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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(WESTERN ZONE BENCH) AT PUNE
ORIGINAL APPLICATION NO. 68 OF 2021**

IN THE MATTER OF

Vanashakti and Another

..... Applicants

Versus

Municipal Corporation of Greater

Mumbai and Others

..... Respondents



AFFIDAVIT-IN-REPLY ON BEHALF OF DISTRICT

COLLECTOR, MUMBAI SUBURBAN DISTRICT

[RESPONDENT NO. 10]

I Nidhi Choudhari, District Collector, Mumbai Suburban District, having my office at 10th Floor, Administrative Building, Government Colony, Bandra (East), Mumbai-400 051, on behalf of Respondent No. 10 herein, do hereby state on solemn affirmation as under:

1. I say that, I am designated Member-Secretary of an 'Expert Committee' constituted by the State Wetland Authority vide Circular No. Misc. 2021/C.R.41/T.C.3, dated 12/10/2021. I

have perused the copy of captioned Original Application (For Short "OA") and have read and understood the contents thereof. I have also gone through the records, files and documents available in my office pertaining to the subject matter of this OA. I am filing this affidavit on the basis of information gathered from my office files. I may not be deemed to have admitted any facts contentions, submissions and averments made in the OA, unless specifically admitted by me. The contention, averments and submission of the OA, not dealt with or admitted are deemed to have been specifically denied. I am filing this affidavit to oppose admission of OA and grant of interim relief sought therein. I crave leave to file Additional Affidavit, if necessary, at the later stage of hearing.

2. At the outset, I say that, in this OA the applicants have raised major issue regarding construction of 'Cycle Track' inside the boundary of Powai Lake. I respectfully submit that the OA, filed by the Applicants is not maintainable for the reason that similar challenge to the same project has already been made before the Hon'ble High Court Principal Bench at Mumbai in Public Interest Litigation (L) No. 23928 of 2021 filed by Omkar



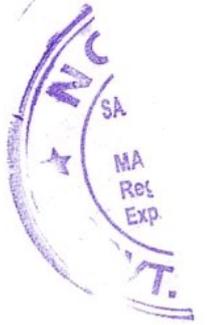


Mahadeo Supekar and Another. By an order dated 1st November 2021 their Lordships comprising the Hon'ble Mr. Justice S.J. Kathawalla and the Hon'ble Mr. Justice Surendra P.Tavade have directed Respondents to file Affidavit-in-reply. Accordingly, Director, Department of Environment and Climate Change and Member Secretary, State Wetland Authority has filed his Reply on behalf of the Maharashtra State Wetland Authority. The above matter is still pending. A copy of the said Order dated 01/11/2021 passed by the Hon'ble High Court in Public Interest Litigation (L) No. 23928 of 2021 is annexed hereto and marked as **Exhibit 'R-1'**.

I further say that, the Petitioners in the above Public Interest Litigation (L) No. 23928 of 2021, "in the larger interest," have prayed for the directions from the Hon'ble High Court, with regard to the construction of the Cycle Track, on the periphery of "the Powai Lake" situated at Powai, in the Mumbai Suburban District. The Petitioners have sought the directions from the Hon'ble High Court against the Respondents "to restore the site in its original form" and also "to make available all the relevant information with regard to the construction of the said Cycle Track in the public domain". The directions are also sought

against the Respondents, to conduct "the Public Hearing" with regard to the objections filed, by the Petitioners and other public-spirited individuals. The Petitioners have sought the reliefs as regards the "De-notification" and "Survey Report" of the reclamation and reconstruction of the said Cycle Track over the ecological, sensitive and fragile Powai Wetland. I crave leave to refer to and rely upon the prayers in the P.I.L (L) No. 23928 of 2021 as and when produced. I submit that, the prayers made in the present OA are similar in nature and covering the issues raised in the above P.I.L., therefore due to pendency of similar issues before the Hon'ble High Court, the present OA deserves to be dismissed or alternatively the applicants may be directed to join the Petitioners in the above P.I.L in order to avoid any conflicting orders.

3. I say that, issues raised in the present OA are connecting to the Powai Lake. According to the applicants Powai Lake is one of the Wetlands as shown in the National Wetland Atlas. Before going to the detailed contentions raised in the above OA, it is necessary to highlight "the legal" and "factual situation" as regards the establishment of the State level Wetland Authority,



and its powers and functions as per the Government Resolution dated 06/02/2018, issued by the Environment Department:

- 
- I] The Central Government have found that, the Wetlands are the vital parts of "the Hydrological Cycle" and the highly protective eco-system, which support the rich Biodiversity and provide the wide range of eco-system services for various needs, while simultaneously supporting many significant recreational, social and cultural activities, rich Indian cultural heritage. It had been noticed that, many wetlands are threatened by reclamation and degradation, through drainage and landfill, pollution, (discharge and domestic and industrial effluents, disposal of solid waste), hydrological alteration (water withdrawal and changes in inflow and outflow), over- exploitation of their natural resources etc., resulting in loss of biodiversity and disruption in ecosystem services provided by such wetlands.
- II] The Ministry of Environment, Forest and Climate Change, Government of India, New Delhi (Henceforth referred to as "MoEF & CC" for the sake of brevity) after considering various aspects, as regards "the Environment

protection" and "improvement, in the environment in general" in exercise of powers conferred by Section 3, Section 23 and Section 25 of the Environment (Protection) Act, 1986 and in supersession of earlier Rules 2010, by Notification dated 26/09/2017, notified the Rules known as "the Wetlands (Conservation and Management) Rule, 2017" (For Short "the Rules of 2017")

- III] Rule 4 of the said Rules of 2017 dealt with "the Conservation and Management of the Wetlands" in accordance with principal of "wise use", as may be determined by "the Wetland Authority". Further, there are certain activities which have been 'Prohibited' within the Wetland areas, as enumerated in sub-Rule 2 of the Rule 4 of the said Rules of 2017.
- IV] Rule 5 of the said Rules, 2017 empowers the Central Government to constitute "the State Wetland Authority", in each State, with the Members as designated in the said Rules. The Members of the State level Authorities are mostly, "the designated officers" of various Departments



of the State. With Minister in-charge of Environment and Forest of the concerned State, to be its Chairman.

V] Sub-Rule 4, of the said Rule-5 of the Rules of 2017. Prescribes the "powers and functions" of the State Wetland Authority.

VI] Sub-Rule 6, of the said Rule 5 of the Rules of 2017, gives powers to "the State Wetland Authority" to constitute "Technical Committee" to review "the brief documents". Management Plan prepared and to generally advice the Authority of any technical matters referred by it. The Authority has also been given the powers to constitute "a Grievance Redressal Committee", consisting of four (4) Members, to provide for the mechanism, for "hearing" and "deciding" the grievances raised by the general Public to the said Authority concerning the activities of the State Wetland Authority.

I crave leave to refer to and rely upon the said Rules of 2017 as and when produced.

4. At this juncture, it is important to point out that, the State Wetland Authority came to be constituted by the Government of



Maharashtra's Resolution dated 06/02/2018, in pursuance to the Government of India, Notification dated 26/09/2017. Hereto annexed and marked as **Exhibit 'R-2'** is the copy of Government Resolution dated 06/02/2018. The said State Wetland Authority received an email from the MoEF & CC, on 23/08/2021 regarding a complaint of Vanshakti i.e., applicants herein, about ongoing work of 'Cycle Track' at Powai Lake by the MCGM. The MoEF&CC vide above mentioned communication requested State Wetland Authority to submit "Status of action taken" on the complaint received. The said communication came to be placed before the meeting of the State Wetland Authority, held on 26/08/2021. After deliberations on the same to the State Wetland Authority it was decided "to constitute an Expert Committee" under the Chairmanship of the Principal Secretary, Environment and Climate Change, State of Maharashtra "to look into the details of the applicability of Wetland Rules", "type of constructions" etc. Accordingly, the Expert Committee has constituted vide Circular No. Misc 2021/C.R.41/T.C.3, dated 12/10/2021. The said Expert Committee includes the following area experts:



1.	Principal Secretary, Environment & Climate Change.	Chairman.
2.	Two experts from Wetland ecology and environment.	_____
4.	One Expert of Mumbai Historian.	_____
5.	The District Collector, Mumbai Suburban District.	Member Secretary

The said Committee has been directed to submit its 'Report' to the State Wetland Authority, within stipulated time. I have been designated to be responsible Officer to submit the said Report to the State Wetland Authority.

5. I say that "the Expert Committee" constituted by the State Wetland Authority, in order to look into 'the grievances' and 'the complaints' received with regard to the ongoing construction of the 'Cycle Track' at Powai Lake, held its first meeting on 28/10/2021. During the said meeting of the Expert Committee, after taking the brief outlook of the complaints received as regards the constructions of 'Cycle Track' at Powai Lake, the Committee held deliberations on various issues. The Committee requested the Municipal Corporation of Greater Mumbai to make presentation to the Committee on 'the History of the Powai Lake and Status of ongoing cycle track work at Powai Lake' as well as



I was requested to make presentation regarding the 'Status of preparation of Brief Document of Wetlands in Mumbai suburban District including Powai Lake as per Wetland (Conservation & Management) Rule,2017' in the next meeting.



6. I say that, the second meeting of the Expert Committee was held on 25/11/2021 wherein the Additional Commissioner, MCGM presented that, the Powai Lake is an artificial water reservoir built by Municipal Corporation, sometimes in the year 1889-1891, as an anti-famine measures for the City of Mumbai. The Water in the said Lake is found to be polluted and the same has been declared as unfit for human consumption way back in the year 1893. It was therefore referred that, it would not be appropriate to propose and recommend to the said Powai Lake to be "Wetland".

7. I say that, as discussed earlier, in a meeting of State Wetland Authority held on dated 26/08/2021 instructions were given to re-verify and revalidation of all wetland proposals by all District Collectors. As the matter of urgency and final report call by expert committee and letter received by Additional Municipal Commissioner dated 16/11/2021. In this regard, by an office

letter dated 16/11/2021, Tahsildar, Kurla was informed to submit detailed report in prescribed formant to this office after site inspection of Powai Lake. I further say that, out of the total 49 sites indicated by MoEF&CC in Mumbai Suburban District 22 sites are in Kurla Taluka, out of these 4 sites are mentioned as Wetlands. After joint inspection of these 4 sites with representatives of MCGM a report dated 29/11/2021 has been submitted to this office by Tahsildar, Kurla.

The said report recites that, "Joint site inspection of Powai Lake conducted by Talathi, Powai along with Mr. Vikrant Desai, Assistant Engineer (Water Works Survey) and Mr. Sunil Mane, Assistant Engineer (Major Waterways) of Municipal Corporation of Greater Mumbai, after conducting joint inspection their statements have been recorded. According to their statements and information provided by them, as per the records available with the Municipal Corporation of Greater Mumbai, in 1890, the land admeasuring 454.79 acres situated at Mouje-Powai, Mouje Paspoli Tal. Kurla under large truck dam up-to Vihar Pipeline had been acquired for Cofferdam, Store yard and other purposes. Also, the entry shows that during the year 1921-1922 the land area admeasuring 84 Acre 30 gunthe between the



lake and diversion road had been acquired as per Government Notification No. 14967 dated 22/12/1919 and S.A 3637 dated 14/09/1921. Accordingly Municipal Corporation had obtained possession on 23/11/1921 and 01/02/1923. As well, land area of 5.62 acres had been acquired for Office and Staff quarters. At present water of the lake is unpotable and is supplied to 'Aarey Colony' and 'Larsen & Toubro Company' for animal husbandry and industrial purpose respectively. Maharashtra Angling Association uses the Lake for sports and has houseboats. The beautification of the Lake and all other uses are under the jurisdiction of the Municipal Corporation. Also, idols during Ganpati and Navratri festivals are being immersed in this Lake as a religious practice, apart from that 'Chhath Puja' is also performed. The lake has Flora and Fauna. At this place, there are Public Parks which are open to public. This Lake is an artificial manmade lake and currently is in possession of the Municipal Corporation. The average depth of Lake is 9 to 10 meters and the water storage is 5455 million liters. Powai Lake is an artificial lake, unpotable water of the Powai Lake is fed to the trees in the surrounding Powai Garden and Nature Garden. Indian Institute of Technology Bombay, one of the premier institutions of science



and technology in India is located to the east of the Lake. Another famous institution, the National Institute of Industrial Engineering (NITIE) is also located close to the Lake. Powai Garden is towards east of the Lake. Housing complexes and plush hotels are developed all around the Lake periphery. Population around the Lake has thus substantially increased over the years.

After observing 7/12 village record of Mouje-Paspoli Tal.Kurla, it is noticed that, this place is numbered as Survey Number 24, Occupant is recorded as the 'Powai Lake', total area is 203.04.06 H. R Sq. Mtrs., CTS No. is 69 given to this Survey Number. On the Property Card of CTS No. 69 total area is 1830874.3 sq. mtr shown and the type of tenure is 'F' in the Occupant Column, the name of the MCGM is entered in the Other rights column, the entry of Government of Maharashtra also shown." In the report it is further stated that, it is seen that the Powai Lake is an artificial man-made reservoir. A copy of report dated 29/11/2021 of Tahsildar, Kurla is hereto annexed and marked as Exhibit 'R-3'.



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8. I say that, this office had submitted earlier reports on Powai Lake on 18/01/2020 and 21/01/2020 mentioning 'Powai Lake' as Wetland, but upon representation dated 29/11/2021 being received from the MCGM requested to revisit the proposal to notify Powai Lake as a Wetland and submit a revised proposal.

9. At this juncture, it is pertinent to highlight that, till today, the said Powai Lake has not been notified to be a 'Wetland', in accordance with the Notification dated 26/09/2017 of Ministry of Environment, Forest and Climate Change, Government of India, New Delhi.

10. I say that, this office has submitted a report dated 30/11/2021 to the Director, Department of Environment and Member Secretary, State Wetland Authority about Status of Wetlands in Mumbai Suburban District, wherein the above report dated 29/11/2021 is referred and informed that, after perusing the said report and definition of 'Wetland' under Rule 2 (g) of the Wetlands (Conservation and Management) Rules, 2017 as mentioned in the notification dated 26/09/2017 of the MoEF & CC it appears that Powai Lake is a man-made artificial lake. Therefore, according to above notification, the Powai Lake



cannot be notified as a 'Wetland' under the Wetland (Conservation and Management) Rules, 2017. Also, out of the 49 sites indicated by MoEF & CC in Mumbai Suburban District the process of re-verification of the remaining 45 Wetlands is underway and it is proposed to complete the proceedings and submit a detailed report. Hereto annexed and marked as **Exhibit 'R-4'** is the copy of report dated 30/11/2021 submitted to the Director, Department of Environment and Member Secretary, State Wetland Authority

11. I say that, a proposal dated 30/11/2021 has been submitted to the Principal Secretary, Environment and Climate Change Department for not to notify the 'Powai Lake' as a Wetland under the Wetland (Conservation and Management) Rules, 2017. In this proposal it has informed that, vide proposal dated 18/11/2021 of this office, total 49 Wetland sites identified by MoEF & CC in Mumbai Suburban District have been surveyed and Brief Documents of these 49 sites have been prepared and accordingly its information uploaded in the software and Brief Documents has been submitted. After perusing the office letters dated 16/11/2021 and 29/11/2021 received along-with extract of history of Powai Lake and the



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minutes of the meeting of the Standing Committee of 1889 to this office from Additional Commissioner, Municipal Corporation of Greater Mumbai, it appears that, the Powai Lake is not a natural lake but an artificial water reservoir constructed for providing drinking water to the Mumbai City during the year 1889 to 1891 by acquiring land through Municipal Corporation. Water of this lake was declared as unpotable in the year 1893 and now it is used for irrigation, animal husbandry and for industrial use. Therefore, according to the said notification, the Powai Lake cannot be notified as a 'Wetland' under the Wetland (Conservation and Management) Rules, 2017, as the Powai Lake is an artificial reservoir constructed for drinking water by MCGM in the year 1891. Hereto annexed and marked as Exhibit 'R-5' is the copy of letter dated 16/11/2021. Exhibit-'R-6' is the copy of letter dated 29/11/2021 and Exhibit-'R-7' is the copy of proposal dated 30/11/2021 submitted to Principal Secretary, Environment and Climate Change Department. Exhibit-'R-8' is the copy of Circular dated 12-10-2021.

12. I say and submit that, the State Wetland Authority, which has also formed the above Expert Committee to submit their action taking report to the MoEF&CC, in response to their communication dated 23/08/2021. The said Expert Committee is





in the process of the preparation and finalization of the Report along-with the comments to the State Wetland Authority, which in turn will be communicated to the MoEF & CC. I further submit that, the State Wetland Authority, constituted under the provision of the Rules of 2017, has also designated and formed a Grievance Redressal Committee to look into the various complaints and grievances made by the general public with regard to the various activities concerning the Wetlands within the State. The complaint submitted by the applicant no.1 through Mr. Stalin. D-applicant no.2 herein, concerning the very activity of construction of 'Cycle Track' on the periphery of the said Powai Lake, is presently being looked into by the Expert Committee constituted by the State Wetland Authority.

13. I say that cognizance on the complaint of the Applicants regarding construction of 'Cycle Track' inside the boundary of Powai Lake has been taken by the State Wetland Authority. In order to tackle with the issues raised in their complaint an Expert Committee has been constituted as stated above. Immediate steps have been taken and further action is under process. Hence the present OA filed by the applicants is absolutely premature hence not maintainable.

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14. Therefore, considering the above-mentioned facts and circumstances of the case, I respectfully submit that, the Applicants have not made out any case for invocation of Extra-Ordinary jurisdiction of this Hon'ble Tribunal under the National Green Tribunal Act, 2010, as such the above Original Application is liable to be dismissed and be dismissed with costs.



Solemnly affirmed at Mumbai]
 Dated this 10th day of January 2022]

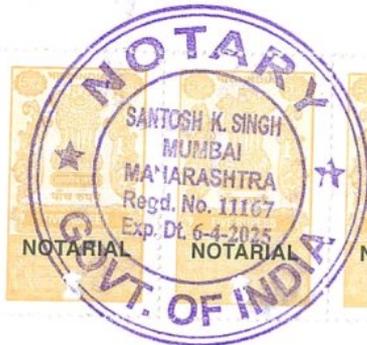
Deponent,

Before Me,

Identified by me.

BEFORE ME

SANTOSH K. SINGH
NOTARY
MAHARASHTRA
 (Govt. of India)



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signed by
NITIN
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION (L) NO.23928 OF 2021**

Omkar Mahadeo Supekar and Anr. ... Petitioners
Versus
Municipal Corporation of Gr. Mumbai and Ors. ... Respondents

Mr. Rajmani Varma with Mr. Aditya Marwal, for Petitioners.
Mr. Aspi Chinoy, Senior Advocate with Mrs. Oorja Dhond, for MCGM.
Mrs. Jyoti Chavan, AGP, for State.
Mr. D.P.Singh, for Union of India.

**CORAM: S.J. KATHAWALLA &
SURENDRA P. TAVADE, JJ.**

**DATE: 1st NOVEMBER, 2021
(VACATION COURT)**

P.C.:

1. By the above Public Interest Litigation, the Petitioners have impugned the action of the Respondents of commencing construction for cycling and jogging tracks around Powai Lake.
2. The Learned Advocate appearing for the Petitioners has submitted that Powai Lake is located in Powai having water spread area of 210 hectares as per the Central Institute of Fisheries Education and having a catchment area of 6.61 sq. kms. It is submitted that in the year 2011 as part of the project on National Wetland Inventory Assessment ('NWIA'), National Wetlands Atlas was prepared by Space Applications Center, Indian Space Research Organization, and the same was

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sponsored by the Ministry of Environment and Forest, Government of India. It is submitted that Powai Lake was thus notified as a wetland in the map of National Wetland Atlas. The Learned Advocate appearing for the Petitioners has further submitted that the Government of Maharashtra through its Urban Development Department ('UDD') in consultation with the Director, Town Planning Department, under the provisions of the Maharashtra Regional & Town Planning Act, 1966, notified DC Regulations for Greater Mumbai, 2034 ('DCR'). Part VII of DCR provides for Land Use Classification and Uses Permitted. Under Part VII of Sub Regulation 3.3 of Regulation 34, a specific regulation for Powai and Vihar Lake has been made which reads as follows :

“(VII) Periphery of Vihar and Powai Lake :

In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Powai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Powai Lake there exists Municipal / Public Road, then buffer of green belt beyond Municipal / Public Road may not be insisted.”

It is submitted that the said work of putting up the proposed cycling and jogging tracks is interalia in violation of the above Clause. It is submitted that the Petitioner No. 1 has filed an RTI Application seeking all the necessary information / documents from the concerned authorities. However, he has not received any response to the same. It

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is submitted that if the Respondents are allowed to continue with the aforesaid construction activities, the same will cause immense environmental damage. It is submitted that Article 51A (g) of the Constitution of India provides that, "*It shall be duty of every citizen of India - to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures.*" It is submitted that in Article - 21 of the Constitution of India, the word "*life*" includes right to enjoy a good environment.

3. The Learned Advocate appearing for the State informs the Court that he has no instructions in the matter and that instructions will have to be obtained from the concerned officers.

4. The Learned Senior Advocate appearing for Municipal Corporation of Greater Mumbai ('MCGM') refutes the allegations made by the Learned Advocate appearing for the Petitioners. However, the MCGM is unable to explain as to why an Affidavit in Reply is not filed in the matter despite the above Public Interest Litigation having been served on the MCGM as far back as on 22nd October, 2021 and despite the matter having appeared before the Regular Court on 28th and 29th October, 2021.

5. The matter being serious and involving public interest, we pass the following Order :

(i) The Respondents shall file their respective Affidavits in Reply within a period of one week from today.

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(ii) The Affidavit in Rejoinder, if any, be filed by the Petitioners within a period of three days thereafter.

(iii) Stand over to 16th November, 2021, first on board, before the regular Court.

(iv) In the meantime, the activity being carried out at present of putting up the proposed cycling and jogging tracks, shall not proceed.

(SURENDRA P. TAVADE, J.)

(S.J.KATHAWALLA, J.)

महाराष्ट्र राज्य वेटलॅंड प्राधिकरण गठीत करणेबाबत...

महाराष्ट्र शासन
पर्यावरण विभाग

शासन निर्णय क्रमांक : संकीर्ण २०१७/प्र.क्र. ४६/तां.क.३

१५ वा मजला, नवीन प्रशासन भवन,
मादाम कामा मार्ग, मंत्रालय, मुंबई-४०० ०३२
दिनांक: ६ फेब्रुवारी, २०१८.

वाचा :- १) केंद्रीय वने व पर्यावरण मंत्रालयाचे जीएसआर-१२०३ (ई) दि.२६.९.२०१७ च्या अधिसूचने अन्वये वेटलॅंड (संवर्धन व व्यवस्थापन) नियम, २०१७

प्रस्तावना:-

केंद्रीय वने व पर्यावरण मंत्रालयाने जीएसआर-१२०३ (ई) दि.२६.९.२०१७ च्या अधिसूचने अन्वये वेटलॅंड (संवर्धन व व्यवस्थापन) नियम, २०१७ प्रकाशित केले आहेत. या अधिसूचनेतील तरतूदीच्या अंमलबजावणीसाठी नियम ५ मध्ये दिलेल्या संरचनेनुसार राज्य शासन स्तरावर महाराष्ट्र राज्य वेटलॅंड प्राधिकरण गठीत करणे अपेक्षित आहे. तसेच नियम ५ (६) अन्वये या प्राधिकरणाला सहाय्य करण्यासाठी तांत्रिक समिती व ४ सदस्यीय तक्रार निवारण समिती गठीत करणे आवश्यक आहे. त्यानुसार महाराष्ट्र राज्य वेटलॅंड प्राधिकरणाचे व त्याअंतर्गत समित्यांचे गठन खालीलप्रमाणे करणे विचाराधिन होते.

शासन निर्णय :- महाराष्ट्र राज्य वेटलॅंड प्राधिकरणाचे व त्याअंतर्गत समित्यांचे गठन खालीलप्रमाणे प्रस्तावित करण्यात येत आहे.

१. मा.मंत्री, पर्यावरण विभाग	अध्यक्ष
२. अतिरिक्त मुख्य सचिव, पर्यावरण विभाग.	उपाध्यक्ष
३. सचिव, वने विभाग	सदस्य
४. सचिव, नगर विकास विभाग	सदस्य
५. सचिव, ग्राम विकास विभाग	सदस्य
६. सचिव, जलसंपदा विभाग	सदस्य
७. सचिव, पदुम विभाग	सदस्य
८. सचिव, मदत व पुनर्वसन विभाग	सदस्य
९. सचिव, पर्यटन विभाग	सदस्य

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शासन निर्णय क्रमांक: संकीर्ण २०१७/प्र.क्र. ४६/तां.क.३

१०	सचिव, महसूल विभाग	सदस्य
११	सदस्य सचिव, महाराष्ट्र प्रदूषण नियंत्रण मंडळ	सदस्य
१२	अतिरिक्त प्रधान मुख्य वनसंरक्षक, केंद्रीय वन व पर्यावरण मंत्रालय, विभागीय कार्यालय, नागपूर	सदस्य
१३	चीफ वाईल्ड लाईफ वार्डन	सदस्य
१४	सदस्य सचिव, राज्य जैव विविधता मंडळ	सदस्य
१५	संचालक, महाराष्ट्र रिमोट सेंन्सींग सेंटर	सदस्य
१६	डॉ. हिमांशू कुलकर्णी, शास्त्रज्ञ, ॲक्वाडॅम, पुणे.	तज्ञ सदस्य (मत्स्य व जलसंपदा)
१७	डॉ. भारत भूषण, विभाग प्रमुख, पर्यावरण, यशदा, पुणे.	तज्ञ सदस्य (वेटलॅंड इकॉलॉजी/ लॅंडस्कॅप प्लानिंग)
१८	प्रो.डॉ. क्रीष्णन नारायणन, विभाग प्रमुख, मानवता व समाज शास्त्र, आयआयटी, मुंबई.	तज्ञ सदस्य (सामाजिक व आर्थिक)
१९	संचालक/ प्रतिनिधी, सेंट्रल इन्स्टिट्यूट ऑफ फिशरीज एज्युकेशन, वर्सावा, मुंबई.	तज्ञ सदस्य (फिशरीज/ इकॉलॉजी)
२०	डॉ. रितेश कुमार, वेटलॅंड इंटरनॅशनल, साऊथ एशिया	तज्ञ सदस्य (वेटलॅंड)
२१	संचालक, पर्यावरण विभाग, मंत्रालय	सदस्य सचिव

२. या समितीची कार्यकक्षा वेटलॅंड (संवर्धन व व्यवस्थापन) नियम, २०१७ मधील नियम ५ (४) मध्ये विहित केल्याप्रमाणे असतील. सदर प्राधिकरण वर्षातून कमीत कमी ३ वेळा बैठका घेईल. तसेच तज्ञ सदस्यांचा समितीवरील कार्यकाळ ३ वर्षांपेक्षा जास्त नसेल.

३. वेटलॅंड अधिसूचनेतील नियम ५ (६) (अ) नुसार या प्राधिकरणास तांत्रिक सहाय्य करण्यासाठी, ब्रिफ डॉक्युमेंटसचा आढावा घेणे, प्रारूप व्यवस्थापन आराखडे तयार करणे व प्राधिकरणाने शिफारस

शासन निर्णय क्रमांक: संकीर्ण २०१७/प्र.क्र. ४६/तां.क.३

केलेल्या बाबींवर तांत्रिक सल्ला देणे इ. कामांसाठी खालीलप्रमाणे तांत्रिक समिती गठीत करण्यात येत आहे.

१.	शास्त्रज्ञ श्रेणी-१, पर्यावरण विभाग, मंत्रालय	समिती प्रमुख
२.	सह संचालक, जलप्रदूषण निवारण, महाराष्ट्र प्रदूषण नियंत्रण मंडळ	सदस्य
३.	सहाय्यक सिस्टम अधिकारी (माहिती तंत्रज्ञान), महाराष्ट्र प्रदूषण नियंत्रण मंडळ	सदस्य
४.	श्रीमती निलीमा श्रीवास्तव, शास्त्रज्ञ, एमआरसेक, नागपूर	सदस्य
५.	डॉ.हिमांशू कुलकर्णी, शास्त्रज्ञ, अॅक्वाडॅम, पुणे	सदस्य
६.	श्री.द.सू.भालेराव, शास्त्रज्ञ-२, पर्यावरण विभाग, मंत्रालय	सदस्य सचिव
७.	क्षेत्रीय अधिकारी, महाराष्ट्र प्रदूषण नियंत्रण मंडळ.	समन्वयक

समिती प्रमुख आवश्यकतेनुसार बैठकीसाठी प्राधिकरणातील इतर तज्ञ सदस्यांना आमंत्रित करू शकतील. ही समिती वेटलँड अधिसूचनेतील नियम ५ (६) (अ) नुसार वेटलँड प्राधिकरणास सहाय्य करेल.

४. वेटलँड अधिसूचनेतील नियम ५ (६) (अ) नुसार ४ सदस्यीय तक्रार निवारण समिती खालीलप्रमाणे गठीत करण्यात येते आहे.

१.	उप सचिव (आस्थापना), पर्यावरण विभाग, मंत्रालय	समिती प्रमुख
२.	प्रादेशिक अधिकारी, मुख्यालय, महाराष्ट्र प्रदूषण नियंत्रण मंडळ	सदस्य
३.	विधी अधिकारी, पर्यावरण विभाग / महाराष्ट्र प्रदूषण नियंत्रण मंडळ	सदस्य
४.	श्री.जॉय ठाकूर, शास्त्रज्ञ-२, पर्यावरण विभाग, मंत्रालय	सदस्य सचिव
५.	क्षेत्रीय अधिकारी, महाराष्ट्र प्रदूषण नियंत्रण मंडळ.	समन्वयक

वरील दोन्ही समित्या प्रत्येक तिमाहीत कमीत कमी एकदा तरी बैठक घेतील व त्याचा अहवाल प्राधिकरणास सादर करतील.

५. या प्राधिकरणाच्या व त्या अंतर्गत गठीत समित्यांच्या दैनंदिन कामकाजासाठी तसेच वेटलँड नियम, २०१७ प्रमाणे वेटलँड आयडेंटिफिकेशनच्या बाबतीतील कामासाठी सेक्रेटरिएट म्हणून महाराष्ट्र प्रदूषण नियंत्रण मंडळ कार्य करेल. तसेच प्राधिकरण / समित्या इ.च्या बैठका, कार्यालयीन खर्च, बैठकीवरील खर्च, तज्ञ सदस्य, सदस्य सचिव यांचेसाठी वाहन, वाहन चालक, वाहनासाठी इंधन व अनुषंगिक खर्च, तज्ञ सदस्य, सदस्य व सदस्य सचिव यांच्या स्थळ पाहणी च्या अनुषंगाने झालेला खर्च इ. राज्य पर्यावरण आघात मुल्यांकन प्राधिकरणाच्या बचत खात्यात जमा निधीतून करण्यात यावा.

६. प्राधिकरण व त्याअंतर्गत गठित समित्यांच्या नियमित कामकाजाच्या सहाय्यासाठी महाराष्ट्र प्रदूषण नियंत्रण मंडळातून ३ क्षेत्रिय अधिकारी वा तत्सम अधिकारी उधार सेवेने प्राधिकरणाच्या कामासाठी उपलब्ध करून घेण्यात येतील. तसेच ३ डाटा ऑपरेटर, ३ लघुलेखक, ३ लिपिक व २ प्रकल्प अधिकारी महाराष्ट्र प्रदूषण नियंत्रण मंडळाकडून कंत्राटी तत्वावर प्राधिकरणासाठी उपलब्ध करून देण्यात यावेत. यावरील खर्च परिच्छेद ५ मध्ये नमूद केल्यानुसार राज्य पर्यावरण आघात मुल्यांकन प्राधिकरणाच्या बचत खात्यात जमा निधीतून करण्यात यावा, असे प्रस्तावित करण्यात येत आहे.

७. प्राधिकरणात व समित्यांमधील तज्ञ सदस्यांना बैठक भत्ता / मानधन प्रत्येक दिवसासाठी केंद्र शासनाच्या नियमाप्रमाणे रु.३,०००/- प्रतिदिन, इकॉनॉमी वर्ग विमान प्रवास, द्वितीय श्रेणी रेल्वे प्रवास, स्थानिक प्रत्यक्ष झालेला प्रवास खर्च, प्रत्यक्ष वास्तव्यासाठीचा खर्च इ. अनुज्ञेय असेल तसेच तज्ञ सदस्य, सदस्य व सदस्य सचिव यांच्या क्षेत्र भेटी दरम्यान मानधन प्रत्येक दिवसासाठी केंद्र शासनाच्या नियमाप्रमाणे रु.३,०००/- प्रति दिन, इकॉनॉमि वर्ग विमान प्रवास, द्वितीय श्रेणी रेल्वे प्रवास, स्थानिक प्रत्यक्ष झालेला प्रवास खर्च इ. अनुज्ञेय असेल. स्थळ पाहणीदरम्यान राहण्यासाठी झालेला प्रत्यक्ष खर्चही अनुज्ञेय असेल.



27-A

**To appoint Maharashtra State Wetland
Authority**

**GOVERNMENT OF MAHARASHTRA
ENVIRONMENT DEPARTMENT**

**GOVERNMENT RESOLUTION NO. GENERAL-
2017/C.NO. 46/T.K.3**

15th Floor, New Administration Building,
Madam Cama Road, Ministry, Mumbai 400 032

Date: 6th February, 2018

Ref: 1) Wetland Conservation And
Management Rules, 2017 under Circular
GSR-1203/E dated 26.09.2017 of Central
Forest and Environment Ministry.

Information:

Central Forest and Environment Ministry has published Wetland Conservation And Management Rules, 2017 under Circular GSR - 1203/E dated 26.09.2017. State Government is expected to appoint Maharashtra State Wetland Authority as provided under rule 5 to follow provisions under said circular. And the Technical Committee to Assist said authority and 4 member dispute redressed committee is required to appoint under rule 5(6). Accordingly it was under consideration to appoint

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Maharashtra State Wetland Authority and Committee there under as below.

Government Resolution: Appointment of Maharashtra State Wetland Authority and Committee there under is proposed as below.

1	Hon'ble Minister Environment Department	President
2	Additional Chief Secretary Environment Department	Vice-President
3	Secretary Forest Department	Member
4	Secretary Town Development Department	Member
5	Secretary Village Development Department	Member
6	Secretary Water Wealth Department	Member
7	Secretary PDM Department	Member
8	Secretary Grant and Rehabilitation Department	Member
9	Secretary Tourism Department	Member
10	Secretary Revenue Department	Member
11	Member Secretary Maharashtra Pollution Control Board	Member
12	Additional Principal Chief Forest Conservator Central Forest and Environment	Member

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	Ministry Divisional Office Nagpur	
13	Chief Wile Life Worden	Member
14	Member Secretary State Micro Biology Board	Member
15	Director Maharashtra Remote Sensing Centre	Member
16	Dr. Himanshu Kulkarni Scientist Aquadam, Pune	Expert Member (Fishery and Water Wealth)
17	Dr. Bharat Bhushan, Head of Department, Environment, Yashada, Pune	Expert Member (wetland Ecology / Lland Scape planning)
18	Prof. Dr. Krishnan Narayanan, Head of Department, Humanity and Sociology IIT Mumbai	Expert Member (Social and Financial)
19	Director/ representative Central Institute of Fisheries	Expert Member

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	Education Mumbai	(Fisheries / Ecology)
20	Dr. Hitesh Kumar Wetland International South Asia	Expert Member (Wetland)
21	Director, Environment Department Ministry	Member Secretary

2. Jurisdiction for said committee is as prescribed under rule 5(4) of wetland conservation and management rules 2017. Said authority shall call meeting minimum thrice yearly. And tenure for expert member for committee is not more than 3 years.

3. The following technical committee is appointed to support the said authority technically under rule 5(6)(A) of wetland circular, to consider brief documents, to draft management plans and to advise technically for business suggested by authority, etc.

1	Scientist Grade -1, Environment Department, Ministry	Head of committee
2	Assistant Collector, Water Pollution Control, Maharashtra Pollution Control Board	Member

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3	Assistant System Office (Information Technology), Maharashtra Pollution Control Board	Member
4	Smt. Nilima Shrivastav, Scientist, MRSack, Nagpur	Member
5	Dr. Himanshu Kulkarni, Aquadam, Pune	Member
6	Mr. D.S. Bhalerao, Scientist-2, Environment Department, Ministry	Member Secretary
7	Zonal Officer, Maharashtra Pollution Control Board	Convenor

Head of Committee could invite other expert members of authority for meeting as required. Said committee shall assist the wetland authority under rule 5(6)(A) of circular.

4. The following 4 member dispute redressal committee is appointed under 5(6)(A) of west land circular.

1	Dy. Secretary (Units), Environment Department, Ministry	Head of Committee
2	Reginald Officer, Head Quarters, Maharashtra Pollution Control Board	Member
3	Legal Officer; Environment	Member

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	Department / Maharashtra Pollution Control Board	
4	Mr. Joy Thakur, Scientist-2, Environment Department, Ministry	Member Secretary
5	Zonal Officer, Maharashtra Pollution Control Board	Convenor

Said both committee should call minimum meeting once every quarterly and to submit its report with the authority.

5. Maharashtra Pollution Control Board shall look after the daily business for said authority and committee appointed there under as Secretariat for wetland identification purpose under wetland rules, 2017. And to spend from the fund collected in saving account of State Environmental Quality Assessment Authority for expenditure, etc. incurred for site inspection by member secretary and member, expert member, concerned expenses and fuel for vehicle, vehicle driver, vehicle for member secretary, expert member, expenses for meeting, office expenses, meeting of authority/committee, etc.

6. 3 Zonal Officer or Equivalent Officer shall be provided for business for authority on credit from Maharashtra Pollution Control Board to assist for regular business for authority and committed

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appointed there under and 3 data operator, stenographer, 3 clerks and 2 project officer be provided for authority on contract from Maharashtra Pollution Control Board. And proposed to spend for same from fund collected in saving account of state environmental crisis assessment authority as mentioned under para 5.

7. Rs.3000/-is payable daily for meeting allowance/remuneration for expert members for authority and committee daily under Central Government Rules for Economy Class Air Fear, Second Class, Railway Travel, Travel Expenses incurred directly locally and expenses for personal accommodation, etc. Rs.3000/- is payable daily for Economy Class Air Fear, Second Class, Railway Travel, Local Personal Travel Expenses under Central Government Rules daily for remuneration for meeting held between expert member, member and member secretary. And expenses is permissible incurred directly for accommodation during site survey.

8. This Government Resolution is provided at website www.maharashtra.gov.in of Government of Maharashtra under Code 201802061633049904. This order is passed on attested, signed digitally.

Under order and in favour of Governor of Maharashtra.



(Satish Madhukar Gavai)

A.C.S. (Environment)

To,

1. Principal Secretary of Hon'ble Chief Minister.
2. Private Secretary of Hon'ble Minister and Minister for State, Environment.
3. Hon'ble Chief Secretary.
4. Secretary, Town Development Department.
5. Secretary, Village Development Department.
6. Secretary, Water Wealth Department.
7. Secretary, Tourism Department.
8. Secretary, PDM Department.
9. Secretary, Grant and Rehabilitation Department.
10. Secretary (Forest), Revenue and Forest Department.
11. Wetland Authority and All Committee Members.
12. Member Secretary, Maharashtra Pollution Control Board.
13. All Divisional Commissioner.
14. All Collector.
15. All Municipal Commissioner.
16. All Chief Executive Officer District Council.
17. All Ministry Departments.
18. All Chief Officer, Town Council.
19. Director General, Information and Public Relation Directorate (For Publication)
20. Director, Mumbai Television (For Publication).

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तहसिलदार कुर्ला (मुलुंड) यांचे कार्यालय

टोपीवाला कॉलेज इमारत, पहिला मजला, सरोजनी नायडू रोड, मुलुंड (प.) मुंबई 400080

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क्र.तह/कुर्ला/जमीन/कावि-1053/2021

दि. 29/11/2021

प्रति,

मा.जिल्हाधिकारी,

मुंबई उपनगर जिल्हा.

विषय : स्थळपाहणी करून विहित नमुन्यात अहवाल सादर करणेबाबत...

संदर्भ : आपले पत्र क्र.सी/कार्या-2आय/पवई लेक/2021, दि.16/11/2021

उपरोक्त विषयांकीत प्रकरणी मौजे-पासपोली ता.कुर्ला येथील पवई तलावाच्या परिसरामध्ये होत असलेल्या अनधिकृत बांधकामाच्या अनुषंगाने राज्य वेटलँड प्राधिकरण बैठकीमध्ये विशेष तज्ञ समिती गठित करणेबाबत निर्देश दिल्याप्रमाणे राज्य वेटलँड प्राधिकरणांस अहवाल सादर करणेकामी शासन परिपत्रक दि.12/10/2021 अन्वये तज्ञ समिती गठीत करणेत आलेली आहे. त्या अनुषंगाने सदर प्रकरणी राज्य वेटलँड प्राधिकरणास अहवाल सादर करणेकामी पवई तलावाची स्थळपाहणी करून विहित नमुन्यात माहिती सादर करणेकामी या कार्यालयास निर्देश दिलेले आहेत. प्रकरणी तलाठी पवई यांनी बृहन्मुंबई महानगरपालिका यांचेकडील श्री.विक्रान्त देसाई सहा-अभियंता (जलकामे सर्वेक्षण), श्री.सुनिल माने सहा.अभियंता- नगर बाह्य विभाग (प्रमुख जलवाहीन्या) यांचे समवेत संयुक्त पाहणी करून पुढीलप्रमाणे अहवाल सादर केलेला आहे.

प्रकरणी मुंबई उपनगर जिल्ह्यामध्ये MOEF ने दर्शविलेल्या एकूण 49 ठिकाणांपैकी कुर्ला तालुक्यात 22 ठिकाणे आहेत. सदर 22 ठिकाणांचे संयुक्त स्थळपाहणी करून आपले कार्यालयास अहवाल सादर केलेला आहे. कुर्ला तालुक्यातील एकूण 22 ठिकाणांपैकी एकूण 4 ठिकाणे वेटलँड असलेबाबत नमुद केलेले आहे. सदर 4 ठिकाणांचा सविस्तर तपशिल पुढीलप्रमाणे आहे.

अ. क्र.	वेटलँड कोड	गावाचे नाव	सर्व्हे नं./ न.भू.क्र.	क्षेत्र हे.आर/ चौ.मी.	कब्जेदार	अक्षांश	रेखांश	पाणथळ दर्शविणारे क्षेत्र (हे.आर)
1	13089	पासपोली	24	203.04.06	पवई तलाव	19.13	72.90	14.32
2	13091	पासपोली	24	203.04.06	पवई तलाव	19.13	72.90	113.61
3	13093	पासपोली	24	203.04.06	पवई तलाव	19.13	72.91	46.66
4	13111	पासपोली	24	203.04.06	पवई तलाव	19.13	72.91	7.40



उपरोक्त प्रमाणे वेटलँड ॲप मध्ये माहिती भरलेली आहे. उपरोक्त नमुद केलेली चार ही ठिकाणे ही पवई तलावाच्या मध्यभागी पाण्यामध्ये आहे. तक्त्यात नमुद अक्षांश आणि रेखांश हे MOEF ने दिलेल्या यादीप्रमाणे नमुद केलेले आहे. त्यामधील वेटलँड कोड 13089 व 13091 यांचे अक्षांश रेखांश सारखे असून वेटलँड कोड 13093 व 13111 यांचे अक्षांश व रेखांश सारखे आहेत.

मौजे-पास्पोली ता.कुर्ला येथील गाव अभिलेख 7/12 पाहता सदर जागेचा सर्व्हे नं. 24 (तलाव) असून कब्जेदार सदरी पवई तलाव अशी नोंद आहे. एकुण क्षेत्र 203.04.06 हे. आर.चौमी दाखल आहे. सदर सर्व्हे नं. चा न.भू.क्र.69 असा आहे. न.भू.क्र.69 ची मिळकत पत्रिका पाहता क्षेत्र 1830874.3 चौ.मी. दाखल असून धारणाधिकारी सदरी फ नमुद आहे. हक्काचा मुळ धारक सदरी मुंबई महानगरपालिका यांचे नाव दाखल असून इतर शेरें सदरी महाराष्ट्र राज्य अशी नोंद आहे.

उपरोक्त जागेची बृहन्मुंबई महानगरपालिका यांचेकडील प्रतिनिधीसमवेत पाहणी केली असून त्यांचा जबाब नोंदविण्यात आलेला आहे. त्यांनी दिलेल्या माहिती व जबाबात नमुद केल्यानुसार मौजे-पवई व मौजे-पास्पोली ता.कुर्ला येथील पवई तलाव ही मिळकत सन 1890 मध्ये महानगरपालिकेच्या उपलब्ध अभिलेखानुसार जागा तलावासह क्षेत्र 454.79 एकर लार्ज ट्रक धरणाखाली विहार पाईपलाईन पर्यंतची जागा कॉफरडॅम, स्टोअर यार्ड व इतरसाठी संपादीत करण्यात आलेली आहे. तसेच सन 1921 ते 1922 दरम्यान 85-एकर 30-गुंठे जमीन तलाव व वळणरस्त्यामधील क्षेत्र शासकीय अधिसूचना क्र.14967 दि.22/12/1919 व S.A 3637 दि.14/09/1921 नुसार संपादीत केल्याची नोंद आहे. अनुक्रमे महानगरपालिकेने दि.23/11/1921 व दि.01/02/1923 रोजी ताबा घेतलेला आहे. तसेच 5.62 एकर जागा कार्यालय व स्टाफ क्वार्टस साठी संपादीत करण्यात आलेली आहे. आज रोजी सदर मिळकतीचा वापर तलावातील पाणी अपेयजल असून हे आरे कॉलनीस 10 दशलक्ष प्रतिदीन पशुपालनासाठी व 0.3 दशलक्ष प्रतिदिन एल.एँड.टी कंपनीस प्रतिदिन औद्योगिक वापरासाठी दिले जाते. महाराष्ट्र अँगलिंग स्पोर्टस साठी तलावाचा वापर करतात व हाऊसबोट आहेत. सदर तलावाचे सुशोभीकरण व इतर सर्व वापर बृहन्मुंबई महानगरपालिकेच्या अखत्यारीत आहे. तसेच सदर तलावात धार्मिक उपक्रम म्हणून गणेशोत्सव मुर्ती व नवरात्रोत्सव देवी मुर्ती विसर्जन केले जात असून छोट पूजा ही केली जाते. सदर तलावात मगर, मासे व जलपर्णी वेली आहेत. सदर ठिकाणी डॉ.बाबासाहेब आंबेडकर उद्यान व निसर्गउद्यान करण्यात आलेले आहेत. दोन्ही उद्यान सर्वसामान्यांसाठी खुले आहेत. सदरचा तलाव हा संपादित असून सद्यस्थितीत बृहन्मुंबई महानगरपालिकेच्या ताब्यात आहे. सदर तलावाची खोली सरासरी 9 ते 10 मीटर पर्यंत असून जलसाठा 5455 दशलक्ष लिटर एवढा आहे. पवई तलाव हा कृत्रिम तलाव असून सन 1890 सालापासून झालेला आहे. सदर तलावातील अपेयजल आजूबाजूच्या पवई उद्यान व निसर्गउद्यान मधील झाडांना देण्यात येते.

तलावाच्या पुर्वेस इंडियन इन्स्टिट्यूट ऑफ टेक्नॉलॉजी बॉम्बे असून राष्ट्रीय औद्योगिक अभियांत्रिकी संस्था (NITIE), देखील तलावाजवळ आहे. तलावाच्या पश्चिम बाजूस पवई गार्डन असून दक्षिणेस रस्ता आहे. तलावाच्या परिसरात मोठ्या प्रमाणात गृहसंकुल, शैक्षणिक संस्था आणि आलिशान हॉटेल्स विकसित झाली आहेत. तलावाच्या सभोवतालची लोकसंख्या गेल्या काही वर्षांत लक्षणीयरीत्या वाढली आहे.

मा.उच्च न्यायालय, मुंबई येथे जनहित याचिका क्र.38/2014 अन्वये जोशी शिवशंकर जटाशंकर विरुद्ध महाराष्ट्र शासन यांचेमध्ये पवई तलाव पुनर्जिवीत करणे आणि सुशोभिकरण करणे या संदर्भात दावा दाखल आहे. सदर दाव्याच्या अनुषंगाने बृहन्मुंबई महानगरपालिका व इतर विभाग यांचेमार्फत कार्यवाही सुरू असून दाव्याची अंतिम सुनावणी दि.17/01/2019 अन्वये झालेली आहे. अद्याप अंतिम आदेश पारित झालेले नाहीत.

मा.आयुक्त, बृहन्मुंबई महानगरपालिका यांचेकडील दि.15/04/2017 रोजीच्या पत्रान्वये पर्यावरण विभागाच्या वेटलँड बाबतच्या ब्रिफ डॉक्युमेंट मध्ये पवई तलावाच्या समावेशाच्या अनुषंगाने मा.सचिव, नगर विकास विभाग यांना अभिप्राय दिले आहेत. त्यानुसार पवई तलाव हा मुंबई शहराच्या पूर्व उपनगरातील आदि शंकराचार्य मार्गालगत असलेला निसर्ग सुंदर तलाव आहे. सदर तलाव हा अंदाजे 1890 साली बांधण्यात आला असून तलावाचे एकूण क्षेत्रफळ (तलाव पूर्ण भरलेला असताना) 2.23 चौ.की.मी आहे. सदर तलावाचे पाणी अपेय जल असून हे आरे कॉलनीस 10 दशलक्ष प्रतिदिन पशुपालनासाठी व 0.3 दशलक्ष प्रतिदिन एल एन्ड टी कंपनीस औद्योगिक वापरासाठी पुरविले जात असल्याने सदर तलाव पाणथळ क्षेत्र घोषित करणे संयुक्तिक नसलेबाबत कळविले आहे. तसेच मा.अति आयुक्त, मुंबई महानगरपालिका यांनी देखील त्यांचेकडील दि.16/11/2021 रोजीच्या पत्रान्वये पवई तलावाबाबत आपले कार्यालयास कळविले असून सदरचे दोन्ही पत्रांच्या छायाप्रती सोबत सादर केल्या आहेत.

तसेच भारत सरकार पर्यावरण, वन व हवामान बदल मंत्रालय यांचेकडील दि.26 सप्टेंबर, 2017 चे अधिसूचना मधील कलम 2 मधील "जी" मध्ये वेटलँड ची व्याख्या नमुद केली आहे. त्यानुसार मानव निर्मित पाण्याचे स्रोत हे वेटलँड या संज्ञेत समाविष्ट होत नसल्याबाबत नमुद केलेले आहे.

उपरोक्त अहवालाचे अवलोकन करता मौजे-पासपोली येथील पवई तलाव हा मानव निर्मित कृत्रिम तलाव असल्याचे दिसून येते. तरी आपल्या मार्फत याप्रमाणे शासन स्तरावर अहवाल सादर होणेस विनंती आहे.

सोबत तलाठी पवई यांचा अहवाल, स्थळपंचनामा, जबाब, मिळकतपत्रिका, 7/12, व विहित नमुन्यातील माहितीसह प्रस्तुत प्रकरण पुढील कार्यवाहीसाठी सविनय सादर करण्यात येत आहे.


(संदीप थोरात)
तहसिलदार कुर्ला
(मुलुंड)

30-A

OFFICE OF TAHSILDAR KURLA (MULUND)

Topiwala College Bulding, First Floor, Sarajini Naidu
Road, Mulund (W), Mumbai 400080

Phone: 25602386 E-mail: tahsildarkurlaest@gmail.com

No. Tah/Kurla/Land/KV-1053/2021

Date: 29.11.2021

To,
Hon'ble Collector,
Mumbai Suburban District.

Sub: To submit report under form prescribed
on site inspection.

Ref: Your Letter No. C/Off-2 I/Powai
Lake/2021 dated 16.11.2021.

With reference to above experts committee is appointed under Government Circular dated 12.10.2021 to submit report with state wetland authorities as instructed to appoint Special Experts Committee in State wetland authorities meeting regarding unauthorised construction carried around Powai Lake at Paspoli Tal. Kurla. Talathi Powai inspected said site jointly with Mr. Vikrant Desai, Assistant Engineer Water Works Survey, Mr. Sunil Mane, Assistant Engineer, City Outstation Department Main Water Lines and there statement is recorded.

22 sites are there in Kurla Taluka out of total 49 sites showed by MOEF in Mumbai Suburban District under case. Report is submitted with your office after joint site survey of said 22 sties. It is

30-B

mentioned total 4 out of the total 22 sites are the west land in Kurla Taluka. Detailed information of said 4 sites is as below.

S. No	Wetl and Code	Name of Village	Survey No./ C.T.S.	Area H.R./Sq. mtr.	Occupier	Latitude	Longitude	Site showing wetland (H.R.)
1	13089	Paspoli	24	203.04.06	Powai Lake	19.13	72.90	14.32
2	13091	Paspoli	24	203.04.06	Powai Lake	19.13	72.90	113.61
3	13093	Paspoli	24	203.04.06	Powai Lake	19.13	72.91	46.66
4	13111	Paspoli	24	203.04.06	Powai Lake	19.13	72.91	7.40

Information is submitted under wetland app as above. 4 places mentioned above are in the water at centre of Powai Lake. Latitude and Longitude mentioned under chart are under list provided by MOEF. Latitude and Longitude there are same under wetland code 13089 and 13091 and longitude and latitude are same under wetland code 13093 and 13111.

It is Survey No. 24 Lake recorded as Powai Lake as possessor under village 7/12 abstracts of Paspoli Tal. Kurla. Total admeasurements 203.04.06 H.R. Sq.mtr. is recorded. Said Survey number is CS No. 69. Property card of CS No. 69 is recorded

30-C



admeasured at 1830874.3 sq.mtr. as right of authority classified as F. Municipal Corporation of Greater Mumbai is recorded as main holder of the right and Maharashtra State is recorded under others remarks.

Talathi Powai inspected said site jointly with Mr. Vikrant Desai, Assistant Engineer Water Works Survey, Mr. Sunil Mane, Assistant Engineer, City Outstation Department Main Water Lines and there statement is recorded. Powai Lake, Powai and Paspoli, Tal. Kurla is acquired under record available of MCGM in 1890 with 454.79 acre large tank truck dam property upto Vihar pipeline for Cofferdam, Store Yard and others as informed by him and as mentioned in statement and recorded 85 acre 30 guntha property of acquired under Lake and turning road is acquired under Government Circular No. 14967 dated 22.12.1919 and SA 3637 dated 14.09.1921 from 1921 to 1922. MCGM has possessed property on 23.11.1921 and 01.02.1923 respectively. And 5.62 acre property is acquired for office and staff quarters. Water in said Lake is non co-habitable presently and 10 million lakhs daily for animal husbandry for Aarey Colony and 0.3 million lakhs daily for LNT Company for Industrial purpose water is provided. Lake is used for Maharashtra and Links Sports and House Boat are there. Beatification

30-D



of said Lake and all other use is there under control of Municipal Corporation of Greater Mumbai. The Ganesh Statue and Goddess Statue for 9 days festival are cremated for religious purpose in said lake and Chhatt prayer is also celebrated. Crocodile, Fish and Water Fishery Birds are there in the said Lake. Dr. Babasaheb Ambedkar Garden and Nature Park are there. Both parks are opened for general public. Said Lake is acquired and presently in possession of Municipal Corporation of Greater Mumbai. Said Lake is about 9 to 10 mtr. deep with 5455 million liters water stock. It is an artificial Powai Lake existed since 1890. Non co-habitable water of the said Lake is provided for trees around Powai Lake and Nature Park. Indian Institute of Technology Bombay is there act east side of the Lake and Industrial Training Institute (NITIE) is also there near Lake. Powai Garden is there at west side of Lake with road at south side. Housing Complex, Educational Institution and Luxuries Hotels are developed in big extent around Lake Public population is developed considerably since last few years around Lake.

Public Interest Litigation No. 38/2014 is filed with Hon'ble High Court, Mumbai as Joshi Shivshankar Jatashankar versus Government of Maharashtra to re-alive Powai Lake and to beautify.

30-E

Action is started through Municipal Corporation of Greater Mumbai and other department under said suit and the petition is heard finally on 17.01.2019. Final Order is not yet passed.

Remark is submitted with Hon'ble Secretary Town Development Department to include Powai Lake under brief document of wetland of Environment Department under letter dated 15.04.2017 of Hon'ble Commissioner, Municipal Corporation of Greater Mumbai. Accordingly Powai Lake is one of the beautiful near Aadi Shankaracharya Road in east suburb of Mumbai City. Said Lake is constructed in about 1890 and admeasured total about 2.23 sq.k.mtr. (when field in fully). Water in said Lake is non co-habitable presently and 10 million lakhs daily for animal husbandry for Aarey Colony and 0.3 million lakhs daily for LNT Company for Industrial purpose water is provided. And Hon'ble Additional Commissioner, Municipal Corporation of Greater Mumbai has also reported your office regarding Powai Lake under his letter dated 16.11.2021 and Xerox copy of said both letters are submitted herewith.

And Section 2(G) of circular dated 26th September 2017 of Central Government Environment, Forest and Global Warming Ministry is mentioned the said Lake could not be declared as

wetland as defined. Accordingly mentioned the humanly crated source of water is not included as the wetland is defined.

Powai Lake at Paspoli under said report is observed as humanly created artificial lake. You are requested to submit report with government accordingly.

Report of Taltahi of Powai, site report, statement, property card, 7/12 abstract and information in form prescribed is kindly submitted for further action under case herewith.

(Sandip Thorat)
Tahsildar Kurla (Mulund)

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जिल्हाधिकारी मुंबई उपनगर यांचे कार्यालय

प्रशासकीय इमारत, १० वा मजला, शासकीय वसाहत, वांद्रे (पूर्व), मुंबई-४०० ०५१
दूरध्वनी : २६५५६७९९ फॅक्स : २६५५६८०५ ई.मेल : collectormsd@gmail.com

क्र.: सी/कार्या-२ आय/कावि-५४१/पवई लेक/२०२१
दिनांक : ०८ /११/२०२१

प्रति,
मा. संचालक, पर्यावरण विभाग
तथा सदस्य सचिव, राज्य पाणथळ प्राधिकरण,
मंत्रालय, मुंबई- ३२

विषय : मुंबई उपनगर जिल्ह्यातील पाणथळ ठिकाणाबाबत...

संदर्भ : १. या कार्यालयाचा दि. १८/०१/२०२१ रोजीचे प्रस्ताव.

२. मा. राज्य पाणथळ प्राधिकरणाच्या दि. २६/०८/२०२१ रोजी आयोजित केलेल्या बैठकीमध्ये दिलेले निर्देश.
३. तहसिलदार कुर्ला यांना निर्गमित केलेले पत्र दि. १६/११/२०२१.
४. मा. अतिरिक्त आयुक्त, (प्रकल्प) बृहन्मुंबई महानगरपालिका यांचेकडील या कार्यालयास अग्रेषित केलेले पत्र दि. १६/११/२०२१.
५. मा. प्रधान सचिव, पर्यावरण विभाग यांचे अध्यक्षतेखाली दि. २५/११/२०२१ रोजी आयोजित केलेल्या तज्ञ समितीच्या दुसऱ्या बैठकीमध्ये दिलेले निर्देश.
६. तहसिलदार कुर्ला यांचेकडील अहवाल दि. २९/११/२०२१
७. मा. अतिरिक्त आयुक्त, (प्रकल्प) बृहन्मुंबई महानगरपालिका यांचेकडील या कार्यालयास अग्रेषित केलेले पत्र दि. २९/११/२०२१.

महोदया,

प्रस्तुत प्रकरणी या कार्यालयाकडील संदर्भ क्र. १ अन्वये मुंबई उपनगर जिल्ह्यामध्ये MoEF ने दर्शविलेल्या एकूण ४९ (Sites) पाणथळ ठिकाणाबाबत स्थळपाहणी करून त्यानुसार सदर ४९ ठिकाणांची ब्रिफ डॉक्युमेंट तयार करून त्याची माहिती आज्ञावलीमध्ये (Software) अपलोड करून त्यासोबतची संबंधित माहिती व ब्रिफ डॉक्युमेंट प्रस्ताव सादर करणेत आलेला आहे.

प्रकरणी मा. राज्य पाणथळ प्राधिकरणाच्या दि. २६/०८/२०२१ रोजी आयोजित केलेल्या बैठकीमध्ये मुंबई उपनगर जिल्ह्यातील पाणथळ ठिकाणांची पुर्नपडताळणी करणेकामी सदर बैठकीमध्ये निर्देश दिलेले आहेत. तसेच श्री. स्टॅलीन डी. वनशक्ती संस्था यांनी केंद्रिय पर्यावरण, वने व वातावरणीय बदल मंत्रालयाकडे पवई तलावाच्या परिसरामध्ये होत असलेल्या अनधिकृत बांधकामाबाबत दाखल केलेल्या तक्रारींच्या अनुषंगाने सदर ठिकाणी होत असलेल्या अनधिकृत बांधकामाबाबत मा.राज्य वेटलँड प्राधिकरणास अहवाल सादर करण्यासाठी शासन परिपत्रक दि. १२/१०/२०२१ अन्वये मा. प्रधान सचिव, पर्यावरण विभाग, मंत्रालय यांचे अध्यक्षतेखाली तज्ञ समिती गठित करणेत आलेली आहे. त्या अनुषंगाने या कार्यालयाकडील संदर्भ क्र. ३ अन्वये तहसिलदार कुर्ला यांना

पवई तलावाबाबत पुन्हा स्थळपाहणी व पुर्नपडताळणी करुन अहवाल सादर करणेकामी कळविणेत आले होते. तयानुसार तहसिलदार कुर्ला यांनी संदर्भ क्र.६ अन्वये पुढीलप्रमाणे अहवाल या कार्यालयास सादर केलेला आहे.

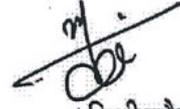
उपरोक्त जागेची तलाठी पवई यांनी बृहन्मुंबई महानगरपालिका यांचेकडील श्री.विक्रांत देसाई सहा-अभियंता (जलकामे सर्वेक्षण), श्री.सुनिल माने सहा.अभियंता- नगर बाह्य विभाग (प्रमुख जलवाहीन्या) यांचे समवेत संयुक्त पाहणी करुन त्यांचा जबाब नोंदविण्यात आलेला आहे. त्यांनी दिलेल्या माहिती व जबाबात नमुद केल्यानुसार मौजे-पवई व मौजे-पास्पोली ता.कुर्ला येथील पवई तलाव ही मिळकत सन १८९० मध्ये महानगरपालिकेच्या उपलब्ध अभिलेखानुसार जागा तलावासह क्षेत्र ४५४.७९ एकर लार्ज ट्रक धरणाखाली विहार पाईपलाईन पर्यंतची जागा कॉफरडॅम, स्टोअर यार्ड व इतरसाठी संपादीत करण्यात आलेली आहे. तसेच सन १९२१ ते १९२२ दरम्यान ८५-एकर ३०-गुंठे जमीन तलाव व वळण रस्त्यामधील क्षेत्र शासकीय अधिसुचना क्र.१४९६७ दि.२२/१२/१९१९ व S.A. ३६३७ दि.१४/०९/१९२१ नुसार संपादीत केल्याची नोंद आहे. अनुक्रमे महानगरपालिकेने दि.२३/११/१९२१ व दि.०१/०२/१९२३ रोजी ताबा घेतलेला आहे. तसेच ५.६२ एकर जागा कार्यालय व स्टाफ क्वार्टर्स साठी संपादीत करण्यात आलेली आहे. आज रोजी सदर तलावातील पाणी अपेयजल असुन हे आरे कॉलनीस १० दशलक्ष प्रतिदीन पशुपालनासाठी व ०.३ दशलक्ष प्रतिदिन एल.एँड.टी कंपनीस प्रतिदिन औद्योगिक वापरासाठी दिले जाते. महाराष्ट्र अँगलिंग स्पोर्ट्ससाठी तलावाचा वापर करतात व हाऊसबोट आहेत. सदर तलावाचे सुशोभीकरण व इतर सर्व वापर बृहन्मुंबई महानगरपालिकेच्या अखत्यारीत आहे. तसेच सदर तलावात धार्मिक उपक्रम म्हणुन गणेशोत्सव मुर्ती व नवरात्रोत्सव देवी मुर्ती विसर्जन केले जात असुन छठ पूजा ही केली जाते. सदर तलावात मगर, मासे व जलपर्णी वेली आहेत. सदर ठिकाणी डॉ.बाबासाहेब आंबेडकर उद्यान व निसर्गउद्यान करण्यात आलेले आहेत. दोन्ही उद्यान सर्वसामान्यांसाठी खुले आहेत. सदरचा तलाव हा संपादित असुन सद्यस्थितीत बृहन्मुंबई महानगरपालिकेच्या ताब्यात आहे. सदर तलावाची खोली सरासरी ९ ते १० मीटर पर्यंत असुन जलसाठा ५४५५ दशलक्ष लिटर एवढा आहे. पवई तलाव हा कृत्रिम तलाव असुन सन १८९० सालापासुन झालेला आहे. सदर तलावातील अपेय जल आजूबाजूच्या पवई उद्यान व निसर्गउद्यान मधील झाडांना देण्यात येते. तलावाच्या पुर्वेस इंडियन इन्स्टिट्यूट ऑफ टेक्नॉलॉजी बॉम्बे असुन राष्ट्रीय औद्योगिक अभियांत्रिकी संस्था (NITIE), देखील तलावाजवळ आहे. तलावाच्या पश्चिम बाजूस पवई गार्डन असुन दक्षिणेस रस्ता आहे. तलावाच्या परिसरात मोठ्या प्रमाणात गृहसंकुल, शैक्षणिक संस्था आणि आलिशान हॉटेल्स विकसित झाली आहेत. तलावाच्या सभोवतालची लोकसंख्या गेल्या काही वर्षांत लक्षणीयरीत्या वाढली आहे.

प्रकरणी मा.अतिरिक्त आयुक्त, बृहन्मुंबई महानगरपालिका (प्रकल्प) यांचेकडील या कार्यालयास प्राप्त दि.१६/११/२०२१ व दि.२९/११/२०२१ रोजीचे पत्र व पत्रासोबत प्राप्त पवई तलावाबाबत ऐतिहासिक माहिती तसेच स्थायी समितीच्या सन १८८९ बैठकीच्या इतिवृत्ताचे अवलोकन केले असता, सदरचा पवई तलाव हा नैसर्गिक तलाव नसून बृहन्मुंबई महानगरपालिका यांचेमार्फत जमीन संपादित करुन सन १८८९ ते १८९१ मध्ये मुंबई शहरासाठी पिण्याच्या पाणीसाठी कृत्रिमरित्या बांधणेत आलेला तलाव (जलाशय) आहे. सदर तलाव / जलाशयातील पाणी हे सन १८९३ मध्ये अपेय असल्याचे घोषित झाले असून ते सिंचन, पशुपालनासाठी व औद्योगिक वापरासाठी वापरले जाते असे नमुद केलेले आहे. तसेच भारत सरकार पर्यावरण, वने व वातावरणीय

बदल मंत्रालय यांचेकडील दि. २६/०९/२०१७ रोजीचे अधिसूचनामधील कलम २ (जी) मधील व्याख्येनुसार सदरचा तलाव पाणथळ म्हणून घोषित करता येणार नाही, असे नमूद केलेले आहे. तसेच पवई तलाव हा बृहन्मुंबई महानगरपालिका यांनी १८९१ साली कृत्रिमरित्या पिण्याच्या पाण्यासाठी बांधलेला तलाव असल्याने सदर पाणथळ क्षेत्राबाबत फेरप्रस्ताव शासनास सादर करावा, असे नमूद केले आहे.

उपरोक्त अहवालाचे व भारत सरकार, पर्यावरण, वने व वातावरणीय बदल मंत्रालय यांचेकडील दि.२६/०९/२०१७ रोजीचे अधिसूचनामधील कलम २ (जी) मधील पाणथळ व्याख्येचे अवलोकन करता मौजे पासपोली येथील पवई तलाव हा मानवनिर्मित कृत्रिम तलाव असल्याचे दिसून येते. सबब, वरील अधिसूचनेन्वये सदर पवई तलाव हा पाणथळ (संरक्षण) व्यवस्थापन नियम, २०१७ अन्वये पाणथळ क्षेत्र म्हणून अधिसूचित करता येणार नाही, असे इकडील मत आहे. तसेच मुंबई उपनगर जिल्ह्यातील MoEF ने दर्शविलेल्या ४९ ठिकाणापैकी उर्वरीत ४५ पाणथळ ठिकाणाबाबत पुर्नपडताळणी करणेची कार्यवाही सुरु असून सदर प्रकरणी कार्यवाही पुर्ण करुन सविस्तर अहवाल सादर करणेची तजवीज ठेवली आहे.

उपरोक्तप्रमाणे आपले माहितीसाठी सादर.



(निधी चौधरी)

जिल्हाधिकारी, मुंबई उपनगर

33-A

OFFICE OF COLLECTOR, MUMBAI SUBURB

Administration Building, 10th Floor, Government
Colony, Bandra (E), Mumbai 400 051

Phone: 26556799 Fax: 26556805 E-mail: collectormsd@gmail.com

No. C/Off-2 I/KV-541/Powai Lake/2021

Date: 30.11.2021

To,
Hon'ble Director Environment Department,
And Member Secretary,
State Water Places Authorities,
Ministry, Mumbai 32

Sub: Wetland Places in Mumbai Suburb
District.

- Ref: 1. Proposal dated 18.01.2021 of our office.
2. Instruction given in meeting called on
26.08.2021. of Hon'ble State Wetland
Authorities.
3. Letter dated 16.11.2021 addressed to
Tahsildar Kurla.
4. Letter dated 16.11.2021 addressed to
our office by Hon'ble Additional
Commissioner Project, Municipal
Corporation of Greater Mumbai.
5. Instruction given in second meeting of
experts committee called on 25.11.2021
presided over by Hon'ble Principle
Secretary Environment Department.
6. Report dated 29.11.2021 of Tahsildar
Kurla.
7. Letter dated 29.11.2021 addressed to
our office by Hon'ble Additional
Commissioner Project Municipal
Corporation of Greater Mumbai.

Madam,

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With reference to above no. 1 brief document of total 49 sites shown by MOEF in Mumbai Suburb District is drafted and its information is uploaded and concerned information therewith and brief document proposal is submitted.

Instruction is given in said meeting to re-verify the sites in the Mumbai Suburban District in meeting called on 26.08.2021 of Hon'ble State sites authorities under case. And an experts committee is appointed presided over by Hon'ble Principal Secretary Environmental Department, Ministry under Government Circular dated 12.10.2021 to submit report with Hon'ble State wetland authorities regarding unauthorised construction carried there under complaint filed regarding unauthorised construction carried around Powai Lake area with Central Environmental, Forest and Global Changes Ministry by Mr. Stallyn D., Vanshakti Society. Tahsildar Kurla was asked to submit report on site inspection and re-verification again regarding Powai Lake under ref. no. 3 of our office accordingly. Accordingly Tahsildar Kurla has submitted following report with our office under ref. no. 6.

Talathi Powai inspected said site jointly with Mr. Vikrant Desai, Assistant Engineer Water Works Survey, Mr. Sunil Mane, Assistant Engineer, City Outstation Department Main Water Lines and there

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statement is recorded. Powai Lake, Powai and Paspoli, Tal. Kurla is acquired under record available of MCGM in 1890 with 454.79 acre large tank truck dam property upto Vihar pipeline for Cofferdam, Store Yard and others as informed by him and as mentioned in statement and recorded 85 acre 30 guntha property of acquired under Lake and turning road is acquired under Government Circular No. 14967 dated 22.12.1919 and SA 3637 dated 14.09.1921 from 1921 to 1922. MCGM has possessed property on 23.11.1921 and 01.02.1923 respectively. And 5.62 acre property is acquired for office and staff quarters. Water in said Lake is non co-habitable presently and 10 million lakhs daily for animal husbandry for Aarey Colony and 0.3 million lakhs daily for LNT Company for Industrial purpose water is provided. Lake is used for Maharashtra and Links Sports and House Boat are there. Beatification of said Lake and all other use is there under control of Municipal Corporation of Greater Mumbai. The Ganesh Statue and Goddess Statue for 9 days festival are cremated for religious purpose in said lake and Chhatt prayer is also celebrated. Crocodile, Fish and Water Fishery Birds are there in the said Lake. Dr. Babasaheb Ambedkar Garden and Nature Park are there. Both parks are opened for general public. Said Lake is acquired and presently in

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possession of Municipal Corporation of Greater Mumbai. Said Lake is about 9 to 10 mtr. deep with 5455 million liters water stock. It is an artificial Powai Lake existed since 1890. Non co-habitable water of the said Lake is provided for trees around Powai Lake and Nature Park. Indian Institute of Technology Bombay is there east side of the Lake and Industrial Training Institute (NITIE) is also there near Lake. Powai Garden is there at west side of Lake with road at south side. Housing Complex, Educational Institution and Luxuries Hotels are developed in big extent around Lake. Public population is developed considerably since last few years around Lake.

It is not natural Powai Lake but constructed as wetland artificially for drinking water for Mumbai city from 1889 to 1891 on acquiring property by Municipal Corporation of Greater Mumbai under Minutes of Meeting of 1889 of working committee and historical information of Powai Lake received with letter dated 16.11.2021 and dated 29.11.2021 by our office from Hon'ble Additional Commissioner Municipal Corporation of Greater Mumbai Project under case. Water in said Lake/Wetland is declared non-potable in 1893 and mentioned it is used for irrigation, animal husbandry and industrial purpose. And Section 2(G) of circular dated 26.09.2017 of

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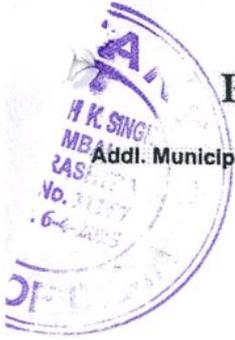
Central Government Environment, Forest and Global Changes Ministry is mentioned the said Lake could not be declared as wetland as defined. And mentioned to submit re-proposal with government regarding said wetland property since it is Powai Lake constructed for drinking water artificially in 1891 by Municipal Corporation of Greater Mumbai.

Powai Lake as Paspoli is observed as artificial, humanly created as defined the wetland u/s. 2(G) under circular dated 26.09.2017 of Central Government Environment, Forest and Global Warming Ministry and said report. Hence we think the said Powai Lake could not be declared as wetland under Wetland Protection Management Rules, 2017 under said circular. And arranged to submit detailed report on completing action under case since action is started to re-verify the remaining 45 wetlands out of 49 sites showed by MOEF in Mumbai Suburban District.

Submitted for your information accordingly.

(Nidhi Chaudhari)
Collector, Mumbai Suburb

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P. Velrasu
I.A.S.
Addl. Municipal Commissioner
(Projects)



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Mumbai - 400 001.
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E-mail : amc.projects@mcgm.gov.in

AMC/PI 6396

Date - 16-11-2021

Sub : Proposing Powai Lake as Wetland in brief document.

Dear Madam,

I am writing to you with respect to the proposal sent by your office dtd.21.1.2020, proposing Powai Lake as a Wetland, wherein it is said to be a natural lake which is factually incorrect. (Refer Annex 1)

You may kindly note that Powai Lake is an artificial water reservoir, built by the MCGM from 1889 to 1891 as an anti-famine measure for the then Bombay City. Shortly after, the water of the lake was found to be polluted and despite several measures, was declared unfit for drinking in 1893.

It has been clearly mentioned in the letter dtd. 15/04/2017, written by then Hon. MC to PS, Urban Development, wherein it has been suggested that it would not be appropriate to recommend Powai Lake as a wetland. (Refer Annex 2).

Therefore, you may kindly review the proposal submitted by your office, as Powai is not a natural lake and provides water for cattle sheds and industrial purposes.

Kindly resubmit the corrected proposal on urgent priority.

P. Velrasu
(P. VELRASU)
Addl. Municipal Commissioner (Projects)
16/11/21

To
Smt. Nidhi Choudhari
Collector,
Mumbai Suburban District,
New Administrative Bldg., Kalanagar,
Bandra (East), Mumbai - 400 051.

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P. Velrasu
I.A.S.
Addl. Municipal Commissioner
(Projects)



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AMC/PI/6728
Date - 29/11/2021

Subject : Proposing Powai Lake as Wetland in brief document -
Historical evidence.

Dear Mrs. Choudhari,

Further to my letter, dated 16th Nov 2021, I am writing to you to bring to your attention specific historical documentation:

Historical Extract (Annex 1)

Minutes from the Standing Committee, 1889 (Annex 2)

The Historical Extract presents in detail the shortage of water which was faced by the city in the late 1880s, the requirement of constructing a dammed water body to provide the drinking water to the then Bombay City, and the costing etc. associated with the construction. The minutes from the Standing Committee sanction the building of the Powai Reservoir and that the land to build the same was to be acquired from the Kawasji Framji Estate.

Therefore, these documents prove that the Powai Lake Reservoir is a human-made artificial body, specifically built to provide drinking water. As discussed in the letter, dated 16th November 2021, the lake water was polluted and declared unfit for drinking in 1893, following which it has been used for irrigation purposes, cattle upkeep and industrial use.

Further, I refer you to Section 2(g) of the Wetland Rules, 2017 (Annex 3) which specifically excludes "river channels, paddy fields, human-made water bodies/tanks specifically constructed for drinking water purposes and structures specifically constructed for aquaculture, salt production, recreation and irrigation purposes." Therefore, in accordance with the above definition, Powai Lake Reservoir cannot be qualified or classified as a Wetland.

Therefore, you are kindly requested to revisit the proposal to notify Powai Lake as a Wetland, and submit a revised version of your proposal which clarifies that Powai Lake is in fact an artificial, human-made reservoir for drinking purposes, built by the MCGM in 1891.

Kindly do resubmit the corrected proposal on urgent priority.

With regards,

P. Velrasu
(P. Velrasu)
Addl. Municipal Commissioner (Projects)

To,

Smt. Nidhi Choudhari,
Collector, Mumbai Suburban District,
New Administrative Bldg., Kalanagar
Bandra (East), Mumbai - 400 051.



जिल्हाधिकारी मुंबई उपनगर यांचे कार्यालय

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प्रशासकीय इमारत, १० वा मजला, शासकीय वसाहत, वांद्रे (पूर्व), मुंबई-४०० ०५१
दूरध्वनी : २६५५६७९९ फॅक्स : २६५५६८०५ ई.मेल : collectormsd@gmail.com

क्र.: सी/कार्या-२ आय/कावि-५४१/पवई लेक/२०२१
दिनांक : ३०/११/२०२१

प्रति,
मा. प्रधान सचिव,
पर्यावरण व वातावरणीय बदल विभाग,
मंत्रालय, मुंबई-३२

विषय : मुंबई उपनगर जिल्ह्यातील पवई तलावबाबत...

- संदर्भ : १. या कार्यालयाचा दि. १८/०१/२०२१ रोजीचे प्रस्ताव.
२. मा. राज्य पाणथळ प्राधिकरणाच्या दि. २६/०८/२०२१ रोजी आयोजित केलेल्या बैठकीमध्ये दिलेले निर्देश.
३. तहसिलदार कुर्ला यांना निर्गमित केलेले पत्र दि. १६/११/२०२१.
४. मा. आयुक्त, बृहन्मुंबई महानगरपालिका यांचेकडील या कार्यालयास अग्रेषित केलेले पत्र दि. १६/११/२०२१.
५. आपले अध्यक्षतेखाली दि. २५/११/२०२१ रोजी आयोजित केलेल्या तज्ञ समितीच्या २ न्या बैठकीमध्ये दिलेले निर्देश.
६. तहसिलदार कुर्ला यांचेकडील अहवाल दि. २९/११/२०२१
७. मा. अतिरिक्त आयुक्त, (प्रकल्प) बृहन्मुंबई महानगरपालिका यांचेकडील या कार्यालयास अग्रेषित केलेले पत्र दि. २९/११/२०२१.

महोदया,

प्रस्तुत प्रकरणी या कार्यालयाकडील संदर्भ क्र. १ अन्वये मुंबई उपनगर जिल्ह्यामध्ये MoEF ने दर्शविलेल्या एकुण ४९ (Sites) ठिकाणाबाबत स्थळपाहणी करून त्यानुसार सदर ४९ ठिकाणांची ब्रिफ डॉक्युमेंट तयार करून त्याची माहिती आज्ञावलीमध्ये (Software) अपलोड करून त्यासोबतची संबंधित माहिती व ब्रिफ डॉक्युमेंट प्रस्ताव सादर करणेत आलेला आहे.

प्रकरणी मा. राज्य पाणथळ प्राधिकरणाच्या दि. २६/०८/२०२१ रोजी आयोजित केलेल्या बैठकीमध्ये मुंबई उपनगर जिल्ह्यातील पाणथळ ठिकाणांची पुर्नपडताळणी करणेकामी सदर बैठकीमध्ये निर्देश दिलेले आहेत. त्यानुसार या कार्यालयाकडील संदर्भ क्र. ३ अन्वये तहसिलदार कुर्ला यांना पवई तलावाबाबत पुन्हा स्थळपाहणी व पुर्नपडताळणी करून अहवाल सादर करणेकामी कळविणेत आले होते. त्यानुसार तहसिलदार कुर्ला यांनी पुढीलप्रमाणे अहवाल या कार्यालयास सादर केलेला आहे.

उपरोक्त जागेची तलाठी पवई यांनी बृहन्मुंबई महानगरपालिका यांचेकडील श्री.विक्रांत देसाई सहा-अभियंता (जलकामे सर्वेक्षण), श्री.सुनिल माने सहा.अभियंता- नगर बाह्य विभाग (प्रमुख जलवाहीन्या) यांचे समवेत संयुक्त पाहणी त्यांचा जबाब नोंदविण्यात आलेला आहे. त्यांनी दिलेल्या माहिती व जबाबात नमुद केल्यानुसार मौजे-पवई व मौजे-पास्पोली ता.कुर्ला येथील पवई तलाव ही मिळकत सन १८९० मध्ये महानगरपालिकेच्या उपलब्ध अभिलेखानुसार जागा तलावासह क्षेत्र ४५४.७९ एकर लार्ज ट्रक धरणाखाली विहार पाईपलाईन पर्यंतची जागा कॉफरडॅम, स्टोअर यार्ड व इतरसाठी संपादीत करण्यात आलेली आहे. तसेच सन १९२१ ते १९२२ दरम्यान ८५-एकर ३०-गुठे जमीन तलाव व वळण रस्त्यामधील क्षेत्र शासकीय अधिसूचना

क्र.१४९६७ दि.२२/१२/१९९९ व S.A ३६३७ दि.१४/०९/१९२१ नुसार संपादीत केल्याची नोंद आहे. अनुक्रमे महानगरपालिकेने दि.२३/११/१९२१ व दि.०१/०२/१९२३ रोजी ताबा घेतलेला आहे. तसेच ५.६२ एकर जागा कार्यालय व स्टाफ क्वार्टर्स साठी संपादीत करण्यात आलेली आहे. आज रोजी सदर तलावातील पाणी अपेयजल असून हे आरे कॉलनीस १० दशलक्ष प्रतिदिन पशुपालनासाठी व ०.३ दशलक्ष प्रतिदिन एल.एँड.टी कंपनीस प्रतिदिन औद्योगिक वापरासाठी दिले जाते. महाराष्ट्र अँगॅलिंग स्पोर्टससाठी तलावाचा वापर करतात व हाऊसबोट आहेत. सदर तलावाचे सुशोभीकरण व इतर सर्व वापर बृहन्मुंबई महानगरपालिकेच्या अखत्यारीत आहे. तसेच सदर तलावात धार्मिक उपक्रम म्हणून गणेशोत्सव मुर्ती व नवरात्रोत्सव देवी मुर्ती विसर्जन केले जात असून छठ पूजा ही केली जाते. सदर तलावात मगर, मासे व जलपर्णी वेली आहेत. सदर ठिकाणी डॉ.बाबासाहेब आंबेडकर उद्यान व निसर्गउद्यान करण्यात आलेले आहेत. दोन्ही उद्यान सर्वसामान्यांसाठी खुले आहेत. सदरचा तलाव हा संपादित असून सद्यस्थितीत बृहन्मुंबई महानगरपालिकेच्या ताब्यात आहे. सदर तलावाची खोली सरासरी ९ ते १० मीटर पर्यंत असून जलसाठा ५४५५ दशलक्ष लिटर एवढा आहे. पवई तलाव हा कृत्रिम तलाव असून सन १८९० सालापासून झालेला आहे. सदर तलावातील अपेय जल आजूबाजूच्या पवई उद्यान व निसर्गउद्यान मधील झाडांना देण्यात येते. तलावाच्या पूर्वेस इंडियन इन्स्टिट्यूट ऑफ टेक्नॉलॉजी बॉम्बे असून राष्ट्रीय औद्योगिक अभियांत्रिकी संस्था (NITIE), देखील तलावाजवळ आहे. तलावाच्या पश्चिम बाजूस पवई गार्डन असून दक्षिणेस रस्ता आहे. तलावाच्या परिसरात मोठ्या प्रमाणात गृहसंकुल, शैक्षणिक संस्था आणि आलिशान हॉटेल्स विकसित झाली आहेत. तलावाच्या सभोवतालची लोकसंख्या गेल्या काही वर्षांत लक्षणीयरीत्या वाढली आहे.

प्रकरणी मा.अतिरिक्त आयुक्त, बृहन्मुंबई महानगरपालिका (प्रकल्प) यांचेकडील या कार्यालयास प्राप्त दि.१६/११/२०२१ व दि.२९/११/२०२१ रोजीचे पत्र व पत्रासोबत प्राप्त पवई तलावाबाबत ऐतिहासिक माहिती तसेच स्थायी समितीच्या सन १८८९ बैठकीच्या इतिवृत्ताचे अवलोकन केले असता, सदरचा पवई तलाव हा नैसर्गिक तलाव नसून बृहन्मुंबई महानगरपालिका यांचेमार्फत जमीन संपादित करून सन १८८९ ते १८९१ मध्ये मुंबई शहरासाठी पिण्याच्या पाणीसाठी कृत्रिमरित्या बांधणेत आलेला तलाव (जलाशय) आहे. सदर तलाव / जलाशयातील पाणी हे सन १८९३ मध्ये अपेय असल्याचे घोषित झाले असून ते सिंचन, पशुपालनासाठी व औद्योगिक वापरासाठी वापरले जाते असे नमूद केलेले आहे. तसेच भारत सरकार पर्यावरण, वने व वातावरणीय बदल मंत्रालय यांचेकडील दि. २६/०९/२०१७ रोजीचे अधिसूचनामधील कलम २ (जी) मधील व्याख्येनुसार सदरचा तलाव पाणथळ म्हणून घोषित करता येणार नाही, असे नमूद केलेले आहे. तसेच पवई तलाव हा बृहन्मुंबई महानगरपालिका यांनी १८९१ साली कृत्रिमरित्या पिण्याच्या पाण्यासाठी बांधलेला तलाव असल्याने सदर पाणथळ क्षेत्राबाबत फेरप्रस्ताव शासनास सादर करावा, असे नमूद केले आहे.

उपरोक्त अहवालाचे व भारत सरकार, पर्यावरण, वने व वातावरणीय बदल मंत्रालय यांचेकडील दि. २६/०९/२०१७ रोजीचे अधिसूचनामधील कलम २ (जी) मधील पाणथळ व्याख्येचे अवलोकन करता मौजे पास्योली येथील पवई तलाव हा मानवनिर्मित कृत्रिम तलाव असल्याचे दिसून येते. सबब, वरील अधिसूचनेन्वये सदर पवई तलाव हा पाणथळ (संरक्षण) व्यवस्थापन नियम, २०१७ अन्वये पाणथळ क्षेत्र म्हणून अधिसूचित करता येणार नाही, असे इकडील मत आहे.

सोबत तलाठी पवई यांचा अहवाल, स्थळपंचनामा, जबाब, मिळकतपत्रिका, ७/१२, व विहित नमुन्यातील माहितीसह प्रस्तुत प्रकरण पुढील कार्यवाहीसाठी सविनय सादर करण्यात येत आहे.

(सिधी चौधरी)

सदस्य सचिव, तज्ञ समिती तथा
जिल्हाधिकारी, मुंबई उपगनर

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OFFICE OF COLLECTOR, MUMBAI SUBURB

Administration Building, 10th Floor, Government
Colony, Bandra (E), Mumbai 400 051

Phone: 26556799 Fax: 26556805 E-mail: collectormsd@gmail.com

No. C/Off-2 I/KV-541/Powai Lake/2021

Date: 30.11.2021

To,
Hon'ble Director Environment Department,
And Member Secretary,
State Water Places Authorities,
Ministry, Mumbai 32

Sub:Wetland Places in Mumbai Suburb District.

- Ref: 1. Proposal dated 18.01.2021 of our office.
2. Instruction given in meeting called on 26.08.2021. of Hon'ble State Wetland Places Authorities.
3. Letter dated 16.11.2021 addressed to Tahsildar Kurla.
4. Letter dated 16.11.2021 addressed to our office by Hon'ble Additional Commissioner Project, Municipal Corporation of Greater Mumbai.
5. Instruction given in second meeting of experts committee called on 25.11.2021 presided over by Hon'ble Principle Secretary Environment Department.
6. Report dated 29.11.2021 of Tahsildar Kurla.
7. Letter dated 29.11.2021 addressed to our office by Hon'ble Additional Commissioner Project, Municipal Corporation of Greater Mumbai.

37-B



Madam,

With reference to above no. 1 brief document of total 49 sites shown by MOEF in Mumbai Suburb District is drafted and its information is uploaded and concerned information therewith and brief document proposal is submitted.

Instruction is given in said meeting to re-verify the sites in the Mumbai Suburban District in meeting called on 26.08.2021 of Hon'ble State sites authorities under case. Tahsildar Kurla was asked to submit report on site inspection and re-verification again regarding Powai Lake under ref. no. 3 of our office accordingly. Accordingly, Tahsildar Kurla has submitted following report with our office under ref. no. 6.

Talathi Powai inspected said site jointly with Mr. Vikrant Desai, Assistant Engineer Water Works Survey, Mr. Sunil Mane, Assistant Engineer, City Outstation Department Main Water Lines and there statement is recorded. Powai Lake, Powai and Paspoli, Tal. Kurla is acquired under record available of MCGM in 1890 with 454.79 acre large tank truck dam property upto Vihar pipeline for Cofferdam, Store Yard and others as informed by him and as mentioned in statement and recorded 85 acre 30 guntha property of acquired under Lake and turning

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road is acquired under Government Circular No. 14967 dated 22.12.1919 and SA 3637 dated 14.09.1921 from 1921 to 1922. MCGM has possessed property on 23.11.1921 and 01.02.1923 respectively. And 5.62 acre property is acquired for office and staff quarters. Water in said Lake is non co-habitable presently and 10 million lakhs daily for animal husbandry for Aarey Colony and 0.3 million lakhs daily for LNT Company for Industrial purpose water is provided. Lake is used for Maharashtra and Links Sports and House Boat are there. Beatification of said Lake and all other use is there under control of Municipal Corporation of Greater Mumbai. The Ganesh Statue and Goddess Statue for 9 days festival are cremated for religious purpose in said lake and Chhatt prayer is also celebrated. Crocodile, Fish and Water Fishery Birds are there in the said Lake. Dr. Babasaheb Ambedkar Garden and Nature Park are there. Both parks are opened for general public. Said Lake is acquired and presently in possession of Municipal Corporation of Greater Mumbai. Said Lake is about 9 to 10 mtr. deep with 5455 million liters water stock. It is an artificial Powai Lake existed since 1890. Non co-habitable water of the said Lake is provided for trees around Powai Lake and Nature Park. Indian Institute of Technology Bombay is there act east side of the Lake

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and Industrial Training Institute (NITIE) is also there near Lake. Powai Garden is there at west side of Lake with road at south side. Housing Complex, Educational Institution and Luxuries Hotels are developed in big extent around Lake Public population is developed considerably since last few years around Lake.

It is not natural Powai Lake but constructed as wetland artificially for drinking water for Mumbai city from 1889 to 1891 on acquiring property by Municipal Corporation of Greater Mumbai under Minutes of Meeting of 1889 of working committee and historical information of Powai Lake received with letter dated 16.11.2021 and dated 29.11.2021 by our office from Hon'ble Additional Commissioner Municipal Corporation of Greater Mumbai Project under case. Water in said Lake/Wetland is declared non-potable in 1893 and mentioned it is used for irrigation, animal husbandry and industrial purpose. And Section 2(G) of circular dated 26.09.2017 of Central Government Environment, Forest and Global Changes Ministry is mentioned the said Lake could not be declared as wetland as defined. And mentioned to submit re-proposal with government regarding said wetland property since it is Powai Lake constructed for drinking water artificially in 1891 by Municipal Corporation of Greater Mumbai.

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Powai Lake as Paspoli is observed as artificial, humanly created as defined the wetland u/s. 2(G) under circular dated 26.09.2017 of Central Government Environment, Forest and Global Warming Ministry and said report. Hence we think the said Powai Lake could not be declared as wetland under Wetland Protection Management Rules, 2017 under said circular.

Report of Taltahi of Powai, site report, statement, property card, 7/12 abstract and information in form prescribed is kindly submitted for further action under case herewith.

(Nidhi Chaudhari)

**Member Secretary, Experts Committee and
Collector, Mumbai Suburb**

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पवई तलावाच्या परिसरामध्ये होत असलेल्या
अनधिकृत बांधकामाबाबत राज्य वेटलँड
प्राधिकरणास अहवाल सादर करण्यासाठी
तज्ञ समिती गठीत करणेबाबत...



महाराष्ट्र शासन
पर्यावरण विभाग

परिपत्रक क्रमांक : संकीर्ण २०२१/प्र.क्र.४१/ता.क.३

१५ वा मजला, नवीन प्रशासन भवन,

मादाम कामा मार्ग, मंत्रालय, मुंबई-४०० ०३२

दिनांक: १२ ऑक्टोबर, २०२१.

परिपत्रक

वाचा :- १) वेटलँड (संवर्धन व व्यवस्थापन) नियम, २०१७ मधील नियम ५ (४) नुसार गठीत राज्य वेटलँड प्राधिकरणाच्या दि.२६.८.२०२१ रोजी आयोजित बैठकीचे इतिवृत्त.

प्रस्तावना:-

केंद्रीय वने व पर्यावरण मंत्रालयाच्या वेटलँड (संवर्धन व व्यवस्थापन) नियम, २०१७ मधील नियम ५ (४) नुसार गठित राज्य वेटलँड प्राधिकरणाची तिसरी बैठक दि. २६.८.२०२१ रोजी आयोजित करण्यात आली होती. सदर बैठकीचे इतिवृत्त दि. २३.९.२०२१ रोजीच्या पत्रान्वये सर्व संबंधितांना पाठविण्यात आलेले आहे.

२. सदर बैठकीमध्ये नॅशनल वेटलँड अॅटलास मध्ये पाणथळ जागा म्हणून समाविष्ट असलेल्या पवई तलावाच्या परिसरामध्ये बांधकाम होत असलेबाबत वनशक्ती संस्थने केंद्रिय पर्यावरण, वने व वातावरणीय बदल मंत्रालयाकडे दाखल केलेली तक्रार व त्यानुषंगाने करावयाच्या कार्यवाहीबाबतचा विषय चर्चेला ठेवण्यात आला होता. त्यानुसार या प्रकरणी राज्य वेटलँड प्राधिकरणास अहवाल सादर करण्यासाठी मा. प्रधान सचिव, पर्यावरण व वातावरणीय बदल विभाग यांच्या अध्यक्षतेखाली तज्ञ समिती गठित करण्याचा निर्णय घेण्यात आला होता. त्यानुसार तज्ञ समितीचे गठन करणे शासनाच्या विचाराधिन होते.

शासन परिपत्रक :-

नॅशनल वेटलँड अॅटलास मध्ये पाणथळ जागा म्हणून समाविष्ट असलेल्या पवई तलावाच्या परिसरामध्ये बांधकाम होत असलेबाबत वनशक्ती संस्थने केंद्रिय पर्यावरण, वने व वातावरणीय बदल मंत्रालयाकडे दाखल केलेल्या तक्रारीच्या अनुषंगाने राज्य वेटलँड प्राधिकरणास अहवाल सादर करण्याकरिता खालीलप्रमाणे तज्ञ समिती गठीत करण्यात येत आहे.

१.	प्रधान सचिव, पर्यावरण व वातावरणीय बदल विभाग.	अध्यक्ष
२.	श्री. राकेश कुमार, संचालक, निरी, नागपूर.	सदस्य
३.	श्री. दिपक आपटे, बीएनएचएस, मुंबई	सदस्य

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शासन परिपत्रक क्रमांक: संकीर्ण २०२१/प्र.क्र.४१/ता.क.३

४.	श्री. प्रमोद साळस्कर	सदस्य
५.	श्री. कुरुश दलाल	सदस्य
६.	जिल्हाधिकारी, मुंबई उपनगर, मुंबई.	सदस्य सचिव

४. राज्य वेटलँड प्राधिकरणाच्या बैठकीमध्ये घेण्यात आलेल्या निर्णयानुसार उपरोक्त तज्ञ समितीने पवई तलावाच्या परिसरामध्ये होत असलेल्या बांधकामाबाबत वनशक्ती संस्थाने केंद्रिय पर्यावरण, वने व वातावरणीय बदल मंत्रालयाकडे दाखल केलेल्या तक्रारीच्या अनुषंगाने आपला अहवाल दि. १५.११.२०२१ पर्यंत राज्य वेटलँड प्राधिकरणास सादर करणे बंधनकारक राहिल. सदर समितीने आपला अहवाल राज्य वेटलँड प्राधिकरणास सादर केल्यानंतर तज्ञ समितीचा कार्यकाळ आपोआप संपुष्टात येईल.

५. सदर परिपत्रक महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा सांकेतांक २०२१०१३१४५३५३५१०४ असा आहे. हे परिपत्रक डिजिटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

ABHAY MADHUKAR
PIMPARKAR

(अभय पिंपरकर)

शा.श्रे.१ तथा उप सचिव
(पर्यावरण व वातावरणीय बदल)

प्रति,

- १) अपर मुख्य सचिव, पंचायत राज व ग्राम विकास विभाग, मंत्रालय, मुंबई-३२
- २) अपर मुख्य सचिव, जलसंपदा विभाग, मंत्रालय, मुंबई-३२
- ३) अपर मुख्य सचिव, (महसूल), महसूल व वने विभाग, मंत्रालय, मुंबई-३२
- ४) प्रधान सचिव, (वने), महसूल व वने विभाग, मंत्रालय, मुंबई-३२
- ५) प्रधान सचिव, नगर विकास विभाग, मंत्रालय, मुंबई-३२
- ६) प्रधान सचिव (पदुम), कृषि व पदुम विभाग, मंत्रालय, मुंबई-३२
- ७) प्रधान सचिव, पर्यटन विभाग, मंत्रालय, मुंबई-३२
- ८) सचिव, मदत व पुर्नवसन विभाग, मंत्रालय, मुंबई-३२
- ९) सदस्य सचिव, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, सायन, मुंबई-२२.
- १०) अतिरिक्त आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
- ११) जिल्हाधिकारी, मुंबई शहर/ मुंबई उपनगर, मुंबई.
- १२) अतिरिक्त प्रधान मुख्य वनसंरक्षक, केंद्रीय वन व पर्यावरण मंत्रालय, विभागीय कार्यालय, नागपूर

शासन परिपत्रक क्रमांक: संकीर्ण २०२१/प्र.क्र.४१/ता.क.३

- १३) चीफ वाईल्ड लाईफ वार्डन
- १४) सदस्य सचिव, राज्य जैव विविधता मंडळ
- १५) संचालक, महाराष्ट्र रिमोट सॅन्सींग सेंटर
- १६) श्री.राकेश कुमार, संचालक, निरी, नागपूर.
- १७) श्री.दिपक आपटे, बीएनएचएस, मुंबई
- १८) श्री.प्रमोद साळस्कर
- १९) श्री.कुरुश दलाल
- २०) मा.मंत्री, पर्यावरण व वातावरणी बदल विभाग यांचे खाजगी सचिव, मंत्रालय, मुंबई-३२
- २१) मा.राज्यमंत्री, पर्यावरण व वातावरणी बदल विभाग यांचे खाजगी सचिव, मंत्रालय, मुंबई-३२

40-A

To appoint experts committee to submit report with State Wetland Authority regarding unauthorised construction carried around Powai Lake

GOVERNMENT OF MAHARASHTRA

ENVIRONMENT DEPARTMENT

GOVERNMENT RESOLUTION NO. GENERAL-

2017/C.NO. 41/T.K.3

15th Floor, New Administration Building,
Madam Cama Road, Ministry, Mumbai 400 032

Date: 12th October, 2021

Ref: 1) Minutes of Meeting held on 26.08.2021 of State Wetland Authority appointed under rule 5(4) of Wetland Conservation And Management Rules, 2017 under Circular GSR-1203/E dated 26.09.2017.

Information:

Third meeting of State Wetland Authority was called on 26.08.2021 appointed under rule 5(4) of Wetland Conservation And Management Rules, 2017 of Central Forest and Environment Ministry. Minutes of said meeting is sent to all concerned under letter dated 23.09.2021.

2. The business regarding complaint filed with Ministry regarding Central Environment, Forest and

Global Warming Ministry by the Vanshakti Society regarding construction carried around Powai Lake included as wetland under national wetland atlas and action to take accordingly was submitted for discussion under said meeting. Accordingly it was resolved to appoint expert committee headed by Hon'ble Principal Secretary, Environment and Global Warming Department to submit report with State Wetland Authority under case. Accordingly the Government was considering to appoint expert committee.

Government Resolution:

The following expert committee is appointment to submit report with State Wetland Authority regarding complaint filed with Central Environment, Forest and Global Warming Ministry by Vanshakti Society regarding construction carried around Powai Lake included as wetland under national wetland atlas.

1	Principal Secretary, Environment and Global Warming Department	President
2	Mr. Rakesh Kumar, Director, Niri, Nagpur	Member
3	Mr. Dipak Apte, BNHS, Mumbai	Member
4	Mr. Pramod Salaskar	Member



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5	Mr. Kurush Dalal	Member
6	Collector, Mumbai Suburb, Mumbai	Member Secretary

4. Said expert committee is binding to submit its report with State Wetland Authority before 15.11.2021 regarding complaint filed with Central Environment, Forest and Global Warming Ministry by Vanshakti Society regarding construction carried around Powai Lake as resolved in meeting of State Wetland Authority. Tenure for expert committee shall be terminated automatically on submitting its report by said committee with State Wetland Authority.

5. This Government Resolution is provided at website www.maharashtra.gov.in of Government of Maharashtra under Code 202110131453535104. This order is passed on attested, signed digitally.

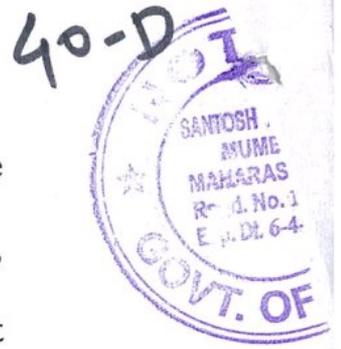
Under order and in favour of Governor of Maharashtra.

(Abhay Pimparkar)

G.G.1 and Dy. Secretary

(Environmental and Global Warming)

To,



1. Upper Chief Secretary, Tahsil Ruling and Village Development Department, Ministry, Mumbai-32.
2. Upper Chief Secretary, Water Wealth Department, Ministry, Mumbai-32.
3. Upper Chief Secretary, Revenue and Forest Department, Ministry, Mumbai-32.
4. Principal Secretary, (Revenue), and Forest Department, Ministry, Mumbai-32.
5. Principal Secretary, Town Development Department, Ministry, Mumbai-32.
6. Principal Secretary (PDM), Agricultural and PDM Department, Ministry, Mumbai-32.
7. Principal Secretary, Tourism Department, Ministry, Mumbai-32.
8. Secretary, Grant and Rehabilitation Department, Ministry, Mumbai-32.
9. Member Secretary, Maharashtra Pollution Control Board, Sion, Mumbai-22.
10. Additional Commissioner, Municipal Corporation of Grater Mumbai.
11. Collector, Mumbai City/Mumbai Suburb, Mumbai.
12. Additional Principal Chief Forest Conservator, Central Forest and Environment Ministry, Divisional Office, Nagpur.
13. Chief Wild Life Warden.
14. Member Secretary, State Micro Biology Board.
15. Direct, Maharashtra Remote Sensing Centre.
16. Mr. Rakesh Kumar, Director, Niri, Nagpur.
17. Mr. Dipan Apte, BNHS, Mumbai.
18. Mr. Pramod Salaskar
19. Mr. Kurush Dalal
20. Private Secretary for Hon'ble Minister, Environment and Global Warming Department, Ministry, Mumbai-32.
21. Private Secretary for Hon'ble Minister for State, Environment and Global Warming Department, Ministry, Mumbai-32.

**BEFORE THE HON'BLE
NATIONAL GREEN
TRIBUNAL WESTERN
ZONE BENCH AT PUNE**

O. A. NO. 68 OF 2021



Vanashakti and another
..... Applicants

Versus

Municipal Corporation of
Greater Mumbai and Others
..... Respondents

Affidavit-in-Reply of Mrs.
Nidhi Choudhari, District
Collector, Mumbai Suburban
District, having office at 10th
Floor, Administrative
Building, Government
Colony, Bandra (East),
Mumbai-400 051 on behalf of
the Respondent No. 10.

Dated this 10th day of January
2022