

DHANORI CITIZEN FORUM

Bldg. No. 10, Flat No.36, Ambanagri, Dhanori Road, Pune 411015.

'SAVE DHANORI LAKE CAMPAIGN'

PLEASE SEE THE FOLLOWING DOCUMENTS RELATED TO THIS ISSUE

WE FUTHER APPEAL PEOPLE TO SUPPORT US IN THIS ISSUE.

- 1>Letter given by chairman Amba Nagri co. ho. Soc. Ltd to DCF
- 2>Reply from DCF.
- 3>Public Notice in DNA News Paper.
- 4>Copy of Development Control Rules.
- 5>PMC Commissioner's Letter with Nature Heritage List.
- 6>Copy of Supreme Court Order (Kalpavriksh) for reference.
- 7>Copy of 'Save Modal Colony lake Campaign' Struggle story to **SUCCESS.**

Note: we are not against any individual , just want to save lake and water in interest of environmental importance of city and people as water is one of prime importance for human life.

For More Information pls Contact us:

- 1.Mr. S. K.Sarkel 9422320744
- 2.Mr. A. B. Shinde 9850860672
- 3.Mr. N Mudliyar 9325430328
- 4.Mrs. Jyoti Savardekar
- 5.Mr. H. Patil

Ambanagari Co-operative Housing Society Ltd.

S.No. 48/1/2, (Dhanori), Vishrantwadi, Pune - 411015.

Reg. No. PNA/PNA(2)/HSG/(TC)8361/07-08 dt. 27-9-2007

To
The Chairman
Dhanori Citizen Forum
Bldg No 10, Flat No 35-36
AMBA NAGARI, Dhanori Road
Vishrantwadi, Pune - 411 015

Date : 20th July 2008

Mr Sarkhel - Member of Ambanagari
Bldg No 10, Flat No 35-36
AMBA NAGARI, Dhanori Road
Vishrantwadi, Pune - 411 015

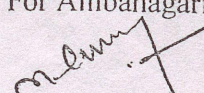
Sub : Notice published in the daily news paper "D.N.A." dated 19th July'2008 by Adv. Rameshkumar Nage regarding Stone Quarry.

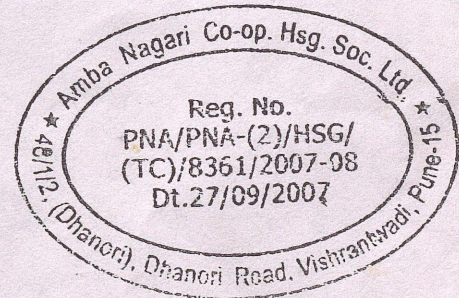
Sir,

This is to bring your notice that, a public notice has been published in the Daily News Paper "D.N.A." dated 19th July 2008 by Adv. Rameshkumar Nage on behalf of Yerwada Gadi Vadari Mazoor Co-Op Society Ltd in respect of Sr. No 47, 48 & 90. The Notice state that Ambanagari is illegally using the Quarry water. Further, it is stated that any false publication is made, the concerned Vadari Society shall be constrained to take legal action against such individual / group. Similarly, we would like to bring to your notice that we have circulated various notices dated between April'2008 and May'2008 restraining the members of our Society not to approach the Media concerning with the issue without the prior approval of the Managing Committee. Further we bring to your notice that you are one of the members of the Society and at the instance of your organization the word "Ambanagari" has been published in the Daily News Papers, this has resulted complications in solving the issue i.e. using the Quarry Water for our Society, as we are facing acute shortage of water. In case, the water connection is disconnected by the Vadari Society the Managing Committee shall not be held responsible and the sole responsibility shall rest upon your organization.

Thanking you,

For Ambanagari Co-operative Housing Society Ltd


Raghu Nambiar
Chairman



Note : Managing Committee of Amabanagri has decided to send this letter to you.

DHANORI CITIZEN FORUM

Correspondence at :
Building # 10, Flat # 36
AMBANAGARI, Dhanori Road,
Vishrantwadi, PUNE - 411 015.
Mobile # .9422320744

July 25, 2008

To,
The Chairman,
Ambanagari Co.Op. Hsg. Soc, Ltd.
Sy. No. 48/1/2, (Dhanori) Vishrantwadi,
Pune - 411 015.

**Subject : Notice published in the daily news paper D.N.A. dated 19th
July 2008 by Adv. Rameshkumar Negi regarding Stone Quarry.**

Reference : ACHCL letter dated 20th July 2008.

Dear Sir,

With reference to your above referred letter it is to state that the notice you have mentioned is actually a circular for information to the public made by Gadi Vadari Samaj. It is not understood what relation we the resident of Ambanagari Hsg. Soc. have got with them ? On the contrary you being the chairman of Ambanagari Co.Op. Hsg. Ltd. immediately should have taken up the issue with the builder Shree Hari Developers from whom we have bought the flats and have registered along with relevant documents. While buying the flats builders have assured 24 hrs water supply for household purpose. In case if there is any problem, as a chairman of the society it is your responsibility to have dialogue with the builders and sort out the issues, promised by the builder. If any body finds out any false fabricated allegation is made in any form against them he has got all the right to take help of law.

By circulating April 08 and May 08 notice you have violated the basic fundamental rights of ours which is guaranteed by the Constitution of India as freedom of speech. Your circular are not only wrong but also can attract legal completions.

We are no way concerned with Vadari Society and need not be worried as a Chairman of Ambanagari Co.Op. Hsg. Society Ltd you should have dragged the Vadari Society for blatantly blaming Ambanagari for "stealing the water from the

जाहीर खुलासा व ताकीद

आमचे अशिल नामे येरवडा गाडी वजारी मजूर को-ऑप. सोसायटी लि. पुणे यांनी सांगितलेवरून व दिलेल्या माहितीवरून गाव मोजे धानोरी येथील सर्व्हे नं. ४७ व ९० या मिळकतीसंदर्भात विविध घुसपनांगधे प्रसिद्ध होत असलेल्या खोट्या व खोडसाळ घुसपनांगधे लामा लोकांना कळविण्यात येते की, मोजे धानोरी येथील सर्व्हे नं. ४७, ४८, ९० या मिळकती येरवडा गाडी वजारी सोसायटी, पुणे यांचे मातकीच्या होत्या. व सोसायटीचे एकूण ४३७ सभासद होते. जिल्हाधिकारीसाहेब, पुणे यांनी सदर सोसायटीचे सभासदांसाठी प्लॉटचे लेआउट नकाशा मंजूर केला होता. सोसायटीने घरांचे बांधकाम सुरु करणे करीता खोदकाम सुरु केले असता तेथे खडक लागल्याने सदर घरे बांधण्याचे काम खर्चिक असल्याने तेथे सोसायटीने दगडाचे खाणीसाठी वापर सुरु केला. खाणीमधील घाण खाण्यासाठी गिधाडे / घारी / कांबळे इतर पक्षी आकाशात धिरट्या घालत. सदर पक्ष्यांमुळे ज्वळरू अस्थान्या लोहगुण विमान तळवरून उड्याण करणाऱ्या विमानांना सदर पक्ष्यांमुळे व खाणीतील खड्ड्यांमुळे गुरत्याकर्षणाच्या नियमाने विमाने खाली येत असत. विमानांना अपघात होण्याची शक्यता निर्माण झाल्यामुळे खरेदीदलाच्या सांगण्यावरून सदर खाण जिल्हाधिकारीसाहेब पुणे यांनी १९८४ साली सदर खाणीचा खड्डा बंद करण्यास सांगितले म्हणून सोसायटीने खाणीचा व्यवसाय बंद करून सदर जागा विक्रीत करण्याची तयारी सुरु केली.

सर्व्हे नं. ४८ मध्ये बांधण्यात आलेली अंबानगरी ही मिळकतदेखील याच मिळकतीपैकीची आहे. सदर मिळकतीमधील खाण जमिनीतील पाणी काढून व सपाटीकरण करून त्यामध्ये पुणे महानगरपालिकेच्या परवानगीने तेथे इमारतीचे बांधकाम करून अंबानगरी सोसायटीचे सभासद रहात आहेत. बांधकामासाठी यु.एल.सी. व एन. ए. ऑर्डर घेण्यात आलेल्या आहेत. परंतु अंबानगरी या सोसायटीचे नावावर अद्याप खरेदीदल झालेले नाही. खाणीच्या खड्ड्यातील पाणी हे पावसाचे व सभोवताली असणाऱ्या कस्त्यांमधील / झोपडपट्ट्यांमधील गटारे व नाले यांचे असून सदर पाण्यामध्ये सदर कस्त्यांमधील लोक रोज घाण व कचरा आणून टाकतात. सदर खाणीचे खड्ड्यांतील पाण्यामध्ये आजपर्यंत अंदाजे १७५ जणांनी आत्महत्या केलेल्या आहेत. तशी पोलिस दफ्तरी नोंद आहे. सदर पाण्यात अनेक जनावरे पडून मृत होतात. त्यामुळे पसरणारी दुर्गंधी सभोवताली राहणाऱ्या झोपडपट्टीमधील हजारो गोर-मरीच लोकांच्या आरोग्यास घातक असून रोगांसाठी आजार पसरतात. सदर सर्व गोष्टींचा विचार करून तेथील हजारो रहिवाश्यांनी आमचे अशिलाकडे सदर खड्डा बुजवून तेथील घाण व आत्महत्तेचे प्रकार थांबवा अशी मागणी केली. तसे न केले्यास उपोषण / अंतोवने व कायदेशीर कारवाई करून त्यांचे आरोग्यदायी जीवन जगण्याचा हक्क प्राप्त करून असे सुचवले. सदर बाबींचा विचार करून सदर मिळकतीपैकी सर्व्हे नं. ४८ मध्ये खाणीचे सपाटीकरण करून गृह प्रकल्प बनविला. त्याचप्रकारे सदर खाणीचे खड्ड्याचे सपाटीकरण करून विकसन करण्याचे आमचे अशिलांचे कायदेशीर प्रयत्न आहेत. सदर विकसन करताना आमचे अशिलांनी खाणीच्या पाण्याचा भाग ४० टक्के ते ५० टक्के ठेऊन कल्पकतेने वापर करून पुढील प्रोजेक्टच्या सौंदर्यात भर घालू असे आश्वासन दिले आहे.

भारतीय भूवैज्ञानिक सर्व्हेच्या १९७१ मधील नकाशानुसार या जागेत दगड खाण दाखविली असताना विकास आराखड्यात ही रहिवासी जागा कशी काय होऊ शकते? याचे कारण सदर नकाशानुसार सर्व्हे नं. ४७, ४८, ९० मध्ये खाण होती त्यात जागेवर म्हणजे सर्व्हे नं. ४८ मध्ये खाणीचे सपाटीकरण करून अंबानगरी ही सहामजली एकूण २० इमारतींची सोसायटी संपूर्ण कायदेशीर प्रक्रीया पूर्ण करून उभी आहे. भारतीय भूवैज्ञानिक सर्व्हेच्या १९७१ मधील नकाशाचा संदर्भ देऊन दगड खाण आहे असे म्हणणारेच लोक / संस्था ती खाण नसून तलाव / पॉड आहे असे म्हणून सदर घाण पाणी पिण्याचे पाणी आहे. ते बंद करून तेथे विकसनाचे काम करणार असाल तर त्यांच्या बेकायदेशीर मागण्या मान्य करा अथवा काम करू देणार नाही असे आमचे अशिलांना धमकावून अनेक बेकायदेशीर मागण्या पुढे करीत आहेत आणि वर्तमानपत्रांची दिशाभूल करून वर्तमान पत्रात खोटेया आशयांचे / माहितीचे मजकूर छापून आमच्या अशिलांना ब्लॅकमेल करण्याचे प्रयत्न करत आहे. सदर पाणी अंबानगरी सोसायटीने फिल्टर प्लॅंट बसवून पाण्याचा वापर पिण्यासाठी न करता शौचालयातील पलश करीता करीत आहे. सदर पाण्याचा वापर सभोवतालच्या सोसायट्यांनी अंबानगरी सोसायटीप्रमाणेच विनापरवाना पंप / पाईपलाईन बसवून वापर घालू केला आहे. त्यामुळे पाण्याची चोरी सदर सभोवतालच्या सोसायट्यांनी चालू ठेवलेली आहे. सदर सभोवतालच्या सोसायट्यांच्या पूर्तीमासून अस्तित्वात असलेल्या झोपडपट्ट्यांमधील रहिवाश्यांनी आजपर्यंत काहीही सदर पाण्याचा कोठल्याही प्रकारे वापर करीत नाही. कारण सदर पाणी साचलेले गळू व अनेक प्रकारच्या घाणीने समाविष्ट असून आरोग्यास हानीकारक आहे याचे त्यांना ज्ञान आहे.

सदर मिळकत विक्रीत करण्याचे काम कायदेशीररीत्या चालू केले असता अनेक व्यक्ती अथवा संस्था यांनी सदर कामात अडचणी निर्माण केल्यामुळे आमच्या अशिलांनी त्या विरुद्ध मेडरबॉन दिवाणी न्यायालय पुणे याचेकडून स्पेशल दिवाणी दावा क्र. १०७१ / २००८ अन्वये काम करणेसाठी रितसर परवानगी घेतली असून तसा मे. न्यायालयातून हुकूम घेतला आहे. तसेच सदर खाणीचे सपाटीकरण करून लोहगुण धानोरी रस्त्याचे रुंदीकरण होऊन वाहतुक सुरळीत होण्यास मदतच होईल.

तरी तमाम लोकांना या जाहीर खुलासाद्वारे कळविण्यात येते की सर्व्हे नं. ४७, ४८, ९० गाव मोजे धानोरी, ता. हवेली, जि. पुणे या मिळकतीबाबत कोणत्याही खोट्या स्वरुपाच्या / आशयाच्या प्रसिद्ध झालेल्या घुसपनांगधे विश्वास ठेवू नये. त्यासाठी हा खुलासा असून येथून पुढे या मिळकती संदर्भात कोणतीही / कसलीही अथवा कोणत्याही प्रकारचे या जनतेची दिशाभूल करणाऱ्या बातम्या कोणत्याही स्थानिक वर्तमान पत्रात प्रसिद्ध करू नयेत तसेच आमचे अशिलांचे पूर्व परवानगीशिवाय कोणीही कसलेही वृत्त सदर मिळकतीचे संदर्भात करू नये तसे आढळल्यास आमचे अशिल त्याविरुद्ध योग्य त्या न्यायालयात त्या संस्थेविरुद्ध / व्यक्तीविरुद्ध योग्य ती कायदेशीर कारवाई करतील कृपया याची नोंद घ्यावी म्हणून ताकीद असे.

स्थळ - पुणे
दि. १७-७-०८

अॅड. रमेशकुमार नागे
सं. नं. ३६/१, ब/२, पुणे सोलापूर रोड,
मांजरी फार्म पुणे ४१२३०७.

PUBLIC NOTICE

The public at large is hereby informed that my client Rupee Co Operative Bank Ltd, Pune in the year 2001, has advanced project loan of Rs. 900.00 Lakhs to Mr. Nilesh Vijaykumar Mehta Proprietor of M/s Nilesh Constructions. The lands bearing Plots No 1 to 11 (each plot consisting of 3 smaller plots) out of sanctioned layout of three sets of Survey Numbers viz. Survey No 47 Hissa No 2/1+2/2A+2/4B, Survey No 47 Hissa No 1B, Survey No 47 Hissa No 2/2B+2/4A, Survey No 47 Hissa No 2/3 and Survey No 48 Hissa No 2, Survey No 48 Hissa No 1/2 and Survey No 90 Hissa No A/2, Survey No. 90 Hissa No A/12, Survey No 90 Hissa No B of Village Dhanori, Taluka- Havelli, District - Pune are mortgaged by Mr. Nilesh V Mehta & others in favour of my client by Deed of Mortgage dated 20/04/2001 to secure aforesaid loan advanced to Mr. Nilesh Vijaykumar Mehta. The said Mortgage Deed is registered in the Office of Sub Registrar Haveli No 8 at Sr. No 2213 on 20/04/2001. Thus my client is having first charge on the plots No 1 to 11 referred to above.

It is further brought to the notice of all concerned that in W.P. No 3912 of 2003, Hon'ble Mumbai High Court by order dated 26/06/2003 has restrained the petitioner Mr. Nilesh V. Mehta from alienating, selling or creating third party interest or dealing with the said property which is the subject matter of the petition, without previous permission of the Court.

My client therefore hereby inform and caution public at large that in respect of the properties i.e. Plot No 1 to 11 referred to above, no person should enter into any transaction of sale, transfer, mortgage etc with the aforesaid persons and/or take possession of the same. Entering into such transaction with the aforesaid persons may invite contempt proceedings and such transactions will not be binding on my client.

Hence this notice issued on 12/07/2008.

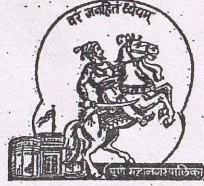
SANJAY NATU
Advocate

1445 Shukrawar Peth, Off Bajirao Road; Pune 2
Phone:- 24452435, 32905739

DNA
14-JULY 2008

DNA
19/07/08

B-3



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DEVELOPMENT CONTROL RULES

*Sanctioned Under Government Notification
Urban Development Department
No. TPS-1884/1377/CR-220/84/(iii)
UD-7 Dated 5/1/87*

For

DEVELOPMENT PLAN PUNE
(REVISED) (FINAL)

**For Application in
Pune Municipal Corporation Area**

(Price Rs. 300/-)

Authority only after the clearance from the Chief Fire Officer regarding the completion of the work from the fire protection point of view.

8.0 INSPECTION

8.1 The Authority shall have the power to carry out inspection of the work at various stages to ascertain whether the work is proceeding as per the provisions of rules and sanctioned Plan. *Section 458 (5) of Bombay Provincial Municipal Corporation Act, 1949* shall apply for the procedure for inspections by the Authority and for action to be taken by the Authority arising out of the inspection carried out.

9. Deleted —

9.1 — Deleted —

10. — Deleted —

10.1 — Deleted —

(a) Deleted —

(b) Deleted —

(c) Deleted —

PART II

GENERAL BUILDING REQUIREMENTS

11. REQUIREMENTS OF SITES

11.1 No piece of land shall be used as a site for the construction of building :

- (a) If the Authority considers that the site is insanitary or that it is dangerous to construct a building on it;
- (b) If the site is adjacent to any water course shown on the Development Plan.

Provided however, that the Corporation may allow the construction of buildings in such a site after determining the water way required and subject to the condition that a retaining wall (or such other protection work) is constructed by the applicant at his cost at the edge of such water way.

Provided further that where a water course passes through a low lying land without well defined bank, the owner of the property may be permitted by the authority to restrict or divert the water course to an alignment and cross section as determined by the authority.

Notwithstanding the above, the authority shall be entitled to take cognisance of the existence of all water courses whether shown on the Development Plan or not while sanctioning layouts and no person shall take any action without the permission of authority which results in reducing the water way or closing or filling up of any existing water course.

- (c) If the site is not drained properly or is incapable of being well drained;
- (d) If the owner of the building has not shown to the satisfaction of the Authority all the measures required to safeguard the construction from constantly getting damp;
- (e) — Deleted —
- (f) If the building is proposed on any area filled up with carcasses, excreta, filthy and offensive matter till the production of certificate from the Health Officer and Corporation Engineer to the effect that it is from the health and sanitary point of view fit to be built upon.
- (g) — Deleted —
- (h) — Deleted —
- (j) If the plot has not been approved as a building site by Authority.
- (k) — Deleted —
- (m) If the level of the site is less than prescribed Datum level depending on topography and drainage aspects.

11.1.1 — Deleted —

11.2 **Distance of Site from Electric Lines** — No verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance quoted below in accordance with the current Indian Electricity Rules and its amendments from time to time between the building and any overhead electric supply line :

	Vertically m	Horizontally m
(a) Low and medium voltage lines and service lines	2.5	1.2



☎ : 5501103

Fax : 020-5501104

OFFICE OF THE MUNICIPAL COMMISSIONER,
PUNE MUNICIPAL CORPORATION
Shivajinagar, Pune 411 005.

No. : MCO / 91

Date : 25 APR 2002

From :

THE MUNICIPAL COMMISSIONER,
Pune Municipal Corporation, Pune.

Sub. : Heritage list of Pune.

I understand that the Deputy Director of Town Planning has completed the hearings on the Heritage List of Pune and will shortly be forwarding the same with due modifications to the Government for its consideration.

In the meantime, till such time that the Government finalises the heritage list, the Draft Heritage List and the Draft Heritage Regulations for Pune should be followed and development permissions to sites on the draft heritage list should be given only after consulting the Heritage Conservation Committee.

Sd/-

Municipal Commissioner.

To,

City Engineer.

Encl. : Draft Heritage list.Copy to :-

✓ Shri Shyam Chainani,
9, St. James Court,
Marine Drive,
Mumbai-400 020.

Shyam Chainani
Municipal Commissioner,
Pune.

cc
[Handwritten mark]

3

part of Listing of Heritage in PMC

3.5 Zone V

- 13. 5.1. Parvati Hill
- 14. 5.2. Taljai Hill (Pachgaon-Parvati)
- 15. 5.3. Quarry behind SNTD
- 16. 5.4. Vithal Wadi Forest and Quarry

6. Zone VI

- 17. 6.1. A.R.A.I. and Malwadi Hills

7. Zone VII

- 18. 7.1. Chatushringi Hill
- 19. 7.2. Ferguson Hill (Hanuman Tekdi)
- 20. 7.3. Law College Hill
- 21. 7.4. Model Colony Quarry
- 22. 7.5. Pune University Garden & Trees

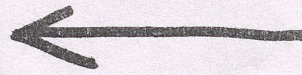
8. Zone VIII

- 23. 8.1. Vetat Tekdi
- 24. 8.2. Pashan Lake

VARIOUS GROUPS

1. Group A

- 25. 1.1. Dhanori quarry



2. Group B

- 26. 2.1. Harin Talav - Vadgaon Sheri
- 27. 2.2. Khopeshwar Cave (Temple)
- 28. 2.3. Manjri Bk. river
- 29. 2.4. Mundhwa Afforestation

3. Group C

- 30. 3.1. Katraj upper lake
- 31. 3.2. Katraj lower lake
- 32. 3.3. Katraj Hill

4. Group D

- 33. 4.1. Ramtekdi
- 34. 4.2. Mohamadwadi Afforestation


5. Group E

- 35. 5.1. Jambulwadi Lake - Ambergaon
- 36. 5.2. Rivulet at Narhe
- 37. 5.3. Dhayari Afforestation
- 38. 5.4. Khandoba Temple
- 39. 5.5. Kirkitwadi Hill
- 40. 5.6. Rivulet At Kirkitwadi

Dear friends,

There are many potential legal/policy instruments that can be used, including Conservation Reserves under WLPA, Biodiversity Heritage Sites under BD Act, Ecosensitive Areas under EPA, and perhaps as natural heritage sites under the Mah Heritage Act (I don't know much about the last one, except that I think citizens in Nagpur have used it, or the Nagpur version, to protect a couple of wetlands that were similarly threatened. Sanskriti, pl. check the Nagpur BSAP.

There is also a Supreme Court judgement on wetlands that could be used. See below.


<<<Supreme Court orders of July 25, 2001, in Hinch Lal Tiwari vs. Kamala Devi and Others, Civil Appeal No. 4787 of 2001, regarding wetlands within settlements, held that 'the material resources of the community like forests, tanks, ponds, hillocks, mountains etc. are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution. The Governments, including the Revenue Authorities...having noticed that a pond is falling in disuse, should have bestowed their attention to developing the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of the public at large.....the State shall restore, the pond, develop and maintain the same as a recreational spot which will undoubtedly be in the best interest of the villagers.'>>>

Additionally, GOI is considering a National Wetlands Policy and action plan, and has signalled its intention to give wetlands greater conservation coverage than they have currently. I don't have more details but this could be another line to take with the administration.

ashish

Ashish Kothari

Member, Kalpavriksh

Co-Chair, IUCN Theme on Indigenous/Local Communities, Equity, and Protected Areas

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MODEL COLONY LAKE A NATURE RESERVE

In the mist of city's huz. buz; a project coming up in Model Colony. Pune city will have a beautiful, cool, peaceful atmosphere with birds swooping down, catching fish and flying off, a bird sanctuary in the midst of cement Jungle.

The idea of preserving this natural water body and bird life in Model Colony was conceived by Dr. Zenab Poonawala in 1965. With a small group of local residents she started the campaign. Subsequently the group took a shape of mohalla committee, and then the Model Colony Parisar Sudharana Samiti; a democratic spirit of Citizen's, empowerment of public awareness, of participatory activism of sustainable development, a well establish an organized registered NGO.

The idea of preserving this lake and nature reserve was conceptualized by the Samiti in 1992. A joint meeting was held with the naturalist, ecologist, planners, architects with the then PMC commissioner and the local corporator. The Agenda was prepared with a vision by architect Narendra Dingle to conserve and preserve the biodiversity of this natural water body from the broader angle for the posterity. This Agenda was unanimously approved and PMC entered in to the contract with well known landscape architect Shri Ravindra Bhan of Delhi.

The Salient Features Of This Project Are As Follows :

- A holystick plan has been prepared by a noted landscape architect Shri. Ravindra Bhan and executed under the supervision of architect Shri. Narendra Dingle to conceptualize the future form of the lake environment would take.
- The Zone has been maintained as a peaceful and passive recreation zone.
- The environment of the lake is made more naturefriendly and attractive to migratory birds.
- Proper care has been taken to avoid it making in to a usual public park which is associate with noise, vendors and general misuse.
- Approximately 6 acres of land / water body has been acquired.
- The project has completed its first fase of work.

The lakes natural beauty is being enhanced by beautiful landscaping works of pitching the water boarder all round, constructing 4 feet wide path way round the lake, planting pitch green lawns, plants, trees for the bird roosting and building a compound wall with 6 feet tall wire net around to protect it from encroachment and nuisance.

It is aim 'to be a unique spot in the city of Pune were men, animals, plants, flowers, birds, fish, live in harmony to promote sustainable environment. The lake water has many microorganism and fish and is prove to be a well eco balance lake. The project has seen this day with the peoples participation and let it be preserve with peoples participation. After a big struggle over 35 years, and abundant stone carry of over 100 years old with live water - springs in it turned in to a beautiful lake. Scientific study of the lake emphasises that the lake is today a complete eco system free from organic pollution contains some rare species of flora and founa.

The Great Struggle -The Citizen's Unity Behind This Bio Reserve Lake Garden-

Initially out of 6 acres of lake area only around three acres was in the possession of the PMC. The other half was a private property and was chalked out for commercial construction. According government policy this property was brought under **URBAN LAND CEILING ACT**. Where as the private owners were trying to turn every stone very hard to vacate the property from the government clutches; the PMC too was considering the lake as an obstruction in "Development". In its 1982 development plan, PMC decided to convert the lake in to a plane ground. The big blow was delivered when an X PMC commissioner adamantly decided to fill it up and sell it. In 1985 PMT granted permission for the construction of a Star Hotel and a private school for here. The PMC commissioner gave orders to drain out the lake water.

This sudden spurt of water pumping activity at the lake on the 9th April 1985 alerted the local resident of an impending disaster. It became necessary for the citizens to colligate and participate in exercising there rights of saving the lake as well as putting the authority on the right track.

Doctor Zenab Poonawala, and active local resident and then President of Parisar Sudharana Samiti, spear headed the "**SAVE LAKE CAMPAIN**". Soon organizations like INTACT Save Poona Citizens (SPCC), School of environmental sciences, University of Poona and several woman's Organisation actively join the campain. Well over 2000 citizens including architects protested against the PMC's action.

protested against the PMC's action. Infact it looked like that the entire city of Pune was involved in the protest. It was a people's movement to save the lake and so they succeeded.

PUBLIC AWARENESS

This was the result of a well organised public awareness campaign which enlightened the people of the natural lake's ecosystems and other relevant information. Activities were organised on the bank of the lake which enabled people to see the reality. These activities were tree plantation, lectures, discussions, exhibitions, puppet shows, signature campaign, etc. The preservationists also organised an 'open-air-laboratory' on the banks of the lake for children and adults.

Citizens also approached the press, gave interviews and wrote articles in the newspapers and periodicals. Informative literature was also distributed. Letters were sent to concerned authorities. At this juncture the academic work of Dr. Meera Bondre was highlighted. She had observed the lake since 1969. Her work on 'Urban Waterbodies' which presented this lake gave a tremendous boost to the efforts of the citizens. Her thesis was on the lake's botanical values.

Stupendous efforts were put in. This public awareness campaign had a massive impact and snowballed into wide participation.

The Urban Development Minister paid visit to the lake and got convinced. He too announced that the lake should be preserved.

Ultimately, succumbing to this public pressure the plan was abandoned by PMC.

LEGAL ACTION

On the other hand, at the same time legal action was being taken. First of all the pumping of the water was forthwith stopped, on 11th of April '85, by a court order. The Town Planning department was not convinced of the importance of preserving the lake and was determined to implement its plan. Thus the citizens filed a public litigation suit against the PMC. After a long drawn legal battle of three months the authorities relented and scrapped the concept of the hotel and school project. On 3rd of July '85 the PMC Commissioner wrote to the citizen's committee that "It has now been decided to use the land for the purpose for which it has been reserved in the Development Plan".

This victory though significant was not sufficient. The activists now had to focus their attention on the DP. After a follow-up for two years their efforts saw the light. The Government of Maharashtra passed the revised land Development Plan in 1987 and the lake and its surrounding plots were declared as a reserved area for a lake garden. The PMC was urged to acquire the additional land under private ownership and develop the whole as a lake garden without cement construction.

DEVELOPMENT ACTION

At the behest of Society for Clean Cities a 'Mohalla Committee of PMC ward No.10 was formed by the name 'Model Colony parisar Sudharana Samiti'. The local citizens got a platform for participating and interacting with the authorities in this organisation. As membership increased and funds were pooled in the Samiti became active with the help of PMC.

Its work started with the preservation of the three water-bodies - the lake, plus canal and a nallah. With help from the Fisheries Department, PMC cleaned up the lake's sewage. The Samiti, headed by Dr. Zainab Poonawala, sought the help of Indian Council of Agriculture Research, Fisheries Unit, New Delhi. With its help a fish-farming project was started by introducing about 5,000 fingerlings of marketable fish in the lake. The lake was so rich in micronutrients that within six months they grew to 750 gms.

Dr. Meera Bondre was invited to present the lake's success story at the 'Global Assembly of Women and the Environment' at Florida. This was a preparatory meet for the Rio Earth Summit held in June '92.

Although the lake was considered important from the point of view of global conservation strategies. It had little impact on the local authorities. Nothing concrete was being done to convert it into a lake garden. Again the citizens through the Samiti and local corporators launched an awareness drive to facilitate the development activity.

Finally in 1993 PMC's standing Committee approved a proposal to hire the services of the Delhi based Architect, Mr. Ravindra Bhan, better known as the designer of 'Shaktisthal' in New Delhi. This was for finalizing a "holistic environmental plan" as a bio-reserve lake garden. A contract was made in March '93.

An initial amount of Rs. 50,000/- was also sanctioned in the PMC's budget. The corporation also installed lamps and fenced - off some portion of lake's area. This brought control over the lake's rampant misuse particularly in dumping non -biodegradable garbage.

The Munciple Commissioner, in 1993, Mr. Ajit Warty, with his personal attention to the development of the lake, made provisions in the PMC's funds to acquire the lake's surrounding land.

LEGAL ACTION - II PHASE :

Though the PMC was asked to acquire additional land of the lake under private ownership the acquisition remained pending as the private owners had now filed a writ petition in Bombay High Court for dereservation of their plots. The Court had ordered a status-quo on 13th of July '93. Earlier, for several years, the owners had tried to get the reservation vacated at Ministerial level. Here they were unable to secure even the exemption certificate.

As the owners had now challenged the State's ceiling in Court, it now became necessary for the citizens to participate in supervising the case on behalf of the State. For this Dr. Zainab Poonawala approached Mr. Sham Chainani of Bombay Environment Group to intervene in the case. The NGO willingly gave its active and able support. After a long legal battle the owners were defeated in the Bombay High Court.

At this time the estate prices in Pune had gone up, beyond every limit. This made the owners approach the Supreme Court

It is not normally possible for local citizens to fight a public interest litigation in the Supreme Court. This was a rare incidence where the environmentalist and citizens fought such a legal battle at the highest level, to save a waterbody. Dr. Poonawala and her colleagues once again managed to gain support from friends and NGOs including the Bombay Environmental Group.

In March '95, the Supreme Court also rejected the plea of the owner and directed the PMC to acquire their land (plot Nos. 501 A & 502) to use for public lake garden.

POST 1995 SCENARIO :

With the Supreme Court verdict the lake was saved. However, this did not mean that the struggle was over. The end of this phase was the beginning of a new era of challenges.

First of all the challenge was to develop the lake property. The citizen's demand and the Courts verdict were not looked favorably by the local politicians and the PMC bureaucrats. They had their individual vested interests in the property. Thus, for a long time, in spite of the follow-up carried out by the Model Colony Parisar Sudharana Samitee, the sanctioned proposal of developing the property into a bio-reserve lake garden remained only on the papers. The Garden Department of PMC took considerable time in preparing the initial survey report. This was to be sent to the architect Mr. Ravindra Bhan in 1993. The ' Bhoomi Poojan ' for the lake's compound wall was done on the 1st December 1994 but the work was finally taken-up after three years. It is also alleged that people with political influence in the neighbourhood have created administrative and physical obstruction in developing the lake's property. It is also visible that a local politician had made an attempt to give his father's name to the lake.

The land acquisition operation too remained pending. PMC remained static on this matter, claiming that it was waiting for the enforcement of the Maharashtra State Government's Transfer of Development Rights (TDR) bill. This would save PMC from shelling out hard cash to the original land owners. The citizens too found the proposal favourable as the owners of the acquired property could also economically benefit from lake's development project. The official acquisition process is still not complete.

On the other hand there are some other social challenges. Several educated people in the vicinity are still considering the lake only as a garbage dump pond. With the constant inflow of garbage from its neighbourhood and the annual immersion of Ganapati idols in the lake water the lake's bio-system itself is under threat. The harmful nitrogen contains in it is considerably increasing. This is also visible from the growth of the floating hydra over the lake waters. The Samitee along with other volunteers from Pune and the health department of PMC undertook a Garbage Cleaning Drive in mid 2000. Annual Ganapati immersion directly into the lake water is also now being controlled by the awareness which is getting created in the Model Colony and adjacent Vadarwadi area.

Meanwhile with help of the local corporator, Mr. Ramdas Pawar extra budgets have been sanctioned and the development work is currently underway. Construction of the ' C ' shaped jogging track is almost half way through.

However, now challenges are confronting us, violating our rights. The PMC under the influence of a political power, has given permission for private access through the lake land to an ex-corporator's residence and conveniently doubled it a "Public Road". Although the PMC has sanctioned public road on public land it actually is a road for purely private use. All this in spite of an access road always being available to the property of the person in question. Thus, the PMC has given possession of the lake land to this individual for this personal benefit and possible commercial exploitation. This encroachment jeopardises the development of the site as a Bio-Reserve for the city of Pune.

This "legal" encroachment of public property is a serious challenge before us. It also sets a dangerous precedent of partitioning off public property for vested interests. It is a violation of our environmental and civic rights and against the spirit of the supreme court directives as well as the final development plan (DP) of the city. A court case has been filed against the PMC and the concerned individual in the Pune Civil Court.

Concerned residents of Model Colony citizens of Pune city, and committee for peoples Empowerment, issued a circular for signature campaign in support of our case. This case is pending since last 2 years in the court.

From all this it is observed, that the citizens' struggle will continue moving into a new era-of preserving and developing it into a bio-reserve lake garden, free from private vested interests.

CONCLUSION :

For proper development and conservation of this public property it is necessary that the Samitee itself get better legal control over it. More and more people should join this struggle. Though the battle will continue for preserving and developing the lake, this 35 years struggle from 1965 to 2000 itself has made an impact. It has generated awareness amongst the citizen, to a large extent, as about their environment and their civil rights. The Samitee and the activists, with their active participation as citizen-owners have demonstrated that democracy can be effective only by citizens participation. They managed in making the local and State authorities to change their policies. This is a sound example of how our civil society can use the democracy effectively for our sustainable development.

Maiplex

Parthe -