

BEFORE THE NATIONAL GREEN TRIBUNAL

(WESTERN ZONE) BENCH, PUNE

ORIGINAL APPLICATION NO. 165/2020

(EARLIER ORIGINAL APPLICATION NO. 122 OF 2015 (WZ))

Samita Rajendra Patil & Anr.,)...Applicants

Versus

Jindal Steel Works Ltd & Ors.)...Respondents

TRANSLATED COPIES OF DOCUMENTS FILED ALONGWITH

ORIGINAL APPLICATION ON BEHALF OF THE APPLICANTS

The Applicants have filed certain documents which are in Marathi language. Translated copies of those documents are being filed herewith the following list.

SR. NO.	EXHIBITS	PARTICULARS	PAGE NO. IN COMPILATION II
1.	C	Copy of the information dated 12-02-2015	42 to 43
2.	E	Copy of the G. R. dated 23-02-2012	58 to 59
3.	F	Copy of the letter dated 07-12-2013 issued by the Dy. Conservator of Forest to Chief Conservator of Forest (Mangroves) along with the list	60 to 61

4.	G	Copy of the letter dated 12-12-2013 issued by Forester, Mumbai to Dy. Conservator of Forest, Thane	62 to 63
5.	H	Copy of the G.R. / decision dated 17-05-2013 issued by State Govt.	64 to 73
6.	S	Copy of the letter dated 07-04-2015 addressed to the Revenue Ministry along with the photographs. Similar is case with others	118
7.	T	Copy of the report dated 29-03-2015 issued by the District Soil Conservation Officer, Raigad, Alibaug	119
8.	V	Copy of the certificate issued by District Soil Supervision and Soil Inspection, Raigad, Aliabug	129
9.	W	Letter by Asstt. Commissioner of Fisheries, Raigad, Alibag	130
10.	X	Copy of the letter dated 02-01-2015 issued by the Shri. Bapdev Shetkari Mandal, Kharmachela	131 to 132
11.	Y	Copy of the letter dated 03-01-2015 issued by Tahasildar Pen to the Respondent no. 1	133 to 134
12.	Z	Copy of the letter dated 13-01-2015 issued by the Shri. Bapdev Shetkari Mandal, Kharmachela	135 to 136
13.	AA	Copy of letter dated 10-02-2015	137 to 141

OFFICE OF THE EXECUTIVE ENGINEER

Alibaug, B & C Dept., Alibaug – 402201

Phone no: 02141-222084

Email: eeabg1@gmail.com**Date : 12-02-2015****Outward No. AV / Admin / 1284**

Right to Information Act

Acknowledgment Receipt

To,

Shri. Pramod Ramdas Patil,

Dolvi, Tal. Pen,

Dist. Raigadh

Subject: Information desired to be sought under Right to Information Act.

Reference : Your application dated 12-11-2014

Information is hereby given under RTI application referred above

Sr. no.	Query asked	Explanation
1.	Information regarding handing back of land which was acquired for Pen-Dharmatar road and Dharmatar Bridge according to letter dated 30-12-2010 by the Sub – divisional Engineer, B & C Dept., Pen, according to payment of acquisition fee paid in accordance with order issued by the Mamlatdar, Alibaug, which lands have been handed back to which farmers, its detailed information along with survey numbers and even a copy of the order issued by the Mamlatdar, Alibaug.	No information regarding names of the farmers along with their relevant 7/12 extracts have not provided to the Sub – divisional office, hence by letter dated 28-11-2011 bearing no. AV / Ra.Chi.Sha. / 12383 and letter dated 18-12-2014 bearing no. AV / Re.Chi.Sha. / 13088, information has been sought from Sub – divisional office and will be provided by you when it is obtained.

2.	Copy of Sub - Divisional Engineer's letter dated 22-02-2011 bearing no. Outward / Pen / 151 and Office Report and information relating same.	According to information provided by Sub - Divisional Engineer, by letter dated 30-12-2010, in the year 1953, Mamlatdar had issued a declaration stating that land has been handed back to few people for Alibaug Pen Khopoli road and for bridge by repaying of "Kabja fees". For obtaining the information of same, you may obtain it from Tehsil Office, Pen, this office has no record and information regarding the Declaration issued by the Mamlatdar and handover receipts issued to the farmers. Compensation regarding those lands were paid by the Land Acquisition Department, hence you may contact them.
3.	Information be provided regarding letter of Sub Divisional Engineer, Pen, and action taken by the office on same ; letter no. AV / Prashasan-1 / 821 dated 24-01-2011.	Letter no. AV / Prasha-1 / 821 dated 24-01-2011, was given by the Divisional Office to the Sub-divisional office, no report regarding same has not been given to this office.
4.	Copy of permission application made by JSW, Dolvi, Dist. Raigadh, regarding their ongoing project and copy of order granting them such permission issued by your office and allied information with respect to Survey no. 120/0, 124/4, 119/1, 124/3, 122/3, 118/1, 117/2, 121/2, 122/1, 122/2, 121/4, 117/1, 124/2, 124/1, 121/5 and 121/1.	JSW, Dolvi, Dist. Raigadh have applied to this Office for grant of permission for construction of Conveyor Belt on the referred survey numbers, but till date, no such permission from this office has been granted to the plant, please find attached herewith a copy of application made by JSW for grant of the permission.

Sd/-

**Public Information Officer
and Sub-Divisional Engineer**

Alibuag, B & C Dept., Alibaug

For establishment of Mangrove Cell
for management and conservation of
Mangroves

GOVERNMENT OF MAHARASHTRA

Revenue and Forest Department

Govt. Resolution No. S-10.2011/AN.74/File No. 454/F-3

Mantralaya, Mumbai – 400 032

Dated: 23 February, 2012

Refer –

1. Government Resolution No. Sankirna-2010/File No.92/F-1, dated 01/11/2011.
2. Government Resolution No. Promotion-2011/File No. 224/F-7, dated 07/10/2011.

Preface –

Hon'ble High Court at Bombay has directed the State Govt. on 06-10-2005 in Writ Petition no. 3246 of 2004 to take progressive and effective steps for Management, Protection and Conservation of Mangroves. Accordingly for better management, protection and conservation of Mangroves, there a need for establishment of independent Mangrove Cell.

Considering the background of directions of the Hon'ble High Court, according to the G.R. referred at serial number above, 37 additional posts have been created. Considering from the administrative point of view, said posts will be under the supervision of Indian Forest Service cadre, office of the Chief Conservator of Forests. For the same, name change has been effected for the office of Chief Conservator and Forest Conservation Expert, Chandrapur and will be named as Chief Conservator (Mangroves) and Govt. permission has been obtained for transfer of the said office from Chandrapur to Mumbai. On this background the Govt. was considering establishment of said Mangrove Cell for better management, protection and conservation of the mangroves.

Govt. Resolution –

1. As per this G.R., for management, protection and conservation of Mangroves in the state, Mangrove Cell is hereby established at state level.
2. Organization of the said Mangrove Cell will be as below –

Sr. no.	Designation of the Post	No. of Posts
1.	Chief Conservator (Mangroves)	1
2.	Additional Conservator	1

3.	Range Forest Officer	4
4.	Forest Surveyor	1
5.	Surveyor	2
6.	Forest Guard	12
7.	Shorthand typist (Lower Grade)	1
8.	Chief Accountant	1
9.	Accountant	4
10.	Clerk	5
11.	Boatman	2
12.	Dinghy man	2
13.	<i>Khalashi</i> (Boatman)	2

3. Headquarters of Mangrove Cell will be at Mumbai.
4. Responsibility of management, protection and conservation of entire mangrove area in the state as well as subsidiary responsibility of coastal biodiversity will lie with the Mangrove Cell. Any Mangrove area which has been declared as protected forest, primary responsibility of that area will lie with the Divisional Forest Office of that Division. Responsibility of remaining mangrove areas will lie upon Revenue Department, Forest Department, Police Department and local authority under whose territorial jurisdiction such mangrove areas lie. Any technical or administrative guidance regarding the same will be provided by the Mangrove Cell.
5. Any help regarding management and conservation of mangroves as well as coastal biodiversity will be provided to the Mangrove Cell by Revenue Department, Forest Department, Environment Department, Police Department, Irrigation Department, Fisheries Department, Tourism Department and other Administrative Departments.
6. Head of the Mangrove Cell will be answerable to the State Govt. and the Upper Principal Chief Conservator of Forests (Conservation), Maharashtra State, Nagpur.
7. Chief Conservator (Mangroves) will have equal status, administrative, statutory and financial powers and rights as that of the post of a Chief Conservator.
8. Chief Conservator (Mangroves) will be the withdrawal and disbursement officer of the Mangrove Cell.
9. All the expenditure for this will be allocated according to recommendations of 2406-Forestry and Wildlife (2406 7223), 101 (11) Forest Conservation and Development, (11) (32) 13 Central Finance Commission Forest Management.

For and in the name of the Governor of Maharashtra State.

Sanjiv Gaud

Joint Secretary (Forests)

OFFICE OF THE DEPUTY CONSERVATOR

Marathon Circle, Lal Bahadur Shastri road, Naupada, Thane – 400 062

Phone: 2542 1373

Email : dcfthane@gmail.com

Subject: Handover of Mangrove area

Outward no. A/25?Mojani/1702/Year 2013-14

Date : 07-12-2013

To,

The Chief Conservator,

Mangrove Cell,

Mumbai.

Reference : 1. Govt. of Maharashtra's order dated 17-05-2013

2. Your Outward no. Kaksha-2/12/Astha/mmcu/277/dated
08-07-2013.

In reference to the above order, mangrove area of 4830.6088 hectares in the Thane Forest territorial jurisdiction under the Mumbai and Thane division has been handed over to your department on 19-09-2013 for conservation and management. The said area has been handed over to the Forester and Ranger of your department and the documentary *panchanama*, possession receipt, village wise survey number, area wise list, maps etc have been handed to them. Accordingly area wise list has been annexed herewith. Provision has been made to handover the remaining 621.645 hectares area in the Mumbai Forest territorial jurisdiction. Therefore it is requested to do the further needful.

Attachments – as above.

Sd/-

Deputy Conservator of Forests, Thane

Copy to –

Chief Conservator of Forests for information and necessary action.

Range Forest Officer, Mumbai and Thane for information and necessary action. They should submit the report to this office about the handover of the remaining area

Thane Forest Division

Details of land handed over to the Forester and Ranger in the Chief Conservator Mangrove Cell, Mumbai

Sr. no.	Forest Division	Sub-division	_____Area	Village name	Area	Possession
1.	Thane	Airoli	Airoli	Dive, Talawli, Gothavli, Airoli	288.08	01-10-2013
		Airoli	Koparkhairane	Ghansoli, Juhu, Koparkhairane	631.98	01-10-2013
		Vashi	Vashi	Turbhe, Sonkhaar, Sarsoule, Vashi	205.755	07-10-2013
			Nerul	Kasve, Nerul	341.68	07-10-2013
		Shahbaj	Turbhe	Divale	3.999	19-09-2013
				TOTAL	1471.412	
2.	Mumbai	Borivali	Borivali	Kandivali, Borivali, Charkop	181.7404	03-10-2013
			Dahisar	Eksar, Manori, Dahisar, Gorai	851.459	03-10-2013
		Mulund	Mulund	Mulund, Nahur	351.3783	03-10-2013
			Bhandup	Vikroli, Bhandup, Kanjur	1047.8997	03-10-2013
		Kurla	Kurla (East)	Madale, Mankhurd, Mahul and Devnar, Turbhe, Ghatkopar (East)	883.7194	08-10-2013
				TOTAL	3359.1968	
				Grand Total	4830.6088	

Sd/-

Deputy Conservator of Forests

Thane Forest Department, Thane

RANGE FOREST OFFICER, MUMBAI

LBS Marg, Marathon Chowk, Naupada Thane (West) 400 602, Telephone 25445459

Subject: Regarding making necessary provisions for management, protection and conservation of mangroves.

Outward No. Kaksha -
1/20/Land/4947 year 2013-14

Thane 400602 Date : 12 Dec,
2013

To,

The Ld. Deputy Conservator,

Thane Forest Division, Thane

As per the order in your letter bearing no. Kaksha-2/12/Admin/3021, dated 30/07/2013, mangrove area in the Mumbai Forest Division has been handed over to the Chief Conservator of Forest, Mangrove Cell, Mumbai. List of the area handed over is being annexed herewith.

Sd/-

Anil Toradmal

Range Forest Officer, Mumbai

Copy to the Ld. Chief Conservator of Forest (Admin) Thane alongwith the list mentioned hereinabove.

For establishment of
Mangrove Area Management,
Protection and Conservation (Mangrove Cell)

GOVERNMENT OF MAHARASHTRA

Revenue and Forest Department

Govt. Resolution No. AS-10/2011/AN.74/Pra.Kra.326/F-3

Mantralaya, Mumbai – 400 032

Dated: 17 May, 2013

Refer –

1. G. R. No. Sankirna-2010/Pra.Kra.92/F-1, date 09-11-2011.
2. G. R. No. S-10/2011/AN-74/Pra.Kra.454/F-3, date 4-01-2012
3. G. R. No. S-10/2011/AN-74/Pra.Kra.454/F-3, date 23-02-2012
4. Letter dated 25-02-2013, bearing No. Kaksha-12/Land/3/Mangrove/Pra.Kra.178(12-13)/1041 from Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur

Preface –

Hon'ble High Court at Bombay has directed the State Govt. on 06-10-2005 in Writ Petition no. 3246 of 2004 to take progressive and effective steps for Management, Protection and Conservation of Mangroves. Accordingly according to above reference no. 1 & 2, GR were issued for better management, protection and conservation of Mangroves, an independent Mangrove Cell has been established. In the said Mangrove Cell, as of today there are 40 officers/staff. According to above reference no. 2 & 3, duties and responsibilities of the said Mangrove Cell have been laid down.

2. According to the Forest Survey of India, Dehradun, district wise Mangrove area is as per following –

Sr. No.	District	Mangrove Area (Hectare)
1.	Mumbai City	200
2.	Mumbai Suburban	4300
3.	Raigad	6200
4.	Ratnagiri	2300
5.	Sindhudurga	300
6.	Thane	5300
Total		18600

3. According to the above, the spread of mangroves, environmental importance of mangroves, taking into consideration the importance of mangroves in acting as a protective shield against natural disasters like Tsunami and cyclones like Fayaan etc., according to reference no. 3, Principal Chief Conservator of Forests (Head of Forest Force) has prepared a proposal. Taking into consideration the background, and as per time to time discussions and deliberations with Principal Chief Conservator of Forests (Head of Forest Force) and Chief Conservator, Mangrove Cell, for Mangrove management, protection and conservation following decisions have been taken.

Govt. Resolution –

4. For more effective protection of mangroves and for strengthening of the Mangrove Cell, for protection of mangrove area, 1 Range Forest Officer, 7 Foresters and 14 Forest Guards have been enlisted with the Mangrove Cell. In addition to this Assistant Conservator of Forests, Encroachment Removal, Murbad has been transferred to Mangrove Cell.

5. Planning for mangrove management in Mumbai, Navi Mumbai, Thane and Mira Bhayander Municipal Corporation limits –

5.(1) Although mangroves are observed generally over the entire coastal region of the State, because mangrove area in Mumbai, Navi Mumbai, Thane and Mira – Bhayander region comes under the extremely sensitive category, for the said mangrove area, for the purpose of protection and conservation of mangroves, Mumbai Mangrove Conservation Unit is being constituted under the Mangrove Cell.

5.(2) For the better functioning of the Mumbai Mangrove Conservation Unit, an officer of the rank of Divisional Forest Officer is being deputed to the said Unit. The said Divisional Forest Officer, Mangrove will head the said Mumbai Mangrove Conservation Unit.

Constitution of the Mumbai Mangrove Conservation Unit –

1) Divisional Forest Officer (Mangrove)	Unit Head
2) Assistant Conservator of Forest	1
3) Range Forest Officer	3
4) Forester	7
5) Forest guards	18

5.(3) Duties and responsibilities of Mumbai Mangrove Conservation Unit are as follows –

1) Protection and conservation of mangroves in Mumbai, Thane and Navi Mumbai.

2) Execution of various progressive works of mangrove conservation and protection funded by various grants received from Central Govt., State Govt. and other outside sources.

3) Similarly, handling various court cases regarding mangroves from their jurisdiction.

6. Arrangement for mangrove management, protection and conservation in areas other than Mumbai, Navi Mumbai and Thane Municipal areas –

6.(1) For coastal forest areas of Dahanu, Roha, Alibag, one Asst. Conservator of Forest, Mangrove Conservation is appointed as Nodal Officer for all works of Coastal Area Biodiversity. The said Nodal Officer will follow directions and works given by Chief Conservator of Forests, Mangrove Cell, in addition to the regular works of his office. Nodal Officer will be fully responsible for coordination of mangroves and biodiversity in the forest department.

6.(2) In Sawantwadi Forest Department there are works relating to UNDP and Malwan Coastal Sanctuary, for all those works, one officer of the rank of Assistant Chief Conservator – Coastal area is appointed. The said special officer will be responsible for all works relating to UNDP and Malwan Coastal Sanctuary, mangrove conservation and coastal area biodiversity. They won't have other responsibilities of Forest Department. Range Forest Officer, Sawantwadi, having coastal areas of Kudal, Kankavali and Sawantwadi and Range Forest Officer, Mangrove Cell Malwan will function under the supervision of above mentioned Special Officer – Coastal Area.

6.(3) Confidential reports of the above designated Nodal Officer and "Special Officer – Coastal Area" will be prepared by Deputy Conservator of Forest. Their review will be done by Chief Conservator of Forest, Mangrove Cell.

6.(4) Jurisdiction of the above mentioned officers will be as follows –

Sr. No.	Forest Division	Current designation of Nodal Officer/Special Officer's	Jurisdiction as Nodal Officer/Special Officer
1.	Dahanu	Assistant Conservator of Forest (Vigilance)	Dahanu, Bordi, Boisar, Palghar, Safale, Dahisar coastal forest areas
2.	Alibag	Assistant Conservator (Encroachment Removal)	Uran, Alibag, Panvel, Pen, Nagothane, Wadkhal coastal forest area
3.	Roha	Assistant Conservator of Forest (Conservation and Encroachment Removal)	Murud, Shrivardhan, Roha, Mhasala, Mangaon coastal forest area
4.	Swanatwadi	Assistant Conservator of Forest (Fence removal through Dept.)	Entire coastal forest area of Sindhudurga

6.(5) Divisional Forest Officer, Chiplun, will be the nodal officer for the entire coastal area in Ratnagiri District.

7. Grants received for mangrove area works henceforth will be deposited to the Mangrove Cell and Chief Conservator of Forests, Mangrove Cell according to need will distribute it further to the concerned forest divisions.

By order in the name of Governor of Maharashtra.

Sd/-

Vijay Sabale

Desk Officer

Revenue and Forest Department

Copy to

- 1) Additional Chief Secretary (Home Department), Mantralaya, Mumbai 32.
- 2) Additional Chief Secretary (Revenue), Mantralaya, Mumbai 32.
- 3) Principal Chief Conservator of Forest (Head of Forest Force), Maharashtra State, Nagpur.
- 4) Secretary (Tourism), Mantralaya, Mumbai 32.

For establishment of Mangrove Area Management and Conservation and for creation of 37 necessary posts according to the directions of Hon'ble High Court...

GOVERNMENT OF MAHARASHTRA

Revenue and Forest Department

Govt. Resolution No. Sankirna-2010/Pra.Kra.92/F-1

Mantralaya, Mumbai – 400 032

Dated: 01 November, 2011

Refer –

1. Letter dated 20th August, 2011 bearing no. Cell-10(1)/Establishment/One/Pra.Kra.53/110/11-12 from Additional Principal Chief Conservator of Forest, (Administration – Second Grade), Maharashtra State, Nagpur.
2. Finance Department, Mantralaya, Mumbai's endorsement no : Joint 2011/Chronicle/214/11/ViSu-1, dated 30/08/2011.
3. Minutes of meeting, high level committee 67th meeting held on 3rd September, 2011, bearing no. Padani-2011/Pra.Kra.210/11/Finance Development -1, dated 08/09/2011.

Government Resolution :-

According to the decision given by Hon'ble Bombay High Court in Writ Petition No. 3246/2004 on 06/10/2005, notification was issued for declaring mangrove areas on government land as "Protected Forests" in Mumbai and Mumbai suburban district.

2. For the above mentioned mangrove conservation, it is binding for allocating sufficient staff and funds. But no sufficient staff is available at regional level. Incidentally for the above mentioned mangrove management, protection and conservation, for this scheme, proposal is under consideration

at government level for creating 37 necessary new posts and continuing those posts.

3. According to the directions of Hon'ble High Court in order dated 06/10/2005 in Writ Petition No. 3246/2004, permission is hereby granted for mangrove management, conservation and protection in Mumbai and Mumbai suburban district area, for creation and continuation of 37 necessary new posts, by this government resolution. The said posts should be filled from the available officers/staff according to the below mentioned pay scale. If there is unavailability of officers/staff then permission is also granted for filling up of the said posts from retired forest officers/staff or by outsourcing them and they shouldn't be paid according to the regular pay scale but should be given consolidated pay as mentioned in below given column 5.

Details of Posts

Sr. No.	Designation	Number of posts	Pay scale	Pay band
1	2	3	4	5
1.	Assistant Conservator of Forests	1	Rs. 9300-34800 + grade pay Rs. 5000	Rs. 30,000 + Rs. 5000 for other allowances
2.	Range Forest Officer	4	Rs. 9300-34800 + grade pay Rs. 4400	Rs. 20000+ Rs. 5000 for other allowances
3.	Forest Surveyor	1	Rs.5200-20200 + grade pay Rs. 2400	Rs. 15000 + Rs. 5000 for other allowances
4.	Surveyor	2	Rs.5200-20200 + grade pay Rs. 2400	Rs. 15000 + Rs. 5000 for other allowances
5.	Forest guard	12	Rs.5200-20200 + grade pay Rs. 1800	Rs. 12000 + Rs. 2000 for other allowances

6.	Stenographer (Junior rank)	1	Rs.9300-34800 + grade pay Rs. 4300	Rs. 15000 + Rs. 3000 for other allowances
7.	Chief Accountant	1	Rs.9300-34800 + grade pay Rs. 4300	Rs. 15000 + Rs. 3000 for other allowances
8.	Accountant	4	Rs.5200-20200 + grade pay Rs. 2800	Rs. 12000 + Rs. 1500 for other allowances
9.	Clerk	5	Rs.5200-20200 + grade pay Rs. 2900	Rs. 12000 + Rs. 2000 for other allowances
10.	Boatman	2	Rs.5200-20200 + grade pay Rs. 1900	Rs. 12000 + Rs. 2000 for other allowances
11.	Dinghy rover	2	Rs.5200-20200 + grade pay Rs. 1900	Rs. 12000 + Rs. 2000 for other allowances
12.	Sailor	2	Rs.4440-7440 + grade pay Rs. 1300	Rs. 10000 + Rs. 1500 for other allowances
Total		37		

4. Above vacancies should be filled up according to existing government policies as follows :-

- ❖ Above mentioned posts of forest guard, boat man, dinghy rover and sailor should be filled by ex navymen.
- ❖ The above posts at serial no. 1 & 2 being gazetted posts, should be filled in according to the established procedure. Till that time, considering the requirements for filling up those posts from candidates fulfilling necessary requirements amongst retired officers, permission is granted to a committee comprising the Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Additional Principal Chief Conservator of Forests (Administration – second cadre), Maharashtra State and Divisional Social Welfare Officer.

❖ For filling up above posts at serial no. 4,5,6,8,9,10,11& 12 permission is given to Chief Conservator of Forests (Territorial), Thane and Chief Conservator of Forests (Territorial) Kolhapur and for filling up posts at serial no. 3 & 7, permission is granted to Additional Principal Chief Conservator of Forests (Administration – second cadre), Maharashtra State.

4. The expenditure for establishing these posts should be provided from 2406 – afforestation and wildlife (2406 7223), 101(11) forest development, (11) (32) 13, according to the recommendations of the Central Finance Commission for forest management, Central Aid (Dattmatta) (2406-7223) under this accounting head and should be satisfied from the grant made available for the year 2011-12.

5. The said Government Resolution is being passed after receiving consent by the High Level Secretarial Committee meeting held on 03/09/2011.

6. The said Government Resolution has been made available on Maharashtra Government's website www.Maharashtra.gov.in bearing no. 20111101163619001.

For and in the name of the Governor of Maharashtra.

Sd/-

Vijay Suryavanshi

Special Executive Officer

Revenue and Forest Department

For establishment of Mangrove Area Management and Conservation according to the directions of Hon'ble High Court in Writ Petition No. 3246/04, dated 6.10.2005

GOVERNMENT OF MAHARASHTRA

Revenue and Forest Department

Govt. Resolution No. Sankirna-10/2005/File No.88/J-1

Mantralaya, Mumbai – 400 032

Dated: 21 October, 2005

Government Circular :-

Directions were issued by the Hon'ble Bombay High Court during hearing on 6th October, 2005 in Writ Petition No. 3246/04 filed by The Bombay Environmental Action Group for issuing urgent and necessary directions for protection, conservation and against cutting and destruction of mangroves in the coastal areas of Maharashtra.

2. According to that order, following directions are issued :-

(A) For protection and conservation of mangroves and for stopping cutting and destruction of mangroves, following restrictions imposed by the Hon'ble High Court should be followed :-

(1) For stopping cutting and destruction of mangroves for protection and conservation of mangroves, complete ban is being imposed in the mangrove areas of Maharashtra.

(2) Henceforth construction and municipal solid waste, dumping ground activities should be spotted in mangrove areas.

(3) Henceforth irrespective of ownership of land, all construction activities in and around 50 mtrs. from mangrove areas should be stopped.

(4) No permission for any development activity in mangrove area shall be granted to any corporation.

(5) The Hon'ble Bombay High Court by way of final orders directed, directions were issued to Maharashtra Remote Sensing Application, Nagpur to carry out detailed mapping of mangroves by using high resolution remote sensing satellite in phase II. By preparation of such maps, from the date of Hon'ble High Court's order dated (date 06-10-2005) within 6 months information relating to mangroves has to be noted down on village maps and city survey maps. It is hereby directed to the Settlement Commissioner and Director of Land Records, Maharashtra State to complete the task of updation of such information within stipulate time.

(6) According to above point (5) detailed maps according to remote sensing application should be prepared, after showing the mangrove areas on those maps in village maps and city survey maps, mangrove area on Government Land should be notified as "**Protected Forests**" and mangrove areas on Private Land should be notified as "**Forest**", work regarding the same should be completed within 8 weeks.

(7) Mangrove areas declared as "**Protected Forests**" on Government Land should be handed over to the Forest Department within 12 weeks.

(8) Similarly, mangrove areas declared as "**Protected Forests**" on Government Land and mangrove areas declared as "Forests" on private land, all revenue records should be updated with the entries of "**Protected Forests**" and "**Forests**" within 12 weeks.

(B) For implementing the directions related to mangrove conservations given by the Hon'ble High Court, officers not below the rank of District Magistrate and District Collectors are to be appointed. Regarding that, major mangrove area being in Konkan Division, Divisional Commissioner, Konkan is being appointed as the responsible officer. Divisional Commissioner, is to give wide publicity of the Hon'ble High Court's directions by publishing it in

one English daily and two Marathi daily newspapers and publish it even on Government's website, in addition to that he has to take cognizance of citizen's grievances regarding mangrove destruction. Divisional Commissioner has to submit the monthly report to the Hon'ble High Court. It is important to submit the first report within 4 weeks of the date of the order, i.e., 6th October, 2005. Following things should be included in the said report :-

- (i) Number of complaints received, if any
- (ii) Action taken thereupon
- (iii) Number and names of the offenders
- (iv) If offence registered against the offender or any action taken on, description of the same.

3. Execution of work relating to Revenue Department, has to be executed by the Divisional Commissioner on priority.

4. The concerned District Collectors should take due care of the mangroves on Government as well as private land till the time they are handed over to the Forest Department. Similarly directions issued in Government Resolution, Environment Department No. 2001/183/File No. 31/Taa.Ka.1, dated 25/10/2001, has to be strictly followed.

For and in the name of Governor of Maharashtra.

Sd/-

R S Nagare

Under Secretary

Revenue and Forest Department

Sou. Samita Rajendra Patil
Sulbha Sadan, Prabhu lane Pen,
Tal. Pen, District Raigadh.
Mobile no. 9096007741

Date 16/04/2015

To,

Hon'ble Shri. Eknath Khadase Saheb,
Revenue Minister, Maharashtra State

Subject : Raigad District Collector Shri. Sumant Bhangre and Tehsildar Pen Smt. Sukeshini Pagare are not performing their duties and therefore, 'Shri. Bapdev Shetkari Mandal Kharmachela' had threatened to self immolate outside the government residence of Hon'ble Revenue Minister Shri. Eknath Khadase on 17 April 2015.

Reference : Letter dated 04/04/2015 by 'Shri. Bapdev Shetkari Mandal Kharmachela'.

Sir,

I, Sou. Samita Rajendra Patil, a social worker would like to bring to your notice you that, Raigad District Collector Shri. Sumant Bhangre and Tehsildar Pen Smt. Sukeshini Pagare are not serious on farmers and mangrove, CRZ issues and are not taking any action on criminal activities of JSW Company Dolvi – Pen.

The said company has done large scale dumping of chemical waste on hundreds of acres of private and Govt land at Gadab, Dolvi, Vadhkhal, Kolwe, Vaave villages. Similarly, Company intends to cause dumping at Kharmachela and want to render land infertile. So that

farmers are forced to sell the said land to the company. Regarding this, inspite of making repeated correspondence, Tehsildar and Collector are not undertaking any solid action. Due to that, farmers' agricultural lands have turned infertile and surrounding natural heritage (mangroves, natural streams and coastal cultivable lands.

In this, possibility of monetary benefits can't be ruled out. In past two years, Anti Corruption actions have been initiated against more than 60 Govt. Officials in Raigadh District. In that, Tehsildar Smt. Pagare is also involved. Considering this background, seriousness of the situation increases.

Therefore the local farmers organisation, 'Shri Bapdev Shetkari Mandal Kharmachela' have given a warning letter on 17/04/2015, to self immolate outside the home of Hon'ble Revenue Minister Shri Ekhnathji Khadse saheb.

**Sou. Samita Rajendra
Patil**

Sulbha Sadan, Prabhu lane
Pen,
Tal. Pen, District Raigadh.
Mobile no. 9096007741

Date 08/04/2015

To,

- 1) Hon'ble Shri. Devendra Phadnavis Saheb,**
Chief Minister, Home Minister, Maharashtra State
- 2) Hon'ble Shri. Eknath Khadase Saheb,**
Revenue Minister, Maharashtra State

Subject : Raigad District Collector Shri. Sumant Bhange
and Tehsildar Pen Smt. Sukeshini Pagare are not
performing their duties and therefore, 'Shri. Bapdev
Shetkari Mandal Kharmachela' had threatened to
self immolate outside the government residence of
Hon'ble Revenue Minister Shri. Eknath Khadase on
17 April 2015.

Reference : Letter dated 04/04/2015 by 'Shri. Bapdev
Shetkari Mandal Kharmachela'.

Sir,

I, Sou. Samita Rajendra Patil, a social worker would like to bring to your notice you that, Raigad District Collector Shri. Sumant Bhange and Tehsildar Pen Smt. Sukeshini Pagare are not serious on farmers and mangrove, CRZ issues and are not taking any action on criminal activities of JSW Company Dolvi – Pen. The said company has done large scale dumping of chemical waste on hundreds of acres of private and Govt land at Gadab, Dolvi, Vadkhkh, Kolwe, Vaave villages. Similarly, Company intends to cause dumping at Kharmachela and want to render land infertile. So that farmers are forced to sell the said land to the company. Regarding this, inspite of making repeated correspondence, Tehsildar and Collector are not undertaking any solid action. Due to that, farmers' agricultural lands have turned infertile and surrounding natural heritage (mangroves, natural streams and coastal cultivable lands. In this, possibly of monetary benefits can't be ruled out. In past two years, Anti Corruption actions have been initiated against more than 60 Govt. Officials in Raigadh District. In that, Tehsildar Smt. Pagare is also involved. Considering this background, seriousness of the situation increases. Therefore the local farmers organisation, 'Shri Bapdev Shetkari Mandal Kharmachela' have given a warning letter on 17/04/2015, to self immolate outside the home of Hon'ble Revenue Minister Shri Ekhnathji Khadse saheb.

Regarding the same, detailed and point wise information is as follows -

1) From JSW Company (Dolvi), Tal. Pen, under the conveyor belt going from Dharmatar Jetty to Company premises, around 700 mtrs. away on survey no. 122, there is around 35 acres of government khazan lands, huge amounts of mangroves have been cut and huge amounts of chemical waste has been dumped on the same government khazan lands. The same dumping is consistently done even on mangroves. On the same government land, illegally and by violating CRZ norms, new conveyor belt is being constructed. According to the news dated 13/12/2014 in daily Sagar, entire incidence was brought to the notice of Ld. Tehsildar Pen, and he had stayed the said

operations, but still even today large scale work is being done on (government khazan lands). The said work is ongoing and we have photographs of work progressing.

Similarly in the same area there is garbage dumping which burnt and thereby destroying the mangroves.

2) Same company at Kharmachela, Gadab dumped the waste on the natural water stream and has violated the CRZ norms and have destroyed fully grown mangroves on survey no. 94 government (khazan lands). Before the said incidences took place, local farmers organisation (Shri Bapdev Shetkari Mandal, Kharmachela and Samita Patil) submitted letters to you on 2/1/2015, 13/1/2015, 23/1/2015, 10/2/2015, 16/2/2015, 13/1/2014, 12/2/2015, 30/3/2015 were submitted to you for averting the said actions and even after the incidences took place. Self explanatory panchanama has been submitted to you by Circle Officer and Forest Department. It is almost 2 months that the incidence took place. Yet, the Ld. Tehsildar is delaying filing offences against the CEO and Managing Committee of JSW Company.

3) Even inside the compound of JSW Company, natural streams have been covered by unauthorised dumping. Similarly on large scale mangroves have been cut and various plants have been constructed. Large scale government land grabbing has been done. Detailed enquiry should be done of the same.

4) Company is generating large amounts of waste material and they don't have any designated place to dump it, the same is being dumped on government and natural resources, the same should be enquired into.

5) Similarly large scale chemical waste dumping is done at village Dolvi, village Waave, village Kolwe, village Wadkhal, by using lakhs of dumpers, which includes government lands on large scale. The same is known to Tehsildar and District Collector they are not taking action against that as well.

Sir, the said waste dumping is full of chemicals due to which water going through farms towards Dharmatar creek is getting obstructed, chemicals going to nearby farms is polluting soil and rendering it infertile, chemicals going into creek water is disturbing the fish and aquatic life, there

is a possibility that the said creek water laced with chemicals can enter nearby fields and will render them permanently infertile. Therefore we humbly pray that take legal action against the company for doing dumping and the said chemical dumps should be removed immediately. Otherwise, you will be responsible for the environmental damage which will occur henceforth.

Demands :-

- 1) For destruction of mangroves, action should be taken against Company CEO, Company's Board of Directors and Company Manager under Sec. 15(I) (II).
- 2) Appropriate legal action should be taken against the Company for dumping chemical waste and the said waste should be removed immediately.
- 3) Company should be given designated land for dumping. (Which won't affect environment)
- 4) Cognizance should be taken of the pollution and environmental damage caused by the chemical waste dumping Company.
- 5) Encroachment and dumping on government khazan lands should be removed immediately. Unauthorised constructions should be removed immediately.
- 6) According to the directions of Hon'ble High Court, action should be taken against constructions which are within 50 mtrs. from mangroves.
- 7) Action under CRZ norms should be taken against dumping done on government khazan lands.
- 8) Detailed enquiry should be done against the officers who are causing dereliction of their official duty and strict action should be taken against them.

According to the directions issued by the Hon'ble High Court on 06/10/2005, Govt has come out notifications to implement those directions.

Mangrove information

Year 2004 - Bombay Environmental Action Group filed Writ Petition No. 3246/2004 in Hon'ble Bombay High Court for conservation of mangrove areas.

06/10/2005 - Hon'ble High Court gave interim directions in Writ Petition No. 3246/2004.

21/10/2005 - For implementing the directions dated 06/10/2005 given by the Hon'ble High Court, Govt of Maharashtra issued notification giving following directions.

(1) For stopping cutting and destruction of mangroves for protection and conservation of mangroves, complete ban is being imposed in the mangrove areas of Maharashtra.

(2) Henceforth construction and municipal solid waste, dumping ground activities should be spotted in mangrove areas.

(3) Henceforth irrespective of ownership of land, all construction activities in and around 50 mtrs. from mangrove areas should be stopped.

(4) No permission for any development activity in mangrove area shall be granted to any corporation.

(5) The Hon'ble Bombay High Court by way of final orders directed, directions were issued to Maharashtra Remote Sensing Application, Nagpur to carry out detailed mapping of mangroves by using high resolution remote sensing satellite in phase II. By preparation of such maps, from the date of Hon'ble High Court's order dated (date 06-10-2005) within 6 months information relating to mangroves has to be noted down on village maps and city survey maps. It is hereby directed to the Settlement Commissioner and Director of Land Records, Maharashtra State to complete the task of updation of such information within stipulate time.

(6) According to above point (5) detailed maps according to remote sensing application should be prepared, after showing the mangrove areas on those maps in village maps and city survey maps, mangrove area on Government Land should be notified as "**Protected Forests**" and mangrove areas on Private Land should be notified as "**Forest**", work regarding the same should be completed within 8 weeks.

(7) Mangrove areas declared as "**Protected Forests**" on Government Land should be handed over to the Forest Department within 12 weeks.

Yours faithful

(Samita Rajendra Patil)

Mobile No. 9096007741

Shri. Sanjay Janardan Patil
Village Wadkhal(Gholnagar)
Near Kshetreshwar Temple
Tal Pen District Raigad
Date 7/4/2015

To,
Hon'ble Revenue Minister Shri. Eknath Khadse,
Government of Maharashtra Mantralaya Mumbai

Subject : Indefinite fast

Reference : Letter from Ld. Tehsildar and Executive Magistrate, Pen
letter bearing no. MG/KT8/FAST/2015, dated 24/02/2015.

Sir,

JSW Company, Wadkhal had dumped in my farm at village Dolvi, survey no. 168/3(A). Police didn't even take simple NC notice of it. For that, Alibag Police Superintendent had to give a letter dated 13/11/2014 and accordingly directions were given to Police Inspector, Wadkhal who noted down and accordingly JSW Company contractor Shri. Kishor Hiraman Gaykar during interrogation, accepted before me and Police Inspector, that during night time, by mistake dumping was done and within two days will remove that dumping. Therefore Company Manager Shri. Om Pawar is misguiding that dumping has not been done by the Company and thereby is harassing poor farmers like us. Company has repeatedly demanded us to sell our lands to them. But we didn't want to sell our farm land and therefore, intentionally dumping was done on my land. Therefore his contention that dumping was done by mistake is mischievously false. Because they have a special department for land acquisition and they have a survey officer for it.

After taking consistent follow up for past 2.5 months, cognizance was taken. On 25/02/2015 meeting with Ld. Tehsildar at 4:00 pm, Circle Officer, Vashi gave a report that dumping hasn't been done. It is proved that the said report is totally false taking into consideration the above information given by Police Inspector and it is not acceptable to me. Circle Officer Vashi has given the report in favour of JSW Company and it should be looked into by a high level committee and they should be suspended immediately. I have photos and videos of the dumping and I can provide them as evidence to the high powered committee.

Company Manager Shri. Om Pawar in the discussion, arrogantly made a statement directed at us to sit on a hunger strike. By taking out issues of technicality, they try to divert attention from the main issue. In my application dated 13/11/2014 by mistake instead of survey no. 168/1, I mentioned survey no. 168/3(A). But I had attached 7/12 extract of survey no. 168/3(A). So there is no question of showing technical mistake. Because the contractor has accepted dumping in farm land.

The dumping destroyed the perimeter wall of my farm land because of which salty water entered rendering my farm land infertile causing irreparable damage and has forced my family to go hungry. Due to the dumping of low grade white chemical waste even normal grass can't grow. Due to the dumping of the white chemical waste, rainwater passing through the waste and due to narrowing of the natural water stream by dumping of the chemical waste, there is no hopes of my farm land having any fertility in future.

Therefore due to the low grade white chemical waste which has been dumped by the JSW Company in my farm, in future due to rains, water sources, vegetation, creek water etc., is going to cause pollution which is going to affect our villager's health, we are going to have water borne diseases and is going to cause large scale environmental destruction. Future responsibility will be upon those officers which turning a blind eye towards the issue. If such 2-3 companies come, who have utter disregard for environmental balance, it'll have devastating environmental consequences and will cause existential crisis for humans. Natural beauty of Konkan will be destroyed. It is humbly prayed that strict action should be taken against the members of management committee of such company. Therefore the low grade chemical waste dumping done by the company should be immediately removed to avoid future damage.

I made an application on 13/11/2014 to the Wadkhal Police Inspector for demanding compensation from JSW Company. We are following up with the company management since past 4 months. As no attention was given to my grievances, in the end I sent a letter to the District Collector Raigad on 2/02/2015 I was going to sit on a fast onto death on 01/03/2015. But Ld. Tehsildar by his letter dated 25/02/2015 mediated, I was assured that my grievances will be redressed by 15/03/2020, and if they are not redressed by 28/03/2015 I'll sit on a fast onto death. But on 25/03/2015, Police Inspector Wadkhal mediated and company management

sought 15 more days. But till 7/4/2015 nobody contacted me. I feel that Company management is making fun of we poor farmers. Therefore I am left with no option but to sit for fast unto death.

Possibility can't be ruled out that due to the white coloured chemical waste dumped around Dolvi, Karavi, Wadkhal villages, there will be far reaching devastating effects on public health and environment.

If appropriate action over above mentioned issues is not done immediately, I'll go on a fast unto death.

Attachment - relevant documents are attached herewith.
1) 7/12 extract survey no. 168/3(A).

Yours faithful

(Shri. Sanjay Janardan Patil)

Dist.Soil.Survey & Testing Lab., Raigadh

Sample type : Ordinary

Outward No . _____ 29 March 2015

Laboratory sampling No. 2718S201400369001

Land Health Report No. 27240527999993/2

Agriculturist's name: Dyaneshwar Rama Kothekar

Agriculturist State : Maharashtra

Agriculturist's District : Raigadh

Agriculturist's Taluka : Pen

Agriculturist's village : Gadab

Survey/Gat No. 3/2

Sr. No.	Nature	Reading	Remark	Special Advice
1.	Soil quality	8.04 Soil quality	Medium alkaline	Lot of organic manure and <i>taag</i> , <i>dhachaa</i> , <i>urad</i> , <i>moong</i> , <i>shevri</i> , <i>gliricidiya</i> and such green manure should be used abundantly. No farm plantation should be done in this area. Instead of that, coconut, guava, areca nut fruits or Nilgiri type forest plants should be planted.
2.	Salinity (Soil)	48.80 (Misa/Semi)	Harmful to all crops	
3.	Organic Carbon	1.44 (%)	Very high	
4.	Phosphorous	29.10 (kilo/Hector)	High	
5.	Potassium	1,962.98 (Kilo/Hectare)	Very high	

Next crop No.	Rice	0101a	Next crop No.	00000	
Expected income	0.00	Ordinary	Expected income	0.00	
Cowdung manure	0.00		Cowdung manure	0.00	
Crop variety	Any		Crop variety		
Cowdung manure	10.00	Ton/Hectare	Cowdung manure		
Necessary quantity of manure			Necessary quantity of manure		
Nitrogen	Phosphorous	Potassium	Nitrogen	Phosphorous	Potassium
50.00	37.50	25.00			
Time of using chemical fertilizers	Required quantity of manure (Kgs/Hectare)			Time of using chemical fertilizers	
	Urea	Single Super Phosphate	Muriate of potash		
Mudding time	43.48	234.38	41.57		
At time of budding	43.48	0.00	0.00		
Flowering time	21.74	0.00	0.00		

Sd/-

District Soil Survey and Testing Officer

Raigadh, Alibaug

Dist.Soil.Survey & Testing Lab., Raigadh

Sample type : Ordinary

Outward No . _____ 29 March 2015

Laboratory sampling No. 2718S201400371001

Land Health Report No. 2724052873200168/3a

Agriculturist's name: Sanjay Janardhan Patil

Agriculturist State : Maharashtra

Agriculturist's District : Raigadh

Agriculturist's Taluka : Pen

Agriculturist's village : Dolvi

Survey/Gat No. 168/3a

Sr. No.	Nature	Reading	Remark	Special Advice
1.	Soil quality	7.09 Soil quality	Little alkaline	Lot of organic manure and <i>taag</i> , <i>dhachaa</i> , <i>urad</i> , <i>moong</i> , <i>shevri</i> , <i>gliricidiya</i> and such green manure should be used abundantly. No farm plantation should be done in this area. Instead of that, coconut, guava, areca nut fruits or Nilgiri type forest plants should be planted.
2.	Salinity (Soil)	49.90 (Misa/Semi)	Harmful to all crops	
3.	Organic Carbon	0.57 (%)	Medium	
4.	Phosphorous	4.72 (kilo/Hector)	Very less	
5.	Potassium	1,157.65 (Kilo/Hectare)	Very high	

Next crop No.	Rice	0101a	Next crop No.	00000	
Expected income	0.00	Ordinary	Expected income	0.00	
Cowdung manure	0.00		Cowdung manure	0.00	
Crop variety	Any		Crop variety		
Cowdung manure	10.00	Ton/Hectare	Cowdung manure		
Necessary quantity of manure			Necessary quantity of manure		
Nitrogen	Phosphorous	Potassium	Nitrogen	Phosphorous	Potassium
100.00	75.00	25.00			
Time of using chemical fertilizers	Required quantity of manure (Kgs/Hectare)			Time of using chemical fertilizers	
	Urea	Single Super Phosphate	Muriate of potash		
Mudding time	86.96	468.75	41.67		
At time of budding	86.96	0.00	0.00		
Flowering time	43.48	0.00	0.00		

Sd/-

District Soil Survey and Testing Officer

Raigadh, Alibaug

Phone / Fax : 02141 224221

Email : acfraigad@gmail.com

Government of Maharashtra

Department of Fisheries

ASSTT. COMMISSIONER OF FISHERIES, RAIGAD, ALIBAG

2nd floor, Ashoka Complex, Alibag road, Alibag – 402 201

Outward No. BhuJal/108/2014

Date : 8/1/2014

To,

Ld. Sub – Divisional Officer,

And

Sub – Divisional Magistrate, Alibag

Subject : Fish deaths in applicant's own pond due to pollution caused by Company

Reference : Your letter No. UVinD/KaT/MG/Complaint/2013 dated 12/12/2013

Sir,

This department's regional officers visited fish pond of Shri. Suresh Sitaram Mhatre, Gadab, Jui-bapuji (Shahabaz) which is in the premises of JSW Company. The Regional Officers have inferred that the fish in the pond have died due to the pollution caused by dust (sand) which is coming from the Company.

This department doesn't have provision of providing compensation if fish die in the fish pond. For further action this is handed over to you.

Evaluate possibility of recovering compensation from the concerned Company and accordingly do the needful at your level.

O.C. approved by ACF, Raigad

Yours'

Sd/-

Assistant Commissioner, Fisheries (Technical)

Raigad – Alibag

Established 2013

Registration no. 497/2013 Raigad

Shri. Bapdev Shetkari Mandal, Kharmachela
Village Gadab, Tal. Pen, District Raigad 402107, Maharashtra State

Date 13/01/2015

To,
Ld. Tehsildar, Pen

Applicant :- Shri Bapdev Shetkari Mandal Kharmachela, Gadab, Pen - Raigad

Subject :- Regarding attempts by JSW Company Kharmachela (Gadab, Tal. Pen, Dist. Raigad) to cause agricultural land infertile.

Sir,

According to our letter dated 02/01/2015, we'd like to hereby inform that, JSW Company Kharmachela have constructed a bridge over the natural stream of water, they seem to be planning to dump on the partially acquired lands (said lands are not continuous but in parts). Due to the said dumping, water won't flow properly. Similarly Company doesn't do dumping of soil but of chemical waste material. Because of which, the adjoining lands automatically get infertile.

According to previously informed by us company is conspiring to force us to sell away our agricultural lands to them by rendering it infertile, but we don't wish to sell away our agricultural lands. There it is requested that administration should take action against them and direct them not to cause it further.

Sd/-

President

No. Admin/KaV-5/Compensation/2014

Tehsildar Pen's Office

Pen, date : 03/01/2015

To,

Manager,

JSW Steel Ltd. Dolvi, Tal. Pen

Subject : For taking action for crops and farm land destruction caused by JSW Company (Dolvi).

Reference : Letter dated 02/1/2015 by Shri. Bapdev Shetkari Mandal, Kharmachela, Village Gadab.

It is informed to you according to above reference, this letter has obtained Letter dated 02/1/2015 by Shri. Bapdev Shetkari Mandal, Kharmachela, Village Gadab, Tal. Pen.

Your company has destroyed *Kharbandisti* (protection wall), in addition to that, from opening no. 1 to Ranchoddas opening no. 4, bund works is found to be totally incomplete.

Therefore, as per the said letter, it is directed to you to immediately submit action taken report and proposed action planning alongwith remarks by your company to this office.

Sd/-

Tehsildar, Pen

Annexure - Letter by Shri. Bapdev Shetkari Mandal, Kharmachela, Village Gadab, for information.

Established 2013

Registration no. 497/2013 Raigad

Shri. Bapdev Shetkari Mandal, Kharmachela
Village Gadab, Tal. Pen, District Raigad 402107, Maharashtra State

Date 13/01/2015

To,

1. Ld. District Collector
District Raigad (Alibag)

2. Subdivisional Officer
Tal. Pen, District Raigad

3. Ld. Tehsildar,
Pen, District Raigad

Subject :- For taking action against destruction of crops and farm lands
done by JSW Company

Sir,

We Shri. Bapdev Shetkari Mandal, Gadab(Karwa) Tal Pen District Raigad
Kharmachela submitting a letter on behalf of 50 farmers.

Sir, JSW Company (Dolvi) have destroyed the Kharbandisti and JSW Company
administration have accepted this fact and according to letter dated 21/05/2014 (JSW
Steel/Bapdev Mandal/2014) Company has agreed to pay compensation, complete
reconstruction of bund using sand from opening no. 1 near to the village till Ranchoddas road
opening no. 4, constructing the opening at Kharmachela and preparing the Khar ghat and
giving water pipeline to Gadab village, all the above works were agreed by the Company to
do before October 2014.

But we around 50 farmers signing together, farming is our only source of livelihood.
And we don't wish to sell that farm land. And we don't wish to sell away our farm land.

JSW Company is using various tricks to make our farm land infertile and force us to sell it to the Company. In that, by destruction of the Kharbandisti, Dharmatar creek water is entering our fertile farm lands and is on the way of getting infertile. And by that, company is expecting that the farmers will sell their land and therefore they are delaying discussions on reconstructing the Kharbandisti and Bureaucrats are not showing any willingness.

Therefore sir, kindly look into our following issues and complete our demands.

1. According to the letter given by the Company on 21/05/2014-

- 1) Kharbandisti work should be done immediately by getting sand from outside.
- 2) Compensation for 5 years should be given for the loss of agricultural produce.
- 3) Water pipeline should be provided to village Gadab immediately.

2. Large scale dust and various types of smoke which are being emitted by the Company has made the land infertile and the aquatic life in the creek is gravely affected.

Therefore, a proper and serious study should be done of that pollution and should be controlled immediately. So that our community and our traditional occupations survive.

Attachments :-

- 1) Letter dated 25/11/2013 by the District Collector Raigad.
- 2) letter dated 30/04/2014 by the Regional Officer, MPCB.
- 3) Letter dated 28/12/2013 by JSW Company Administration to the Ld. Tehsildar Pen.
- 4) Letter dated 21/05/2014 by JSW Administration to Shri. Bapdev Shetkari Mandal Kharmachela.

Copy :-

- 1) Sou. Samita Rajendra Patil
Social worker

Sd/-

President

Established 2013

Registration no. 497/2013 Raigad

Shri. Bapdev Shetkari Mandal, Kharmachela
Village Gadab, Tal. Pen, District Raigad 402107, Maharashtra State

Date 23/1/2015

Urgent and emergency

To,

Ld. Police Inspector,
Wadkhal, Pen

Subject :- Regarding JSW Company Dolvi constructing a bridge across a natural water stream at Kharmachela (Gadab) Pen District Raigad.

Reference :- Letter dated 23/01/2015 by Shri Bapdev Shetkari Mandal, Kharmachela and discussion during hearing before Ld. Tehsildar Smt. Pagare.

Sir,

According to our letter dated 13/01/2015 we complained that JSW Company is intentionally planning to dump chemical waste material on lands adjoining to our agricultural lands, thereby rendering our agricultural lands infertile. Similarly by destroying a portion of their own compound wall, illegally they are constructing a bridge and are planning to dump on our lands by dumpers.

Sir, our agricultural lands are our only source of livelihood, there will be mass retaliation by the villagers, there can be law and order situation. We are peaceful farmers. Therefore prohibitive action should be taken against the Company and it is requested in order to protect our agricultural lands, to provide police protection against the dumping by JSW Company.

Copy to -

- 1) District Collector Raigad - Alibag
- 2) Sub-divisional Officer, Pen - Raigad
- 3) Tehsildar, Pen - Raigad
- 4) Police Inspector, Raigad
- 5) Sub-divisional Police Officer, Pen
- 6) Police Inspector, Wadkhal - Pen

Sd/-

President

Established 2013

Registration no. 497/2013 Raigad

Shri. Bapdev Shetkari Mandal, Kharmachela
Village Gadab, Tal. Pen, District Raigad 402107, Maharashtra State

Dated 10/02/2015

To,
Smt. Sukeshini Pagare,
Ld. Tehsildar and Executive Officer,
Pen

Subject :- Regarding JSW Company Dolvi purposefully causing agricultural lands to be infertile at Kharmachela (Gadab), and dumping on natural water stream and destruction of mangroves.

Madam,

We the farmers from the revenue area of Kharmachela Gadab have been repeatedly informing you through letters that JSW Company wants to purchase our agricultural lands and we don't want to sell our farm lands. For this reason, Company is dumping chemical waste on our farm lands and is making it infertile. For that, on night of 09/02/2015, the Company demolished a part of their wall and started dumping at the natural water stream nearby. The said waste material is of chemical nature. Similarly, there is large scale destruction of mangroves (Kharmachela area) on the said stream.

We by our letter dated 23/01/2015 informed you take preventive action against the Company. But you intentionally disregarded our requests and the Company by violating all laws has started dumping chemical waste material on farm lands in Kharmachela revenue area.

As farming is the only source of livelihood for many farmers, we only have one option left which is committing suicide. Therefore prohibitive action should be taken against the Company to stop the dumping activities immediately. Similarly for causing dumping at the water stream and for destruction of mangroves, offences should be immediately registered against the Chairman/Board of Directors of JSW Company under Sec. 15(I)(II) of Environment Protection Act, 1986. Otherwise the affected farmers will self immolate themselves at your office on 16/02/2015.

Attachments

- 1) Photos of demolition of compound wall, dumping on natural water stream and destruction of mangroves.
- 2) Letter dated 23/1/2015

Sd/-

President

Established 2013

Registration no. 497/2013 Raigad

Shri. Bapdev Shetkari Mandal, Kharmachela
Village Gadab, Tal. Pen, District Raigad 402107, Maharashtra State

Date 23/1/2015

Urgent and emergency

To,

Ld. Police Inspector,
Wadkhal, Pen

Subject :- Regarding JSW Company Dolvi constructing a bridge across a natural water stream at Kharmachela (Gadab) Pen District Raigad.

Reference :- Letter dated 23/01/2015 by Shri Bapdev Shetkari Mandal, Kharmachela and discussion during hearing before Ld. Tehsildar Smt. Pagare.

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Sir, our agricultural lands are our only source of livelihood, there will be mass retaliation by the villagers, there can be law and order situation. We are peaceful farmers. Therefore prohibitive action should be taken against the Company and it is requested in order to protect our agricultural lands, to provide police protection against the dumping by JSW Company.

Copy to -

- 1) District Collector Raigad - Alibag
- 2) Sub-divisional Officer, Pen - Raigad
- 3) Tehsildar, Pen - Raigad
- 4) Police Inspector, Raigad
- 5) Sub-divisional Police Officer, Pen
- 6) Police Inspector, Wadkhal - Pen

Sd/-

President