



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

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Mangrove Cell / DCF / Steno/ 92 /2019-20

Date:05.02.2021

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

*Handwritten:* 10/2/2021  
General Department  
High Court, Original Side

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 and accordingly, I am submitting the 6<sup>th</sup> compliance report of the said committee. The same  
may please be brought to the notice of Hon'ble Bombay High Court.

(NeenuSomraj)

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.

**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


**6<sup>th</sup> Compliance Report of the Mangrove Monitoring Committee**

Para. No.	Order	Compliance	Remarks
85	(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 stated in the affidavit dated 14th February 2018 of Shri Milind PanditRao, 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>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 expedite the process of identification of government mangrove land, their notification as Reserved Forest and subsequently transfer to Forest Department.</p> <p>2. Instructions were given to all the District Collectors, CIDCO, MHADA, MMRDA etc, 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>Mangrove forest of 16743.6022 ha has been declared u/s 4 of Indian Forest Act, 1927. The revenue department has so far transferred 13716.732 ha area to the Forest Department. Total 7316.52 ha is declared u/s 20, IFA 1927</p> <p><b>Annexure-1</b></p> <p>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 subcommittees 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 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>The Mangrove Committee meeting was conducted on 21/09/2020, 02/11/2020, 09/12/2020 and 30/12/2020 and 19/01/2021 the minutes of the meeting is enclosed <b>Annexure-3</b>. The committee has received 141 complaints so far and 63 complaints are pending for final conclusion. Pendency is due to present challenges posed due to Covid 19 pandemic. Total 78 complaints were disposed off from the beginning till date. District wise list of complaints and action taken thereof are enclosed in <b>Annexure-2</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 certainly cause delay in follow up process.</p>	<p>Departments like Environment Department, Maharashtra Pollution Control Board (MPCB) and MHADA being consistently absent in the meetings despite sending reminders. As per the Environment Protection Act, 1986, MPCB officials are designated to file charge sheet in the court. Their non-cooperation creates hurdles in bringing the cases in their logical conclusion.</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</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>No such reclamation work was carried out so far. All concerned Municipal Corporation has informed in the Mangrove coordination committee meeting that</p>

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 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;

- a) Respective Municipal Corporations to take up responsibility of restoration of destroyed areas in their jurisdiction (Urban area). The necessary funds can be demanded from the government.
- 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.
- 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.
- 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. Their work on developing maps and a software is going on.
- reclamation work by removing debris and waste are practically difficult to be implemented due to lack of space for depositing huge amount of debris apart from the high cost factor.
- The Mangrove Cell has identified 15 places as sensitive areas in Mumbai and Thane region and erected Chowki for monitoring these area. Total 158 staff from Maharashtra State Security Corporation are being deployed through Mangrove Foundation



(Neenu Somaraj)  
Member Secretary

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

## Annexure 1

Dt 5/2/2021

SR. No.	DISTRICT	PROPOSED U/S 4 OF IFA	FINAL U/S 20	REMAINING U/S SECTION 4	DELETED FOR SECTION IN PROCESS 20	Remarks
1	MUMBAI	276.65	276.65	0	0	
2	MUMBAI SUBURBAN	3948.49	253.0734	3695.4166	0	Borivali Taluka 182.9666 Ha + Andheri Taluka 70.1068 Ha is finally notified under section 20
3	THANE	3450.2232	2013.5298	1387.3966	49.2968	Bhivandi 554.8291 Ha finally notified out off 591 Ha. Thane Taluka of Thane Municipal Corporation - 350.5135 Ha. and Mira Bhayander Municipal Corporation - 1036.8831 Ha. notified under Section 4. 1458.7007 Ha of Thane Taluka (Navi Mumbai) is finally notified u/s 20 of Indian Forest Act, 1927
4	RAIGAD	4193.2913	907.1713	3188.2645	97.8555	Shrivardhan 226.9904 Ha. + 165.7199 Ha. = 392.7103 Ha. finally notified out off 431.2138 Ha. 242.1230 Ha of Pen Taluka, 272.3380 Ha of Roha Taluka is finally notifies u/s 20 of Indian Forest Act, 1927. 59.352 Ha of Pen Taluka is deleted from section 20 final notification.
5	RATNAGIRI	1435.785	1432.7098	0	3.0752	
6	PALGHAR	2951.8016	2058.8374	864.7142	28.25	SDO Palghar has recommended 371.1915 Ha. are proposed to deleted in final notification under section 20 of Indian Forest Act, 1927. 1509.7830 Ha of Palghar Taluka and 463.7847 Ha of Dhanu Taluka and 30.6797 Ha of Talasari Taluka is finally notified u/s 20 of Indian Forest Act, 1927. 28.25 Ha of Dhanu Taluka deleted from section 20 final notification.
7	SINDHUDURG	487.3611	374.5495	0	112.8116	
TOTAL		16743.6022	7316.5212	9135.7919	291.2891	



## Annexure 2

### Mangrove Monitoring Committee

Sr. No.	District	Total Complaints	Close Complaints	Pending Complaints
1	Mumbai City	2	2	0
2	Mumbai Suburban	48	30	18
3	Thane	44	21	23
4	Navi Mumbai	11	8	3
5	Palghar	6	1	5
6	Raigad	28	14	14
7	Ratnagiri	2	2	0
8	Sindhudurg	0	0	0
	<b>Total</b>	<b>141</b>	<b>78</b>	<b>63</b>

S. A. Joshi

## Annexure 3

### Mangrove Monitoring Committee

Sr. No.	Attachments
1	GR of Mangrove Monitoring Committee
2	Minutes of 21.09.2020
3	Minutes of 02.11.2020
4	Minutes of 09.12.2020
5	Minutes of 30.12.2020 & 19.01.2021



अपर प्रधान मुख्य वनसंरक्षक, कांदळवन कक्ष, मुंबई यांचे कार्यालय,  
३०२, वेक फिल्ड हाऊस, इरामजला, ब्रिटानिया रेस्टोरंट जवळ, बॅलार्ड इस्टेट, फोर्ट, मुंबई-४००००१.  
दूरध्वनी क्र.०२२-२२६९४९८५/८४ Email:ccfmangrove@mahaforest.gov.in /ccfmmumbai@gmail.com

जा.क्र.कक्ष-१/ल.ले/ ८६ /सन २०२०-२१  
फोर्ट, मुंबई-४००००१ दिनांक: २५/०९/२०२१.

**कांदळवन संरक्षण व संवर्धन सनियंत्रण समितीच्या अशासकीय सदस्यां समवेत बैठक  
दिनांक ३०.१२.२०२० व दि.१९.०१.२०२१ रोजीच्या बैठकीचे इतिवृत्त.**

समितीचे अध्यक्ष तथा विभागीय आयुक्त यांच्या अध्यक्षतेखाली सदरची बैठक घेण्यात आली. सदर बैठकीस खालील अधिकारी व व्यक्ती उपस्थित होते.

अ.क्र.	नाव	पद	कार्यालय
१	श्री. अण्णासाहेब मिसाळ	विभागीय आयुक्त कोकण विभाग	विभागीय आयुक्त, कोकण विभाग, बेलापूर, नवी मुंबई.
२	श्रीमती. निनु सोमराज	उप वनसंरक्षक, कांदळवन कक्ष, मुंबई	अपर प्रधान मुख्य वनसंरक्षक, कांदळवन कक्ष, मुंबई.
३	श्री. स्टॅलिन डी.	संचालक, वनशक्ती	वनशक्ती
४	श्रीमती हेमा रमणी	बी.ई. ए.जी. यांचे प्रतिनिधी	बी.ई. ए.जी.

विभागीय आयुक्त तथा अध्यक्ष, कांदळवन संरक्षण व संवर्धन सनियंत्रण समितीच्या तक्रारीच्या अनुषंगाने उपस्थित अशासकीय सदस्यां समवेत कांदळवन तक्रारीच्या प्राप्त तक्रारीनुसार संबंधीत जिल्हाधिकारी कार्यालयांकडून प्राप्त अनुपालन अहवाल तपासण्यात आले व त्या अनुषंगाने चर्चा करुन तक्रार निकाली काढण्याचे निर्देश समितीच्या अध्यक्षांनी दिले.

कांदळवन संरक्षण व संवर्धन समितीमध्ये एकूण १४१ तक्रारी प्राप्त झाल्या असून त्यापैकी ७८ तक्रारी निकाली काढण्यात आल्या आहेत. तक्रारींचे प्रमाण जास्त असल्यामुळे समितीच्या सदस्य सचिवांनी अशासकीय सदस्यांची पुन्हा दि. १९ जानेवारी २०२१ रोजी अपर प्रधान मुख्य वनसंरक्षक कांदळवन कक्ष, मुंबई यांचे कार्यालयात बैठक घेतली. सदर बैठकीमध्ये २१ तक्रारी प्राप्त अहवालानुसार निकाली काढण्यात आल्या व ज्या ठिकाणी कांदळनाचा नाश झाला आहे अशा ठिकाणी कांदळनाची पुन्हा लागवड Restoration करण्याचे निर्देश समितीने संबंधीत महानगरपालिकेला दिले.

  
सदस्य सचिव

कांदळवन संरक्षण व संवर्धन समिती  
तथा उपवनसंरक्षक, कांदळवन कक्ष, मुंबई