

BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE

Miscellaneous application number: 9... OF 2023  
( Under section 19 (4)(h) of the N.G. T. Act, 2010)

AND

(Under rule 22 of the NGT Rules, 2011)

IN

ORIGINAL APPLICATION NO. 78 OF 2020 (WZ) with I.A. 123/2020  
(WZ)

Shri. Vinod Kashinath Patkar & Others ....Applicants

Versus

Shri.Nilesh Suresh Chavan & Others.....Respondents.

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**AFFIDAVIT-IN-REPLY ON BEHALF OF RESPONDENT NUMBER 9**

I, Shri.Bhikaji Dehu Gaikwad, Incharge Assistant Conservator of Forests, (Afforestation and Wildlife) Wada, Tal. Wada, Dist. Palghar, do hereby solemnly affirm on behalf of respondents Nos. 9 as under:

1. I say that, I have perused a copy of the Miscellaneous Application in O.A. No.78 of 2020(WZ) with I.A. No.123 of 2020(WZ) as well as other relevant records of the case. I crave leave of this Hon'ble Tribunal to further add or amend the affidavit and/or file additional affidavit, if necessary. I say that, I have been authorized to file this affidavit on behalf of the Respondents No.9.
2. At the outset,the introductory background of the present case is expounded upon in order to provide context and establish a foundational understanding of the matter at hand, as under;-
3. The Government of Maharashtra, in accordance with the provisions of the Wildlife Protection Act 1972, duly proclaimed the Tansa Wildlife Sanctuary as a protected area on September 11, 1985. Pursuant to the directives issued by the National Board of Wildlife, as articulated in a communication dated May 27,

2005, it was mandated that each protected area establish an Eco-sensitive Zone of approximately 10 kilometres around its perimeter to effectively regulate and promote activities in consonance with the unique requirements of the respective areas. In alignment with these imperatives, a preliminary notification pertaining to the Eco-sensitive Zone of the Tansa Wildlife Sanctuary was drafted and subsequently received official endorsement from the Ministry of Environment, Forests and Climate Change (MoEFCC) through notification number 2566 (A), dated August 10, 2017. (Copy is annexed herewith and marked as Annexure-A) It is noteworthy that this notification pertains to 58 villages within Wada Taluka and 10 villages within Mokhada Taluka under the jurisdiction of the Jawhar Forest Division.

4. In accordance with a formal communication issued by the Ministry of Environment, Forests and Climate Change (MoEFCC), specifically the ESZ Department in New Delhi, as delineated in Letter No. 2-27/2017/ES dated February 17, 2022, (Copy is annexed herewith and marked as Annexure - B) it has come to light that the aforesaid MoEFCC notification number 2566 (A), dated August 10, 2017, has since lapsed. Consequently, the state government of Maharashtra has been mandated to issue a fresh notification regarding the Eco-sensitive zone.

5. In adherence to the aforementioned directive from the MoEFCC, the Principal Chief Conservator of Forest (Wildlife), Maharashtra, through a letter bearing reference no. Cell 23(2)/WL/Survey/P.K. 43(IV)/3141/2021-22, dated March 4, 2022, instructed the Chief Conservator of Forest (CCF), Thane, to formulate the requisite notification along with demarcation of the boundaries. Subsequently, the Chief Conservator of Forest, Thane, directed the Deputy Conservator of Forests, Shahapur, who also serves as the Member Secretary, to engage in comprehensive consultations with stakeholders and prepare a detailed notification for submission to the state government for requisite approvals. Following these consultations, the Deputy Conservator of Forests, Shahapur, has diligently crafted a notification, which has been submitted to the CCF, Thane, for further processing.

6. Furthermore, it is pertinent to note that in accordance with the ruling of the Honourable Supreme Court in Writ Petition 460/2004, dated December 4, 2006, it has been decreed that protected areas, including National Parks and Sanctuaries, for which an Eco-Sensitive area has not been officially designated,

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shall be regarded as possessing a default Eco Sensitive Zone (ESZ) with a radius of 10 kilometres. In light of the expiration of the 2017 draft notification for the Tansa Wildlife Sanctuary, until such time as the final notification for the Sanctuary is issued, the area within a 10-kilometre radius from the sanctuary's boundary shall be deemed the Eco-sensitive Zone.

7. Furthermore, pursuant to the directives issued by the Honourable National Green Tribunal, New Delhi, in an order dated February 27, 2019, (Copy is annexed herewith and marked as Annexure - C) until the notification concerning the ESZ around the Tansa Wildlife Sanctuary is conclusively finalised, the area within a 10-kilometre radius from the sanctuary's boundary shall be duly recognized as the ESZ.

8. In this context, it is imperative to acknowledge that within the 10-kilometre radius surrounding the Tansa Wildlife Sanctuary's boundary, a total of 114 villages in Wada Taluka and 18 villages in Mokhada Taluka have been encompassed within the ambit of this Eco-Sensitive Zone.

9. In the correspondence, denominated by letter reference Home/K-1/T-1/Niklesh Chavan/M.R.H.L/Firecracker Complaint/SR 42, dated the 1st day of December in the year 2022, the Collector of Palghar (hereinafter referred to as "the Collector") did communicate with the Office of the Deputy Conservator of Forests, Jawhar, (hereinafter referred to as "the Deputy Conservator") inquiring into the geographic inclusion of certain villages, namely, Harsole, Wada, Desai, and Parali, within the territorial confines of the Tansa Eco-Sensitive Zone (ESZ). Furthermore, an inquiry was made regarding the issuance or non-issuance of the final notification pertaining to the Tansa Wildlife Sanctuary.

10. It is noteworthy that, in response to the aforementioned communication, it was expounded that the villages under consideration do indeed fall within the 10-kilometre perimeter surrounding the sanctuary. Moreover, it was disclosed that the final notification pertaining to the sanctuary has not yet been promulgated, and the formulation of the final notification, which takes into account diverse stakeholder interests, is in a state of ongoing progression.

11. It is additionally observed that the Draft Notification for the Tansa Wildlife Sanctuary, dated August 10, 2017 (English Translation, Page no. 25), contains a discrete table enumerating proscribed activities that are categorically

prohibited from being conducted within the boundaries of the ESZ. Specifically, item number 4, denominated as "Use or production or processing of any hazardous substances," is conspicuously characterised in the remarks column as "Prohibited" (hereinafter referred to as "Exhibit"). In Section 2(1)(b) of the Explosives Act, 1884, the term "explosive substance" is expansively defined, encompassing a diverse array of substances, among which fireworks fall. Fireworks are specifically delineated as "articles crafted utilizing gunpowder or alternative explosive components." Consequently, any firework incorporating gunpowder or any other explosive constituent attains the classification of an explosive substance within the purview of the aforementioned Act.

12. The incorporation of such articles within the ambit of 'explosives' serves as a compelling basis for justifying the proscription of such perilous activities in ecologically sensitive regions.

13. It is herein reiterated that, in the judicial pronouncement rendered by the Supreme Court of India in the matter of T.N. Godavarman Thirumulpad v. Union of India, being Write Petition (Civil) No. 202 of 1995 IA No. 131377 of 2022, the Court elucidated that the declaration of Eco-Sensitive Zones surrounding National Parks and Wildlife Sanctuaries is motivated by the intent to create a protective buffer, akin to a 'Shock Absorber,' for these protected areas. These zones are also envisaged to function as transitional territories, bridging the gap between regions of heightened conservation protection and those involving reduced safeguards.

14. In consonance with the elucidation provided above, it is underscored that the storage of potentially inflammable and explosive materials within this locale, designed to function as a protective buffer, runs counter to the fundamental objective behind the establishment of the ESZ around Protected Areas. Furthermore, it is plausible that any unforeseen conflagration may engender catastrophic consequences for the forest ecosystem, serving as the catalyst for widespread forest fires. The grave concern expressed herein stems from the realisation that fires pose an existential threat to both wildlife and the overall ecological equilibrium, as they inflict not only irreparable harm but also necessitate protracted periods for the re-establishment of the natural balance.

15. The "precautionary principle," a fundamental tenet within the realm of environmental jurisprudence and policy, advocates the adoption of preventive

measures in instances marked by uncertainty and the potential for risks to public health or the environment. Key principles underpinning this doctrine typically encompass the concept of anticipatory action, which impels the implementation of preventive measures even in the absence of unequivocal scientific evidence when there exists reasonable grounds to suspect that an activity, product, or process may jeopardise human well-being or environmental integrity.

16. In the case at hand, it is manifestly evident that the storage of substantial quantities of hazardous materials within vulnerable transition zones poses an escalated risk of fire outbreaks and associated hazards, including noise pollution, which has the capacity to disrupt the indigenous wildlife in the vicinity. The overarching objective of the ESZ encircling protected areas is to forestall the establishment of industrial and other activities that might undermine the comprehensive preservation of these fragile ecosystems. Should potentially perilous activities, such as the storage of explosives in buffer zones, be sanctioned, the imminent fires and environmental pollution within the region will persist unabated.

17. To conclude, the letter from the Deputy Conservator of Forest, Jawhar Forest Division, dated 09/03/2023, (Copy is annexed herewith and marked as Annexure - D) to the District Collector Palghar, aligns with the earlier discussion and supports the management needs of the ecologically sensitive area around the Wildlife Sanctuary.

In the facts and circumstances mentioned here-in-above, I say and submit that the Hon'ble Tribunal may pass appropriate order.

**BEFORE ME**

**MANGALA N. WAKHARE**  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA

(Bhikaji Dehu Gaikwad)

Assistant Conservator of Forests,  
(Afforestation and Wildlife) Wada, Tal.

Wada, Dist. Palghar

(बी. डी. गायकवाड)

सहाय्यक वनसरक्षक


(रोहयो) व कॅम्पा) जव्हार

**VERIFICATION**

I, Shri.Bhikaji Dehu Gaikwad, Incharge Assistant Conservator of Forests, (Afforestation and Wildlife) Wada, Tal. Wada, Dist. Palghar, do hereby state on solemn affirmation that whatever stated herein above is based upon the information derived from the official records, which I believe to be true and correct. The present affidavit-in-reply is drafted and settled as per instructions given by me. The contents of the present affidavit are true and correct.

Solemnly affirmed at Pune )

This 18<sup>th</sup> day of September, 2023 )

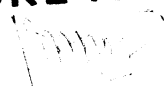
  
(BhikajiDehuGaikwad)

Assistant Conservator of Forests,  
(Afforestation and Wildlife) Wada, Tal.  
Wada, Dist. Palghar,

(बी. डी. गायकवाड)  
सहाय्यक वनसंरक्षक  
(रोहयो) व कॅम्पा) जयपुर

I Identify the Respondent,  
Clerk to the Advocate Dr. P. P. Gupta  
National Green Tribunal (WZ) Pune.  
Dr. P. P. Gupta

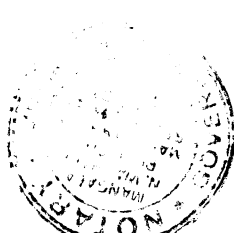
**BEFORE ME**

  
MANGALA N. WAKHARE  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA

18 SEP 2023



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5. पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन आने वाली गतिविधियों की संविधा के मामलों का सारांश। ब्यौरे एक पृथक् उपाबंध के रूप में उपाबद्ध किए जा सकते हैं।
6. पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन न आने वाली गतिविधियों की संविधा के मामलों का सारांश। ब्यौरे एक पृथक् उपाबंध के रूप में उपाबद्ध किए जा सकते हैं।
7. पर्यावरण ( संरक्षण ) अधिनियम, 1986 की धारा 19 के अधीन दर्ज की गई शिकायतों का सारांश। कोई अन्य महत्वपूर्ण विषय।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 10th August, 2017

**S.O. 2566(E).**— The following draft of the notification, which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), read with clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public;

Any person interested in making any objections or suggestions on the proposals contained in the draft notification may forward the same in writing, for consideration of the Central Government within the period specified above to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi-110003, or send it to the e-mail address of the Ministry at [eszmef@nic.in](mailto:eszmef@nic.in).

#### Draft Notification

**WHEREAS**, the Tansa Wildlife Sanctuary, District Thane lies between Longitudes 73° 10' 00" to 73° 25' 00" N and Latitudes 19° 25' 00" to 19° 50' 00" in Shahapur, Wada and Mokhada taluka of Thane district of Maharashtra State and extends over an area of 304.81 square kilometers;

**AND WHEREAS**, the leopard (*panther pardus*) is the species of vital importance in Tansa Wildlife sanctuary, besides some of the most endangered species like Rusty-Spotted Cat, Jungle Cat, Small Indian Civet, Common Palm Civet, Mouse deer, Indian Rock Python, Rat Snake, Indian Cobra, Russel's Viper, Checkered keelback, Common monitor, etc., are also found in this Sanctuary;

**AND WHEREAS**, the area has a very high floral diversity and supports large number of habitat Ain (*Terminalia alata*/var-*tomentosa*), Ashi (*Morinda pubescens*), Amba (*Mangifera indica*), amati (Wavding) (*Embelia tsjeriam-cottam*), Anjani (*Memecylon umbellatum*), Apta (*Bauhinia retusa*), Asna (*Bridelia retusa*), Arjunsadada (*Terminalia arjuna*), Athroon (Kakar-Bhekal) (*Flacourtia ramontchi* (*Syn.flacourtia indica*)), Avali (*Phyllanthus emblica*), Babul (*Acacia nilotica varindica*), Bel (*Aegle marmelos*), Bakula (*Mimusops elengi*), Bava (Bhava) (*Cassia fistula*), Beheda (*Terminalia bellirica*), Bhendi (*Thespesia populnea*), Bhoma (*Glochidion ellipticum*), Bhokar (Shelute) (*Cordia Dichotoma*), Bhor Jambhul (*Ameania baccifera*), Bhutkesh (Lawset) (*Mussaenda frondosa*), Bhitia (Alan or Bhutaksha) (*Cassine glauca*), Biba (*Semecarpus anacardium*), Bibla (*Pterocarpus marsupium*), Bondara (*Lagerstroemia parviflora*), Bor (*Ziziphus jujube*) (*Synziziphus mauritiana*), Chambuli (*Bauhinia vahili*), Chanda, Chandva (*Macaranga peltate*), Char, Charoli (*Buchanania lanzan*), Chera (*Erinoicarpus nimmonii*), Chinch (*Tamarindus indica*), Dandoshi (*Daloergia lanceaolaria*), Daowas (Dahivel) (*Cordia macleodii*), Datir (*Ficus heterophylla*), Dhaman (*Grewia tilliaefolia*), Dhavada (*Anogeissus latifolia*), Dikemali (*Gardenia resinifera*), Gol (*Trema orientalis*), Hed (*Adina cordifolia*), Hirda (*Terminalia chebula*), Jamba (*Xylia xylocarpa*), Jambul (*Syzygium ciminii*), Kadvai (*Hymenodictyon orixerse*), Kakad

(*Garuga pinnata*), Kondal (*Sterculia Urens*), Karambel (*Dillenia Pentagyna*), Karlilimb(Kadilimb) (*Murraya koenigii*) are also found in this Sanctuary;

**AND WHEREAS**, the area has found some avi-faunal Little Grebe, Cormorant, Indian Shag, Little Cormorant, Darter, Pond Heron, Cattle Egret, Large Egret, Little Egret, Night Heron, Chestnut Bittern, Painted Stork, Openbill Stork, Whitencked Stork, Blacknecked Stork, Black Ibis, Glossy Ibis, Spoonbill, Lesser Flamingo, Lesser Whistling Teal, Pintail, Common Teal, Spotbill Duck, Mallard, Gadwal, Wigeon, Garganey, Shoveller, Common Pochard, White-Eyed Pochard, Cotton Teal, Comb Duck, Blackwinged Kite, Black Kite, Blackeared Kite, Brahminy Kite, Shikra, Sparrowhawk, White-eye buzzard Eagle, Bonelli's Eagle, Eastern Steppe Eagle, Tawny Eagle, Palla's Fishing Eagle, Indian Longbilled Vulture, Indian Whitebacked Vulture, Marsh Harrier, Montagu's Harrier, Pale Harrier, Crested Serpent Eagle, Peregrine Falcon, etc.

**AND WHEREAS**, it is necessary to conserve and protect the area around the protected area of Tansa Wildlife Sanctuary as Eco-sensitive Zone from ecological and environmental point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-sensitive Zone;

**NOW, THEREFORE**, in exercise of the powers conferred by sub-section (1) read with and clause (v) and clause (xiv) of sub – section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies the extent ranging between 600m - 9.5 Km from the boundary of the protected area of the Tansa Wildlife Sanctuary in the State of Maharashtra as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone), namely:-

**1.Extent and boundaries of Eco-sensitive Zone.-** (1) The said Eco-sensitive Zone would cover an area of 625.30 Sq.Km. in Thane District of Maharashtra State consisting of Forest area of 303.25 sq km and non-forest area of 322.046 sq km including 145 villages. The Eco-sensitive zone extends from 600m to 9.5 km from the boundary of Tansa Wild life Sanctuary. The development blocks of District Thane which were included in ESZ around Tansa Wildlife Sanctuary are Shahapur, Bhiwandi, Wada and Mokhada.

(2) The list of geo co- ordinates of the Eco Sensitive Zone is appended as **Annexure-II**.

(3) Eco-sensitive Zone is bounded by the forests and private area of Shahapur Forest Division on Eastern side, by Thane Division on Southern side and Jawhar Division on Western and Northern sides. The map of the Sanctuary along with the proposed Eco-sensitive Zone is appended as **Annexure I-A and Annexure I-B**.

(4) the Tehsil wise area included in proposed Eco-sensitive Zone is as given under:

Name of Tahsil	Area of Eco-Sensitive Zone
Shahapur	328.775 sq.km.
Bhiwandi	36.953 sq.km.
Mokhada	53.407 sq.km.
Wada	206.165 sq.km
<b>Total</b>	<b>625.300 Sq.km.</b>

(5)The list of the villages falling within the Tansa Eco-sensitive Zone is appended as **Annexure-III**.

**2. Zonal Master Plan for the Tansa Eco-sensitive Zone. –** (1) The State Government shall, for the purpose of the Eco-sensitive Zone prepare, a Zonal Master Plan, within a period of two years from the date of publication of final notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for consideration and approval of the Competent Authority in the State Government.

(2) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any. The Zonal Master Plan shall be approved by the

(3) The Zonal Master Plan shall be prepared in consultation with the following State Departments, for integrating the ecological and environmental considerations into the said plan namely:-

- (i) Environment;
- (ii) Forest and Wildlife;
- (iii) Agriculture;
- (iv) Revenue;
- (v) Urban Development;
- (vi) Tourism;
- (vii) Rural Development;
- (viii) Irrigation and Flood Control;
- (ix) Municipal;
- (x) Panchayati Raj;
- (xi) Maharashtra State Pollution Control Board; and
- (xii) Public Works Department.

(4) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.

(5) The Zonal Master Plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.

(6) The Zonal Master Plan shall demarcate all the existing worshipping places, village and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies and also with supporting maps. The Plan shall be supported by Maps giving details of existing and proposed land use features.

(7) The Zonal Master Plan shall regulate development in Eco-sensitive Zone as to ensure Eco-friendly development for livelihood security of local communities.

(8) The Zonal Master Plan shall be a reference document for the Monitoring Committee for carrying out its functions of monitoring vide the provisions of this notification.

**3. Measures to be taken by State Government.-** The State Government shall take the following measures for giving effect to the provisions of the final notification, namely:-

(1) **Land use.-** Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for major commercial or industrial activities. Such areas shall be clearly defined in the Zonal Master Plan along with maps.

Provided that the conversion of agricultural and other lands within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of Central/State Government as applicable, to meet the residential needs of the local residents, and for the activities listed in column (2) of the Table in paragraph 4, namely:-

- (i) Eco Friendly cottages for temporary occupation of tourists such as tents, wooden houses, etc. for eco-friendly tourism activities;
- (ii) Commercial water resources including ground water harvesting;
- (iii) Fencing of existing premises of hotels and lodges;
- (iv) Widening and strengthening of existing roads and construction of new roads;

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the of the competent authority under Regional Town Planning Act and other rules and regulations of State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the above correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

Efforts shall be made to reforest the unused or unproductive agricultural areas with afforestation and habitat restoration activities.

(2) **Natural water bodies.**- The catchment areas of all natural springs/rivers/ channels shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan.

(3) **Tourism/Eco-Tourism.**- (a) All new eco-tourism activities or expansion of existing tourism activities within the Eco-Sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone.

(b) The Eco-Tourism Master Plan shall be prepared by Department of Tourism in consultation with State Departments of Environment and Forests.

(c) The Tourism Master Plan shall form a component of the Zonal Master Plan.

(d) The activities of eco-tourism shall be regulated as under, namely:-

(i) no new construction of hotels and resorts shall be allowed within 1 kilometre from the boundary of the Wildlife Sanctuary or upto the extent of the ESZ whichever is nearer. However, beyond the distance of 1 kilometre from the boundary of the Wildlife Sanctuary till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for Eco-tourism facilities as per Tourism Master Plan.

(ii) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone (beyond 1 kilometre) shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism;

(iii) Until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel /resort or commercial establishment construction is permitted within ESZ area.

(4) **Natural Heritage.**- All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.

(5) **Man- made Heritage Sites.**- Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be indentified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part Zonal Master Plan.

(6) **Noise Pollution.**- Prevention and Control of noise pollution in the Eco-sensitive Zone shall be complied with in accordance with Noise Pollution (Regulation And Control) Rules, 2000 under the Environment (Protection) Act, 1986 and amendments thereto.

(7) **Air Pollution.**- Prevention and control of air pollution in the Eco-sensitive Zone shall be complied with in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and rules made thereunder and amendments thereto.

(8) **Discharge of Effluents.**- Discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environmental (Protection) Act, 1986 and rules made thereunder or standards stipulated by State Government whichever is more stringent.

(9) **Solid Wastes.-** Disposal and Management of solid wastes shall be as under:-

(a) The solid waste disposal and management in Eco-sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016 and published by the Government of India in the Ministry of Environment, Forests and Climate Change vide notification number S.O. 1357 (E), dated 8th April, 2016 as amended from time to time;

(b) the inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-sensitive Zone;

(c) no burning or incineration of solid wastes and establishment of landfills shall be permitted in the Eco-sensitive Zone.

(10) **Bio Medical Wastes.-** Bio medical waste management shall be as under:

(a) The bio-medical waste disposal in the Eco-sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide Notification number GSR 343 (E), dated the 28th March, 2016 as amended from time to time.

(b) No common treatment facility or incineration shall be permitted within the Eco Sensitive Zone.

(11) **Plastic Waste Management.-** The Plastic Waste Management in the Eco-sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 340(E), dated the 18th March, 2016, as amended from time to time.

(12) **Construction and Demolition Waste Management.-** The Construction and Demolition Waste Management in the Eco-sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 317(E), dated the 29th March, 2016, as amended from time to time.

(13) **Electronic Waste.-** The Electronic Waste (E-Waste) Management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change and as amended from time to time.

(14) **Vehicular Traffic.-** The vehicular traffic movement shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master plan is prepared and approved by the Competent Authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.

(15) **Vehicular Pollution.-** Prevention and control of Vehicular Pollution shall be complied with in accordance with applicable laws. Efforts to be made for use of cleaner fuel for example CNG, LPG, etc.

(16) **Industrial Units.-** (a) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be allowed to be set up within the Eco-sensitive Zone.

(b) Only non-polluting industries shall be allowed within ESZ as per classification of Industries in the Guidelines issued by Central Pollution Control Board in February 2016, unless so specified in this notification.

(17) **Protection of Hill Slopes.-** The protection of hill slopes shall be as under:

(a) The Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted.

(b) No construction on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

**4. List of activities prohibited or to be regulated or promoted within the Eco-sensitive Zone.-** All activities in the Tansa Wildlife Sanctuary, Maharashtra are being governed by the provisions of the Wildlife (Protection) Act, 1972 (Act 53 of 1972 and rules framed thereunder) and activities within the ESZ shall be governed under the provisions of Environment (Protection) Act, 1986 (29 of 1986) and the rules made thereunder, and be regulated in the manner specified in the Table below, namely:-

TABLE

Sl. No.	Activities	Remarks
(1)	(2)	(3)
<b>Prohibited Activities</b>		
1.	Commercial Mining, Stone Quarrying and Crushing units.	(a) All new and existing (minor and major minerals), stone quarrying and crushing units are prohibited with immediate effect except for meeting the domestic needs of bona fide local residents including digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing and for other activities.  (b) The mining operations shall be carried out in accordance with the order of the Hon'ble Supreme Court dated 4 <sup>th</sup> August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No.202 of 1995 and dated 21 <sup>st</sup> April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No.435 of 2012.
2.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.).	No new industries and expansion of existing polluting industries in the Eco-sensitive zone shall be permitted. Only non-polluting industries shall be allowed within ESZ as per classification of Industries in the Guidelines issued by Central Pollution Control Board in February 2016, unless so specified in this notification. In addition, non-polluting cottage industries shall be promoted.
3.	Establishment of major hydroelectric projects.	Prohibited (except as otherwise provided) as per applicable laws.
4.	Use or production or processing of any hazardous substances.	Prohibited (except as otherwise provided) as per applicable laws.
5.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited (except as otherwise provided) as per applicable laws
6.	Establishment of solid waste disposal site and common incineration facility for solid and bio medical waste	No new solid waste disposal site and waste treatment/processing facility of solid waste is permitted within Eco sensitive zone. Further installation of common or individual incineration facility for treatment of any form of solid waste generated from industrial process and health establishment/hospitals etc. is Prohibited.
7.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate, companies.	Prohibited (except as otherwise provided) as per applicable laws except for meeting local needs.
8.	Setting of new saw mills.	No new or expansion of existing saw mills shall be permitted within the Eco-sensitive Zone.
9.	Setting up of brick kilns.	Prohibited (except as otherwise provided) as per applicable laws
10.	Use of polythene bags.	Prohibited under applicable laws.
<b>Regulated Activities</b>		
11.	Commercial establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted within one kilometre of the boundary of the Protected Area or upto the extent of Eco-sensitive

		<p>zone, whichever is nearer, except for small temporary structures for Eco-tourism activities:</p> <p>Provided that, beyond one kilometre from the boundary of the protected Area or upto the extent of Eco-sensitive zone whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Plan and guidelines as applicable.</p>
12.	Construction activities	<p>No new commercial construction of any kind shall be permitted within one Kilometre from the boundary of the Protected Area or upto extent of the Eco-sensitive Zone whichever is nearer:</p> <p>Provided that, local people shall be permitted to undertake construction in their land for their use including the activities listed in sub paragraph (1) of paragraph 6 as per building byelaws to meet the residential needs of the local residents such as:</p> <p>(i) Widening and strengthening of existing roads and construction of new roads;</p> <p>(ii) Construction and renovation of infrastructure and civic amenities;</p> <p>(iii) Cottage industries including village industries; convenience stores &amp; local amenities supporting eco-tourism including home stays; and</p> <p>(iv) Promoted activities listed in this Notification.</p> <p>(b) Provided further that the construction activity related to small scale industries termed as White Category, not causing pollution shall be regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any.</p> <p>(c) Provided also that beyond one kilometre it shall be regulated as per the Zonal Master Plan.</p>
13.	Small scale non polluting industries.	<p>Non polluting industries termed as White Category as per classification of industries issued by the Central Pollution Control Board in February 2016 and non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent Authority.</p>
14.	Felling of Trees	<p>(a) There shall be no felling of trees on the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government.</p> <p>(b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.</p>
15.	Collection of Forest produce or Non-Timber Forest Produce (NTFP).	Regulated under applicable laws.
16.	Erection of electrical and communication towers and laying of cables and other infrastructures	Regulated under applicable laws Underground cabling may be promoted.

17.	Infrastructure including civic amenities	Shall be done with mitigation measures, as per applicable laws, rules and regulation and available guidelines.
18.	Widening and strengthening of existing roads and construction of new roads.	Shall be done with mitigation measures, as per applicable laws, rules and regulation and available guidelines.
19.	Protection of Hill Slopes and river banks	Regulated under applicable laws
20.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
21.	Under taking other activities related to tourism like over flying the ESZ area by hot air balloon, helicopter, drones, Microlites, etc.	Regulated under applicable laws
22.	Ongoing agriculture and horticulture practices by local communities along with dairy farming, aquaculture and fisheries.	Permitted under applicable laws for use of locals. Fishing practices may be permitted as recommended by committee headed by District Collector / District Level Biodiversity Management Committee. Priority may be given to local villages.
23.	Discharge of treated waste water/effluents in natural water bodies or land area.	The discharge of treated waste water/effluents shall be avoided to enter into the water bodies. Efforts to be made for recycle and reuse of treated waste water. Otherwise the discharge of treated waste water/effluent shall be regulated as per applicable laws.
24.	Commercial extraction of surface and ground water	a) The extraction of surface water and ground water shall be permitted only for bona fide agricultural use and domestic consumption of the occupier of the land. (b) Extraction of surface water and ground water for industrial or commercial use including the amount that can be extracted, shall require prior written permission from the concerned regulatory authority. (c) No sale of surface water or ground water shall be permitted.
25.	Open Well, Bore Well etc. for agriculture or other usage	Regulated and the activity should be strictly monitored by the appropriate authority.
26.	Solid Waste Management.	Regulated under applicable laws
27.	Introduction of Exotic species.	Regulated under applicable laws.
28.	Eco-tourism activities	Regulated under applicable laws.
29.	Vehicular Emissions	Regulated under applicable laws.
30.	Commercial use of firewood.	Regulated as per applicable laws.
<b>Promoted Activities</b>		
31.	Rain water harvesting.	Shall be actively promoted.
32.	Organic farming.	Shall be actively promoted.
33.	Adoption of green technology for all activities	Shall be actively promoted.
34.	Cottage industries including village artisans, etc.	Shall be actively promoted.
35.	Use of renewable energy and clean fuels.	Bio gas, solar light, CNG, LPG etc. to be actively promoted.
36.	Agro-Forestry.	Shall be actively promoted.

37.	Use of eco-friendly transport.	Shall be actively promoted.
38.	Skill Development.	Shall be actively promoted.
39.	Restoration of Degraded Land/ Forests/ Habitat.	Shall be actively promoted.
40.	Environmental Awareness.	Shall be actively promoted.

Implementation of prohibited activities shall come into effect from date of publication of Notification.

**5. Monitoring Committee.** The Central Government hereby constitutes a committee to be called the Monitoring Committee, monitoring of the Eco-sensitive Zone, which shall consist of the following members, namely:-

- (a) the Commissioner of Konkan Revenue Division – Chairman;
- (b) a representative of the Ministry of Environment and Forests, Government of India – Member;
- (c) a representative of the Central Pollution Control Board, Government of India – Member;
- (d) a representative of the Chief Wildlife Warden Government of Maharashtra – Member;
- (e) a representative of the Department of Mines, Government of Maharashtra – Member;
- (f) a representative of the Department of Industries, Government of Maharashtra – Member;
- (g) a representative of the Department of Revenue, Government of Maharashtra – Member;
- (h) a representative of the Department of Irrigation, Government of Maharashtra – Member;
- (i) a representative of the Department of Public Works, Government of Maharashtra – Member;
- (j) two representatives of Non-governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India – Member;
- (k) the Regional Officer, Maharashtra State Pollution Control Board, Mumbai – Member;
- (l) the Senior Town Planner of the area – Member;
- (m) Representative of Biodiversity Board, - Member
- (n) The Deputy Conservator of Forest, Shahapur Division, Thane – Convener.

**6. Terms and References:**(1)The powers and functions of the Monitoring Committee shall be restricted to the compliance of the provisions of this notification.

(1) In case of activities requiring prior permission, under the provisions of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 1533, dated the 14<sup>th</sup> September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), the Monitoring Committee shall refer such matters to the State Level Environment Impact Assessment Authority constituted under that notification which shall grant the clearances in accordance with the provisions of the said notification.

(3) The Monitoring Committee may invite representatives or experts from concerned Departments or associations to assist in its deliberations depending on the requirements on issue to issue basis.

(4) The Chairman or the Conveyor of the Monitoring Committee shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 (29 of 1986) against any person who contravenes the provisions of this notification.

(5) The Monitoring Committee shall submit the annual action taken report of its activities by the 31<sup>st</sup> March of every year to the Central Government in the Ministry of Environment and Forests.

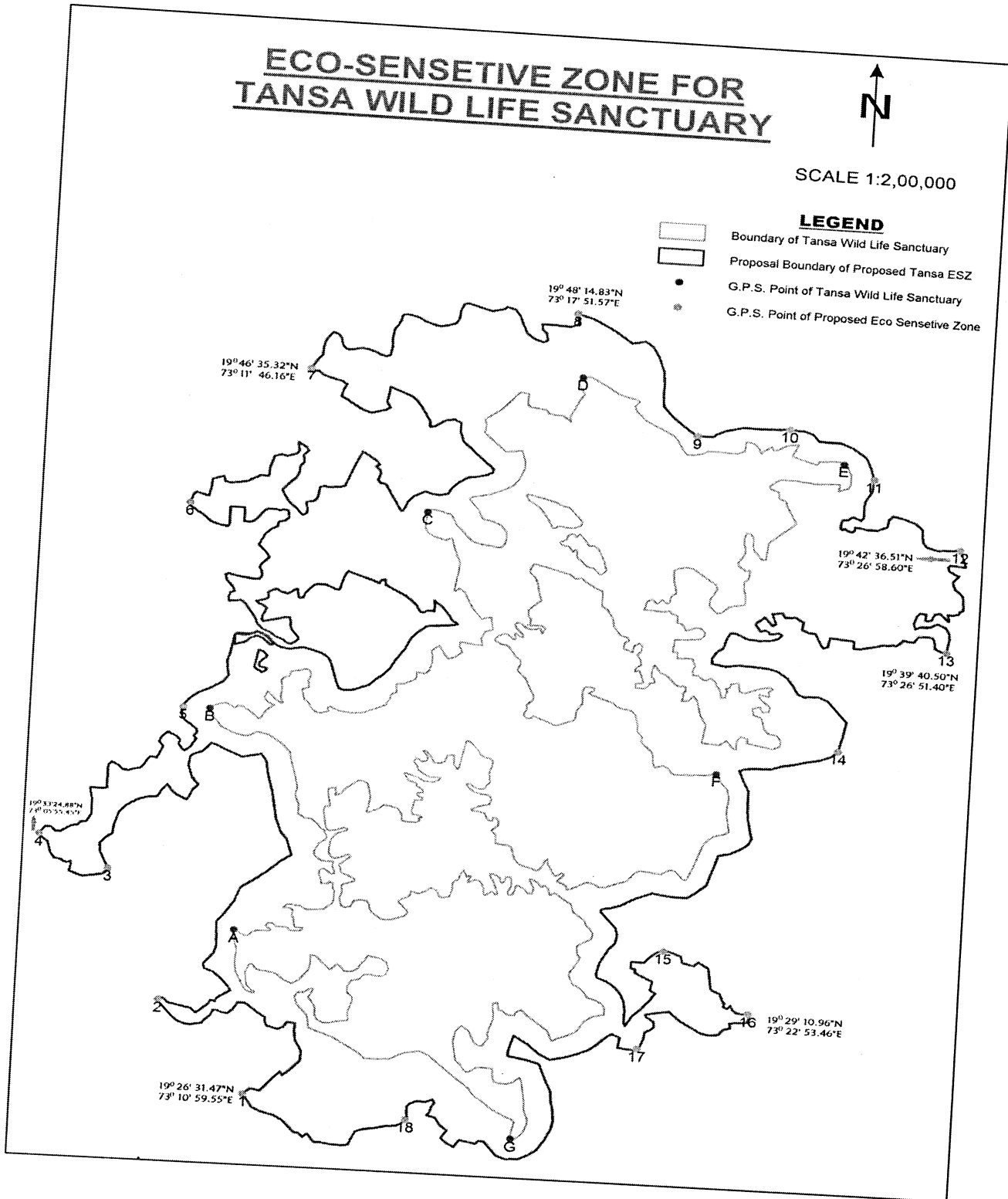
(6) The Central Government in the Ministry of Environment and Forests shall give directions, from time to time, to the Monitoring Committee for effective discharge of the functions of the Monitoring Committee.

[F. No. 25/41/2016-ESZ]

LALIT KAPUR, Scientist 'G'

**Map of Tansa Wildlife Sanctuary, Maharashtra along with the Proposed Eco-Sensitive Zone**

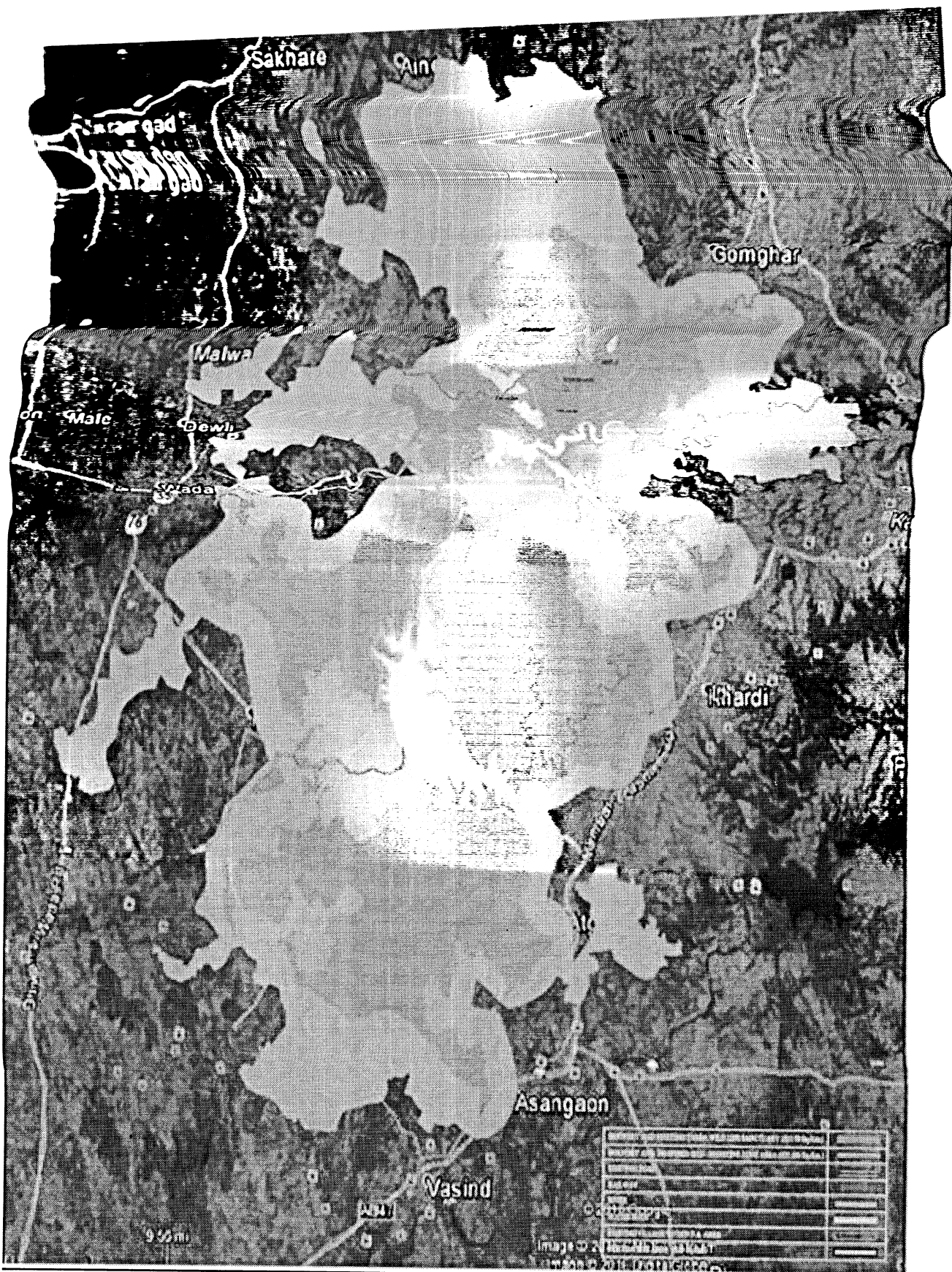
**Annexure I-A**



(बी. डी. गायकवाड)  
राष्ट्रीय वनसंरक्षक

Annexure I-B

Map of the Wildlife Sanctuary, Maharashtra along with the Proposed Eco-Sensitive Zone



Annexure II**Geo Co-ordinates of Eco Sensitive Zone of Tansa Wildlife Sanctuary**

S. N.	Co-ordinate of Proposed ESZ	
	Latitude	Longitude
1	19° 26' 31.47" N	73° 10' 59.55" E
2	19° 29' 07.17" N	73° 08' 46.00" E
3	19° 32' 23.51" N	73° 07' 20.65" E
4	19° 33' 24.88" N	73° 05' 55.45" E
5	19° 37' 27.85" N	73° 08' 58.51" E
6	19° 42' 58.47" N	73° 09' 04.80" E
7	19° 46' 35.32" N	73° 11' 46.16" E
8	19° 48' 14.83" N	73° 17' 51.57" E
9	19° 45' 27.02" N	73° 21' 14.29" E
10	19° 45' 36.23" N	73° 23' 24.83" E
11	19° 44' 14.04" N	73° 24' 56.56" E
12	19° 42' 36.51" N	73° 26' 58.60" E
13	19° 39' 40.50" N	73° 26' 51.40" E
14	19° 36' 42.30" N	73° 24' 27.20" E
15	19° 31' 05.67" N	73° 21' 05.77" E
16	19° 29' 10.96" N	73° 22' 53.46" E
17	19° 28' 07.06" N	73° 20' 10.80" E
18	19° 25' 59.30" N	73° 14' 48.90" E

S.N.	Co-ordinate of Tansa Wildlife Sanctuary	
	Latitude	Longitude
A	19° 31' 01.89" N	73° 10' 29.48" E
B	19° 37' 07.32" N	73° 09' 41.31" E
C	19° 37' 08.54" N	73° 09' 40.90" E
D	19° 47' 47.52" N	73° 18' 18.24" E
E	19° 44' 50.11" N	73° 24' 17.08" E
F	19° 35' 58.78" N	73° 21' 42.20" E
G	19° 25' 34.19" N	73° 17' 18.44" E

Annexure III**List of Revenue Village falling within Eco Sensitive Zone of Tansa WLS**

Sr. No.	Division	Taluka	Village	GPS Reding	
				Latitude	Longitude
1		2	3	4	5
1	Shahapur	Shahapur	Taharpur	19°32'49.89"N	73°13'41.16"E
2	--do--	--do--	Khoste	9°31'39.42"N	73°14'11.35"E
3	--do--	--do--	Vedavahal	19°31'59.33"N	73°12'19.98"E
4	--do--	--do--	Vehelonda	9°31'37.98"N	73°11'24.61"E
5	--do--	--do--	Savroli kh.	9°31'55.04"N	73°10'41.11"E
6	--do--	--do--	Dimbha	9°32'34.34"N	73°12'12.41"E
7	--do--	--do--	Aghai	19°33'53.65"N	3°14'17.51"E
8	--do--	--do--	Waveghar	9°32'55.78"N	73°15'33.38"E
9	--do--	--do--	Waghivali	19°34'09.42"N	73°12'49.23"E
10	--do--	--do--	Bhavase	19°32'28.47"N	73°14'46.65"E
11	--do--	--do--	Nevre	19°33'38.73"N	73°13'27.98"E
12	--do--	--do--	Khor	9°30'17.87"N	73°14'05.77"E
13	--do--	Bhiwandi	Newade pt.	19°28'06.63"N	73°11'55.38"E

15	Shahapur	Shahapur	Bhorande	19°29'38.50"N	73°13'40.41"E
16	--do--	--do--	Pivali	19°29'42.36"N	73°12'32.65"E
17	--do--	--do--	Vandra	19°28'57.77"N	73°12'53.58"E
18	--do--	--do--	Mahuli	19°28'18.30"N	73°16'07.27"E
19	--do--	--do--	Katbav pt.	19°26'11.82"N	73°14'49.97"E
20	--do--	--do--	Dahagaon pt.	19°25'22.98"N	73°15'29.67"E
21	--do--	--do--	Khativali pt.	19°24'49.00"N	73°16'36.83"E
22	--do--	--do--	Veheloli trf Aghai pt.	19°24'49.83"N	73°17'43.75"E
23	--do--	--do--	Valshet pt.	19°25'24.98"N	73°18'24.07"E
24	--do--	--do--	Asangaon pt.	19°26'30.38"N	73°18'24.10"E
25	--do--	--do--	Savroli bk. Pt.	19°27'23.03"N	73°18'17.06"E
26	--do--	--do--	Shahapur pt.	19°27'08.23"N	73°14'34.31"E
27	--do--	--do--	Awale	19°27'38.00"N	73°17'00.03"E
28	--do--	--do--	Chandroti	19°28'39.53"N	73°17'12.76"E
29	--do--	--do--	Karade	19°28'26.16"N	73°17'34.30"E
30	--do--	--do--	Cherpoli pt.	19°27'51.27"N	73°20'06.76"E
31	Shahapur	Shahapur	Kambare pt.	19°34'19.30"N	73°11'10.09"E
32	--do--	--do--	Aware pt.	19°28'29.86"N	73°20'41.10"E
33	--do--	--do--	Kharivali trf Aghai pt.	19°27'33.03"N	73°21'58.73"E
34	--do--	--do--	Arjunali pt.	19°28'33.26"N	73°22'50.45"E
35	--do--	--do--	Saralambe pt.	19°28'35.58"N	73°23'07.42"E
36	--do--	--do--	Pendharghol pt.	19°29'45.48"N	73°20'07.82"E
37	--do--	--do--	Pundhe pt.	19°29'28.30"N	73°19'35.46"E
38	--do--	--do--	Atgaon pt.	19°30'14.88"N	73°19'28.02"E
39	--do--	--do--	Sakhroli pt.	19°31'13.71"N	73°19'13.71"E
40	--do--	--do--	Kanvinde pt.	19°31'47.30"N	73°19'49.46"E
41	--do--	--do--	Pendhari	19°32'27.50"N	73°19'29.56"E
42	--do--	--do--	Mamnoli	19°28'39.93"N	73°17'56.04"E
43	--do--	--do--	Mohili	19°33'12.34"N	73°14'29.38"E
44	--do--	--do--	Nandgaon trf Aghai	19°32'23.91"N	73°18'34.29"E
45	--do--	--do--	Kalamgaon pt.	19°32'08.66"N	73°20'20.13"E
46	--do--	--do--	Lahe pt.	19°33'21.39"N	73°21'35.51"E
47	--do--	--do--	Umbarkhand	19°34'06.80"N	73°22'00.30"E
48	--do--	--do--	Khardi pt.	19°35'16.61"N	73°22'58.35"E
49	--do--	--do--	Ghanepada	19°35'31.55"N	73°22'20.25"E
50	--do--	--do--	Pimpalpada pt.	19°36'07.36"N	73°22'55.85"E
51	--do--	--do--	Ambivali trf Sakurli	19°38'44.73"N	73°19'12.27"E
52	--do--	--do--	Belwad	19°38'53.15"N	73°17'08.25"E
53	--do--	--do--	Bendekon	19°36'12.42"N	73°21'44.28"E
54	--do--	--do--	Palshin	19°36'17.76"N	73°21'13.03"E
55	--do--	--do--	Dudhar	19°35'48.17"N	73°22'20.04"E
56	--do--	--do--	Dahigaon	19°36'38.51"N	73°20'35.43"E
57	--do--	--do--	Tembhe	19°39'26.87"N	73°15'54.59"E
58	--do--	--do--	Varskol pt.	19°36'13.98"N	73°23'10.75"E
59	--do--	--do--	Shirol pt.	19°37'58.34"N	73°24'45.49"E
60	--do--	--do--	Dapur	19°40'12.04"N	73°23'22.52"E
61	--do--	--do--	Ajnup pt.	19°39'06.23"N	73°22'30.92"E
62	--do--	--do--	Mal pt.	19°41'32.20"N	73°27'33.03"E
63	--do--	Mokhada	Kashati	19°43'36.44"N	73°23'06.48"E
64	--do--	--do--	Kochale pt.	19°43'40.10"N	73°25'49.29"E
65	--do--	--do--	Kinista pt.	19°44'10.89"N	73°25'04.91"E
66	Shahapur	Mokhada	Udhale pt.	19°45'11.78"N	73°24'36.64"E
67	--do--	--do--	Sawarda	19°42'00.17"N	73°22'28.91"E
68	--do--	--do--	Washind	19°45'33.95"N	73°22'41.38"E

69	Shahapur	Mokhada	Gomghar pt.	19°46'00.99"N	73°21'56.61"E
70	--do--	--do--	Suryamal	19°45'28.27"N	73°20'48.68"E
71	Jawhar	Wada	Khupari	19°34'18.56"N	73°06'32.76"E
72	--do--	--do--	Lakhmapur	19°35'29.26"N	73°06'17.53"E
73	--do--	--do--	Nehroli	19°36'07.41"N	73°07'10.60"E
74	--do--	--do--	Usar	19°31'30.54"N	73°07'13.15"E
75	--do--	--do--	Kudus	19°32'07.09"N	73°05'59.07"E
76	--do--	--do--	Kuyalu	19°33'18.71"N	73°11'32.10"E
77	--do--	--do--	Chendavali	19°34'13.32"N	73°11'46.64"E
78	--do--	--do--	Abitghar	19°35'04.62"N	73°10'05.67"E
79	--do--	--do--	Kambare	19°34'19.02"N	73°11'09.84"E
80	--do--	--do--	Goleghar	19°36'06.45"N	73°08'54.13"E
81	--do--	--do--	Chikhale	19°36'11.26"N	73°07'45.81"E
82	--do--	--do--	Kone	19°37'08.33"N	73°08'08.12"E
83	--do--	--do--	Khariwali	19°33'24.80"N	73°05'24.70"E
84	--do--	--do--	Harosale	19°40'20.73"N	73°09'41.41"E
85	--do--	--do--	Tuse	19°37'43.86"N	73°09'45.38"E
86	--do--	--do--	Vilkos	19°38'33.70"N	73°10'53.78"E
87	--do--	--do--	Pimproli	19°38'15.34"N	73°10'53.78"E
88	--do--	--do--	Varai khu.	19°37'31.49"N	73°12'28.64"E
89	--do--	--do--	Varai Bu.	19°38'32.29"N	73°11'48.78"E
90	--do--	--do--	Bilghar	19°38'10.01"N	73°13'24.60"E
91	--do--	--do--	Devgaon	19°33'40.70"N	73°08'18.63"E
92	--do--	--do--	Kasghar	19°39'43.19"N	73°12'13.17"E
93	--do--	--do--	Sonshiv	19°40'06.46"N	73°11'15.33"E
94	--do--	--do--	Mandva	19°42'00.50"N	73°12'34.13"E
95	--do--	--do--	Moj	19°38'03.88"N	73°12'52.78"E
96	--do--	--do--	Savarkhand	19°36'15.38"N	73°09'03.31"E
97	--do--	--do--	Sapronde	19°31'43.04"N	73°06'36.17"E
98	--do--	--do--	Bavli	19°34'39.19"N	73°09'25.79"E
99	--do--	--do--	Shirsad	19°39'20.80"N	73°12'01.19"E
100	--do--	--do--	Dahe	19°41'05.11"N	73°10'32.79"E
101	Jawhar	Wada	Tilgaon	19°33'40.61"N	73°09'29.45"E
102	--do--	--do--	Gale	19°39'25.80"N	73°09'51.79"E
103	--do--	--do--	Sarshi	19°37'40.86"N	73°09'16.24"E
104	--do--	--do--	Tilse	19°39'04.60"N	73°12'36.48"E
105	--do--	--do--	Sonale Bk	19°38'33.13"N	73°13'54.66"E
106	--do--	--do--	Sonale kh	19°38'59.30"N	73°14'05.98"E
107	--do--	--do--	Ko.Sarovar	19°40'58.15"N	73°14'43.00"E
108	--do--	--do--	Shela	19°40'21.63"N	73°13'44.31"E
109	--do--	--do--	Dhapad	19°40'29.15"N	73°13'04.83"E
110	--do--	--do--	D.Kumbhiste	19°42'13.50"N	73°10'53.93"E
111	--do--	--do--	Maniwali	19°42'23.52"N	73°09'07.02"E
112	--do--	--do--	Kalambhe	19°39'36.21"N	73°15'01.14"E
113	--do--	--do--	Kevnale	19°47'58.32"N	73°16'57.48"E
114	--do--	--do--	Akhada	19°47'58.32"N	73°16'57.48"E
115	--do--	--do--	Vadavali	19°48'30.02"N	73°16'14.84"E
116	--do--	--do--	Ujjaini	19°47'13.51"N	73°15'02.17"E
117	--do--	--do--	Virhe	19°40'29.15"N	73°13'04.83"E
118	--do--	--do--	Pinjal	19°46'12.90"N	73°11'38.43"E
119	--do--	--do--	Mangrol	19°45'23.19"N	73°13'45.68"E
			Dhadham	19°40'48.81"N	73°15'14.97"E

121	Jawhar	Wada	Nishet	19°39'32.25"N	73°15'41.25"E
122	--do--	--do--	Gargaon	19°44'49.68"N	73°12'25.22"E
123	--do--	--do--	Pik	19°43'56.61"N	73°09'57.09"E
124	--do--	--do--	Parali	19°42'35.28"N	73°15'37.57"E
125	--do--	--do--	Shilottar	19°44'14.75"N	73°10'47.75"E
126	--do--	--do--	Varsale	19°45'38.33"N	73°14'6.10"E
127	--do--	--do--	Paste	19°43'30.13"N	73°09'01.20"E
128	--do--	--do--	Sasne	19°43'00.00"N	73°08'10.04"E
129	--do--	Mokhada	Botoshi	19°48'29.27"N	73°23'51.26"E
130	--do--	--do--	Kurlod	19°48'42.49"N	73°23'29.69"E
131	Thane	Bhiwandi	Vape	19° 29' 22.79"	73° 10' 26.52"
132	--do--	--do--	Ghotavade	19° 28' 51.59"	73° 10' 04.84"
133	--do--	--do--	Chichvali	19° 29' 13.30"	73° 08' 42.16"
134	--do--	--do--	Mainde	19° 28' 51.68"	73° 10' 05.17"
135	--do--	--do--	Kelhe	19° 27' 34.59"	73° 12' 15.40"
136	Thane	Bhiwandi	Khanivali	19° 25' 18.81"	73° 13' 17.40"
137	--do--	--do--	Sagaon	19° 30' 52.04"	73° 08' 59.21"
138	--do--	--do--	Eksal	19° 30' 27.46"	73° 08' 17.38"
139	--do--	--do--	Devchole	19° 30' 40.71"	73° 10' 01.78"
140	--do--	--do--	Kunde	19° 28' 49.28"	73° 07' 06.40"
141	--do--	--do--	Karmale	19° 27' 55.42"	73° 08' 01.05"
142	--do--	--do--	Base	19° 27' 51.23"	73° 09' 05.60"
143	--do--	--do--	Newade	19° 27' 22.08"	73° 12' 02.73"
144	--do--	--do--	Pachhapur	19° 27' 44.17"	73° 10' 26.20"
145	--do--	--do--	Mohandule	19° 25' 15.75"	73° 11' 42.06"

## Annexure-IV

## Proforma of Action Taken Report:—Eco-sensitive Zone monitoring Committee.—

1. Number and date of meetings
2. Minutes of the meetings: Mention main noteworthy points. Attached minutes of the meeting on separate Annexure.
3. Status of preparation of Zonal Master Plan including Eco-Tourism Master Plan
4. Summary of cases dealt for rectification of error apparent on face of land record. Details may be attached as Annexure.
5. Summary of cases scrutinised for activities covered under Environment Impact Assessment Notification, 2006 Details may be attached as separate Annexure.
6. Summary of case scrutinised for activities not covered under Environment Impact Assessment Notification, 2006 .Details may be attached as separate Annexure.
7. Summary of complaints ledged under section 19 of Environment (Protection) Act, 1986.
8. Any other matter of importance.

(बी. डी. गायकवाड)  
सहायक वनसंरक्षक  
(पर्यावरण संरक्षण) जलदा

**A 624 - B**

No 2/27/2017-ESZ  
 Government of India  
 Ministry of Environment, Forest and Climate Change  
 (ESZ Division)

Indira Paryavaran Bhawan,  
 Jorbagh Road, Aliganj,  
 New Delhi-110 003  
 Dated: 17<sup>th</sup> February, 2022

Shri Ravi Joshi  
 Shahapur Dist. Thane.  
 Email id raviveertara21@yahoo.com

27 FEB 2022

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 21123

Eco-sensitive Zone around Tansa Wildlife Sanctuary, in the State of Maharashtra - reg.

This has reference to your email dated 27.01.2022 regarding finalisation of Eco-sensitive Zone around Tansa Wildlife Sanctuary, in the State of Maharashtra.

In this regard, it is informed that the draft notification declaring Eco Sensitive Zone around Tansa Wildlife Sanctuary, Maharashtra issued by the Ministry vide S.O. 2566(E) dated 10.08.2017 expired for want of information from the State Government. The State Government has been requested to submit fresh (revised) proposal for its re-publication.

Yours faithfully,

(Dr. Veenu Joon)  
 Joint Director/ Sc-'D'  
 Telefax: 011-24695315 (O)  
 e-mail: veenu.joon@nic.in

Copy to:

The PCCF(WL), Govt. of Maharashtra, Van Bhawan, Police Gym Khana, Ramgiri Road, Nagpur-440 001. Maharashtra, e-mail id: pccfwlmgp@mahaforest.gov.in – with a request to expedite submission of a revised proposal. (A)

(बी. डी. गायकवाड)  
 सहायक वनसंरक्षक  
 (रोहयो) व कॅम्पा) जव्हार

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Annex - C

Item No.50

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No.105/2018

Indian Council for Enviro-Legal Action Applicant(s)

Versus

Ministry of Environment, Forest and  
Climate Change & Ors. Respondent(s)

Date of hearing: 27.02.2019

**CORAM:**  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

For Applicant(s) None present

For Respondent(s) Mr. Ardhendumauli Kr. Prasad,  
Advocate for R-3, CGWA  
Mr. Mukesh Verma, Advocate for  
R-4  
Ms. Sharmila Upadhyay and Mr.  
Sarvjit Pratap Singh, Advocates  
for CPCB  
Mr. Rajesh K. Singh and Mr.  
Rovins Verma, Advocates for  
MoEF & CC  
Mr. Ranjesh K. Sinha, Advocate

**ORDER**

None for the Applicant.

1. In this Application the Applicant has contended that a large number of Brick kilns are operating in Tansa Valley in Thane and Palgarh, District of Maharashtra without any Environmental Clearance. He has, therefore, prayed for prohibiting the operation of Brick kilns and other polluting industries in eco-sensitive Tansa Valley and also prayed to

Fertile Agriculture Land and ecologically fertile Tansa Valley.

2. In the reply affidavit filed on 04.04.2018 on behalf of the Respondent No. 1 it was submitted that Ministry of Environment & Forest had published draft Notification on Tansa Wildlife Sanctuary under Environment (Protection) Act, 1986 on 10<sup>th</sup> August, 2017. It has now been submitted today that the said notification has lapsed because of want of comments from the State Government of Maharashtra. It is noteworthy to mention that in the draft notification the eco-sensitive zone extends from 600 mt. to 9.5 km. from the boundary of Tansa Wildlife Sanctuary. Besides, in the list of activities which are prohibited in the eco-sensitive zone, following activities have been included:-

Sr. No.	Activities	Remarks
1.	Commercial Mining, Stone Quarrying and Crushing units	(a) All new and existing (minor and major minerals), stone quarrying and crushing units are prohibited with immediate effect except for meeting the domestic needs of bona fide local residents including digging of earth for construction or repair of houses and for manufacture of country tiles and bricks for housing and for other activities.  (b) The mining operations shall be carried out in

(बी. डी. गांधी)

		accordance with the order of the Hon'ble Supreme Court dated 4 <sup>th</sup> August, 2006 in the matter of T.N. GodavaranThirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21 <sup>st</sup> April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.
2.	Setting of industries causing pollution (water, Air, Soil, Noise etc.)	No new industries and expansion of existing polluting industries in the Eco-sensitive zone shall be permitted.  Only non-polluting industries shall be allowed within ESZ as per classification of Industries in the Guidelines issued by Central pollution Control Board in February, 2016, unless so specified in this notification. In addition, non-polluting cottage industries shall be promoted.
3.	Use or production or processing of any hazardous substances.	Prohibited (except as otherwise provided) as per applicable laws.
4.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited (except as otherwise provided) as per applicable laws.
5.	Establishment of Solid Waste disposal site and common incineration facility for solid and bio medical waste	No new solid waste disposal site and waste treatment/processing facility of solid waste is permitted within Eco-sensitive zone. Further installation of common or individual incineration facility for treatment of any form of solid waste generated from industrial process and health

		prohibited.
6.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate, companies.	Prohibited (except as otherwise provided) as per applicable laws except for meeting local needs.
7.	Setting up of brick kilns.	Prohibited (except as otherwise provided) as per applicable laws.
8.	Use of polythene bags.	Prohibited under applicable laws.

3. We are of the considered opinion that since the final notification for Eco-sensitive zone of Tansa Wildlife Sanctuary has not been notified till date, the Eco-sensitive zone will, therefore, extend to 10 km. distance from the boundary of Tansa Wildlife Sanctuary and therefore operation of all the brick kilns, Commercial Mining, Stone quarrying and Crushing units, setting of industries causing pollution, use of production or processing of any hazardous substances will be prohibited within 10 km Eco-sensitive zone of Tansa Wildlife Sanctuary. We, therefore, direct all the concerned Authorities to immediately take action to completely stop operation of all the brick kilns and polluting industries in Tansa Valley falling within 10 km distance from the boundary of the Tansa Wildlife Sanctuary forthwith. A compliance of these directions will be filed in the Tribunal within two weeks from today.

With these directions, this O.A. No. 105 of 2018 stand disposed of, with no order as to cost.

Raghuvendra S. Rathore, JM

Dr.Satyawan Singh Garbyal, EM

February 27, 2019  
JK



(बी. डी. गायकवाड)  
सहाय्यक दनसरक्षक  
(रोहयो) व कॅम्पा) जव्हार

# 630 Ann-D

DEPUTY CONSERVATOR OF FORESTS  
JAWHAR FOREST DIVISION, JAWHAR  
Opp. Rajiv Gandhi Stadium Jawhar Dist- Palghar  
Tel- 02520-222252 Fax- 02520-222166  
E-mail- dycfjawhar@gmail.com



सत्यमेव जयते  
महाराष्ट्र शासन

उप वनसंरक्षक  
जव्हार वन विभाग, जव्हार  
राजीव गांधी स्टेडियम समोर, जव्हार जि. पालघर.  
दुरध्वनी क्र. ०२५२०-२२२२५२, फॅक्स-०२५२०-२२२१६६  
ई-मेल- dycfjawhar@gmail.com

पत्र ( गोपनीय )

विषय- वाडा व मोखाडा तालुक्यातील परिसंवेदनशिल क्षेत्र (Eco Sensitive Zone ) व वन्यजीव अभयारण्य अथवा लगतच्या १० कि.मी. परिसरामध्ये फटाका विक्री करण्यास मनाई करणे व सदर तालुक्यात देण्यात आलेले फटाका परवाने रद्द करणेकामी मा.राष्ट्रीय हरित लवाद यांचेकडे दाखल केलेल्या O.A.No.७८/२०२० (WZ) with I.A. No१२३/२०२०(WZ) च्या अनुषंगाने अहवालसादर करणेबाबत जा. क्र. ब-२०/जमीन/ 2319/२०२२-२३ जव्हार ४०१ ६०३ दिनांक - ०९/०३/२०२३

प्रति,

मा.जिल्हाधिकारी,  
पालघर

- संदर्भ- १. आपलेकडील पत्र क्रमांक गृह/का-१/टे-१/ निलेश चव्हाण/म.रा.ह.ल/फटाका तक्रार/कावि-११२३ दि.२३/११/२०२०  
२. या कार्यालयाचे जा.क्र. ब-२०/जमीन/१५४९ दि.२८/१०/२०२२  
३. आपलेकडील पत्र क्रमांक गृह/का-१/टे-३/ वाडा.का. फटाका परवाने/रद्द /कावि-१४४३/२२ दि.०१/१२/२०२२  
४. या कार्यालयाचे जा.क्र. ब-२०/जमीन/१५६६ दि.०१/१२/२०२२  
५. आपलेकडील अर्धशासकीय पत्र क्रमांक गृह/का-१/टे-१/ निलेश चव्हाण/म.रा.ह.ल/फटाका तक्रार/ एसआर क्र०२/२३ दि.१४/०२/२०२२

श्री. निलेश सुरेश चव्हाण रा.पाटील आळी वाडा ता.वाडा जि.पालघर यांनी वाडा व मोखाडा तालुक्यातील परिसंवेदनशिल क्षेत्र व वन्यजीव अभयारण्य अथवा लगतच्या १० कि.मी. परिसरामध्ये फटाका विक्री करण्यास मनाई करणे व सदर तालुक्यात देण्यात आलेले फटाका परवाने रद्द करणेकामी मा राष्ट्रीय हरित लवाद यांचेकडील दिनांक ०६/११/२०२० रोजी घेण्यात आलेले ऑनलाईन सुनावणीमध्ये वाडा व मोखाडा तालुका हे परिसंवेदनशिल क्षेत्र व वन्यजीव अभयारण्य अथवा लगतच्या १० कि.मी. परिसरामध्ये येतात अगर कसे याबाबत संदर्भ क्रमांक १ अनुषंगाने या कार्यालयाने संदर्भ क्रमांक २ अन्वये सादर केलेल्या अहवालाचे सखोल अवलोकन होणेस विनंती आहे.

२.०० आपले कडील संदर्भ क्रमांक ३ चे पत्रानुसार मा.राष्ट्रीय हरित लवाद पुणे यांचेकडे दाखल केलेल्या O.A.No.७८/२०२० (WZ) with I.A. No१२३/२०२० (WZ) यांचे दिनांक ०३/११/२०२२ रोजी निर्णय दिलेला आहे. यानुसार जिल्हाधिकारी पालघर यांचे कार्यालयातील दिनांक ०२/१२/२०२२ रोजीचे

(बी. डी. गायकवाड)

राष्ट्रीय हरित लवाद पुणे यांचे ऑनलाईन सुनावणीचे अनुषंगाने खालीलप्रमाणे अहवाल सादर करण्यात येत आहे.

तानसा वन्यजीव संरक्षित क्षेत्रास दिनांक १९ सप्टेंबर १९८५ रोजी महाराष्ट्र शासनाकडून विधीवत रित्या अभयारण्याचा दर्जा देण्यात आलेला आहे. राष्ट्रीय वन्यजीव मंडळ नवी दिल्ली यांचे दिनांक २७/०५/२००५ चे निर्णयानुसार प्रत्येक वन्यजीव अभयारण्याभोवती १० किलोमीटर च्या मर्यादीत क्षेत्रात राबविण्यात येणा-या विकास योजना व इतर कृती कार्यक्रम हे प्रतिबंधित करण्यासाठी आवश्यक बंधने घालून नियमाकुल करता येतील अशा पध्दतीने परिसंवेदनशिल (Eco Sensitive Zone) क्षेत्राचे प्रस्ताव तयार करणेकामी वनविभागाना निर्देश देण्यात आलेले होते. या अनुषंगाने वनविभागाचे गठीत केलेले समितीने तानसा वन्यजीव अभयारण्याचे लगतचे क्षेत्रातील जैवविविधता व वन्यजीवदृष्ट्या संवेदनशिल वन्यप्राण्याची आश्रयस्थाने व हालचाली निरीक्षण करून त्या अनुषंगाने परिसंवेदनशिल क्षेत्राचा (Eco Sensitive Zone) प्रस्ताव केंद्रशासनास विहित मार्गाने सादर केलेला होता. या अनुषंगाने केंद्रशासनाचे वन, पर्यावरण व जलवायु परिवर्तन मंत्रालय नवी दिल्ली यांचेकडील अधिसूचना क्रमांक का.आ.२५६६ (अ) दिनांक १० ऑगस्ट २०१७ अन्वये तानसा अभयारण्यालगतचे क्षेत्राचे परिसंवेदनशिल (Eco Sensitive Zone) क्षेत्राचे प्रारूप अधिसूचना जारी करण्यात आलेली आहे. यामध्ये वाडा तालुक्यातील ५८ गावाचा समावेश आहे तर मोखाडा तालुक्यातील १० गावाचा समावेश होता.

सहसंचालक, वने व पर्यावरण व वातावरण बदल मंत्रालय (ईएसझेड विभाग) नवी दिल्ली यांचेकडल पत्र क्रमांक २-२७/२०१७/ईएसझेड दिनांक १७/०२/२०२२ अन्वये असे कळविण्यात आले आहे की केंद्रशासनाचे वन, पर्यावरण व जलवायु परिवर्तन मंत्रालय नवी दिल्ली यांचेकडील अधिसूचना क्रमांक का.आ.२५६६ (अ) दिनांक १० ऑगस्ट २०१७ अन्वये तानसा अभयारण्यालगतचे क्षेत्राचे परिसंवेदनशिल (Eco Sensitive Zone) क्षेत्राचे जारी करण्यात आलेली प्रारूप अधिसूचना कालबाहय (Expired) झाल्याने नवीन (Fresh) प्रस्ताव सादर करण्याचे निर्देश राज्य शासनास दिलेले आहेत.

या अनुषंगाने प्रधान मुख्य वनसंरक्षक (वन्यजीव) म.रा.नागपूर यांचे जा.क्र. कक्ष-२३(२)//वजी/सर्हे/प्र.क्र.४३(IV)/३१४१/२०२१-२२ दिनांक ०४/०३/२०२२ लगत मुख्य वनसंरक्षक (प्रादेशिक) ठाणे यांचे पत्र क्रमांक कक्ष-८/वप्रार/कावि-५१४/२०२१-२२ दिनांक ११/०३/२०२२ अन्वये तानसा अभयारण्याचे सभोवताल पर्यावरण संवेदनशिल क्षेत्र (Eco Sensitive Zone) निर्मितीचा नवीन (Fresh) प्रस्ताव अधिसूचनेच्या प्रारूपासह व नकाशासह सादर करणेचे निर्देश सदस्य सचिव तथा उपवनसंरक्षक शहापूर यांना दिले आहेत.

तानसा अभयारण्याचे सभोवताल पर्यावरण संवेदनशिल क्षेत्र (Eco Sensitive Zone) निर्मितीचा नवीन (Fresh) प्रस्ताव अधिसूचनेच्या प्रारूपासह व नकाशासह सादर करणेचे केंद्रस्थ अधिकारी म्हणून सदस्य सचिव तथा उपवनसंरक्षक शहापूर यांना जव्हार वनविभागातील नवीन प्रस्तावाबाबतची माहिती संकलनाची कार्यवाही कार्यरत आहे.

३.०० सन्माननीय सर्वोच्च न्यायालय नवी दिल्ली यांनी रिट याचिका क्रमांक ४६०/२००४ मध्ये दिनांक ०४/१२/२००६ रोजी दिलेल्या निर्णयानुसार ज्या संरक्षित क्षेत्र/ अभयारण्य /राष्ट्रीय उद्यान सभोवताली विशिष्ट Eco Sensitive zone घोषित करण्यात आलेला नसेल अशा संरक्षित क्षेत्र/अभयारण्य/ /राष्ट्रीय उद्यान सभोवतालचा १०.०० किलोमीटर परिघातील क्षेत्र Eco Sensitive zone समजण्यात येते. म्हणजेच तानसा अभयारण्य सभोवताली प्रस्तावित करणेत आलेला विशिष्ट Eco Sensitive zone जो पर्यंत अंतिमतः अधिसूचित होत नाही. तोपर्यंत १०.०० किलोमीटर परिघातील क्षेत्र Eco Sensitive zone समजण्यात येत आहे.

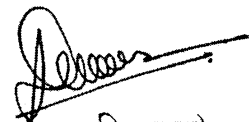
राष्ट्रीय हरित न्यायालय नवी दिल्ली यांचेकडील दिनांक २७ फेब्रुवारी २०१९ चे आदेशानुसार तानसा Eco Sensitive zone अंतिम अधिसूचित होत नाही.तोपर्यंत १०.०० किलोमीटर परिघातील क्षेत्र Eco Sensitive zone समजण्यात येत आहे.

प्रतिबंध केलेला नाही.केवळ वाणिज्यक उत्खनन, खाणकाम, जल,वायु,मृद, ध्वनी इत्यादी प्रदुषण निर्माण करणारे उद्योग नवीन आरागिरणी,वीटभट्टी , मोठे जलविद्युत प्रकल्पाना प्रतिबंधित केलेले आहे. सदरचे प्रस्तावानुसार केंद्रीय प्रदुषण नियंत्रण मंडळ, राज्य प्रदुषण नियंत्रण मंडळ यांनी विनिर्दिष्ट केलेल्या सर्व Red Category मध्ये मोडत असलेल्या उद्योगाना प्रतिबंधित केलेले आहे. Non Polluting Industries , Godawoon, Offices, Parking उभारण्यास मुभा देण्यात आलेली आहे.

४.०० तानसा अभयारण्यालगतचे क्षेत्राचे परिसंवेदनशिल ( Eco Sensitive Zone) क्षेत्राचे १० किमी अंतराचे क्षेत्रात येणा-या वाडा तालुक्यातील ११४ गावाचा समावेश आहे तर मोखाडा तालुक्यातील १८ गावाचा समावेश आहे. (समाविष्ट गावाचा माहितीचे परिशिष्ट सोबत जोडले आहे.) सदर परिशिष्टात नमूद करण्यात आलेले गावात वाडा तालुक्यातील ११४ गावे तर मोखाडा तालुक्यातील १८ गावे तानसा वन्यजीव अभयारण्याचे (Eco Sensitive zone) क्षेत्र व त्यांच्या हद्दी अंतर १० किमी आत येत आहेत. त्यात आपण संदर्भ क्रमांक ३ अन्वये विचारणा केलेली वाडा तालुक्यातील मौजे मौज हरसोळे,वाडा,देसई, परळी या गावाचा समावेश होत आहे. परिणामी, 'फटाक्यांची' विक्री करणे अथवा 'साठवणूक' करणे या बाबी पर्यावरण (संरक्षण) अधिनियम १९८६ अन्वये (Eco Sensitive zone) प्रतिबंधित केलेल्या आहेत. त्यामुळे तानसा वन्यजीव अभयारण्याचे (Eco Sensitive zone) हे क्षेत्र निश्चित झाल्यामुळे त्या क्षेत्रास व अभयारण्याच्या प्रतिबंधित क्षेत्रात 'फटाक्यांची' विक्री करणे अथवा 'साठवणूक' करणे या बाबीस पर्यावरण (संरक्षण) अधिनियम १९८६ व वन्यजीव संरक्षण अधिनियम १९७२ मधील तरतुदी विचारात घेता अशा विविध बाबीस पुर्णपणे प्रतिबंध केलेला आहे.

५.०० प्रस्तूत प्रकरणाचे राष्ट्रीय हरित लवाद पुणे यांचे कडील न्यायालयीन प्रकरणातील उपस्थित केलेल्या मुद्यांवर वरीलप्रमाणे अभिप्राय देण्यात येत आहे. तरी सदर प्रकरणात पर्यावरण ( संरक्षण ) अधिनियम १९८६, भारतीय वन अधिनियम १९२७ व वन्यजीव (संरक्षण) अधिनियम १९७२ तसेच इतर लागू असलेल्या अधिनियम, नियमावली व उप नियम मधील तरतुदी विचारात घेऊन आपले स्तरावरून जरूरी कार्यवाही होणेस विनंती आहे.

सहपत्र- वरीलप्रमाणे

  
( एन.एस. दिवाकर)

उपवनसंरक्षक जव्हार

जव्हार वनविभाग जव्हार



TRANSLATION MARATHI INTO ENGLISH ANNEXURE "D"

DEPUTY CONSERVATOR OF FORESTS

JAWHAR FOEST DIVISION, JAWHAR

Opp. Rajiv Gandhi Stadium, Jawhar Dist. Palghar

Tel. 02520-222252 Fax-02520-222166

Email-dycfjawhar@gmail.com subject:

Maharashtra State

Letter (Confidential)

Subject: Submit Report in the matter of  
O.A.No.78/2020 with I.A.No.123/2020 (WZ)  
before Hon. National Green Tribunal  
Prohibition to sale crackers & cancel license  
to the sale crackers within Eco Sensitive  
Zone & Wildlife Forest of Wada &  
Mokhada Taluka @10 K.M. area from it.

To,

The Collector

Palghar

Reference: 1 Your letter No.Home/Ka-1/te-1/Nilesh Chavan/  
M.Ra.H.L./Cracker Complaint/Kavi-1123 dated 23/11/2020

2 Our office letter No.Outward No.B-20/Land/1549 dated 28/10/2022

3 Your letter No.Home/Ka-1/Te-3/ Wada.ka.Cracker  
permit/cancel/Kavi-1443/22 dated 01/12/2022

4 Our office letter outward No.B-20,Land/1566 dated 01/12/2022

5. Your semi Government letter No. Home/Ka-1/Te-1, Nilesh Chavan, M.Ra.H.L./Cracker Complaint/SR No.02/23 dated 14/02/2022

1. In the online hearing dated 06/11/2020 before the Hon'ble National Green Tribunal in case filed by Shri. Nilesh Suresh Chavan R/at: Patil AAli, Wada, Tal. Wada District-Palghar in respect of whether there shall be prohibition to sale crackers & cancel the crackers licenses within Eco sensitive zone & Wild life forest & 10 K.M. area in subject No.1 of our office & detail study of report in subject No.2 is requested .
2. In reference to subject no.3 of your letter, Hon'ble National Tribunal, Pune has given decision in O.A.No.78/202(WZ) with I.A.No.123/2020(WZ) dated 03/11/2022. In reference to letter dated 02/12/2022 from Collector , Palghar following report is submitted as per online hearing by Hon'ble National Green Tribunal, Pune

On 19/09/1985 Tanasa Wildlife protected area has been given legal status of Wildlife. Under the decision of the National wildlife Board, New Delhi dated 27/05/2005 , all development activities & other program within 10 K.M. surrounding area of every wildlife every wildlife requires restrictions & it was directed to the Forest Department to proposed such restriction within Eco Sensitive Zone .Accordingly the Committee formed by Forest Department to inspect the habitation & movement of wildlife & biological & forest life within the said Eco Sensitive Zone & submitted proposal to the Central Government. The Ministry of Environment, Forests and Climate Change ,ESZ inform that the Notification No.2566(A) dated 10 August,2017 by which Tanasa Forest area was declared Eco Sensitive Zone

has expired & State Government was directed to issue fresh proposal in said respect.

With the said reference the Chief Conservator of Forest Nagpur, Maharashtra State by its outward No.Desk-23(2)Forest/P.K.43/IV/3141/2021-22dated 04/03/2022& Chief Conservator of Forest, Thane by Letter No. Desk-8/Forest/KV-514/2021-22 dated 11/03/2022 directed the Member Secretary @ Divisional Conservator of Forest, Shahapur to submit fresh proposal with map for the Eco Sensitive Zone of Tanasa Wildlife Sanctuary forest & surrounding area.

The Member Secretary @ Deputy Conservator of Forest ,Shahapur is assisted by Jawhar Forest Division to the said fresh proposal with map for Tanasa Forest & surrounding area ,the said work is under progress.

The Hon'ble Supreme Court, New Delhi has given Judgment in Writ Petition No.460/2004 dated 04/12/2006 wherein it is held that the area surrounding the protected /Forest/National Park which is not declared as Eco Sensitive Zone 10 K.M. radius shall be understood as Eco Sensitive area till the proposed area is not finally declared as Eco Sensitive Zone. In other words till the area surrounding Tanasa Forest is not finally declared as Eco Sensitive area within radius of 10 K.M. shall be understood as Eco Sensitive Zone.

By the order of the Hon'ble National Green Tribunal, New Delhi dated 27 February,2019 till Tanasa Eco sensitive zone is not declared finally till then area within 10 K.M.s of radius shall be understood as Eco Sensitive Zone & Polluting Industries are prohibited within said area. In the Eco

Sensitive Zone development activities are not protected. Only Commercial. In the said proposal in view of as directed by Central Pollution Board, State Pollution Board all Industries falling within Red Category are prohibited. on Polluting Industries, Godown, Offices, construction for parking are permitted.

4. 114 villages within Wada Taluka & 18 villages within Mokhada Taluka are included within Tanasa wildlife sanctuary Eco Sensitive Zone (The list if included villages is annexed) . 114 Villages within Wada Taluka & 18 Villages within Mokhada Taluka listed in said annexure fall within 10 Kms. Of Tanasa wild life Sanctuary. In which the Villages of Harsole, Wada, Desai, Parali as inquired in reference No.3 are included. As a result Selling of crackers & storage are prohibited under Environment (Protection Act, 1986, falling within Eco Sensitive zone. As the Tanasa Wildlife Sanctuary is determine as Eco Sensitive Zone of said area & Forest are completely prohibited for selling crackers & storage in view of the Environment Protection Act, 1986 & Wild life protection Act,1972.

5. The said issue shall be considered in view of issues raised before Hon'ble National Green Tribunal & accordingly report is submitted. The said matter shall be decided at your level by considering provisions of the Environment Protection Act,1986, Indian Forest Act,1927 & Wildlife protection act,1972 & other related Acts, Rules & Sub rules.

(N.S.Diwakar)

Deputy Conservator Jawhar

Jawhar Forest, Jawhar

## पारिशेष

तानसा अभयारण्यालगतचे क्षेत्राचे परिसंवेदनशिल (Eco Sensitive Zone) क्षेत्राचे १० (दहा)

किलोमीटरचे आत येणारी वाडा व मोखाडा तालुक्यातील समावेश केलेल्या गावाचा यादी.

अ.क्र.	तालुका	गावाचे नाव मराठी भाषेत	गावाचे नाव इंग्रजी भाषेत	शेरा
१	मोखाडा Mokhada	काष्टी	Kashti	
२	मोखाडा Mokhada	सावर्डे	Sawarde	
३	मोखाडा Mokhada	वासिंद	Vashind	
४	मोखाडा Mokhada	गोमघर/दुधगाव	Gomghar/Dudhagaon	
५	मोखाडा Mokhada	सुर्यमाळ	Suryamal	
६	मोखाडा Mokhada	केवनाळे	Kevnale	
७	मोखाडा Mokhada	आमले	Amale	
८	मोखाडा Mokhada	कुर्लोद	Kurlod	
९	मोखाडा Mokhada	बोटोशी	Botoshi	
१०	मोखाडा Mokhada	उधळे	Udhale	
११	मोखाडा Mokhada	किनिस्ते	Kiniste	
१२	मोखाडा Mokhada	कोचाळे	Kochale	
१३	मोखाडा Mokhada	धामणशेत	Dhamanshet	
१४	मोखाडा Mokhada	कोशिमशेत	Koshimshet	
१५	मोखाडा Mokhada	डोल्हारा	Dolhara	
१६	मोखाडा Mokhada	नाशेरा	Nashera	
१७	मोखाडा Mokhada	शिवली	Shivali	
१८	मोखाडा Mokhada	खोडाळा	Khodala	
१	वाडा Wada	मुसारणे	Musarane	
२	वाडा Wada	डोंगस्ते	Dongaste	
३	वाडा Wada	विजयगड	Vijaygad	
४	वाडा Wada	चिचघर	Chichghar	
५	वाडा Wada	बिलावली	Bilavali	
६	वाडा Wada	किरवली	Kirvali	
७	वाडा Wada	खुपरी	Khupari	
८	वाडा Wada	वसुरी खुर्द	Vasuri Khurd	
९	वाडा Wada	लखमापूर	Lakhmapur	
१०	वाडा Wada	जामघर	Jamghar	
११	वाडा Wada	नेहरोली	Nehroli	
१२	वाडा Wada	कोनसई	Konsai	
१३	वाडा Wada	गातेस खुर्द	Gates Khurd	
१४	वाडा Wada	गातेस बुद्रुक	Gates Budruk	
१५	वाडा Wada	नारे	Nare	
१६	वाडा Wada	वर्धा	Wardha	
१७	वाडा Wada	उसर	Usar	
१८	वाडा Wada	वडवली	Vadvali	
१९	वाडा Wada	कुडुस	Kudus	
२०	वाडा Wada	कोंडला	Kondhala	
२१	वाडा Wada	म्हसवल	Maswal	
२२	वाडा Wada	देवगाव	Devgoan	

२५	वाडा Wada	जाळे	Jale	
२६	वाडा Wada	बेरशेती	Bersheti	
२७	वाडा Wada	कुकुलु	Kuyulu	
२८	वाडा Wada	चेंदावली	Chendavali	
२९	वाडा Wada	तोरणे	Torane	
३०	वाडा Wada	आंबीटघर	Abitghar	
३१	वाडा Wada	कांबारे	Kambhare	
३२	वाडा Wada	गोळेघर	Goleghar	
३३	वाडा Wada	खैरे आंबिवली	Khaire-Ambhivali	
३४	वाडा Wada	चिखले	Chikhale	
३५	वाडा Wada	सारशी	Sarashi	
३६	वाडा Wada	मालोडे	Malonde	
३७	वाडा Wada	कोने	Kone	
३८	वाडा Wada	विजयपुर	Vijaypur	
३९	वाडा Wada	गांधे	Gandhare	
४०	वाडा Wada	ऐनशेत	Ainshet	
४१	वाडा Wada	पेठरांजणी	Peth-ranjani	
४२	वाडा Wada	वाडा	Wada	
४३	वाडा Wada	खरीवली	Kharivali	
४४	वाडा Wada	कादिवली	kadivali	
४५	वाडा Wada	सरसओहोळ	Sarasohal	
४६	वाडा Wada	आलमान	Alman	
४७	वाडा Wada	विलकोस तर्फे कोनपट्टी	Vilkos Trafe Konpatti	
४८	वाडा Wada	वरले	Varale	
४९	वाडा Wada	ठुणावे	Thunave	
५०	वाडा Wada	उमरोठे	Umrothe	
५१	वाडा Wada	देवळी	Devli	
५२	वाडा Wada	मेट	Met	
५३	वाडा Wada	हरसोळे	Harsole	
५४	वाडा Wada	तुसे	Tule	
५५	वाडा Wada	विलकोस	Vilkos	
५६	वाडा Wada	पिंपरोली	Pimproli	
५७	वाडा Wada	वरई खुरद	Varai Khurd	
५८	वाडा Wada	वरई बुद्रुक	Varai Bhudurk	
५९	वाडा Wada	बिलघर	Bilghar	
६०	वाडा Wada	बालीवली	Balivali	
६१	वाडा Wada	कासघर	Kasghar	
६२	वाडा Wada	सोनशिव	Sonshiv	
६३	वाडा Wada	मांडवा	Mandava	
६४	वाडा Wada	मोज	Moj	
६५	वाडा Wada	सावरखांड	Savarkhand	
६६	वाडा Wada	झाडखैरे	Zadkhair	
६७	वाडा Wada	सापरोडे	Sapronde	
६८	वाडा Wada	बावली	Bavli	(बी. डी. गायकवाड)

७१	वाडा Wada	देसई	Desai	
७२	वाडा Wada	गळे	Gale	
७३	वाडा Wada	मांगाठणे	Mangathane	
७४	वाडा Wada	उचाट	Uchat	
७५	वाडा Wada	करंजे	Karanje	
७६	वाडा Wada	सापने बुद्रुक	Sapane Budruk	
७७	वाडा Wada	तिळसे	Tilse	
७८	वाडा Wada	सापने खुर्द	Sapane Kurad	
७९	वाडा Wada	घोणसई	Ghonsai	
८०	वाडा Wada	आब्जे	Abje	
८१	वाडा Wada	वैतरणानगर	Vaitrananagar	
८२	वाडा Wada	भावेघर	Bhaveghar	
८३	वाडा Wada	निचोळे	Nichole	
८४	वाडा Wada	सोनाळे बुद्रुक	Sonale Budruk	
८५	वाडा Wada	सोनाळे खुर्द	Sonale Kuard	
८६	वाडा Wada	कोलीमसरोवर	Kolimsarovar	
८७	वाडा Wada	शेला	Shela	
८८	वाडा Wada	धापड	Dhapad	
८९	वाडा Wada	दहिवली-कुम्भिस्ते	Dahivali-Kumbhiste	
९०	वाडा Wada	मानिवली	Manivali	
९१	वाडा Wada	कापरी	Kapri	
९२	वाडा Wada	कळभे	Kalambhe	
९३	वाडा Wada	कळभोली	Kambholi	
९४	वाडा Wada	केवनाळे	Kevnale	
९५	वाडा Wada	आखाडा	Akhada	
९६	वाडा Wada	वडवली	Vadvali	
९७	वाडा Wada	उज्जैनी	Ujjani	
९८	वाडा Wada	वि-हे	Virhe	
९९	वाडा Wada	दाभोण	Dhabhon	
१००	वाडा Wada	पिंजाल	Pinjal	
१०१	वाडा Wada	मांग्रोल	Mangoral	
१०२	वाडा Wada	ढाढरा	Dhadhra	
१०३	वाडा Wada	निशेत	Nishet	
१०४	वाडा Wada	गारगाव	Gargaon	
१०५	वाडा Wada	पिक	Pik	
१०६	वाडा Wada	परळी	Parali	
१०७	वाडा Wada	शिलोत्तर	Shilottar	
१०८	वाडा Wada	वरसाळे	Varsale	
१०९	वाडा Wada	पास्ते	Paste	
११०	वाडा Wada	सासने	Sasane	
१११	वाडा Wada	खैरा	Khaira	
११२	वाडा Wada	वडवली तर्फे सोनाळे	Vadvali Trafe Sonale	
११३	वाडा Wada	पाली	Pali	
११४	वाडा Wada	पिंपळास	Pimplas	