



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

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Mangrove Cell / DCF /Steno/ 20 /2021-22

Date: 22.07.2021

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 and accordingly, I am submitting the 7<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.

Navaj  
22/7/2021  
General Department  
High Court, Original  
Bombay

**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

**7th 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 <b>17065.58 ha</b> has been declared u/s 4 of Indian Forest Act, 1927. The Revenue Department has so far transferred <b>14203.69 ha</b> area to the Forest Department. Total 11549.37 ha is declared u/s 20, IFA 1927. MTDC transferred 224 ha to Mangrove Cell. <b>5488.7 ha</b> area is pending for inquiry with FSO.</p> <p>Institutions like Municipal Corporations, CIDCO, MMRDA, MHADA, MIDC will be transferring mangroves after completing the survey and ground truthing</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 09/12/2021, 22/03/2021 and on 13/07/2021 Committee of Secretaries met to review the mangrove protection activities. The minutes of the meeting is enclosed (<b>Annexure 1</b>). The committee has received 146 complaints so far and 58 complaints are pending for final conclusion. Pendency is due to present challenges posed due to Covid 19 pandemic. Total 88 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 the 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</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 reclamation work by removing debris and waste</p>



<p>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 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>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>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. Their work on developing maps and a software is going on.</p>	<p>are practically difficult to be implemented due to lack of space for depositing huge amount of debris apart from the high cost factor.</p> <p>The Mangrove Cell has identified <b>52</b> sensitive locations in MMR area for establishing CCTV surveillance. The DPR preparation is being done through Earnst&amp;Young LLP. There are forest stations established in 8 locations and new stations are proposed in 9 more locations. Total <b>183 posts</b> for Maharashtra State Security Corporation are being sanctioned and 117 posts have been filled so far through Mangrove Foundation.</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.	Attachments
1	Minutes of 09.12.2020
2	Minutes of 22.03.2021

## Annexure 2

### Mangrove Monitoring Committee complaints status

Sr. No.	District	Total Complaints	Close Complaints	Pending Complaints
1	Mumbai City	2	2	0
2	Mumbai Suburban	49	31	18
3	Thane	46	25	21
4	Navi Mumbai	11	8	3
5	Palghar	6	5	1
6	Raigad	30	15	15
7	Ratnagiri	2	2	0
8	Sindhudurg	0	0	0
	<b>Total</b>	<b>146</b>	<b>88</b>	<b>58</b>





Government of Maharashtra  
Revenue & Forest Department,  
Madam Cama Road, Hutatma Rajguru Chawk,  
Mantralaya, Mumbai-400 032

Contact No. 022/ 22813623

Email ID: [sunil.pandhare@nic.in](mailto:sunil.pandhare@nic.in)  
[aparna.upasani@nic.in](mailto:aparna.upasani@nic.in)

Minutes of Meeting

File No. : S-30/2018/C.R.592/Part-1/F-3

Date : 26/07/2021

To,

- 1) Additional Chief Secretary (Housing), Mantralaya, Mumbai-32.
- 2) Principal Secretary (Environment), Mantralaya, Mumbai.
- 3) Principal Secretary (UDD-I), Mantralaya, Mumbai.
- 4) Principal Secretary (UDD-II), Mantralaya, Mumbai.
- 5) Divisional Commissioner, Konkan Division
- 6) Additional Principal Chief Conservator of Forests, Mangrove Cell, Mumbai.
- 7) Commissioner, Brihanmumbai Municipal Corporation
- 8) Commissioner, Municipal Corporation, Thane/ Kalyan-Dombivali/ Ulhasnagar/ Panvel/Navi Mumbai/ Vasai-Virar/ Bhivandi-Nijampur/ Mira Bhainder.
- 9) Managing Director, MHADA / CIDCO / JNPT.
- 10) Chief Metropolitan Commissioner, MMRDA
- 11) Collector (Thane/ Palghar/ Mumbai City/ Mumbai Sub. /Raigad/ Sindhudurg).
- 12) Deputy Conservator of Forests, Mangrove Cell, Mumbai.

**Subject:-** Minutes of the 3rd meeting held on 13.07.2021 to Monitor the working of the Mangrove Monitoring committee appointed for the Protection and Conservation of Mangroves in the state.

Sir,

I am directed to state that, The 3rd meeting of the Committee of Secretaries headed by Additional Chief Secretary (Revenue), constituted vide GR no. S-30/2018/C.R.592/F-3, Dated 1 December, 2018 to Monitor the working of the Mangrove Monitoring committee headed by Divisional Commissioner, Konkan was held at the office of the Principal Secretary (Forest) on 13<sup>th</sup> July 2021 at 3 PM.

2. The following officers were present in the meeting: -

- 1) Shri. Venugopal Reddy, Principal Secretary (Forests), Mantralaya, Mumbai.
- 2) Shri. Bhushan Gagrani, Principal Secretary (UDD-I), Mantralaya, Mumbai.
- 3) Shri. Mahesh Pathak, Principal Secretary (UDD-II), Mantralaya, Mumbai.
- 4) Shri. Virendra Tiwari, Additional Principal Chief Conservator of Forests, Mangrove Cell, Mumbai.
- 5) Shri. Arvind Apte, Chief Conservator of Forests, Mantralaya, Mumbai.



- 6) Shri. V. N. Patil, Divisional Commissioner, Konkan Division (Through VC)
- 7) Dr. Kailash Shinde, Joint MD, CIDCO (Through VC)
- 8) Shri. Rajiv Nivatkar, Collector Mumbai City(Through VC)
- 9) Shri. Milind Borikar, Collector Mumbai Suburban (Through VC)
- 10) Shri. Rajesh Narvekar, Collector Thane (Through VC).
- 11) Shri. Manik Gursal, Collector Palghar (Through VC)
- 12) Smt. Nidhi Choudhary, Collector Raigad (Through VC)
- 13) Smt. K. Manjulaxmi, Collector Sindhudurg (Through VC)
- 14) Smt. Neenu Somaraj, Deputy Conservator of Forests, Mangrove Cell, Mumbai.
- 15) Shri. Shreenivas Moklikar, Under Secretary, Housing Department.
- 16) Shri. Sunil Pandhare, Under Secretary, Forest Department.
- 17) Representative from MMRDA, KDMC, BNMC.

The meeting was started with the welcome note of the Chairman followed by the introduction of the members. The chairman discussed the specific agenda item and directions were issued

S. No.	Agenda	Action to be taken	Responsible agency Time line
1	Review of the work done by the Monitoring Committee headed by Divisional Commissioner	The Committee received 146 complaints so far and 88 complaints have been disposed of till date. Total 58 complaints are pending. It shall be reviewed and closed.	Divisional Commissioner, Konkan Division 30/09/2021
1 a	Identification of sites for debris dumping	PS UDD II mentioned that it is the responsibility of the local Municipal Corporations to remove debris dumping on the mangrove areas and in the 50-meter buffer zone within their jurisdiction. The expenditure shall be borne by the municipal authority only. Such debris extracted from the site can be recycled through their C&D waste recycling facilities.	Urban Development Department- II  All Municipal Corporations 30.09.2021
1b	Empowering Forest Officers under Environment Protection Act, 1986	Environment Department has submitted proposal to MoEFCC. Environment Department shall pursue with the Central Government.	Principal Secretary, Environment
2	Review of mechanisms for mangrove conservation at the District and Taluka level	The Divisional Commissioner shall monitor whether meetings are held regularly. Monthly meeting shall be conducted at district and Taluka levels and the minutes shall be uploaded on the	Divisional Commissioner, Konkan Division



		<a href="http://www.konkanmangroves.com">www.konkanmangroves.com</a> website.	
3	Progress of transfer of forest land notified as 'Reserved Forests' under Section 4 of Indian Forest Act.	<p>All cases pending for notifications under section 4 shall be completed at the earliest. Total 17065.58 ha notified u/s 4, IFA, 1927. 11549.37 ha has been notified u/s 20.</p> <p>Proposal of 1016.96 ha in Ratnagiri and 128.64 ha in Sindhudurg district for notification u/s 4 and 113.60 ha in Raigad, 67.50 ha in Sindhudurg district, 37.78 ha in Ratnagiri for Section 20 notification are pending with the Divisional Commissioner. The said notification shall be issued in 15 days of time.</p> <p>As per 2005 MRSAC map area under mangroves:</p> <p><b><u>Panvel Taluka</u></b>  Dense Mangrove - 721 ha  Sparse Mangrove - 678 ha  Mud flat - 219 ha  Total - 1620 ha</p> <p><b><u>Uran Taluka</u></b>  Dense Mangrove - 1432 ha  Sparse Mangrove - 915 ha  Mud flat - 1012 ha  Salt pan - 171 ha  Total - 3530 ha.</p> <p>In above Talukas so far only 15 ha mangrove area in Uran Taluka is notified under section 4. The Divisional Commissioner shall expedite transfer of mangrove areas to Forest Department and its notification as Reserved Forests.</p>	<p>Divisional Commissioner, Konkan Division</p> <p>30.09.2021</p>
4	Status of inquiry pending with FSO	<p>Inquiry for more than 3700 ha area is pending with the Forest Settlement Officer/ SDOs. Divisional Commissioner to ensure that the areas notified under section 4 are not omitted/ deleted on the ground of absence of Mangroves at present. The status of mangroves in the year 2005 shall be considered for the purpose of final notification of reserve forest. It shall be expedited and the land shall be transferred to</p>	<p>Divisional Commissioner, Konkan Division</p> <p>30.09.2021</p>

<p>Status of transfer of mangrove forest from agencies like CIDCO, MMRDA, JNPT, MHADA etc.,</p>	<p>the Forest Department.</p> <p>In addition to 176 ha mangroves declared as Protected Forest in 1991, 319 ha Mangrove forest with MMRDA for protection purpose shall also be transferred to Mangrove Cell through Collector Mumbai Suburban.</p> <p>CIDCO has more than 1000 ha mangrove area in their possession out of which so far they have identified 260 ha mangroves for transfer to Forest Department. CIDCO is directed to identify remaining mangrove forest with the help of MRSAC maps and ground truthing and shall be transferred directly / through Collectors to the Mangrove Cell. Subsequently Mangrove Cell shall notify such land as Reserve Forest.</p> <p>Vasai-Virar Municipal Corporation has submitted the proposal of 1464 ha to Collector, Palghar for notification u/s 4. The same shall be expedited.</p> <p>JNPT has approximately 913 ha mangroves under their possession. JNPT to handover the said mangroves immediately to Forest Department.</p> <p>Other agencies like MHADA, MIDC and Municipal Corporations like KDMC, NMMC, PMC, BNMC etc. shall also expedite transfer of mangrove forest to Mangrove Cell at the earliest.</p>	<p>PS UDD-I / PS UDD-II/ PS Housing/ PS Industries / Divisional Commissioner/ Concerned Collectors / MMRDA/ CIDCO/ JNPT/ MIDC/ MHADA/ KDMC/ NMMC/ PMC / BNMC</p> <p>30.09.2021</p>
<p>6 Contempt petition filed by Vanshakti</p>	<p>Hon'ble High Court in its order dated 9th July 2021 has directed all the respondents to file their affidavit in two week time. The next date of hearing 30th July 2021. The concerned shall file their affidavit within given time.</p>	<p>Divisional Commissioner /Concerned Collector/ CIDCO/ JNPT/ MMRDA/ Mangrove Cell etc.</p> <p>23.07.2021</p>



The Vote of Thanks was proposed by the Member Secretary and the meeting was concluded with the permission of the Chairman.

3. Above minutes of the meeting are being sent for your information and to take further necessary action.

Yours faithfully,

*ay*  
26/07/2021  
(Arvind Apte)  
Chief Conservator of Forest (Mantralaya)  
Revenue & Forest Department

CC :

- 1) Additional Chief Secretary (Revenue), Mantralaya, Mumbai-32.
- 2) Principal Secretary (Forest), Mantralaya, Mumbai-32.