

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

Original Application No. 45 of 2021

IN THE MATTER OF:

Syamantak Trust & Ors.

Appellants

Versus

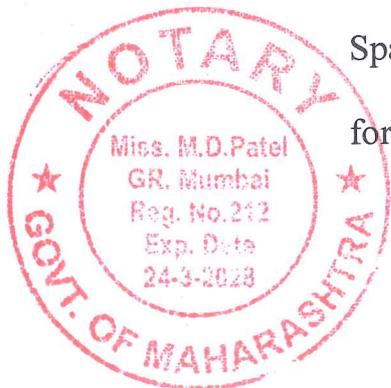
The State of Maharashtra & Others.

Respondents

**COMPLIANCE AFFIDAVIT OF THE ORDER DATED 01.02.2023  
PASSED BY THIS TRIBUNAL**

I, Abhay Madhukar Pimparkar, aged about 47 years, Occupation Service, Director, Environment and Climate Change Department and Member Secretary, State Wetland Authority, Government of Maharashtra of the respondent No.2 abovenamed having my office address at 15<sup>th</sup> Floor, New Administrative Building, Mantralaya, Mumbai 400 032, do hereby beg to state on solemnly affirm as under:

1. That I am in the above noted capacity and as per records available in the department, I am fully conversant with the facts and circumstances of the case, hence competent to swear this compliance affidavit on behalf of the answering Respondent.
2. That I have gone through and understood the contents of the O.A. and order dated 01.02.2023 passed by this Hon'ble Tribunal, I deny each and every averment except those which are admitted herein expressly.
3. That on 01.02.2023 this Hon'ble Tribunal has directed as follows:  
  
"We direct the Respondent No. 4/Wetland Authority to file an affidavit as to what action has been taken at their end in compliance with the above Rule. This affidavit shall be filed before us within a period of one month positively and no more.  
  
Put up this matter for final hearing on 29.03.2023"
4. That in compliance of the order dated 01.02.2023 the respondent No.4 Wetland Authority submitted as follows:
  - I. That the Ministry of Environment, Forest and Climate Change, through Space Application Centre, Ahmedabad, has published Wetland Atlas for Maharashtra in January 2010 wherein 44714 number of sites were



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②

identified in the State of Maharashtra out of which 23046 number of sites are having area more than 2.25 ha.

- II. That the Wetlands (Conservation and Management) Rules 2010 were further superseded in 2017 and new The Wetlands (Conservation and Management) Rules were published vide notification number G.S.R. 1203(E) dated 26.09.2017, which defines 'wetland' as below:

*"wetland" means an area of marsh, fen, peatland or water; whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters, but does not include 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;"*



- III. I say that resultantly, approximate 23,055 number of sites out of 44,714 number of sites having area more than 2.5 ha are identified in National Wetland Atlas are now indicated in the State of Maharashtra

in the definition of The Wetlands (Conservation and Management)

Rules 2017. The State of Maharashtra has prepared dedicated mobile

app 'Wetlands of Maharashtra' for ground-truthing and compilation of data for preparation of brief document.

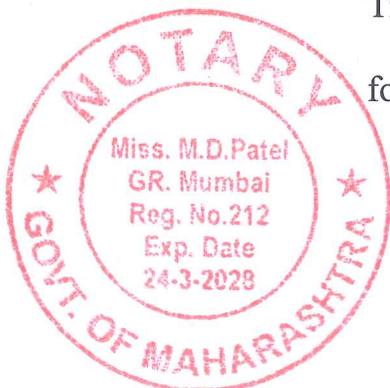
IV. That preparation of brief document for each of the wetland identified for notification following data collection is required as per para 7(1) of the Wetlands (Conservation and Management) Rules 2017:

- a) demarcation of wetland boundary supported by accurate digital maps with coordinates and validated by ground truthing;
- b) demarcation of its zone of influence and land use and land cover thereof indicated in a digital map;
- c) ecological character description;
- d) account of pre-existing rights and privileges;
- e) list of site-specific activities to be permitted within the wetland and its zone of influence;
- f) list of site specific activities to be regulated within the wetland and its zone of influence; and
- g) modalities for enforcement of regulation;



After compilation of above data, the brief document for each of the wetland can be prepared.

- V. That the brief documents / information received from district authorities was placed before the State Wetland Authority in its 2nd meeting dated 09.02.2021. The Wetland Authority noted that there was a wide discrepancy in the number of wetlands mentioned in the National Wetland Atlas vis-à-vis data submitted by District Collectors. It was also decided that the District Administration shall revisit (Ground Truthing), verify and revalidate the data. Accordingly, all the District Collectors in the State were informed vide letter dated 15.03.2021 to submit the brief documents as per para 7(1) of the Wetlands (Conservation and Management) Rules 2017 on or before 31.03.2021.
- VI. That 3rd meeting of State Wetland Authority was convened on 26th August, 2021, wherein it was decided to extend the timeline up to 15.11.2021 for submission of revised Brief Document and District Wetland Atlas by respective District Collectors after revisit (Ground Truthing), verification and revalidation. The Authority also approved a format for submission of the required information, reports, drawings



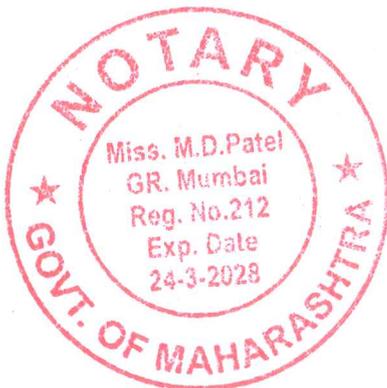
etc. as per format and then based on the information. Accordingly, all the Divisional Commissioners, CIDCO, all District Collectors and all Municipal Commissioners in the State were informed vide letter dated 23.09.2021.

VII. That the workshops on wetland were conducted for District level officials on 02.12.2021, 03.12.2021 and 06.12.2021.

VIII. That 4th meeting of State Wetland Authority was convened on 09.12.2021, wherein it was decided to extend the timeline up to February, 2022 for submission of revised Brief Document and District Wetland Atlas by respective District Collectors. All the District Collectors were informed about the submission of brief documents by the letter dated 21.11.2022 of this department.

Place: Mumbai

Date: 24.03.2023



[Abhay Madhukar Pimparkar]

Deponent

Director, Environment & CC and  
Member Secretary, State Wetland Authority

## VERIFICATION:

I, Abhay Madhukar Pimparkar, aged about 47 years, Occupation Service, Director, Environment and Climate Change Department and Member Secretary, State Wetland Authority, Government of Maharashtra of the respondent No.2 abovenamed having my office address at 15<sup>th</sup> Floor, New Administrative Building, Mantralaya, Mumbai 400 032 do hereby verify and say that the contents of my above affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed there from. The legal submissions are further true as per legal advice received and believed to be true and correct.

Verified at Mumbai on this 24<sup>th</sup> day of March, 2023 2 (M)

Deponent

Place: Mumbai

Date: 24.03.2023

2 (M)



[Abhay Madhukar Pimparkar]

Deponent

Director, Environment & CC and  
Member Secretary, State Wetland Authority

Identify by me



(Sanjay Sandanshiv)

Under Secretary, Environment &amp; CC GoM.

**BEFORE ME**

M. D. Patel

24-3-2023

Sr. No. 159

Bk. No. 1



**MISS M. D. PATEL**  
**ADVOCATE & NOTARY**  
Kohiar House,  
4, Dhuswadi, Dhobitalao,  
MUMBAI - 400 002.