

Item No. 06

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

Original Application No. 57/2018 (WZ)
(M.A. No. 102/2018)

Jeevitnadi & Anr.

Applicant(s)

Versus

Municipal Council & Ors.

Respondent(s)

Date of hearing: 13.03.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
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):

Ms. Sreeja Chakraborty and Ms. Purna Venkatesh, Advocates

For Respondent (s):

Ms. Vaishnavi Saras and Mr. Ajay Gadegaonkar, Advocates for R-1
Ms. Shukantala Wadegala, Advocate for R-4
Ms. Prachi Sawant, Advocate for R-3

ORDER

1. This application seeks prohibition of work of concretization inside the blue line of Krishna river and other incidental directions.
2. According to the applicant, respondent No. 1, Wai Municipal Council, is undertaking concretization work on the bank of river Krishna at Maha Ganapati ghat, Wai. Such activity is against the environment norms as no construction is allowed on the river bed inside the blue line, the prohibited zone of the river for construction.

3. In response to the notice issued by this Tribunal, respondent No. 1 has filed reply stating as follows:-

“Originally in the earlier times, the same was a part of southern side ghat. However, on account of passage of time, the same had become a dumping place. The said area required cleaning. It was also observed that there was a huge erosion of the stones over the said area and the same had become uneven. It say that during the floods, the same would have adversely affected the flow of water and further would have resulted in inundation of adjoining areas.

This respondent submits that it had become absolutely necessary that the entire southern side of Ganapati Ghat to be cleared to the said wild grass garbage, wild animals. It has also become necessary that the said area, which has suffered erosion of the stones to be made even and clean. Moreover, there was also a necessity that the entire said area to be concretized so that it will increase of height which could be utilized for carriage of the river in case of any flood or any unexpected high release of water from the Dhom Irrigation Project and all other times, the same be kept clean and further no wild grass should grow or be utilised for any other purpose including dumping ground for garbage, etc.”

4. On the other hand, the stand of the Collector and the Irrigation Department is that the activity of respondent No. 1 will affect the flow of the water and carriage capacity of the river.
5. In view of the conflicting views of official respondents, we direct a joint Committee comprising representatives of Maharashtra State Pollution Control (State PCB), Maharashtra Irrigation Department, Collector Satara District, Municipal Council Wai, District Satara to reconcile the conflicting views and submit

their joint report in the matter within one month by e-mail at ngt.filing@gmail.com. The nodal officer will be the Collector Satara District for compliance and coordination.

6. A copy of this order be sent to Collector Satara District who will coordinate with all remaining members of the Joint Committee and convene a meeting.

7. The applicant may furnish a copy of this order, along with relevant papers, to the members of the Committee through the Collector, Satara.

List for consideration of the report on 22.05.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

March 13, 2019
Original Application No. 57/2018 (WZ)
(M.A. No. 102/2018)
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