

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

AT PUNE

INTERIM APPLICATION NO. 277 / 2024 (WZ)

In

ORIGINAL APPLICATION NO. 135 / 2024 (WZ)

[EARLIER ORIGINAL APPLICATION NO. 637 / 2024(PB)] (LP)

IN THE MATTER OF

Banda Nagaraj Kumar

..... APPLICANT

VERSUS

Principal Chief Conservator of

Forests and Head of Forest Force,

Maharashtra and Ors.

..... RESPONDENTS

I N D E X

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(Handwritten signature)

J. S. Wad & Co. (Advocates)
For Respondent No. 3

Adv. P. A. Paudeshi

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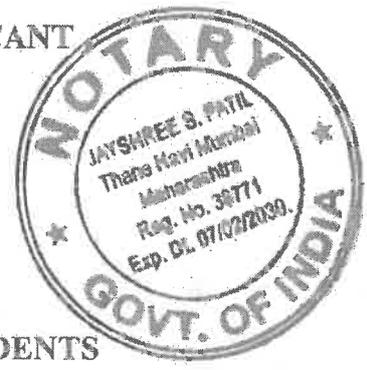
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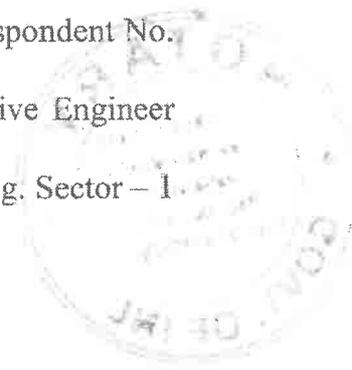
Maharashtra and Ors.

..... RESPONDENTS



**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 3 –
CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF
MAHARASHTRA LIMITED (CIDCO), TO THE INTERIM
APPLICATION OF THE APPLICANT**

I, Gokul Madan Rathod, the authorized representative of Respondent No.
3, Age - 50 Years, Occupation- Service, in Charge Executive Engineer
(Vashi) Office At – CIDCO Ltd. Old Administrative Building. Sector – 1



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Vashi Navi Mumbai, after verifying all the records do hereby state on the solemn affirmation that –

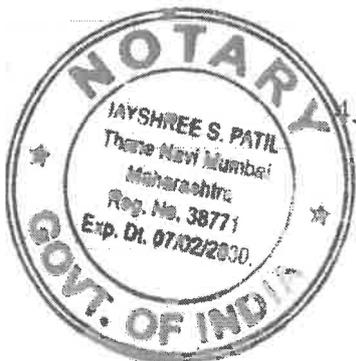


1. I have been duly authorized to file this affidavit on behalf of the Respondent No. 3 to this *suo motu* O.A. viz. City and Industrial Development Corporation of Maharashtra Limited (CIDCO).
2. I have received and read a copy of the instant I.A. and in reply thereto I on behalf of Respondent No. 3 say and submit as follows:

(A) PRILIMINARY OBJECTIONS:

3. The Respondent No. 3 states that it is a Company duly incorporated on the 17th day of March, 1970, under the Companies Act, 1956 (hereinafter referred to as "**the Companies Act**"). The Respondent No. 3 is a Government Company as defined under Section 617 of the Companies Act, with its entire share capital having been subscribed wholly and exclusively by the State Government and its seven nominees.

4. The Respondent No. 3 submits that at the very outset, it is most respectfully submitted by Respondent No. 3 that unless specifically





admitted all the contentions of the Applicant in the Application may kindly be treated as specifically denied by Respondent No. 3.

5. The Respondent No. 3 states that the present Application filed by the Applicant is totally false, misconceived and not maintainable in law. Also, facts put forth by the Applicant in the present Application are misleading. Moreover, the Applicant has not approached this Hon'ble Tribunal with clean hands and therefore does not deserve any equitable consideration from this Hon'ble Tribunal.
6. The present Application is nothing but a baseless attempt on the part of the Applicant and in reply to the instant Application, Respondent No. 3 submits that the Applicant by filing the instant I.A. is deliberately seeking to implead himself in the present O.A., which was initiated by the Principal Bench of this Hon'ble Tribunal on its own motion based upon a newspaper report of deaths of 7 Lesser Flamingos near DPS surrounding area in Navi Mumbai as mentioned in para (6) of the I.A. The Respondent No. 3 is confining this affidavit only to the incident of the death of 7 Lesser Flamingos which is the subject matter of the present O.A.



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7. The Respondent No. 3 states that by filing the instant I.A. the Applicant is trying to raise several issues which are irrelevant to the subject matter of the present O.A., under the guise of application for impleading the Applicant. Although the IA is styled as an application for impleading the Applicant, other issues such as dumping of earth and soil causing obstruction to free flow of tidal sea water, disturbance to Flamingo habitat, non-compliance with conditions imposed by the MoEF and CC in construction of a jetty, handing over the "satellite wetlands" to the Forest Department, etc. The Respondent No. 3 states that the alleged aforementioned issues are not the subject matter of the present O.A. and hence cannot be considered in the I.A. filed by the Applicant. The Respondent No. 3 further states that, several issues raised by the Applicant in the I.A. are sub judice before various courts.

8. The Respondent No. 3 most respectfully states that, the issues raised by the Applicant, can and ought to be raised in a separate O.A. The Respondent No. 3 also states that, the Applicant cannot raise such alleged other issues under the in the disguise of an application for impleading a party as an applicant, when the Hon'ble Principal Bench of this Hon'ble Tribunal has taken a *suo motu* cognizance in the present O.A. which is only related to the death of 7 Flamingo



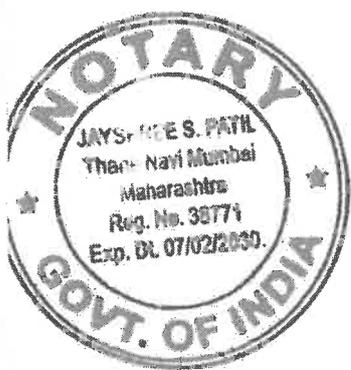
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birds. Therefore, for this reason alone, the instant I.A. deserves to be dismissed in limine.

9. The Respondent No. 3 further states that, issue of handing over mangrove bearing areas currently owned by and in possession of Respondent No. 3 and such other authorities is presently under consideration of the Hon'ble High Court at Bombay in PIL No. 14 of 2021 filed by a NGO, Vanashakti. Similarly, the issue of declaration of the wetlands at Panje-Dongri to be a Protected Area under the Wildlife (Protection) Act 1972 is also pending in another PIL filed by NGO Vanashakti. Therefore, Respondent No. 3 wishes not to address any of the said issues in reply to the instant I.A. However, the Respondent No. 3, without any prejudice, most respectfully submits that since the issue of declaration of wetlands is still pending before the High Court, the said land cannot be considered as a wetland and a natural habitat of the flamingos.

10. The Respondent No. 3 states that, the State Government of Maharashtra has by a GR dated 05/07/2024 constituted a committee for protection of flamingos and their habitat in the DPS Lake area in Navi Mumbai and Respondent No. 3 is also a member of the said committee which is formed under the Chairmanship of Principal

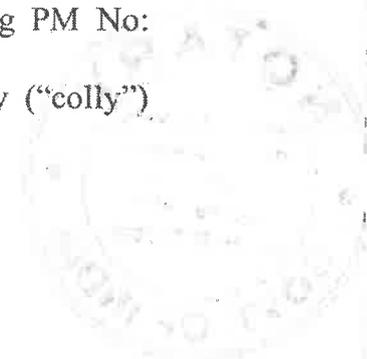


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Secretary of Forest. A copy of the said GR dated 05/07/2024 is annexed herewith and marked as Exhibit -01. The Respondent No. 3 further states that, at the second meeting of the said committee held on 23/09/2024 various measures for protection of the flamingos were discussed and outlined. The report of the said committee is already placed on record by the Applicant as well as the Respondent No. 1, and therefore, for the sake of brevity, Respondent No. 3 craves the leave of this Hon'ble Tribunal to refer and rely on the contents of the same, as and when necessary.

11. The Respondent No. 3 further states that, the incident of death of six flamingos seems to have occurred on 25/04/2024 at 06:30 AM as evident from the Necropsy Report of the Maharashtra Animal & Fishery Sciences University's Department of Veterinary Pathology, Mumbai Veterinary College, Parel, Mumbai – 12. On the bare perusal of the said reports it becomes evident that the said flamingos died due to cardiorespiratory failure and not due to any civil work being carried out by the Respondent No. 3, and hence the cause of death of flamingos is not attributable to the Respondent No. 3. Copies of Necropsy Reports dated 25/04/2024 bearing PM No: 53/24 to 58/24 are annexed herewith and collectively ("colly") marked as Exhibit -02.





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(B) WITHOUT PREJUDICE TO THE PRELIMINARY
OBJECTIONS STATED ABOVE, RESPONDENT NO. 3'S
REPLY ON MERITS TO THE INSTANT I.A. IS AS
FOLLOWS

12. The Respondent No. 3 states that it has developed a significant and comprehensively planned Nerul Node under its Development plan of Navi Mumbai. The subject land parcel under consideration is located in Sector-52 at Nerul Node and falls in the residential zone as per sanctioned Navi Mumbai Development Plan of CIDCO modified upto June 2021 by the state government while preparing the development plan of Navi Mumbai. Respondent No. 3 had taken into consideration the topography of the land and the natural flora and fauna present at the site and accordingly had earmarked various land use zoned. The average ground level at Navi Mumbai is lower than the creek water level at the High Tide and hence Respondent No. 3 has adopted the dutch method of reclamation to prevent flooding of water and water logging in the area. However, the Respondent No. 3 states that, in some areas such water logging or flooding is inevitable because of its geographical location.



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13. The Respondent No. 3 states that, said land parcel in sector-52, Nerul is adjoining to the creek and is separated by the bund road (Kaccha) land parcel. The Chief Hydrographer of India has delineated the High Tide Line ("HTL"). Based on this HTL, Coastal Zone Management Plan ("CZMP") prepared for Navi Mumbai and approved by the Ministry of Environment and Forest ("MoEF") in 1996. As per the approved CZMP, a small portion of land was affected by CRZ-II and as per CRZ Notification 1991, development was permitted on the landward on the side of the existing road. A copy of approved CZMP – 1996 is annexed herewith and marked as Exhibit -03

14. The Respondent No. 3 states that, MoEF & CC has approved the CZMP 2019 for the Navi Mumbai area, and as per CRZ notification-2019, a very small portion of the said land parcel in Sector-52, Nerul is affected by CRZ as per the approved CZMP-2019. The Respondent No. 3 states and it is pertinent to note that the said land parcel is not part of any creek, wetland, backwater or designated as per environmentally / ecologically sensitive area under any prevailing rules, acts or orders. The said land parcel is on landward side of HTL and hence the same is not the part of the creek.





15. The Respondent No. 3 states that there is a landmark housing complex (NRI) adjacent to the said land parcel. Taking into consideration the present status of the adjoining lands, the balance area to the development in sector-52 cannot be construed to be a natural lake a water body. The Respondent No. 3 most respectfully states that, the land mentioned in IA as DPS lake is not a natural lake / revenue lake and is also not a part of storm water drainage system. The said land parcel was earlier used for salt production i.e. salt pan as per revenue record i.e. 7/12 extract. A copy of the 7/12 extract of the said land is annexed herewith and marked as Exhibit -04.

16. The Respondent No. 3 most respectfully states that, the definition of wetland mentioned in wetland Rules 2017 is as follows -
 “A wetland means as area of Marsh, Ten peatland or water whether natural or artificial, permanent or temporary, within 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 purpose and structures specifically constructed for aquaculture and salt



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production.” Therefore, it is evident that salt production land is not considered as wetland in Wetland Rules, 2017.

17. The Respondent No. 3 states that the airport operation of Navi Mumbai International Airport (“NMI”) vide their letters – NMIAL Letter No. MIAL/DIR/(OP)/200/2015/267 dated 18/12/2024, NMIAL Letter No. NMIAL / CIDCO/GEN/0362 dated 16/05/2020, and NMIAL/CIDCO/GEN/0989 dated 25/09/2024 have conveyed to Respondent No. 3 about the necessity of not developing a bird section sanctuaries in the area in vicinity of NMIAL area Training Ship Chanakya (“TSC”) because the location is to the western approached path of NMIA runway and they also come within the Inner Horizontal Surfaces (“IHS”) of NMIA. The Respondent No. 3 states and it is pertinent to note that the land mentioned in instant Application in sector-52 Nerul lies between the Airport and Delhi Public School (“DPS”). Copies of the said letter dated 18/12/2024, 19/05/2020 and 25/09/2024 are annexed herewith and marked as Exhibit -05, Exhibit -06, and Exhibit -07 respectively.

18. The Respondent No. 3 states that, it is informed by the airport operator that these locations are in close proximity of NMIA and should be made unattractive for birds and wild life as the





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concentration of birds in these location pose threat to the aircraft operations, and the bird strike / threat issue needs to be mitigation and resolved much before the airport operation commences at NMIA, as part of DGCA and I CAO guidelines for wildlife Hazard Reduction management at airport. The airport operation has further requested the Respondent No. 3 to peruse the matter with government authorities for not to designat these sites as wildlife conservation sites in any form.

19. In Pursuance to NMIA operation objection in the part, Respondent No. 3 vide letter No. CIDCO / MD/ 250/ dated 25/01/2016 have brought to the attention of the revenue and forest department of Government of Maharashtra, that the proposed bird sanctuary would create a bird hazard to the airport as these locations are very close to the take-off funnel of NMIA. A copy of Respondent No. 3's letter dated 25/01/2016 is annexed herewith and marked as Exhibit -08. The Respondent No. 3 stated that BNHS had also warned about the possibility of bird strikes on the Airplane upon declaration of a bird sanctuary in the vicinity. It is pertinent to note that National board of wild life in its 34th meeting held on 2nd June 2015 considered Respondent No. 3's request to waive the condition for development of bird sanctuary in the mangroves park near



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NMIA as per the wiid life clearance and has waived this condition in view of human safety. A copy of letter dtd. 30/06/2015 with respect to 34th meeting held on 2nd June 2015 is annexed herewith and marked as Exhibit -09. In view of the above circumstances, the Respondent No. 3 had then requested the Government of Maharashtra, to immediately withdraw any such proposal of declaring a bird sanctuary near the Navi Mumbai International Airport.

20. In the above context it is pertinent to mention here that the major newspaper like The Indian Express and Times of India had reported that 39 flamingos found dead at different location of Ghatkopar (E) as their flock was hit by the Emirates plane (Dubai – Mumbai flight). The pilot of the flight reported the bird strike to the Air Traffic control official of the Mumbai Airport after landing at 9:15 pm on 20th may 2024. It is fortunate that no crashing of flight happened in this incidence. Hence to prevent the occurrence of such incidence in future during operations at the proposed Navi Mumbai International Airport (“NMIA”) it is necessary that the location in close proximity of NMIA should not be declared as bird sanctuary as they would pose threat to aircraft operation at NMIA However, such location may be identified beyond the city limits of Navi

NOTARY
JAYSHREE S. PATIL
Thane Navi Mumbai
Maharashtra
Reg. No. 33771
Exp. Dt. 07/02/2030.
GOVT. OF INDIA

NOTARY



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Mumbai. A copy of news article from The Indian Express dtd. 21/05/2024 annexed herewith and marked as Exhibit -10.

21. The Respondent No. 3 states that the said location in Nerul is behind the Seawoods Estate residential complex, which is very near to the take-off funnel of Navi Mumbai International Airport. The proposed Bird sanctuary which would create a bird hazard for the airport, will prove to be a major deferent to development of Navi Mumbai Airport. The BNHS in its report also warned about the possibility of bird strikes at the airport upon declaration and conservation of the land as a bird sanctuary in the vicinity. The Board of Wild Life in its 34th Meeting held on 2nd June 2015, considered Respondent No. 3's requested to waive the condition for development of bird sanctuary in the mangroves park near NMIA as per the wild life clearance and waived this condition in view of Human safety.

22. It is well established from correspondence of forest Department that the site of NRI – TSC off palm beach Road, Nerul, being in close proximity to the Navi Mumbai International Airport, it is not advisable to be considered a Bird Sanctuary as the same also poses risk from the aviation safety point of view. The forest officials have noted that the national board of wild life in its 34th meeting held on



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2nd June 2015 have considered CIDCO's request to waive the condition for development at Bird Sanctuary in the Mangrove Park near NMIA as per the wild life clearance and waived This Condition in view of human safety. They have taken cognizance of the study done by BNHS that development of Mangroves Park near airport would attract birds. The forest Department earlier by letter dated 03/03/2016 has rightly considered the fact that it is not prudent to notify the land near DPS on palm beach road as a bird sanctuary.

23. The Respondent No. 3 states that the Ministry of Environment and Forests, Government of India granted Environment and CRZ clearance to Maharashtra State Road Development Corporation Limited ("MSRDC") for Nerul Jetty Project on 07/05/2013. Further MoEF & CC, Govt. of India has granted transfer of Environment & CRZ clearance to MMB and MMB issued NOC for the same to Respondent No. 3 respectively.

24. Further, the Ministry of Environment, Forest and Climate Change, Government of India has granted Forest clearance approval for the Nerul Jetty project on 13/02/2018. A copy of the clearance approval is annexed herewith and marked as Exhibit -11. It is pertinent to mention here that the construction of the jetty was completed following all the terms and conditions of the Government's



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approved proposal dated 13/02/2018. According to the approval received, the entire structure of the jetty is built on a bridge (stilt), as such the construction of Nerul Jetty has not obstructed the flow of water as wrongfully alleged by the Applicant in its application. The Respondent No. 3 also states and it is also pertinent to note that, on inspection of Google images and actual site inspection, it is indicated that there was no pipe connection connecting the Pocket C / (DPS) surrounding area and creek on the south side, nor was any pipe laid on the main road in the past before construction of Nerul Jetty. There for the Applicants allegation that free flow of the creek water was obstructed by the construction of the Jetty, which in - turn caused harmed or death of Flamingos is entirely, baseless, frivolous, concocted and holds no water. Copies of the google images are annexed herewith and marked as Exhibit -12.

In the aforesaid circumstances, I on behalf of Respondent No. 3 say and submit that the instant application may be rejected and dismissed with exemplary costs and appropriate order may be passed by this Hon'ble Tribunal.



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VERIFICATION

I, Gokul Madan Rathod, the authorized representative of Respondent No. 3, Age - 50 Years, Occupation- Service in Charge Executive Engineer (Vashi) Office At – CIDCO Ltd. Old Administrative Building. Sector – 1 Vashi Navi Mumbai, after verifying all the records do hereby state on the solemn affirmation that whatever is stated hereinabove is true and correct to the best of my knowledge and information. Affirmed and signed on this 05 Day of March, 2025.



Rathod

Gokul Madan Rathod
Service In-Charge Executive Engineer
For, Respondent No. 3
CIDCO
Executive Engineer (Vashi)
Cidco Of Maharashtra Ltd
1st Floor, Old Administrative Bldg.,
Sector 1, Vashi, Navi Mumbai-400703

BEFORE ME

J. Patil

JAYSHREE S. PATIL
ADVOCATE & NOTARY
GOVT. OF INDIA
88-4/273, Xerox Lane,
Sec-2, Vashi, Navi Mumbai.

05 MAR 2025



This document is noted and
Registered at Sr. No. 241
Page No. 27 Reg. Book No. 1
dated on

05 MAR 2025

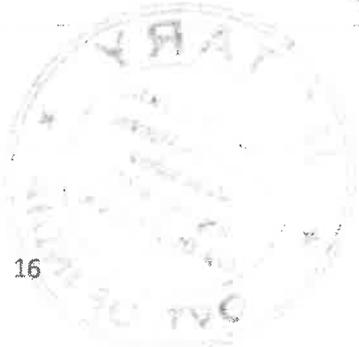


Exhibit - 01.

नेरुळ येथील फ्लेमिंगो पक्ष्यांचा नैसर्गिक अधिवास आणि कांदळवनांचे संरक्षण करण्याकरीता समिती गठीत करण्याबाबत

महाराष्ट्र शासन

महसूल व वन विभाग

शासन निर्णय क्रमांक :- विसता ०६.२४/प्र.क्र. ११/फ-१

मंत्रालय, मुंबई.

दिनांक :- ०५.०७.२०२४.

प्रस्तावना :-

नवी मुंबई मधील नेरुळ सीवूड्स येथील डीपीएस तलावाजवळ फ्लेमिंगो पक्ष्यांचा मृत्यु झाल्याची घटना विचारात घेता तसेच सदर क्षेत्रामध्ये आढळून येणारे फ्लेमिंगो पक्ष्यांचे वास्तव्य पाहता त्याचा नैसर्गिक अधिवास सुरक्षित करणे तसेच आसपासच्या परिसरातील कांदळवनांचे संरक्षण करण्यासाठी उपाययोजना करणे आवश्यक आहे. या अनुषंगाने सदर क्षेत्रात करावयाच्या उपाययोजनांबाबत अभ्यास करण्याकरीता समिती गठीत करण्याची बाब शासनाच्या विचाराधिन होती.

शासन निर्णय :-

नेरुळ येथील फ्लेमिंगो पक्ष्यांचा नैसर्गिक अधिवास आणि कांदळवनांचे संरक्षण करण्याच्या अनुषंगाने उपाययोजना सुचविण्यासाठी संबंधित विभागाचे अधिकारी व अज्ञासकीय सदस्य यांचा समावेश करून खालीलप्रमाणे समिती गठीत करण्यात येत आहे.

१	प्रधान सचिव (वने)	अध्यक्ष
२	प्रधान सचिव (पर्यावरण), पर्यावरण व वातावरणीय बदल विभाग	सदस्य
३	प्रधान सचिव (नगर विकास-१) नगर विकास विभाग	सदस्य
४	व्यवस्थापकीय संचालक, सिडको	सदस्य
५	आयुक्त, नवी मुंबई महानगर पालिका	सदस्य
६	मुख्य कार्यकारी अधिकारी, महाराष्ट्र मॅरीटाईम बोर्ड	सदस्य
७	जिल्हाधिकारी, ठाणे	सदस्य
८	श्री. प्रविण परदेशी, अध्यक्ष, बी.एन.एच.एस.	सदस्य
९	अपर प्रधान मुख्य वनसंरक्षक (कांदळवन कक्ष)	सदस्य सचिव

कार्यकक्षा:

- १) डीपीएस तलाव येथील फ्लेमिंगो पक्ष्यांचा नैसर्गिक अधिवास सुरक्षित करण्याकरीता व्यवस्थापन आराखडा तयार करून घेणे व त्यातील उपाययोजनांची अंमलबजावणी करण्याच्या दृष्टीने शिफारस करणे.
- २) डीपीएस तलावाच्या आसपासच्या परिसरातील कांदळवन क्षेत्राचे संवर्धन करण्याकरीता शिफारस करणे.
- ३) मुंबई व ठाणे क्षेत्रातील कांदळवनाच्या क्षेत्रावर होणाऱ्या अतिक्रमणाचा अभ्यास करून कांदळवन संरक्षणासंबंधी शिफारस करणे.

सदर समिती दोन महिन्यांच्या आत आपला अहवाल शासनास सादर करेल.

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भारतम विनियम क्रमांक विसता ०६,२४/प्र.क्र. ११/फ-१

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सर्व शासन निर्णय महाराष्ट्र शासनाच्या कार्यालय वेळापत्रकात या संकेतस्थळावर अपलब्ध करण्यात आला असून त्याचा संकेतांक २०२४०७०९१११००६४११९ असा आहे. हा आदेश डिजिटल रिकार्डरीन सांभाळून ठेवून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

SIDDESH TUKARAM
SAWARDEKAR

सिध्देश तुकाराम सावर्डेकर
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(सिध्देश सावर्डेकर)
विशेष कार्य अधिकारी
महसूल व वन विभाग

प्रत:-

- १) सर्व सन्माननीय विधान परिषद सदस्य / विधान सभा सदस्य
- २) मा. मंत्री (वने) यांचे खाजगी सचिव, मंत्रालय, मुंबई
- ३) सर्व विभागांचे अपर मुख्य सचिव/ प्रधान सचिव / सचिव मंत्रालय, मुंबई
- ४) प्रधान मुख्य वनसंरक्षक, (वनबल प्रमुख), महाराष्ट्र राज्य, नागपूर
- ५) प्रधान मुख्य वनसंरक्षक, (वन्यजीव), महाराष्ट्र राज्य, नागपूर
- ६) अपर प्रधान मुख्य वनसंरक्षक (कांदळवन कक्ष), मुंबई.
- ७) जिल्हाधिकारी, ठाणे
- ८) श्री. प्रविण परदेशी, अध्यक्ष, वी.एन.एच.एस.
- ९) निवडनस्ती, फ-१ कार्यासन, महसूल व वनविभाग, मंत्रालय, मुंबई.

True Copy
Advocate

457

Regarding the formation of a committee to protect
the natural habitat of flamingos and
mangrove forests in Nerul.

Government of Maharashtra
Revenue and Forest Department
Government Decision No. Vista 06.24/P.Kr. 11/F-1
Ministry, Mumbai.
Dated 05.07.2024.

Introduction:

Considering the incident of death of flamingos near DPS pond at Nerul Seawoods in Navi Mumbai Also, given the presence of flamingos in the area, it is necessary to protect their natural habitat and take measures to protect the mangrove forests in the surrounding area. Accordingly, the government was considering forming a committee to study the measures to be taken in this area.

Government Decision

A committee is being formed as follows, comprising officials of the concerned department and non-governmental members, to suggest measures to protect the natural habitat of flamingos and mangrove forests in Nerul.

- | | | |
|----|---|------------------|
| 1. | Principal Secretary (Forest) | Chairman |
| 2. | Principal Secretary (Environment), Department of Environment and Climate Change | Member |
| 3. | Principal Secretary (Urban Development-1)
Department of Urban Development | Member |
| 4. | Managing Director, CIDCO | Member |
| 5. | Commissioner, Navi Mumbai Municipal Corporation | Member |
| 6. | Chief Executive Officer, Maharashtra Maritime Board | Member |
| 7. | District Collector, Thane | Member |
| 8. | Mr. Pravin Pardeshi, Chairman, B.N.H.S. | Member |
| 9. | Additional Principal Chief Conservator of Forests
(Kandal Forest Cell) | Member Secretary |

Terms of Reference:

- 1) To prepare a management plan to protect the natural habitat of flamingos at DPS Lake and to make recommendations for the implementation of the measures therein.
- 2) To recommend for the conservation of the mangrove forest area around the DPS lake,
- 3) To study the encroachment on the mangrove forest area in Mumbai and Thane areas and to make recommendations regarding the protection of mangrove forest.

The committee will submit its report to the government within two months.

The said government decision has been made available on the Maharashtra Government website www.maharashtra.gov.in and its code number is 202407091110064119. This order is being issued after being authenticated with a digital signature.

By order and in the name of the Governor of Maharashtra,

(Sidhdesh Sawardekar)

Special Duty Officer

Revenue and Forest Department

To:

- 1) All Honorable Members of Legislative Council / Members of Legislative Assembly
- 2) Private Secretary to Hon. Minister (Forests), Mantralaya, Mumbai
- 3) Additional Chief Secretary / Principal Secretary / Secretary Mantralaya of all departments, Mumbai
- 4) Principal Chief Conservator of Forests, (Head of Forest Force), Maharashtra State, Nagpur
- 5) Principal Chief Conservator of Forests, (Wildlife), Maharashtra State, Nagpur
- 6) Additional Principal Chief Conservator of Forests (Kandal Forest Cell), Mumbai.
- 7) District Collector, Thane
- 8) Shri. Pravin Pardeshi, Chairman, B.N.H.S.
- 9) Elected, F-1 Office, Revenue and Forest Department, Mantralaya, Mumbai.

Exhibit - 02

459

18

No. 1000/PATH/ 48/2024

Dated: 25/04/2024



Maharashtra Animal & Fishery Sciences University
DEPARTMENT OF VETERINARY PATHOLOGY
MUMBAI VETERINARY COLLEGE, PAREL, MUMBAI-12



NECROPSY REPORT

Owner: RFO Mangrooves, New Mumbai Species: Avian (Flamingo) Age: Adult
Date of death: 25/04/2024 (6.30AM) Color: Black-white bird (1) PM No: 53/24
Date & Time of PM: 25/04/2024 (04.00 PM)
Necropsy by: Dr.P.V.Meshram, Dr.Kiran, Dr.Pavan, Dr.Yogesh, Dr.Shubhanke, Dr.Priti

History: As per the owner information, birds found dead and presented for postmortem examination.

External examination: Body condition was good. Rigor mortis was present. Ocular mucus membrane was slightly pale. Wound observed on dorsal spine. Broken feathers were noticed.

Internal examination:

Peritoneal Cavity: Multifocal hemorrhages were observed.

Respiratory System:

Trachea: Mucoïd exudates were noticed in tracheal lumen.

Lungs: Autolysed (+).

Air sac: NAD.

Circulatory System:

Pericardium: NAD.

Heart: Dark red in colour, smooth in consistency. Autolysed (+).

Digestive system:

Oesophagus: NAD

Gizzard: Found impacted with sand particles. Autolysed (+).

Proventriculus: Autolysed (+).

Intestine: Autolysed (+++).

Liver: Autolysed (+).

Lymphoid System:

Spleen: Autolysed (+).

Caecal tonsil: Autolysed (+).

Urogenital System:

Kidneys: Autolysed (++)

Cloaca: NAD.

PATHOANATOMICAL DIAGNOSIS

As most of vital organs were highly autolysed, hence "Exact cause of death of bird cannot be ascertained."

NOTE: Mild=+, Moderate=++, Severe=+++

-----End of Report-----

(3)


ASSISTANT PROFESSOR OF PATHOLOGY
Mumbai Veterinary College,
Parel, Mumbai-400 012.

460



Maharashtra Animal & Fishery Sciences University
DEPARTMENT OF VETERINARY PATHOLOGY
MUMBAI VETERINARY COLLEGE, PAREL, MUMBAI-12



No. MVC/TH/49/2024

Dated 25/04/2024

NECROPSY REPORT

Owner: RFO Mangrooves, New Mumbai Species: Avian (Flamingo) Age: Adult
Date of death: 25/04/2024 (6.30AM) Color: Black-white bird (2) PMNo: 54/24
Date & Time of PM: 25/04/2024 (04.00 PM).
Necropsy by: Dr.P.V.Meshram, Dr.Kiran, Dr.Pavan, Dr.Yogesh, Dr.Shubhankec, Dr.Priti

History: As per the owner information, birds found dead and presented for postmortem examination.

External examination: Body condition was fair. Wound was noticed on ventral abdomen. Ocular mucus membranes were pale. Femoral fracture was noticed.

Internal examination:

Peritoneal Cavity: Subcutaneously multifocal haemorrhages were observed on keel bone.

Respiratory System:

Trachea: NAD.

Lungs: Multifocal area of congestion was observed.

Air sac: NAD.

Circulatory System:

Pericardium: Congestion was noticed.

Heart: Congestion of organ was noticed on cut section. On cut section all chambers of heart were found empty.

Digestive system:

Oesophagus: Congestion was observed.

Gizzard: Impacted with sand particle.

Proventriculus: NAD

Intestine: Severely congested, haemorrhagic intestine

Liver: Firm in consistency. Edges were sharp. Agonal congestion of organ was noticed.

Haematopoietic System:

Spleen: Severe congestion was observed.

Caecal tonsil: NAD.

Urogenital System:

Kidneys: Firm in consistency. Multifocal area of congestion was noticed.

Cloaca: Congestion was observed.

PATHOANATOMICAL DIAGNOSIS

The above post mortem suggestive of "Cardiorespiratory failure" as a cause of death.

NOTE: Mild=+, Moderate=++, Severe=+++

-----End of Report-----

(A)

ASSISTANT VETERINARY PATHOLOGIST
Mumbai Veterinary College,
Parel, Mumbai - 400 012.

461

No. MV/1/STU/50/2024
Date: 30/04/2024



Maharashtra Animal & Fishery Sciences University
DEPARTMENT OF VETERINARY PATHOLOGY
MUMBAI VETERINARY COLLEGE, PAREL, MUMBAI-12



NECROPSY REPORT

Owner: RFO Mangrooves, New Mumbai Species: Avian (Flamingo) Age: Adult
Date of death: 25/04/2024 (6.30AM) Color: Black-white bird (3) PMNo: 55/24
Date & Time of PM: 25/04/2024 (04.00 PM).
Necropsy by: Dr.P.V.Meshram, Dr.Kiran, Dr.Pavan, Dr.Yogesh, Dr.Shubhankec, Dr.Priti

History: As per the owner information, birds found dead and presented for postmortem examination.

External examination: Body condition was fair. Ocular mucus membranes were pale.

Internal examination:
Peritoneal Cavity: NAD.

Respiratory System:
Trachea: NAD.
Lungs: multifocal area of congestion was observed.
Air sac: NAD.

Circulatory System:
Pericardium: Congestion was noticed.
Heart: Congested of organ was noticed on cut section. On cut section, meager amount of blood clots were noticed.

Digestive system:
Oesophagus: NAD.
Gizzard: Impacted with sand particle.
Proventriculus: NAD
Intestine: Severely congested. Hemorrhages were observed.
Liver: Firm in consistency. Edges were sharp. Agonal congestion of organ was noticed.

Lymphoid System:
Spleen: Severely congestion was observed.
Caecal tonsil: NAD.

Urogenital System:
Kidneys: Firm in consistency. Multifocal area of congestion was noticed.
Claws: Congestion was observed.

PATHOANATOMICAL DIAGNOSIS
The above post mortem suggestive of "Cardiorespiratory failure" as a cause of death.

NOTE: Mild=+, Moderate=++, Severe=+++

-----End of Report-----

5

ASSISTANT PROFESSOR OF VETERINARY PATHOLOGY
Mumbai Veterinary College
Parel, Mumbai - 400 012

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Maharashtra Animal & Fishery Sciences University
DEPARTMENT OF VETERINARY PATHOLOGY
MUMBAI VETERINARY COLLEGE, PAREL, MUMBAI-12



Dr. P.V. Meshram / PATH / 51 / 2024
Dated 25/04/2024

NECROPSY REPORT

Owner: RFO Mangrooves, New Mumbai Species: Avian (Flamingo) Age: Adult
Date of death: 25/04/2024 (6.30AM) Color: Black-white bird (4) PMNo: 56/24
Date & Time of PM: 25/04/2024 (04.00 PM).
Necropsy by: Dr.P.V.Meshram, Dr.Kiran, Dr.Pavan, Dr.Yogesh, Dr.Shubhankec, Dr.Priti

History: As per the owner information, birds found dead and presented for postmortem examination.

External examination: Body condition was fair. Ocular mucus membranes were pale. Hemorrhagic thigh muscle was observed.

Internal examination:

Peritoneal Cavity: subcutaneously Multifocal haemorrhages were observed.

Respiratory System:

Trachea: NAD.

Lungs: Multifocal area of red hepatisation was observed. Multifocal area of congestion was observed.

Air sac: NAD.

Circulatory System:

Pericardium: Congestion was noticed.

Heart: Congested of organ was noticed on cut section. On cut section, meager amount of blood clots were noticed.

Digestive system:

Oesophagus: NAD.

Gizzard: Impacted with sand particle.

Proventriculus: Hemorrhages were noticed.

Intestine: Severely congested.

Liver: Firm in consistency. Edges were sharp. Agonal congestion of organ was noticed.

Lymphoid System:

Spleen: Severely congestion was observed.

Caecal tonsil: NAD.

Urogenital System:

Kidneys: Firm in consistency. Multifocal area of congestion was noticed.

Cloaca: NAD.

PATHOANATOMICAL DIAGNOSIS

The above post mortem suggestive of "Cardiorespiratory failure" as a cause of death

NOTE: Mild=+, Moderate=++, Severe=+++

-----End of Report-----

6

ASSISTANT PROFESSOR OF PATHOLOGY
Mumbai Veterinary College,
Parel, Mumbai - 400 012



Maharashtra Animal & Fishery Sciences University
DEPARTMENT OF VETERINARY PATHOLOGY
MUMBAI VETERINARY COLLEGE, PAREL, MUMBAI-12



Date: 25/04/2024
Dated: 25/04/2024

NECROPSY REPORT

Owner: RFO Mangrooves, New Mumbai Species: Avian (Flamingo) Age: Adult
Date of death: 25/04/2024 (6.30AM) Color: Black-white bird (5) PMNo: 57/24
Date & Time of PM: 25/04/2024 (04.00 PM).
Necropsy by: Dr.P.V.Meshram, Dr.Kiran, Dr.Pavan, Dr.Yogesh, Dr.Shubhankee, Dr.Priti

History: As per the owner information, birds found dead and presented for postmortem examination.

External examination: Body condition was fair. Ocular mucous membranes were pale. Hemorrhagic thigh muscle was observed.

Internal examination:

Peritoneal Cavity: subcutaneously multifocal haemorrhages were observed.

Respiratory System:

Trachea: NAD.

Lungs: Multifocal area of congestion was observed.

Air sac: NAD.

Circulatory System:

Pericardium: Congestion was noticed.

Heart: Congested of organ was noticed on cut section. On cut section, meager amount of blood clots were noticed.

Digestive system:

Oesophagus: NAD.

Gizzard: Impacted with sand particle.

Proventriculus: Focal areas of hemorrhages were noticed.

Intestine: Severely congested.

Liver: Firm in consistency. Agonal congestion of organ was noticed.

Lymphoid System:

Spleen: Severely congestion was observed.

Caecal fossil: NAD.

Urogenital System:

Kidneys: Firm in consistency. Multifocal area of congestion was noticed.

Cloaca: NAD.

PATHOANATOMICAL DIAGNOSIS

The above post mortem suggestive of "Cardiorespiratory failure" as a cause of death

NOTE: Mild=+, Moderate=++, Severe=+++

-----End of Report-----

(7)

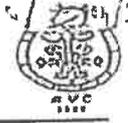
ASSISTANT PROFESSOR OF PATHOLOGY
Mumbai Veterinary College

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No. IN 11/53/2024
Dated 05/04/2024



Maharashtra Animal & Fishery Sciences University
DEPARTMENT OF VETERINARY PATHOLOGY
MUMBAI VETERINARY COLLEGE, PAREL, MUMBAI-12



NECROPSY REPORT

Owner: RFO Mangrooves, New Mumbai Species: Avian (Flamingo) Age: Adult
Date of death: 25/04/2024 (6.30AM) Color: Black-white bird (6) PMNo: 58/24
Date & Time of PM: 25/04/2024 (04.00 PM).
Necropsy by: Dr.P.V.Meshram, Dr.Kiran, Dr.Pavan, Dr.Yogesh, Dr.Shubhanke, Dr.Priti

History: As per the owner information, birds found dead and presented for postmortem examination.

External examination: Broken body parts with severe decomposition were noticed.

Internal examination:

Peritoneal Cavity: Autolysed (+++).

Respiratory System:

Trachea: Autolysed (+++).

Lungs: Autolysed (+++).

Air sac: Autolysed (+++).

Circulatory System:

Pericardium: Autolysed (+++).

Heart: Autolysed (+++).

Digestive system:

Oesophagus: Autolysed (+).

Gizzard: Autolysed (+++).

Proventriculus: Autolysed (++).

Intestine: Autolysed (+++).

Liver: Autolysed (+++).

Lymphoid System:

Spleen: Autolysed (+++).

Caecal tonsil: Autolysed (+++).

Urogenital System:

Kidneys: Autolysed (+++).

Cloaca: Autolysed (+++).

PATHOANATOMICAL DIAGNOSIS

As most of vital organs were highly autolysed, hence "Exact cause of death of bird cannot be ascertained."

NOTE: Mild=+, Moderate=++, Severe=+++

-----End of Report-----

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ASSISTANT PROFESSOR OF PATHOLOGY
Mumbai Veterinary College,
Parel, Mumbai-400 012.

Exhibit - 03

2465



APPROVED C2MP - 1996

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Exhibit - 05



No.MIAL/DIR.(U.P.)200/2015/265

8th December,2015

To,
Managing Director
City & Industrial Development Corporation of Maharashtra Ltd (CIDCO)
CIDCO Bhavan, 2nd Floor,
Belapur (CBD)
Navi Mumbai - 400 814.

Sub : Newspaper Articles on "3 Bird Sanctuaries to come up around city".

Sir,

This is to invite your immediate attention to a recent news item published in the newspapers between 5th to 7th Dec' 2015 on the above cited subject.

As per the newspaper reports, State Wild Life Board has cleared creation of three bird sanctuaries including one at TSC-NRI Wetlands off Palm Beach Road and other at Panje-Funde near Uran in Navi Mumbai area.

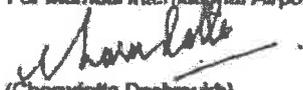
While we appreciate that this is a positive step for conservation of ecology & wildlife, we are concerned as the proposed bird sanctuary at Palm Beach Road is in close proximity to the Navi Mumbai Airport Project site and may lead to environment related issues in future. The proposed bird sanctuary at Palm Beach Road shall be in the flight path of Navi Mumbai Airport, and is of major concern and may impact the development of the Navi Mumbai Airport.

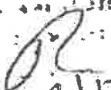
We sincerely request CIDCO to take up the matter on priority with concerned authorities, and initiate steps to resolve the matter of proposed bird sanctuary at Palm Beach Road.

Thanking you,

Yours faithfully

For Mumbai International Airport Pvt. Ltd


(Charudatta Deshmukh)
Director - Urban Planning

CIDCO LTD.
Mumbai
Date: 09/12/15
Sign: 



Mumbai International Airport Pvt Ltd
Chhatrapati Shivaji International Airport
1st Floor, Terminal 1B, Santacruz (E), Mumbai 400 099, India
T-91 22 6685 2200 F +91 22 6685 2059
www.csta.in

ENERGY
AIRPORTS
TRANSPORTATION
REALTY
HOSPITALITY
LIFE SCIENCES

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Exhibit - 06

201
c/c



GVK

Date: 16th May 2020

Ref: NMIAL/CIDCO/GEN/03

Shri. Lokesh Chandra, I.A.S.
Vice Chairman and Managing Director
City & Industrial Development Corporation of Maharashtra Ltd. (CIDCO)
2nd Floor, CIDCO Bhavan, CBD-Belapur,
Navi Mumbai - 400 614.

Subject: Bird Threat to Navi Mumbai International Airport (NMIA) & Recommendations of Bombay Natural History Society in its 2019 Report submitted to CIDCO

Ref: Report of Bombay Natural History Society submitted to CIDCO on 'Baseline Documentation of Flora and Fauna of Karnala Bird Sanctuary (KBS) and Navi Mumbai International Airport (NMIA) Project Area for Preparation of Conservation and Preservation Plan, 2019'.

Sir,

In view of expected threat of bird strikes to operation of Navi Mumbai International Airport, the adjoining areas of NMIA need to be made unattractive for the birds & wildlife. Therefore, bird sanctuaries on the Arabian coast and in the mangroves need to be planned away from approach path and airspace of NMIA. Bombay Natural History Society (BNHS) in its referenced report of 2019 on the subject submitted to CIDCO has suggested sites located near Panje-Funde villages of Uran Taluka near JNPT, more than 10 km south of NMIA to be reserved as Bird Sanctuaries, as shown in enclosed **Annexure-1**. Apart from this site near Panje- Funde villages, BNHS has suggested the two existing sites near TS Chanakya and NRI Lake to be protected and improved. The key recommendations of BNHS in its report, reproduced below, need to be implemented by CIDCO (except those related to NRI complex, Delhi Public School Training Ship Chanakya), to ensure safe aircraft operations at NMIA.

"We strictly suggest that CIDCO should protect and conserve following biologically important habitats,

- A. *Wetland - NRI (Non-resident Indian) complex, Delhi Public School (DPS), Training Ship Chanakya (TSC), Panje, NSPS (Nava Sheva Police Station) and Jasai where large aggregations of birds are observed.*
- B. *Key links and corridors in the landscape identified in this study.*
- C. *Karnala Bird Sanctuary and notified Ecological Sensitive Zones.*

Maintaining the current state of this landscape especially wetlands and Protected Areas is absolutely essential for the air safety of upcoming Navi Mumbai International Airport (NMIA). Any changes in the current state of these areas will result into more erratic movement of the birds in the landscape between feeding and roosting sites and will jeopardise the air safety of NMIA."

In related development, in January 2020 Maharashtra Coastal Zone Management Authority (MCZMA) published Draft Coastal Zone Management Plan (CZMP) of Mumbai City & Mumbai Suburban District for inviting suggestions/objections from public. Critical issues for NMIA in Draft CZMP are as under:

Navi Mumbai International Airport Pvt Ltd
Address for correspondence
11th Floor, V Towers Square, Plot no 3 Sector 15, CBD Belapur, Navi Mumbai - 400614 India
T: +91 22 64519500

Page 2 of 2

Registered Office
Chhatrapati Shivaji Maharaj International Airport, 1st Floor, Terminal B, Santacruz - Mumbai - 400 099 India
T: +91 22 6448 9900 (MIA) 0911

CRM - DASZOCM200/PTE/189/14

11/05/20
11/05/20
11/05/20
11/05/20
11/05/20

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Exhibit - 07

973

adani

Navi Mumbai
International Airport

Ref: NMIAL/CIDCO/GEN/0989

25th September, 2024

Ms. Geetha Pillai,
Chief General Manager (Transportation & Airport),
City & Industrial Development Corporation of Maharashtra Limited
CIDCO Bhavan, CBD Belapur,
Navi Mumbai - 400 614.

Sub : Bird Threat to operations at Navi Mumbai International Airport (NMIA).

Ref : 1) NMIAL's letter No. MIAL/DIR.(U.P.)/200/2015/265 dated 8.12.2015.
2) NMIAL's letter No. NMIAL/CIDCO/GEN/0362 dated 16.5.2020.

Madam,

This is in continuation to the above cited letters from NMIAL to CIDCO, on the subject (copies enclosed for reference).

NMIAL has time and again conveyed to CIDCO on the need to make areas in vicinity of NMIA to be made unattractive for birds and wildlife. This includes the locations near NRI Complex, Delhi Public School and Training Ship Chanakya in at Nerul/Seawoods area of Navi Mumbai.

NMIAL requests CIDCO to kindly escalate this issue with concerned departments of Government of Maharashtra as the said locations at NRI Complex, Delhi Public School and Training Ship Chanakya are close to western approach of NMIA runways, and they come within the Inner Horizontal Surfaces (IHS) of NMIA. Presence of birds and wildlife at these locations may pose a threat to aircraft operations at NMIA. Therefore, designating these sites for wildlife conservation in any form needs to be avoided.

NMIAL requests CIDCO to kindly initiate steps to identify alternate sites for avian fauna and wildlife conservation elsewhere in Navi Mumbai/MMR, away from NMIA.

Thanking you.

Yours faithfully,
For Navi Mumbai International Airport Pvt. Ltd.

(Charudatta Deshmukh)
Jt. President - Planning & Design.

Enclosures :

- 1) NMIAL's letter No. MIAL/DIR.(U.P.)/200/2015/265 dated 8.12.2015.
- 2) NMIAL's letter No. NMIAL/CIDCO/GEN/0362 dated 16.5.2020.

Navi Mumbai International Airport Pvt Ltd
C17, New Project Office, Near Ulwe Ganthan Bus Stop
Amara Marg, Ulwe
Navi Mumbai 411 206
Maharashtra, India

Ph +91 22 6851 9500

CIN: UN45209MH2007PTC169174

Registered office: Office of the Airport Director, Terminal 1 B, NSAI Airport, Santacruz Mumbai 400 099, Maharashtra, India.

Exhibit - 08

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Sanjay Bhatia I.A.S.
Vice Chairman & Managing Director



सरिय
(दने)
क्रमांक: १९४७०
दिनांक: २२.१९

CIDCO/MD/ 250

January 25, 2016.

Sub: Declaration of Bird Sanctuary in Nerul Navi Mumbai

Dear *Vikas,*

It has been brought to our notice that the State Government is proposing three locations in Navi Mumbai as bird sanctuaries, two in Nerul and one in Dronagiri Node

The proposed locations in Nerul, behind the Seawoods Estate residential Complex, is very near to the take off funnel of Navi Mumbai International Airport. The proposed bird sanctuary, which would create a bird hazard for the airport, will prove to be a major deterrent to development of the Navi Mumbai Airport. BNHS, in its report had also warned about the possibility of bird strikes at the airport upon declaration of a bird sanctuary in the vicinity. The prospective bidders of NMIA have already expressed concerns about this proposal. The proposed Bird Sanctuary at Dronagiri is also within the circling area of Navi Mumbai International Airport and major development works are in progress in the township.

Please note that National Board of Wild Life, in its 34th meeting held on 2nd June 2015 considered CIDCO's request to waive the condition for development of bird sanctuary in the mangrove park near NMIA as per the Wild Life clearance and waived this condition in view of human safety.

In view of the above you are requested to immediately withdraw any such proposal of declaring a bird sanctuary near the Navi Mumbai International Airport.

With regards,

4/25/16
[Signature]

Yours sincerely
[Signature]
(Sanjay Bhatia)

PR
Stamine &
Push up
[Signature]

Shri Vikas Kharage
Secretary (Forests)
Revenue & Forests Dept
Govt of Maharashtra
Mantralaya, Mumbai 400 032.

City & Industrial Development Corporation of Maharashtra Ltd.

(A Government of Maharashtra Undertaking)

Regd. Office: Nirmai, 2nd Floor, Nariman Point, Mumbai - 400 021 • Tel: 022 - 2202 8665, 2202 1155 • Fax: 022 - 2202 2509.
Head Office: CIDCO Bhavan, CBD Belapur, Navi Mumbai - 400 614 • Tel: 022 - 6792 8211, 2757 1547 • Fax: 022 - 2756 2129.
Email: rad@cidco.maharashtra.gov.in • www.cidco.maharashtra.gov.in

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Exhibit - 09

F.No.6-48/2015 WL (34th Meeting)
Government of India
Ministry of Environment, Forests & Climate Change
Wildlife Division

Indira Paryavaran Bhawan
Jor Bag Road, Aliganj
New Delhi-110003
Dated: 30.06.2015.

The Principal Secretary (Forests)
Department of Forests
Government of Maharashtra
Manatralaya Mumbai
Nagpur-400032.

Sub: Minutes of the 34th Meeting of Standing Committee of NBWL.

Sir,

During the 34th Meeting of Standing Committee of NBWL held on 2nd June 2015 under the Chairmanship of Hon^{ble} Minister of State (Independent Charge) for Environment, Forests and Climate Change, the following proposals pertaining to your State were considered. The relevant portion of the decision taken in respect of the proposals is reproduced below:

"1. *Proposal for rationalisation of the boundary for Maldhok Bird Sanctuary, Maharashtra.*

The Member Secretary informed the Committee that the state government had conveyed that it had decided to adhere to the earlier proposal of rationalising boundaries of the Maldhok Bird Sanctuary.

Dr. H. S. Singh suggested that the Ministry must take concrete steps to conserve Great Indian Bustard (GIB) before deciding on the rationalisation proposals. He added that Ministry should prepare an integrated plan for breeding and conservation of GIB covering the States of Gujarat, Maharashtra and Rajasthan. The Project may be funded from CAMPA and must be submitted immediately and action must start on it before it is too late.

Member Secretary informed that an action plan is already in place and action on this plan is on way in the states. The chair suggested that the states take a holistic view of GIB conservation and also suggested to WII to provide inputs in preparing an integrated scheme for GIB conservation plan in consultation with Rajasthan, Gujarat and Maharashtra. After discussions, the committee asked the Ministry to prepare integrated GIB conservation plan within a month and propose rationalisation based on the requirement of the conservation plan.

2. *Navi Mumbai International Airport (NMIA): Amendment to condition (iv) of the recommendation of SC-NBWL (8.5 km from Karnala WL sanctuary)*

The member secretary briefed the Committee on the representation of CIDCO seeking waiver of the condition (iv), stipulated by SC-NBWL, to declare adjoining NMIA area as mangrove sanctuary. He added that Govt. of Maharashtra had also recommended the CIDCO's request basing it on the BNHS study. The said study has stated that adjoining NMIA site should be made unattractive to birds in view of aircraft safety, human safety and airport safety.

Director, WII explained the case with an identical case of Brisbane Airport and emphasized that the air ports adjoining the mangroves should be made unattractive to birds.

After discussions, the Standing Committee recommended to waive the aforesaid condition in view of human safety and considering that Government of Maharashtra's decision to declare alternative site, namely, Thane Creek as Flamingo Sanctuary for conservation.

Contd...2

3. *Widening of existing 2 lane to 4 lane divided carriageway for Panvel-Indapur (Km 0.000 to km.84.000) section of NH-17 in the State of Maharashtra. Proposal for diversion of land within sanctuary and the eco-sensitive zone.*

The member secretary briefed the committee on the proposal and its rejection by SC-NBWL in its 1st meeting held on 22nd December 2009 and also in its 29th meeting held on 6th June 2013 (submitted for diversion of 1.65 ha of sanctuary area). The proposal involves diversion of forest land within and outside (ESZ) of the Karnala bird sanctuary. In both these meetings, SC-NBWL had advised NHAI to take alternative alignment outside the sanctuary. In the 31st meeting of SC-NBWL held on 12-13th August 2014, the proposal had been recommended for outside sanctuary area (within 10 km from boundary of sanctuary) by the SC-NBWL, with conditions stipulated by SBWL, that restricted the widening upto 1 km distance, on both sides, from the boundary of sanctuary area.

Now, a copy of the earlier proposal has been resubmitted for reconsideration with the recommendation of State Government for permitting widening within the Karnala Bird Sanctuary. The State Government has mentioned that the stretch of 3.5 km (1.5 km within the sanctuary and 1 km each on both ends of road outside the sanctuary) will be the permanent bottleneck for traffic and will hinder the traffic speed on the highway.

The chair opined that widening within the sanctuary will smoothen the traffic and reduce the foul emissions from recurring traffic jams, which are harmful for the birds and other wildlife. After discussions, the Standing Committee recommended the project and directed that a team comprising of a representative of WII, NHAI and Chief Wildlife Warden of Maharashtra would undertake a site visit, agree on feasible mitigation measures including those for reptiles, within and outside sanctuary along the proposed 3.5 km stretch, within a month.

4. *Proposed Residential & Commercial Project under Slum rehabilitation authority, Mulund near Veenu Nagar opposite LBS Murg, Mulund (West) Ta. Kurla, Maharashtra*

The member secretary briefed the committee on the proposal. Dr. Sukumar added that the Committee should take a different view for the urban development activities around the national parks/sanctuaries located in urban settings.

After discussions, the committee deferred the proposal in view of non-finalization of ESZ proposal of Sanjay Gandhi National Park.

The above recommendation(s) are subject to the existing directives of Hon'ble Supreme Court and provisions of Forests (Conservation) Act, 1980.

Yours faithfully

R. Raja Sekhar
(Rajasekhar Ratti)

Scientist 'C'/Deputy Director (WL)

Copy to:

1. The Chief Wildlife Warden, Government of Maharashtra, Ram Giri Road, Civil Line, Van Bhawan, Nagpur-440 001.
2. The Addl.Pr. Chief Conservator of Forests, Ministry of Environment & Forests, Regional Office(WZ), F-5, Arera Colony, Link road-3, Bhopal-462016.
3. The General Manager, National Highways Authority of India (Ministry of Shipping, Road Transport and Highways) G-5 & 6, Sector-10, Dwarka, New Delhi-110075.
4. The Managing Director, CIDCO, CIDCO Bhavan, CBD Belapur, Navi Mumbai- 400614
5. The Director, Aristo Developer, 701 7th Floor Dev Bloomi, Andheri, Mumbai.
6. The Joint Secretary, IA, Division, MoEF & CC.
7. The Inspector General of Forests, 'C' Division, MoEF & CC.

R. Raja Sekhar
(Rajasekhar Ratti)

Scientist 'C'/Deputy Director (WL)

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Exhibit - 10

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Gangopadhyay's remark as a "low-level personal attack" and wanted Gangopadhyay to remain... during the campaign period. The EC decision came a day

39 flamingos found dead in Mumbai; flock hit by Emirates plane landing from Dubai

Additional chief conservator of forests (Mangrove protection cell) SY Rama Rao said, "We found 39 flamingos during a nightlong search operation that was called off at 11 am on Tuesday. We also asked locals to alert us if they find any other affected birds."

Rao said the forest department will now carry out an investigation to ascertain the cause CONTINUED ON PAGE 2

airport, pilots of the flight from Dubai reported the bird strike after landing at 9.15 pm.

Following complaints from local residents, forest official Anmol Bhagwat led a team to retrieve the dead birds around 10 pm on Monday, along with several Maharashtra Security Force personnel. "Around 29 carcasses were found Monday night, and another 10 on Tuesday morning," said Bhagwat.



The birds were found dead in different locations of Chhatkopar East, Express

SIDDHANT KONDUSKAR
MUMBAI, MAY 21

AROUND 39 flamingos were found dead in different locations of Chhatkopar East, spanning Pant Nagar, Laxmi Nagar and Chhatkopar—Andheri link road around 8.45 pm Monday, after they were hit by an Emirates aircraft landing at the Mumbai airport. As per an Air Traffic Control official at the

Pune crash: Realtor father of teen driving Porsche held for letting him drink, drive

JJB was 'extremely lenient' to the 17-yr-old: Fadnavis



Two restaurants that served liquor to minor sealed

neers in Pune early Sunday. "Despite the Pune police sub-

MANOJ MORE
PUNE, MAY 21

EXPRESS NEWS SERVICE
PUNE, MAY 21

emphasised before the JJB that Section 304 has been applied in the case and not 304 A of the IPC and since the boy was 17 years and eight months old, he can be treated as an adult.

"Unfortunately, the JJB took a different stand in the case. As far as the application urging for treating the boy as an adult was concerned, the JJB remarked

right to review its own order. The higher court has said if the board refuses to review the order, then we can approach it again. If the JJB refuses to review its order, then we will approach the higher court. We are expecting the JJB order by today or by tomorrow."

Fadnavis said Pune police will do everything possible to get jus-

Fadnavis said there are other issues which have come up for discussion. "One of which includes puts in residential areas. No identity checking is carried out in the pubs. Identity checking means the pub management has to allow people inside only after checking their identity and age proof. Such checking does not take place. The police are go-

guard, Raju Jay is... time, under the Juvenile Justice Act, action has been taken against the parents and in future too such action will be taken. The provisions under the Act has been invoked against the parents. Parents should remain on guard, ensure that children don't misuse their freedom and show proper direction to their children."

39 flamingos found dead in Mumbai; flock hit by Emirates plane landing from Dubai

of the accident. "We have appointed ACF Vikram Khade as investigating officer to ascertain what caused the hit. We will investigate whether the aircraft was flying on the correct route, and why the birds happened to be in its path etc. Our findings will determine the cause and how such an accident can be avoided," Rao told Express.

The incident came to light when children playing on the side roads adjacent to Chhatkopar-Andheri Link Road began spreading word that it was "training dead birds". Hereafter, the locals found the flamingos with their carcasses strewn across a radius of half a kilometre.

The flock of flamingos flying northward were reportedly hit by the Emirates EK 508 flight which was to land from Dubai by 9 pm. The crash took place over Chhatkopar, which is the landing strip of several international flights.

As per an Air Traffic Control official, pilots reported the bird to be after landing at 9.15 pm. He found traces of the birds in the airplane's fuselage but no carcasses were found," he said.

Pawan Sharma, honorary wildlife warden of Mumbai, and founder of Resqink Association for Wildlife Welfare (RAWWW), who assisted in the rescue operations, told The Indian Express that they started receiving frantic calls from Chhatkopar residents after 10 pm on Monday.

Sharma said, "We received the first call from someone who lived in a residential society in Chhatkopar, who said a flamingo, still alive, had been spotted in their complex. As we were preparing to dispatch our team, we got another call informing us that the flamingo had died and 8 more flamingos had been spotted. Soon after, we began getting calls from many people in Chhatkopar's Pann Nagar who had spotted several dead flamingos."

As per Sharma, 29 flamingos were recovered during the night, while more carcasses were recovered as the day set in. "However, the actual number of flamingos hit could be higher as we suspect that dogs may have taken them away, or they may have fallen in the mangrove forest. Many could possibly have been hit by fast moving traffic if they had fallen along Eastern Express Highway," he added.

Since flamingos are a pro-



Officials inspect a location in Mumbai where a dead flamingo was found. Express

and had to change their path because of the high-rises around. It is poor urban planning that has claimed these lives," said BN Kumar, director of NatConnect Foundation.

"We found a bird lying dead in our building's open podium. We picked the carcass and brought it down only to realise that many other flamingos had been killed in the tragic incident of a kind we had never witnessed earlier," residents from Gurukripa Jayantam Co Op Society said.

One of the 39 birds was rescued alive by locals but it succumbed to its injuries an hour later, likely due to internal trauma. "The bird had a visible injury on its claw, so we consulted local veterinarians who suggested some immediate treatment. We also called the local bird ambulance, but it never arrived, and the bird died right before us," said Pradresh Parkar, a resident of Laxmi Nagar.

"As per our study, given the height of their flight, this flock of pink birds was ready for their return to Kutch, in Gujarat," said Mrugank Prabhu, a researcher at Bombay Natural History Society. Speaking to The Indian

Express, Stalin D, environmentalist and director of NGO Vanashakti, claimed that power lines passing through Thane Creek flamingo sanctuary, which have been laid at a great height, are likely to have affected the migratory birds.

"The power lines, which were laid even before procuring adequate permissions, pass through the sanctuary and have been built at a great height. It is likely the flamingos were trying to overpass these high power lines and got caught off guard and hit by the airplane," said Stalin.

"Meanwhile, there is also the question of why the incident occurred in the first place. With CIDCO allowing construction along water bodies in Navi Mumbai, where the flamingos arrive, it is likely that someone was attempting to chase away the migratory birds at night and clear the land, which prompted the birds to flee during the night, which is when they are more prone to get hit," alleged Stalin D, who has also written to the Ministry of Environment, Forest and Climate Change on the matter.

Emirates jet was flying at 280kmph when it collided with flamingo flock

Manju V A
Alex Fernandes

Mumbai: In a major accident, 39 flamingos were killed in a mid-air collision with an Emirates aircraft in Mumbai on Monday. Flight tracker Flightradar24's data showed that the jet was at 280kmph when the collision occurred. Although it was not known how many passengers were on the flight, an Emirates Boeing 777 in three-class configuration has 364 seats.

The incident brought back memories of the US Airways's 2009 accident in which an A320 aircraft lost both its engines after it flew into a flock of migratory Canadian geese, which led to the famous Hudson river 'ditching'.

Lesser flamingos, the smallest of the species, weigh up to 15kg and fly at 40-60kmph when migrating long distances such as the journey, say from Urin to Kutch in Gujarat, said Mrugank Prabh, scientist at Bombay Natural History Society.

"I saw around 30 decapitated flamingo heads lying over the place between Ghatkopar bus-depot and Shreyas Talkies when I got there around 10:30pm," said Sneh Dogwe, a student of wildlife management who resides in the locality. A few dead birds dangled from electric wires above. Some others lay on the roads, while some even broke through the concrete roof of stalls. Dipali Lokhande, a resident of Pami Nagar, said she heard a loud thud around 8:30pm. "We ran into our chawl to investigate and found a mutilated bird had crashed through the corrugated asbestos roof, leaving a gaping hole. Its headless body was smashed onto the floor, the walls were splattered with blood. It was stinking," said Lokhande, who added that local police and fire brigade personnel helped them clear the carcasses.

There was chaos down the street, said Pritesh Modi, a rescuer from NGO Resqink Association for Wildlife Welfare (RAWW) who was part of the search and rescue operation. "Till Monday night, at least 29 carcasses had been found. As word spread, a crowd gathered at the spot and there was chaos," said Modi, adding that people kept calling out to the volunteers spotting body parts - a limb here, a beak there, a torn wing elsewhere. "Mutilated parts lay all over," he said.

According to the forest department, the flamingo toll stood at 33. Kirit Somaiya, former MP who visited the site, said one more carcass was found far away and so, the count is 40. "A few birds broke through the concrete ceilings of ground structures, others

FLAMINGOS' FLIGHT PATHS CAN'T BE PREDICTED

FLIGHT PATHS CAN'T BE PREDICTED

Flight path and altitude depend on wind speed, direction and air pockets, says Mrugank Prabh, BNHS scientist

'99 HUDSON RIVER 'DITCHING' CASE

On Jan 15, 2009, US Airways Flight 1549 with 150 flyers took off from NY's LaGuardia airport. As it ascended, it ran into a flock of migratory Canadian geese and both the engines shut down. The commander, Capt Chesley 'Sully' Sullenberger, carried out an unpowered 'ditching' over Hudson river, and flyers were evacuated via the four overwing exits. The 'miracle' was turned into the film 'Sully'

SIX TAGGED IN 2022

In 2022, BNHS started GPS-tracking flamingos. Trackers were put on 6 of them. Last winter, 3 of the 6 flew to Mumbai, while the rest remained in Gujarat. Currently, 1 flamingo with GPS-tracking device is in Thane creek; the others flew back a few months ago

SMALLEST OF THE SPECIES

Lesser flamingo

- > Deep pink plumage, pale pink bill with black tip
- > Surface feeder, mostly found in alkaline waters or salt pans. Diet is microscopic blue green algae
- > Population decreasing, as per global authority International Union for Conservation of Nature (IUCN)

Greater flamingo

- > Pinkish white plumage, parts of wing reddish, thick drooping bill that is mainly pale pink with black tip
- > Filters food from bottom of shallow lakes for aquatic insects and crustaceans
- > Population is on the rise, according to IUCN

Flamingos have been seen changing their flight paths due to massive constructions. Birds also get disoriented due to light pollution, says B N Kumar, director of NGO NatConnect Foundation

(Above right) One of the dead flamingos; (above) a roof said to have been damaged by the falling carcasses

broke through asbestos roofs," said Somaiya.

In a statement, Emirates said it is cooperating with the authorities and its aircraft was damaged. "... as a result, the return flight EKS09 scheduled to depart to Dubai on May 20 was cancelled. All passengers and crew were accommodated overnight, and a replacement aircraft is being arranged for all passengers, and is scheduled to depart Mumbai on May 21 at 9pm, local time," it said.

No statement was issued by Directorate General of Civil Aviation, the civil aviation regulator, and Airports Authority of India, the country's air navigation provider.

An official from the Mumbai airport traffic control said the Emirates pilots reported

the bird strike after parking the aircraft at the bay. "During the post landing inspection of the aircraft, pilots found multiple bird strikes all over the aircraft fuselage. Assembling that the aircraft would have hit the birds just before touchdown, we sent a team to inspect the runway for bird carcasses, but we didn't find any," he added.

At Ghatkopar, residents and volunteers continued to find more carcasses on Tuesday morning. "The body parts have been sent for postmortem examinations. The report is expected by Wednesday," said a forest official. The count of dead birds could be higher as people said stray dogs had scavenged on the flamingos soon after they were hit, said Pawan Sharma, president of RAWW

This incident calls for reevaluation of the wildlife management plan, he said. "Crossing of paths can prove disastrous. Considering the path taken by these winged guests, we must rethink tweaking of aircraft trajectory. Neither do we want an aircraft crashing completely over birdkill," he added.

Pilots pointed out that the accident occurred when the aircraft was just over 1 minute from touchdown. It's not possible to change the aircraft trajectory so close to the runway, they said.

Flamingos tend to fly in a flock, in a single file, said zoologist Chinmay Joshi. "Considering that many were found with their abdomens ripped open, chances are high that the birds were hit from the rear end of the aircraft,"

he said. He said it is not clear why this flock had taken flight at such a height in the Ghatkopar-Vikhroli locality which is a breeding ground where they usually fly at a low altitude. "The reasons are not too clear, but I have never heard of such a tragedy with flamingos," he said.

"We're concerned about a repeat. That should not happen," said Prabh. "Over a lakh flamingos migrate from Kutch to Thane creek flamingo sanctuary every year. The return trip begins around May-end and extends up to June-July." Their flight paths cannot be predicted. "The birds' flight paths and altitude depend on factors such as wind speed, direction, and air pockets in the atmosphere," he said.

Week after, 8 more hoardings of Ghatkopar crash company pulled down from Dadar

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39 flamingos dead after hitting plane near airport

After Ghatkopar Mishap, Emirates Jet Lands Safely

Mamta V & Alex Fernandes | TNN

Mumbai: An Emirates aircraft that was over a minute away from landing at the city airport flew into a flock of flamingos on Monday, killing 39 birds in Mumbai's worst ever human-animal conflict.

The aircraft landed safely and the passengers and crew disembarked without injury, Emirates said. A probe is being carried out by both aviation and wildlife authorities.

Flamingos began migrating to Mumbai in large numbers in the 1990s, while aircraft have been landing at the city airport since the 1940s. This is the first time that such a major accident involving the two has occurred.

Around 8.30pm, the Boeing 777 aircraft operating flight EK 508 from Dubai was descending to land onto runway 27, while the flock of Lesser flamingos was flying home to Kutch. Their flight paths crossed around 1,000ft over Laxmibaug in Ghatkopar East.

► Was at 280kmph, P 3

WHY FLAMINGOS WERE IN PLANE'S PATH

Return to the North Pole King
► Their routes depend on many factors, like windspeed, and cannot be predicted, said a BNHS scientist

► Issues like massive infra projects, light pollution are prompting changes in flamingo routes, said an NGO owner who has been working to protect flamingo habitat



A flamingo found dead in Ghatkopar

On Jan 15, 2009, a US Airways plane with 150 passengers took off from New York's LaGuardia and ran into a flock of migratory Canadian geese; its engines shut down and it had to ditch in the Hudson river, as shown in the film, Sully

Extra flyer found standing, flight returns to bay

A Varanasi-bound IndiGo plane which was taxiing towards the runway in Mumbai for take-off had to be turned back to the parking bay on Tuesday after the crew found an extra flyer standing. A source said the error happened as a passenger with a confirmed seat was running late and was hence marked as 'no show'. An IndiGo staffer boarded the plane instead. But the passenger who was late turned up and took his seat, leaving the staffer standing. DGCA and BCA are probing the lapse. TNN P 3

Briton dies, 70+ hurt as SIA flight hits turbulence

A 73-year-old British man died while over 70 other passengers were injured when a Singapore Airlines flight from London hit "sudden extreme turbulence" while flying over Myanmar's Irrawaddy Basin before making an emergency landing in Bangkok on Tuesday. The Singapore-bound flight dropped over 6,000 feet in just 5 minutes, causing multiple head injuries to those on board. Three Indian nationals were also on the flight. It is the latest drama involving a Boeing plane. AGENCIES P 20

EC bars ex-judge from campaigning for 24 hrs for 'low-level attack' on Mamata

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Exhibit - 11



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE

Regional Office (WCZ)
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp.gov.in

Date: 13 February, 2018

F. No. FC-I/MH-71/2017-NGP/3280

To

✓ The Secretary,
Govt. of Maharashtra,
Revenue & Forest Department,
Mantralaya, Mumbai-400032.

Sub: Diversion of 0.46 ha of Reserved Forest and Mangrove Forest land in favour of City & Industrial Development Corporation of Maharashtra Ltd (CIDCO), Belapur Railway Station, CBD Belapur, Navi Mumbai for development of passenger water transport terminal in Thane District in the State of Maharashtra.

Sir,

I am directed to refer to the Addl. Principal Chief Conservator of Forests & Nodal Officer (FCA), Government of Maharashtra's letter no. Desk-17/NC/III/D 12486/(61)/2/16-17 dated 01.04.2017 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980 and letter no. Desk-17/NC/III/D 12486/(61)/1478/2017-18 dated 21.09.2017 forwarding additional information as sought by the Regional Office vide its letter of even number dated 2.05.2017. After careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide its letter of even number dated 25.09.2017 subject to fulfilment of certain conditions prescribed therein. The Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal.

In this connection, I am directed to say that on the basis of compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Maharashtra vide his letter no Desk-17/NC/III/D-12486/(61)/2717/17-18 dated 9.02.2018, the Central Government hereby accords final approval under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 0.46 ha of Reserved Forest and Mangrove Forest land in favour of City & Industrial Development Corporation of Maharashtra Ltd (CIDCO), Belapur Railway Station, CBD Belapur, Navi Mumbai for development of passenger water transport terminal in Thane District in the State of Maharashtra subject to following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation over the degraded forest land of 1.0 ha in lieu of forest land being diverted, shall be raised and maintained by the State Forest Department from the funds already provided by the User Agency;
- iii. Compensatory afforestation and penal compensatory afforestation shall be raised as per approved CA scheme from the funds already provided by the User Agency. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- iv. The State Government has realized the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the

[Handwritten Signature]

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guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

- v. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. Funds, if any, to be realized from the user agency under the project in future, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA, through e-challan, in the Saving Bank Account pertaining to the State concerned;
- vii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- viii. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- ix. The State Government/user agency shall take prior permission from Hon'ble High Court for Mangrove cutting before issue of order for diversion of the forest land in accordance with Hon'ble Mumbai High Court order dated 27/1/2010 in PIL 87 of 2006. Directions to be passed by the Hon'ble Court shall be binding on the User Agency;
- x. Baseline study, submitted along with the proposal, on flora conducted by the Salim Ali Center for Ornithology and Natural History (SACON) in Thane creek mentioned several Schedule-I species in the area. The User Agency shall suitably contribute financially in the management plan, if any being implemented in the area, towards the conservation of the faunal diversity.
- xi. The User Agency shall obtain permission from the competent authority under CRZ notification, if required.
- xii. The user agency, if applicable, shall arrange to raise strip plantation on either side of the road and central verge at project cost, as per IRC specification, with maintenance of 7-10 years;
- xiii. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- xiv. The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.
- xv. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
- xvi. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- xvii. The User agency, if required, will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department,
- xviii. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
- xix. No labour camp shall be established on the forest land;



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- xx. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xxi. The forest land shall not be used for any purpose other than that specified in the proposal;
- xxii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xxiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xxiv. No damage to the flora and fauna of the adjoining area shall be caused;
- xxv. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xxvi. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xxvii. The State Government shall ensure that settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, have been completed in accordance with the relevant guidelines issued by the MoEF&CC in this regard;
- xxviii. The user agency shall submit the six monthly self-compliance report in respect of the above conditions as on 31st July and 31st January to the State Government and to the concerned Regional Office of the Ministry regularly.
- xxix. The State shall also monitor the compliance of conditions of the Stage-I approval and an annual report on the same may be submitted to this office as on 31st December every year.
- xxx. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- xxxi. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully



Charan Jeet Singh
Scientist 'C'

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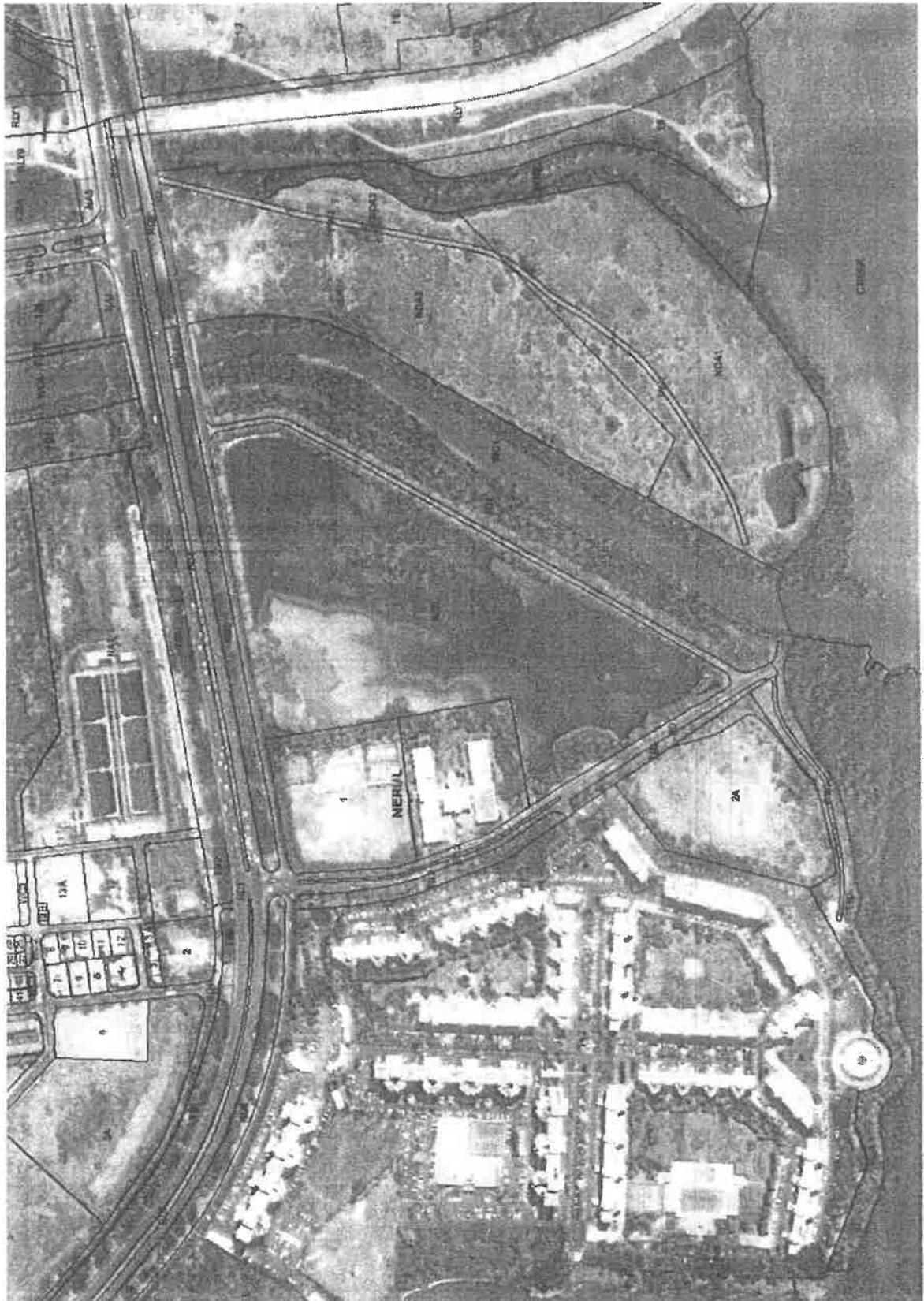
1. The PCCF, Government of Maharashtra, Nagpur
2. The Nodal Officer FCA, O/o of the PCCF, Government of Maharashtra, Nagpur.
3. The Director (RoHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj New Delhi.
4. User Agency
5. Guard File.



(Charan Jeet Singh)
Scientist 'C'

Exhibit - 12

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Satellite image of year 2016