

COMMITTEE REPORT**Original Application No.49 of 2023 (WZ)[Earlier O.A. No.290/2022(PB)] in
Sachin Kadam Versus State of Maharashtra****Preamble:**

A complaint has been filed by Shri. Sachin Kadam Versus State of Maharashtra before Hon'ble National Green Tribunal and registered as Original Application No.49 of 2023 (WZ) [Earlier O.A. No.290/2022(PB)]. The matter pertains to encroachment of the coastal land in the two adjoining villages Thal and Chalmaala, Alibag, District Raigad, Maharashtra.

Hon'ble National Green Tribunal Principal Bench, New Delhi has passed an Order dated 29.04.2023 in the matter with following directions:

"In view of the serious allegations made in the present letter Petition, it would be appropriate to have a factual and action taken report from a Joint Committee comprising of Maharashtra Coastal Zone Management Authority (MCZMA) and Collector, Alibag District. MCZMA will be the Nodal agency for coordination and compliance. The Joint Committee may meet within four weeks, undertake site visits, look into the grievances of the applicants and take requisite action by following due process of law. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

Constitution of Committee:

In compliance of the directions dated 29.04.2023 & 02.05.2023 of Hon'ble National Green Tribunal, the MCZMA vide Order dated 06.06.2023 has constituted Joint Committee comprises of Dr. Mahesh Shindikar, Expert Member, MCZMA & Representative of District Collector, Raigad.

Site visit:

The site visit of the Joint Committee is scheduled on 20.06.2023 at 11.30 am. Accordingly, Dr. Mahesh Shindikar, Expert Member, MCZMA and Shri. Mukesh Chavan, Sub Divisional Officer along with official of MCZMA &

District Collector office, Raigad visited the site at villages Thal and Chalmaala, Alibag, District Raigad. List of present officials is attached as **Annexure-I**.

The Joint Committee referred grievances made in complaint by Adv. Sanjay R. Haritwal on behalf of Mr. Sachin Kadam dated 12.01.2022 received from National Green Tribunal, Western Zone Bench Pune vide email dated 21.04.2023.

Factual observations:

The Joint Committee noted that, Contempt Petition (C) No. 1125/2019 in C.A. No. 11869/2018 in Sachin Bhaskar Kadam V/s. Pravin Hasha Tandel & Ors. in the same matter is pending before Hon. Supreme Court, New Delhi.

During the site visit, the Joint Committee observed that a thin layer of cement has been laid (Koba) on land for fish drying platforms/otlas at site. It is observed at several places, which seems to be temporary if maintained as it is. On the day of visit, fish drying activities at site were not observed nevertheless, fishing nets placed at some locations. On enquiry with the Revenue Officials, the said land is Gurcharan land/Gairan (grazing lands). Latitude & Longitude of the location is 18°40'19.70"N, 72°51'49.37"E. As per approved Coastal Zone Management Plan of Raigad District, 2011 the site under reference is situated in CRZ-III (No Development Zone). Google image, approved CZMP and Site Photographs indicating the site is attached as **Annexure –II, III & IV**.

The Joint Committee further observed that, four numbers of fish drying platforms with concrete structures were constructed on the seashore, which seems to be permanent structures. On enquiry with the Revenue Officials, the said land belongs to Maharashtra Maritime Board. As per approved Coastal Zone Management Plan of Raigad District, 2011 the site under reference is situated in CRZ-IA (Intertidal area) & CRZ-III (No Development Zone). Google image and Site Photographs indicating the site is attached as **Annexure –V & VI**.

The Joint Committee further noted that, as per para. 8.III.CRZ-III (iii) (1) of CRZ Notification, 2011, facilities required for local fishing communities such as fish drying yards is permissible activities in CRZ-III (NDZ) areas with prior permission from MCZMA. However, said activities is not permissible in CRZ-

IA (Intertidal area). The Joint Committee also noted that, District Level Coastal Zone Monitoring Committee (DCZMC) under the chairmanship of District Collector has been already constituted for identification and action on CRZ violations.

Action taken report:

- Since the same matter is sub-judice before Hon. Supreme Court, New Delhi, the Joint Committee decided that District Level Coastal Zone Monitoring Committee (DCZMC) and Maharashtra Maritime Board to verify CRZ violations at site and take necessary action after following due process of law in their respective jurisdiction.
- Permanent structures without permission are to be treated as violations in CRZ areas by the respective authorities.
- Further, the local governing bodies are requested to make the residents and local fishing communities aware about the significance of the coastal sustenance and protection of Coastal Regulatory Zone.

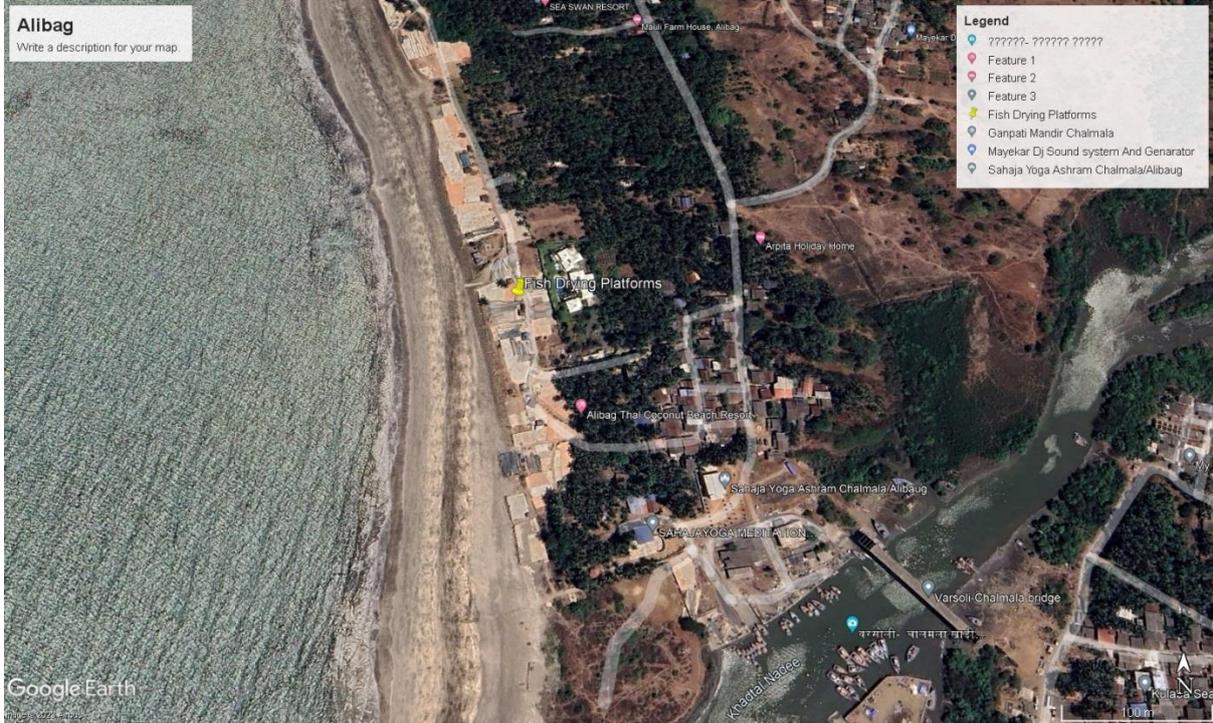


Dr. Mahesh Shindikar,
Expert Member, MCZMA

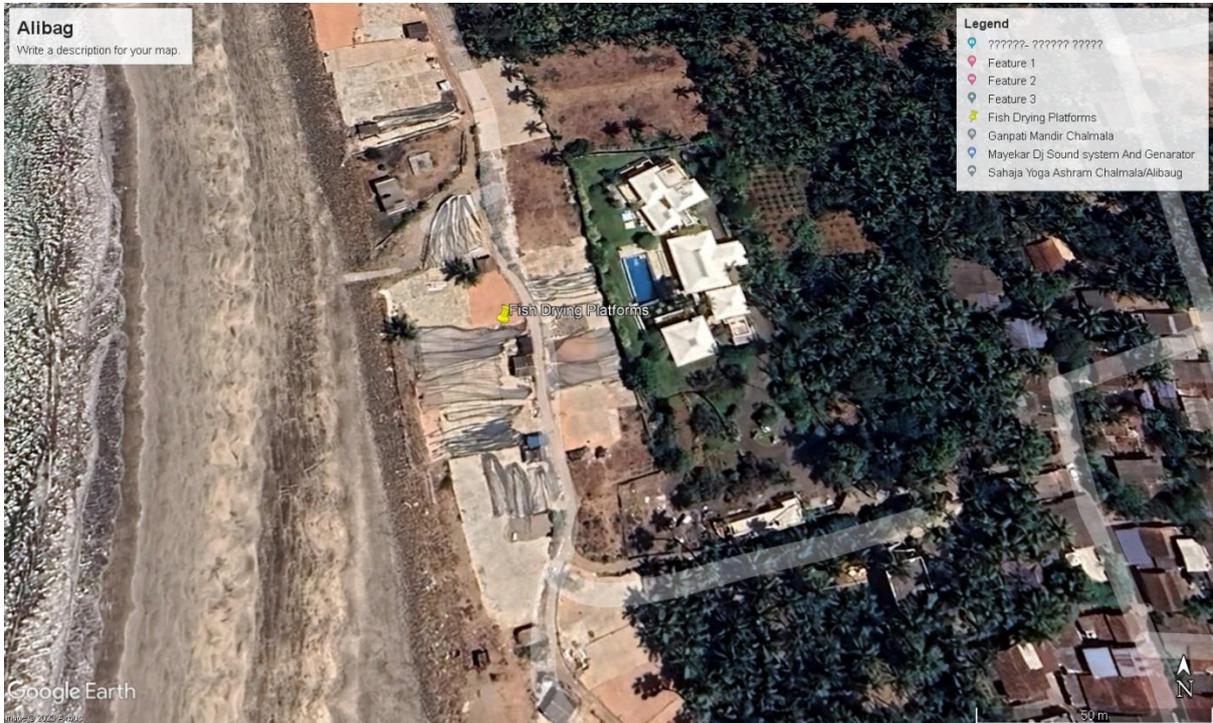


Shri. Mukesh Chavan,
Sub Divisional Officer, Alibag

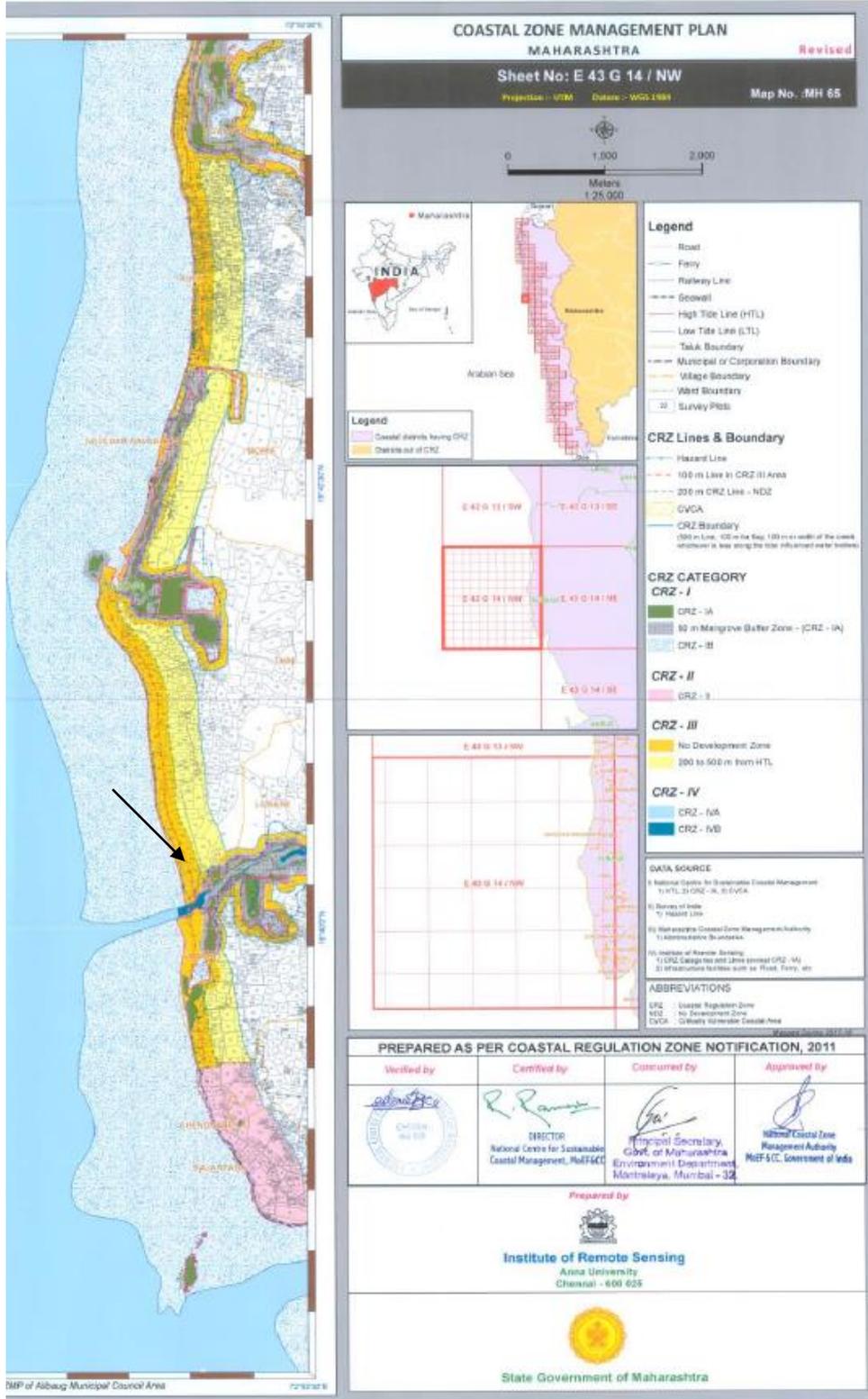
Annexure-II



Google Satellite Images



Annexure-III



Annexure-IV



Annexure- V



Fish drying platform at sea shore

Annexure- VI

