



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

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Mangrove Cell / DCF / 93 / 2022-23

Date: 28.07.2022

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 to submit compliance report after every three  
months. Accordingly, I am submitting the 9<sup>th</sup> compliance report of the said committee. The same  
may please be brought to the notice of the Hon'ble Bombay High Court.

*Anita Patil*

(Anita Patil)

Member Secretary

State Mangrove Monitoring Committee

And

Deputy Conservator of Forest, Mangrove Cell.

*ok*

*4/8/22*

Clerk to  
Government Pleader  
High Court, (Original Side)  
Mumbai.

Copy to: Government Pleader (Original side), Bombay High Court.

Copy to: Chairman and Additional Chief Secretary (Revenue), Government of Maharashtra.

Copy to: Principal Secretary (Forest), Government of Maharashtra.

Copy to: Chairman and Divisional Commissioner, Konkan Division.

*S. P. Hanejekar*  
*05/08/2022*

लिपिक

अमुस (महसूल)

महसूल व विभाग

मंत्रालय, मुंबई

*05/08/2022 11:16 AM.*

*check.*

for Prothonotary & Senior Master  
High Court, Bombay.

*9/7*  
*21/07/22*  
लिपिक  
अमुस (महसूल) व विभाग  
मंत्रालय, मुंबई ४०० ०२२

*meo*  
*05/08/22*

लेखनिक  
आयुक्त-कोंकण विभाग  
मुंबई-४०० ०३२



**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

**9<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 6 <sup>th</sup> 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 ha 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	<p>The chief secretary of Maharashtra has issued following directions in the meeting held on 17<sup>th</sup> November 2018. Subsequently the 4<sup>th</sup> meeting of The Committee of Secretaries on Mangrove Conservation was held on 17.06.2022.</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</p>	<p>Mangrove forest of 19480.1198 ha has been declared u/s 4 of Indian Forest Act, 1927. The Revenue Department has so far transferred 14090.2311 ha area to the Forest Department. Total 11548.7386 ha is declared u/s 20, IFA 1927. District wise details is enclosed in Annexure 1.</p> <p>CIDCO handed over 629.15 ha in Panvel and Uran Talukas and gave NOC for handing over 628.68 ha. of Unacquired land to the Forest Department. However, details of the Unacquired land such as village, Survey no. etc are not shared. Further CIDCO is retaining 637.62 ha. for infrastructure projects. However, details of the land</p>



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;

given by the Honourable High Court i.e. by 16<sup>th</sup> 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.

being retained such as village, Survey no. etc are not shared.

JNPT has agreed to handover 814.35 ha. mangrove area to Forest Department through Collector Raigad.

MMRDA has given consent to handover 199.03 ha. under its possession for protection purpose. So far 3.5 ha has been handed over.

Collector Mumbai City / MSD yet to handover 184.18 ha. Mangrove area including Mahim nature park to the Forest Department.

Vasai-Virar Municipal Corporation has about 1464 ha. of mangrove area of which Divisional Commissioner has submitted proposal for declaration of Reserved Forest over 881 ha. Government has raised certain back queries which are pending for compliance at Divisional Commissioner level. Proposal for remaining 583 ha. is yet to be submitted to the Government.

There is no progress with respect to the handing over mangrove area by MHADA, MIDC etc.



(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

The Mangrove Committee held meetings on 25/01/2022 & 22/06/2022. The Committee of Secretaries met on 17/06/2022 to review the Mangrove protection activities. The minutes of the meetings are enclosed (Annexure 2).

The committee has received 189 complaints out of which 135 complaints have been disposed off by the Committee and the remaining 54 complaints will be disposed after receiving compliance from the concern departments. District wise list of complaints and action taken thereof is enclosed in Annexure-3.

Committee members like MCZMA, MMRDA and MHADA are very inconsistently present in the meetings despite sending reminders. This creates hurdles in bringing the cases to the logical conclusion.

As per the Environment Protection Act, 1986, MPCB officials are designated to file chargesheet in the court. Their cooperation is required in bringing the cases to the logical conclusion.

Absence of MCZMA officials creates hurdles in settling complaints related to CRZ area.



<p>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>(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 mapping of mangroves area in</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 face problems. Even if the restoration cost of land is recovered from the offender as an arrears of land revenue under Maharashtra Land Revenue Code, 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>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</p>	<p>No action for removal of debris has been initiated by BMC and other Corporations and concerned departments so far.</p> <p>A MOU has been signed between Mangrove Foundation and MAHAPREIT on 10.05.2022 for Pilot project on Mangrove Conservation in P/North ward with focus on solid waste management. MAHAPREIT along with ERAF will be assessing the quantum of legacy waste at 13 locations in P/North ward and coordinating with BMC and other agencies for removal of debris and identifying location for establishment of 4 chowkis for prevention of further dumping of debris.</p> <p>It is proposed to deploy one employee each from BMC, Police and Forest Department in these</p>



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;

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.

chowkis. Once the debris are removed Mangrove Cell will carry out restoration work.

A meeting was held under the Chairmanship of Collector, Mumbai Suburban District

on 9.05.2022 in which representatives of BMC, Revenue Department, Mangrove Cell, Police Department, MHADA, MMRDA, MMB, MAHAPREIT & ERAF were present.

For installation of CCTV camera's along the Vulnerable stretches Government of Maharashtra has appointed M/s Ernst & Young LLP as Project Management consultant and preparation of RFP is in progress.



(Anita Patil)

Member Secretary

State Mangrove Monitoring Committee

And

Deputy Conservator of Forest, Mangrove Cell.



## ANNEXURE - 1

### Progress of transfer of notified Reserve Forest under section 4 & 20 IFA 1927

District	Area notified u/s 4, IFA (Ha)	Area proposed for deletion from section 20	Pending for inquiry (Ha)	Final notification u/s 20 (Ha)	Area transferred to FD (Ha)
Mumbai City	276.65	0	0	276.65	253.00
Mumbai Suburban	3720.3688	294.7274	334.7249	3090.9164	3695.3055
Thane	3541.4815	49.2525	1478.6997	2013.5298	3400.9264
Palghar	3030.044	849.4175	121.7865	2058.84	1967.9441
Raigad	4824.2426	1537.2028	945.9642	2301.5429	2267.6913
Ratnagiri	2133.8883	3.0747	698.1038	1432.71	2130.8138
Sindhudurg	487.36	112.8116	0	374.5495	374.55
<b>Total</b>	<b>18014.0352</b>	<b>2846.4865</b>	<b>3579.2791</b>	<b>11548.7386</b>	<b>14090.2311</b>



## Annexure 2

### Mangrove Monitoring Committee Meeting

Sr. No.	Attachments
1	Minutes of 25.01.2022
2	Minutes of 22.06.2022
3	ACS (Revenue) Minutes of 17.06.2022



## Annexure 3

### Mangrove Monitoring Committee complaints status

Sr. No.	District	Total Complaints	Closed Complaints	Pending Complaints
1	Mumbai City	2	2	0
2	Mumbai Suburban	59	46	13
3	Thane	79	50	29
4	Palghar	7	5	2
5	Raigad	36	29	7
6	Ratnagiri	3	3	0
7	Sindhudurg	3	0	3
<b>Total</b>		<b>189</b>	<b>135</b>	<b>54</b>



## Progress of transfer of notified Reserve Forest under section 4 & 20 IFA 1927

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महाराष्ट्र शासन  
महसूल व वन विभाग  
मादाम कामा मार्ग, हुतात्मा राजगुरु चौक,  
मंत्रालय, मुंबई-४०० ०३२

दूरध्वनी क्र. ०२२/ २२०२२२६१

Email ID: deskf3.rev-mh@gov.in

क्रमांक : एस-३०/२०१८/प्र.क्र.५९२/फ-३

दिनांक : ०१/०७/२०२२

प्रति,

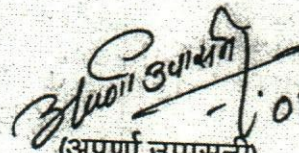
अपर प्रधान मुख्य वनसंरक्षक (कांदळवन कक्ष),  
मुंबई

विषय : राज्यातील कांदळवनाचे संरक्षण व संवर्धन करण्यासाठी नियुक्त  
सनियंत्रण समितीच्या ४ थ्या बैठकीचे इतिवृत.

राज्यात कांदळवनांचे संरक्षण व संवर्धन करण्यासाठी विभागीय आयुक्त, कोकण यांच्या  
अध्यक्षतेखालील नियुक्त सनियंत्रण समितीचा आढावा घेण्यासाठी मा. अपर मुख्य सचिव (महसूल)  
यांच्या अध्यक्षतेखालील आढावा समितीची ४ थी बैठक दि. १६/०६/२०२२ रोजी संपन्न झाली. सदर  
बैठकीच्या इतिवृत्तास मान्यता प्राप्त झाली असून ते सोबत जोडले आहे.

सदर इतिवृत्ताची प्रत सर्व संबंधितांना उपलब्ध करून देण्यात येऊन त्यानुषंगाने उचित  
कार्यवाहीबाबत संबंधितांना निर्देश देण्यात यावेत तसेच त्याची प्रत शासनास सादर करावी, ही  
विनंती.

सहपत्र- इतिवृत्ताची प्रत

  
(अपर्णा उपासनी)  
कक्ष अधिकारी  
महसूल व वन विभाग

प्रत : माहितीस्तव सादर.

प्रधान सचिव (वने) यांचे स्वीय सहायक, महसूल व वन विभाग, मंत्रालय, मुंबई-३२



## Meeting of the Committee of Secretaries on Mangrove Conservation (Mantralaya, Mumbai) 17.06.2022

Committee of Secretaries headed by ACS (Revenue) constituted vide GR No. S-30/2018/CN/592/F-3 dated 15 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 (Forests) on 17/06/2022 at 2:30 PM. The meeting was chaired by Additional Chief Secretary (Revenue).

### The following officers were present in the meeting:-

- 1) Shri. Nitin Kareer, Additional Chief Secretary (Revenue), Mantralaya, Mumbai
- 2) Shri. Venugopal Reddy, Principal Secretary (Forests), Mantralaya, Mumbai.
- 3) Shri. Virendra Tiwari, Additional Principal Chief Conservator of Forests, Mangrove Cell, Mumbai.
- 4) Shri. V. N. Patil, Divisional Commissioner, Konkan Division
- 5) Shri. Ravikiran Govekar, Chief Conservator of Forests, Mantralaya, Mumbai.
- 6) Smt. Anita Patil, Deputy Conservator of Forests, Mangrove Cell, Mumbai
- 7) Shri. K.V. Ravi Kumar, Representative of CIDCO
- 8) Smt. Vidya Hampalyya, Deputy Secretary, UDD-2
- 9) Shri. S.N. Shinde, Deputy Secretary, Housing Department.
- 10) Representative of Collector Sindhudurg (Through VC)
- 11) Smt. Aparna Upasani, Desk Officer, Forest Department.
- 12) Representative from MMRDA, KDMC, BNMC.

The following issues were discussed by the Committee and accordingly directions were issued

Sr. No.	Agenda	Points discussed	Action to be Taken
1	Review of the work done by the Monitoring Committee headed by Divisional Commissioner	<ul style="list-style-type: none"> <li>&gt; The committee received 189 complaints so far and 100 complaints have been disposed off till date.</li> <li>&gt; Total 89 complaints are pending, and they will be closed at the earliest.</li> <li>&gt; The committee met on 13.08.2021, 25.10.2021 &amp; 25.01.2022</li> </ul>	The Chairman directed Divisional Commissioner, Konkan Division to pass speaking orders to the concerned authorities for conservation, preservation, removal of debris and for restoration of reclaimed Mangroves areas as per the directions of Hon'ble High Court.
1 a	Identification of sites for debris dumping	<ul style="list-style-type: none"> <li>&gt; Despite the decision taken in the meeting held on 13th July 2021, BMC has not initiated any action for removal of debris.</li> <li>&gt; A meeting was held with AMC on 25.10.2021 in this regard.</li> <li>&gt; A MOU has been signed between Mangrove Foundation and MAHAPREIT on 10.05.2022 for</li> </ul>	The Chairman directed to send a DO letter from ACS, Revenue to Municipal Commissioner regarding removal of debris and providing security guards for the proposed Chowkis to prevent further dumping of debris.



		<p>Pilot project on Mangrove Conservation in P/North ward with focus on solid waste management. MAHAPREIT along with ERAF will be assessing the quantum of legacy waste at 13 locations in P/North ward and coordinating with BMC and other agencies for removal of debris and identifying location for establishment of 4 chowkis for prevention of further dumping of debris.</p> <ul style="list-style-type: none"> <li>➤ It is proposed to deploy one employee each from BMC, Police and Forest Department in these chowkis. Once the debris are removed Mangrove Cell will carry out restoration work.</li> <li>➤ A meeting was held under the Chairmanship of Collector, MSD on 9.05.2022 in which representatives of BMC, Revenue Department, Mangrove Cell, Police Department, MHADA, MMRDA, MMB, MAHAPREIT &amp; ERAF were present.</li> </ul>	
1b	Empowering Forest Officers under Environment Protection Act, 1986	➤ Proposal is with MoEFCC, Government of India, New Delhi	The Chairman directed Principal Secretary, Environment to send a letter from Hon. Chief Minister, Government of Maharashtra to the Hon'ble Minister, Environment, Forests & Climate Change, Government of India.
2	Review of mechanisms for mangrove conservation at the District and Taluka level	<ul style="list-style-type: none"> <li>➤ Monthly meeting at district level is being conducted.</li> <li>➤ Minutes of the meeting is maintained at district level.</li> <li>➤ Divisional Commissioner, Konkan shall be presenting updated information.</li> </ul>	The Chairman directed all District Collectors and Tahasildars to hold regular monthly meeting for handling complaints in time bound manner.
3	Progress of transfer of forest land notified as 'Reserved Forests' under Section 4 of Indian Forest Act.	<ul style="list-style-type: none"> <li>➤ Area notified u/s 4 is 18014 (Ha)</li> <li>➤ 14090 ha area transferred to Forest department.</li> </ul>	The Chairman appreciated progress made in this regard. Divisional Commissioner to expedite proposal for declaration of Mangroves on CIDCO and JNPT land under section 4 of Indian Forest Act, 1927. The Collector Raigad and Thane to expedite transfer of 927 ha. and 90 ha notified RF areas respectively to Forest Department



4	Status of Inquiry pending with FSO	3579 ha area pending for Enquiry	The Chairman directed Divisional Commissioner to look into the issue of pending enquiry of 3579 ha area. Wherever 7/12 extract doesn't exist, Collector to conduct survey and create new records (7/12 extract) to facilitate enquiry process being conducted by FSO / SDOs.
5	Status of transfer of mangrove forest from agencies like CIDCO, MMRDA, JNPT, MHADA etc.,	<ul style="list-style-type: none"> <li>&gt; CIDCO had earlier transferred 349.81ha. in Panvel taluka. Recently CIDCO has transferred 233.18 ha. in Panvel and 46.16 ha. in Uran taluka. Total area transferred by CIDCO 629.15 ha.</li> <li>&gt; CIDCO has given NOC for handing over 628.68 ha. Un-acquired land. However, details such as Village, Survey Nos. not shared.</li> <li>&gt; Land to be retained by CIDCO for infrastructure projects (Holding ponds, channels and other infra projects) = 637.62 ha. However, details such as Village, Survey Nos. not shared.</li> <li>&gt; MMRDA has given consent to handover 199.03 ha. under its possession for protection purpose. So far 3.5 ha area is taken over. Remaining is to be taken over after verification.</li> <li>&gt; Collector, City / MSD is yet to handover 184.18 ha. notified as PF, including Mahim Nature Park and Mangrove areas.</li> <li>&gt; JNPT has agreed to handover 814.35 ha. Mangrove area to Forest Department through Collector, Raigad. The process of taking over the area is going on.</li> <li>&gt; Vasai-Virar Municipal Corporation has about 1464 ha. Mangrove area. Divisional Commissioner has submitted proposal for declaration of Reserve Forest over 881 ha. to Government. Government has raised certain back queries to Divisional Commissioner. Pending for compliance at Divisional Commissioner level. Proposal for remaining 583 ha. is</li> </ul>	<p>The Chairman directed CIDCO to provide survey number and village wise details including 7/12 extract of 628.68 ha un-acquired land. After getting the details, action to be initiated by the Collector, Raigad for declaring Mangroves on Government Land as RF under section 4 of IFA.</p> <p>The Chairman also directed CIDCO to provide survey number and village wise details of 637.62 ha. being retained by them for infrastructure projects.</p> <p>The Chairman directed MMRDA / Collector, MSD to expedite handing over of 199 ha mangrove area. Forest Department to take over areas which have Mangroves or which are suitable for Mangrove plantation, after physical verification.</p> <p>The Chairman directed Collector Mumbai City / MSD to handover 176 ha. Mangrove area adjoining Mithi river to the Forest Department at the earliest.</p> <p>JNPT / Collector Raigad to expedite the process of transfer of Mangrove area and notification of the same under section 4 of IFA.</p> <p>The Chairman directed Divisional Commissioner to expedite notification of 1464 ha. Mangrove forests in Vasai-Virar Municipal Corporation area.</p>



		<p>yet to be submitted to the Government.</p> <ul style="list-style-type: none"> <li>&gt; There is no progress with respect to handing over of Mangrove area by MHADA, MIDC etc.</li> </ul>	<p>Regarding non-handing over of Mangrove area of MHADA and MIDC, the Chairman directed to share minutes of this meeting and also to move a file to Hon. Minister (Housing) and Hon. Minister (Industries) Government of Maharashtra.</p>
6	Contempt petition filed by Vanshakti	<ul style="list-style-type: none"> <li>&gt; Hon'ble High Court directed Principal Secretary Forest to file an affidavit on 31.01.2022 regarding meeting held on 13.07.2021 by the Committee headed by ACS (Revenue)</li> <li>&gt; The Government approved the affidavit on 10.02.2022.</li> <li>&gt; The said affidavit has been filed in High Court on 12.02.2022</li> </ul>	<p>The Forest Department to bring to notice of Hon'ble High Court the progress made so far in the form of affidavit, as and when required.</p>
7	Any other Agenda with the permission of Chair		<p>As there is no direction by the Hon'ble High Court, for conducting quarterly meeting of the Secretary Level Committee, the Chairman directed that the Committee shall meet after every 6 months.</p> <p>The next meeting should be kept on 5th of January 2023</p>

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

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