहसिल कार्यालय श्रीगोंदा समोर आमरण उपोषण करत असले बाबत.



दि. २३/०४/२०१४ चा विनंती अर्ज.

दि. २३/०४/२०१४ चा विनंती अर्ज.

अर्जदार :-

श्री. भरत बाळासाहेब डांगे

रा. वडाळी, ता. श्रीगोंदा, जि. अहमदनगर

महोदय,

वरील विषयान्वये विनंतीपूर्वक तक्रारी अर्ज करतो की, मी वरील नमुद पत्त्यावरील रहिवाशी असून शेती व्यवसाय करतो. माझ्या घराच्या उत्तर बाजूस सुमारे ५०० फुट अंतरावर श्री. धिरज सुर्यभान डांगे यांचे मोठे खडी क्रेशर मशिन असून सदर मशिनच्या हादऱ्यांमुळे माझे घरास तडे गेलेले आहेत. तसेच सदर मशिन मधून मोठ्या प्रमाणावर धुळ उडत असून त्या धुळीमुळे मला व माझे कुटुंबाला, कुटुंबातील लहान मुलांना श्वास घेण्यास त्रास होत असून भविष्यात आम्हाला श्वसनाचे आजार होण्याची शक्यता आहे. तसेच सदर मशिनचा फार मोठा आवाज होत असून त्यातून मला माझ्या घरात राहणे देखील मुश्किल झालेले आहे. मशिन चालू असताना माझ्या घरात मशिनच्या आवाजामुळे एकमेकांना बोललेले सुद्धा ऐकू जात नाही. तसेच सदर मशिनच्या शेजारीच दगडाची खाण असून तेथे मोठ्या प्रमाणावर ब्लास्टिंग केले जाते. त्यातील काही दगडे उडून माझ्या घरावर व कधी घराच्या आसपास पडतात त्यामुळे भविष्यात त्यातून एखादी जिवीत व वित्तहानी होवू शकते. या ब्लास्टिंग व मशिनच्या हादऱ्यांमुळे माझ्या घरास तडे गेलेले आहेत. त्या बाबत मी श्री. धिरज डांगे व त्यांचा भाऊ श्री. सुरज डांगे यांना विनंती करून माझ्या झालेल्या नुकसानीची भरपाई मागितली असता सदर दोन्ही भावांनी मला अरेरावीची भाषा करून "तुला काय करायचे ते करून घे, आमचे कोणीही काही वाकडे करू शकत नाही, आमच्या पाहुण्यांचे पालक्यात मोठे राजकीय वजन आहे त्यामुळे आम्ही कोणाला धाबरत नाही, उलट तुच येवून मशिनच्या प्रदूषणाची भाषा करत उप प्रादेशिक अधिकारी म.प्र.नि.मडळ, अहमदनगर

श्री. डांगे  
रा. वडाळी  
जिल्हाधिकारी

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FROM :

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..२..

मी एक गरीब कुटुंबातील शेतकरी असून खडी क्रेशरचे मालक डांगे हे अतिशय गर्भश्रीमंत आहेत. त्यांचा जथ्था मोठा आहे. मला कोणाचाही आधार नाही. वरील लोक पैशांच्या व राजकीय ताकदीच्या जोरावर माझ्यावर अन्याय करत आहेत. त्यांचे चाललेल्या या बेकायदेशीर उदयोगांमुळे माझे व माझ्या कुटुंबातील व्यक्तींचे लहान मुलांचे जगणे मुश्किल झालेले आहे. तसेच श्रीगोंदा तालुक्यातील बराचसा भाग हा माळढोक पक्षांसाठी आरक्षित असून खडी क्रेशर मशिनला बंदी आहे. खडी क्रेशर मालक श्री. डांगे यांनी मशिनच्या जवळ एक ते दीड एकराच्या आसपास मोठी खाण खोदल्यामुळे शेजारील लोकांच्या विहीरीचे व बोअरचे पाणी बंद झालेले आहे. त्यामुळे लोकांवर पाण्यासाठी वणवण करण्याची वेळ आलेली आहे.

तरी मे. साहेबाना नम्र विनंती की,

मी एक स्वतंत्र भारताचा नागरीक असून मला स्वच्छ हवा, पाणी, चांगले आरोग्य मिळण्याचा पूर्ण अधिकार आहे. वरील खडी क्रेशर मशीनमुळे माझ्या मुलभूत अधिकारांवर गदा आलेली असून माझे व माझ्या कुटुंबाचे जगणे मुश्किल झालेले आहे. त्यांचेमुळे माझे घरास तडे जावून खुप मोठे नुकसान झालेले आहे. तरी वरील खडी क्रेशर मशिन मालक श्री. डांगे यांच्यावर कठोर कायदेशीर कारवाई करून माझे झालेल्या नुकसानीची भरपाई मला न मिळाल्यामुळे तसेच माझे संदर्भांकित अर्जांची कोणतीही दखल घेवून प्रशासनाने कारवाई व कार्यवाही न केल्यामुळे सोमवार दि. ३०/०६/२०१४ रोजी मी श्रीगोंदा तहसिल कार्यालयासमोर आमरण उपोषणास बसणार आहे. सदर उपोषणात काही अनुचित प्रकार झाल्यास त्याची सर्वस्वी जबाबदारी शासनावर राहिल याची नोंद घ्यावी.

कळावे,

आपला विश्वासू

*Shri B.P.*

(श्री. भरत बाळासाहेब डांगे)

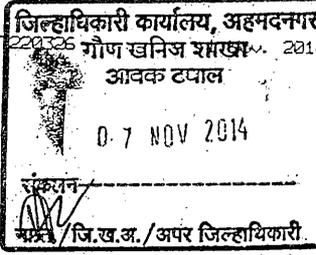
प्रत माहितीसाठी व योग्य त्या कार्यवाहीसाठी सविनय सादर :-

- १) मा. उपविभागीय अधिकारी साहेब, श्रीगोंदा-पारनेर उपविभाग, अहमदनगर
- २) मा. तहसिलदार साहेब, श्रीगोंदा
- ३) मा. पोलीस निरीक्षक साहेब, श्रीगोंदा

*PS*  
जन माहिती अधिकारी तथा  
उप प्रादेशिक अधिकारी  
प्र. नि. मंडळ, अहमदनगर

COM : HARI O M

FAX NO. : 0248 221326 गौण खनिज शाखा, 2014 3:59PM P1



दि. 07/11/2014

प्रति,

मा. महामहिम राष्ट्रपती साहेब,  
नवी दिल्ली

विषय :-

अनाधिकृत खडी क्रेशर मूळे कुटुंबास सतत होणाऱ्या त्रासाला कंटाळून  
सह कुटुंब इच्छा मरणास परवानगी देणे बाबत ...

अर्जदार :-

श्री. भरत बाळासाहेब डांगे व परिवार  
रा. वडाळी, ता. श्रीगोंदा, जि. अहमदनगर

महोदय,

वरील विषयान्वये विनंती करतो की, मी वरील नमुद पत्त्यावरील रहिवाशी असून शेती व्यवसाय करतो. माझ्या घराच्या उत्तर बाजूस सुमारे ५०० फुट अंतरावर श्री. धिरज सुर्यभान डांगे यांचे मोठे खडी क्रेशर मशिन असून सदर मशिनच्या हादऱ्यांमुळे माझे घरास तडे गेलेले आहेत. तसेच सदर मशिन मधून मोठ्या प्रमाणावर धुळ उडत असून त्या धुळीमुळे मला व माझे कुटुंबाला, कुटुंबातील लहान मुलांना श्वास घेण्यास त्रास होत असून भविष्यात आम्हांला श्वसनाचे आजार होण्याची शक्यता आहे. तसेच सदर मशिनचा फार मोठा आवाज होत असून त्यातून मला माझ्या घरात राहणे देखील मुश्किल झालेले आहे. मशिन चालू असताना माझ्या घरात मशिनच्या आवाजामुळे एकमेकांना बोललेले सुध्दा ऐकू जात नाही. तसेच सदर मशिनच्या शेजारीच दगडाची खाण असून तेथे मोठ्या प्रमाणावर ब्लास्टिंग केले जाते. त्यातील काही दगडे उडून माझ्या घरावर व कधी घराच्या आसपास पडतात त्यामुळे भविष्यात त्यातून एखादे जिवीत व वित्तहानी होवू शकते. या ब्लास्टिंग व मशिनच्या हादऱ्यांमुळे माझ्या घरास तडे गेलेले आहेत. त्या बाबत मी श्री. धिरज डांगे व त्यांचा भाऊ श्री. सुरज डांगे यांना विनंती करून माझ्या झालेल्या नुकसानीची भरपाई मागितली असता सदर दोन्ही भावांनी मला अरेरावीची भाषा करून "तुला काय करायचे ते करून घे, आमचे कोणीही काही वाकडे करू शकत नाही, आमच्या पाहुण्यांचे तालुक्यात मोठे राजकीय वजन आहे त्यामुळे आम्ही कोणाला धाबरत नाही, उलट तुच येथून निघून जा" अशा प्रकारची भाषा करत आहेत.

मी एक गरीब कुटुंबातील शेतकरी असून खडी क्रेशरचे मालक डांगे हे अतिशय गर्भश्रीमंत आहेत. त्यांचा जध्या मोठा आहे. मला कोणाचाही आधार नाही. वरील लोक पैशांच्या व राजकीय ताकदीच्या जोरावर माझ्यावर अत्याय करत आहेत. त्यांचे चाललेल्या या बेकायदेशीर उदयोगांमुळे व खडी क्रेशरच्या प्रचंड आवाजाने व धुळीने माझे व माझ्या कुटुंबातील व्यक्तींचे लहान मुलांचे जगणे मुश्किल झालेले आहे. तसेच श्रीगोंदा तालुक्यातील बराचसा भाग हा माळढोक पक्षासाठी आरक्षित असून खडी क्रेशर मशिनला बंदी आहे. खडी क्रेशर मालक श्री. डांगे यांनी मशिनच्या जवळ एक ते दोड एकराच्या आसपास मोठी खाण खोदल्यामुळे शेजारील लोकांच्या विहारीचे व बोअरचे पाणी बंद झालेले आहे. त्यामुळे लोकांवर पाण्यासाठी वणवण करण्याची वेळ आलेली आहे.

संबंधीत खडी क्रेशर विरोधात वेळोवेळी जिल्हाधिकारी अहमदनगर, मुख्य सचिव महाराष्ट्र राज्य, पर्यावरण व प्रदूषण नियंत्रण कार्यालय मुंबई यांच्याशी पत्रव्यवहार करून उपोषण करूनही स्थिति नसल्याने मी जगण्याची उमेद हरवून बसलो आहे.

जिल्हाधिकारी कार्यालय, अहमदनगर  
गौण खनिज शाखा  
आवक टपाल

03 NOV 2014

जि.ख.अ./अपर जिल्हाधिकारी

जिल्हा दंडाधिकारी  
अहमदनगर गृह शाखा

01 NOV 2014

लिपीक/उ.चि./अ.चि.दं.

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FROM: HARI O M

FAX NO. : 02487220326

1 Nov. 2014 4:00PM P2

..२..

तरी मे. साहेबांना नम्र विनंती की,  
मी एक स्वतंत्र भारताचा नागरीक असून मला स्वच्छ हवा, पाणी, चांगले आरोग्य मिळण्याचा पूर्ण अधिकार आहे. वरील खडी क्रशर मशीनमुळे माझ्या मुलभुत अधिकारांवर गदा आलेली असून माझे व माझ्या कुटुंबाचे जगणे मुश्किल झालेले आहे. त्यांचेमुळे माझे घरास तडे जावून खुप मोठे नुकसान झालेले आहे. तरी वरील खडी क्रशर मशीन मालक श्री. डांगे यांना खडी क्रशर मशीन चालू करणे संबंधी कोणत्याही प्रकारे शासकिय परवानगी नसल्याने ते बंद करण्याऐवजी मला सहकुटुंब इच्छा मरणाची परवानगी मिळावी ही नम्र विनंती.

कळावे,

आपले विश्वासू

१) श्री. भरत बाळासाहेब डांगे

Date P. B

२) श्री. बाळासाहेब बन्सी डांगे

Date P. B

३) सौ. नंदाबाई बाळासाहेब डांगे

Date P. B

४) श्री. शरद बाळासाहेब डांगे

Date P. B

५) सौ. दिपाली शरद डांगे

डांगे दिपाली शरद

६) चि. साहिल शरद डांगे (वय- ४ वर्षे)

७) चि. संग्राम शरद डांगे (वय- १.५ वर्षे)

करीता नं. ४ व ५ घडील व आई

प्रत माहितीसाठी व योग्य त्या कार्यवाहीसाठी सदिनय सादर :-

- १) मा. पंतप्रधान साहेब, पंतप्रधान कार्यालय नवी दिल्ली
- २) मा. मुख्यमंत्री साहेब, महाराष्ट्र राज्य मुंबई- ३२
- ३) मा. मुख्य सचिव, महाराष्ट्र राज्य मुंबई- ३२
- ४) मा. उपविभागीय अधिकारी साहेब, श्रीगोंदा-पारनेर उपविभाग, अहमदनगर
- ५) मा. पोलीस निरीक्षक साहेब, श्रीगोंदा
- ६) पर्यावरण व प्रदुषण नियंत्रण कार्यालय, कुर्ला, मुंबई.
- ७) मा. प्रादेशिक अधिकारी साहेब, महाराष्ट्र राज्य प्रदुषण नियंत्रण, महामंडळ लि. शाखा मुंबई.
- ८) उप प्रादेशिक अधिकारी, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, अहमदनगर
- ९) मा. प्रादेशिक अधिकारी, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, नाशिक
- १०) मा. सदैस्य सचिव, महाराष्ट्र प्रदुषण नियंत्रण मंडळ, मुंबई
- ११) मा. संपादक दे. सकाळ, अहमदनगर
- १२) मा. संपादक दे. प्रभात अहमदनगर
- १३) मा. तहसिलदार साहेब श्रीगोंदा

प्रत माहिती अधिकारी तथा  
उप विभागीय अधिकारी  
श्रीगोंदा-पारनेर उपविभाग  
अहमदनगर

Complaint 2014-15

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तात्काळ / अत्यंत महत्वाचे

जिल्हाधिकारी कार्यालय अहमदनगर

क्र.गौख/कार्या4अ/ 435 /2014

अहमदनगर दिनांक 30 /6/2014

प्रति,

उपप्रादेशिक अधिकारी,

महाराष्ट्र प्रदुषण नियंत्रण मंडळ, अहमदनगर

विषय:- बेकायदेशीरपणे चालू असलेल्या खडी क्रशर मशीनच्या हाद-यांमुळे घरास तडे जावून नुकसान झाले तसेच भविष्यात घर पडून जिवीत हानी होण्याचा धोका असल्यामुळे तसेच सदर खडी मशीनच्या होणा-या प्रदुषणामुळे संबंधित खडी क्रशर मशीन चालकावर गुन्हा दाखल होऊन माझ्या घराचे झालेले नुकसान भरपाई रक्कम मिळून खडी क्रशर बंद होणेबाबत दि.23/4/2014 रोजी सर्व संबंधितांना अर्ज केला होता परंतु त्यानंतर संबंधित खडी क्रशर चालकाने सरकारी परवानगी आणून खडी क्रशर मशीन चालून दाखवू अशी धमकी दिलेने तशा स्वरुपाची परवानगी न देणेबाबत.

संदर्भ:- श्री. भरत बाळासाहेब डांगे रा.वडाळी ता.श्रीगोंदा यांचेकडील अर्ज दि.11/6/2014

उक्त विषयाबाबत श्री. भरत बाळासाहेब डांगे रा.वडाळी ता.श्रीगोंदा यांचेकडील अर्ज दि.11/6/2014 ची छायांकित प्रत सोबत जोडली आहे.

त्यानुसार अर्जदार यांनी नमूद केलेल्या तक्रारी मुद्द्यांचे अनुषंगाने तात्काळ सविस्तर चौकशी करून त्यानुसार संबंधितांवर नियमानुसार आवश्यक कार्यवाही करून अर्जदार यांना अवगत करावे व प्रत इकडेस सादर करावी.

अपर जिल्हाधिकारी-अहमदनगर करीता

FOC (Chalwa)  
Investigation & Repms  
R.R.M.  
24/06/14

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जन माहिती अधिकारी तथा  
उप प्रादेशिक अधिकारी  
म.प्र.नि.मंडळ, अहमदनगर

71 (110)

Complaint 2014-15

S.R.O. M.P.C.B. F.T.S.

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तात्काळ / अत्यंत महत्वाचे

जिल्हाधिकारी कार्यालय अहमदनगर

क्र.गौख/कार्या4अ/ 472 /2014

अहमदनगर दिनांक 1/7/2014

प्रति,

(19)

- उपप्रादेशिक अधिकारी,  
महाराष्ट्र प्रदुषण नियंत्रण मंडळ, अहमदनगर

विषय:- मौजे वडाळी ता.श्रीगोंदा येथील बेकायदेशीरपणे चालू असलेल्या खडी क्रशर बाबत.

- संदर्भ:- 1. श्री. भरत बाळासाहेब डांगे रा.वडाळी ता.श्रीगोंदा यांचेकडील अर्ज दि.11/6/2014  
2. या कार्यालयाकडील पत्र क्र.गौख/कार्या4अ/ 435 /2014 दि.30/6/2014  
3. श्री.भरत बाळासाहेब डांगे रा.वडाळी ता.श्रीगोंदा यांचेकडील अर्ज दि.26/6/2014

उक्त विषयाबाबत इकडील संदर्भिय पत्रान्वये आपणास श्री. भरत बाळासाहेब डांगे रा.वडाळी ता.श्रीगोंदा यांचेकडील अर्ज दि.11/6/2014 मध्ये नमूद केलेल्या मुद्द्यांनुसार कार्यवाही करून अर्जदार यांना अवगत करणेबाबत कळविले आहे.

प्रकरणी अर्जदार यांनी पुन्हा दि.26/6/2014 रोजीचे अर्जान्वये प्रकरणी कार्यवाही न झालेने दि.30/6/2014 रोजी उपोषण करत असलेबाबत नमूद केले आहे. सोबत दि.26/6/2014 चे अर्जाची छायांकित प्रत सोबत जोडली आहे.

तरी अर्जदार यांचे दि.11/6/2014 व 26/6/2014 नुसार अर्जदार यांनी नमूद केलेल्या तक्रारी मुद्द्यांचे अनुषंगाने तात्काळ सविस्तर चौकशी करून त्यानुसार संबंधितांवर नियमानुसार आवश्यक कार्यवाही करून अर्जदार यांना अवगत करून त्यांना उपोषणापासून परावृत्त करावे व प्रत इकडेस सादर करावी.

अपर जिल्हाधिकारी अहमदनगर करीता

प्रत:- तहसिलदार श्रीगोंदा

2/- संदर्भिय अर्जाची छायांकित प्रत अर्जास नमूद मुद्द्यांचे अनुषंगाने तात्काळ उचित कार्यवाहीसाठी सोबत जोडली आहे.

अपर जिल्हाधिकारी अहमदनगर करीता

जन माहिती अधिकारी तथा  
उप प्रादेशिक अधिकारी  
म.प्र.नि.मंडळ, अहमदनगर

(11)

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दिनांक:- २६/१२/२०१६

प्रति,  
मा. डॉ. पी. अन्बलगन साहेब,  
मा. चेअरमन,  
महाराष्ट्र प्रदुषण नियंत्रण मंडळ,  
मुंबई.

S.R.O. M.P.C.B. F.T.B.			
Y	M	D	
16	12	31	F.T.O. 24/1

विषय:- श्री. बाळासाहेब सोन्याबापु वाघ यांचे श्रीगोंदा स्टोन क्रशर गट नं. १४८ मौजे वडाळी, ता. श्रीगोंदा, जि. अहमदनगर हे श्रीगोंदा फॉरेस्ट गट नं. ८०५ माळढोक पक्षी अभयारण्याशेजारी असल्यामुळे व माळढोक पक्षी अभयारण्याशेजारी विनापरवाना लाखो ब्रास दगड भुसुरुंगाच्या शक्तिशाली स्फोटांनी फोडून क्रशरमध्ये विनासंमती क्रश केल्यामुळे तात्काळ बंद करणेबाबत...

अर्जदार:- श्री. मच्छिंद्र बबन डांगे  
मु.पो. वडाळी,  
ता. श्रीगोंदा, जि. अहमदनगर, ४१३७२८  
मो. नं. ९०९६२२१७५६

महोदय,

मी वरील ठिकाणचा रहिवासी असून श्रीगोंदा स्टोन क्रशर हे प्रमुख जिल्हा मार्गाला अगदी चिटकून असून लोकवस्ती व फळबागालगत असून वडाळी ग्रामपंचायत दफ्तरी मध्ये नोंद नाही.

वडाळी-श्रीगोंदा रोडलगत श्रीगोंदा फॉरेस्ट गट नं. ८०५ हा आहे हे जंगल १३७.५ हेक्टर असून माळढोक पक्षी अभयारण्य आहे. सदर जंगलात मोर, चिमणी, साळुंखी, कावळे, होला, पारवा, टिटवी, कोकिल, कुंभार, कोकडा इ. पक्षी, काळवीट, लांडगा, कोल्हा, ससा, खोकड, मुंगुस इ. प्राणी नाग, धामण, घोरपड, सरडे इ. सरपटणारे प्राणी आहेत. हे जंगल श्रीगोंदा स्टोन क्रशर मौजे वडाळी गट नं. १४८ पासून अंदाजे दिड कि. मी. अंतरावर आहे.

श्री. बाळासाहेब सोन्याबापु वाघ यांना माळढोक पक्षी अभयारण्यापासून अंदाजे २ कि. मी. दुर मौजे वडाळी गट नं. ८१ मध्ये मा. जिल्हा खनिकर्म अधिकारी तथा मा. निवासी उपजिल्हाधिकारी श्री. राजेंद्रकुमार पाटील यांनी गौण खनिज (दगड) उत्खननास परवानगी दिली होती. त्यानंतर मा. तहसिलदार श्रीगोंदा यांनी परवानगी दिली होती. त्या परवानगीच्या आधारे गट नं. ८१ च्या नदीपात्रातील झाडांची कत्तल करून भुसुरुंगाच्या शक्तिशाली स्फोटांनी हजाराो ब्रास दगड उत्खनन केलेले आहे.

मौजे वडाळी गावालगत व मणुष्यवस्तीलगत गट नं. १०९, ११० हे स्टोन क्रशरसमोर व गट नं. १६०, ३१७, २७० व ७४ हे सर्व नदी किनारी असून या ठिकाणी असणाऱ्या शेकडो झाडांची अमानुष कत्तल करून भुसुरुंगाच्या शक्तिशाली स्फोटांनी विनापरवाना लाखो ब्रास दगड उत्खनन करून कोट्यावधी रुपयांचा महसूल बुडवून शासनाची फसवणूक केलेली आहे.

वडाळी-श्रीगोंदा रस्ता हा प्रमुख जिल्हा मार्ग असून त्यावरून मोठ-मोठी वहाने दगड वृथा खडीची विनापरवाना रात्रदिवस वाहतुक करत असल्यामुळे सदर जिल्हामार्गाचे अतोनात नुकसान होत आहे.

जन पार्लिमेण्टरी सदस्य  
जय शंकर शिंदे  
जिल्हा परिषद कार्यालय  
श्रीगोंदा

Complaint

O.C.R.

Investigated  
Submitted  
Ravi  
23/12/16

Handed

1/12/2016

ms



113

74

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023516

Website: <http://mpcb.gov.in>

E-mail: [psa@mpcb.gov.in](mailto:psa@mpcb.gov.in)

No. MPCB/PSO/B-34

To  
Sub Regional Officer  
M.P.C. Board  
Ahmednagar



Kalpataru Point, 4<sup>th</sup> Floor  
Opp. Cine Planet Cinema,  
Near Sion Circle, Bion (E)  
Mumbai-400 022.

Date: 05/01/2017.

S.R.O. MPCB, F.T.S.  
Y.M.D.  
17/1/17 F.T.O. 23.

Sub: Complaint of Mr. Machindra Baban Dange against M/s. Shrigonda Stone Crusher, Gut No. 148, Mauje Vadali, Tal. Shrigonda, Dist Ahmednagar regarding pollution nuisance from stone quarry and crushing activities reg.

Ref: Letter from complainant addressed to Member Secretary received vide No. 170102FT0085.

Please find enclosed herewith copy of above referred letter, which is self explanatory. You are directed to submit the Action Taken Report through RO, MPCB, Nashik with your recommendation to the undersigned within seven days.

Please treat this urgent.

*Imp/Complaint*  
*F.O (s)*  
*Investigate & Submit Report expeditiously*  
*P. S. L.*

*(Dr. A. R. Supate)*  
Principal Scientific Officer

Copy submitted to:  
Member Secretary, MPCB, Mumbai – for information.

Copy to:  
Regional Officer, MPCB, Nashik – for information and necessary action.

*Copy taken*  
*12/1/17*

*P. S. L.*

अन्य माहिती अधिकारी लक्षा  
उप माहिती अधिकारी लक्षा  
स.प्र.नि. १२०३, अहमदनगर

114

Gulbarga - "P-10" collg.

75

IN THE SUPREME COURT OF INDIA  
WRIT PETITION NO.460/2004  
GOA FOUNDATION V/S UNION OF INDIA  
ORDER DATED 4.12.2006

UPON hearing counsel the Court made the following

ORDER

The order dated 16<sup>th</sup> October, 2006 refers to a letter dated 27<sup>th</sup> May, 2005 which was addressed by the Ministry of Environment and Forests (MoEF) to the Chief Wildlife Wardens of all States/Union Territories requiring them to initiate measures for identification of suitable areas and submit detailed proposals at the earliest. The order passed on that date was that MoEF shall file an affidavit stating whether the proposals received pursuant to the letter of 27<sup>th</sup> May, 2005 have been referred to the Standing Committee of National Board for Wildlife under the Wild Life (Protection) Act, 1972 or not. It was further directed that such of the States/Union Territories who have not responded to the letter dated 27<sup>th</sup> May, 2005 shall do the needful within four weeks of the communication of the directions of this Court by the Ministry to them.

It seems that despite the letter dated 27<sup>th</sup> May, 2005 and despite the Ministry having issued reminders and also bringing to the notice of the States/Union Territories the orders of this Court dated 16<sup>th</sup> October, 2006, the States/Union Territories have not responded. However, we are told that the State of Goa alone has sent the proposal but that too does not appear to be in full conformity with what was sought for in the letter dated 27<sup>th</sup> May, 2005.

The order earlier passed on 30<sup>th</sup> January, 2006 refers to the decision which was taken on 21<sup>st</sup> January, 2002 to notify the areas within 10 km. of the boundaries of national parks and sanctuaries as eco-sensitive areas. The letter dated 27<sup>th</sup> May, 2005 is a departure from the decision of 21<sup>st</sup> January, 2002. For the present, in this case, we are

125

76

not considering the correctness of this departure. That is being examined in another case separately. Be that as it may, it is evident that the States/Union Territories have not given the importance that is required to be given to most of the laws to protect environment made after Rio Declaration, 1972.

The Ministry is directed to give a final opportunity to all States/Union Territories to respond to its letter dated 27<sup>th</sup> May, 2005. The State of Goa also is permitted to give appropriate proposal in addition to what is said to have already been sent to the Central Government. The communication sent to the States/Union Territories shall make it clear that if the proposals are not sent even now within a period of four weeks of receipt of the communication from the Ministry, this Court may have to consider passing orders for implementation of the decision that was taken on 21<sup>st</sup> January, 2002, namely, notification of the areas within 10 km. of the boundaries of the sanctuaries and national parks as eco-sensitive areas with a view to conserve the forest, wildlife and environment, and having regard to the precautionary principles. If the States/Union Territories now fail to respond, they would do so at their own risk and peril.

The MoEF would also refer to the Standing Committee of the National Board for Wildlife, under Sections 5 (b) and 5 (c) (ii) of the Wild Life (Protection) Act, the cases where environment clearance has already been granted where activities are within 10 km. zone.

List the matter after eight weeks.

(N. Annapurna) 5/12/06  
Court Master

(V.P. Tyagi) 5/12/06  
Asstt. Registrar.

116

77

F.No.1-9/2007 WL-I  
Government of India  
Ministry of Environment and Forests  
(Wildlife Division)

Paryavaran Bhavan,  
CGO Complex, Lodhi Road,  
New Delhi- 110003  
Date: 31.12.2012

To,  
The Chief Wildlife Warden  
All State/Union Territories

Sub: Guidelines for Declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries - reg.

Sir,

As you are aware that the Ministry of Environment and Forests has issued guidelines for notification of Eco-Sensitive Zones around National Parks and Sanctuaries on 9<sup>th</sup> February 2011. However, the progress on this front has been far from satisfactory. Only very few States have come forward with proposal, that too for few of the National Parks and Sanctuaries in their respective States. It may be pertinent to mention that the Hon'ble Supreme Court is also considering this issue in I.A 1000 in Writ Petition (Civil) No. 202/1995 and Writ Petition (Civil) No. 460/2004.

The Ministry of Environment and Forests is of the view that the State/Union Territory Governments be given one last opportunity to submit site specific proposal for declaration of eco-sensitive zones around National Parks and Sanctuaries, latest by 15<sup>th</sup> February, 2013. In this regard a letter from the Secretary, Ministry of Environment and Forests, has been issued to all the Chief Secretaries of all states/union territories.

Kindly find enclosed the letter issued to the Chief Secretary, regarding the submission of site specific proposals for declaration of eco-sensitive zones around National Parks and Sanctuaries, latest by 15<sup>th</sup> February, 2012. It is requested to kindly take the necessary action in this regard.

Yours faithfully

  
(Vivek Saxena)

Deputy Inspector General (WL)

Encl: as above

Copy to:

1. The NIC Cell- with a request to kindly upload the same on the official website of the Ministry.

117

78

## Representative Letter.

वी० राजगोपालन  
Dr. V. RAJAGOPALAN, IAS



सचिव  
भारत सरकार  
पर्यावरण एवं वन मंत्रालय  
Secretary  
Government of India  
Ministry of Environment and Forests

D.O. No. 1-9/2007 WL (pt)  
Dated: 11<sup>th</sup> December, 2012

Dear Ms. Minnie Mathew

It has been more than a decade since the Wildlife Conservation Strategy-2002, adopted by the Indian Board for Wildlife, *inter alia*, envisaging declaring land falling within 10 kms of the boundary of National Parks and Sanctuaries as eco-fragile zones was communicated to State/Union Territory Governments. Due to the reservations expressed by few States, the matter had been once again examined by the National Board for Wildlife in its 2<sup>nd</sup> Meeting held on 17<sup>th</sup> March 2005, whereat it was decided to have site specific eco-sensitive zones. This decision was communicated to all the State/Union territories vide letter dated 27<sup>th</sup> May 2005. It was also requested that site specific proposals be submitted to this Ministry at the earliest. This Ministry has been since been pursuing with State/Union Territory Governments on this issue.

In order to facilitate the submission of proposals, this Ministry had also brought out guidelines on 9<sup>th</sup> February 2011. However, the progress on this front has been far from satisfactory. Only very few States have come forward with proposals, that too for few of the National Parks and Sanctuaries in their respective States. It may be pertinent to mention that the Hon'ble Supreme Court is also considering this issue in LA 1000 in Writ Petition (Civil) No. 202/1995 and Writ Petition (Civil) No. 460/2004.

The Ministry of Environment and Forests is of the view that the State/Union Territory Governments be given one last opportunity to submit site specific proposals for declaration of eco-sensitive zones around National Parks and Sanctuaries, **latest by 15<sup>th</sup> February, 2013**. In case the State/Union Territory Governments fail to submit the proposals within the stipulated period, the activities that have been prohibited as per the guidelines of the Ministry dated 9<sup>th</sup> February 2011 would stand prohibited within 10 kms of the boundary of National Parks and Sanctuaries.

In view of the above position, I would request you to kindly instruct the concerned authorities for appropriate action on priority.

Regards,

Yours sincerely,

Encl: As above.

(V. Rajagopalan)

Ms. Minnie Mathew  
Chief Secretary  
Government of Andhra Pradesh  
Hyderabad

ISSUED by Sp. Secy  
18/12/12



जहाँ है हरियाली !  
वहाँ है खुशहाली !!

पर्यावरण भवन, सी.जी.ओ. कॉम्प्लेक्स, नई दिल्ली-110 003 फोन : 24360721, 24361896, फैक्स : (011) 24362746  
PARYAVARAN BHAWAN, CGO COMPLEX, NEW DELHI-110 003, Ph. : 24360721, 24361896, Fax : (011) 24362746  
E-mail : vrg.iys@nic.in, vrgiyer@gmail.com

118

79

F.No. 22-43/2018-IA.III  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA Division)

Indira Paryavaran Bhawan  
JorBagh Road, Aliganj,  
New Delhi - 110003

Dated: 8<sup>th</sup> August, 2019

**OFFICE MEMORANDUM**

**Subject: Procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 - regarding.**

The Hon'ble Supreme Court vide its Order dated 4.12.2006 in Writ Petition No. 460 of 2004 - Goa Foundation Vs. Union of India, has inter-alia directed that Ministry of Environment and Forests "(MoEF) would also refer to the Standing Committee of the National Board for Wildlife, under section 5(b) & 5(c) (ii) of the Wildlife Protection Act, 1972, the cases where environmental clearances has already been granted where activities are within 10km. zone" of the boundaries of the Sanctuaries and National Parks."

2. In this regard, the erstwhile MoEF vide Circular No. L-11011/7/2004-IA.II (I)(Part) dated 27.02.2007 and Office Memorandum No. J-11013/41/2006-IA.II(I) dated 02.12.2009 delineated a procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary for grant of environmental clearance under EIA Notification, 2006. As per the stipulated procedure, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) would be required for the developmental projects located within 10km of the National Park/Wildlife Sanctuary.

3. Over a period of time, Ministry has notified number of Eco-Sensitive Zones (ESZs) around Protected Areas (PAs). Many of developmental activities are prohibited/regulated in these ESZs *inter-alia* including mining operations to be carried out in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in

80

119

W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012 as per the notifications issued for their constitution.

4. In light of the aforesaid Orders passed by the Hon'ble Supreme Court, the issues related to the prior clearance from SCNBWL for the notified ESZs and the remaining areas have been examined in detail. In this regard, it has been decided by the Competent Authority in the Ministry to adopt a following procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the EIA Notification, 2006, in supersession of the earlier O.M.s dated 27.2.2007 and 2.12.2009:

- i. Proposals involving developmental activity/project located within the notified Eco-Sensitive Zones (ESZ) shall be regulated and governed by the concerned ESZ notification. However, for the developmental project/activity located within the notified ESZ and covered under the schedule of the EIA Notification 2006, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference as well as wildlife clearance.
- ii. Proposals involving developmental activity/project located outside the stipulated boundary limit of notified ESZ and located within 10 km of National Park/Wildlife Sanctuary, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) may not be applicable. However, such proposals from environmental angle including impact of developmental activity/project on the wildlife habitat, if any, would be examined by the sector specific Expert Appraisal Committee and appropriate conservation measures in the form of recommendations shall be made. These recommendations shall be explicitly mentioned in the environmental clearance letter and shall be ensured by the member secretary concerned.
- iii. Proposals involving developmental activity/project located within 10 km of National Park/Wildlife Sanctuary wherein final ESZ notification is not notified (or) ESZ notification is in draft stage, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference/environmental clearance as well as wildlife clearance.

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81

- iv. Proposals involving mining of minerals within the ESZ (or) one kilometer from the boundaries of National Parks and Sanctuaries whichever is higher is prohibited in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.
5. This issues with the approval of the Competent Authority.

*Sharath Kumar Pallerla*  
8/8/19  
**(Sharath Kumar Pallerla)**  
**Director**

To

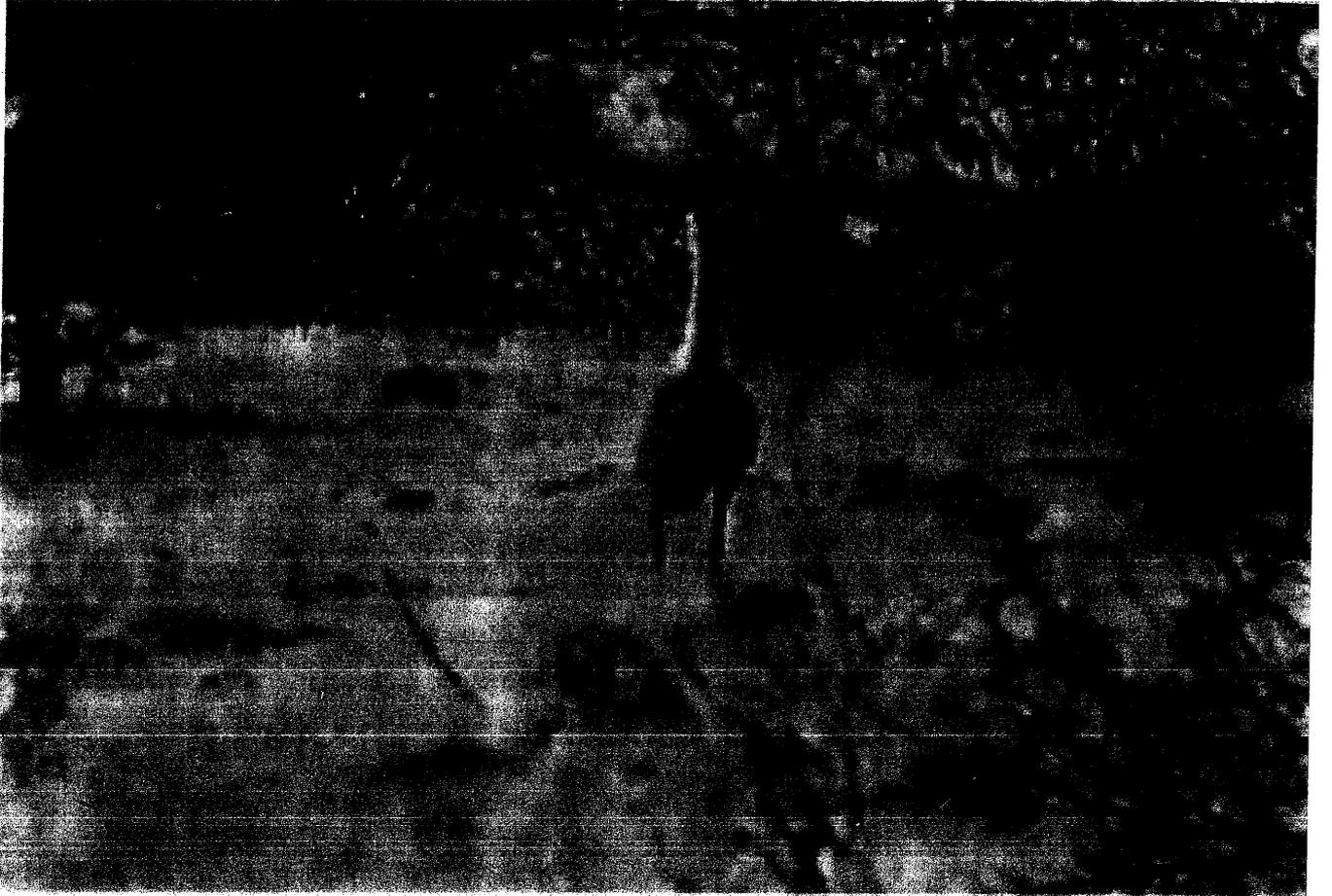
1. Chairman, Central Pollution Control Board (CPCB).
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. All the Officers of I.A. Division
5. Chairpersons/Member Secretaries of all SPCBs/UTPCCs

**Copy for information to:**

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary(EF&CC)
4. PPS to SS(AKJ)
5. PPS to AS (RSP)
6. PPS to JS (GM)/ JS(RS)/JS(AKN)
7. Website, MoEF&CC
8. Guard file.

## लोकमत

### पाच महिन्यांनंतर नान्जमध्ये परतला माळडोक



◆ सोलापूर : तब्बल पाच महिन्यांनंतर नान्ज येथील अभयारण्यात माळडोकने दर्शन दिल्याने पर्यावरणप्रेमीमध्ये आनंदाचे वातावरण आहे.

◆ मागील काही दिवसांपासून माळडोक अभयारण्य परिसरात वावरत आहे. ही मादी असून येत्या काळात आणखी माळडोक दिसण्याची शक्यता वन परिक्षेत्र अधिकारी कल्याणराव साबळे यांनी व्यक्त केली आहे.

◆ नान्ज, गंगेवाडी, बोरामणी, निलेगाव ये ही मादी दिसत आहे. मादीचा आकार ह नरापेक्षा कमी असल्याने ती लवकर दिसून येत नाही. सोलापूर जिल्ह्यात गवताळ क्षेत्र राहिल्यास माळडोक वाढू शकतात, अशी अपेक्षा पक्षीमित्र भरत छेडा यांनी व्यक्त केली.