



**Office of the Additional Principal Chief Conservator of Forests, Mangrove Cell,  
Mumbai**

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Outward No: - 07/2020-21.

Date: 27.07.2020

To,  
The Prothonotary and Senior Master  
Hon'ble High Court, Mumbai.

**Sub: - Compliance report by the Mangrove Monitoring Committee as per the Directions  
of Hon'ble Bombay High Court order dated 17<sup>th</sup> September, 2018 in PIL 87/2006.**

The Hon'ble Bombay High Court vide order dated 17<sup>th</sup> September, 2018 in PIL 87 of 2006 has directed the monitoring committee headed by the Divisional Commissioner as mentioned in Government Resolution dated 16<sup>th</sup> October, 2018 submitted after every three months compliance report. Accordingly, I am submitting the 5<sup>th</sup> compliance report of the said committee. The same may please be brought to the notice of Hon'ble Bombay High Court.

o/c   
(Neenu Somraj)  
Member Secretary  
State Mangrove Monitoring Committee  
And  
Deputy Conservator of Forest, Mangrove Cell.

Copy to: Government Pleader (Original side), Bombay High Court.  
Copy to: Chairman, State Mangrove Monitoring Committee and Divisional Commissioner, Konkan Division.  
Copy to: Additional Chief Secretary (Revenue), Government of Maharashtra.  
Copy to: Secretary (Forest), Government of Maharashtra.

Mangubandh  
28/7/2020  
C.O.  
Board sept.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**PUBLIC INTEREST LITIGATION NO. 87 OF 2006**

Bombay Environment Action Group and another .... Petitioners

VS

The State of Maharashtra and others .... Respondents

**5th Compliance Report of the Mangrove Monitoring Committee**

Paa. No.	Order	Compliance	Remarks
85	<p>(B) The following direction issued in terms of clause 8(viii) of the order dated 6th October 1005 has been substantially complied with :</p> <p>“The areas shown as mangrove area in the satellite study report “Mapping of mangroves in the Maharashtra State using Satellite Remote Sensing” dated August, 2005, prepared by the Maharashtra Remote Sensing Application Centre (MRSAC) for the MCZMA which was submitted to this Court on 29<sup>th</sup> August, 2005, form part of Phase I of the mapping by MRSAC. The MRSAC will, in Phase II, carry out mangroves study using high resolution for detailed mapping of mangroves with a view to identify more precisely mangrove areas in Mumbai and Navi Mumbai. After receiving the said satellite data, transfer of mangrove details on city survey/village maps(cadastral map) will be carried out within a period of 6 months from today”.</p>	<p>The Chief Secretary has directed Director MRSAC to carry out Mangrove study by using high resolution for detail mapping of mangroves, after receiving said Satellite data and transfer of mangrove details on city survey / village maps by 17th March 2019. MRSAC prepared high resolution maps of all seven coastal districts and details of mangroves village wise and the same has been forwarded to all district Collectors for necessary action.</p>	Closed
	<p>(C) The directions in sub clauses(ix) to (xiii) of clause 8 of the order dated 6th October 2005 shall continue to operate as final directions in respect of mangrove areas only on the government lands and the lands held by Planning Authorities like CIDCO, MMRDA etc. In respect of the lands admeasuring 2823.8493 Hectares as</p>	<p>The chief secretary of Maharashtra has issued following directions in the meeting held on 17th November 2018</p> <p>1. All the Municipal Corporations, CIDCO, MMRDA, MHADA, MIDC, Revenue Department and other concerned agencies to</p>	<p>Mangrove forest of 15312.6688 ha has been declared u/s 4 of Indian Forest Act, 1927. The revenue department has</p>

<p>stated in the affidavit dated 14th February 2018 of Shri Milind Pandit Rao, the direction regarding transfer of the lands to the Forest Department and consequential directions regarding making revenue entries shall be complied with within a period of three months from the date on which this Judgment and Order is uploaded. The State Government shall identify the mangroves lands which were vested in it by virtue of section 3(1) of the Private Forest Act and shall take appropriate steps in respect of such lands for transferring such lands to Forest Department within a period of 18 months from today. It will be also open for the State Government to take recourse to section 21 of the Private Forest Act in appropriate cases;</p>	<p>expedite the process of identification of government mangrove land, their notification as Reserved Forest and subsequent transfer to Forest Department.</p> <p>2. Instructions were given to all the District Collectors to complete the transfer of entire notified mangrove area and to make revenue entries before the dead line given by the Honourable High Court i.e. by 16th December 2018. Wherever areas notified under section 4 have been excluded after inquiry by the Forest Settlement Officer, the orders should be shared with Forest Department, So that wherever felt necessary by that latter, an appeal can be preferred.</p>	<p>so far transferred 13716.732 ha area to the Forest department.</p> <p>1596 ha. hectares are mostly in Raigad (1196 ha), Sindhudurg (115 ha), Mumbai sub urban (242.076 ha), Thane (5.66 ha), Palghar(34.2 ha) are pending for transfer Institutions like Municipal Corporations, CIDCO, MMRDA, MHADA, MIDC etc are yet to start the process of land transfer.</p>
<p>(D) We direct the State Government to constitute a Committee headed by the Divisional Commissioner, as agreed by the State Government. The Committee and subcommittees shall be formed in accordance with the observations made in paragraph 68 above. The committee shall be responsible for the reservation and conservation of mangroves, for restoration of reclaimed mangroves areas set out in paragraph 73 above and for implementation of the directions in this Judgment. The Committee shall be constituted within a period of one month from today. The sub committees as observed in paragraph 68 shall be constituted within two months from today. The Committee shall hold regular meetings and the minutes of the meeting</p>	<p>1) Monitoring Committee meeting was not conducted because of the Covid 19 crisis and the government machinery were busy in dealing with Covid pandemic in March to July 2020. However, all the complaints received during this period were well addressed and took action. A special session for declaration of reserve forest u/s 4 IFA 1927 was chaired by the Divisional Commissioner on 17/03/20 to complete all pending proposals at Collector level. The Mangrove Committee meeting was conducted on 09/12/2019, 30/01/2020 and 05/03/20 and the</p>	

<p>shall be made available on public domain as observed in paragraph 68 above. As directed under the order dated 6th October 2005, the Principal Secretaries of (1) Environment, (2) Revenue and (3) Forest Department of the Government of Maharashtra shall be overall in charge for ensuring total compliance with the directions issued under this Judgment and Order. They will monitor the working of the Committee headed by the Divisional Commissioner;</p>	<p>minutes of the meeting is enclosed (<b>Annexure 2</b>). The committee has received 124 complaints so far and 67 complaints are pending for final conclusion. Pendency is due to present challenges posed due to Covid 19 pandemic. Total 57 complaints were disposed off from the beginning till date. District wise list of complaints and action taken thereof are enclosed in <b>Annexure-1</b>.</p> <p>5) The Secretariat will be housed in the Mangrove Cell/ Konkan Bhawan and necessary funds for establishing the Secretariat will be provided by the Mangrove Foundation. The recruitment was conducted on 22<sup>nd</sup> August 2019. However eligible candidates were not available. The recruitment will be conducted again. Lack of the Secretariat's support cause minor delay in follow up process.</p>	
<p>(G) We direct that it is the obligation of the State to replant destructed mangroves and to restore mangroves areas which are illegally reclaimed. The said areas shall be restored to its original condition. In what manner restoration shall be done must be decided by the Committee headed by the Divisional Commissioner after consulting experts in the field. The Committee shall identify the vulnerable mangroves areas in the State and direct its constant surveillance by the Police/Forest Guards/Security Guards of the Maharashtra Security Corporation. The Committee shall ensure that barricades are erected for preventing the entry of vehicles in such vulnerable area. The Committee shall also consider of installing CCTVs along the vulnerable stretches to keep a vigil. The Committee shall also cause to undertake satellite</p>	<p>1) In most of the cases immediate availability of fund to restore the mangrove land is not available and especially in private area the authority will face problem. Even if the restoration cost of land is recovered from the offender as an arrears of land revenue under Maharashtra Land Revenue Code but restoration work will get affected because of immediate unavailability of fund. Hence the Committee has directed</p> <p>a) Respective Municipal Corporations to take up responsibility of restoration of destructed areas in their jurisdiction (Urban area).The necessary funds can be demanded from the government.</p>	<p>No such reclamation work was carried out so far. All concerned Municipal Corporation has informed in the Mangrove coordination committee meeting that reclamation work by removing debris and waste are practically difficult to be implemented</p>

<p>mapping of mangroves area in the state at periodical intervals of not more than six months by using resolution as suggested in paragraph no.28 of the note submitted by the learned senior counsel appearing for the petitioner. Any changes seen shall be considered by the Committee and remedial measures shall be taken. The State Government shall sanction necessary amount for that purpose;</p>	<p>b) For the rural areas, Mangrove Foundation will initially use its resources for restoration and if such funds are not sufficient, additional grants will be sought by Mangrove Cell from the government.</p> <p>2) The committee is of the opinion that, the exercise to identify the vulnerable mangrove areas from each district will require sufficient time. Hence it has directed concerned forest division of each district to make a survey and identify these areas and the action plan will be prepared accordingly to have constant vigil on those lands.</p> <p>3) A project has been given to Indian Institute of Space science and Technology, Thiruvananthapuram (Institute under ISRO) by Mangrove Foundation to undertake the satellite mapping of mangroves of Maharashtra at periodical interval of six months.</p>	<p>due to lack of space for depositing huge amount of debris apart from the high cost factor.</p> <p>The process is delayed due to Covid-19 pandemic in MMRDA region</p>
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(Neenu Somaraj)  
Member Secretary

State Mangrove Monitoring Committee  
And Deputy Conservator of Forest, Mangrove Cell.

## Annexure-1

### Mangrove Monitoring Committee

Sr. No.	District	Total Complaints	Close Complaints	Pending Complaints
1	Mumbai	2	2	0
2	Mumbai Suburban	41+7	15+15-20	26
3	Thane	39+5	18+3	21
4	Navi Mumbai	10+1	7+1	3
5	Palghar	3+3	1	2
6	Raigad	27+1	12+2	15
7	Ratnagiri	2	2	0
8	Sindhudurg	0	0	0
	<b>Total</b>	<b>124</b>	<b>57</b>	<b>67</b>

## **Annexure-2**

### **Mangrove Monitoring Committee**

<b>Sr. No.</b>	<b>Attachments</b>
1	GR of Mangrove Monitoring Committee
2	Minutes of 09/12/ 2019
3	Minutes of 30/01/ 2020
4	Minutes of 05/03/ 2020