

**REPORT OF THE JOINT COMMITTEE
(AS PER HON. NGT, PUNE ORDER DT. 5.1.2024 IN OA No. 201/2023)**

SUB: Original Application No. 201/2023 before Hon'ble National Green Tribunal (NGT), Western Zone, Pune (Charan Bhatt Vs Wetland Division, MoEF&CC & Ors)

Ref: 1) Hon'ble NGT order dated 15.1.2024 in the subject matter
2) Joint Committee constitution order dated 22.2.2024 by MCZMA
3) Site visit of the Joint Committee on 4.4.2024

An Original Application No. 201/2023 has been filed before Hon'ble National Green Tribunal (WZ), Pune by Charan Bhatt Versus Wetland Division, MoEF&CC & Ors.

2. An application has been filed under Section 15 of the National Green Tribunal Act, 2010, raising the issue that mangroves, wetland, etc. have been assailed on a vast scale at village Sasunavghar, Tal. Vasai, Dist. Palghar, which need to be restored and the steps are required to be taken against those responsible for causing violation of the environment in the said area. It is further stated that to the East of this village lies Sanjay Gandhi National Park, lofty hills and lush trees, etc. The village opens up to the coastal area along the Vasai Creek, which is full of mangroves.

3. The Hon'ble NGT, Pune on 15.1.2024 has passed an order in the matter. Operative para of said order of the Hon'ble NGT is reproduced as follows:

“We also deem it appropriate to constitute a Joint Committee comprising one member each of the Member Secretary, State Wetland Authority, the District Collector, Palghar, Member Secretary, State Wetland Conservation Committee, Additional Principal Chief Conservator of Forests and Maharashtra Coastal Zone Management Authority (MCZMA), the MCZMA being the nodal agency of the Committee, with a direction that the Committee shall visit the site in question in presence of the applicant after issuing notice to him about the date of visit and shall submit a report with respect to veracity of the averments made in the present Original Application, whether any dumping is being done in the area and whether illegal construction is being done there, if any and if yes, who are the persons who are doing these activities and any action taken by the Government Authorities in this regard, the measures to be suggested, compensation to be levied from the violations and the measures for restoration of the area.”

The report of the Joint Committee shall be submitted before us by the MCZMA within eight weeks from the date of uploading of this order, by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

Copy of the Hon. NGT Order is enclosed as **Annexure-I**

4. Following up with the above said Hon'ble NGT order, the Maharashtra Coastal Zone Management Authority (MCZMA) vide order dated 22.02.2024 constituted the Joint Committee in the matter. Copy of the said order of MCZMA dated 22.2.2024 is enclosed herewith as **Annexure II.**

5. SITE VISIT OF THE JOINT COMMITTEE:

The Joint Committee visited the subject site at village Sasunavaghar, Tal: Vasai, District Palghar on 04.04.2024 at around 11.00 am. List of Officials present during the site visit is enclosed herewith as **Annexure III.**

The Joint Committee perused the Hon'ble NGT order and noted the averments made by the Applicant in Original application (OA) No. 201/2023. The Joint Committee noted that the applicant mainly alleges the illegal dumping of the debris/ construction waste on the subject site bearing S. No. 99, 100, 101, 104, 105, 192 and 193. The applicant has further alleged that said illegal dumping is in violation of CRZ and wetland rules and caused destruction of mangroves. The Joint Committee noted that the area of the subject site has numerous survey numbers covering large area at village Sasunavghar.

6. OBSERVATION OF THE SITE VISIT:

- 1) The subject site is located adjacent to the Mumbai- Ahemadabad Highway at village Sasunavaghar within Vasai Virar Municipal Corporation (VVMC). The subject site is located in between Mumbai- Ahemadabad highway from east side and Vasai creeklet from west side.
- 2) The Joint Committee walked along most of the accessible portions of the stretch Starting from Kinara Dhaba having latitude 19°18'5.24"N and longitude 72°54'10.23"E as guided by the complainant. The stretch is around 2-3 km adjacent to the western express highway. Along the said stretch, the Joint Committee observed that mounds of construction debris/ soil are systematically dumped illegally. This has resulted in an increase in the land level at the said stretch. At certain locations, debris was observed on the existing dense/sparse mangrove vegetation dominated by *Avicennia marina*. At various locations, this debris is found to be disrupting the natural drainage system of the area which may cause flooding around the area. Site Photographs showing the illegal dumping of soil & debris is enclosed herewith as **Annexure IV.**
- 3) During the visit, Revenue and Mangrove Cell officials informed that most of the survey Nos. where illegal dumping of soil and debris observed are private lands. The Joint

Committee observed that the confirmation of the ownership is the subject matter of the Revenue Authorities.

- 4) The Joint Committee observed that Office of District Collector Palghar need to establish a mechanism to stop further dumping on priority basis in this site, further lifting of the construction debris / soil & other material from the site and dispose of scientifically as per the norms. It is observed that once the construction debris is removed from the site, the natural process of restoration will take place which will also put in place the natural drainage system. After lifting of the debris, protection of the site is necessary in order to avoid further dumping.
- 5) Revenue officials during the visit informed that with respect to illegal dumping of soil and debris, action has been initiated against the violators and a penalty has been served against them. During the visit, the Joint Committee requested Revenue officials to submit the report on the action taken in the matter.

Accordingly, Office of District Collector, Palghar vide letter dated 17.10.2024 sent the report with respect illegal dumping of soil and debris at village Sasunavghar. As per the said report, notices regarding 44 survey nos. have been issued for hearing and the process of hearing is underway by the office of Tahsildar, Vasai. After completion of hearing, in 5 cases, Rs. 28,82,84,505/- (Twenty eight crores eighty two lakhs eighty four thousand five hundred five rupees) penalty has been imposed. Hearing for other matters is under progress and after completion of hearing in such cases, provision has been made to take action against such matters. Details of action taken with respect to 44 cases has been shared in tabular format by office of Collector, Palghar. (Copy of the same is enclosed herewith as **Annexure V**)

- 6) The committee has also observed indiscriminate dumping of the construction and widening activity of the adjoining highway at various locations. The responsibility of proper management of this debris has to be shouldered by the National Highway Authority of India (NHAI). For the roadside construction debris, NHIA shall take the responsibility scientific management of debris generated due to the activity of construction and widening of road.
- 7) Joint Committee referred the Wetland Atlas as per which, the said stretch is shown as *Coastal Wetland – Natural – Intertidal Mudflats*. Copy of the extract of wetland atlas is enclosed herewith as **Annexure VI**.

The Joint Committee further noted that, under the Wetland Rules, 2017 published by MoEF&CC, New Delhi, the State Environment & CC Department has engaged the National Centre for Sustainable Coastal Management (NCSCM), Chennai for the work of preparation of brief document to be carried out in accordance with Wetland Rules, 2017. The said work is under progress by the NCSCM.

- 8) The Joint Committee noted that currently, the approved Coastal Zone Management Plan (CZMP) in 1:25000 scale under CRZ Notification, 2019 is in force, as per which, the part of land area adjacent to the Mumbai Ahemadabad highway observed to be situated outside CRZ area. Area adjacent to Vasai creek falls in CRZ area. The exact CRZ status of the land under CRZ, 2019 can be determined, by the CRZ survey mapping in 1:4000 scale from one of the authorized agency. Copy of the extract of approved CZMP, 2019 (1:25000 scale) tentatively indicating the subject site is enclosed herewith as **Annexure VII**
- 9) Joint Committee during the site visit observed that at a particular location in the stretch, site development for the industrial activity is being carried out. VVMC officials informed that VVMC has granted permission for the said development. During the visit, the Joint Committee requested VVMC to submit their report on the matter.

The VVMC vide letter dated 15.7.2024 submitted its report in the matter, as per which:

Vasai Virar City Municipal Corporation being Planning Authority for its Jurisdiction and Special Planning Authority for 21 villages covering entire Vasai Virar Sub Region has mandate to act as per the provisions of MRTP Act, 1966 and DP, UDCPR and all other provisions under applicable statuettes. The MRTP Act 1966 has the provisions to grant the permission for development of land and building under section 44 & 45 of MRTP Act, Vasai Virar City Municipal Corporation has granted permission by following DP, UDCPR and all other governing and applicable provisions under various statuettes.

- i. Collector Palghar has prepared brief document of Palghar district and submitted to State Environment Department vide letter dated 22.8.2016 and submitted Geotagged locations of 87 Wetland sites to Environment Department which intern submitted to Hon'ble High Court in PIL 87/2013 dated 29 Jan 2020. This office has corresponded with Collector Palghar has provided a copy of the brief document which contains the locations of the wetland as identified by Collector Palghar. This location of the S. No. 99, 100, 101, 104, 105, 192 and 193 village Sasunavghar is not earmarked as wetland in the said brief document prepared by Collector Palghar and also not earmarked as wetland in Geotagged information however in the said wetland brief documents as prepared by Collector Palghar, village Sasunavghar is not earmarked as Wetland Area.
- ii. Hon'ble High Court vide order dated 12th April 2022 in Writ Petition No. 4365 of 2022 and 303 of 2018 has taken a decision directing Vasai Virar City Municipal Corporation to grant the permission in village Sasunavghar since the same is not wetland as earmarked in the said brief document prepared by Collector Palghar

- iii. Also Hon'ble High Court has directed Vasai Virar City Municipal Corporation to grant permission on the lands which are not earmarked in the said brief document prepared by Collector Palghar.
- iv. In the instant case since the lands are not covered in brief document there is no objection to grant the development permission on said land.
- v. Since PIL 87/2013 is applicable by following brief document and the directives of Hon'ble court for the village: Sasunavghar. This office has granted permission on the land as mentioned above, subject to certain conditions to be fulfilled before commencement of the work on the site. The various conditions as imposed by this office are as under:-

Condition No. 35) As the applicant has applied for NOC/ Clarification from Govt regarding wetland then no construction / development / sale of plots will be permissible without obtaining the NoC of environment department of Govt. If applicant breaches this condition, the said permission stands cancelled without giving prior notice even under natural justice and giving opportunity to be heard.

Condition No. 36) the said proposal is partly affected by CRZ. But no construction is proposed in CRZ affected area, if any construction is found in CRZ affected area, the said permission stand cancelled without giving prior notice even under natural justice and giving opportunity to be heard

Condition No. 37) You shall submit revised NA order for S. No. 100/1, 100/2, 101/D, 193/4 before commencement of work till no transaction in these survey numbers, even selling of Industrial plots will not be permitted and if this is found the said permission stand cancelled without giving prior notice even under natural justice and giving opportunity to be heard.

Condition No. 38) any breach of conditions will make this permission / order cancelled without giving any opportunity to be heard and notice

Condition No. 39) You shall submit Highway NoC before commencement of work

Condition No. 40) You shall develop existing road before plinth completion certificate

Copy of the above said VVMC report 15.7.2024 is enclosed herewith as **Annexure VIII**

- iii. Also Hon'ble High Court has directed Vasai Virar City Municipal Corporation to grant permission on the lands which are not earmarked in the said brief document prepared by Collector Palghar.
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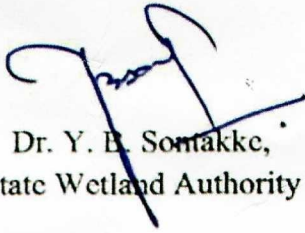
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Condition No. 40) *You shall develop existing road before plinth completion certificate*

Copy of the above said VVMC report 15.7.2024 is enclosed herewith as **Annexure VIII**


Reiterating above para 4), the Joint Committee observed that Office of District Collector Palghar need to immediately stop the dumping of debris on the site, remove/lift the illegal dumping of construction debris / soil from the site and dispose of it scientifically as per norms. It is observed that once the illegal construction debris/soil is removed from the site, the natural process of restoration will take place which will also put in place the natural drainage system. After lifting of the debris, protection of the site is necessary to avoid further dumping.



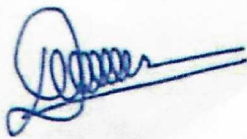
Dr. Y. B. Sontakke,
State Wetland Authority



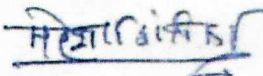
Representative from District
Collector Palghar



Representative from District
Wetland Committee



DCF, Dahanu
Representative from
APCCF Mangrove Cell



Dr. Mahesh Shindikar,
Expert Member MCZMA

Date: 22/10/2024

Item No.3

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[Through Physical Hearing (With Hybrid Option)]

ORIGINAL APPLICATION NO.201 OF 2023 (WZ)

Charan Bhatt

.... Applicant

Versus

Wetland Division, MoEF&CC & Ors.

....Respondents

Date of hearing: 15.01.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Applicant-in-person present

ORDER

1. In pursuance of our previous order dated 01.12.2023, the applicant, who has appeared in person, has moved an application dated 13.01.2024, making therein a request to the Registry of this Tribunal to update the names of the respondents, as amended, in Original Application No.201/2023 in line with the amended copy attached with the said letter/application. The procedure adopted by the applicant is not in consonance with law because he ought to have moved an amendment application to be allowed in compliance with our previous order. However, looking to the fact that the applicant is not aware of such procedure, we deem it appropriate to direct him to incorporate the amendment in the array of the parties as shown in the amended copy attached with the said letter, treating the same to be amendment application and this shall be done by the applicant today only. We find that the said application in consonance with our direction because the

Government Authorities have been impleaded by their designation and not by their names now.

2. We further find that by our previous order dated 01.12.2023, we had also directed the applicant to give exact survey numbers where he claims that the construction debris are being thrown and illegal construction was being raised. In compliance with that direction, he has filed an affidavit dated 13.01.2024, wherein in paragraph No.4, he submits that the survey numbers of village Sasunavghar, which fall under the Natural Intertidal Mudflats Wetland (wetland Code 2104) and Natural Coastal Mangroves (wetland Code 2106), begin as follows:

“89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 186A, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240.”

3. In addition to earlier pleadings, the applicant has further submitted in this affidavit that by the present application under Sections 14 and 15 of the National Green Tribunal Act, 2010, he is seeking protection from damages and restoration of the Environment Ecosystem Wetlands, Mangroves Habitat, Water Bodies, Coastal Environment and Wildlife. Over the past several years, various anti-environmental activities have transpired, including the conversion of wetlands into non-wetlands, mangrove cutting, dumping of construction waste debris, damages to water bodies, flood issues and illegal structures, which are all

activities detrimental to the village in question. The private respondents have not only violated the Environment (Protection) Act, 1986 but also the environmental laws crucial for the holistic preservation of ecosystems. The Wetlands (Conservation and Management) Rules have been transgressed, leading to the degradation of vital wetland areas through large scale construction waste debris dumping. The evidence suggests contamination of water bodies, mangroves cutting, illegal land filling, water channel damage due to the activities of private respondents. To the east of the said village lies Vasai creek, encompassing a low-lying area with numerous water channels originating from the west side hills and converging towards the east to meet Vasai creek. The spread of creek water in this low-lying area creates natural hydrological effects in low-lying area, Flora and Fauna, shaping the ecosystem as a wetland, mangrove habitat and water bodies. The natural processes on the wetland, coastal mangrove habitat and water bodies were documented by the Space Application Centre (SAC), Ahmedabad (ISRO) through satellite data recorded by the Resourcesat-2/2A Satellite LISS-III data, which is available on <https://vedas.sac.gov.in/en/> from 2006 to the present year. The SAC has carried out national wetland inventory and assessment-2nd cycle programme to reassess the current status of wetlands at national level using LISS-III data of 2017-18 at 1:50,000 scale. Earlier inventory was developed using the data of 2006-07 time frame. Recognizing the diversity, wetlands have been classified into twenty classes as per the Ramsar convention, which are amenable to satellite based remote sensing. This nationwide wetland mapping has brought detailed analysis of different wetland types in the country. A decadal wetland change analysis has also been carried out to analyse the change in wetlands with respect to earlier inventory. Total wetland area has been estimated as 15.98 Mha, which comes to be around 4.86 percent of the total

geographic area of the country, which signifies an increase of 0.64 Mha compared to the earlier inventory estimate. This entire analysis has been compiled in the form of an Atlas, SAC (ISRO). The ISRO satellite remote sensing study reveals a decline in the wetland area and mangrove trees in the village in question, which has happened as a result of dumping of debris, illegal structures, which has rendered the wetland into non-wetland.

4. Further it is mentioned that the National Centre for Earth Science Studies Plan for mapping the Vasai-Virar sub-region from 2005-2007 lacks adequate documentation of Mangrove areas, High Tide zones, Intertidal areas, Coastal Regulation Zone (CRZ) and Low Tide areas. At present, absence of marking stones findings indicates a lack of monitoring, mangrove cutting leading to unauthorized construction and dumping of construction waste debris, resulting in damage to water bodies, mangrove habitat, flora-fauna and wildlife ecosystem. It is also mentioned that the village in question is interconnected to Tungareshwar Wildlife Sanctuary and the said village encompasses National Sanjay Gandhi Forest area. Therefore, it is also prayed through these pleadings that stay order may be passed on the activities causing harm to wetlands, mangroves and water bodies.

5. The applicant has placed before us the maps prepared by Space Application Center (SAC) as downloaded from its website www.vedas.sac.gov.in of the years 2006-07, 2017-18 and of 2019, wherein the area in question has been shown by yellow optical line. It is stated that this is the area where the relief is prayed by the applicant and this entire area shown, comprises of the above mentioned survey numbers and it is also stated that some of the survey numbers may have been missed out by him as he could place before this Tribunal only the documents which could be made available with his best efforts.

6. The applicant has also drawn our attention to photographs (pages 210 to 221 of the paper-book), which are being alleged of Survey Nos.99, 100, 101, 104, 105, 192 and 193 where the illegal dumping of debris has been shown. He has also drawn our attention to pages 174 to 181 of the paper-book (Exh-C3), which is the Commencement Certificate dated 30.06.2022 granted to respondent No.10 – Rajesh Nanda and respondent No.11 – Shashikant Mhatre who are developers developing the industrial building.

7. The applicant has also drawn our attention to pages 167 to 170, which is a feedback regarding reservation of land at the village in question bearing Survey Nos.192, 193, 204, 205 of Taluka Vasai, District Palghar, written by Town Planning Department, Vasai-Virar City Municipal Corporation addressed to one Pramod P. Bandre, wherein in paragraph No.5, it is recorded that as per Govt. Resolution dated 18.12.2013, no development permission would be granted without permission of the Hon'ble High Court if any property is affected by the wetland area as per Wetland Atlas. The property at Mauje Sasunavghar bearing Survey No.105 is partially affected by the wetland area as per Wetland Atlas and the plot bearing Survey Nos.104, 192 and 193 is affected by the wetland area as per the Wetland Atlas.

8. Having drawn our attention to above, it is argued by the applicant that this activity by the Town Planning Department is over some of the survey numbers, which are mentioned therein, which form part of the wetland.

9. We brought to the notice of the applicant Rule 3 of the Wetlands (Conservation and Management) Rules, 2017, which excludes the application of these Rules in the areas covered under the Indian Forest Act, 1927, Forest (Conservation) Act, 1980, State Forest Acts and amendments thereof, Wildlife (Protection) Act, 1972 and amendments

thereof and the Coastal Regulation Zone Notification, 2011 as amended from time to time, particularly in view of the pleadings made by the applicant that the area in question involves natural intertidal mudflats wetland and natural coastal mangroves and as per our understanding of the matter, if they were found falling under the natural intertidal mudflats wetland and natural coastal mangroves, the said area would come under CRZ and the said land would not be covered as wetland, but the applicant has brought to our notice the guidelines for implementing Wetlands (Conservation and Management) Rules, 2017, issued in the year 2020 by the MoEF&CC and our attention is drawn to Guideline (33), which states that the boundary of the zone of influence may be defined with due consideration to local hydrology and nature of land use. For wetlands with a well-defined surface drainage system, its directly and freely draining basin should be delineated as the zone of influence and hence, the area in question should be treated as wetland.

10. Considering the pleadings and averments made in the application, this matter requires consideration after giving opportunity to the other side. Therefore, we deem it appropriate to admit this Original Application and direct the Registry to issue notice to all the respondents, returnable within four weeks.

11. The applicant is directed to provide copies of Original Application and annexures thereto and other documents to the respondents, within a week.

12. The applicant is also directed to take necessary steps for service upon the respondents by both ways and also through available e-mail.

13. We also deem it appropriate to constitute a Joint Committee comprising one member each of the Member Secretary, State Wetland Authority, the District Collector, Palghar, Member Secretary, State Wetland Conservation Committee, Additional Principal Chief Conservator

of Forests and Maharashtra Coastal Zone Management Authority (MCZMA), the MCZMA being the nodal agency of the Committee, with a direction that the Committee shall visit the site in question in presence of the applicant after issuing notice to him about the date of visit and shall submit a report with respect to veracity of the averments made in the present Original Application, whether any dumping is being done in the area and whether illegal construction is being done there, if any and if yes, who are the persons who are doing these activities and any action taken by the Government Authorities in this regard, the measures to be suggested, compensation to be levied from the violators and the measures for restoration of the area.

14. The report of the Joint Committee shall be submitted before us by the MCZMA within eight weeks from the date of uploading of this order, by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

15. A copy of this order shall be served upon all the members of the Joint Committee by the MCZMA for compliance as above.

16. Put up this matter for next consideration on 15.04.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 15, 2024
O.A. NO.201/2023 (WZ)
npj

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 22029388
E-mail : dir1.mev-mh@nic.in
Website: <https://mczma.gov.in/>

No. OA 2024 / CR 1 / TC - 4
Office of the -
Maharashtra Coastal Zone Management Authority,
Environment & Climate Change Department,
15th floor, New Administrative Building,
Mantralaya, Mumbai- 400 032.
Date: 1.4.2024

SUB: Original Application No. 201/2023 before Hon'ble National Green Tribunal (WZ), Pune (Charan Bhatt Vs Wetland Division, MoEF&CC & Ors)

Ref: 1) Hon'ble NGT order dated 15.1.2024 in the subject matter
2) Joint Committee constitution order dated 22.2.2024 issued by the MCZMA

The Original Application No. 201/2023 before Hon'ble National Green Tribunal (WZ), Pune has been filed by Charan Bhatt Versus Wetland Division, MoEF&CC & Ors.

2. As mentioned in the NGT order, the application has been filed under Section 15 of the National Green Tribunal Act, 2010, raising the issue that mangroves, wetland, etc. have been assailed on a vast scale at village Sasunavghar, Tal. Vasai, Dist. Palghar, which need to be restored and the steps are required to be taken against those responsible for causing violation of the environment in the said area. It is further stated that to the East of this village lies Sanjay Gandhi National Park, lofty hills and lush trees, etc. The village opens up to the coastal area along the Vasai Creek, which is full of mangroves.

3. The Hon'ble NGT has passed following order (Copy attached):

"We also deem it appropriate to constitute a Joint Committee comprising one member each of the Member Secretary, State Wetland Authority, the District Collector, Palghar, Member Secretary, State Wetland Conservation Committee, Additional Principal Chief Conservator of Forests and Maharashtra Coastal Zone Management Authority (MCZMA), the MCZMA being the nodal agency of the Committee, with a direction that the Committee shall visit the site in question in presence of the applicant after issuing notice to him about the date of visit and shall submit a report with respect to veracity of the averments made in the present Original Application, whether any dumping is being done in the area and whether illegal construction is being done there, if any and if yes, who are the persons who are doing these activities and any action taken by the Government Authorities in this regard, the measures to be suggested, compensation to be levied from the violations and the measures for restoration of the area.

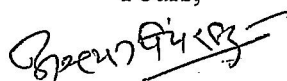
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4. Accordingly, MCZMA vide letter dated 22.2.2024 has constituted a Joint Committee. Copy of the said constitution order is attached herewith.

5. It is hereby informed that site visit is scheduled on **4th April, 2024 at around 11.00 am** at Subject site at village Sasunavghar, Tal. Vasai, Dist. Palghar.

6. The joint committee shall make the site visit and submit a report with respect to veracity of the averments made in the present Original Application, as per order of the Hon'ble NGT in the subject matter. Representative of MPCB, Palghar shall assist the Joint Committee for logistics during site visit.

Yours,



Director, Environment & CC and MS, MCZMA

To,

- 1) **All members of the Joint Committee**
- 2) **Member Secretary**, Maharashtra Pollution Control Board, Sion, Mumbai: It is kindly requested to depute a responsible officer from MPCB for assisting the Joint Committee for the site visit scheduled on **4th April, 2024 at 11.00 am**.
- 3) **Mr. Charan Bhat** (Applicant), Room No.2, Vartak compound nagar, Akansha Tower Nalasopara (E), 4010209 (cb181991@gmail.com): You are hereby kindly requested to be present for the said site visit.

Copy for information to:

1. **Principal Secretary**, Environment & Chairman, MCZMA, Environment Dept, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. **Select File- TC 4**

SITE VISIT OF JOINT COMMITTEE

SUB : Original Application NO. 201/2023
(Charan Bhatt vs Wetland Division, MOEF & ors)
in Hon. National Green Tribunal (NGT), Pune.





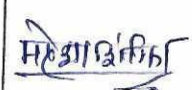


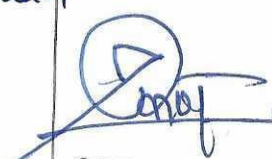
Ref : Hon. NGT order dated 15/1/2024 in subject matter.

Date: 4th April, 2024

Time : @ 11.00 am

Place: subject site @
village Sasunanghar,
Vasai, Palghar.

List of officials/representatives present for
site visit

sr. NO.	Name of official & Designation	Contact No & email	Signature
1.	Dr. Y. B. Sontakke, Wetland Authority	sontakkeyb@gmail.com	
2.	Shri C. K. Pawar, Nayab Tahsilदार, Tal. Vasai	Tahvasai@gmail.com	
3.	Y. S. Reddy Dt. Wetland	9321113786 apccfmangroveplan@gmail.com	
4.	Ms. MADHUMITHA. S, DCF DAHANU Representative of APCCF, Mangrove Cell.	dahanudcf@gmail.com	
5.	DR. MANESH SHINDIKAR (Member - MCMA)	maneshshindikar@gmail.com	
6.	Mr. T. H. Shaikh Assistant Conservator of forest Palghar	palgharact@gmail.com	
7.	Ms. Shweta R. Ade Range Forest officer Mandvi	7540098377 rangeforestmandvi@gmail.com	
8.	MR. ARUN MUTADA, CEO/IA OFFICER		

9. Vishakha Metghare
DMC VVCMC

vvcmc@gmail.com

Metghare
04/04/2024

10. Mamali Shinde
AMC- Ward-G, VVCMC

—

Shinde
04/04/2024

11. Smita Vanave
Fo, SROT-2 MPCB

srothane2@mpcb.gov.in

Vanave
4/4/24

12. Y.S. Reddy
DD7P/7P0
VVCMC, VASAS

ysreddy.vasas@gmail.com

Reddy
4/4/24

13. Charan Bhatt

Petitioner

Charan Bhatt

Site Photographs

Illegal dumping of soil & debris at site u/r, village Sasunaghar





महाराष्ट्र शासन



जिल्हाधिकारी तथा जिल्हादंडाधिकारी पालघर यांचे कार्यालय

जिल्हा मुख्यालय पालघर, पालघर-बोईसर रोड,

कोळगांव ता.जि.पालघर-४०१४०४

दूरध्वनी क्र. : (०२५२५) - २५३१११

Email ID: collectorpalghar@gmail.com



क्र.महसूल/कक्ष-१/टे-जमीनबाब/कावि- 280 /२०२४

दिनांक:- 17/१०/२०२४

मा.राष्ट्रीय हरीत न्यायाधिकरण (WZ) पुणे

प्रति,

मा.संचालक

महाराष्ट्र कोस्टल झोन मॅनेजमेंट अथॉरिटी

विषय:- ORIGINAL APPLICATION NO. २०१/२०२३ BEFORE HON'BLE NATIONAL GREEN TRIBUNAL (WZ), PUNE (CHARAN BHATT VS WETLAND DIVISION, MOEF&CC & ORS)

संदर्भ:- १. आपलेकडील पत्र क्रमांक NO.OA २०२४/CR/TC४ दि.१६/७/२०२४
२. या कार्यालयाकडील पत्र क्र.महसूल/कक्ष-१/टे-जमीनबाब/कावि/१२८/२०२४ दि.२६/७/२०२४
३. तहसीलदार वसई यांचेकडील पत्र क्र.तह.वसई/कक्ष.१/टे-१/गौ.ख./एसआर-४५४/२०२४ दि.२६/०९/२०२४

महोदय,

उपरोक्त संदर्भिय विषयास अनुसरून सादर करणेत येते की, मौजे ससूनवघर ता.वसई येथील जागेवर डेब्रिज व माती भराव केल्यामुळे मा.राष्ट्रीय हरीत न्यायाधिकरण (WZ) पुणे येथे CHARAN BHATT VS WETLAND DIVISION, MOEF & CC & ORS बाबत मूळ अर्ज क्र.२०१/२०२३ दाखल असून त्याअनुषंगाने केलेल्या कार्यवाहीचा अहवाल सादर करणेबाबत आपलेकडील वरील संदर्भातील अ.क्र.०१ चे पत्रान्वये या कार्यालयास निर्देश दिलेले होते.

उक्त पत्रास अनुसरून तहसीलदार वसई यांनी वरील संदर्भातील अ.क्र.०३ चे पत्रान्वये खालीलप्रमाणे अहवाल सादर केला आहे.

मौजे ससूनवघर येथील एकूण ४४ स.नं.मध्ये सुनावणी नोटीस बजावण्यात आली असून त्याची सुनावणी तहसीलदार कार्यालय वसई येथे चालू आहे. तसेच एकूण ४४ पैकी एकूण ५ प्रकरणांत सुनावणी अंती रक्कम रु.२८,८२,८४,५०५/- (अक्षरी रक्कम रूपये अठ्ठावीस कोटी ब्याऐंशी लाख चौ-याऐंशी हजार पाचशे पाच रूपये मात्र) एवढ्या रक्कमेची दंडनीय कारवाई करणेत आली असून उर्वरीत प्रकरणात सुनावणी चालू आहे. सुनावणी अंती कार्यवाही करणेची तजवीज ठेवणेत आली असलेबाबत तहसीलदार वसई यांनी या कार्यालयास कळविले आहे.

वरील वस्तुस्थिती आपल्या माहितीसाठी सविनय सादर.

(सुभाष भागळे)

निव्वसी उपजिल्हाधिकारी
जिल्हाधिकारी कार्यालय पालघर

महाराष्ट्र शासन
तहसिलदार तथा कार्यकारी दंडाधिकारी वसई यांचे कार्यालय
(महसूल शाखा)

किल्ला बंदर रोड, मालोंडे, वसई गांव, ता. वसई जि. पालघर 401201

दुरध्वनी क्र. (0250) 2322007

tahvasai@gmail.com

क्र. तह. वसई/कक्ष. १/टे. १/गौ. ख./एसआर- 454 /२०२४.

दिनांक २६/०९/२०२४

प्रति,

मा. जिल्हाधिकारी पालघर

विषय:- Original Application No. 201/2023 before Hon'ble National Green Tribunal (WZ), Pune (Charan Bhatt Vs Wetland Division, MoEF&CC & Ors)

संदर्भ:- महाराष्ट्र कोस्टल झोन मॅनेजमेंट अथॉरिटी यांचेकडील पत्र क्र. No.OA2024/CR/TC4 Date 12/07/2024

महोदय,

उपरोक्त विषयाच्या अनुषंगाने सविनय सादर करणेत येत की, मौजे ससूनवघर येथील एकुण १६७ सक्के नंबर मध्ये अनधिकृत डेब्रिज व माती भराव केलेला असल्याने, आपले कार्यालयामार्फत केलेल्या कार्यवाहीबाबतचा अहवाल सादर करणेबाबत कळविणेत आले आहे.

त्यानुषंगाने मौजे ससूनवघर येथील एकुण ४४ स. नं. मध्ये सुनावणी नोटीस बजावण्यात आली असून त्याची सुनावणी या कार्यालयात चालू आहेत. तसेच एकुण ४४ पैकी एकुण ५ प्रकरणात सुनावणी अंती रक्कम रु. २८,८२,८४,५०५/- (अक्षरी- अठ्ठावीस कोटी ब्याऐंशी लाख चौन्धाऐंशी हजार पाचशे पाच रुपये मात्र) एवढ्या रक्कमेची दंडनिय कारवाई करणेत आली असून उर्वरीत प्रकरणात सुनावणी चालू आहे. तरी सुनावणी अंती कार्यवाही करणेची तजवीज ठेवणेत आली आहे. हे आपल्या माहितीस्तव व पुढील नियोमोचित कार्यवाहीस्तव सविनय सादर.

(अविनाश कोष्टी)
तहसिलदार वसई

अनाधिकृत गौणखनिज माती भराव फेरफार माहिती

अ.क्र	गावाचे नाव	जमीन धारकाचे नाव	स.नं.	क्षेत्र	भरावाचा प्रकार	मा.तहसिलदार यांचेकडील आदेश	दंडनीय रक्कम	मंजूर फेरफार क्रमांक नुसार बीजा	शेरा
१	ससुनवघर	मिल्टन डेमियल कोरीया व इतर	१०८/६	०.०२.५० हे.आर	माती	क्र. मशा/कक्ष-१/टे- गौणखनिज/अउभ/एसआर- २० दिनांक ०४/१२/२०२४	१,२७,७४,६३५/-	४११२	
२	ससुनवघर	मनोज एम पिरोहित, मे. लोटस ग्रोथ स्पेसेस तर्फे भागीदार १)राजेश एस. नंदा, २)शशिकांत म्हात्रे	१९३/४, १९४/अ	०.५६.३० हे.आर ०.८३.०० हे.आर	माती	क्र. मशा/कक्ष-१/टे- गौणखनिज/अउभ/एसआर- ०२ दिनांक ०९/०२/२०२४	१०,८५,८७,२२०/-	४११३	
३	ससुनवघर	कृष्णा खंडू वर्तक, भानुबाई दुध्या सुकाट, गणपत सुकर्या नांदकर व इतर	१९४/ब १९४/क १९४/ड	०.०५.१० हे.आर ०.०४.७० हे.आर १.००.२० हे.आर	माती	क्र. मशा/कक्ष-१/टे- गौणखनिज/अउभ/एसआर- ०२ दिनांक ०९/०२/२०२४	९,९७,३५,८६०/-	४११४	
४	मालजीपाडा	मे. पिर्नकल लॅन्ड डेव्हलपर्स चे भागीदार श्री. भरत भानुशंकर त्रिवेदी	१७/२ १८/२	१६.२०.०० आर.चौमी ८३.२०.०० आर.चौमी	माती	क्र. मशा/कक्ष-१/टे- गौणखनिज/अउभ/एसआर- २५ दिनांक ११/०३/२०२३	२,२५,८०,०००/-	९७०	
५	मालजीपाडा	महेंद्र रत्नशी संघोई	४८/२ ४८/४ ४८/६ ४९/३ ४९/४ ४९/५	७.८०.०० आर.चौमी ७.१०.०० आर.चौमी ७.८०.०० आर.चौमी ३०.३०.०० आर.चौमी ६.००.०० आर.चौमी २८.८०.०० आर.चौमी	माती	क्र. मशा/कक्ष-१/टे- गौणखनिज/अउभ/एसआर- १९ दिनांक ०४/१२/२०२३	४,४६,०६,७९०/-	९७१	

राज्यातील सर्व पानथळ जागांचे National Centre For Sustainable Coastal Management Chennai यांचे मार्फत करण्यात येणाऱ्या सर्वेक्षणाबाबत.

अ.क्र.	स.नं.	क्षेत्र	जमिन मालकाचे नाव	माती/डब्रीज भरावाबाबत तलाठी/मंडळ अधिकारी यांचा अहवाल क्र. व दि.	भरावाचे प्रमाण ब्रास मध्ये	दंडात्मक कार्यवाही बाबत	आदेश दिनांक	शेरा
१	९५	-	श्री.मनोज पुरोहित	जा.क्र./३९७/दि.०१/०४/२०२४	३२७६	-	-	पुढील सुनावणी ता.०४/१०/२०२४
२	९९ अ	-	श्री.दशरथ परशुराम पाटील	जा.क्र./३९५/दि.०१/०४/२०२४	३८८५	-	-	पुढील सुनावणी ता.१७/१०/२०२५
३	१००/२	-	मे.लोटस इन्फा सोल्युशन तर्फे राजेश एस नंदा व इतर	जा.क्र./१०३/दि.२२/०९/२०२३	१४१०१	-	-	पुढील सुनावणी तारीख ०४/१०/२०२४
४	१०३	-	मनोज पुरोहित व इतर	-	२१०००	-	-	दिनांक २१/०२/२०२४ रोजी फेरचौकशी साठी मंडळ अधिकारी कामण यांचेकडे पाठविणेत आले आहे.
५	१०५/१	-	मे.लोटस इन्फा सोल्युशन तर्फे राजेश एस नंदा व इतर	जा.क्र./३११/दि.०७/१०/२०२३	१६००	-	-	पुढील सुनावणी तारीख १७/१०/२०२४
६	१०८	-	मिल्टन डेमियल कोरीया व इतर	-	२२६३	१,२७,७४,६३५/-	क्र.मशा/कक्ष-१/टे-गौ.ख./एसआर-२० दि.०४/१२/२०२४	फेर फार क्र.४११२ अन्वये ७/१२ सदरी बोजा नोंद घेण्यात आली आहे.

७	१०९	-	मनोज परगहीत व इतर	-	२४३००	-	-	पुढील सुनावणी दिनांक ०४/१०/२०२४
८	११०	-	श्रीम. सुमन प्रभाकर पाटील व इतर १४	जा.क्र./३१४/दि.०१/०४ /२०२४	११८८	-	-	पुढील सुनावणी दिनांक १७/१०/२०२४
९	११२/२	-	रोहीत गिरीधर माळवी	जा.क्र./३१७/दि.०७/१० /२०२३	३८९५	-	निर्णयासाठी बंद	नोटीसधारक यांचेवर गुन्हा दाखल करणेत आलेला आहे.
१०	११५	-	मंजूळा रोहीदास भोईर	-	११५०६	२,७६,१४,४००/-	-	दंडनिय आदेश पारित
११	११६	-	महेश अग्रवाल	-	६१८०	४५,६८,५७०	-	दंडनिय आदेश पारित
१२	११७/१	-	श्री. भिमराज शिवराज जैन	जा.क्र./४००/दि.०१/०४ /२०२४	१२०००	-	-	पुढील सुनावणी ता. २३/१०/२०२४
१३	११७/३	-	मे. हौसिंग डेव्ह. इन्फ्रास्ट्रक्चर लि. डायरेक्टर राकेशकुमार कुलदीपसिंह कथावन	जा.क्र./४००/दि.०१/०४ /२०२४	४४००	-	-	-
१४	११८/१	-	अनंत शंकर लेले व इतर	जा.क्र./४००/दि.०१/०४ /२०२४	४६००	-	-	दि. २३/१४/२०२४ रोजी सुनावणी
१५	११८/२	-	श्रीम. कुंदा दयानंद भोईर व इतर	जा.क्र./४००/दि.०१/०४ /२०२४	१६२००	-	-	-
१६	११८/३	-	श्रीम. भीमाबाई रमाकांत गावडे व इतर	जा.क्र./४००/दि.०१/०४ /२०२४	८०००	-	-	-
१७	११९/१	-	श्री. महादेव बाळकृष्ण भोईर व इतर	जा.क्र./४००/दि.०१/०४ /२०२४	२२२००	-	-	दि. २३/१०/२०२४ रोजी सुनावणी

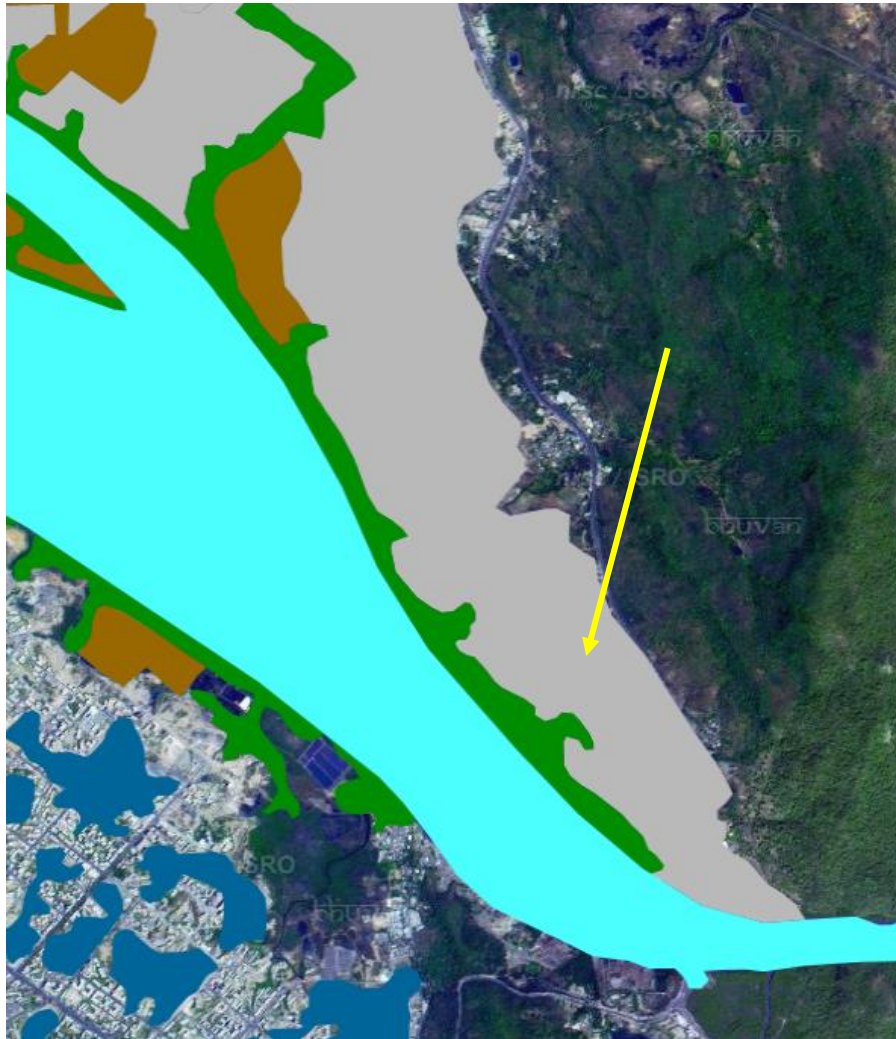
१८	११९/२	-	मे.होसिंग डेव्ह. इन्फ्रास्ट्रक्चर लि. डायरेक्टर राकेशकुमार कुलदीपसिंह वधावन	जा.क्र./४००/दि.०१/०४/२०२४	२०००	-	-	दि.२३/१०/२०२४ रोजी सुनावणी
१९	११९/३	-	श्री.कृष्णाजी रामचंद्र लेले	जा.क्र./४००/दि.०१/०४/२०२४	२०००	-	-	दि.२३/१०/२०२४ रोजी सुनावणी
२०	११९/४	-	श्री.दिपक पुरुषोत्तम शहा	जा.क्र./४००/दि.०१/०४/२०२४	१२००	-	-	दि.२३/१०/२०२४ रोजी सुनावणी
२१	११९/५	-	श्री.दिपक पुरुषोत्तम शहा	जा.क्र./४००/दि.०१/०४/२०२४	५०००	-	-	दि.२३/१०/२०२४ रोजी सुनावणी
२२	११९/६	-	श्रीम.भिमाबाई रमाकांत गावडे व इतर	जा.क्र./४००/दि.०१/०४/२०२४	६८००	-	-	दि.२३/१०/२०२४ रोजी सुनावणी
२३	१२०/१	-	श्रीम.प्रेमाबाई देवराम मांडवी व इतर	जा.क्र./४००/दि.०१/०४/२०२४	६०००	-	-	दि.२३/१०/२०२४ रोजी सुनावणी
२४	१२०/२	-	श्री.दिपक पुरुषोत्तम शहा व इतर	जा.क्र./४००/दि.०१/०४/२०२४	१८२००	-	-	पुढील सुनावणी ता.१७/१०/२०२४
२५	१२०/३	-	श्री.कृष्णाजी रामचंद्र लेले व इतर	जा.क्र./४००/दि.०१/०४/२०२४	१८००	-	-	पुढील सुनावणी ता.१७/१०/२०२५
२६	१२१/१	-	श्री.हरिप्रसाद गोपीनाथ व संगीत जैन व इतर	जा.क्र./४००/दि.०१/०४/२०२४	४६५७५	रु.४७,२४,१८,३७५/-	-	दंडनिय आदेश पारित
२७	१२१/२	-	श्री.रामअवतार बाबुलाल जाजोडिया व इतर	जा.क्र./४००/दि.०१/०४/२०२४	७६००	-	-	पुढील सुनावणी तारीख २३/१०/२०२४
२८	१२१/३	-	श्री.रामअवतार बाबुलाल जाजोडिया व इतर	जा.क्र./४००/दि.०१/०४/२०२४	५४००	-	-	पुढील सुनावणी तारीख २३/१०/२०२५

२९	१२१/४	-	श्री. कृष्णाजी रामचंद्र लेले व इतर	जा.क्र./४००/दि.०१/०४/२०२४	१२००	-	दि.०४/१०/२०२४ रोजी दुपारी ३:०० वा. सुनावणी
३०	१२२/१	-	श्री. रामअवतार बाबुलाल जाजोडिया व इतर	जा.क्र./४००/दि.०१/०४/२०२४	१७२००	-	दि.०४/१०/२०२४ रोजी दुपारी ३:०० वा. सुनावणी
३१	१२२/२	-	श्री. रामअवतार बाबुलाल जाजोडिया व इतर	जा.क्र./४००/दि.०१/०४/२०२४	८००	-	दि.०४/१०/२०२४ रोजी दुपारी ३:०० वा. सुनावणी
३२	१२१/३	-	श्रीम. प्रेमाबाई देवराम मांडवी व इतर	तलाठी सजा समुनवयर जा.क्र.३४४ दि.०८/१२/२०२३	१०४९६	-	पुढील सुनावणी तारीख १७/१०/२०२४
३३	१४७	-	अल्ताफ अब्बास नंदरीया	-	२००	-	पुढील सुनावणी ता. १७/१०/२०२४
३४	१७४	-	दत्तात्रय हरिचंद्र वतक	-	१११६	६२,९९,८२०	दिनांक २२/११/२०२१ दंडनिय आदेश पारित
३५	१७५	-	सुजाता मोहन राय व इतर	जा.क्र./२९६/दि.०४/०१/२०२४	१२९८७	-	पुढील सुनावणी ता. ०४/१०/२०२४
३६	१८५/१	-	श्री. महादेव बाळकृष्ण भोईर व इतर	जा.क्र./४००/दि.०१/०४/२०२४	२७६००	-	दि.२३/१०/२०२४ रोजी सुनावणी
३७	१८६/अ	-	सरकारी खांजण	जा.क्र./२९६ दि.०४/०१/२०२४	१५६६००	-	पुढील सुनावणी ता. ०४/१०/२०२४
३८	१९०	-	जयवंत कृष्णा पाटील व इतर	-	१४०००	-	पुढील सुनावणी दिनांक १७/१०/२०२४

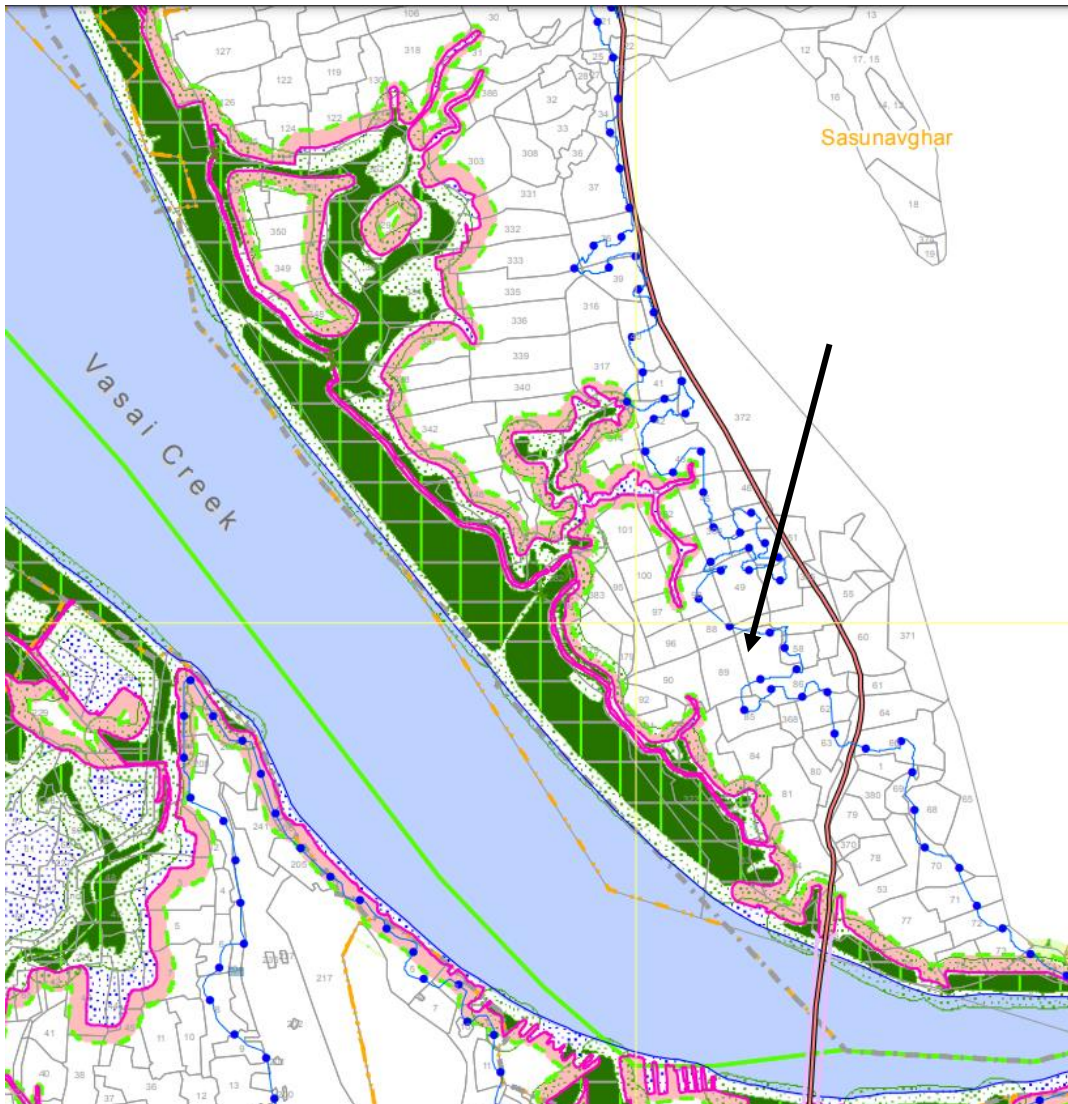
३९	१९३/४ १९४/अ	-	मनोज एम पिरोहीत, मे लोट्स ग्रोथ स्पेसेस तर्फे भागीदार १. रोजेश एस नंदा, २. शशिकांत म्हात्रे	-	-	१०,८५,८७,२२०/-	क्र. मशा/कक्ष-१/टे- गौ. ख./अउम/एसआर- ०२ दि. ०९/०२/२०२४	फेर फार क्र. ४११३ अन्वये ७/१२ सदरी बोजा नोंद घाप्यात आली आहे.
४०	१९४/ब १९४/क १९४/ड	-	कृष्णा खंडु वर्तक, भानुबाई दुध्या सुकाट, गणपत सुक्या नोंदकर व इतर	-	-	९,९७,३५,८६०/-	क्र. मशा/कक्ष-१/टे- गौ. ख./अउम/एसआर- ०२ दि. ०९/०२/२०२५	फेर फार क्र. ४११४ अन्वये ७/१२ सदरी बोजा नोंद घाप्यात आली आहे.
४१	२३०	-	श्री. अनिल आत्माराम म्हात्रे	जा. क्र./३९६/दि. ०१/०४ /२०२४	२९९६	-	-	पृढील सुनावणी १७/१०/२०२४
४२	२४१/१	-	श्री. दशरथ परशुराम पाटील	जा. क्र./४७१/दि. २०/०३ /२०२४	८३०	-	-	पृढील सुनावणी १७/१०/२०२४
४३	२४१/२	-	श्री. दशरथ परशुराम पाटील	जा. क्र./४७१/दि. २०/०३ /२०२४	१४२०	-	-	पृढील सुनावणी १७/१०/२०२४
४४	२४१/३	-	श्री. अखिलेश कुमार व इतर	जा. क्र./४७१/दि. २०/०३ /२०२४	१६५०	-	-	पृढील सुनावणी १७/१०/२०२४


तहसिलदार वसई

Annexure VI : Extract of wetland atlas showing tentative site location
Yellow Arrow



Annexure VII : Approved CZMP, 2019 (1:25000 scale) showing tentative site location Black Arrow



मुख्य कार्यालय, विरार

विरार (पूर्व),

ता. वसई, जि. पालघर - ४०१ ३०५.



दुरध्वनी : ०२५० - २५२५१०१ / ०२/०३/०४/०५/०६

फॅक्स : ०२५० - २५२५१०७

ई-मेल : vasaivirarcorporation@yahoo.com

जाचक क्र.: व.वि.श.म/नर/शा/३५२/२०२४-२५

दिनांक : १५/७/२०२४

Annexure VIII

To,

Mr. Abhay Pimparkar,
Director, Environment & CC, Dept, GoM.
Maharashtra Coastal Zone Management Authority,
Environmental Department, 15th floor,
New Administrative Building, Mantralay,
Mumbai -400 032.

Sub -- Original Application No.201/2023 before Hon'ble National Green Tribunal (WZ), Pune (Charan Bhatt Vs Wetland Division, MOEF & CC & Ors)

Ref -- Your letter No. OA 2024/CR 1/TC-4 Dated 12th July 2024.

With reference to letter from Director MCZMA and it is to inform MCZMA as follows :--

- 1) During Site Visit it has been informed to us to submit the details of the permission granted on the lands as complaint by Mr. Charan Bhatt on various issues. The details are as under.

Lands covered in the complaint by Mr. Charan Bhatt	Details of Permissions
S.No.89,90,91,92,93,94,95,96,97,98,102,103,106,107,108,109,110,111,112,113,114,115,116,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,132,133,134,135,136,137,138,139,140,141,142,143,144,145,146,147,148,149,150,151,152,153,154,155,156,157,158,159,160,161,162,163,164,165,166,167,168,169,170,171,172,173,174,175,176,177,178,179,180,181,182,183,184,185,186,187,188,189,190,191,194,195,196,197,198,199,200,201,202,203,204,205,206,207,208,209,210,211,212,213,214,215,216,217,218,219,220,221,222,223,224,225,226,227,228,229,230,231,232,233,234,235,236,237,238,239,240. Village : Sasunavghar	Permission is Granted on S.No. 99,100,101,104,105,192,193 Village : Sasunavghar Vide letter No. VVCMC/TP/CC/VP-6475/97/2022-23 dt.30/6/2022

- 2) Also During Site Visit it has been informed to us to submit the details of the permission granted and the basis of the said permission, The details are as under.

- i) Vasai Virar City Municipal Corporation being Planning Authority for its jurisdiction and Special Planning Authority for 21 Villages covering entire Vasai Virar Sub Region has mandate to act as per the provisions of MRTP Act 1966 and DP, UDCPR and all other provisions under applicable statutes. The MRTP Act 1966 has the provisions to grant the permission for development of land and building under section 44 & 45 of MRTP Act and hence by exercising the powers as contained in section 44 & 45 of MRTP Act, Vasai Virar City Municipal Corporation has granted permission by following DP, UDCPR and all other governing and applicable provisions under various statutes.

3) Also During Site Visit it has been informed to us to submit the details of the Wetland Provisions and their applicability as far as development permission on land bearing S.No. 99,100,101,104,105,192,193 Village : Sasunavghar is concerned (The Case of Building Permission as mentioned in Para-1), The details are as under.

- i) Collector Palghar has prepared brief document of Palghar district and submitted to State Environmental Department vide letter dated 22/08/2016 and also submitted Geotagged Locations of 87 Wetland sites to Environment Department which intern submitted to Hon'ble Highcourt in PIL 87/2013 Dated 29 Jan 2020. This office has corresponded with Collector Palghar and Collector Palghar has provided a copy of the brief document which contains the locations of the Wetland as identified by Collector Palghar. This Location S.No. 99,100,101,104,105,192,193 Village : Sasunavghar is not earmarked as Wetland in the said brief document prepared by Collector Palghar and also not earmarked as wetland in Geotagged information however in the said wetland brief documents as prepared by Collector Palghar, Village : Sasunavghar is not earmarked as Wetland Area.
- ii) Hon'ble High Court vide order dat. 12 April 2022 in writ petition No.4365 of 2022 and 303 of 2018 has taken a decision directing Vasai Virar City Municipal Corporation to grant the permission in Village : Sasunavghar since the same is not in Wetland as earmarked in the said brief document prepared by Collector Palghar.
- iii) Also Hon'ble High Court has directed Vasai Virar City Municipal Corporation to grant permission on the lands which are not earmarked in the said brief document prepared by Collector Palghar.
- iv) In the instant case since the lands are not covered in brief document there is no objection to grant the development permission on said land.
- v) Since PIL 87/2013 is applicable by following brief document and the directives of Hon'ble court for the Village: Sasunavghar. This office has granted permission on the land as mentioned above, subjected to certain conditions to be fulfilled before commencement of the work at site. The various conditions as imposed by this office are as under:-

Condition No. 35) As the applicant has applied for NOC/Clarification from Govt regarding Wet Land then no construction / development/sale of plots will be permissible without obtaining the NOC of environment dept of Govt. if applicant breaches this condition, the said permission stands cancelled without giving prior notice even under natural justice and giving opportunity to be heard.

Condition No. 36) the said proposal is partly affected by CRZ. But no construction is proposed in CRZ affected area, if any construction is found in CRZ affected area, the said permission stand cancelled without giving prior notice even under natural justice and giving opportunity to be heard.

Condition No. 37) you shall submit revised NA order for S.No.100/1, 100/2, 101/D, 193/4 before commencement of work till no transaction in these survey numbers, even selling of Industrial Plots will not be permitted and if this is found the said permission stand cancelled without giving prior notice even under natural justice and giving opportunity to be heard.

Condition No. 38) any breach of conditions will make this permission / order cancelled without giving any opportunity to be heard and notice.

मुख्य कार्यालय, विरार
विरार (पूर्व),
ता. वसई, जि. पालघर - ४०१ ३०५.



दुरध्वनी : ०२५० - २५२५१०१ / ०२/०३/०४/०५/०६

फॅक्स : ०२५० - २५२५१०७

ई-मेल : vasaivirarcorporation@yahoo.com

जावक क्र.: व.वि.श.म/नश/शा/392/202४-2५

दिनांक : १५/७/२०२४

Condition No. 39) You shall submit Highway NOC before commencement of work.

Condition No. 40) You shall develop existing road before plinth completion certificate.

Also vide conditions no. 38 this office has clearly and categorically mentioned that the Commencement Certificate / Permission will be revoked, if the above conditions are not complied with. However the applicant has not yet approached this office by complying with the above conditions hence the above conditions are still valid and it is to mentioned here that after compliance of all the above conditions only they can commence the work at site.

(This Letter is issued with Prior Approval of Hon'ble Commissioner)

Deputy Director,
Town Planning Department,
Vasai Virar City Municipal Corporation