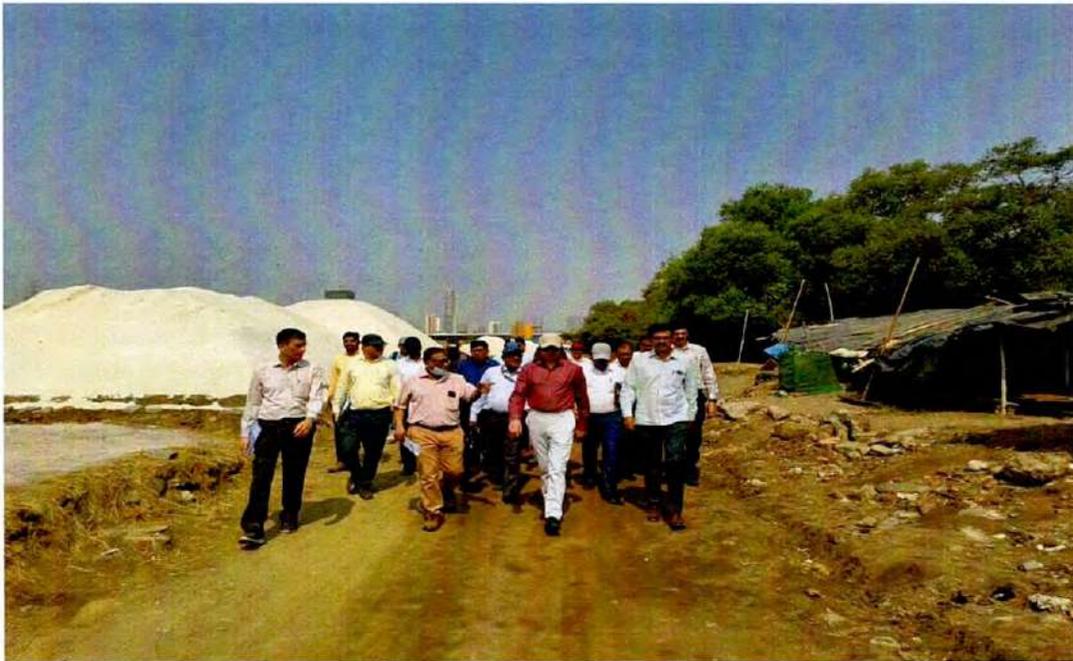


## **STATUS REPORT**

**Compliance of Order dated 28.9.2022 and  
15.3.2023 passed by  
Hon'ble National Green Tribunal Original  
in Application No. 343/2021  
(Madhura Rajesh Tawade V/s State of Mah.)**



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## 1. INTRODUCTION

An original Application No. 343/2021 is filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. The matter pertains to unauthorized structures, dumping of debris in violation of CRZ norms issued under Environment (Protection) Act, 1986 near coastal road at Wadala to Mahul, close to Chembur to CST freeway.

The Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra). Extract of the order is as follows:

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in in the form of image PDF."*

Taking into consideration the above said order of the Hon'ble NGT, first (1<sup>st</sup>) and second (2<sup>nd</sup>) review meetings were held on 18<sup>th</sup> October, 2022 and 16<sup>th</sup> January, 2023 respectively. Necessary Directions were issued for submitting the action taken report on 1.11.2022 to MCGM, Salt Commissioner, District Collector, Mumbai City & Mumbai Suburban. Thereafter, reminder letters dated 26.12.2022 to said Govt Offices. Action taken by the MCGM, Salt Pan Department and District Collector, Mumbai City was compiled in the Status Report.

Accordingly, Status report dated 10<sup>th</sup> February, 2023 was filed before Hon'ble NGT. Copy of the Status Report dated 10<sup>th</sup> February, 2023 is attached herewith as **Annexure I**

**2. HON'BLE NGT ORDER DATED 15<sup>TH</sup> MARCH, 2023**

The Hon'ble NGT has passed an order dated 15<sup>th</sup> March, 2023 in the subject matter stating the inadequacy about the action taken and directed Principal Secretary, Environment &CC Dept to ensure the compliance within 3 months. Excerpts of the NGT order is as follows:

*"from the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of interdepartmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction / negligence.*

*The ACS Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove plantation. Lt the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR support PDF and not in the form of image PDF. If any further direction is found necessary, he may place the matter before the Bench.*

*Subject to above, the Application is disposed of"*

A copy of the Hon'ble NGT order dated 15<sup>th</sup> March, 2023 is attached as **Annexure II**

### **3. THIRD REVIEW MEETING**

Pursuant to Hon'ble NGT order dated 15.3.2023, third (3<sup>rd</sup>) review meeting was conducted on 27<sup>th</sup> March, 2023 under the Chairmanship of Principal Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai at Env&CC Dept, Dalamal House. Concern officials from Salt Pan Department, MCGM and District Collector, City were present for the meeting.

Following directions were issued in the said meeting:

- a) There is demarcation plan of Salt Pan land bearing S. No. 144, 145 and Government land bearing S. No. 117 available with the Salt Department and District Collector office. Based on the said demarcation, quantity of the C&D waste present on the site could be determined within 7 days.
- b) MCGM during the meeting suggested that there is one NGO, Green Foundation, who has shown willingness to process the C&D waste present on the site, without charging the cost from the Govt agencies, provided that adequate land is made available to NGO. The said NGO would create wealth out of waste by utilizing / recycling the C&D waste to make paver blocks, bricks etc. The Principal Secretary, Environment & CC opined that considering the considerable cost for lifting and processing the C&D waste, if the NGO is willing to process the waste, it would be welcome environment friendly initiative. He directed that adequate land for processing the waste should be made available to NGO by Salt Department or Collector office and MCGM should extend all possible efforts to the said NGO. A tripartite agreement should be made between NGO and Salt Department, Collector office and MCGM.
- c) MCGM to provide necessary Manpower and machinery for lifting of the C&D waste from the site.
- d) Salt Department informed that there is injunction by the lower court. Deputy Director, Salt Department should approach Additional Solicitor General (ASG) of Mumbai High Court so that appropriate legal steps could be initiated for vacating the injunction, in order to comply the Hon'ble NGT order in stipulated time.
- e) Deputy Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioners should issue notices to salt pan operators / salt manufactures for the same. FIR

should be filed against the salt operators. Simultaneously, office of the salt department should move to high Courts against the injunctions passed by the lower court in the title dispute matter. Salt Dept. should install CCTVs for protection of their land.

- f) A site visit be carried out by Director, Environment &CC along with the officials of the MCGM, Salt Department and Districted Collector, City. NMGO, Green foundation should be called for the said visit by the MCGM to understand the feasibility of the C&D waste processing

A copy of the minutes is attached herewith as **Annexure III**

**4. SITE VISIT BY PRINCIPAL SECRETARY, ENV&CC DEPT**

The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18<sup>th</sup> April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit.

Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment &CC Department to deliberate and decide on further line of actions. In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18<sup>th</sup> April, 2023 for implementing the Hon'ble NGT directions
3. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris/ C&D waste on the salt pan site and remove the existing C&D waste from the site
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the C&D waste from the site. Deputy salt commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.

8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGZM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.
10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises of Mr. Anil Sharma, Metro Waste handling Pvt ltd, Executive Engineer, MCGM, City Survey & Land Record Officer, Mr. D. A. Patil, Consultant and Regional officer, MPCB, Mumbai who will act as Member convenor.

A copy of the site visit minutes along with photographs & directions dated 18.4.2023 is attached herewith as **Annexure IV**

## 5. TASK FORCE COMMITTEES

The State Environment &CC Department, GoM vide office order dated 18.4.2023 constituted the Task Force Committee under the Chairmanship of Director Environment &CC for monitoring of the compliance of Hon'ble NGT order. Further, Technical Committee was constituted vide office order dated 18.4.2023 to estimate the quantity of the C&D waste in and around salt pan area. Further. Monitoring committee was also constituted vide office order dated 19.5.2023 for monitoring of ground implementation of lifting of C&D waste from the site under the Chairmanship of Deputy Municipal Commissioner, MCGM.

Task force Committee and Technical Committee conducted 4 and 2 meetings respectively for monitoring the compliance of Hon'ble NGT order and instructed / guided the officials from time to time.

Copies of the orders of Task Force Committee, Technical Committees and Monitoring committee are attached as **Annexure V**

## **6. COMPLAINT FILED UNDER SEC 19 & 15 of E (P) Act, 1986**

As per the provisions of the CRZ Notification, 2019 as well as per the Hon'ble High Court's Order dated 17/9/2018 in Public Interest Litigation bearing No.87/2006 filed by Bombay Environmental Action Group and Anr against the State of Maharashtra & Ors., the dumping of debris / C & D waste in 50 meters of mangrove buffer zone is a prohibited activity. On the subject site, dumping of C & D Waste is within 50 meters mangrove buffer zone i.e. CRZ-I (A), which is ecologically sensitive area. In spite of issuance of orders passed by the Hon'ble NGT and directions issued by the MCZMA, the Salt Pan Dept officials have failed to take necessary action of removal of encroachments / illegal constructions on the subject land and construction & demolition of waste from the subject land.

The Ministry of Environment, Forest and Climate, New Delhi vide S. O. 5188(E) dated 13<sup>th</sup> December, 2021 constituted the MCZMA for protection and improving the quality of the coastal environment and preventing, abating and controlling environment pollution in coastal area. As per para 6(vii) of the above mentioned MCZMA order, the Authority is authorized to file complaints under section 19 of the said Act. MoEF&CC, New Delhi vide Notification S. O. 4649(E) dated 30<sup>th</sup> September, 2022 has authorized State CZMA for filling complaint under Section 19 of E(P) Act, 1986.

The Site visit was carried out by the Principal Secretary, Environment Dept on 18<sup>th</sup> April, 2023. Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment &CC Department to deliberate and decide on further line of actions. It was decided in the said meeting that Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators.

Due to non-compliance from the salt pan department & violation of CRZ norms, the complaint under section 19 and 15 under Environment (protection) Act, 1986 has been filed in May, 2023 by Director, Environment &CC and MS, MCZMA against the Salt Operators and Salt Pan Department officials in the local court. Copy of the complaint filed is attached as **Annexure VI**

## **7. FOURTH (4<sup>TH</sup>) REVIEW MEETING**

A Fourth (4<sup>th</sup>) review meeting was held on 8<sup>th</sup> June, 2023 under the Chairmanship of Principal Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai at Env&CC Dept, Dalamal House, Mumbai.

During the meeting, the Salt Pan Dept officials informed that instructions are issued to Salt operators to remove all C&D waste materials from the premises of Hormoz Salt Works within 10 days. In case of failure to remove the C&D waste materials, allow access to the MCGM for removal of the C&D waste materials and also bear the costs of the same as may be charged by the MCGM. Salt Pan Department have informed to MCGM that salt manufactures of Hormoz salt works vide letter dated 27.4.2023 have shown their willingness to remove the C&D waste from Hormoz Salt Works and to dump the same at site designated by MCGM. A letter has been issued to the salt manufacturers from this office to remove the C&D waste materials within 10 days & dispose them in consultation with the MCGM. If the manufacturers fail to remove the C& D waste materials, MCGM is at full liberty to remove the same and recover the expenditure from the salt manufactures of Hormoz salt works.

During the meeting, The MCGM officials informed that a written communication has been made to Salt Department to dispose of the C&D waste at the plant facilities in the vicinity. The names of facilities/facilitators have been communicated to Salt Department vide letter dated 6.6.2023. Officials further informed that simultaneously tender process is ongoing for lifting of the C&D waste.

Vide letter 6.6.2023, the MCGM provided details of waste handling agencies namely, M/s Metro Waste Handing Pvt Ltd, Navi Mumbai Corporation C&D waste plant Turbhe and Godrej C&D waste processing plant vikhroli.

At the end of the meeting, Following Directions were issued:

- i. Salt Pan Dept shall ensure that Salt Operators starts lifting the C&D waste immediately from 12<sup>th</sup> June, 2023 positively. In case, Salt Operators does not comply with the directions, the Salt Pan Dept officials shall file FIR in local police station against the Salt Operators. The Local police station shall get the FIR registered for

stringent action against the salt operators. The MCGM shall start lifting the C&D waste from 12<sup>th</sup> June, 2023. MCGM shall send the demand letter mention the cost to District Collector who will recover the amount from salt pan department & salt operators following land revenue procedure.

- ii. Salt Pan Department shall immediately remove the temporary hutments situated adjacent to mangrove area which is not allowed under CRZ norms.
- iii. Salt Pan Department shall protect the salt pan land and install CCTV for monitoring the illegal activities of dumping of C&D waste. Protection of the salt pan land is sole the responsibility of the Salt Pan Department. PS, Env&CC further directed that salt pan department should take all measures to prevent further dumping of C&D waste on the site.
- iv. Office of District Collector, Mumbai city has demolished the samaj mandir constructed illegally on Govt land. Collector office shall write to MCGM for lifting the construction debris from the site immediately. A detailed report with site photographs shall be submitted to Environment &CC Department.
- v. MCGM officials informed that trucks illegally dumping C&D waste were held and office has the vehicle numbers of said trucks. PS, Env&CC directed the MCGM to provide the list of trucks illegally dumping C&D waste along the road to Environment &CC Department and Transport Commissioner. Necessary actions will be taken against the said trucks.

A copy of the minutes of 4<sup>th</sup> review meeting along with letter is attached herewith as **Annexure VII**.

Further, the Environment & CC Department vide letter dated 13.6.2023 has reminded to Additional Secretary, Ministry of Commerce & Industry that subject Salt Pan land at Wadala belongs to office of Salt Commissioner and hence it is a sole responsibility of the Salt Pan Dept to protect its land and prevent dumping of C&D waste on the site and install CCTV cameras for monitoring of illegal activities of dumping of C&D waste. Further it was informed that Salt Dept need to ensure that the Salt Operators starts lifting the C&D waste immediately from 12<sup>th</sup> June, 2023 for disposal at the plant / facility as communicated by the MCGM vide its letter dated 6.6.2023 to Salt Pan Dept. Temporary hutments situated adjacent to mangrove are shall be removed. Copy of the said letter dated 13rd June, 2023 is attached herewith as **Annexure VIII**

**8. ACTION TAKEN REOPRT BY SALT PAN DEPT:**

The Salt Pan Department vide letter dated 23.6.2023 has submitted the action taken report in the matter. As per the said report:

**1) Removal of encroachment in CS No. 144 pt of Salt Pan Division under Hormoz Salt Works:**

The Demolition drive was conducted by Salt Pan Dept on 2.6.2022 and about 60 illegal / unauthorized structures on CS No. 144 pt of Salt Pan Division under Hormoz Works were demolished. Further, a protective compound wall has been constructed along encroachment prone boundary of CS No. 144 pl. so as to prevent further encroachments in CS No. 144. A report dated 13.6.2022 of the Deputy Suptd. of Salt Wadala is enclosed herewith.

**2) Removal of Temporary huts used as labour rest shed in CS No. 145 of Salt Pan Division under Hormoz Salt Works**

Temporary labour rest sheds made of tarpaulin sheets have been removed.

**3) Removal of C&D waste used by Salt Manufacturers for strengthening of outer embankments in CS No. 145 of Salt Pan Division under Hormoz Salt Works**

- i. The Deputy Salt Commissioner, Mumbai directed the Salt manufacturers of Hormoz salt works to immediately remove C&D waste dumped in salt pan lands and also to remove unauthorized structures in land if any vide letter dated 29.10.2022
- ii. The Deputy Superintendent of Salt Wadala filed Police complaint against the salt manufactures on 17.3.2023
- iii. After receiving details of C&D waste processing units from MCGM on 7.6.2023, the Deputy Salt Commissioner, Mumbai vide letter dated 8.6.2023 asked salt manufactures to start removing C&D waste from or before 12.6.2023, otherwise MCGM will start removing C&D waste and the cost will be recovered from them.
- iv. The Deputy Superintendent of Salt, Wadala accompanied the salt manufactures to Godrej C&D waste processing facilities and Navi Mumbai Municipal Corporation for allowing their sites for disposal of C&D waste to be removed

- from CS No. 145. Godrej C&D waste processing facility collected samples from CS No. 145. The permission for C&D waste disposal at NMMC site was obtained by the Deputy Superintendent of Salt, Wadala from the Commissioner, NMMC at about 7.00 pm on 13.6.2023.
- v. The Salt manufactures has started removing the C&D waste from Hormoz salt works with effect from 14.6.2023 and officers and watch & ward staff are regularly monitoring the same. Deputy Superintendent of Salt, Wadala, one MTS staff and 2 Nos of watch and ward staff are continuously supervising and monitoring the works of removal of C&D waste from CS No. 145 of salt pan division. Superitendant of Salt, Bhandup is also frequently visiting the site for inspecting the removal work. the Deputy Suptd. of Salt, Trombay has also been deputed for supervision of the work of removal of the C&D waste from CS No. 145.
  - vi. Upto 21.6.2023, 20 loads of dumpers of C&D waste have been removed by the Salt manufacturers from CS No. 145 of Salt Pan Division.
  - vii. Shri Murarilal N. Garodia, the salt manufacturer vide letter dated 21.6.2023 has informed that as per report of Godrej C&D waste processing plant, the C&D debris dumped in CS No. 145 is mix of all types of waste and hence can not be processed; and also, NMMC is dumping the C&D waste at their land filling sites. Hence, it has been requested by Shri Garodia to allow him to dump the C&D waste at designated land fill site or dumping sites. It has also been requested by him to allow sufficient time for removal as only one dumper & only one hydraulic excavator can be moved / used on the bund at a time.
  - viii. In view of very slow pace of removal of C&D waste by the salt manufacturer from CS No. 145, the Deputy Superintendent of Salt, Wadala has filed Police Compliant against the salt manufacturers at Wadala Police Station on 22.6.2023. The Police officer told that first they will examine the case and then will register the FIR.
  - ix. As per C&D waste management Rules, 2016, order dated 26-29.2.2016 of Hon'ble High Court in CA No. 221/2013 in PIL 217/2009, order dated 4.5.2017 of Hon'ble Bombay High Court in Review Petition (L) No. 3720/2017 in CA No. 221/2013 in PIL no. 217/2009 and order dated 15.3.2018 in SLP (civil) Diary no. 23708/2017 of the Hon'ble Supreme Court , the constructor (builder / developer) who generated

the waste and the MCGM, who has been entrusted with the responsibility for management of safe dumping of the waste, are equally responsible for allowing the salt manufactures to dump the waste on Salt Department land, without obtaining the NoC of the Salt Pan Department, hence, these two agencies may also be asked to remove the waste at their own expense, order to comply with the order dated 15.3.2023 of Hon'ble NHT.

A copy of the Action taken report dated 23.6.2023 along with photographs is attached herewith as **Annexure IX**

**9. ACTION TAKEN REPORT BY DISTRICT COLLECTOR:**

The District Collector, Mumbai City vide letter dated 19.6.2023 submitted its action taken report in the matter, regarding removal of encroachments on Govt Land CS No. 117(pt), at Shanti Nagar, Wadala.

The District Collector, Mumbai City vide letter dated 19.6.2023 submitted its action taken report. As per the said report, on the Govt land bearing CS No. 117(pt), at Shanti Nagar near Madina Masjid, Wadala, there was encroachment of illegal slum structures. Collector office has time to time removed the encroachments. On space near Madina Masjid at Shant Nagar, 23 nos. of illegal structures were removed on 7.1.2021. However, after the said removal, around 55 nos. of new illegal structures were again observed at the site. Encroachment removal drive for 55 illegal structures was planned on 11.1.2022, however, due to covid situation and as per order dated 8.1.2022, the said plan was temporary stayed. Further, the encroachment removal drive was arranged on 26.5.2022 by giving paper notice. However, occupiers of 55 nos. structures filed Writ Petition No. 16469/2022 in Mumbai High Court. Hon'ble High Court order vide order dated 25.5.2023 granted 3 week stay for the said 55 structures and directed them to file appeal before appellate authority as per clause 50 of Maharashtra Land Revenue Code 1966. Subsequently, Additional Commissioner, Konkan Division has rejected the appeal filed by the Petitioner on 21.11.2022. Thereafter, Petitioner filed Civil Writ Petition (st) no. 30327/2022 against the order passed by Additional Commissioner, Konkan Division. During the hearing of the matter on 7.12.2022, for filing appeal by the Petitioners, the Hon'ble High Court has granted 4 weeks stay for removal of structures. The said stay on removal of illegal structures ended on 6.1.2023. Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station.

Additionally, one illegal structure of Samajmandir along with 3 illegal structures (total 4 illegal structures) on CS no. 117 (pt), Shantinagar has been removed on 29.5.2023 by the Deputy Collector (Encroachment) Dharavi.

A copy of the District Collector office report dated 19.6.2023 along with photographs is attached herewith as **Annexure X**

**10. SUMMARY OF ACTIONS TAKEN:**

- 1) The Principal Secretary, Environment &CC conducted 4 review meetings held on 18.10.2022, 16.1.2023, 27.2.2023 and 8.6.2023 respectively wherein concern officials of Salt Pan Dept, MCGM, District Collector and Police were present. Accordingly, issued necessary are directions to Salt Pan Department, MCGM and District Collector, Mumbai City time to time.
- 2) The Principal Secretary, Env&CC visited the subject site on 18.4.2023 in order to oversee the compliance of Hon'ble NGT order. Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment &CC Department to deliberate and decide on further line of actions. Accordingly, necessary directions were issued on 20.4.2023.
- 3) Task Force and Technical committees have been constituted vide office order dated 18.4.2023 to oversee & monitor the compliance of Hon'ble NGT order. Task force Committee and Technical Committee conducted 4 and 2 meetings respectively for monitoring the compliance of Hon'ble NGT order and instructed / guided the officials from time to time.
- 4) Meanwhile, when non-compliance observed on behalf of Salt Pan Dept, compliant under section 19 and 15 under Environment (protection) Act, 1986 was filed against the Salt Operators and Salt Pan Department officials
- 5) On directions of the PS, Env&CC, the Salt Pan Department filed Police complaint against the Salt Manufactures on 17.3.2023
- 6) District Collector office on 10.1.2023 has removed the 55 nos of illegal structures from the subject Govt Land bearing CS No. 117(pt), at shanti Nagar, Wadala. Further, 4 nos. of illegal structures including samaj mandir was removed on 29.5.2023.
- 7) As per the report of Salt Pan Dept, Salt Pan Department has removed the illegal 60 structures from the site and removed the hutments of labour which were erected adjacent to mangroves.
- 8) As per Salt pan Dept, Removal of the C&D waste is under progress by Salt Manufactures with the directions and assistance from Salt

pan Dept and MCGM. Upto 21.6.2023, 20 loads of dumpers of C&D waste have been removed by the Salt manufacturers from CS No. 145 of Salt Pan Division. The remaining C&D waste lifting is in progress but get slower due to monsoon season.

- 9) Environment & C vide letter dated 13.6.2023 has reminded to Additional Secretary, Ministry of Commerce & Industry that subject Salt Pan land at Wadala belongs to office of Salt Commissioner and hence it is a sole responsibility of the Salt Pan Dept to protect its land and prevent dumping of C&D waste on the site and install CCTC for monitoring of illegal activities of dumping of C&D waste.
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STATUS REPORT

**Compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal  
Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)**

An original Application No. 343/2021 is filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. The matter pertains to unauthorized structures, dumping of debris in violation of CRZ norms issued under Environment (Protection) Act, 1986 near coastal road at Wadala to Mahul, close to Chembur to CST freeway.

2. The Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra). Extract of the order is as follows:

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in in the form of image PDF."*

3. Taking into consideration the above said order of the Hon'ble NGT, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. Necessary Directions were issued for submitting the action taken report on 1.11.2022 to MCGM, Salt Commissioner, District Collector, Mumbai City & Mumbai Suburban (Copies attached). Thereafter, Reminder letters dated 26.12.2022 to said Govt Offices. Copy of the minutes along with directions to concern offices are attached herewith as **Annexure I**

5. The 2<sup>nd</sup> review meeting was held on 16<sup>th</sup> January, 2023 in the chamber of Principal Secretary, Environment & Climate Change Department, GoM, Dalamal House, Mumbai, the officials from the MCGM, Salt Department, District Collector, Mumbai City and MPCB were present. Copy of the minutes of 2<sup>nd</sup> review of meeting is attached herewith as Annexure II.

Status of Action taken / Deliberations in the matter is tabulated as below:

Sr No.	Organization	Directions issued	Status of Action
1	MCGM	<p>a) MCGM to immediately take necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner.</p> <p>b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&amp;D waste from the subject land. MCGM should sent C&amp;D waste from the subject land to Navi Mumbai C&amp;D waste processing facility or any other nearby facility, until the C&amp;D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&amp;D waste facility within MCGM area.</p>	<p>The MCGM vide letter dated 29.12.2022 submitted its reply which states that:</p> <p>a) The said plots ownership is with Salt Commissioner. The said plot given to M/s Harmor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner/ occupier / tenant of the land, by deploying security guard or by constructing protection wall along the periphery of the land</p> <p>MCGM may help to remove or to process the C &amp; D waste materials from the said location if the fund and land were made available by owner of the land</p> <p>b) Also as the ownership of land pertains to salt commissioner, MCGM is not authorized to remove the structure from the land of salt Commissioner. In view of above, MCGM may help to remove the authorized structure if salt commissioner takes leadership for removing the same.</p> <p>MCGM has submitted also an additional reply in the matter. Pertaining to removal / processing of C&amp;D waste, the reply of MCGM states as follows:</p>

		<p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>The recommendation of the Committee for the removal of unauthorized C&amp; waste dumped at the Salt pan plot is as following.</p> <p><i>“Dumping C&amp;D waste/debris for carrying out repairing &amp; augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ – IA. The operator of salt pan / salt manufacturer under the supervision of officer of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&amp;D waste and shall dispose the same in an environmentally sound manner in the nearby C&amp;D waste processing facility at Navi Mumbai or other facility, as appropriate”.</i></p> <p>However its seems that above mentioned recommendation may not have been considered, as intended by committee as, the C&amp;D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&amp;D material has to be done by the operator of salt pan / salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee.</p> <p>Furthermore it is to be informed that currently there are two nos of C&amp;D waste processing Plants operational in and in the vicinity of Mumbai vis.</p> <p>1. M/s Godrej Construction ltd at Vikhroli (E), Mumbai Capacity-300mt/day</p>
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			<p>2. M/s Metro waste Handling pvt. Ltd. at Shilphata, TMC Capacity 300mt/day.</p> <p>BMC has also proposed to set up 02 Nos of C&amp;D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The rendering for the same is under progress.</p> <p>In addition to this BMC has approved designated unloading sites for disposal of C&amp;D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&amp;D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites.</p> <p>Copies of MCGM replies are attached as <b><u>Annexure III</u></b></p> <p><b><u>DELIBERATIONS:</u></b></p> <p>After taking note of abovementioned reply of MCGM, Principal Secretary, Env&amp;CC Department during the meeting pointed out that the specific directions has been issued by the Hon'ble NGT. The said directions of Hon'ble NGT are as follows:</p> <p><i>“MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste”</i></p>
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			<p>The Principal Secretary, Env&amp;CC Department during the meeting instructed MCGM officials to comply with Hon'ble NGT order since the directions of Hon'ble NGT are specific and clear to MCGM.</p> <p>MCGM officials during the meeting stated that the matter would be deliberated with Senior Officials of MCGM and accordingly, further line of action would be taken in the matter.</p> <p>Principal Secretary, Env&amp;CC Department once again directed that it is mandatory for the MCGM to comply with the above stated order of the Hon'ble NGT.</p>
2	District Collector, Mumbai City and Suburban	<p>Office of District Collectors to hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022.</p> <p>Action taken report be submitted to the Department at the earliest.</p>	<p><b><u>REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:</u></b></p> <p>The Office of Deputy Collector (Encroachment), old custom House, Fort, Mumbai vide letter dated 6.2.2023 submitted the status of action taken. The said report states as follows:</p> <ul style="list-style-type: none"> <li>Plan for removal of encroachment on subject Govt land bearing CS No. 117 (pt) was staged on 10.1.2023 by the office of Deputy Collector (Encroachment). Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station. Photographs of the said land are attached with the report. Display board is put on site warning for action against the illegal constructions on the land. Moreover, 3 pakka and 3 kaccha illegal constructions which could not be removed on 10.1.2023, were removed on 6.2.2023. Photographs of the same are attached with the report.</li> </ul>

			<ul style="list-style-type: none"> <li>• On CS No. 117(pt), Annexure has been issued on 8.7.2010 pertaining to Slum Rehabilitation Scheme of Aman Sagar Sahakari Housing Society.</li> <li>• On North side of CS No. 117(pt), at Shantinagar, there is construction of SamajMandir built using the fund from Local MLA shri Captain Tamil Selvan. Regarding confirmation about the said construction, office of Superintendent, Land Records and District Planning Officer, Mumbai has been asked.</li> </ul> <p>Copy of reply of Salt Department is attached as <b><u>Annexure IV</u></b></p> <p><b><u>DELIBERATIONS:</u></b></p> <p>Principal Secretary, Env&amp;CC Department noted the action taken by the Office of District Collector, Mumbai city. He instructed that adequate measures need to be taken by the office of District Collector to protect the Govt land from encroachments in future.</p>
3	Office of Salt Commissioner	<p>a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land</p> <p>b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the</p>	<p><b><u>REPLY OF OFFICE OF SALT DEPT:</u></b></p> <p>Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that:</p> <p>The office has issued letter No. S-11011(30) Salt/84/5430-36 dated 29.10.2022 (Annexure No.1) to the salt manufactures of Hormoz salt works under CS No., 144 &amp; 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (Annexure No.2) has been given by the salt manufacturers of the salt works. The salt</p>

		<p>C&amp;D waste on salt pan land. Deputy Salt Commissioner should issue notices to salt salt pan operators / salt manufactures for the same.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>manufacturers have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C &amp; D waste materials during night hours in salt pan lands with motive to grab /encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.</p> <p>It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Hormoz salt works bearing CS No. 144 &amp; 145 which is adjacent to land bearing CS No. 117. We are not aware of any initiative / action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT.</p> <p>Copy of reply of office of Deputy Collector, Mumbai city t is attached as <b><u>Annexure V</u></b></p> <p><b><u>DELIBERATIONS:</u></b></p> <p>Principal Secretary, Env&amp;CC Department noted the reply and instructed Salt Department to provide all necessary assistant to MCGM and District Collector office in order to comply with directions of the Hon'ble NGT. He pointed out that as per Hon'ble NGT order, "<i>The Salt Commissioner, Mumbai has also to take necessary action in the matter</i>"</p>
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			<p>Therefore, it is mandatory for the office of the Salt Commissioner Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to comply with the order of Hon'ble NGT. Further, Salt Department need to come with practical measures to prevent encroachment and dumping on the land in future.</p>
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**Date: 10<sup>th</sup> February, 2023**

**ENCLOSURES:**

- 1) Minutes of 1<sup>st</sup> Review Meeting dated 18<sup>th</sup> October, 2022 along with directions dated 1.11.2022 issued to MCGM, Salt Department and District Collector office and Reminder letters dated 26.12.2022 to MCGM, Salt Department and District Collector office – **Annexure I**
- 2) Minutes of 2<sup>nd</sup> review meeting dated 16<sup>th</sup> January, 2023 – **Annexure II**
- 3) Replies of Municipal Corporation of Greater Mumbai – **Annexure III**
- 4) Reply of District Collector, Mumbai City – **Annexure IV**
- 5) Reply of Salt Department – **Annexure V**

**MINUTES OF  
JOINT MEETING HELD ON 18<sup>th</sup> OCTOBER, 2022  
UNDER THE CHAIRMANSHIP OF  
SECRETARY, ENVIRONMENT & CLIMATE CHANGE, GOM**

**SUB:** Compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

An Original Application No. 343/2021 was filed by Madhura Rajesh Tawade versus State of Maharashtra. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2. The Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra).

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in the form of image PDF."*

*Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date*

*List for further consideration on 2.1.2023"*

3. A first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai. List of the officer present for the said meeting is attached as Annexure I.

4. Director, Environment & Climate Change apprised the officials about the order dated 28.9.2022 passed by Hon'ble NGT in the subject matter. Vide order dated 15.12.2021, the Hon'ble NGT sought a factual and action taken report from a six member joint committee

comprising of MCZMA, CPCB, MPCB, SEIAA, BMC and concerned District Magistrate. In pursuance of the said order, a joint committee submitted its report on 26.9.2022. The Recommendations of the Joint Committee are as follows:

- (a) Dumping C&D waste/ debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ IA. The operator of Salt pan/ salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N) M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the near C&D waste processing facility at Navi Mumbai or other facility, as appropriate.
  - (b) Dr. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N) / M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses and other temporary structures) at CS NO. 144 and CS No. 117 which is a CRZ II area, so as to ensure the restoration of the aforesaid area to its original condition.
  - (c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule I of the construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing and disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.  
Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its Jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate / unauthorized disposal of C&D waste at sensitive areas viz CRZ areas, river banks etc.
  - (d) Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue / unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ IA, as per CRZ Notification, 2019. However, in case such undue / unauthorized dumping is observed / reported through public grievances etc, such instances may be immediately brought to the notice of MCGM for taking appropriate penal actions against violators.
5. Taking into account the order of the Hon'ble NGT, the Secretary, Environment discussed that there are three (3) aspects in the order of the Hon'ble NGT wherein action needs to be taken by MCGM, Salt Commissioner office and District Collector, Mumbai City.
- 1) Removal of the encroachments / unauthorized structures from the subject land.
  - 2) Collection of debris (C&D) waste from the subject site and
  - 3) Scientific processing of the C &D waste

**Regarding Removal of Encroachments:**

During the meeting, officials from the Salt Commissioner informed that there are 3 survey Nos. involved in the subject land i.e. Survey No. 144, 145 and 117. The Survey No. 144 and 145 is a salt pan land owned by Government of India. Currently salt pan on Survey No.

145 is operated by Shri Garodia. Survey No. 117 belong to State Government (without any valid lease from Asst. Commissioner Salt Pan). There are encroachments by Slum dwellers in Survey no. 144 and salt pan department has started action against the said encroachments. He further informed that office of the Salt Commissioner has inadequate manpower to carry out the removal of the unauthorized constructions. Support of the District Collector and MCGM is necessary in the matter. Secretary, Environment directed that concern ward offices F/ N and M/ W of MCGM should act in coordination to take action of removal of encroachments on the subject land immediately.

Tehsildar Mumbai city during the meeting informed that survey no. 117 belongs to State of Maharashtra. The necessary action will be initiated soon for removal of encroachments on the subject land. The necessary notices for removal of encroachments have been issued and process of removal of encroachments will be completed by 10<sup>th</sup> November, 2022.

**Regarding of C&D waste on subject land**

MCGM officials informed that the subject land falls within the jurisdiction of F/ N and M/W west ward. Presently, there is no C&D processing facility for MCGM area. Work is underway to set up the C&D waste processing facility for MCGM area. The Regional Officer, MPCB, Mumbai informed that nearby C& D waste processing facility is in Navi Mumbai Area. Secretary, Environment & Climate Change directed MCGM that till the facility for the C&D waste processing is ready for the MCGM area, the debris and C&D waste should be collected immediately by the MCGM in coordination with the Salt Commissioner Office and scientifically processed at Navi Mumbai site, as per order of Hon'ble NGT. MCGM should submit the time bound action plan with budgetary allocation for the same. Further, It was directed to Salt Commissioner Office to take necessary measures to safeguard the salt pan land from the encroachments and dumping of debris, C&D waste. It was brought to the notice that lessee of Salt pan is allowing the temporary storage of C &D waste and further it is distributed as per requirement of the purchaser for land levelling in and around Mumbai region. The Secretary, Env&CC took a serious note of the same and directed Salt Commissioner office to issue necessary directions to the lessee / power of attorney holders of the salt pans (without any valid lease from Asst. Commissioner Salt Pan) to immediately stop the practice of allowing temporary storage of C&D waste. He further directed that if such practice is noticed in future, necessary FIR shall be launched against the lessee or POA holder (without any valid lease from Asst. Commissioner Salt Pan)

6. After detailed discussion and deliberation, following directions to be issued to MCGM, Salt Commissioner and Mumbai City Collector:

- a) Hon'ble NGT order need to be brought to the notice of Municipal Commissioner, Municipal Corporation of Greater Mumbai (MCGM) for necessary action in the matter. Ward offices of F/ N and M/ W to act in coordination along with office of Salt Commissioner to remove the encroachments on the subject land.
- b) Office of the District Collector, Mumbai City & Mumbai Suburban should immediately take action to remove the unauthorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022.

- c) MCGM need to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. MCGM should sent C&D waste from the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within MCGM area.
- d) Deputy Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioners should issue notices to salt salt pan operators / salt manufactures for the same.

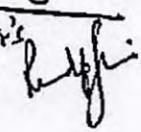
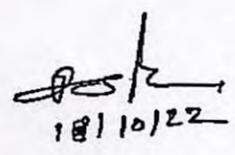
-----*Meeting ended with vote of thanks to Chair*-----

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**1263**  
**MEETING**

AT office of secretary, Environment Dept Date: 18<sup>th</sup> Oct, 2022

SUB: Review of Compliance of order dated 28/9/2022  
in O.A. NO. 343/2021 (Madhura Tawde v/s state)

<u>Sr. NO.</u>	<u>Official Name &amp; Designation</u>	<u>organization</u>	<u>signature</u>
1.	Ranadip Goswami Superintendent of Salt, Mumbai.	Salt Commissioner's Organisation dsaltcom.mumbai nic.in	
2.	S. H. Pansy Dy. Superintendent of Salt Bhandup/Wadala	Salt Commissioner Organisation	
3.	Shilpa Kamthe Tahsildar (SGY) for Collector Mumbai City.		Shilpa
4)	S.K. Gaitwad. Executive Engineer (Building & Factory) FIN ward, Matunga, BMC.		
5)	D. J. Rane S.E (sum) FIN (BMC)		 18/10/22
6)	R.R. Ore SE (sum) FIN (BMC)		 18/10/22
7)	B. K. Surk AEE (sum) FIN (BMC)		
8)	S.K. Gaitwad 33 (AEE sum & (norm) BMC)		

⑧ S. R. Bhasule  
ROMPCB Mumbai

RO.MPCB ~~Shah~~

⑨ Mrs. Mohita

Deputy Salt  
Commissioner,  
(In charge, Mumbai) (online  
attended  
meeting)

**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

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

No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032.  
Date: 1.11.2022

To,  
Municipal Commissioner,  
Municipal Corporation of Greater Mumbai,  
Mahapalika Marg, Fort, Mumbai

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Dear Sir,

Your kind attention is requested in the matter of Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2. It is to inform that vide order dated 15.12.2021, the Hon'ble NGT had earlier sought a factual and action taken report from a six member joint committee comprising of MCZMA, CPCB, MPCB, SEIAA, BMC and concerned District Magistrate. In pursuance of the said order, a joint committee had submitted its report on 26.9.2022 before Hon'ble NGT. Copy of the said joint committee report is attached herewith.

3. Presently, the Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra), which is as follows:

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has*

*also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in in the form of image PDF."*

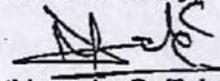
A copy of the above said order of the Hon'ble NGT is attached herewith.

4. In the matter, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the minutes of the said meeting is attached herewith.

5. In the light of above, in order to comply with above stated order dated 28.9.2022 of the Hon'ble NGT in time bound manner, following directions are issued to MCGM:

- a) MCGM to immediately take necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner.
- b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. MCGM should sent C&D waste from the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within MCGM area.
- c) Action taken report be submitted to the Department at the earliest.

Yours faithfully,

  
(Narendra D. Toke) 11/11/22

Director, Environment and Climate Change Dept  
and MS, MCZMA

Copy for information to:

1. Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File - TC 4

o/c 2

आज दि. 2/11/2022  
रांजी निर्गमित केले  
लिपिक/कार्यासन  
पर्यावरण व वातावरणीय बदल विभाग  
मंत्रालय, मुंबई ४०० ०३२

**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

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

No. OA 2022 / CR 3 / TC - 4  
 Office of the -  
 Maharashtra Coastal Zone Management Authority,  
 Environment & Climate Change Department,  
 15<sup>th</sup> floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032.  
 Date: 1.11.2022

To,  
 District Collector, Mumbai City  
 Old Custom House,  
 Mumbai City

To,  
 District Collector, Mumbai Suburban  
 Govt Colony, Bandra (E),  
 Mumbai Suburban- 400051

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Dear Sir,

Your kind attention is requested in the matter of Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by addicting debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2. It is to inform that vide order dated 15.12.2021, the Hon'ble NGT had earlier sought a factual and action taken report from a six member joint committee comprising of MCZMA, CPCB, MPCB, SEIAA, BMC and concerned District Magistrate. In pursuance of the said order, a joint committee had submitted its report on 26.9.2022 before Hon'ble NGT. Copy of the said joint committee report is attached herewith.

3. Presently, the Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra), which is as follows:

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM*

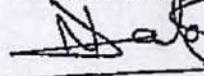
*has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions, within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in in the form of image PDF."*

A copy of the above said order of the Hon'ble NGT is attached herewith.

4. In the matter, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the minutes of the said meeting is attached herewith.

5. In the light of above, in order to comply with above stated order dated 28.9.2022 of the Hon'ble NGT in time bound manner, you are hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022. Action taken report be submitted to the Department at the earliest.

Yours faithfully,

  
(Narendra D. Toke) 11/22

Director, Environment and Climate Change Dept  
and MS. MCZMA

Copy for information to:

1. Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File - TC 4

O/C

आज दि. 21/11/2022  
रोजी निगा...  
लिपिक/कायासन  
पर्यावरण व वातावरणीय बदल विभाग  
मंत्रालय, मुंबई ४०० ०३२

2.

**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

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

No. OA 2022 / CR 3 / TC - 4  
 Office of the -  
 Maharashtra Coastal Zone Management Authority,  
 Environment & Climate Change Department,  
 15<sup>th</sup> floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032.  
 Date: 1.11.2022

To,  
 Prema Joshi,  
 Salt Commissioner, Government of India,  
 New Delhi

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Your kind attention is requested in the matter of Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by addicting debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

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3. Presently, the Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra), which is as follows:

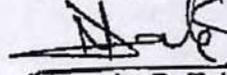
*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal*

*Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant. restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in in the form of image PDF."*

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4. In the matter, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the minutes of the said meeting is attached herewith.
5. In the light of above, in order to comply with above stated order dated 28.9.2022 of the Hon'ble NGT in time bound manner, following directions are issued to MCGM:
  - a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land
  - b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioner should issue notices to salt salt pan operators / salt manufactures for the same.
  - c) Action taken report be submitted to the Department at the earliest.

Yours faithfully,

  
(Narendra D. Toke) | 11/22

Director, Environment and Climate Change Dept  
and MS, MCZMA

Copy for information to:

1. Secretary, Environment & Climate Change Department. 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File - TC 4

o/c

आज दि. 21/11/2022  
रोजी निर्गमित केले  
लिपिक/कार्यासन   
पर्यावरण व वातावरणीय बदल विभाग  
मंत्रालय, मुंबई ४०० ०३२

**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

Tel. No. : 22029388  
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No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032.

Date: 26/12/2022

**URGENT NGT MATTER****REMINDER LETTER**

To,  
Municipal Commissioner,  
Municipal Corporation of Greater Mumbai,  
Mahapalika Marg, Fort, Mumbai

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

**Ref:** 1) Order dated 28.9.2022 passed by the Hon'ble NGT in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

2) First (1<sup>st</sup>) review meeting held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya

3) This office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022

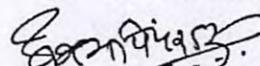
Dear Sir,

Reference kindly invited to this office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022 sent to you for compliance of order 28.9.2022 passed by Hon'ble NGT, New Delhi in Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra. Copy of the said letter is attached herewith for a ready reference.

2. It is to remind you that, in order to comply with the order 28.9.2022 passed by Hon'ble NGT, New Delhi, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the order dated 28.9.2022 of Hon'ble NGT along with minutes of the 1<sup>st</sup> review meeting is sent to you once again for ready reference.

3. In the light of above, in order to comply with above stated order dated 28.9.2022 of the Hon'ble NGT in time bound manner, following directions were issued to MCGM:
- MCGM to immediately take necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner.
  - MCGM to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. MCGM should sent C&D waste from the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within MCGM area.
  - Action taken report be submitted to the Department at the earliest.
4. As per the above said Hon'ble NGT order, *Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by vide conference on the next date*" The next date in the matter is 2/1/2023.
5. Kindly, action taken report be submitted to the Department immediately, so that Hon'ble NGT could be appraised about the action on next date of hearing i.e. listed on .2<sup>nd</sup> January, 2023. Pease treat this as MOST URGENT

Yours faithfully,



(Abhay Pimparkar)

Director, Environment and Climate Change Dept  
and MS, MCZMA

**Copy for information to:**

- Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexed Building, Mantralaya, Mumbai.
- Select File - TC 4

**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

Tel. No. : 22029388  
E-mail : [dir1.mev-mh@nic.in](mailto:dir1.mev-mh@nic.in)  
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No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032.  
Date: 26/12/2022

**URGENT NGT MATTER****REMINDER LETTER**

To,  
Salt Commissioner, Government of India,  
New Delhi  
([dsaltcom.mum@nic.in](mailto:dsaltcom.mum@nic.in))

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

**Ref:** 1) Order dated 28.9.2022 passed by the Hon'ble NGT in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

2) First (1<sup>st</sup>) review meeting held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya.

3) This office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022

Reference kindly invited to this office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022 sent to you for compliance of order 28.9.2022 passed by Hon'ble NGT, New Delhi in Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra. Copy of the said letter is attached herewith for a ready reference.

2. It is to remind you that, in order to comply with the order 28.9.2022 passed by Hon'ble NGT, New Delhi, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the order dated 28.9.2022 of Hon'ble NGT along with minutes of the 1<sup>st</sup> review meeting is sent to you once again for ready reference.

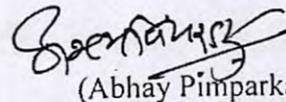
3. In the light of above, in order to comply with above stated order dated 28.9.2022 of the Hon'ble NGT in time bound manner, following directions are issued to MCGM:

- a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land
- b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioner should issue notices to salt salt pan operators / salt manufactures for the same.
- c) Action taken report be submitted to the Department at the earliest.

4. As per the above said Hon'ble NGT order, *Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by vide conference on the next date*" The next date in the matter is 2/1/2023.

5. You are once again directed to submit the action taken report to the Department immediately, so that Hon'ble NGT could be appraised about the action on next date of hearing i.e. listed on .2<sup>nd</sup> January, 2023. Pease treat this as MOST URGENT

Yours faithfully,



(Abhay Pimparkar)

Director, Environment and Climate Change Dept  
and MS, MCZMA

Copy for information to:

1. Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexed Building, Mantralaya, Mumbai.
2. Select File - TC 4

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No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032.  
Date: *26<sup>th</sup> December, 2022*

**URGENT NGT MATTER****REMINDER LETTER**

To,  
District Collector, Mumbai City  
Old Custom House,  
Mumbai City

To,  
District Collector, Mumbai Suburban  
Govt Colony, Bandra (E),  
Mumbai Suburban- 400051

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

**Ref:** 1) Order dated 28.9.2022 passed by the Hon'ble NGT in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

2) First (1<sup>st</sup>) review meeting held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya.

3) This office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022

Dear Sir,

Reference kindly invited to this office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022 sent to you for compliance of order 28.9.2022 passed by Hon'ble NGT, New Delhi in Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra. Copy of the said letter is attached herewith for a ready reference.

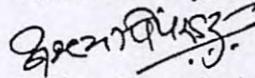
2. It is to remind you that, in order to comply with the order 28.9.2022 passed by Hon'ble NGT, New Delhi, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of

Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the order dated 28.9.2022 of Hon'ble NGT along with minutes of the 1<sup>st</sup> review meeting is sent to you once again for ready reference.

3. As per the above said Hon'ble NGT order, *Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by vide conference on the next date*" The next date in the matter is 2/1/2023.

4. In the light of above, you are once again directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022. Action taken report be submitted to the Department immediately, so that Hon'ble NGT could be appraised about the action on next date of hearing i.e. listed on .2<sup>nd</sup> January, 2023. Pease treat this as MOST URGENT

Yours faithfully,



(Abhay Pimparkar)

Director, Environment and Climate Change Dept  
and MS, MCZMA

Copy for information to:

1. Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File - TC 4

MINUTES OF SECOND (2<sup>ND</sup>) REVIEW MEETING

Compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Date: 16th January, 2023

Original Application No. 343/2021 is filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. The Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra), which is as follows:

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in the form of image PDF."*

2. In order to comply with the order 28.9.2022 passed by Hon'ble NGT, New Delhi, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. Necessary Directions were issued for submitting the action taken report on 1.11.2022 to MCGM, Salt Commissioner, District Collector, Mumbai City & Mumbai Suburban (Copies attached). Thereafter, Reminder letters dated 26.12.2022 to said Govt Offices.
3. The 2<sup>nd</sup> review meeting was held on 16<sup>th</sup> January, 2023 in the chamber of Principal Secretary, Environment & Climate Change Department, GoM, Dalamal House, Mumbai, the officials from the MCGM, Salt Department, District Collector, Mumbai City and MPCB were present. List of officers present is attached as Annexure I.

4. As per the deliberations in the 2<sup>nd</sup> review meeting, Status of Action taken / Deliberations in the matter is tabulated as below:

Sr No.	Organization	Directions issued	Deliberations / Status of Action
1	MCGM	<p>a) MCGM to immediately take necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner.</p> <p>b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&amp;D waste from the subject land. MCGM should sent C&amp;D waste from the subject land to Navi Mumbai C&amp;D waste processing facility or any other nearby facility, until the C&amp;D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&amp;D waste facility within MCGM area.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>The MCGM officers present during the meeting informed that MCGM vide letter dated 29.12.2022 has submitted its say in the matter.</p> <p><b><u>REPLIES OF MCGM:</u></b></p> <p>The MCGM vide letter dated 29.12.2022 submitted its reply which states that:</p> <p>a) The said plots ownership is with Salt Commissioner. The said plot given to M/s Harmor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner/ occupier / tenant of the land, by deploying security guard or by constructing protection wall along the periphery of the land</p> <p>MCGM may help to remove or to process the C &amp; D waste materials from the said location if the fund and land were made available by owner of the land</p> <p>b) Also as the ownership of land pertains to salt commissioner, MCGM is not authorized to remove the structure from the land of salt Commissioner. In view of above, MCGM may help to remove the authorized structure if salt commissioner takes leadership for removing the same.</p> <p>MCGM has submitted also an additional reply in the matter. Pertaining to removal / processing of C&amp;D waste, the reply of MCGM states as follows:</p>

The recommendation of the Committee for the removal of unauthorized C&D waste dumped at the Salt pan plot is as following-

*“Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ - IA. The operator of salt pan / salt manufacturer under the supervision of officer of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate”.*

However its seems that above mentioned recommendation may not have been considered, as intended by committee as, the C&D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&D material has to be done by the operator of salt pan / salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee.

Furthermore it is to be informed that currently there are two nos of C&D waste processing Plants operational in and in the vicinity of Mumbai vis.

1. M/s Godrej Construction ltd at Vikhroli (E), Mumbai Capacity- 300mt/day

2. M/s Metro waste Handling pvt. Ltd. at Shilphata, TMC Capacity 300mt/day.

BMC has also proposed to set up 02 Nos of C&D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The rendering for the same is under progress.

In addition to this BMC has approved designated unloading sites for disposal of C&D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites.

DELIBERATIONS:

After taking note of abovementioned reply of MCGM, Principal Secretary, Env&CC Department during the meeting pointed out that the specific directions has been issued by the Hon'ble NGT. The said directions of Hon'ble NGT are as follows:

*"MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste"*

The Principal Secretary, Env&CC Department during the meeting instructed MCGM officials to comply with Hon'ble NGT order since the directions of Hon'ble NGT are specific and clear to MCGM.

<p>MCGM officials during the meeting stated that the matter would be deliberated with Senior Officials of MCGM and accordingly, further line of action would be taken in the matter.</p> <p>At the end, Principal Secretary, Env&amp;CC Department once again directed that it is mandatory for the MCGM to comply with the above stated order of the Hon'ble NGT. Next Date of hearing in the matter before Hon'ble NGT is 14<sup>th</sup> February, 2023, wherein compliance of the above stated order is required to be appraised to Hon'ble NGT.</p>		
<p>Deputy Collector, Mumbai City attended the said meeting and informed about the action taken about the removal of encroachments/ illegal construction on the Govt Land bearing CS No. 117(pt). He informed that 55 numbers of illegal constructions has been removed. He further informed that on certain part of the land, there is SRA scheme proposed. He assured that detailed report about the action taken would be submitted soon.</p> <p><b><u>REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:</u></b></p> <p>The Office of Deputy Collector (Encroachment), old custom House, Fort, Mumbai vide letter dated 6.2.2023 submitted the status of action taken. The said report states as follows:</p> <ul style="list-style-type: none"> <li>Plan for removal of encroachment on subject Govt land bearing CS No. 117 (pt) was staged on 10.1.2023 by the office of Deputy Collector (Encroachment). Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station. Photographs of</li> </ul>	<p>Office of District Collectors to hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022.</p> <p>Action taken report be submitted to the Department at the earliest.</p>	<p>District Collector, Mumbai City and Suburban</p>

			<p>the said land are attached with the report. Display board is put on site warning for action against the illegal constructions on the land. Moreover, 3 pakka and 3 kaccha illegal constructions which could not be removed on 10.1.2023, were removed on 6.2.2023. Photographs of the same are attached with the report.</p> <ul style="list-style-type: none"> <li>• On CS No. 117(pt), Annexure has been issued on 8.7.2010 pertaining to Slum Rehabilitation Scheme of Aman Sagar Sahakari Housing Society.</li> <li>• On North side of CS No. 117(pt), at Shantinagar, there is construction of SamajMandir built using the fund from Local MLA shri Captain Tamil Selvan. Regarding confirmation about the said construction, office of Superintendent, Land Records and District Planning Officer, Mumbai has been asked.</li> </ul>
3	Office of Salt Commissioner	<p>a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land</p> <p>b) Salt Commissioner should not allow the salt pan operators / salt manufactures to</p>	<p><b><u>DELIBERATIONS:</u></b></p> <p>Principal Secretary, Env&amp;CC Department noted the action taken by the Office of District Collector, Mumbai city. He instructed that adequate measures need to be taken by the office of District Collector to protect the Govt land from encroachments in future.</p> <p>Officials from the Salt Department were present for the meeting and stated that Office of Deputy Salt Commissioner has submitted its reply on 23.12.2022 in the matter.</p> <p><b><u>REPLY OF OFFICE OF SALT DEPT:</u></b></p> <p>Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that:</p>

allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioner should issue notices to salt pan operators / salt manufactures for the same.

c) Action taken report be submitted to the Department at the earliest.

The office has issued letter No. S-11011(30) Salt/84/5430-36 dated 29.10.2022 (Annexure No.1) to the salt manufactures of Hormoz salt works under CS No., 144 & 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (Annexure No.2) has been given by the salt manufactures of the salt works. The salt manufactures have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C & D waste materials during night hours in salt pan lands with motive to grab /encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.

It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Hormoz salt works bearing CS No. 144 & 145 which is adjacent to land bearing CS No. 117. We are not aware of any initiative / action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT.

**DELIBERATIONS:**

Principal Secretary, Env&CC Department noted the reply and instructed Salt Department to provide all necessary assistant to MCGM and District Collector office in order to comply with directions of the Hon'ble NGT. He pointed out that as per Hon'ble NGT order, "*The Salt Commissioner, Mumbai has also to take necessary action in the matter*"

			<p>Therefore, it is mandatory for the office of the Salt Commissioner Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to comply with the order of Hon'ble NGT. Further, Salt Department need to come with practical measures to prevent encroachment and dumping on the their land in future.</p>
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At concluding note, Principal Secretary, Env&CC Department once again directed MCGM, Salt Department and District Collector office to ensure that order dated 28.9.2022 passed by Hon'ble NGT is complied with. On Next Date of hearing i.e. on 14<sup>th</sup> February, 2023, the Hon'ble NGT need to be appraised about the action taken in the matter.

*Abhay Pimparkar*  
(Abhay Pimparkar)

Director, Environment & Climate Change Dept, GoM

Second (2<sup>nd</sup>) Review meeting in the matter of compliance of  
Order dated 28.9.2022 passed by Hon'ble NGT in Original Application No.  
343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Date: 16<sup>th</sup> Jan, 2023

Sr. No.	Name of officials and Designation	Contact Details
1	A. P. Mohanby, Suptlt of Salt	9022955888
2	S. N. Pandey, Dy. Suptlt. of Salt	9426967322
3	S. K. Gaikwad, EE (E&P) / DO FIN MCGM.	9004649964.
4	S. K. Gaikwad, AE (SWM) FN	9819028256
5	D. J. Rane; Sub Engineer (SWM) FN	7506366636
6	T. G. Yadav. SRO MPCB	9987528609
7	K. R. Ore, SECS) FN	9892528285
8	B. G. Gavande Dy coll. ENC.	8691956111
9	Dharam	
10		
11		
12		

**BRIHANMUMBAI MUNICIPAL CORPORATION**

No. AE/SWM/36401  
 Date. 29/12/2022

Sub: - Compliance of order dated 28.09.2022 passed by Hon'ble National Green Tribunal Principal Bench, New Delhi

Ref:- Original Application No. 343/2021  
 (Madhura Rajesh Tawde V/s State of Maharashtra)

This is with subject & reference to the above. the said site is inspected by this office & the point wise observation are as under for the land adjoining costal Road as Wadala to Mahul, close to Chembur to C.S.T. freeway.

Point no. 5.0 (a)

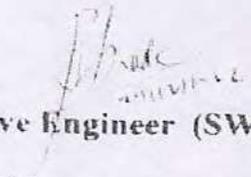
The said plots owner ship is with salt Commissioner. The said plot given to M/s. Hornor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner / occupier / tenant of the land, by deploying Security guard or by constructing protection wall along the periphery of the land.

Brihanmumbai Municipal Corporation may help to remove or to process the C & D waste materials from the said location if the fund and land were made available by owner of the land.

Point No. 5.0 (b)

Also as the owner ship of land pertains to salt commissioner, Brihanmumbai Municipal Corporation is not authorized to remove the structure from the land of salt commissioner. In view of the above Brihanmumbai Municipal Corporation may help to remove the unauthorized structure if salt commissioner takes leadership for removing the same.

Submitted please.

  
 Executive Engineer (SWM) Z-II

**BRIHANMUMBAI MAHANAGARPALIKA**

No. A.E./S.W.M./14649 /F/N Dt. 14.01.2023

SUB: Compliance of Order dated 28.09.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

An Original Application No. 343/2021 was filed by Madhura Rajesh Tawade versus State of Maharashtra. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

The Hon'ble NGT has passed an order dated 28.09.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

*"The recommendations in the report **to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted.** MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in the form of image PDF."  
Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date  
List for further consideration on 02.01.2023"*

After detailed discussion and deliberation in the meeting held on 18.10.2022 in the chamber of secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai following directions issued to MCGM, Salt Commissioner and Mumbai City Collector and accordingly reply of MCGM given as below:

Point No. 1:- Hon'ble NGT order need to be brought to the notice of Municipal Commissioner Municipal Corporation of Greater Mumbai (MCGM) for necessary action in the matter. Ward offices of F/N and M/W to act in coordination along with office of Salt Commissioner to remove the encroachments on the subject land.

BMC Reply:- As per prevailing policy of **MCGM (BRIHANMUMBAI MUNICIPAL CORPORATION) BMC**, the action on unauthorized work on land belonging to special planning authority such as SRA, MHADA, MMRDA, Collector, Salt Commissioner etc. shall be taken by concerned authority and logistic support required for such action (i.e. man and machinery as per availability) shall be provided to concern authority on prior intimation.

In this case, Hon'ble NGT has directed BMC (ward offices of F/N & M/W) and Salt Commissioner to act in co-ordination to remove the encroachment on the said land. As such, a demolition action schedule shall be arranged by Salt Commissioner department and necessary correspondence be made with Police department for protection during demolition action and intimate a copy to this office so that necessary arrangements of man and machinery etc. will be made available.

Point No. 2:- Office of the District Collector, Mumbai City & Mumbai Suburban should immediately take action to remove the authorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022.

BMC Reply:- Does not pertain to BMC.

Point No. 3:- BMC need to formulate action plan along with budgetary allocation for immediate collection of C&D waste from the subject land. BMC should sent C&D waste form the subject land to Navi Mumbai C&D waste processing facility or any other nearby facility, until the C&D waste processing facility is set up by the BMC for Mumbai City and necessary charges for waste processing shall be borne by BMC as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&D waste facility within BMC area.

BMC Reply:-

NGT in its order dated 28.09.2022 has explicitly mentioned that the recommendation of the committee appointed as per its order dated 15.12.<sup>2021</sup>~~2022~~ have to be accepted. 243

The recommendation of the committee for the removal of unauthorized C&D waste dumped at the Salt pan plot is as following.

*"Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan / salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate."*

*However its seems that <sup>above mentioned</sup> of this recommendation may not have been considered, as intended by committee as, the C&D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&D material has to be done by the operator of salt pan/ salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee.*

Furthermore it is to be informed that currently there are two nos of C&D waste processing Plants operational in and in the vicinity of Mumbai viz.

1. M/s Godrej Construction Ltd at Vikhroli (E), Mumbai Capacity- 300mt/day
2. M/s Metro waste Handling pvt. Ltd. at shilphata, TMC Capacity- 300mt/day.

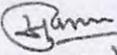
BMC has also proposed to set up 02 Nos of C&D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The tendering for the same is under progress.

In addition to this BMC has approved designated unloading sites for disposal of C&D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites.

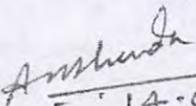
Point No. 4:- Deputy Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioners should issue notices to salt pan operators / salt manufactures for the same.

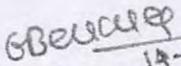
BMC Reply :- Does not pertain to BMC.

Submitted Please,

  
14/1/23  
Executive Engineer  
(B&F) F/North

  
14/1/2023  
Executive Engineer  
(S.W.M) Z-II

  
14-01-2023  
ward Executive Engineer  
Ward F/North

  
14-1-2023  
Assistant Commissioner  
Ward F/North

उपजिल्हाधिकारी (अतिक्रमण/निष्कासन) धारावी विभाग यांचे कार्यालय  
जुने जकात घर, तळमजला, शहीद भगतसिंग रोड, फोर्ट, मुंबई-४०० ००१

(दूरध्वनी क्र.०२२-२२६२४७४० Email- dyencdharavi01@gmail.com)

क्र.कार्या-१/अति./शांतीनगर/२०२३

दि.०६/०२/२०२३ जा.क्र.७२

~~MCZMA~~

MCZMA

9-2-23  
25

✓ प्रति,  
मा.संचालक,  
महाराष्ट्र कोस्टल झोन मॅनेजमेंट अॅथोरिटी,  
पर्यावरण व वातावरणीय बदल विभाग,  
१५ वा माळा, नवीन प्रशासकीय ईमारत,  
मंत्रालय, मुंबई-४०००३२

विषय :- मा.राष्ट्रीय हरीत न्यायाधिकरण, नवी दिल्ली यांचेकडे दाखल अर्ज क्र.३४३/२०२१  
श्रीम.मधुरा राजेश तावडे  
विरुद्ध  
महाराष्ट्र शासन व इतर

संदर्भ:- १) आपलेकडील पत्र दि.२६/१२/२०२२

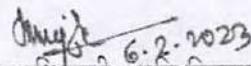
विषयांकित प्रकरणी आपलेकडील संदर्भीय प्राप्त पत्रासोबत मा.राष्ट्रीय हरीत न्यायाधिकरण, नवी दिल्ली यांचेकडील दि.२८/०९/२०२२ रोजीचे आदेशाची प्रत जोडली आहे. मा.राष्ट्रीय हरीत न्यायाधिकरण, न्यु दिल्ली यांचेकडील दि.२८/०९/२०२२ रोजीचे आदेशान्वये सी.एस.क्र.११७(पै) सॉल्ट पॅन विभाग या सी.एस. क्रमांकावरील अतिक्रमण काढण्याचे निर्देश दिले आहेत. याबाबत केलेल्या कार्यवाहीचा अनुपालन अहवाल आपले कार्यालयास सादर करणेस मा.जिल्हाधिकारी, मुंबई शहर यांना निर्देश दिलेले आहेत.

सॉल्ट पॅन विभाग सी.एस.क्र.१४४ चे लागत शासन मालकीचे सीएसक्र.११७(पै) येथील शांतीनगर, इस्टर्न एक्सप्रेस हायवे नजीक, मदीना मस्जिदचे जवळ, वडाळा (पुर्व) मुंबई-३७ येथे काही असामाजिक घटकांनी बेकायदेशिरपणे मोकळ्या जागेवर नव्याने अतिक्रमण करून अनिवासी वापराचे बांधकामे/झोपड्या बांधलेल्या होत्या. यापुर्वीदेखील सदरचे जागेवर अशाच प्रकारचे अतिक्रमणे झालेली होती. या कार्यालयाकडून वेळोवेळी निष्कासनाची कार्यवाही करणेत आलेली आहे. प्रश्नांकित शांतीनगर, मदिना मस्जिदचे बाजूला मोकळ्या जागेवरील एकूण-२३ (कच्ची व पक्के) अनधिकृत बांधकामे या कार्यालयाकडून पुर्वी दि.०७/०४/२०२१ रोजी निष्कासित केलेली आहेत. उक्त टिकाणी नव्याने झालेली अनधिकृत बांधकामे निष्कासनाचा कार्यक्रम दि.०७/०७/२०२१, दि.१४/०७/२०२१ व दि.०२/०९/२०२१ मध्ये आयोजित केलेला होता. परंतु मा.उच्च न्यायालय यांचे सुमोटो पीआयएल क्र.१/२१ मधील वेळोवेळी स्थगिती आदेश असल्याने निष्कासन कार्यवाही करता आली नाही. तसेच या कार्यालयाकडून नव्याने निष्कासन कार्यक्रम दि.११/०१/२०२२ रोजी नियोजित करणेत आलेला होता. परंतु शासनाचे कोविड-१९ चा वाढता प्रादुर्भाव लक्षात घेता दि.०८/०१/२०२२ चे आदेशानुसार नविन शासन नियमावली/निर्बंध जाहीर केलेले होती, त्यामुळे उक्त अतिक्रमण निष्कासन कार्यक्रम तूर्तास स्थगित ठेवण्यात आला होता. तसेच जमिनीच्या मालकीबाबत अभिलेख स्पष्ट नसल्यामुळे दरम्यानचा काळात निष्कासन कार्यक्रम आयोजित करता आला नाही.

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या कार्यालयाचे जाहीर नोटीस दि.२३/०५/२०२२ अन्वये उक्त प्रश्नांकित जागेवरील अतिक्रमण काढण्याबाबत नोटीसीद्वारे प्रसिध्द करणेत येवून निष्कासन कार्यक्रम दि.२६/०५/२०२२ रोजी आयोजित करणेत आलेला होता. त्याविरुध्द प्रश्नांकित जागेवरील अतिक्रमणधारक यांनी मा.उच्च न्यायालय मुंबई येथे याचिका क्रमांक १६४६९/२०२२ दाखल केलेली होती. त्याप्रमाणे मा.उच्च न्यायालय मुंबई यांचे दि.२५/०५/२०२२ रोजीचे आदेशान्वये निष्कासन कार्यक्रमास ०३ आठवड्याची स्थगिती देवून महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम ५०(५) अन्वये अपिल प्राधिकरणाकडे अपिल दाखल करण्याचे निर्देश दिलेले होते. याचिकाकर्ते यांनी मा.अपर आयुक्त, कोकण विभाग यांचेकडे दाखल केलेल्या अपिल क्र.एलएनडी/२९१/२०२२ मध्ये दि.२१/११/२०२२ रोजी निर्णय होवून याचिकाकर्ते यांचे अपिल अमान्य केले आहे. त्यानुसार या कार्यालयाचे दि.२५/११/२०२२ रोजीचे पत्रानुसार दि.०८/१२/२०२२ रोजी निष्कासन कार्यक्रम आयोजित करण्यात आलेला होता. परंतु मा.अपर आयुक्त, कोकण विभाग यांचेकडील दि.२१/११/२०२२ रोजीचे आदेशाविरुध्द अतिक्रमणधारक यांनी पुन्हा मा.उच्च न्यायालय, मुंबई येथे Civil Writ Petition (St) No.३०३२७ of २०२२ दाखल केले. दाखल याचिकेच्या अनुषंगाने मा.उच्च न्यायालय मुंबई येथे दि.०७/१२/२०२२ रोजी सुनावणी होवून याचिकाकर्ते यांना सक्षम प्राधिकरणाकडे अपिल दाखल करण्यासाठी मुदत देवून ०४ आठवडे निष्कासन कार्यवाही करण्यात येवू नये असे निर्देश दिलेले होते. दि.०६/०१/२०२३ रोजी ०४ आठवड्याची मुदत संपली असल्याने तसेच शासनाकडून अतिक्रमण केलेल्या बांधकामाबाबत कोणतेही लेखी स्वरूपाचे स्थगिती आदेश या कार्यालयास प्राप्त नसल्याने या कार्यालयाकडून दि.१०/०१/२०२३ रोजी अतिक्रमण निष्कासनाचा कार्यक्रम आयोजित करणेत आला होता. दि.१०/०१/२०२३ रोजी प्रश्नांकित जागेवरील ५५ बेकायदेशिर अनधिकृत बांधकामे बृ.म.न.पा एफ/नॉर्थ विभाग यांचे कार्यालयाकडील निष्कासन पथक तसेच स्थानिक पोलीस स्टेशनकडील पोलिस बंदोबस्तांमध्ये या कार्यालयाकडून निष्कासीत करण्यात आलेली आहेत. निष्कासीत केलेल्या जागेच्या संदर्भातील छायाचित्रे सोबत जोडली आहेत. शासकीय जागेवर अतिक्रमण केल्यास कार्यवाही करण्यात येईल असे फलक लावण्यात आले आहेत. (छायाचित्र संलग्न) तसेच सदर टिकाणी दि.१०/०१/२०२३ रोजीचे उशिर झाल्याने निष्कासन करण्याचे राहून गेलेले ३ कच्चे व ३ पक्के बांधकामे दि.०६/०२/२०२३ रोजी निष्कासित करण्यात आलेले आहेत. (छायाचित्र संलग्न)

सी.एस.नं.११७ (पै) च्या क्षेत्रावर वसलेल्या झोपड्यांसाठी अमन सागर सहकारी गृहनिर्माण संस्थेचे नावे झोपडपट्टी पुनर्वसन योजनेअंतर्गत एकूण-२५६ झोपड्यांचे परिशिष्ट-२ दि.०८/०७/२०१० रोजी निर्गमित करण्यात आलेले आहे. तसेच न.भू.क्र.११७(पै), शांतीनगर, येथे लागून उत्तर दिशेला स्थानिक मा.आमदार श्री.कॅप्टन तामिल सेल्वन यांचे आमदार निधीमधून समाजमंदिर यां नावे असलेले लांबी-५१ रुंदी-५१ फुट असलेले बांधकाम आहे. सदरचे बांधकामाबाबत खात्री करणेस अधिक्षक, नगर भूमापन व भूमि अभिलेख कार्यालय व जिल्हा नियोजन अधिकारी कार्यालय, मुंबई शहर या कार्यालयास विचारणा करणेत आलेली आहे.

  
६.२.२०२३  
उपजिल्हाधिकारी (अति/निष्का)  
धारावी विभाग, मुंबई शहर

प्रत:- १)मा. जिल्हाधिकारी मुंबई शहर यांना माहितीस्तव सविनय सादर.

२)मा.अपर जिल्हाधिकारी, मुंबई शहर यांना माहितीस्तव सविनय सादर.

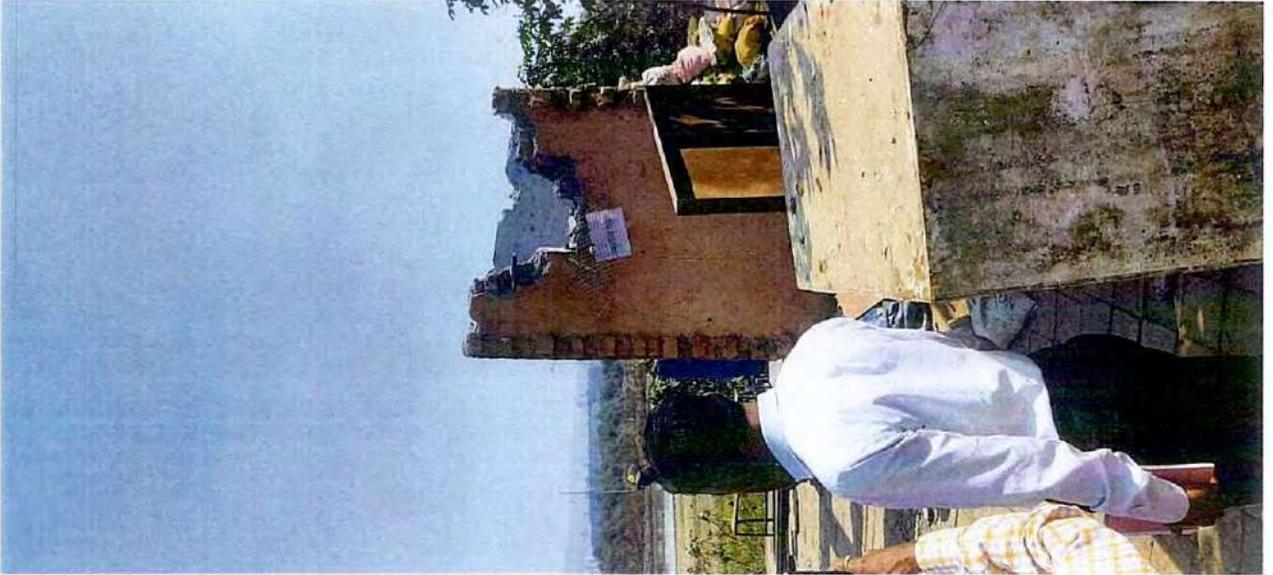
दि. ०६/०२/२०२३ शेजाचे निलेकास १ कार्यवाही कोरो.  
सांगीकर वडाकाळ.



दि. 06/02/2023 को राजीव कार्यवाही फोटो. शांतीनगर नया बा

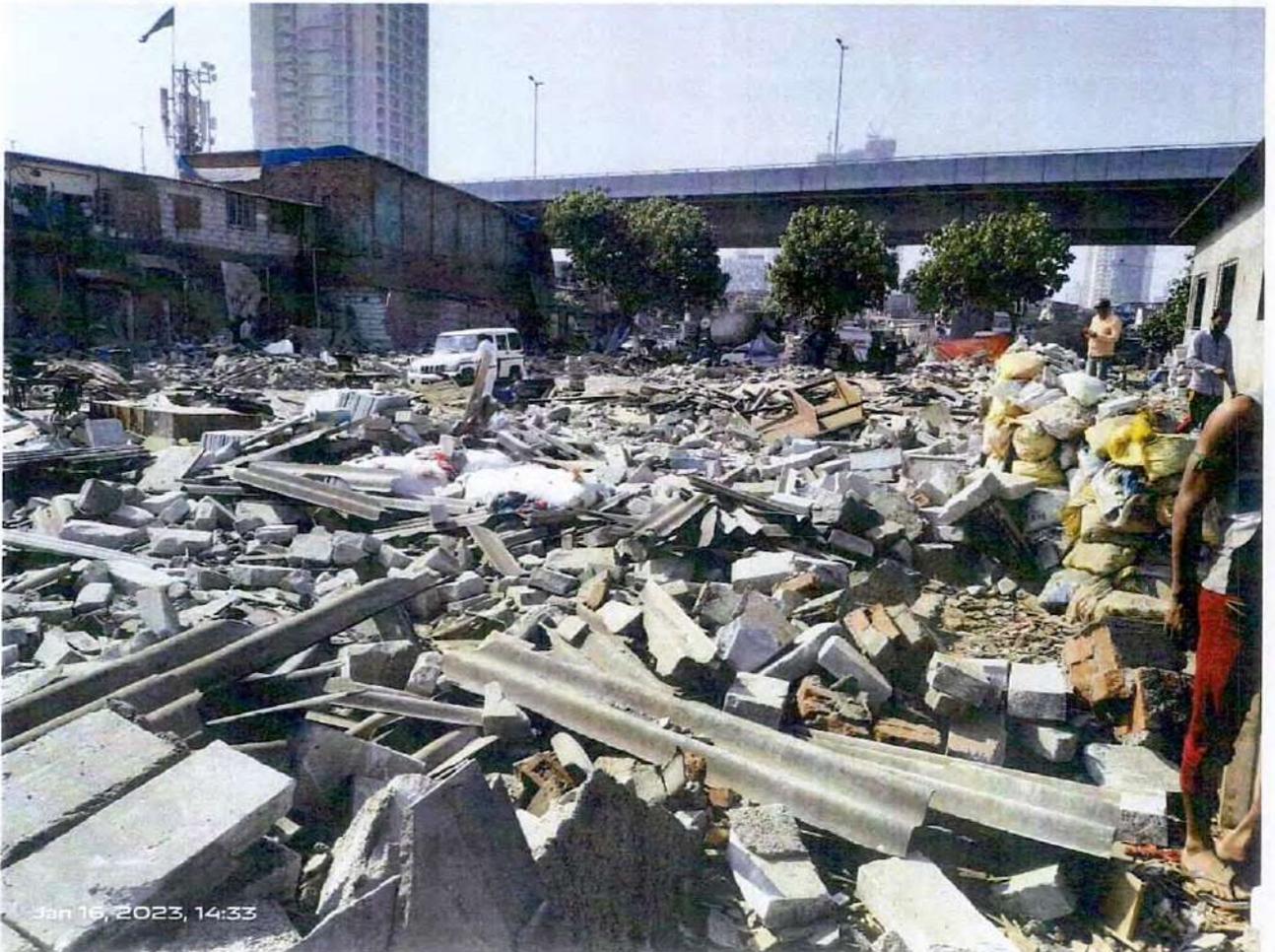


१६-०६/२०२३ रोजी सिंधु नदी किनाऱ्यावर कृषि विद्यापीठ, सिंधु नदी किनाऱ्यावर.

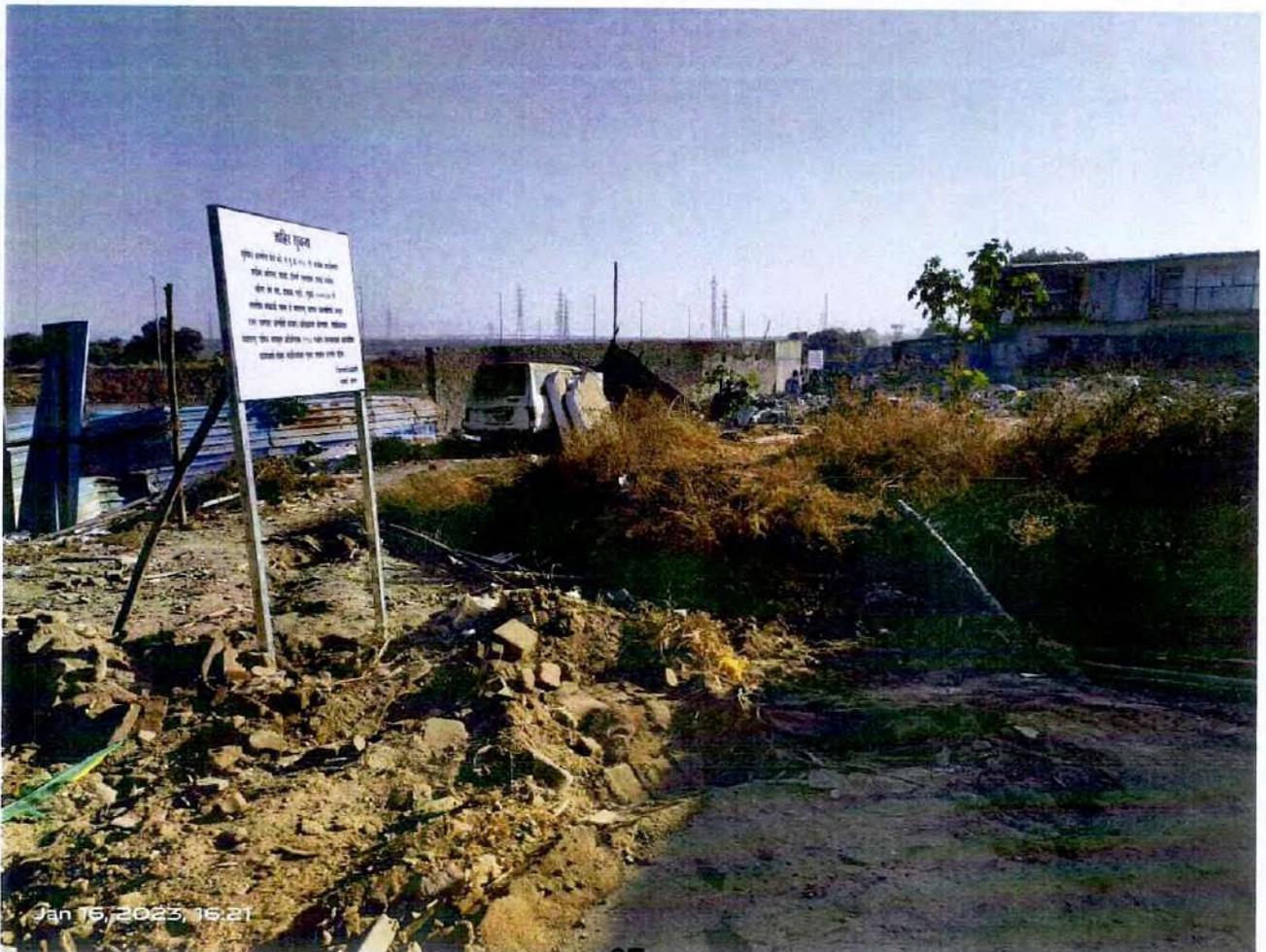




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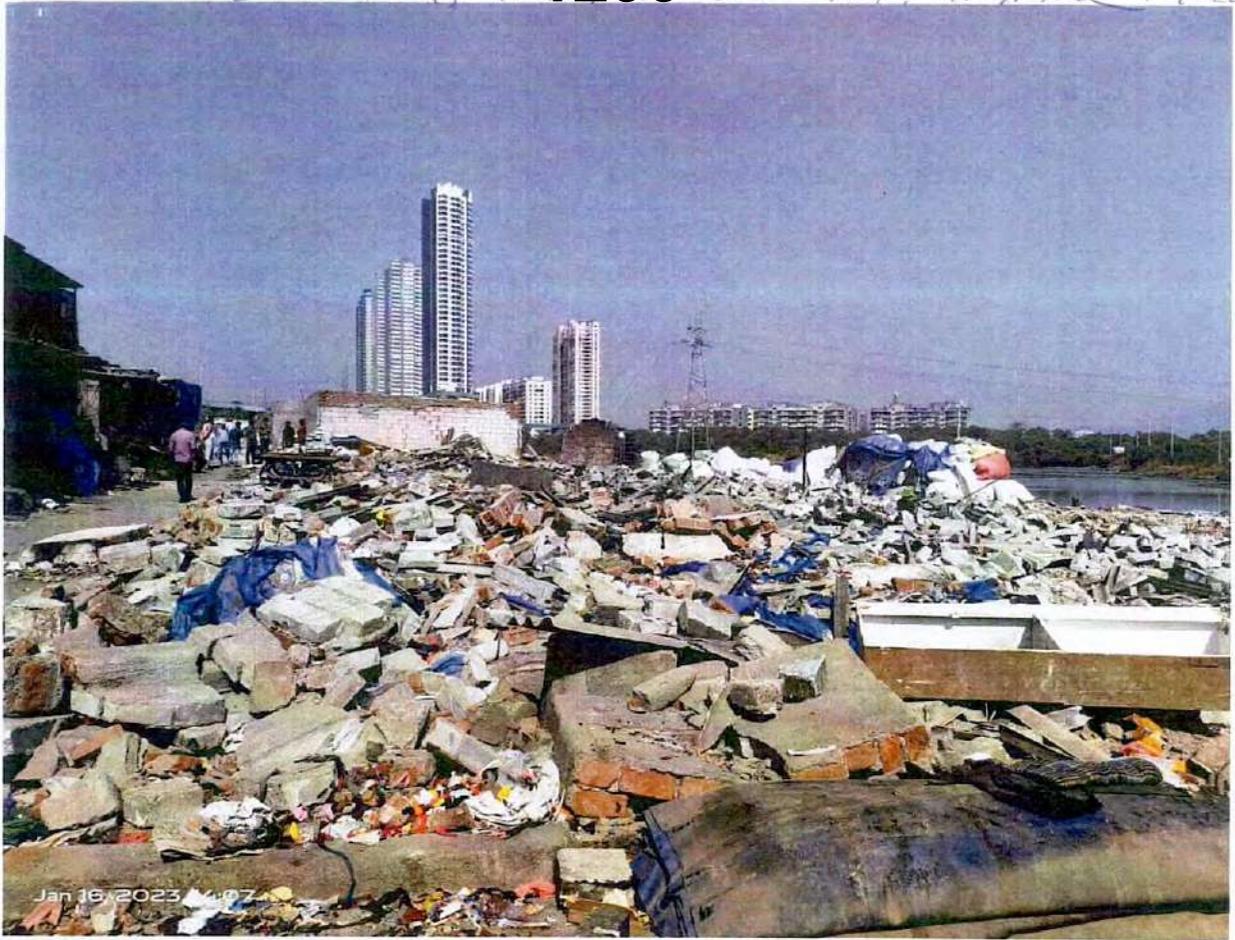


दि. 90/09/2023 कोजीपे कालवडी प्यारे, बांगीगर वसव्या.



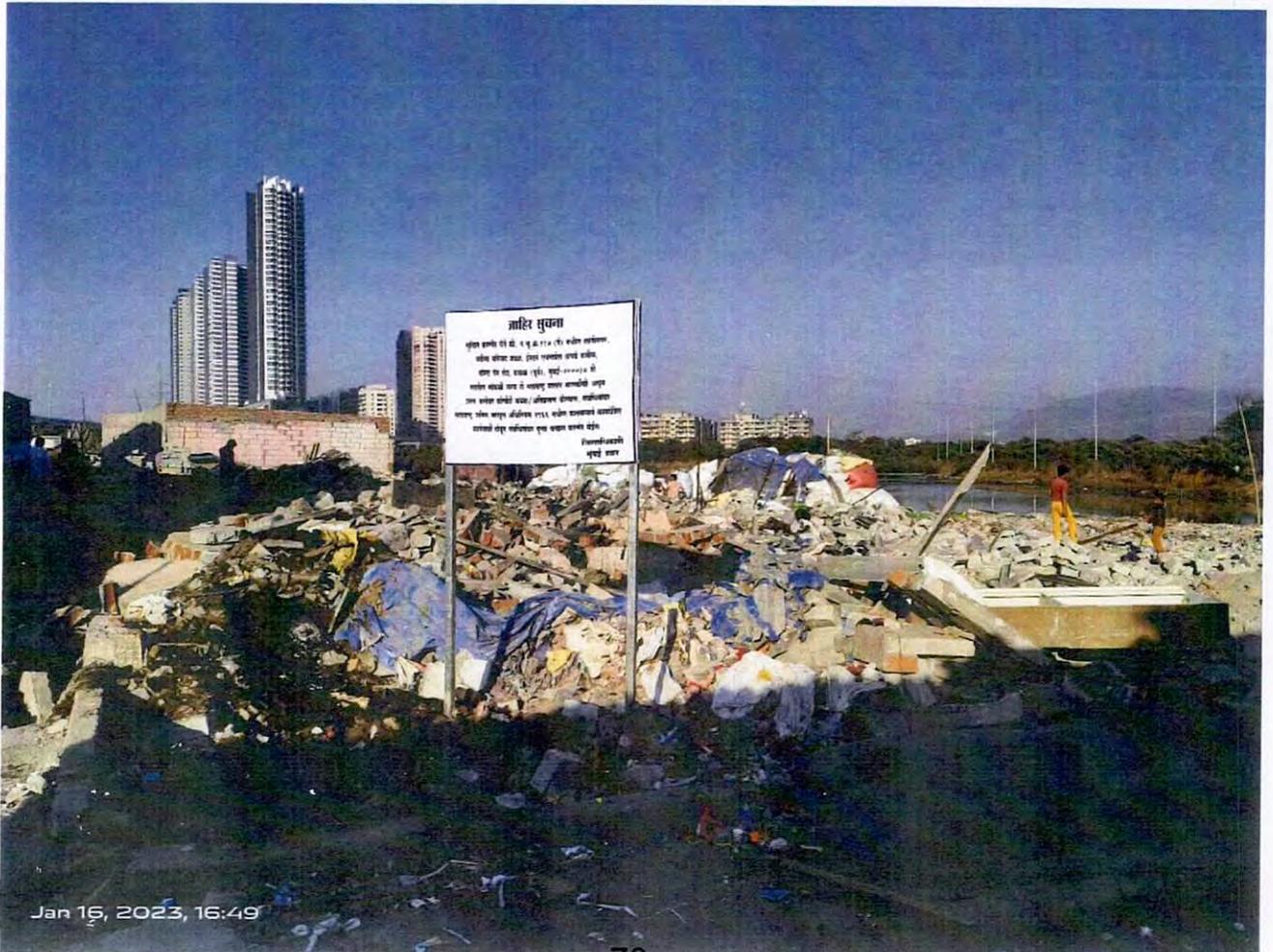
Jan 16, 2023, 16:24







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Jan 16, 2023, 16:49

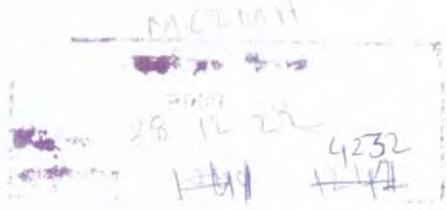
दि. १०/०१/२०२३ बेजरी 1301 की फोटो, शांतीनगर नरसिंहा



Jan 16, 2023, 17:21



Jan 16, 2023, 16:23



Email: dsaltcom.mum@nic.in  
Phone: 022-20825206, 20822192

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई 400001.  
Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulam Marg,  
Ballard Estate, MUMBAI - 400001

C. No. D-11030(13)Land/2008/II/ 6386 Date: 23/12/2022

To,

✓ The Director,  
Environment & Climate Change Department,  
and MS, Maharashtra Coastal Zone Management Authority,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, MUMBAI - 400032.

Sir,

Sub : Regarding compliance of Order dated 28.09.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application NO. 343/2021 (Madhura Rejesh Tawade V/s State of Maharashtra) - Reg.

Please refer to your letter No. OA 2022/ CR 3/TC-4 dated 01.11.2022 addressed to the Salt Commissioner, Jaipur and copy sent to this office by email on the above subject.

In this regard it is informed that in view of Hon'ble NGT order dated 28.09.2022 in OA No. 343/2021 and also in view of instructions given in the meeting dated 18.10.2022, this office has issued letter No. S-11011(30)Salt/84/5430-36 dated 29.10.2022 (**Annexure No. 1**) to the salt manufacturers of Hormoz salt works under CS No. 144 & 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (**Annexure No. 2**) has been given by the salt manufacturers of the salt works. The salt manufacturers have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C&D waste materials during

night hours in salt pan lands with motive to grab / encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.

It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Hormoz salt works bearing CS No. 144 & 145 which is adjacent to land bearing CS No. 117. We are not aware of any initiative/action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT.

Encl.: As above.

Yours faithfully,

  
28-12-2022

(A.P. Mohanty)  
Superintendent of Salt  
Regional Office, Mumbai

Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to :-

- 1) The Municipal Commissioner, Municipal Corporation of Greater Mumbai, Municipal Headquarters, Mumbai.
- 2) The District Collector, Mumbai.
- 3) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), Mumbai.
- 4) The Regional Officer, Maharashtra Pollution Control Board, Kalpataru Point, 1<sup>st</sup> Floor, Opp. Cineplanet Cinema, Sion (East), Mumbai - 400022.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.

Copy to Hormoz salt works file.

Copy of Land Cell (Mangrove Writ Petition file).



भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.  
Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulam Marg,  
Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430-5436

Date: 29 /10/2022

To,

- 1) Shri Muralilal N. Garodia,  
Sheela Apartment, 4<sup>th</sup> Floor,  
Off Bhulabhai Desai Road,  
MUMBAI - 400026.
- 2) Shri Byram Rohinton Dhalla,  
Putla Mansion, Darabsha Road,  
Off Napeansea Road,  
MUMBAI - 400026.

Sir,

Sub : Unauthorised activities in Hormoz salt works at  
Wadala Salt Factory - Dumping of debris and  
construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (Annexure No. 1) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (Annexure No. 2) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to reomove unauthorised dumping of waste, illegal encroachments and to restore the area.

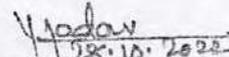
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

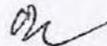
An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,

  
28.10.2022  
(Y. K. Yadav)

for Deputy Salt Commissioner  
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

- (i) The Director (Environment), Environment Department, 15<sup>th</sup> Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.
- (ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.

Office Of The Deputy Secretary  
 2590  
 EmailId: fcomcm@gmail.com  
 160 / 2022-23



महाराष्ट्र शासन  
 वनविभाग

वनपरिक्षेत्र अधिकारी, कांदळवन कक्ष मध्य मुंबई  
 यांचे कार्यालय

सॉल्ट पॅन. न.भू.क्र.८३, चेबूर-शिवडी रस्ता, भक्तीपार्क मोनोरेल स्टेशन  
 जवळ कास्टींग पार्ड शेजारी, वडाळा (पूर्व), मुंबई

मध्य मुंबई, वडाळा, दि. 31/05/2022

प्रति,

मा.डेप्युटी सॉल्ट कमिशनर,  
 ४ मजला एक्सचेंज बिल्डींग,  
 वेलार्ड ईस्टेट मुंबई-४००००२

विषय:- रॉ.गु.क्र.ई१०/२०२२, दि. २१/०४/२०२२ बाबत.

उपरोक्त विषयान्वये, आपणास कळविणेत येते की मौजे सॉल्टपॅन अधिसूचित कांदळवन न.भू.क्र.२५५ चे लगत सॉल्ट विभागाचे जुन्या बांधावर नविन भरावा केल्याचे दिसून आले आहे. त्यापैकी अधिसूचित कांदळवन क्षेत्रावर बांधाचे समांतर हद्दीलगत सुमारे ०.०३ हे. क्षेत्रावर अंदाजे १० ते १२ ट्रक माती व डेन्नीजचा भरावा केला असल्याचे आढळून आले आहे. त्याबाबत इकडील कार्यालयामार्फत रॉ.गु.क्र.ई-१०/२०२२-२३ दि.२१/०४/२०२२ अन्वये गुन्हा नोंद केला आहे.

अधिसूचित कांदळवन न.भू.क्र.२५५ लगत असलेल्या क्षेत्राचे सॉल्ट लिज होल्डर श्री.मुरारीलाल गरोडीया हे असून सदरचा भरावा त्यांच्यामार्फत केले असल्याचे समजून येत आहे. सदर भरावा करणेकरीता संबंधीताने आपले विभागाचे परवानगी घेतली आहे किंवा कसे ? याबाबत इकडील कार्यालयास अवगत करणेकरीता आपले कार्यालयाकडील प्रतिनिधीस आवश्यक त्या दस्तावेज सह या कार्यालयात दि.०८/०६/२०२२ रोजी उपस्थित राहणेबाबत कळवावे.

(सुरेश चव्हाण)

वनपरिक्षेत्र अधिकारी,  
 कांदळवन संधारण घटक,  
 मध्य मुंबई

प्रत :- १) श्री.मुरारीलाल गरोडीया, पत्ता :- सॉल्ट पॅन रोड, शांतीनगर वडाळा (पु) मुंबई-४०००३७.

२/- आपणास वरील नमुद दिनांकास आपले म्हणणे मांडण्यासाठी आवश्यक त्या दस्तऐवजांसह या कार्यालयात उपस्थित रहावे.

२) वनपाल दादर/कुलाबा,

२/- सदरचे पत्र संबंधीत कार्यालयास पोहोच करून दिनांकीत पोहोच या कार्यालयास सादर करावी.

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 343/2021

Madhura Rajesh Tawde

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 28.09.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondent(s): Mr. Mukesh Verma, Advocate for MPCB &amp; MCZMA

**ORDER**

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

***“3.0 Observations and findings***

*This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.*

- i. The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.*
- ii. As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).*
- iii. As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.*
- iv. It is observed that along the periphery of salt pan at C. S. no. 145, dense mangroves have been spread. However, the operator of salt pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were*

produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.

- v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.
- vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.
- vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at <https://mczma.ciov.in/sites/default/files/CZMP%2076.01>
- viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it

is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

- ix. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.
- x. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

#### 4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

*Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.*

*During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-1 A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.*

*As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove buffer zone as per the superimposed map of the area under reference.*

*Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the*

local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

#### 5.0 Recommendations

- (a) For violations of provisions of CRZ Notification, 2019 In view of the aforesaid violations of:
- i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.
- (b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.
- (c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.
- (d) Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported

*through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."*

4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

6. Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date.

List for further consideration on 02.01.2023.

A copy of this order be forwarded to CPCB, NCZMA, MPCB, Principal Secretary, Environment, Maharashtra, Commissioner, Municipal Corporation, Greater Mumbai and Collector, Bandra by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 28, 2022  
Original Application No. 343/2021  
DV

From:

Murarilal N. Garodia  
Sheela Apartments, 4<sup>th</sup> floor,  
Mahalaxmi Mandir Road,  
Off Bhulabhai Desai Road,  
Mumbai - 400026.

5472  
18.11.2022

To:

The Deputy Salt Commissioner  
Exchange Building, 4<sup>th</sup> floor,  
Sir Shivsagar Ramgulari Marg,  
Ballard Estate, Mumbai - 400001.

Subject: Hormuz Salt Works at Wadala Salt Factory.

Sir,

I refer to your letter No. S-11011(30)Salt/84/5436 dated 29.10.2022 and in reply thereto I have to state as follows:

1. At the outset I have to state that the land on which the Hormuz Salt Works is constructed and also the Hormuz Salt Works itself does not belong to the Union of India and it is not under the management or control of the Union of India or the Salt Department of the Ministry of Industries. As such, the Office of the Salt Commissioner or the Office of the Deputy Salt Commissioner, Mumbai has no authority or control or say over the user of the said land or the activities thereon. Without prejudice to the above contention, I shall now deal with your letter under reply.
2. Before I deal with the contents of your letter under reply, it is necessary to narrate a few facts which have happened in the recent past.
  - a) By the letter dated 23/07/2020, the office of the ACP, Matunga Division, Mumbai informed the office of the Deputy Superintendent of Salt, Wadala, that the Sangam Nagar Beat No. 1, which comes under the Wadala T. 1. Police Station, had initiated proceedings under Section 68 and 69 against some persons in respect of unauthorised construction work that was going on in the salt pan area behind Madina Masjid. By the said letter information was sought whether the said work was authorised and it was further stated that if the work was unauthorised then a complaint should be made to the concerned Police Station against the persons carrying out the unauthorised construction.

- b) Further to the said letter dated 23/07/2020, an inquiry was initiated by the D.S.S., Wadala with us and independently and it was found that some persons belonging to the land mafia in that area were illegally constructing tenements and selling the same to the public for their illicit gains.
- c) Subsequently, pursuant to the concerted efforts made by us and the D.S.S., Wadala and also your office, the proceeding for demolition of the illegal structures was started. However, the local police administration was not co-operating for obvious reasons and hence the matter had to be taken up with the higher Police authority and through the intervention of the Commissioner of Police, police protection was provided and the structures were ultimately demolished in or about June 2022. For the purpose of facilitating the demolition by your department, some debris and earth had to be dumped to enable the JCB to approach the site and carry out the demolition.
- a) Even after the demolition, efforts were being regularly made to reconstruct the tenements and hence I had to put up tin sheets on the boundary of C.S. No. 117 and 144 to prevent the encroachment. The tin sheets were got removed and stolen by the land mafia and the attempts to encroach were renewed. There was therefore no option but to put up a wall to protect the property from encroachment. Thus a 140 feet long wall was erected along the boundary of the C.S. No. 117 and 144. The land mafia thereafter resorted to every tactic to get the wall removed including making complaints to the Wadala T.T. Police, Forest Office, Municipal Corporation, Office of Salt Commissioner, Jaipur and your office and also the Union Government Ministry and NGT. Their single aim was to have the said wall removed so that they could proceed with their illegal construction activities.
- e) The land mafia is so desperate that they are threatening our workers and even me on a daily basis. On 15.11.2022 an empty dumper which was not bearing any registration number banged into the compound wall and managed to demolish a portion of the compound wall. FIR No. 717/2022 under Sections 447, 427 and 34 of the IPC has been lodged with the local Police Station after great difficulty as the local police is turning a blind eye to the illegal activities of the land mafia. However there is no serious attempt being made by the Police to even carry out a proper investigation.
- f) It may be pointed out that till 1961, there were about 21 salt works manufacturing salt in the near vicinity of the Hormuz Salt Works. Pursuant to the Notification of the Salt Department in 1962 or thereabouts, the manufacturing activity in 18 of the salt works was stopped and the lands were lying vacant. Gradually, those lands were encroached

upon and illegal hutments were put up and in the course of time it became the biggest slum (Sangam Nagar) in Mumbai. Only the three salt works, including Hormuz Salt Works, which challenged the Notification and continued manufacture of salt were left unscathed. Now, Hormuz Salt Works is the sole surviving salt works manufacturing salt on its lands in Wadala and in fact the only salt work in Mumbai City and probably in Mumbai Suburban also.

- g) As owners of the lands and the salt works, we are making all efforts to save the land from encroachment by the land mafia. It is well known that in the last about five years or more, the surrounding area is being developed by private developers and also by MMRDA and hence the land mafia is very active in the area as even the encroached land can get it super profits.

3. I shall now deal with the contents of your letter dated 29.10.2022
4. As stated above, the complaints to your office and various other authorities have been made by the persons acting on behalf of the land mafia. Their motive is not for public good but for illegal private gains for themselves and those helping them. The authorities should pierce the veil and see the actual facts and circumstances of the matter and not concentrate on the lop-sided complaints made for selfish reasons. The land mafia should not be allowed to make use of the offices of the legal authorities to act in a manner which will benefit the anti-social elements and act against the interest of the law-abiding citizens. Please be informed that there is no any compound wall constructed in Hormuz Salt Works. Only a protective wall of around 140 feet is constructed at the edge of demarcation line of C.S. No. 117 & 144 to prevent encroachment by the encroachers in the area. It is also to inform you that the wall is constructed under exceptional situation. Moreover, it may be noted that removal of the wall will give a free hand to the land mafia which would then easily encroach upon the land and illegally erect structures thereon and sell the same overnight. This has happened in the distant past and also in the recent past in this same spot, and it would be harmful to dismantle the wall. Here it is also worth to mention that dismantling of the constructed protective wall would be a moral boost for the complainants and encroachers besides substantial economic loss to us.

Letter dated 31.05.2022 of the Forest Range Officer, Mangrove Cell, Central Mumbai (Annexure - I of your letter) shows that 0.03 Hectare i.e. around 300 Square Meter land is filled by 10-12 trucks of earth & debris and a criminal offence No. E-107/2022-23 dated 21.04.2022 is registered by him. Kindly note that the demolition in the area was done by the department on 02.06.2022 and this dumping of earth and debris was done

to facilitate movement of JCB from back side for successful execution of demolition drive taken by the department.

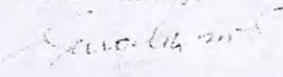
Here it is worth mention that criminal offence registered by the Range Forest Officer is ultra vires ab initio because the land is only notified as protected forest but not handed over to the forest department. It is also learnt that the notification of the state government is challenged by the Salt Department in WP no. 1513/2012.

Annexure - II of your letter is NGT order in case of Madhura Rajesh Tawade versus State of Maharashtra. Since NGT conclusion to remove the C & D waste from the outer bund of Messrs. Hormoz Salt Works, Wadala in its order dated 28.09.2022 is based on the misguided facts to create island and destruction of mangroves, it would be better if Salt Department becomes a party in NGT matter to defend construction-repair of outer bund in the salt works which is an essential part of salt manufacturing business as there is no creation of island and destruction of mangroves in our salt works. A vegetation of dense mangrove can easily be located in the vicinity of outer bund of our salt work.

Here it is to refer that any disturbance on outer bund of our salt works will ruin the salt works and business of M/s Hormoz Salt Works, the only working salt works in Mumbai City and will only further the interest of the land mafia.

In light of the above submission, it is requested to kindly review your decision conveyed wide above referred letter dated 29.10.2022 and withdraw the issued notice in the interest of the salt works & the salt industry of Mumbai City.

Yours faithfully,

  
(Murarilal N. Garodia)

Copy submitted to:

- 1) The Salt Commissioner, Jaipur with request to intervene in the matter.
- 2) The Superintendent of Salt, Bhandup.
- 3) The Deputy Superintendent of Salt, Wadala.

Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**(BY HYBRID MODE)**

Original Application No. 343/2021

Madhura Rajesh Tawde

Applicant

Versus

State of Maharashtra

Respondent(s)

Date of hearing: 15.03.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Madhura Tawde, Applicant in Person

Respondent(s): Mr. Pravin Dasade, Principal Secretary, Environment & Climate Change & Mr. Abhey Pimpkar, Director, Environment & Climate Change with Mr. Mukesh Verma, Advocate MCZMA & MPCB

**ORDER**

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

3. The matter was last considered on 28.09.2022 in the light of report of joint Committee dated 26.09.2022. Finding serious violations of CRZ Notification, 2019 by illegal encroachments, dumping of C&D waste and damage to the mangroves, the Tribunal directed the State Coastal Zone Management Authority to prepare a time bound action plan for remedial action to remove unauthorized dumping of waste, encroachments and restoration of mangroves. Action was also directed to be taken by Salt Commissioner, Mumbai to be overseen by Principal Secretary, Environment Department, Maharashtra and NCZMA.

4. Relevant extracts from order of the Tribunal are reproduced below:-

“

3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

**“3.0 Observations and findings**

*This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.*

- i. *The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.*
- ii. *As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).*
- iii. *As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt*

Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.

- iv. It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.
- v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.
- vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.
- vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The

approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at <https://mczma.ciov.in/sites/default/files/CZMP%2020M%2076.01>

- viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.
- ix. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.
- x. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

#### 4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt

manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-I A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove

buffer zone as per the superimposed map of the area under reference.

Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

#### **5.0 Recommendations**

- (a) For violations of provisions of CRZ Notification, 2019 In view of the aforesaid violations of:
  - i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.
- (b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.
- (c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

- (d) Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators.”

4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”

5. In pursuance of above, status report has been filed by the joint Committee on 13.02.2023 giving status of action as follows:-

Sr No	Organization	Directions issued	Status of Action
1	MCGM	a) MCGM to immediately take	The MCGM vide letter dated 29.12.2022 submitted its reply which states that:

		<p>necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner.</p> <p>b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&amp;D waste from the subject land. MCGM should sent C&amp;D waste from the subject land to Navi Mumbai C&amp;D waste processing facility or any other nearby facility, until the C&amp;D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&amp;D waste facility within MCGM area.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>The said plots ownership is with Salt Commissioner. The said plot given to M/s Harmor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner/ occupier / tenant of the land, by deploying security guard or by constructing protection wall along the periphery of the land</p> <p>MCGM may help to remove or to process the C &amp; D waste materials from the said location if the fund and land were made available by owner of the land</p> <p>Also as the ownership of land pertains to salt commissioner, MCGM is not authorized to remove the structure from the land of salt Commissioner. In view of above, MCGM may help to remove the authorized structure if salt commissioner takes leadership for removing the same.</p> <p>MCGM has submitted also an additional reply in the matter. Pertaining to removal / processing of C&amp;D waste, the reply of MCGM states as follows:</p> <p>The recommendation of the Committee for the removal of unauthorized C&amp; waste dumped at the Salt pan plot is as following.</p> <p>"Dumping C&amp;D waste/debris for carrying out repairing &amp; augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ - IA. The operator of salt pan / salt manufacturer under the supervision of officer of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&amp;D waste and shall dispose the same in an environmentally sound manner in the nearby C&amp;D waste processing facility at Navi Mumbai or other facility, as appropriate".</p> <p>However its seems that above mentioned recommendation may not have been considered, as intended by committee as, the C&amp;D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&amp;D material has to be done by the operator of salt pan / salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee.</p> <p>Furthermore it is to be informed that currently there are two nos of C&amp;D waste processing Plants operational in and in the vicinity of Mumbai vis</p>
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			<p>M/s Godrej Construction ltd at Vikhroli (E), Mumbai Capacity 300mt/day  M/s Metro waste Handling pvt. Ltd. at Shilphata, TMC Capacity 300mt/day.  BMC has also proposed to set up 02 Nos of C&amp;D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The rendering for the same is under progress.</p> <p>In addition to this BMC has approved designated unloading sites for disposal of C&amp;D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&amp;D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites.</p> <p>Copies of MCGM replies are attached as Annexure III</p> <p><b>DELIBERATIONS:</b></p> <p>After taking note of abovementioned reply of MCGM, Principal Secretary, Env&amp;CC Department during the meeting pointed out that the specific directions has been issued by the Hon'ble NGT. The said directions of Hon'ble NGT are as follows:</p> <p>"MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste"</p> <p>The Principal Secretary, Env&amp;CC Department during the meeting instructed MCGM officials to comply with Hon'ble NGT order since the directions of Hon'ble NGT are specific and clear to MCGM.</p> <p>MCGM officials during the meeting stated that the matter would be deliberated with Senior Officials of MCGM and accordingly, further line of action would be taken in the matter.</p> <p>Principal Secretary, Env&amp;CC Department once again directed that it is mandatory for the MCGM to comply with the above stated order of the Hon'ble NGT.</p>
2	District Collector, Mumbai City and Suburban	Office of District Collectors to hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of	<p><b>REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:</b></p> <p>The Office of Deputy Collector (Encroachment), old custom House, Fort, Mumbai vide letter dated 6.2.2023 submitted the status of action taken. The said report states as follows:</p>

		<p>Maharashtra on or before 10th November, 2022.</p> <p>Action taken report be submitted to the Department at the earliest.</p>	<ul style="list-style-type: none"> <li>Plan for removal of encroachment on subject Govt land bearing CS No. 117 (pt) was staged on 10.1.2023 by the office of Deputy Collector (Encroachment). Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station. Photographs of the said land are attached with the report. Display board is put on site warning for action against the illegal constructions on the land. Moreover, 3 pakka and 3 kaccha illegal constructions which could not be removed on 10.1.2023, were removed on 6.2.2023. Photographs of the same are attached with the report.</li> <li>On CS No. 117(pt), Annexure has been issued on 8.7.2010 pertaining to Slum Rehabilitation Scheme of Aman Sagar Sahakari Housing Society.</li> <li>On North side of CS No. 117(pt), at Shantinagar, there is construction of SamajMandir built using the fund from Local MLA shri Captain Tamil Selvan. Regarding confirmation about the said construction, office of Superintendent, Land Records and District Planning Officer, Mumbai has been asked.</li> </ul> <p>Copy of reply of Salt Department is attached as Annexure IV</p> <p><b>DELIBERATIONS:</b></p> <p>Principal Secretary, Env&amp;CC Department noted the action taken by the Office of District Collector, Mumbai city. He instructed that adequate measures need to be taken by the office of District Collector to protect the Govt land from encroachments in future.</p>
3	Office of Salt Commissioner	<p>a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land</p> <p>b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&amp;D waste on salt pan land. Deputy Salt Commissioner should issue</p>	<p><b>REPLY OF OFFICE OF SALT DEPT:</b></p> <p>Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that:</p> <p>The office has issued letter No. S-11011(30) Salt/84/5430-36 dated 29.10.2022 (Annexure No.1) to the salt manufactures of Hormoz salt works under CS No., 144 &amp; 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (Annexure No.2) has been given by the salt manufactures of the salt works. The salt manufactures have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C &amp; D waste materials during night hours in salt pan lands with motive to grab /encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.</p>

		<p>notices to salt salt pan operators / salt manufactures for the same.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Hormoz salt works bearing CS No. 144 &amp; 145 which is adjacent to land bearing CS No. 117. We are not aware of any initiative / action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT.</p> <p>Copy of reply of office of Deputy Collector, Mumbai city t is attached as Annexure V</p> <p><b>DELIBERATIONS:</b></p> <p>Principal Secretary, Env&amp;CC Department noted the reply and instructed Salt Department to provide all necessary assistant to MCGM and District Collector office in order to comply with directions of the Hon'ble NGT. He pointed out that as per Hon'ble NGT order, "The Salt Commissioner, Mumbai has also to take necessary action in the matter"</p> <p>Therefore, it is mandatory for the office of the Salt Commissioner Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to comply with the order of Hon'ble NGT. Further, Salt Department need to come with practical measures to prevent encroachment and dumping on the land in future.</p>
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6. From the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of inter-departmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction/negligence.

7. The ACS, Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove

plantation. Let the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If any further direction is found necessary, he may place the matter before the Bench.

Subject to above, the Application is disposed of.

A copy of this order be forwarded to Chief Secretary, Maharashtra, Salt Commissioner, Mumbai, MCZMA and NCZMA by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 15, 2023  
Original Application No. 343/2021  
AB

**MINUTES OF 3<sup>rd</sup> JOINT MEETING HELD ON 27<sup>th</sup> MARCH, 2023  
UNDER THE CHAIRMANSHIP OF  
PRINCIPAL SECRETARY, ENVIRONMENT & CLIMATE CHANGE, GOM**

**SUB:** Compliance of Order dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

A third (3<sup>rd</sup>) review meeting was held on 27<sup>th</sup> March, 2023 under the Chairmanship of Principal Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai at Env&CC Dept, Dalamal House. List of the officer present for the said meeting is attached as **Annexure I**.

2. Director, Environment & Climate Change apprised the officials about the order dated 15.3.2023 read with 28.9.2022 passed by Hon'ble NGT in the subject matter. Excerpts of the NGT order is as follows:

*“from the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of interdepartmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction / negligence.*

*The ACS Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove plantation. Lt the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR support PDF and not in the form of image PDF. If any further direction is found necessary, he may place the matter before the Bench.*

*Subject to above, the Application is disposed of”*

3. At the outset, the Principal Secretary, Environment &CC expressed displeasure over the absence of higher officials from the Salt Department, District Collector and MCGM for the joint meeting and despite repeated directions to MCGM and Salt Commissioner Office, no action of lifting C&D waste was initiated on ground. Management of C&D waste and controlling the unauthorized dumping of C&D waste is a responsibility of the planning Authority. He further added that protection of the salt pan land is a responsibility of the office of salt commissioner. It is observed that office of the salt commissioner is not serious and showing lackadaisical approach about the protection of its own land from unauthorized

encroachments and dumping of C&D waste. PS, Env&CC further expressed that Hon'ble NGT is critical about the inaction shown by the concerned agencies and there would be no option left with the Env&CC department but to initiate strong legal action against the concern offices under Environment (Protection) Act, 1986, if concern offices like office of Salt Commissioner, MCGM and District Collector does not act for ensuring the compliance of the Hon'ble NGT order within 3 months.

4. The Deputy Municipal Commissioner, SWM, MCGM informed that C&D waste is dumped on salt pan land which belongs to Salt Commissioner, hence, Salt Department need to protect their land and lift the C & D waste. MCGM has shared the list of C&D processing sites to salt department. MCGM official further informed that rough estimate comes around 15 lacs + metric tons C & D Waste exists on the site for which around 200 + crores rupees would be expected cost of lifting and processing.

5. Salt Department officials countered that majority of C&D waste is dumped on Collector land bearing S. No. 117 and there is spillage of C&D waste on salt pan land from the Collector land. Deputy Collector, City refuted the claims of the Salt Department and stated that C&D waste dumping is mainly done in salt pan land. The Principal Secretary, Environment &CC suggested that salt pan department, Collector office and MCGM should jointly work out a plan for determining the quantity of the waste present on salt pan land and Govt land based on the demarcation plan of S. No. 144, 145 and 117 available.

6. Regarding removal of unauthorized encroachments, Deputy Collector informed that around 66 nos of illegal structures are removed from the Collector land S. N. 117. There are certain slum structures present in the land for which SRA scheme is approved in 2010. Salt Department officials stated that they also removed the unauthorized structures from their land.

7. Principal Secretary, Env&CC further suggested that from the past google images of 10 years, status of the mangroves in and around the subject land could be observed for determination of the mangrove destruction, if any.

8. In the light of above, after detailed discussion and deliberation, it was decided to issued following directions:

- a) There is demarcation plan of Salt Pan land bearing S. No. 144, 145 and Governmetn land bearing S. No. 117 available with the Salt Department and District Collector office. Based on the said demarcation, quantity of the C&D waste present on the site could be determined within 7 days.
- b) MCGM during the meeting suggested that there is one NGO, Green Foundation, who has shown willingness to process the C&D waste present on the site, without charging the cost from the Govt agencies, provided that adequate land is made available to NGO. The said NGO would create wealth out of waste by utilizing / recycling the C&D waste to make paver blocks, bricks etc. The Principal Secretary, Environment &CC opined that considering the considerable cost for lifting and processing the C&D waste, if the NGO is willing to process the waste, it would be welcome environment friendly initiative. He directed that adequate land for processing the waste should be made available to NGO by Salt Department or Collector office and MCGM should extend all

possible efforts to the said NGO. A tripartite agreement should be made between NGO and Salt Department, Collector office and MCGM.

- c) MCGM to provide necessary Manpower and machinery for lifting of the C&D waste from the site.
- d) Salt Department informed that there is injunction by the lower court. Deputy Director, Salt Department should approach Additional Solicitor General (ASG) of Mumbai High Court so that appropriate legal steps could be initiated for vacating the injunction, in order to comply the Hon'ble NGT order in stipulated time.
- e) Deputy Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioners should issue notices to salt pan operators / salt manufactures for the same. FIR should be filed against the salt operators. Simultaneously, office of the salt department should move to high Courts against the injunctions passed by the lower court in the title dispute matter. Salt Dept. should install CCTVs for protection of their land.
- f) A site visit be carried out by Director, Environment &CC along with the officials of the MCGM, Salt Department and Districted Collector, City. NMGO, Green foundation should be called for the said visit by the MCGM to understand the feasibility of the C&D waste processing

-----*Meeting ended with vote of thanks to Chair*-----

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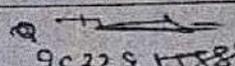
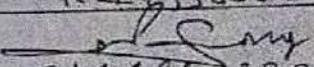
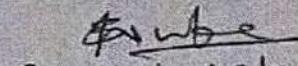
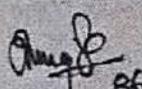
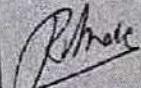
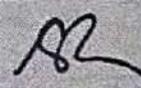
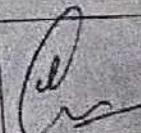
3<sup>rd</sup> REVIEW JOINT MEETING ON 27<sup>th</sup> MARCH, 2023  
Under the Chairmanship of Principal Secretary, Env&CC and Chairman, MCZMA  
at Dalamal House, Env&CC Dept, Mumbai

SUB: Original Application No. 343/2021  
Madhura Rajesh Tawade  
Versus

State of Maharashtra

Ref: Hon'ble NGT order dated 15.2.2023 in subject matter

List of officials/ representatives present for the meeting.

Sr No.	Name & Designation of Officials	Signature and contact no
1.	A. P. Mohanty, Suptl. d Salt	 902291588
2.	S. N. PANDEY, Dy. Suptl. of Salt	 9426967322
3.	R. N. Gurbale, Dy. Suptl. of Salt	 9272541204
4.	B. G. Gavande Dy. collector (EN) Dharavi	 8691956111
5.	P. N. Kurhade E.E. (Swm) 2-II	 9137192334
6.	Chanda Jadhav DMC - SWM	 9167203780
7.	S. K. Guaikwad	 9819028256

Email

Abhay Madhukar Pimparkar

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**Minutes of 3rd**

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**From :** Abhay Madhukar Pimparkar <dir1.mev-mh@nic.in>

Tue, Apr 18, 2023 02:55 PM

**Subject :** Minutes of 3rd

📎 1 attachment

**To :** Municipal Commissioner MCGM <mc@mcgm.gov.in>,  
Mumbai City Collector  
<collector.mumbaicity@maharashtra.gov.in>, Collector  
Mumbai Suburban <collectormsd@gmail.com>,  
Deputy Salt Commissioner <dsaltcom.mum@nic.in>

Sir,

Please find attached herewith minutes of 3rd joint meeting held on 27th March, 2023 under the Chairmanship of Principal Secretary, Environment & CC for necessary action as directed in the minutes.

**Regards,****Director (Environment),  
Environment Department,  
15th Floor, New Administrative Building,  
Mantralaya, Mumbai-32.  
Ph. No. 022-22029388**

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 **Minutes of 3rd Joint meeting.pdf**  
206 KB

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MINUTES OF SITE VISIT AND JOINT MEETING

**SUB:** Compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18<sup>th</sup> April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit. List of Officials present is attached as Annexure I.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18<sup>th</sup> April, 2023 for implementing the Hon'ble NGT directions
3. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris/ C&D waste on the salt pan site and remove the existing C&D waste from the site
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the C&D waste from the site. Deputy salt commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee

members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGZM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.

10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises of Mr. Anil Sharma, Metro Waste handling Pvt ltd, Executive Engineer, MCGM, City Survey & Land Record Officer, Mr. D. A. Patil, Consultant and Regional officer, MPCB, Mumbai who will act as Member convenor.
-

SITE VISIT

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Visit of Principal secretary, Environment & CC Dept at  
Wadala salt pan, Shanti Nagar, Wadala.

Date: 18<sup>th</sup> April, 2023

Ref: Hon. NGR order dt 28/9/2022 &  
15/3/2023 in O.A. 343/2021  
(Madhura Tawade v/s GoM)

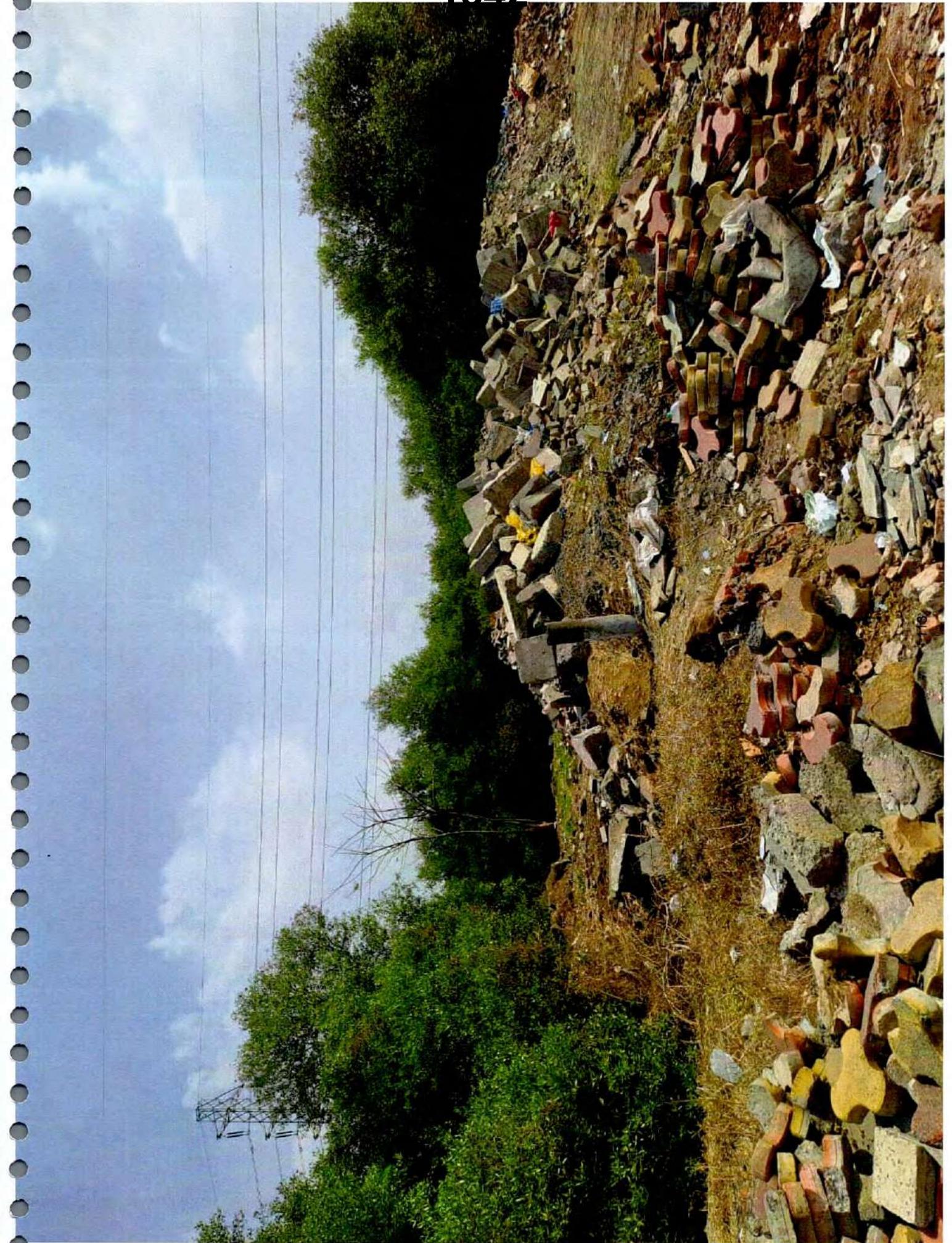
List of officials present for site visit

SR. NO.	Name & Designation of official	Signature & Contact
1)		
2)		
3)	Ravi Katakdhond CAD. Collector, Mumbai City	<u>Ravi Katakdhond</u>
4)	Chanda Jadhav DMCSWM	<u>Chanda Jadhav</u>
5)	Krishna Kanase - SLR Mumbai city collector office	<u>Krishna Kanase</u> (9930626664)
6)	P.N. Kulkarni E.E. (SWM) 2II	<u>P.N. Kulkarni</u> 9137172334
7)	A.P. Mohanty, Saldia Salt	<u>A.P. Mohanty</u> 902291528
8)	S.N. PANDEY, Dy Subdt. of salt	<u>S.N. Pandey</u> 9426967322
9)	U.V. BELHARE A.C. (BMC)	<u>U.V. Belhare</u> - 9424046715

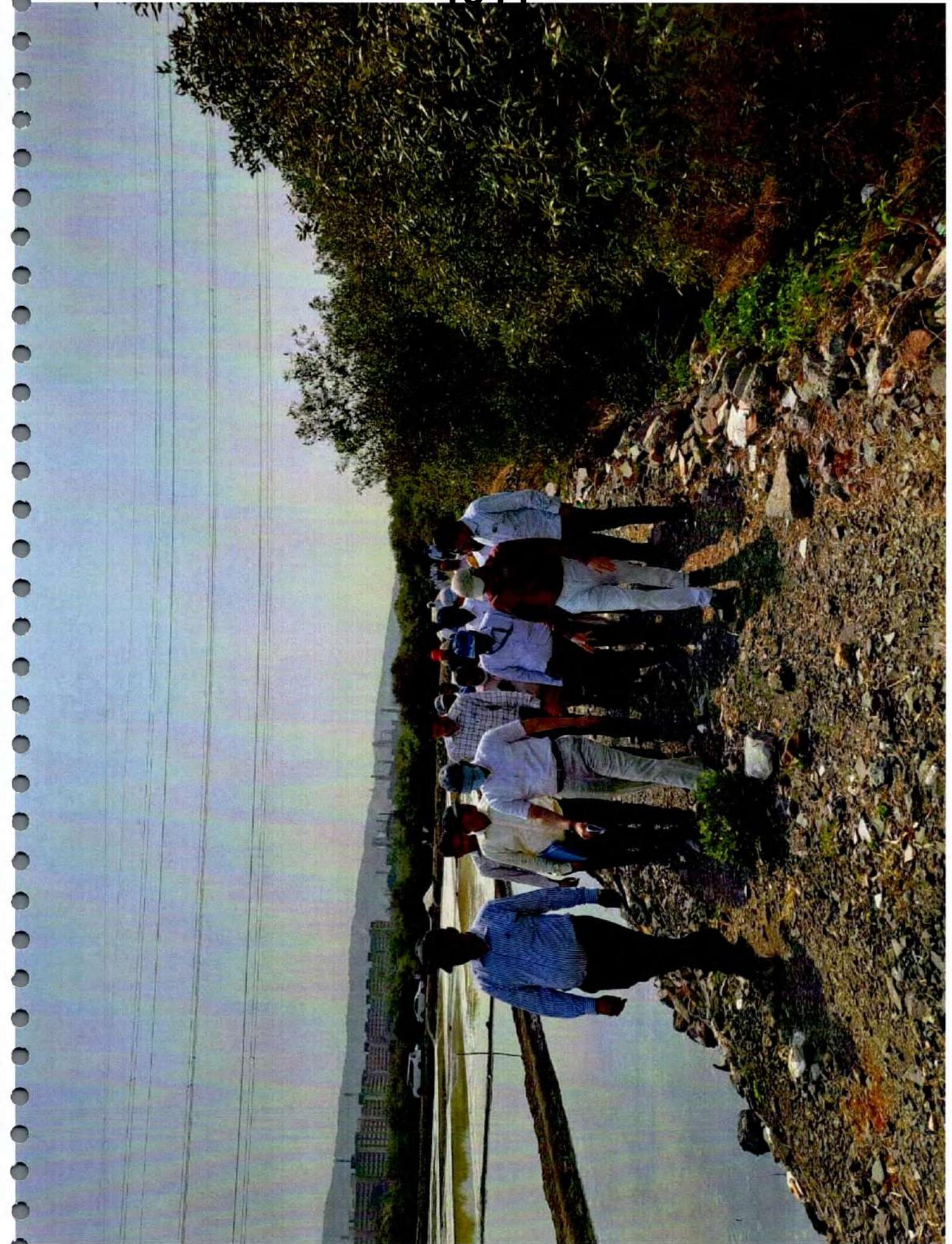
Meeting Regarding Meeting regarding construction and demolition waste management at salt pan, Mumbai					Date - 18/04/2023 Time - 11:00 M
Sr. No.	Name Of Officers & Designation	Department	Contact No.	Signature	Email ID
1	Shri Pravin Darade, IAS Principal Secretary, Environment	Environment Department			
2	Bani Katakchond Ad. Collector Mumbai City	Revenue.	9699000000		
3	Chanda Jadhav DMC, SWM	BMC	9167203780		dmjcsom@mcgm.gov.in
4	Abhay Pimparkar	Envy Dept	9890624888		abhaypn@yahoo.co
5	Gajanan Bellare	AE BMC	8424046715		ac.fn@mcgm.gov.in
6	Passhuram N. Kulkarni	E.E.(SWM) 20II	913972334		162412@mcgm.gov.in
7	A.P. McLanty,	Supdt. of Salt	9022955888		a.p.mclanty11@jsw.co
8	S.N. Ramoey	Dy. Supdt. of salt	9426967322		bondyinspect@salt65@gmail.com
9	Pramod Hande	C&D Consultant	9821022096		Pramodhande7@mcgm.gov.in
10	Santosh P. Jhi	Sidhasiri, Kaneri	9820920209		santoshpjhil@ykesresort.com

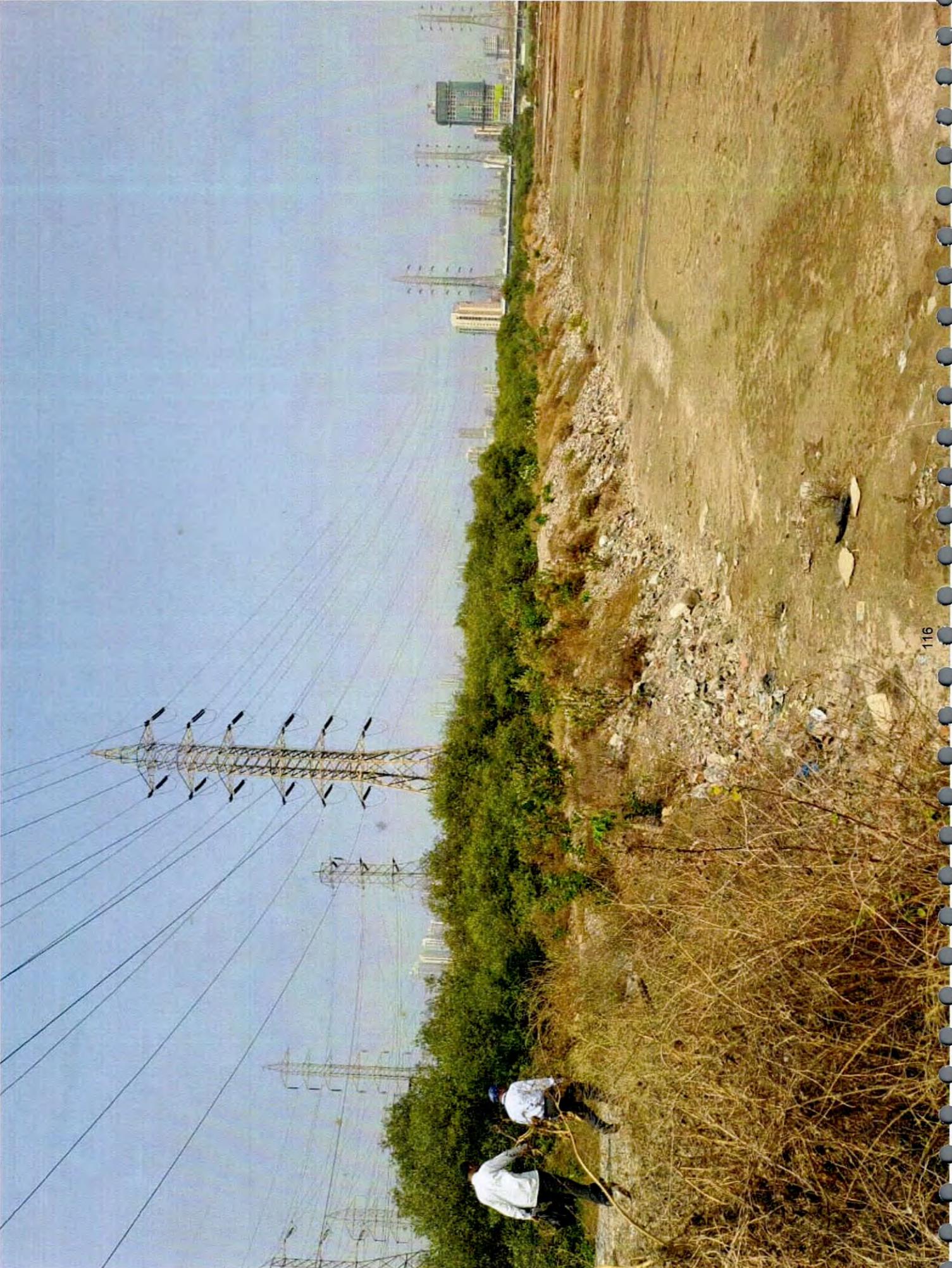
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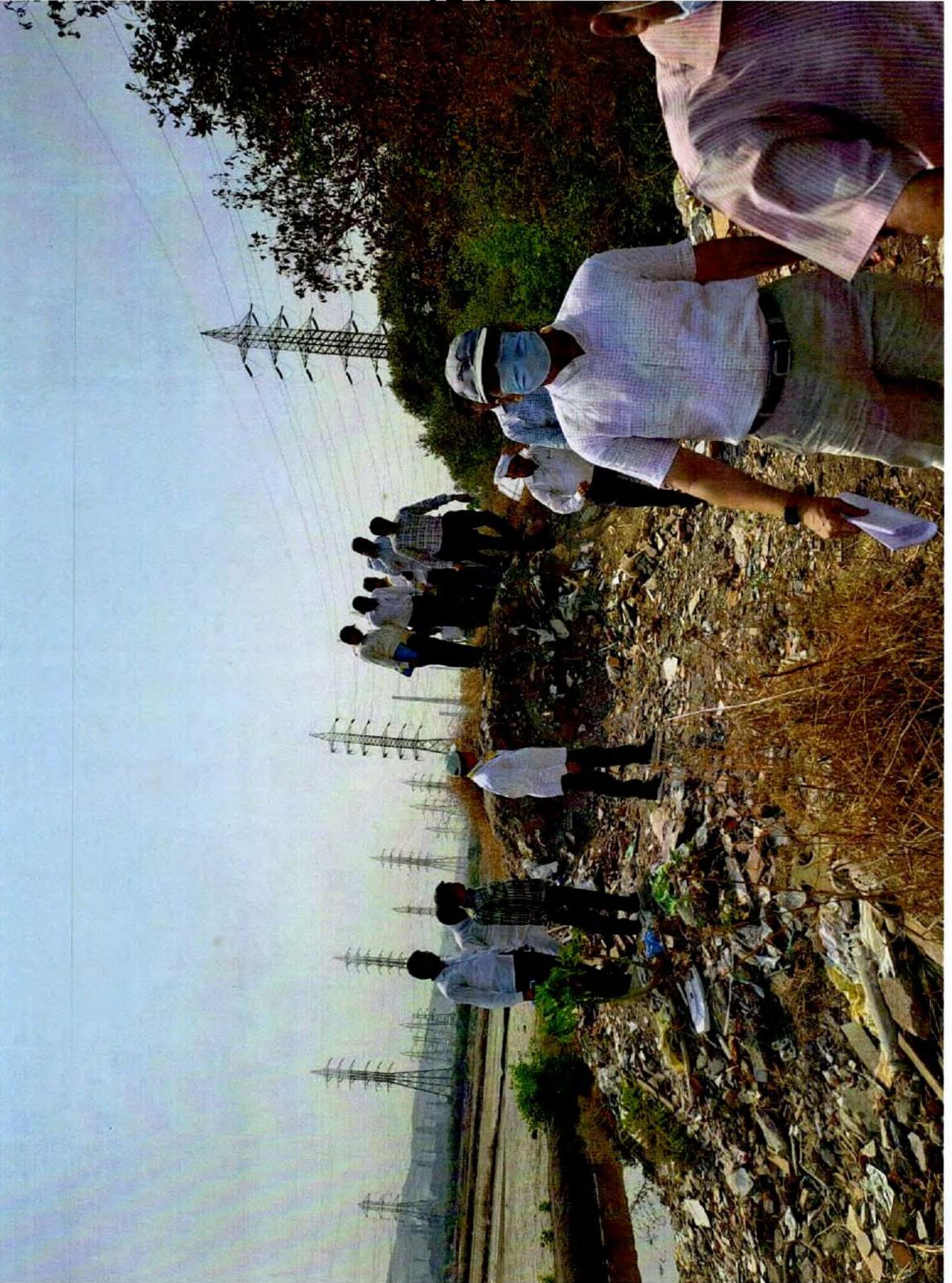
11	Dr. D. A. Patel	CRZ Consultant	9323058368		lap_24@hotmail.com
12	T. G. Yadav	SPM MPCB	9987528609		
13	Samraj Ashok	conerz office mumbai city	9967977259		
14	Krishnat Karax	CSP, Mumbai city Collector office	9930626664		cts.rev.collectorcity@gmail.com
15	A.N. Shendge	Ward executive Engineer F/W ward	9892924769		!
16	S.K. Gaitwad	Executive Engineer (D&P) D.O. FIN ward, BMC	9004649964		
17	ANIL SHARMA	Regional CEO Metro waste handling, LB	9867714965		anilsharma@cityloctra.com
18	Pranod B. Shelke	PCMC CS Duvasto management Pkts.	8087911590		pranod7shelke@gmail.com
19	K.S. Langote	F.O, MPCB	9869450079		
20					
21					
22					









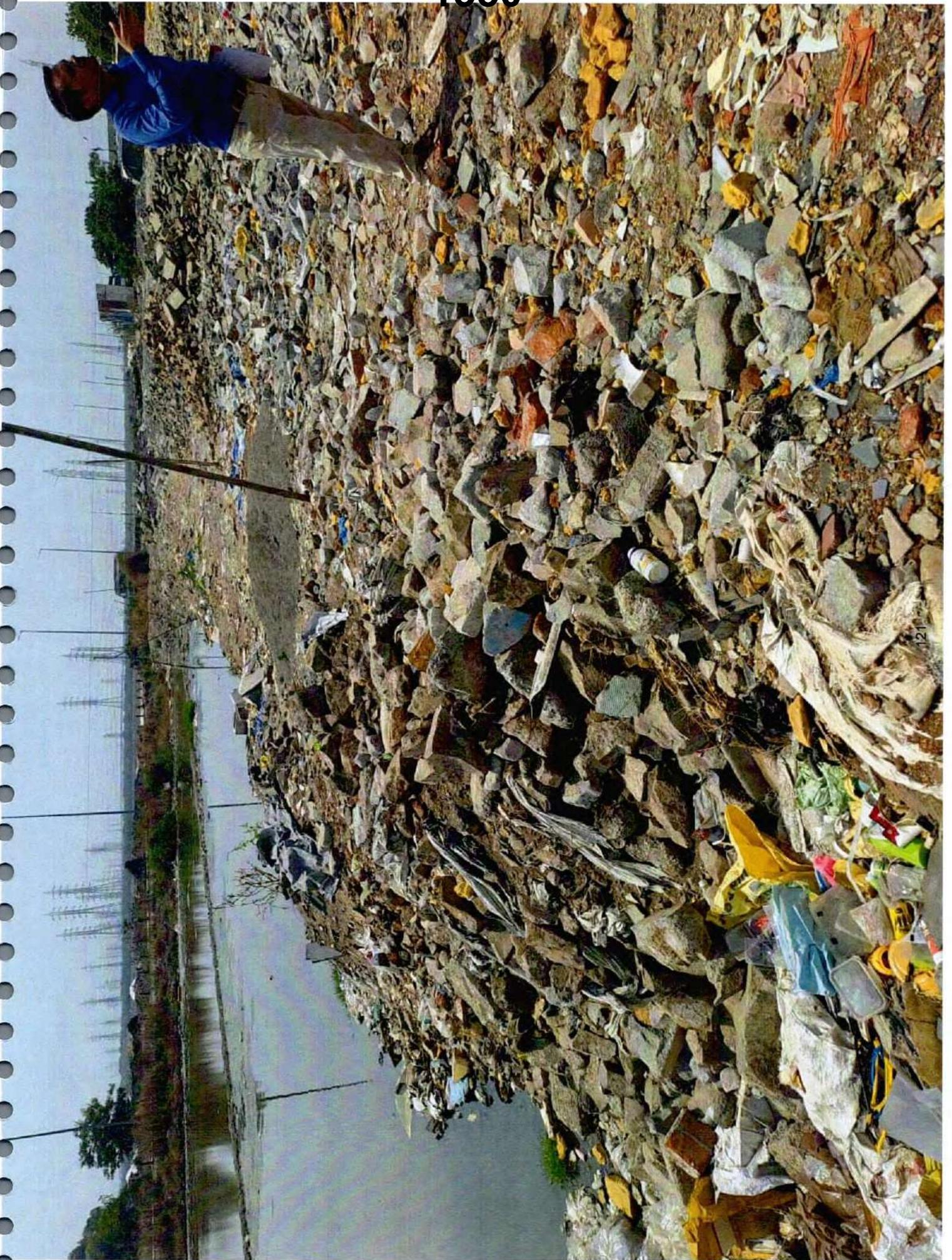








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## GOVERNMENT OF MAHARASHTRA

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

No. OA 2022 / CR 3 / TC - 4  
 Office of the -  
 Maharashtra Coastal Zone Management Authority,  
 Environment & Climate Change Department,  
 15<sup>th</sup> floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032.  
 Date: 20<sup>th</sup> April, 2023

To,

1) Municipal Commissioner,  
 Municipal Corporation of Greater Mumbai,  
 Mahapalika Marg, Fort, Mumbai

2) Prerna Joshi,  
 Salt Commissioner, Government of India,  
 New Delhi

3) District Collector, Mumbai City  
 Old Custom House,  
 Mumbai City

4) Deputy Commissioner of Police,  
 Zone IV, Mumbai

5) Regional Officer,  
 Maharashtra Pollution Control Board,  
 Sion, Kalpataru Point, Mumbai

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s GoM)

**Ref:** Site Visit of the Principal Secretary, Env&CC Department on 18<sup>th</sup> April, 2023

Dear Sir/ Madam,

This is to inform you that The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18<sup>th</sup> April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions. Copy of the minutes of site visit and joint meeting is attached herewith.

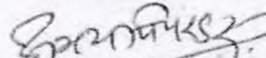
3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18<sup>th</sup> April, 2023 for implementing the Hon'ble NGT directions
3. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris/ C&D waste on the salt pan site and remove the existing C&D waste from the site
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the C&D waste from the site. Deputy salt commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.
10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises of Mr. Anil Sharma, Metro Waste handling Pvt Ltd, Executive Engineer, MCGM, City Survey & Land Record Officer, Mr. D. A. Patil, Consultant and Regional officer, MPCB, Mumbai who will act as Member convenor.

In the light of above, it is hereby directed that MCGM, Salt Pan Department, District Collector, Mumbai City should immediate start implementing the above said directions. District Collector, Mumbai City should file complaint under Section 19 & 15 of the

Environment (Protection) Act, 1986 as stated above. Police Department should provide all assistance / support to MCGM, Salt Pan Department and District Collector, Mumbai City for implementing the directions of the Hon'ble NGT.

~~Yours~~ faithfully,

  
(Abhay Pimparkar)

Director, Environment and Climate Change Dept

**Copy for information to:**

1. **Principal Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.**
2. **Select File TC-4**

## GOVERNMENT OF MAHARASHTRA

Phone No.- 022-22029388  
E-mail – [dir1.mev-mh@nic.in](mailto:dir1.mev-mh@nic.in)

No. MCZMA 2022/ CR 3/ TC 4  
Department of Environment, Forest and Climate  
Change, 15<sup>th</sup> Floor, New Administrative Building,  
Madam Kama Road, Hutatma Rajguru Chowk,  
Mantralaya, Mumbai-32  
Date: 18/04/2023

OFFICE ORDER

**Subject: Constitution of Task Force Committee for monitoring the status of compliance of Hon'ble NGT order dated 28/9/2022 and 15/3/2023 in the OA No. 343/2021.**

Hon'ble NGT in its order dated 15/3/2022 in the OA No. 343/2021 has directed Principal Secretary, Environment & CC to ensure remedial measures are taken within three months by removing encroachments, lifting all C & D Waste for its appropriate processing and revival of all damaged mangrove plantation at the subject site of Wadala Salt Pan area & around and file the report to Hon'ble NGT before 30/6/2023.

In view of the above, a Task Force Committee is hereby constituted as below to monitor the status of compliance of Hon'ble NGT order.

01	Director, Department of Environment & CC, GoM	Chairman
02	Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM	Member
03	Assistant Commissioner, Wadala, MCGM	Member
04	District Collector, Mumbai City & his representative	Member
05	Deputy Collector (Encroachment), Dharavi Region	Member
06	Deputy Salt Commissioner & Superintendent of Salt from the office of Salt Commissioner, GoI	Member
07	Deputy Commissioner of Police, Zone IV, Mumbai	Member
08	City Survey and Land Record Officer	Member
09	Regional Officer (BMW), MPCB	Member-Convenor

The committee shall take review of the status and shall take / recommend the necessary steps for the compliance of Hon'ble NGT order. RO, MPCB, Mumbai shall make logistic arrangement for site visit / arrangement for meeting etc.



(Pravin C. Darade)

Principal Secretary, Env&CC Dept

Copy for information and necessary action to:

- 1) Member Secretary, MPCB
- 2) Director, Department of Environment & CC, GoM
- 3) Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM
- 4) Assistant Commissioner, Wadala, MCGM
- 5) District Collector, Mumbai City & his representative
- 6) Deputy Collector (Encroachment), Dharavi Region
- 7) Deputy Salt Commissioner & Superintendent of Salt from the office of Salt Commissioner, Gol
- 8) Deputy Commissioner of Police, Zone IV, Mumbai
- 9) City Survey and Land Record Officer
- 10) Regional Officer (BMW), MPCB Mumbai
- 11) Regional Officer, MPCB, Mumbai

## GOVERNMENT OF MAHARASHTRA

Phone No.- 022-22029388  
E-mail – [dir1.mev-mh@nic.in](mailto:dir1.mev-mh@nic.in)

No. MCZMA 2022/ CR 3/ TC 4  
Department of Environment and Climate Change, 15<sup>th</sup>  
Floor, New Administrative Building, Madam Kama  
Road, Hutatma Rajguru Chowk, Mantralaya,  
Mumbai-32

Date: 18/04/2023

**OFFICE ORDER**

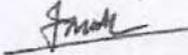
**Subject: Constitution of Technical Committee for the compliance of Hon'ble NGT order dated 28/9/2022 and 15/3/2023 in the OA No. 343/2021.**

Hon'ble NGT in its order dated 15/3/2022 in the OA No. 343/2021 has directed Principal Secretary, Environment & CC to ensure remedial measures are taken within three months by removing encroachments, lifting all C & D Waste for its appropriate processing and revival of all damaged mangrove plantation at the subject site of Wadala Salt Pan area & around and file the report to Hon'ble NGT before 30/6/2023.

In view of the above, a Technical Committee is hereby constituted as below to estimate the quantity of C & D waste dumps in and around the salt pan area as mentioned in the Hon'ble NGT order.

01	Mr. Anil Sharma, Metro Waste Handling Pvt. Ltd.	Member
02	Executive Engineer, MCGM	Member
03	Mr. Shridhar Pandya, Consultant	Member
04	City Survey and Land Record Officer, Collector Office	Member
05	Mr. D. A. Patil, Consultant	Member
06	Regional Officer, MPCB, Mumbai	Member Convenor

RO, MPCB, Mumbai shall make necessary logistic arrangement for site visit / arrangement for meeting etc.

  
(Pravin C. Darade)  
Principal Secretary, Env&CC Dept

Copy for information and necessary action to:

- 1) Member Secretary, MPCB
- 2) Regional Officer (BMW), MPCB Mumbai
- 3) Regional Officer, MPCB, Mumbai

## GOVERNMENT OF MAHARASHTRA

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

No. OA 2022 / CR 3 / TC - 4  
 Office of the -  
 Maharashtra Coastal Zone Management  
 Authority,  
 Environment & Climate Change Department,  
 15<sup>th</sup> floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032.  
 Date: 19/5/2023

**OFFICE ORDER**

- SUB:** Constitution of Monitoring Committee in respect of compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)
- Ref:** 1) Orders passed by 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi  
 2) Principal Secretary, Environment & CC, GoM visit to the subject site of Wadala Salt Pan.

The Hon'ble National Green Tribunal, New Delhi in its orders dated 28.9.2022 and 15.3.2023 in the Original Application No. 343/2021 has directed Principal Secretary, Environment & Climate Change, GoM to ensure remedial measures are taken within 3 months by removing encroachments, lifting C&D waste for its appropriate processing at the subject site of Wadala Salt Pan area & around and file the report to Hon'ble NGT before 30.6.2023. Pursuant to said orders, various necessary directions are issued to office of Salt Pan Dept and MCGM for compliance of the above said NGT order. The Principal Secretary, Environment & CC visited the subject site on 18.4.2023.

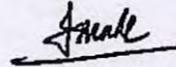
2. To ensure the compliance of above said NGT orders, a Task Force Committee and Technical Committee has been constituted vide office order dated 18.4.2023. However, it is observed that monitoring of ground actions with respect to lifting of the C&D waste from subject site of Salt Pan land is necessary, in order ensure the compliance of directions of Hon'ble NGT. Hence, it is proposed to constitute the Monitoring Committee for overseeing the ground implementation of lifting of C&D waste. The Principal Secretary, Environment & CC has discussed the matter with Municipal Commissioner, MCGM.

3. In view of the above, a Monitoring Committee is hereby constituted comprising following members:

(S.W.M.)

1	Deputy Municipal Commissioner, MCGM	Chairman
2	Superintendent of Salt from the office of Salt Commissioner	Member
3	Regional Officer, Mumbai, MPCB	Member
4	Representative of Environment & CC Dept	Member

4. The above said Monitoring Committee will be responsible for ensuring the lifting of the C&D waste from the subject site of Salt Pan land. The MCGM shall make a plan & schedule for lifting of the C&D waste from the subject site and convey to all members so that members will be present on the site on scheduled dates. The Committee shall report about ground actions on day to day basis to Director, Environment &CC in what's Group.



(Pravin Darade)

Principal Secretary, Environment &CC

**Copy for information and necessary action to:**

- 1) Director, Environment &CC Dept, GoM
- 2) Deputy Municipal Commissioner, MCGM
- 3) Superintendent of Salt from the office of Salt Commissioner
- 4) Regional Officer, Mumbai, MPCB

## MINUTES OF FIRST MEETING OF TASK FORCE

The State Department of Environment & CC vide Office order dated 18<sup>th</sup> April 2023 has constituted the Task Force Committee in order to monitor the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/3/2023 in OA No. 343/2021. The list of officers present for the meeting is enclosed as annexure-1.

After due deliberation, following decisions were taken.

- 1) Office of the Salt Commissionerate shall take immediate effective steps to remove the illegal encroachments, huts on the salt pan land and within the premises of salt pan area. They shall plan and carry out this activity on 20<sup>th</sup> April 2023. In this context, Superintendent of Salt Pan shall make necessary correspondence to MCGM, Police Department and Collectorate Office in order to provide required manpower and machinery as well as protection during the removal of illegal encroachment.
- 2) MCGM authority shall prepare time bound action plan for removal and scientific disposal of C & D waste within 5 days.
- 3) Superintendent of Salt Pan shall make the necessary correspondence to their authority for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.
- 4) The task force committee shall meet every Thursday at 3.00 PM either online or in person for the discussion and review of progress.

Meeting ended with thanks to the chair.

  
**Regional Officer (BMW)**  
MPCB, Mumbai &  
Member Convenor of  
Task Force Committee

  
**Director**  
Department of Environment &  
Climate Change & Chairman of  
Task Force Committee

## MINUTES OF SECOND MEETING OF TASK FORCE

The State Department of Environment & CC vide Office order dated 18<sup>th</sup> April 2023 has constituted the Task Force Committee in order to monitor the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/3/2023 in OA No. 343/2021.

Second meeting of the committee was held on 20/04/2023. Following officers were present for the meeting.

- 1) Additional Commissioner, MCGM
- 2) Superintendent of Salt
- 3) Deputy Collector (Encroachment), Dharavi
- 4) Scientist, Env. Department
- 5) Regional Officer (BMW), MPCB
- 6) Regional Officer, MPCB, Mumbai

Review of the action taken on the minutes of first meeting was taken. Status of action taken as per the minutes of first meeting is as below.

Sr. No.	Issue	Status
1	Office of the Salt Commissionerate shall take immediate effective steps to remove the illegal encroachments, huts on the salt pan land and within the premises of salt pan area. They shall plan and carry out this activity on 20 <sup>th</sup> April 2023. In this context, Superintendent of Salt Pan shall make necessary correspondence to MCGM, Police Department and Collectorate Office in order to provide required manpower and machinery as well as protection during the removal of illegal encroachment.	Superintendent of salt submitted that they have given letter to MCGM to provided machinery for removal of encroachment in the salt pan area and to police department to provide protection for the same. It was communicated by MCGM that machinery for removal of encroachment is sent and available at the site. Superintendent of Salt stated that they will submit the detail action taken report for removal of encroachment by Tuesday, 25/4/2023.
2	MCGM authority shall prepare time bound action plan for removal and scientific disposal of C & D waste within 5 days.	It was reported by MCGM authorities that they will submit the response to this point by Tuesday, 25/4/2023.
3	Superintendent of Salt Pan shall make the necessary correspondence to their authority for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.	Superintendent of Salt has communicated to their higher authorities for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.

After due deliberation it was decided that Superintendent of Salt & MCGM shall submit the detail action taken report on Point No. 1 & 2 by Tuesday, 25/4/2023.

  
**Regional Officer (BMW)**  
 MPCB, Mumbai &  
 Member Convenor of  
 Task Force Committee

  
**Director**  
 Department of Environment &  
 Climate Change & Chairman of  
 Task Force Committee

MINUTES OF THIRD MEETING OF TASK FORCE COMMITTEE

The State Department of Environment & CC vide Office order dated 18<sup>th</sup> April 2023 has constituted the Task Force Committee in order to monitor the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/3/2023 in OA No. 343/2021.

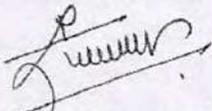
Third meeting of the committee was held online on 28/04/2023. Following officers were present for the meeting.

- 1) Assistant Commissioner, 'F' North, MCGM
- 2) Deputy Superintendent of Salt
- 3) Deputy Collector (Encroachment), Dharavi
- 4) Scientist, Env. Department
- 5) Regional Officer (BMW), MPCB
- 6) Regional Officer, MPCB, Mumbai

Review of the action taken on the minutes of first meeting was taken. Status of action taken as per the minutes of first meeting is as below.

Sr. No.	Issue	Status
1	Office of the Salt Commissioner shall take immediate effective steps to remove the illegal encroachments, huts on the salt pan land and within the premises of salt pan area.	Deputy Superintendent of salt submitted that they have received letter from the salt pan operator wherein it is mentioned that operator is ready to lift and transport the C & D waste to the suggested site.
2	MCGM authority shall prepare time bound action plan for removal and scientific disposal of C & D waste.	It was reported by MCGM authorities that site and agency for treatment and disposal of C & D waste is finalized. The site is located at Shil Phata. Approximate quantity of dumped C & D waste is measured by MCGM.
3	Superintendent of Salt Pan shall make the necessary correspondence to their authority for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.	Superintendent of Salt has submitted that the salt pan department is not ready to incur the expenses for lifting, transportation, treatment and disposal of C & D waste. However, they have made correspondence with their higher authorities regarding budgetary provision for the said activity.
4	Visit of Technical Committee to the salt pan site	RO (MPCB), Mumbai who is member convenor of Technical Committee reported that the Technical Committee is going to visit the site on 03/05/2023 for quantification of C & D Waste.

After due deliberation, it was decided that Salt Pan Department shall submit the letter submitted by operator of salt pan site to the Director, Environment for further necessary process.

  
**Regional Officer (BMW)**  
 MPCB, Mumbai &  
 Member Convenor of  
 Task Force Committee

  
**Director**  
 Department of Environment &  
 Climate Change & Chairman of  
 Task Force Committee

MINUTES OF FOURTH MEETING OF TASK FORCE COMMITTEE

The State Department of Environment & CC vide Office order dated 18<sup>th</sup> April 2023 has constituted the Task Force Committee in order to monitor the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/3/2023 in OA No. 343/2021.

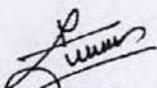
Fourth meeting of the committee was held online on 29/05/2023 at 4.0 pm. Following officers were present for the meeting.

- 1) Director, Environment
- 2) Deputy Superintendent of Salt
- 3) Regional Officer (BMW), MPCB
- 4) Regional Officer, MPCB, Mumbai

Review of the action taken on the minutes of third meeting was taken. Status of action taken as per the minutes of third meeting is as below.

Sr. No.	Issue	Status
1	Office of the Salt Commissionerate shall take immediate effective steps to remove the illegal encroachments, huts on the salt pan land and within the premises of salt pan area.	Deputy Superintendent of salt submitted that they have received letter from the salt pan operator wherein it is mentioned that operator is ready to lift and transport the C & D waste to the suggested site and salt pan commissioner has given 10 days' time for the same. Director, Environment informed that if operator is not able to lift the C & D waste then MCGM shall lift and treat it and cost shall be borne by Salt Pan Department and Operator of the facility.
2	MCGM authority shall prepare time bound action plan for removal and scientific disposal of C & D waste.	It was reported by MCGM authorities that site and agency for treatment and disposal of C & D waste is finalized. The site is located at Shil Phata. Approximate quantity of dumped C & D waste is measured by MCGM.
3	Superintendent of Salt Pan shall make the necessary correspondence to their authority for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.	Superintendent of Salt has submitted that the salt pan department is not ready to incur the expenses for lifting, transportation, treatment and disposal of C & D waste. However, they have made correspondence with their higher authorities regarding budgetary provision for the said activity and inform that salt pan department is not able to pay the money for transportation, treatment & disposal, but it will be paid by operator of the facility. Director, Environment informed that salt pan department shall write to the operator of the facility for the same.
4	Visit of Technical Committee to the salt pan site	RO (MPCB), Mumbai who is member convenor of Technical Committee reported that the Technical Committee has visited the site on 03/05/2023.

After due deliberation, it was decided that the Salt Pan Commissioner shall inform to the Director, Environment about the status of lifting of C & D waste at salt pan site by the operator of the facility within six days.

  
Regional Officer (BMW)  
MPCB, Mumbai &  
Member Convenor of  
Task Force Committee

  
Director  
Department of Environment &  
Climate Change & Chairman of  
Task Force Committee

## MINUTES OF FIRST MEETING OF TASK FORCE

The State Department of Environment & CC vide Office order dated 18<sup>th</sup> April 2023 has constituted the Task Force Committee in order to monitor the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/3/2023 in OA No. 343/2021. The list of officers present for the meeting is enclosed as annexure-1.

After due deliberation, following decisions were taken.

- 1) Office of the Salt Commissionerate shall take immediate effective steps to remove the illegal encroachments, huts on the salt pan land and within the premises of salt pan area. They shall plan and carry out this activity on 20<sup>th</sup> April 2023. In this context, Superintendent of Salt Pan shall make necessary correspondence to MCGM, Police Department and Collectorate Office in order to provide required manpower and machinery as well as protection during the removal of illegal encroachment.
- 2) MCGM authority shall prepare time bound action plan for removal and scientific disposal of C & D waste within 5 days.
- 3) Superintendent of Salt Pan shall make the necessary correspondence to their authority for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.
- 4) The task force committee shall meet every Thursday at 3.00 PM either online or in person for the discussion and review of progress.

Meeting ended with thanks to the chair.

Regional Officer (BMW)  
MPCB, Mumbai &  
Member Convenor of  
Task Force Committee

Director  
Department of Environment &  
Climate Change & Chairman of  
Task Force Committee

## MINUTES OF SECOND MEETING OF TASK FORCE

The State Department of Environment & CC vide Office order dated 18<sup>th</sup> April 2023 has constituted the Task Force Committee in order to monitor the status of compliance of Hon'ble NGT order dated 28/09/2022 and 15/3/2023 in OA No. 343/2021.

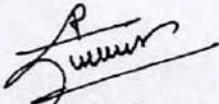
Second meeting of the committee was held on 20/04/2023. Following officers were present for the meeting.

- 1) Additional Commissioner, MCGM
- 2) Superintendent of Salt
- 3) Deputy Collector (Encroachment), Dharavi
- 4) Scientist, Env. Department
- 5) Regional Officer (BMW), MPCB
- 6) Regional Officer, MPCB, Mumbai

Review of the action taken on the minutes of first meeting was taken. Status of action taken as per the minutes of first meeting is as below.

Sr. No.	Issue	Status
1	Office of the Salt Commissionerate shall take immediate effective steps to remove the illegal encroachments, huts on the salt pan land and within the premises of salt pan area. They shall plan and carry out this activity on 20 <sup>th</sup> April 2023. In this context, Superintendent of Salt Pan shall make necessary correspondence to MCGM, Police Department and Collectorate Office in order to provide required manpower and machinery as well as protection during the removal of illegal encroachment.	Superintendent of salt submitted that they have given letter to MCGM to provided machinery for removal of encroachment in the salt pan area and to police department to provide protection for the same. It was communicated by MCGM that machinery for removal of encroachment is sent and available at the site. Superintendent of Salt stated that they will submit the detail action taken report for removal of encroachment by Tuesday, 25/4/4023.
2	MCGM authority shall prepare time bound action plan for removal and scientific disposal of C & D waste within 5 days.	It was reported by MCGM authorities that they will submit the response to this point by Tuesday, 25/4/2023.
3	Superintendent of Salt Pan shall make the necessary correspondence to their authority for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.	Superintendent of Salt has communicated to their higher authorities for making necessary budgetary provision for the lifting and scientific disposal of C & D Waste.

After due deliberation it was decided that Superintendent of Salt & MCGM shall submit the detail action taken report on Point No. 1 & 2 by Tuesday, 25/4/2023.

  
**Regional Officer (BMW)**  
 MPCB, Mumbai &  
 Member Convenor of  
 Task Force Committee

**Director**  
 Department of Environment &  
 Climate Change & Chairman of  
 Task Force Committee

IN THE COURT OF METROPOLITAN MAGISTRATE 69<sup>TH</sup>

COURT AT MAZGAON MUMBAI

REGULAR CRIMINAL CASE NO. OF 2023

Maharashtra Coastal Zone Management Authority }

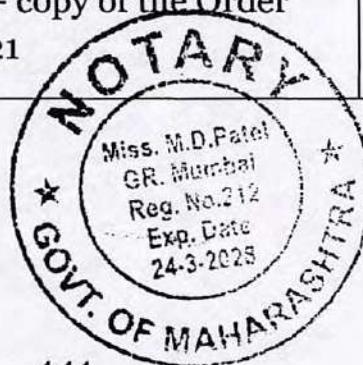
Environment Department, )...Complainant

Versus

Shri A.P. Mohanti & Ors. )...Accused

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Sr. no.	Particulars	Page No.
1.	Criminal Complaint	
2.	Affidavit in Support of Criminal Complaint	
3.	Vakalatnama	
4.	List of Documents	
5.	<b>Annexure –‘A’ Collectively</b> IS The copy of the said Notification dated 13 <sup>th</sup> December, 2021 and 30 <sup>th</sup> September, 2022 published in the Official Gazette of the Central Government	
6.	<b>Annexure-‘B’</b> copy of the CRZ Notifications dtd. 18/1/2019	
7.	<b>Annexure ‘C’</b> – copy of the Order dated 13/12/2021	



8.	<b>Annexure D</b> – A copy of the Hon'ble NGT Order dated 15/12/2021.	
9.	<b>Annexure E</b> – copy of the Joint Committee Report dated 26/9/2022.	
10.	<b>Annexure F</b> copy of the Hon'ble NGT Order dated 28/9/2022.	
11.	<b>Annexure 'G' Collectively</b> – Copies of the letter dated 1/11/2022 and reminder letter dated 26/12/2022 addressed to the Salt Commissioner.	
11.	<b>Annexure H</b> – copy of the Hon'ble NGT Order dated 15/3/2023.	
12.	<b>Annexure 'I'</b> -Copy of the letter dated 20 <sup>th</sup> April, 2023 and Site photographs of the subject site	

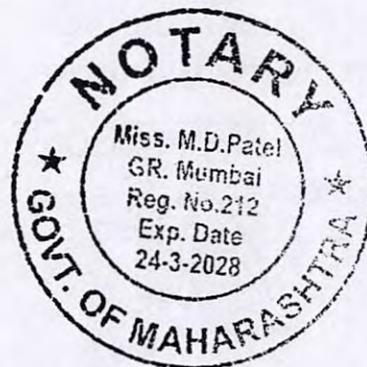
Place Mazgaon

Date 10/05/2023

*B. Sangram*

Sangram B. Suryavanshi

Advocate for Complainant



IN THE COURT OF METROPOLITAN  
MAGISTRATE 69TH COURT AT MAZGOAN  
MUMBAI

REGULAR CRIMINAL CASE NO. OF 2023

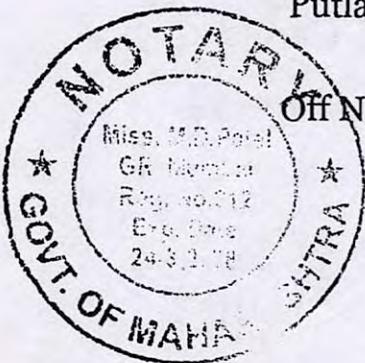
Maharashtra Coastal Zone Management Authority }  
Environment Department, 2<sup>nd</sup> Floor, Room No.217 }  
Annexe Building, Mantralaya, Mumbai-32. }  
(Represented by Shri. Abhay Madhukar Pimparkar) }  
Director, Environment Department, }  
Maharashtra Coastal Zone Management Authority }  
Having his office at 15<sup>th</sup> Floor, New Administrative }  
Building, Opp Mantralaya, Mumbai-32 }...Complainant

**Versus**

1. Shri A.P. Mohanti, }  
Age Adult, Indian Inhabitant }  
Superintendent of Salt, }  
Regional Office-Mumbai,



- Exchange Bldg., 4<sup>th</sup> Floor, Shivsagar, }
- Ram Gulam Marg, Ballard Estate, }
- Mumbai-400 001. }
2. Shri S. N. Pande, }
- Age Adult, Indian Inhabitant }
- Deputy Superintendent of Salt, }
- Office of Superintendent of Salt, }
- Near Railway Station, }
- Bhandup (E), Mumbai. }
3. Shri Murarilal N. Garodia, }
- Age Adult, Indian Inhabitant }
- Sheela Apartment, 4<sup>th</sup> Floor, }
- Off Bhulabhai Desai Road, Mumbai-400 026}
4. Shri Byram Rohinton Dhalla, }
- Putla Mansion, Darabsha Road, }
- Off Nepeansea Road, Mumbai-400 026. }----Accused



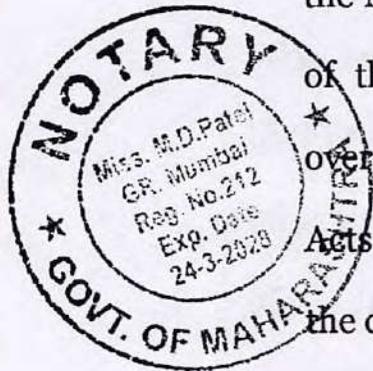


**Complaint under Section 15 and 19 of the Environment (Protection) Act, 1986, r/w the provisions of the Coastal Regulation Zone Notification, 2019.**

**MAY IT PLEASE YOUR HONOUR :**

1. The Complainant above named is the Maharashtra Coastal Zone Management Authority, which is constituted by the Ministry of Environment, Forest and Climate Change, Government of India in exercise of the powers conferred by sub-sections (1) and (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986). (Hereinafter referred to as "the said MCZMA" for the sake of brevity). The MCZMA is entrusted to take necessary measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of State of Maharashtra with the implementation of the Environment (Protection) Act, 1986 and Rules made thereunder, (Hereinafter referred to as "the said Acts")

for the sake of brevity). The MCZMA is constituted by the Ministry of Environment, Forest and Climate Change, Government of India under the provision of the Environment (Protection) Act, 1986, having perpetual succession and a common seal with the power to sue or be sued. Being statutory Authority, the MCZMA is represented by Shri. Abhay Madhukar Pimparkar who is the Member Secretary / Director of the MCZMA. He is a Public Servant Under Section 21 of the Environment (Protection) Act, 1986. He is overall responsible for the implementation of above Acts and Rules made thereunder, in order to secure the compliances of the provisions of the said acts.



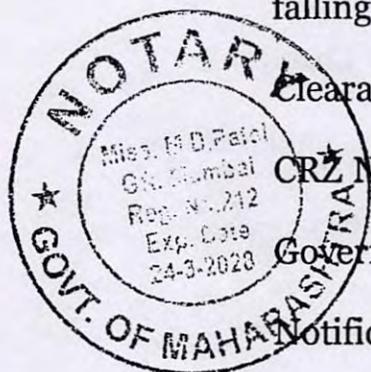
The Ministry of Environment & Forests, Govt of India by S.O. 394 (E) Notification dtd. 16/4/1987 has authorized the Government of the State (represented by the Secretary to the State Government incharge) of environment within the area laid down under their jurisdiction to take cognizance of the offences punishable under the provisions of the Environment (Protection) Act, 1986 and Rules made thereunder.



Further, the Ministry of Environment, Forest and Climate, New Delhi vide S. O. 5188(E) dated 13<sup>th</sup> December, 2021 constituted the MCZMA for protection and improving the quality of the coastal environment and preventing, abating and controlling environment pollution in coastal area. As per para 6(vii) of the abovementioned MCZMA order, the Authority is authorized to file complaints under Section 19 of the said Act. MoEF&CC, New Delhi vide Notification S. O. 4649(E) dated 30<sup>th</sup> September, 2022 has authorized State CZMA for filling complaint under Section 19 of E(P) Act, 1986. A copy of the said Notification dated 13<sup>th</sup> December, 2021 and 30<sup>th</sup> September, 2022 published in the Official Gazette of the Central Government are combine enclosed herewith and marked as an **Annexure -'A'** **Collectively**

2. The Complainant further states that the Central Government through the Ministry of Environment & Forest, Govt of India in exercise of the powers conferred upon it by sub-section (1) and Clause (v) of

the sub section (2) of Section (3) of the Environment (Protection) Act 1986 r/w Clause(d) of Sub-Rule 3 of Rule 5 of the Environment (Protection) Rules-1986 and in supersession of the earlier Coastal Regulation Zone Notification (CRZ), dtd 1991, has issued the CRZ Notification, 2011 on 6/1/2011, imposing restrictions on the setting up and expansion of industries , operations or processes etc in the CRZ. The said Notification further gives the details of prohibited activities and regulation of permissible activities. It also classifies CRZ into 4 categories viz CRZ-I, II, III & IV. It is obligatory on the part of projects or activities falling under the CRZ area , to obtain prior CRZ Clearance from the Competent Authority under the CRZ Notification dtd 6/1/2011. Presently, the Central Government in supersession with earlier CRZ Notification, 2011 has published new CRZ Notification dated 18/1/2019, whereby identifying the CRZ areas and stipulating the regulation of development activities in various CRZ categories. A copy of the CRZ

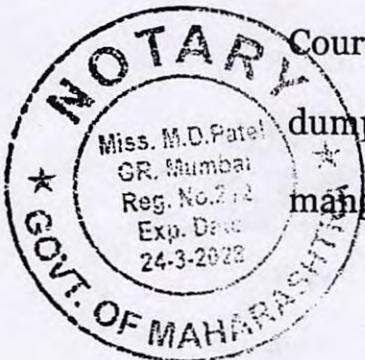


Notifications dtd. 18/1/2019 is enclosed herewith and marked as an Annexure-'B'.

3. THAT, Complainant states that the Ministry of Environment & Forest, Govt of India, Government of India vide Order dated 13/12/2021 constituted the MCZMA for a period of 3 years for the purposes of protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal regulation zone areas in the State of Maharashtra, wherein the Complainant is Member Secretary of the said Authority . A copy of the Order dated 13/12/2021 is enclosed herewith and marked as an Annexure-'C'.
4. THAT, Complainant states that the Accused No. 1 is the Superintendent of Salt, Accused No.2 is the Deputy Superintendent of Salt and Accused Nos.3 & 4 are the Operators of the Salt Pan situated at C.S. No.144 & 145, Wadala, Mumbai. They are the persons in charge at the time the offence was committed, was directly incharge of and was responsible for the day to day affairs of the said Salt Pan.



5. THAT, the Complainant states that the Accused Nos.3 & 4 entered into an Agreement with the Accused Nos.1 & 2 for operating the Salt Pan at the aforesaid site.
6. That, the Complainant states that Bombay Environmental Action Group and Anr. have filed a Public Interest Litigation bearing No.87/2006 against the State of Maharashtra & Ors. before the Hon'ble High Court of Judicature at Bombay regarding destruction of mangroves in the entire State of Maharashtra and the importance of very tenacious mangroves for the benefit of the mankind are ignored and mangroves are being destroyed in the State on very large scale. Similar various other Writ Petitions were filed before the Hon'ble High Court, Mumbai on an identical issues, which clubbed with the aforesaid PIL No.87/2006, In the said matter, the Hon'ble High Court vide Order dated 17/9/2018 stated that the dumping of debris / C & D waste in 50 meters of mangrove buffer zone is a prohibited activity

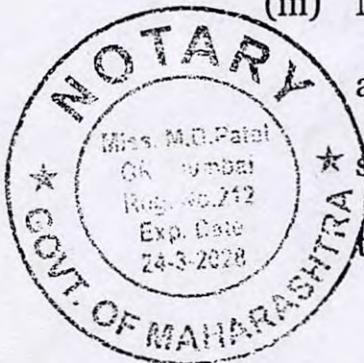


7. THAT, the Complainant states that one Mrs.Madhura Rajesh Tawade, has filed an Original Application bearing No.343/2021 against the State of Maharashtra & Ors. before the Hon'ble National Green Tribunal, Principal Bench, New Delhi (NGT) regarding unauthorized structure, dumping of debris near Coastal Road at Wadala to Mahul, close to Chembur to CST freeway on the aforesaid salt pan and encroaching the same, affecting the mangroves and thereby violating the CRZ norms.
8. THAT, the Complainant states that the Hon'ble NGT vide order dated 15/12/2021, constituted a six members joint committee consisting of representative of the MCZMA, CPCB, MPCB, SEIAA, MCGM and the concerned District Magistrate and directed them to submit factual and action taken report before the Hon'ble NGT. A copy of the Hon'ble NGT Order dated 15/12/2021 is enclosed herewith and marked as an **Annexure-'D'**.



9. THAT, the Complainant states that in compliance of the Hon'le NGT Order dtd.15/12/2021, the Joint Committee submitted its report before the Hon'ble NGT on 26/9/2022, wherein, the Joint Committee recommended as follows :

- (i) The operator of the salt pan / salt manufacturers under the supervision of the office of Deputy Salt Commissioner, Mumbai and F(N)/M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D Waste and shall dispose the same in an environmentally sound manner.
- (ii) Deputy Salt Commissioner, Hon'ble Collector, Mumbai/Mumbai Suburban and F(N)/M(W) Ward of MCGM may take appropriate action and to remove illegal encroachment at C.S. No.144 & C.S. No.117, which is in CRZ area.
- (iii) MCGM may be directed to submit a time bound action plan alongwith budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste





Management Rules, 2016 and also to establish adequate C&D Waste Processing Facility for handling, processing and disposal of C&D Waste, as per Rule 6 of the C & D Rules, 2016.

- (iv) The office of the Deputy Salt Commissioner, Mumbai should ensure that no undue / unauthorized dumping of C & D Waste in the areas under their jurisdiction may not be permitted in near future as in the present case the alleged area falls within 50 meters mangrove buffer zone i.e. CRZ-I.

A copy of the Joint Committee Report dated 26/9/2022 is enclosed herewith and marked as an **Annexure-'E'**.

10. THAT, the Complainant states that the said Joint Committee Report was taken on record by the Hon'ble NGT and vide order dated 28/9/2022 directed MCGM to prepare a time bound action plan with budgetary support in the matter. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Environment

and Climate Change Department, Govt. Of Maharashtra. A copy of the Hon'ble NGT Order dated 28/9/2022 is enclosed herewith and marked as an **Annexure-'F'**.

11. THAT, the Complainant states that in pursuant to the Hon'ble NGT Order dtd.28/9/2022, 1<sup>st</sup> and 2<sup>nd</sup> review meetings were convened on 18/10/2022 and 16/1/2023 respectively under the Chairmanship of the Principal Secretary, Environment & Climate Change Deptt. Govt. of Maharashtra, wherein, the officials of MCGM and other concerned officials were present.
12. THAT, the Complainant states that as per the discussions held during the above review meetings and in compliance of the order dtd.28/9/2022 passed by the Hon'ble NGT, MCZMA vide letters dtd.1/11/2022 & 26/12/2022, directed to the Salt Commissioner, Government of India as follows :

- a. Salt Commissioner should extend support and act in co-ordination with MCGM and District Collector, Mumbai City to immediately take necessary action

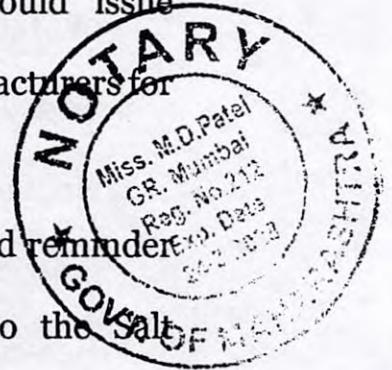


of removal of encroachment / illegal construction on the subject land.

- b. Salt Commissioner should not allow the salt pan operators/salt manufacturers to allow the collection/dumping of the C&D Waste on salt pan land. Deputy Salt Commissioner should issue notices to salt pan operators/salt manufacturers for the same.

Copies of the letter dated 1/11/2022 and reminder letter dated 26/12/2022 addressed to the Salt Commissioner are enclosed herewith and marked as an **Annexure-'G' collectively**.

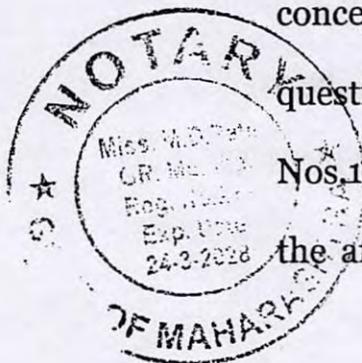
13. THAT, the Complainant states that, while disposing the matter vide order dtd.15/3/2023, the Hon'ble NGT has directed to file compliance report within 3 months i.e. on or before 30/6/2023, in respect of remedial measures to be completed, which include removing all encroachments, lifting of C & D waste for its appropriate processing and revival of damaged mangrove plantation. A copy of the Hon'ble NGT

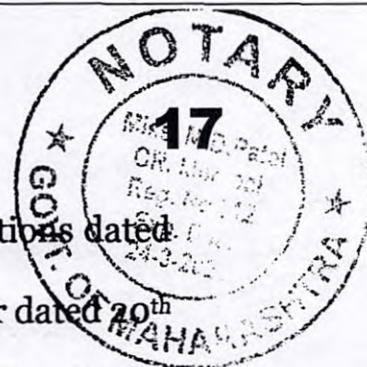


Order dated 15/3/2023 is enclosed herewith and marked as an Annexure-'H'.

14. THAT, the Complainant states that the under the Chairmanship of the Principal Secretary, Environment and Climate Change Department, Govt. of Maharashtra has convened the 3<sup>rd</sup> Review Meeting on 27/3/2023 wherein, it was directed to the Accused No.2 to take action against the Accused Nos.3 & 4 for not removing C & D waste on the aforesaid Salt Pan. However, Accused No.2 has failed to comply with the same.

15. THAT, the Complainant states that in compliance of the aforesaid Hon'ble NGT Orders dated 28/9/2022 and 15/3/2023, the Principal Secretary, Environment & Climate Change Department, Govt. of Maharashtra alongwith the concerned Officials of MCGM, Salt Department, District Collector-Mumbai City and concerned Police Department have visited the site in question on 18/4/2023 and observed that the Accused Nos.1 & 2 have failed to remove the C & D Waste from the aforesaid site till date and thereby violating the





CRZ Norms. Based on the site visit, directions dated ~~20th~~ were issued in the matter. Copy of the letter dated 20<sup>th</sup> April, 2023 and Site photographs of the subject site are enclosed herewith and marked as an **Annexure-I**

16. THAT, the Complainant states that as per the approved Coastal Zone Management Plan (CZMP) under CRZ Notification, 2019, the aforesaid site falls in CRZ-I area and further dumping of C & D Waste is observed within 50 meters mangrove buffer zone i.e. CRZ-I (A), which is ecologically sensitive area. As per the provisions of the CRZ Notification, 2019 as well as per the Hon'ble High Court's Order dated 17/9/2018 in Public Interest Litigation bearing No.87/2006 filed by Bombay Environmental Action Group and Anr against the State of Maharashtra & Ors., the dumping of debris / C & D waste in 50 meters of mangrove buffer zone is a prohibited activity.
17. THAT, the Complainant states that, in spite of issuance of orders passed by the Hon'ble NGT and directions issued by the MCZMA, the Accused Nos.1 &

2 have failed to take necessary action of removal of encroachments / illegal constructions on the subject land and construction & demolition of waste from the subject land.

18. THAT, the complaints states that the accused have violated the provisions of the Coastal Zone Regulation Notification, 2011 and 2019. Thus, the accused have committed offense under section 15 of Environment (protection) Act, 1986 read with CRZ Notification, 2011 & 2019.

19. The entire offense has taken place in the jurisdiction of Wadala Police Station. Therefore, this Hon'ble Court has jurisdiction to try and entertain this case.

20. It is therefore prayed that

a) The process may kindly be issued under Section 15 of the Environment (Protection) Act, 1986, against all the accused

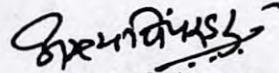
b) Accused may be dealt with as per the provisions of the law.



c) Any other relief in the interest of justice.



Advocate for the Complainant



Complainant

ABHAY MADHUKAR PIMPARKAR

DIRECTOR and M.S.MCZMA  
(ENVCC)

**BEFORE ME**

*M. D. Patel*

10-5-2023

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

**VERIFICATION**

I Shri Abhay Madhukar Pimparkar Director, Environment Department, Maharashtra Coastal Zone Management Authority Having his office at 15<sup>th</sup> Floor, New Administrative Building, Opp Mantralaya, Mumbai-32 do hereby state on solemn affirmation as under whatever stated in the foregoing paras are true and correct to the best of my knowledge, information and belief.

Solemnly affirmed at Mazgaon

On 1<sup>st</sup> day of <sup>May</sup> April, 2023

*Abhay Madhukar Pimparkar*  
Complainant

**ABHAY MADHUKAR PIMPARKAR**  
DIRECTOR and M.S. MCZMA  
(ENVCC)

Identified by me

*Sangram B. Suryavanshi*

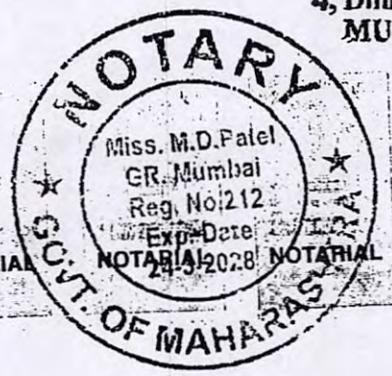
Sangram B. Suryavanshi

Advocate for the Complainant

**BEFORE ME**

*M. D. Patel*  
10-5-2023  
Sr. No 302  
Bk. No. 2

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



IN THE METROPOLITAN MAGISTRATE 69<sup>TH</sup>

COURT MAZGAON MUMBAI

REGULAR CRIMINAL CASE NO. OF 2023

Maharashtra Coastal Zone Management Authority }

Environment Department, 2<sup>nd</sup> Floor, Room No.217 }

Annexe Building, Mantralaya, Mumbai-32. }

(Represented by Shri. Abhay Madhukar Pimparkar) }

Director, Environment Department, }

Maharashtra Coastal Zone Management Authority }

Having his office at 15<sup>th</sup> Floor, New Administrative }

Building, Opp Mantralaya, Mumbai-32 }...Complainant

**Versus**

1. Shri A.P. Mohanti, }

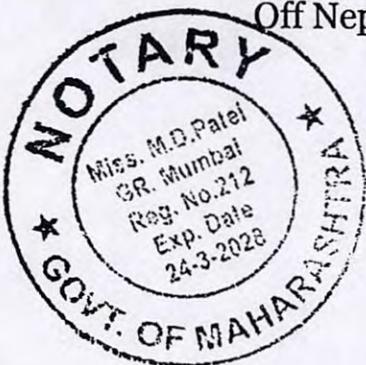
Age Adult, Indian Inhabitant }

Superintendent of Salt, }

Regional Office-Mumbai, }

Exchange Bldg., 4<sup>th</sup> Floor, Shivsagar, }

- Ram Gulam Marg, Ballard Estate, }
- Mumbai-400 001. }
2. Shri S. N. Pande, }
- Age Adult, Indian Inhabitant }
- Deputy Superintendent of Salt, }
- Office of Superintendent of Salt, }
- Near Railway Station, }
- Bhandup (E), Mumbai. }
3. Shri Murarilal N. Garodia, }
- Age Adult, Indian Inhabitant }
- Sheela Apartment, 4<sup>th</sup> Floor, }
- Off Bhulabhai Desai Road, Mumbai-400 026 }
4. Shri Byram Rohinton Dhalla, }
- Putla Mansion, Darabsha Road, }
- Off Nepeansea Road, Mumbai-400 026. }----Accused



**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

**MAY IT PLEASE YOUR HONOUR :**

I Shri. Abhay Madhukar Pimparkar Director, Environment Department, Maharashtra Coastal Zone Management Authority having office at 15<sup>th</sup> Floor, New Administrative Building, Opp. Mantralaya, Mumbai-32 do hereby state on solemn affirmation as under -

1. I say that I am filing the present Criminal Complaint against the Accused above named. I repeat, reiterate and confirm whatever stated in the Criminal Complaint and I adopt the same as part and parcel of this affidavit.
2. Whatever stated hereinabove is true and correct to the best of my knowledge information and belief and I believe the same to be true and correct.

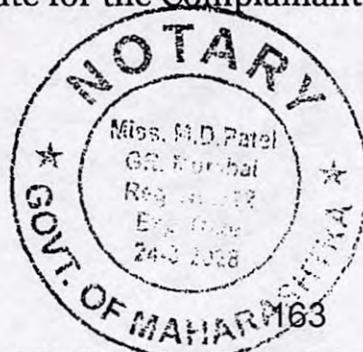
*B. sangam*

Sangram B. Suryavanshi

Advocate for the Complainant

*Abhay Madhukar Pimparkar*  
Complainant

ABHAY MADHUKAR PIMPARKAR  
DIRECTOR M.S. MCZMA  
(ENVCC)



### VERIFICATION

I Shri Abhay Madhukar Pimparkar Director, Environment Department, Maharashtra Coastal Zone Management Authority Having his office at 15<sup>th</sup> Floor, New Administrative Building, Opp Mantralaya, Mumbai-32 do hereby state on solemn affirmation as under whatever stated in the foregoing paras are true and correct to the best of my knowledge, information and belief.

Solemnly affirmed at Mazgaon

⊗ On <sup>10<sup>th</sup></sup> day of <sup>May</sup> April, 2023

Identified by me

*Sangram B. Suryavanshi*

Sangram B. Suryavanshi

Advocate for the Complainant

*Abhay Madhukar Pimparkar*

Complainant

ABHAY MADHUKAR PIMPARKAR

DIRECTOR and M.S. MCZMA  
(ENVCC)

**BEFORE ME**

*M. D. Patel*  
10-5-2023  
Sr. No. 303  
Bk. No. 2

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



I am not the member of the Social Welfare fund. So, <sup>25</sup>  
therefore, stamp of Rs. 2/- is not affixed herewith.

*B. Anand*  
Advocate

**IN THE COURT OF METROPOLITAN MAGISTRATE**

**69<sup>TH</sup> COURT AT MAZGAON MUMBAI**

**REGULAR CRIMINAL CASE NO. OF 2023**



Maharashtra Coastal Zone Management Authority }  
}

Environment Department, 2<sup>nd</sup> Floor, Room No.217 }  
}

Annexe Building, Mantralaya, Mumbai-32.

(Represented by Shri Abhay Madhukar Pimparkar)

Director, Environment Department ,

Maharashtra Coastal Zone Management Authority }  
}

Having his office at 15<sup>th</sup> Floor, New Administrative }  
}

Building, Opp Mantralaya, Mumbai-32 } Complainant



**Versus**

1. Shri A.P. Mohanti, }  
}

Superintendent of Salt, }  
}

Regional Office-Mumbai, }  
}

Exchange Bldg., 4<sup>th</sup> Floor, Shivsagar, }  
}

Ram Gulam Marg, Ballard Estate, }  
}

Mumbai-400 001. }  
}

2. Shri S.N. Pande, }  
}

Deputy Superintendent of Salt, }  
}

Office of Superitendat of Salt,

- Near Railway Station,  
Bhandup (E), Mumbai. }
3. Shri Murarilal N. Garodia, }
- Sheela Apartment, 4<sup>th</sup> Floor, }
- Off Bhulabhai Desai Road, Mumbai-400 026.}
4. Shri Byram Rohinton Dhalla, }
- Putla Mansion, Darabsha Road, }
- Off Nepeansea Road, Mumbai-400 026. }----Accused

### VAKALATNAMA

We the Maharashtra Coastal Zone Management Authority the Complainant SBS  
do hereby appoint **Mr. SANGRAM B. SURYAVANSHI,**  
**Advocate High Court, Mumbai** to act, appear and plead for  
us in the abovementioned matter.

In witness whereof we have set our hands to writing.

Witness

Dated this 10<sup>TH</sup> day of May April, 2023

Accepted by me

*Sangram B. Suryavanshi*

Sangram B. Suryavanshi

Advocate for Complainant

15 Vasudev Mension, 30-C/F, Opp.  
Yazdani Bakery, Cawasji Patel Street,  
Fort, Mumbai – 400001  
Reg. No. MAH/2137/2008  
Mob. No. 9730736824



*Abhay Madhukar Pimparkar*  
Complainant

ABHAY MADHUKAR PIMPARKAR  
DIRECTOR and M.S. MCZMA  
(ENVCC)

IN THE COURT OF METROPOLITAN MAGISTRATE 69<sup>TH</sup>

COURT AT MAZGAON MUMBAI

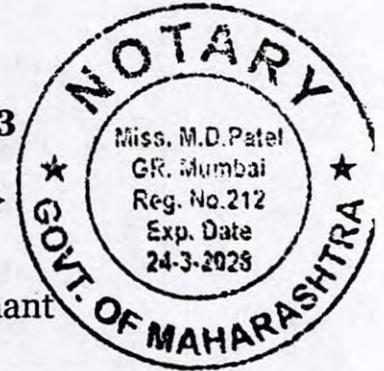
REGULAR CRIMINAL CASE NO. OF 2023

Maharashtra Coastal Zone Management Authority }  
 Environment Department, )...Complainant

V/S.

Shri A.P. Mohanti & Ors.

)...Accused



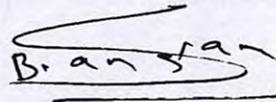
LIST OF DOCUMENTS

Sr. no.	Particulars
1.	<b>Annexure –‘A’ Collectively</b> IS The copy of the said Notification dated 13 <sup>th</sup> December, 2021 and 30 <sup>th</sup> September, 2022 published in the Official Gazette of the Central Government
2.	<b>Annexure-‘B’</b> copy of the CRZ Notifications dtd. 18/1/2019
3.	<b>Annexure ‘C’</b> – copy of the Order dated 13/12/2021
4.	<b>Annexure D</b> – A copy of the Hon’ble NGT Order dated 15/12/2021.
5.	<b>Annexure E</b> – copy of the Joint Committee Report dated 26/9/2022.
6.	<b>Annexure F</b> copy of the Hon’ble NGT Order dated 28/9/2022.

7.	<b>Annexure 'G' Collectively</b> – Copies of the letter dated 1/11/2022 and reminder letter dated 26/12/2022 addressed to the Salt Commissioner.
8.	<b>Annexure H</b> – copy of the Hon'ble NGT Order dated 15/3/2023.
9.	<b>Annexure 'I'</b> -Copy of the letter dated 20 <sup>th</sup> April, 2023 and Site photographs of the subject site

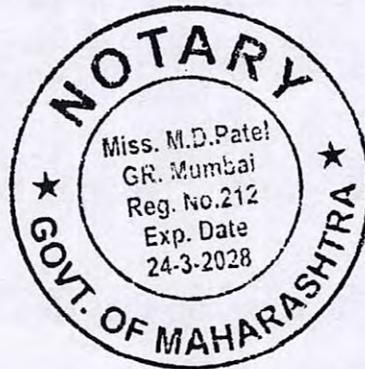
Place Mazgaon

Date 10/05/2023



Sangram B. Suryavanshi

Advocate for the Complainant





# भारत का राजपत्र

## The Gazette of India

सी.जी.-डी.एल.-अ.-14122021-231857  
CG-DL-E-14122021-231857

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY



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No. 4807]

नई दिल्ली, मंगलवार, दिसम्बर 14, 2021/अग्रहायण 23, 1943  
NEW DELHI, TUESDAY, DECEMBER 14, 2021/AGRAHAYANA 23, 1943

पर्यावरण, वन और जलवायु मंत्रालय

आदेश

नई दिल्ली, 13 दिसम्बर, 2021

का.आ. 5188(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) और उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र तटीय जोन प्रबंध प्राधिकरण (जिसे इसमें इसके पश्चात् प्राधिकरण कहा गया है) का, जो राजपत्र में इस आदेश के प्रकाशन की तारीख से प्रभावी तीन वर्षों की अवधि के लिए, गठन करती है जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्:-

क्रम सं.	सदस्य	प्रास्थिति
(1)	(2)	(3)
1.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, वन और पर्यावरण विभाग, महाराष्ट्र सरकार	अध्यक्ष, पदेन
2.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, राजस्व विभाग, महाराष्ट्र सरकार	सदस्य, पदेन
3.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, शहरी विकास विभाग, महाराष्ट्र सरकार	सदस्य, पदेन

4.	मत्स्य पालन आयुक्त या संयुक्त आयुक्त (समुद्रीय) या मत्स्य पालन सहायक आयुक्त (समुद्रीय), मत्स्य पालन विभाग, महाराष्ट्र सरकार	सदस्य, पदेन
5.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, उद्योग विभाग, महाराष्ट्र सरकार	सदस्य, पदेन
6.	नगरपालिका आयुक्त, ग्रेटर मुम्बई नगर निगम या ग्रेटर मुम्बई नगर निगम द्वारा पदाभिहित/नामनिर्दिष्ट उपसचिव से अन्यून स्तर का अधिकारी	सदस्य, पदेन
7.	अपर प्रधान मुख्य वन संरक्षक, मेन्ग्रोव सेल, मुम्बई या मेन्ग्रोव सेल द्वारा नामनिर्दिष्ट उप मुख्य वन संरक्षक से अन्यून स्तर का अधिकारी	सदस्य, पदेन
8.	निदेशक, केंद्रीय मत्स्य पालन अनुसंधान, मुम्बई अनुसंधान केंद्र, अंधेरी, मुम्बई	सदस्य, पदेन
9.	डॉ अनिल के. चौबे, पूर्व-निदेशक, क्षेत्रीय कार्यालय, राष्ट्रीय समुद्री विज्ञान संस्थान (एनआईओ), अंधेरी, मुम्बई	सदस्य, विशेषज्ञ
10.	डॉ. महेश आर. शिंदीकर,, प्राचार्य, इंजिनियरी महाविद्यालय, पुणे	सदस्य, विशेषज्ञ
11.	श्री मारूती डी.कुडाले, पूर्व-अपर निदेशक, केन्द्रीय जल और शक्ति अनुसंधान स्टेशन, पूणे	सदस्य, विशेषज्ञ
12.	श्री अनीश अंधेरिया, वन्य जीव संरक्षण न्यास, 11वां तल, मफ्तलाल सेंटर, नरीमन प्वाइंट, मुम्बई, विशेषज्ञ सदस्य के रूप में	सदस्य, विशेषज्ञ
13.	बाम्बे नैचुरल हिस्ट्री सोसाइटी, होमबिल हाउसफोर्ट, मुम्बई-400001 का एक प्रतिनिधि	सदस्य, गैर-सरकारी संगठन
14.	निदेशक, पर्यावरण और जलवायु परिवर्तन विभाग, महाराष्ट्र सरकार, भुवनेश्वर	सदस्य-सचिव, पदेन

2. प्राधिकरण का मुख्यालय मुम्बई में होगा।

3. प्राधिकरण की बैठक की गणपूर्ति, उसके कुल सदस्यों की एक तिहाई सदस्य होगी।

4. पदेन सदस्य से भिन्न सदस्य को, केन्द्रीय सरकार द्वारा अधिकथित मानकों के अनुसार भत्ते देय होंगे।

5. हित सघर्ष से बचने के लिए कोई सदस्य किसी परियोजना के जिसमें उन्होंने परामर्शी सेवाएं प्रदान की है अंकन की प्रक्रिया में प्राधिकरण की किसी बैठक से विलग रहेगा।

6. प्राधिकरण, ओडीशा राज्य में तटीय पर्यावरण की क्वालिटी को संरक्षित करने और सुधारने तथा तटीय विनियम जोन क्षेत्रों में पर्यावरणीय प्रदूषण के निवार, उपशमन और नियंत्रण के उद्देश्यों के लिए निम्नलिखित उपाय करेगा, अर्थात्:-

(i) प्राधिकरण, परियोजना प्रस्ताव के अनुमोदन के लिए आवेदन प्राप्ति के पश्चात्, यदि वह अनुमोदित तटीय जोन प्रबंध योजना के अनुसरण में हैं और भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय द्वारा का.आ. संख्याक 20(अ), तारीख 6 जनवरी, 2011 और सा.का.नि. संख्यांक 37(अ), तारीख 18 जनवरी, 2019 द्वारा जारी की गई तटीय विनियम जोन अधिसूचना (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) की अपेक्षाओं के भीतर है तो उसका परीक्षण करेगा और संबद्ध प्राधिकरण ऐसी परियोजना के अनुमोदन के लिए, जैसा कि उक्त अधिसूचना में विनिर्दिष्ट है, ऐसे आवेदन की प्राप्ति की तारीख से साठ दिनों के भीतर सिफारिश करेगा;

प्राधिकरण, उक्त अधिसूचना में विनिर्दिष्ट किए गए के अनुसार तटीय विनियम जोन में सभी विकासक क्रियाकलापों को विनियमित करेगा;

प्राधिकरण, उक्त अधिसूचना के उपबंधों का प्रवर्तन और मानीटरी के लिए उत्तरदायी होगा;



- (iv) प्राधिकरण, तटीय विनियम जोन क्षेत्रों और तटीय जोन प्रबंध योजना के वर्गीकरण में परिवर्तन या उपांतरणों के लिए राज्य सरकार से प्राप्त प्रस्तावों की परीक्षा करेगा और राष्ट्रीय तटीय जोन प्रबंधन प्राधिकरण को उस पर विनिर्दिष्ट सिफारिश देगा;
- (v) प्राधिकरण, उक्त अधिनियम या उसके अधीन बनाए गए नियमों के उपबंधों के अभिकथित अतिक्रमण के मामलों में जांच करेगा और उक्त अधिनियम तथा उसके अधीन बनाए गए नियमों के उपबंधों के अतिक्रमण या उल्लंघन को अंतर्वलित करने वाले मामलों का पुनर्विलोकन करेगा;
- (vi) प्राधिकरण, उक्त अधिसूचना के अतिक्रमण या उल्लंघन के मामलों में स्वप्रेरणा से या किसी व्यक्ति या निकाय या संगठन द्वारा किए गए परिवाद के आधार पर जांच या पुनर्विलोकन करेगा;
- (vii) प्राधिकरण, उक्त अधिनियम की धारा 19 के अधीन परिवाद फाइल करने के लिए प्राधिकृत है;
- (viii) प्राधिकरण, उसके समक्ष तथ्यों को सत्यापित करने के लिए जैसा अपेक्षित है, उक्त अधिनियम की धारा 10 के अधीन कार्रवाई करेगा।

7. प्राधिकरण, अपने कृत्यों में पारदर्शिता बनाए रखने के उद्देश्य के लिए एक समर्पित वेबसाइट तैयार करेगा और इसके कृत्य, जिसके अंतर्गत बैठकों में कार्यसूची, बैठकों का कार्यवृत्त, प्रत्येक बैठकों में किए गए विनिश्चय, उक्त अधिसूचना के अतिक्रमण तथा उल्लंघन के मामलों में सिफारिशें और ऐसे अतिक्रमण तथा उल्लंघन पर की गई कार्रवाई और न्यायालय मामले जिसके अंतर्गत न्यायालयों के आदेश हैं और राज्य सरकार की अनुमोदित तटीय जोन प्रबंध योजना से संबंधित सूचना डालेगा।

8. प्राधिकरण छह माह में कम से कम एक बार अपने क्रियाकलापों की रिपोर्ट राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण को भेजेगा।

[फा. सं. 12-5/2005-आईए-III (भाग)]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

ORDER

New Delhi, the 13th December, 2021

**S.O. 5188(E).**—In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Authority namely, the Maharashtra Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this order in the Official Gazette, namely:-

S. No.	Members	Status
(1)	(2)	(3)
1.	Additional Chief Secretary or Principal Secretary or Secretary, Environment and Climate Change Department, Government of Maharashtra	Chairperson, <i>ex-officio</i> ;
2.	Additional Chief Secretary or Principal Secretary or Secretary, Revenue Department, Government of Maharashtra	Member, <i>ex-officio</i> ;
3.	Additional Chief Secretary or Principal Secretary or Secretary Urban Development Department, Government of Maharashtra.	Member, <i>ex-officio</i> ;
4.	Commissioner or Joint Commissioner of Fisheries (Marine) or Assistant Commissioner of Fisheries (Marine), Fisheries Department, Government of Maharashtra	Member, <i>ex-officio</i> ;
5.	Additional Chief Secretary or Principal Secretary or Secretary, Industry Department, Government of Maharashtra	Member, <i>ex-officio</i> ;
6.	Municipal Commissioner, Municipal Corporation of Greater Mumbai or Officer not below the rank of Deputy Secretary designated/nominated by Municipal Corporation of Greater Mumbai	Member, <i>ex-officio</i> ;



7.	Additional Principal Chief Conservator of Forest, Mangrove Cell, Mumbai or Officer not below the rank of Deputy Chief Conservator of Forest nominated by Mangrove Cell.	Member, <i>ex-officio</i> ;
8.	Director, Mumbai Research Centre of Central Marine Fisheries Research, Versova, Andheri, Mumbai	Member, <i>ex-officio</i> ;
9.	Dr. Anil K. Choubey, Ex-Director, Regional Office, National Institute of Oceanography (NIO), Andheri, Mumbai	Member, <i>Expert</i> ;
10.	Dr. Mahesh R. Shindikar, Professor, College of Engineering, Pune	Member, <i>Expert</i> ;
11.	Mr. Maruti D. Kudale, Ex-Additional Director, Central Water and Power Research Station, Pune	Member, <i>Expert</i> ;
12.	Shri Anish Andheria, Wildlife Conservation Trust, 11 <sup>th</sup> Floor, Mafatlal Centre, Nariman Point, Mumbai-400021	Member, <i>Expert</i> ;
13.	A representative of Bombay Natural History Society (BNHS), Hombill House Fort, Mumbai-400001	Member, <i>Non-Government Organisation</i> ;
14.	Director, Environment and Climate Change Department, Government of Maharashtra	Member Secretary

2. The Authority shall have its headquarters at Mumbai.
  3. The quorum for the meeting of the Authority shall be one-third of the total number of its Members.
  4. A Member, other than an *ex-officio* Member, shall be paid allowances as per the norms laid down by the Central Government.
  5. In order to avoid any conflict of interest, a member shall recuse himself from the meeting of the Authority, in the process of appraisal of any project, for which they have rendered consultancy service.
  6. The Authority shall, for the purposes of protecting and improving the quality of the costal environment and preventing, abating and controlling environmental pollution in the Coastal Regulation Zone areas in the State of Maharashtra, take the following measures, namely: -
    - (i) the Authority shall, after receiving the application for approval of project proposal, examine the same if it is in accordance with the approved Coastal Zone Management Plan and within the requirements of the Island Protection Zone notification issued by the Government of India in the erstwhile Ministry of Environment and Forests and published *vide* number S.O.20(E), dated the 6<sup>th</sup> January, 2011 and G.S.R. 37(E), dated the 18<sup>th</sup> January, 2019 (hereinafter referred to as the said notifications), and make recommendations for approval of such project to the concerned authority, as specified in the said notifications, within a period of sixty days from the date of receipt of such application;
    - (ii) the Authority shall regulate all developmental activities in the Coastal Regulation Zone areas as specified in the said notifications;
    - (iii) the Authority shall be responsible for enforcing and monitoring the provisions of the said notifications;
    - (iv) the Authority shall examine the proposals received from the Union territory Administration for changes or modifications in the classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan and make specific recommendations thereon, to the National Coastal Zone Management Authority;
- The Authority shall inquire into cases of alleged violation of the provisions of the said Act or the rules made thereunder, and review the cases involving violations or contraventions of the provisions of the said Act and the rules made thereunder;
- The Authority shall inquire or review cases of violations or contraventions of the said notifications, or on the basis of a complaint made by any individual or body or organisation;



- (vii) the Authority is authorised to file complaints under section 19 of the said Act;
- (viii) the Authority shall take such action as may be required under section 10 of the said Act, to verify the facts of the cases before it.
7. The Authority shall, for the purpose of maintaining transparency in its functioning, create a dedicated website and post the information relating to its functions, including the agenda in its meetings, minutes of the meetings, decisions taken in each meeting, recommendations for matters on violations and contravention of the said notifications and actions taken on such violations and contraventions, court matters including the orders of the courts and the approved Coastal Zone Management Plan of the State Government.
8. The Authority shall furnish reports of its activities at least once in six months to the National Coastal Zone Management Authority.

[F. No. 12-5/2005-IA.III (part)]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.



रजिस्ट्री सं. डी.एल.- 33004/99



REGD. No. D. L.-33004/99

# भारत का राजपत्र

## The Gazette of India

सी.जी.-डी.एल.-अ.-01102022-239272  
CG-DL-E-01102022-239272

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 4441]  
No. 4441]

नई दिल्ली, शुक्रवार, सितम्बर 30, 2022/अश्विन 8, 1944  
NEW DELHI, FRIDAY, SEPTEMBER 30, 2022/ASVINA 8, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 30 सितम्बर, 2022

का.आ. 4649(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना, संख्यांक का.आ. 638(अ), तारीख 28 फरवरी, 2014 में निम्नलिखित संशोधन करती है :-

उक्त अधिसूचना में, क्र.सं. 2 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित क्रम संख्यांक और प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात् :-

क्रम सं.	प्राधिकारी/अधिकारी	अधिकारिता
(1)	(2)	(3)
"3.	राज्य तटीय जोन प्रबंध प्राधिकरण और संघ राज्यक्षेत्र तटीय जोन प्रबंध प्राधिकरण	उनकी संबंधित क्षेत्रीय अधिकारिता के भीतर।

[ फा. सं. आईए 3-12/2/2022-आईए. III ]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पणः- मूल अधिसूचना, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) संख्यांक 638(अ), तारीख 28 फरवरी, 2014 द्वारा प्रकाशित की गई थी।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

## NOTIFICATION

New Delhi, the 30th September, 2022

S.O. 4649(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendment in the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O.638 (E), dated the 28<sup>th</sup> February, 2014, namely:-

In the said notification, after S.No.2 and the entries relating thereto, the following S.No.and entries shall be inserted, namely:-

S.No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
"3.	The State Coastal Zone Management Authorities and Union Territory Coastal Zone Management Authorities	Within their respective territorial jurisdiction".

[F. No. IA3-12/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note:-The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O.638 (E), dated 28<sup>th</sup> February, 2014.





# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 36]

नई दिल्ली, शुक्रवार, जनवरी 18, 2019/पौष 28, 1940

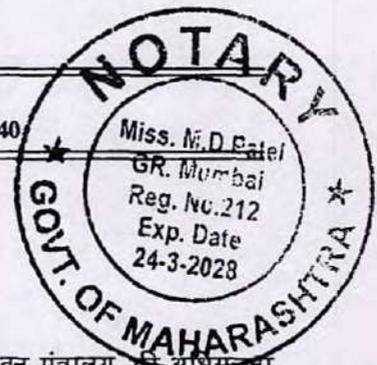
No. 36]

NEW DELHI, FRIDAY, JANUARY 18, 2019/PAUSHA 28, 1940

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 18 जनवरी, 2019



**सा.का.नि. 37(अ).**—केन्द्रीय सरकार ने भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय, की अधिसूचना संख्या का.आ. 19 (अ) तारीख 6 जनवरी, 2011 (जिसे इसमें इसके पश्चात तटीय विनियमन जोन अधिसूचना, 2011 कहा गया है) द्वारा तटीय क्षेत्रों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 के अधीन कतिपय तटीय विनियमन क्षेत्र (जिसे इसमें इसके पश्चात सीआरजेड कहा गया है) के रूप में घोषित किया था;

और पर्यावरण वन और जलवायु परिवर्तन मंत्रालय को समुद्री तथा तटीय पारितंत्रों के प्रबंधन और संरक्षण, तटीय क्षेत्रों में विकास, पारि-पर्यटन, तटीय क्षेत्रों में रहने वाले समुदायों की जीविका के विकल्पों तथा वहनीय विकास आदि के संबंध में तटीय विनियमन जोन अधिसूचना, 2011 में कतिपय उपबंधों के बारे में अन्य पणधारियों के अतिरिक्त, विभिन्न तटीय राज्यों और संघ राज्य क्षेत्रों से अभ्यावेदन प्राप्त हुए हैं;

और विभिन्न राज्य सरकारों/संघ राज्य क्षेत्रों और पणधारियों ने पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय से तटीय विनियमन जोन अधिसूचना, 2011 के संदर्भ में तटीय पर्यावरण और वहनीय विकास से संबंधित चिंताओं का निराकरण करने का अनुरोध किया है;

और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने तटीय विनियमन जोन अधिसूचना, 2011 के संबंध में विभिन्न मुद्दों तथा तटीय राज्यों और संघ राज्य क्षेत्रों और पणधारियों की चिंताओं की जांच करने और उक्त अधिसूचना में समुचित परिवर्तन किए जाने की सिफारिश करने के लिए डॉ. शैलेश नायक की अध्यक्षता में एक समिति का गठन किया था;

और मंत्रालय में डॉ. शैलेश नायक द्वारा प्रस्तुत की गई रिपोर्ट की जांच की गई है और इस संबंध में विभिन्न पणधारियों के साथ परामर्श किए गए हैं;

और सभी संबंधितों से टिप्पणियों और सुझावों की ईप्सा से प्रारूप तटीय विनियमन जोन अधिसूचना, 2018 जारी की गई थी और उसे तारीख 18 अप्रैल, 2018 को पर्यावरण, वन और जलवायु परिवर्तन की वेबसाइट पर डाला गया था;

और केन्द्रीय सरकार द्वारा उपर्युक्त उल्लिखित प्रारूप तटीय विनियमन जोन अधिसूचना, 2018 की प्रतिक्रिया में प्राप्त आक्षेपों और सुझावों पर सम्यक रूप से विचार कर लिया गया है;

अतः अब केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और तटीय विनियमन जोन अधिसूचना 2011 संख्यांक का. आ. 19 (अ) तारीख 6 जनवरी, 2011 को, उन बातों के सिवाय अधिक्रांत करते हुए, जिन्हें ऐसे अधिक्रमण से पहले किया गया था या करने का लोप किया गया था, के तटीय क्षेत्रों के मछुआरा समुदायों और अन्य स्थानीय समुदायों की आजीविका की सुरक्षा और प्राकृतिक जोखिमों, ग्लोबल वार्मिंग के कारण समुद्र स्तर में वृद्धि के खतरों को ध्यान में रखते हुए वैज्ञानिक सिद्धांतों पर आधारित सतत विकास को बढ़ावा देने के अतिरिक्त, तटीय खंडों और समुद्री क्षेत्रों के अद्वितीय पर्यावरण के संरक्षण और सुरक्षा के उद्देश्य से अंडमान और निकोबार द्वीपसमूह और लक्षद्वीप तथा इन द्वीपसमूहों के आस-पास के समुद्री क्षेत्रों को छोड़कर देश के तटीय खंडों और उसकी राज्यक्षेत्रीय सागर खंड को निम्नानुसार तटीय विनियमन जोन के रूप में घोषित करती है:-

- (i) उच्च ज्वार रेखा (इसमें इसके पश्चात् एचटीएल के रूप में कहा गया है) से लेकर समुद्र की ओर अभिमुख 500 मीटर का भू-क्षेत्र।

स्पष्टीकरण – इस अधिसूचना के प्रयोजनों के लिए एचटीएल से भूमि पर ऐसी रेखा अभिप्रेत है जहां तक उत्पन्न होने वाले ज्वार के दौरान उच्चतम जल रेखा पहुंचती है, जैसाकि निर्धारित प्रक्रियाओं के अनुसार राष्ट्रीय सतत तटीय प्रबंधन केन्द्र (एनसीएससीएम) द्वारा सीमांकित और विभिन्न तटीय राज्यों और संघ राज्य क्षेत्रों को उपलब्ध कराया गया है।

- (ii) सीआरजेड उन भू-क्षेत्रों पर लागू होगा जो एचटीएल से लेकर 50 मीटर या क्रीक की चौड़ाई जो भी कम हो, ज्वार से प्रभावित जल निकायों, जो कि समुद्र से जुड़े हुए हैं, के मध्य स्थित वह दूरी जहां तक ज्वार से प्रभावित जल निकायों के आस-पास विकासात्मक कार्यकलापों को विनियमित किया जाना है और इस दूरी का निर्धारण वर्ष की शुष्क अवधि में लवणीयता की मात्रा को पांच भाग प्रति हजार (पीपीटी) को आधार मानकर किया जाएगा तथा ज्वार से प्रभावित होने वाली दूरी को तटीय जोन प्रबंधन योजनाओं (जिसे इसमें इसके पश्चात् सीजेडएमपी के रूप में कहा गया है) के अनुसार अभिज्ञात करके उसका निर्धारण किया जाएगा।

परन्तु, 50 मीटर की सीआरजेड सीमा या क्रीक की चौड़ाई, इनमें से जो भी कम हो, इस अधिसूचना, जिसे उचित परामर्शी प्रक्रिया/जनसुनवाई इत्यादि के साथ विरचित किया गया है, के अनुसार संबंधित सीजेडएमपी के संशोधन तथा अन्तिम अनुमोदन और इसमें सूचीबद्ध पर्यावरणीय सुरक्षोपायों के अध्यधीन होगा और इस अधिसूचना की सीजेडएमपी का अनुमोदन होने तक, 100 मीटर या क्रीक की चौड़ाई की सीमा जो भी कम हो, लागू होगी।

स्पष्टीकरण :- इस उप पैराग्राफ के प्रयोजनार्थ ज्वार प्रभावित जल निकायों से खाड़ी, नदी मुहाना, नदी, क्रीक, बैकवाटर, लेगून और तालाब इत्यादि जो समुद्र से मिले हुए हों, में समुद्र से ज्वारीय प्रभावों से प्रभावित जल निकाय अभिप्रेत है।

- (iii) एचटीएल तथा निम्न ज्वारीय रेखा (जिसे इसमें इसके पश्चात् एलटीएल के रूप में कहा गया है) के मध्य स्थित अन्तर ज्वारीय क्षेत्र अर्थात् भूमि क्षेत्र अभिप्रेत है।
- (iv) ज्वार से प्रभावित जल निकायों के लिए समुद्र और जल के मामले में एलटीएल और क्षेत्रीय जल सीमा (12 समुद्री मील) के मध्य स्थित भू-क्षेत्र और किनारे की विपरीत दिशा में एलटीएल से किनारे पर एलटीएल के बीच के क्षेत्र

2. **सीआरजेड का वर्गीकरण** – तटीय क्षेत्रों और समुद्री जल के संरक्षण और सुरक्षा के प्रयोजनार्थ सीआरजेड क्षेत्र को निम्नानुसार वर्गीकृत किया जाएगा, अर्थात् :-

2.1 **सीआरजेड-1** क्षेत्र पर्यावरण की दृष्टि से सर्वाधिक संवेदनशील हैं और इन्हें निम्नानुसार और वर्गीकृत किया जाएगा:

2.1.1-सीआरजेड-1क:

(क) सीआरजेड-1क में पारिस्थितिकी की दृष्टि से संवेदनशील (ईएसए) और भू-आकृति की विशेषताओं वाले निम्नलिखित क्षेत्र सम्मिलित होंगे, जो तट की अखंडता को बरकरार रखने में भूमिका निभाते हैं अर्थात्:

- (i) कच्छ वनस्पति। यदि कच्छ वनस्पति क्षेत्र 1000 वर्ग मीटर से अधिक है तो कच्छ वनस्पति के किनारे 50 मीटर के क्षेत्र को बफर क्षेत्र के रूप में उपलब्ध कराया जाएगा और ऐसे क्षेत्र में सीआरजेड-क भी सम्मिलित होगा।
- (ii) प्रवाल और प्रवाल भित्ति;
- (iii) बालू के टीले;
- (iv) जैविक रूप से सक्रिय नमभूमि (मडफ्लैट);
- (v) जैवमंडल रिजर्वों सहित वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53), वन (संरक्षण) अधिनियम, 1980 (1980 का 69) या पर्यावरण (संरक्षण) अधिनियम, 1972 (1972 का 53) के उपबंधों के अधीन राष्ट्रीय उद्यान, समुद्री पार्क, अभयारण्य, रिजर्व वन, वन्यजीव पर्यावास और अन्य संरक्षित क्षेत्र;
- (vi) नमकीन दलदल;
- (vii) कछुआ प्रजनन स्थल;
- (viii) हॉर्स शू केकड़े का पर्यावास;
- (ix) समुद्री घास का मैदान;
- (x) पक्षियों के प्रजनन का स्थान;
- (xi) पुरातात्विक महत्व के क्षेत्र या संरचनाएं और धरोहर स्थल।

(ख) इस अधिसूचना के उपाबंध-1 में यथाअंतर्विष्ट और सीजेडएमपी में एकीकृत मार्गदर्शक सिद्धांतों के आधार पर राष्ट्रीय सतत तटीय प्रबंधन केन्द्र (एनसीएससीएम) द्वारा यथा मानचित्रित संबंधित क्षेत्रों में ऐसे पारिस्थितिकी की दृष्टि से संवेदनशील क्षेत्रों के लिए राज्यों और संघ राज्यक्षेत्रों द्वारा एक विस्तृत पर्यावरण प्रबंधन योजना बनाई जाएगी।

### 2.1.2 सीआरजेड-1 ख:

अन्तरज्वारीय क्षेत्र अर्थात् निम्न ज्वार रेखा और उच्च ज्वार रेखा के बीच का क्षेत्र सीआरजेड-1ख में सम्मिलित होगा।

### 2.2 सीआरजेड-11:

सीआरजेड-11 में विद्यमान नगरीय सीमाओं या अन्य विद्यमान विधिक रूप से अधिकृत शहरी क्षेत्रों जो बिल्टअप प्लॉटों से 50 प्रतिशत से अधिक होते हुए कुल प्लॉटों के अनुपात के साथ पर्याप्त बिल्टअप हों और जहां ड्रेनेज तथा सम्पर्क सड़कों और अन्य अवसंरचनात्मक सुविधाएं जैसे जलापूर्ति और सीवरेज मेन इत्यादि की व्यवस्था की गई हो, के अन्दर तटरेखा तक या इसके समीप विकसित भूमि क्षेत्र सम्मिलित होंगे।

### 2.3 सीआरजेड-111:

ऐसे भूमि क्षेत्र जो अपेक्षाकृत अहस्तक्षेपित (अर्थात् ग्रामीण क्षेत्र इत्यादि) हैं और जो सीआरजेड-11 के अन्तर्गत नहीं आते हैं, सीआरजेड-111 में सम्मिलित होंगे और सीआरजेड-111 को आगे निम्नलिखित श्रेणियों में वर्गीकृत किया जाएगा:-

#### 2.3.1 सीआरजेड-111 क:

ऐसी घनी आबादी वाले सीआरजेड-111 क्षेत्र, जहां 2011 जनगणना आधार के अनुसार जनसंख्या घनत्व प्रतिवर्ग किलोमीटर 2161 से अधिक हो, उन्हें सीआरजेड-111क के रूप में नामित किया जाएगा और सीआरजेड-111क में, भूमि की ओर वाले भाग पर एचटीएल से 50 मीटर तक के क्षेत्र को 'नो डेवलपमेंट जोन (एनडीजेड)' के रूप में निर्धारित किया जाएगा, परन्तु इस अधिसूचना के अनुसार सीजेडएमपी जिसे उचित परामर्शी प्रक्रिया के साथ तैयार किया गया हो, को अनुमोदित किया गया है जिसके न होने पर 200 मीटर का 'नो डेवलपमेंट जोन' लागू रहेगा।

#### 2.3.2 सीआरजेड-111 ख:

वर्ष 2011 जनगणना आधार के अनुसार प्रति वर्ग किलोमीटर 2161 से कम जनसंख्या घनत्व वाले सभी अन्य सीआरजेड-111 क्षेत्र सीआरजेड-111ख के रूप में अभिहित किए जाएंगे और सीआरजेड-111ख में, भूमि की ओर वाले भाग पर एचटीएल से 200 मीटर तक के क्षेत्र को 'नो डेवलपमेंट जोन (एनडीजेड)' के रूप में निर्धारित किया जाएगा।



**2.3.3** ज्वार प्रभावित जल निकायों के किनारे एचटीएल से 50 मीटर तक भूमि क्षेत्र या क्रीक की चौड़ाई, जो भी कम हो, को भी सीआरजेड III क्षेत्रों में एनडीजेड के रूप में निर्धारित किया जाएगा।

*टिप्पण:* अधिसूचित पत्तन सीमाओं में आने वाले ऐसे क्षेत्रों में एनडीजेड लागू नहीं होगा।

#### **2.4 सीआरजेड-IV:**

सीआरजेड-IV में जल क्षेत्र सम्मिलित होंगे और इन्हें निम्नानुसार और वर्गीकृत किया जाएगा:

##### **2.4.1 सीआरजेड-IV क:**

समुद्र की ओर वाले भाग पर बारह (12) समुद्री मील तक निम्न ज्वार रेखा के बीच जल क्षेत्र और समुद्र तल क्षेत्र सीआरजेड-IVक में सम्मिलित होंगे।

##### **2.4.2 सीआरजेड-IV ख:**

सीआरजेड-IV ख क्षेत्रों में ज्वार से प्रभावित जल निकायों के किनारे पर एलटीएल और ज्वार के प्रभाव अर्थात् वर्ष के शुष्कतम मौसम के दौरान पांच भाग प्रति हजार (पीपीटी) की लवण्यता तक समुद्र में जल निकाय के मुहाने से विस्तृत होकर किनारे की विपरीत दिशा में एलटीएल के बीच जल क्षेत्र और तल क्षेत्र सम्मिलित होंगे।

**3.0 सीआरजेड में विशेष ध्यान की अपेक्षा रखने वाले क्षेत्र:-** निम्नलिखित तटीय क्षेत्रों पर संकटपूर्ण तटीय पर्यावरण के संरक्षण तथा स्थानीय समुदायों द्वारा सामना की जा रही कठिनाइयों के प्रयोजनार्थ विशेष ध्यान दिया जाएगा:-

##### **3.1 गंभीर रूप से असुरक्षित तटीय क्षेत्र (सीपीए)**

पर्यावरण (संरक्षण) अधिनियम, 1986 के अधीन अभिज्ञात पश्चिम बंगाल के सुंदरवन क्षेत्र और अन्य पारि-संवेदनशील क्षेत्रों जैसे गुजरात में खंबात की खाड़ी और कच्छ की खाड़ी, महाराष्ट्र में मालवन, अचरा- रत्नागिरि, कर्नाटक में कारवार और कूडापुर, केरल में वैम्बानाड, तमिलनाडु में मन्नार की खाड़ी, ओडिशा में भैयतारकनिका, आंध्र प्रदेश में कोरिंगा, पूर्वी गोदावरी और कृष्णा को गंभीर रूप से असुरक्षित तटीय क्षेत्र (सीवीसीए) के रूप में लिया जाएगा और उनका प्रबंधन तटीय समुदायों, जिनमें वे मछुवारे सम्मिलित हैं जो अपनी स्थायी आजीविका के लिए तटीय संसाधनों पर निर्भर करते हैं को सम्मिलित कर के किया जाएगा।

**3.2** अंतर्देशीय पश्चजल द्वीपों और मुख्य भूमि तट के साथ-साथ द्वीपों के लिए सीआरजेड।

**3.3** वृहत्तर मुंबई की नगरीय सीमाओं के भीतर आने वाले सीआरजेड।

**4. सीआरजेड के भीतर प्रतिषेधित क्रियाकलाप:** साधारणतया: निम्नलिखित क्रियाकलाप को पूरे सीआरजेड में प्रतिषेधित किया जाएगा और इनके अपवाद तथा विनिर्दिष्ट सीआरजेड श्रेणियों, जैसे सीआरजेड-I, II, III और IV में अनुमत्य/विनियमित अन्य क्रियाकलाप को इस अधिसूचना के पैरा 5 के उपबंधों के द्वारा शासित किया जाएगा:-

- (i) नये उद्योगों की स्थापना और विद्यमान उद्योगों, प्रचालनों या प्रक्रियाओं का विस्तार।
- (ii) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना संख्यांक सा.का.नि. 395(अ), तारीख 4 अप्रैल, 2014 में यथा विनिर्दिष्ट, तेल का विनिर्माण या हथालन, खतरनाक पदार्थों का भंडारण या निपटान।
- (iii) नई मत्स्य प्रसंस्करण इकाइयों को स्थापित किया जाना।
- (iv) इस अधिसूचना के अधीन अनुमत्य और सक्षम प्राधिकारी की पूर्वानुमति से निष्पादित कार्यकलापों को छोड़कर भूमि सुधार, समुद्री जल के स्वभाविक प्रवाह पर बंध लगाया जाना या उसमें बाधा डालना।
- (v) उद्योगों, शहरों या नगरों तथा अन्य मानवीय बस्तियों से अशोधित अपशिष्ट और बहिःस्रावों का छोड़ा जाना।
- (vi) भूमि के भराव के प्रयोजन से सन्निर्माण का मलबा, औद्योगिक ठोस अपशिष्ट, प्लाईवुड सहित शहर या नगर के अपशिष्ट काडलाव।
- (vii) तट के अधिक कटाव वाले क्षेत्रों में बंदरगाह और पोताश्रय।
- (viii) रेत, चट्टानों तथा निचली सतहों में अन्य सामग्रियों का खनन।



- (ix) सक्रिय रेत टीलों की छंटाई या उनमें बदलाव।  
 (x) जल प्रणाली और समुद्री जीव स्टिकों की सुरक्षा के लिए तटीय जलक्षेत्रों में प्लाजन्तु-सामग्री को फेंके जाने का प्रतिषेध किया जाएगा और सीआरजेड में प्लास्टिक सामग्री के प्रबंधन और निपटान के लिए पर्याप्त उपकरण उपलब्ध करा जाएंगे।

(xi) भूजल का निष्कासन।

## 5. सीआरजेड में अनुमत्य क्रियाकलाप का विनियमन:

### 5.1 सीआरजेड-1:

#### 5.1.1 सीआरजेड-1क:

ये क्षेत्र पारिस्थितिक रूप से अत्यधिक संवेदनशील हैं और सामान्य रूप से सीआरजेड-1क क्षेत्रों में निर्धारित क्रियाकलापों सहित, कोई क्रियाकलाप नहीं किया जाएगा:-

- (i) इस अधिसूचना के अनुसार, अनुमोदित सीजेडएमपी में निर्दिष्ट, ऐसी पारि-पर्यटन योजना के अध्यक्षीन, अभिज्ञात क्षेत्रों में कच्छ भूमि भ्रमण, वृक्ष कुटीर, प्राकृतिक मार्ग इत्यादि जैसे पारि-पर्यटन क्रियाकलाप, जिन्हें उचित परामर्शी प्रक्रिया/ जन सुनवाई के पश्चात तैयार किया गया हो और सीजेडएमपी में सूचीबद्ध, पारिस्थितिक रूप से संवेदनशील क्षेत्रों से संबंधित पर्यावरणीय सुरक्षोपायों और सावधानियों के अध्यक्षीन।
- (ii) कच्छ भूमि बफर क्षेत्र में केवल ऐसे क्रियाकलाप जैसे पाइप लाइनों, ट्रांसमिशन लाइनों का बिछाया जाना, वाहन प्रणालियों या तंत्रों तथा खंभों इत्यादि पर सड़क का सन्निर्माण, जिनकी जन उपयोगिताओं में जरूरत पड़ती है, की अनुमति दी जाएगी।
- (iii) सीआरजेड-1 क्षेत्रों में सुधार के द्वारा सड़कों और खंभों पर बनायी जाने वाली सड़कों की अनुमति केवल आपवादिक मामलों में रक्षा, रणनीतिक प्रयोजनों और जन उपयोगिताओं के लिए, एक ब्योरे वार समुद्री या दोनों पृथ्वी पर्यावरण प्रभाव निर्धारण के अध्यक्षीन दी जाएगी जिसकी सिफारिश तटीय क्षेत्र प्रबंधन समिति प्राधिकरण द्वारा की गई हो और जिसकी पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा स्वीकृति दी गयी हो और यदि ऐसी सड़कों का निर्माण कच्छ भूमि क्षेत्रों से होकर गुजरता है या उससे कच्छ भूमियों को, सन्निर्माण प्रक्रिया के दौरान, कम से कम तीन बार क्षति पहुंचने की संभावना हो, तो प्रभावित या क्षतिग्रस्त या कटाईग्रस्त कच्छ भूमि क्षेत्र पर प्रतिपूरक वृक्षारोपण प्रारंभ किया जाएगा।

#### 5.1.2 सीआरजेड-1ख - अंतर्ज्वारीय क्षेत्र:

सीआरजेड-1ख क्षेत्रों में क्रियाकलाप का निम्न प्रकार से विनियमित या अनुमति अनुज्ञेय होंगी:-

- (i) भूमि सुधार, बंध निर्माण इत्यादि की अनुमति केवल ऐसे क्रियाकलाप के लिए दी जाएगी जैसे:-

- (क) तटाग्र सुविधाएं, जैसे बंदरगाह, पोतआश्रय, घाट, जहाज घाट, प्लेटफार्म, जलावतरण मंच, पुल, तटरक्षा के लिए होवर पोर्ट और समुद्री बंध इत्यादि;
- (ख) रक्षा, रणनीतिक और सुरक्षा प्रयोजनों के लिए परियोजनाएं;
- (ग) विद्यमान उच्च ज्वार रेखा तक, खंभों पर सड़क बशर्ते ऐसी सड़कों के, भूमि की तरफ वाले क्षेत्र के विकास की अनुमति के लिए प्राधिकृत नहीं किया जाएगा:

परंतु यह और कि सुधार की गयी भूमि के उपयोग की अनुमति केवल जन उपयोगिताओं, जैसे सामूहिक, त्वरित या बहुविध परिवहन प्रणाली, सभी आवश्यक सहबद्ध जन उपयोगिताओं के निर्माण और स्थापना तथा ऐसी परिवहन प्रणाली के प्रचालन के लिए आधारभूत संरचना जिसमें विद्युत या इलैक्ट्रॉनिक सिग्नल प्रणाली, अनुज्ञाप्राप्त डिजाइनों के परिवहन विश्राम स्थल; किसी औद्योगिक प्रचालन, मरम्मत या अनुरक्षण को छोड़कर, के लिए दी जाएगी;

(घ) कटाव के नियंत्रण के लिए उपाय;

(ङ) जलमार्गों, चैनलों और बंदरगाहों और तटरक्षा के लिए होवर पोर्टों का अनुरक्षण और सफाई;

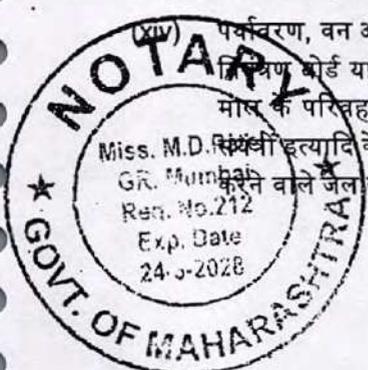


- (च) रेत बाधाओं, ज्वारीय विनियामकों की स्थापना, वर्षाजल नालों का बनाया जाना या लवणता के प्रवेश के निवारण हेतु संरचना और ताजा जल का पुनः भराव के लिए उपाय।
- (ii) जलाग्र से संबंधित क्रियाकलाप या बंदरगाहों तथा पोताश्रय, घाटों, प्लेटफार्मों, जहाज घाटों, कटाव नियंत्रण उपायों, ब्रेकवाटर्स, पाइप लाइनों, लाइट हाउसों, नौचालन सुरक्षा सुविधाएं, तटीय पुलिस स्टेशनों, भारतीय तट रक्षा स्टेशनों और इसी प्रकार के अन्य क्रियाकलाप जैसी प्रत्यक्ष रूप से आवश्यक समुद्र तटाग्र सुविधाएं।
- (iii) गैर परम्परागत ऊर्जा स्रोतों द्वारा विद्युत तथा सहबद्ध सुविधाएं।
- (iv) खतरनाक पदार्थों को, पोतों से बंदरगाहों, टर्मिनलों और परिष्करणियों को स्थानान्तरित किया जाना और विपर्ययेन व्यवस्था।
- (v) इस अधिसूचना के उपाबंध-11 में यथा विनिर्दिष्ट अनुसार पेट्रोलियम उत्पादों और तरलीकृत प्राकृतिक गैस की प्राप्ति और भंडारण के लिए सुविधाएं, पेट्रोलियम और प्राकृतिक गैस मंत्रालय में, तेल उद्योग सुरक्षा निदेशालय द्वारा जारी दिशानिदेशों और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा जारी मार्ग दर्शक सिद्धांतों सहित सुरक्षा विनियमों के कार्यान्वयन के अध्यक्षीन, परंतु यह कि ऐसी सुविधाएं उर्वरकों और अमोनिया, फास्फोरिक एसिड, गंधक का तेजाब, शोरे का तेजाब इत्यादि जैसे उर्वरकों के लिए आवश्यक कच्चे सामग्रियों की प्राप्ति और भंडारण के लिए हो।
- (vi) अधिसूचित बंदरगाहों में गैर खतरनाक कार्गो अर्थात् खाद्य तेल उर्वरकों और खाद्यान्नों का भंडारण।
- (vii) हैचरी और मछलियों को प्राकृतिक रूप से सुखाया जाना।
- (viii) विद्यमान मत्स्य प्रसंस्करण इकाइयां निम्नलिखित शर्तों के अध्यक्षीन आधुनिकीकरण प्रयोजनों के लिए, 25 प्रतिशत अतिरिक्त कुर्सी क्षेत्र (केवल अतिरिक्त उपस्करों और प्रदूषण उपायों के लिए) का उपयोग कर सकती हैं:-
- (क) ऐसे पुनर्निर्माण का फर्श स्थान सूचकांक जो नगर और देश आयोजन के परिव्यापी विनियमों के अनुसार, अनुमत्य फर्श स्थान सूचकांक से अधिक न हो।
- (ख) अतिरिक्त कुर्सी क्षेत्र का सन्निर्माण केवल भूमि क्षेत्र की तरफ ही हो।
- (ग) संबद्ध राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति का अनुमोदन।
- (ix) अपशिष्ट और बहिःस्त्रावों के लिए शोधन सुविधाएं और शोधित बहिःस्त्रावों का परिवहन।
- (x) वर्षा जल के लिए नाले।
- (xi) परियोजनाएं, जिन्हें रणनीतिक, रक्षा से संबंधित परियोजनाओं और भारत सरकार के परमाणु ऊर्जा विभाग की परियोजनाओं के रूप में वर्गीकृत किया गया है।
- (xii) खान और खनिज (विकास और विनियमन) अधिनियम, (1957 का 67) की प्रथम अनुसूची के भाग-ख के अधीन अधिसूचित परमाणु खनिज(जों) का हस्त चालित खनन, जो इस प्रकार या परमाणु खनिज खोज और अनुसंधान निदेशालय द्वारा अनुमोदित खनन योजना के अनुसार भारत सरकार के परमाणु ऊर्जा विभाग द्वारा यथा प्राधिकृत अभिकरणों द्वारा, अंतर्ज्वारीय क्षेत्र में एक या अन्य खनिजों के साथ किया जा रहा हो:

परन्तु अंतर्ज्वारीय क्षेत्र के भीतर हस्त चालित खनन कार्य ऐसे व्यक्तियों को नियोजित करके किया जाएगा जो अंतर्ज्वारीय अयस्क या खनिज के संग्रहण के लिए टोकरियों और हाथफावड़ों का प्रयोग करते हों और जो अनुमोदित खनन योजना के अनुसार अंतर्ज्वारीय क्षेत्र में ड्रिलिंग और विस्फोट या भारी हैवी अर्थ मूविंग मशीनरी का प्रयोग किये बिना कराया गया हो।

(xiii) तेल और प्राकृतिक गैस की खोज और निष्कर्षण तथा उससे संबंधित सभी क्रियाकलाप और सुविधाएं।

(xiv) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा अधिसूचित पर्यावरणीय मानकों और यथास्थिति, केंद्रीय प्रदूषण नियंत्रण बोर्ड या राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति के सुसंगत दिशानिदेशों के अनुरूप, कच्चे माल के परिवहन के लिए तटाग्र अपेक्षित सुविधाएं, ठंडा करने वाले जल की प्राप्ति हेतु सुविधाएं निर्लवणीकरण सुविधाओं इत्यादि के लिए जल की प्राप्ति और शोधित अपशिष्ट जल को बाहर निकालने या तापीय विद्युत सयंत्रों से ठंडा करने वाले जल को बाहर निकालने के लिए मुहाने जैसी सुविधाएं होनी चाहिए।



- (xv) ट्रांसमिशन लाइनों सहित पाइप लाइन और संवहन प्रणालियां।  
 (xvi) चक्रवातों की पूर्व सूचना की निगरानी के लिए मौसम रडार, महासागर प्रेक्षण प्लेट फार्मों, संचलन तथा सहबद्ध क्रियाकलाप।  
 (xvii) नमक एकत्रण और सहबद्ध सुविधाएं।  
 (xviii) निर्लवणीकरण और सहबद्ध सुविधाएं।

## 5.2 सीआरजेड-II

- (i) जहां तक लागू हो, सीआरजेड-1ख में यथा अनुज्ञाप्राप्त क्रियाकलाप भी अनुज्ञेय होंगे।  
 (ii) आवासीय प्रयोजनों, विद्यालयों, अस्पतालों, संस्थाओं, कार्यालयों, सार्वजनिक स्थलों इत्यादि के लिए भवनों के सन्निर्माण की अनुमति, विद्यमान सड़क के भूमि की तरफ वाले क्षेत्र पर या विद्यमान प्राधिकृत भूमि की तरफ वाले क्षेत्र पर दी जाएगी; परन्तु यह कि ऐसी किसी नई सड़क, जो किसी विद्यमान सड़क के समुद्र की ओर वाले क्षेत्र पर बनाई गई हो, के भूमि की तरफ वाले क्षेत्र पर भवनों के सन्निर्माण की अनुमति नहीं दी जाएगी।  
 (iii) ऊपर (ii) में अनुज्ञाप्राप्त भवन, समय-समय पर लागू होने वाले स्थानीय नगर और देश आयोजन विनियमों और इस अधिसूचना की तारीख को लागू फर्श स्थान सूचकांक या फर्श क्षेत्र अनुपात के लिए लागू मापदंडों के अध्यधीन होंगे और यदि राजपत्र में इस अधिसूचना के प्रकाशन की तारीख को अधिभावी फर्श स्थान सूचकांक के संशोधन की आवश्यकता हो, तो यथास्थिति शहरी स्थानीय निकाय या राज्य या संघ राज्यक्षेत्र प्रशासन, संबंधित राज्य तटीय जोन प्रबंधन प्राधिकरण (एससीजेडएमए) या संघ राज्य क्षेत्र तटीय-जोन प्रबंधन प्राधिकरण, के माध्यम से पर्यावरण, वन और जलवायु परितर्वन मंत्रालय को अनुरोध करेगा और तत्पश्चात राज्य तटीय जोन प्रबंधन प्राधिकरण प्रस्ताव को इस मामले में अपने विचारों के साथ राष्ट्रीय तटीय जोन प्रबंधन प्राधिकरण को अग्रेषित करेगा और तत्पश्चात राष्ट्रीय तटीय जोन प्रबंधन प्राधिकरण विभिन्न पहलुओं, जैसे जनसुविधाओं की उपलब्धता, पर्यावरण संरक्षण उपायों इत्यादि की जांच करेगा और प्रस्ताव पर उचित निर्णय लेगा। यह संबंधित नगर आयोजन प्राधिकरण की जिम्मेदारी होगी कि वह इस बात को सुनिश्चित करे कि ठोस अपशिष्टों का निपटान संबंधित ठोस अपशिष्ट प्रबंधन नियमों के अनुसार हो और कोई अशोधित मलजल तट पर या तटीय जल में न छोड़ा जाए।  
 (iv) प्राधिकृत भवनों का पुनर्निर्माण, वर्तमान भूमि उपयोग में परिवर्तन किए बिना समय-समय पर यथा लागू स्थानीय कस्बा और देश आयोजना संबंधित विनियमों और इस अधिसूचना के राजपत्र में प्रकाशन की तारीख को मौजूदा फर्श स्थान या तल क्षेत्र अनुपात के अध्यधीन अनुमत किया जाएगा और यदि अधिसूचना की उक्त तारीख के पश्चात फर्श स्थान सूचकांक के संशोधन की आवश्यकता हो तो शहरी स्थानीय निकाय/राज्य या संघ राज्यक्षेत्र प्रशासन, यथास्थिति संबंधित राज्य तटीय जोन प्रबंधन प्राधिकरण (एससीजेडएमए) या संघ राज्यक्षेत्र तटीय जोन प्रबंधन प्राधिकरण, के माध्यम से पर्यावरण, वन और जलवायु परितर्वन मंत्रालय को निवेदन करेगा और तत्पश्चात एससीजेडएमए प्रस्ताव को, इस मामले में अपने विचारों के साथ एससीजेडएमए को अग्रेषित करेगा और तत्पश्चात एससीजेडएमए विभिन्न पहलुओं जैसे जनसुविधाओं की उपलब्धता, पर्यावरण संरक्षण उपायों इत्यादि की जांच करेगा और प्रस्ताव पर उचित निर्णय लेगा और यह संबंधित कस्बा आयोजना प्राधिकरण का उत्तरदायित्व होगा कि वह सुनिश्चित करे कि संबंधित ठोस अपशिष्ट प्रबंधन नियमों के अनुसार ठोस अपशिष्ट का हथालन किया जाए और तट क्षेत्र अथवा तटीय जल क्षेत्र पर किसी भी प्रकार के अशोधित मलजल का निस्सारण न किया जाए।  
 (v) समुद्र तट पर रिसोर्ट्स या होटलों का निर्माण करने के लिए निर्दिष्ट क्षेत्रों में खाली पड़े हुए भू-खंडों का विकास, इस अधिसूचना के उपाबंध-III में दिए गए शर्तों या दिशानिर्देशों के अध्यधीन है।  
 (vi) समुद्र तटों पर अस्थायी तौर पर पर्यटन सुविधाएं अनुमत की जाएंगी। ऐसी अस्थायी सुविधाओं में केवल कुटीर, शौचालय या स्नानगृह, कपड़े बदलने के लिए कक्ष, शॉवर पैनेल्स, इंटरलॉकिंग पेवर ब्लॉक आदि का उपयोग करते हुए, निर्मित किए गए आवागमन मार्ग, पेयजल सुविधाएं, बैठने की व्यवस्थाएं आदि सम्मिलित होंगे और तथापि, इस अधिसूचना के अनुसार ऐसी सुविधाएं, केवल उचित परामर्शी प्रक्रिया या जन सुनवाई आदि से तैयार की गई अनुमोदित सीजेडएमपी में दर्शाई जा रही पर्यटन योजना के अध्यधीन और आगे सीजेडएमपी में सूचीबद्ध पर्यावरणीय सुरक्षोपायों के अध्यधीन अनुमत की जाएंगी। तथापि, ऐसी सुविधाओं की स्थापना के लिए एचटीएल से न्यूनतम 10 मीटर दूरी बनाकर रखी जानी चाहिए।



## 5.3 सीआरजेड-III

(i) जहां तक सीआरजेड-I ख में लागू कार्यकलापों को यथाप्रयोज्य सीआरजेड-III में भी अनुमत किया जाएगा।

(ii) एनडीजेड में कार्यकलापों का विनियमन:

एनडीजेड में निम्नलिखित अनुज्ञेय होंगे और उन्हें विनियमित किया जायेगा:

(क) सीआरजेड-III में एनडीजेड के भीतर इस अधिसूचना के अधीन अनुमेय कार्यकलापों के लिए आवश्यक आपदा प्रबंधन प्रावधानों और उचित स्वच्छता की व्यवस्थाओं को सम्मिलित करते हुए मछुआरा समुदाय सहित परंपरागत तटीय, समुदायों की आवासीय इकाइयों के निर्माण, पुनर्निर्माण और कार्यकलापों के लिए अनिवार्य सुविधाओं सहित पूर्व में मौजूदा प्राधिकृत और संरचनाओं, जिनमें फ्लोर स्पेस इण्डेक्स, मौजूदा प्लिथ एरिया और मौजूदा घनत्व पहले से अधिक न हों की मरम्मत या पुनर्निर्माण को छोड़कर, कोई भी निर्माण कार्य अनुज्ञेय नहीं होगा।

(ख) कृषि, उद्यानकृषि-, उद्यानों, चरागाह, पार्क, खेलने के लिए मैदान और वानिकी।

(ग) तटीय जोन प्रबंध प्राधिकरण द्वारा मामला-दर-मामला आधार पर स्थानीय निवासियों की आवश्यकता हेतु औषधालयों, विद्यालयों, वर्षा जल से बचाव हेतु सार्वजनिक आश्रय स्थल, सामुयिक शौचालय, पुल, सड़क जलापूर्ति व्यवस्था, जलनिकास प्रणाली, वाहित मल के निकास, शवदाहगृह, कब्रगाह और विद्युत सब-स्टेशनों का निर्माण।

(घ) संबंधित प्रदूषण नियंत्रण बोर्ड अथवा समिति के पूर्व अनुमोदन से घरेलू वाहित मल, उपचार और निस्तारण के लिए बनाई जाने वाली इकाइयों या संबंधित निकायों का निर्माण।

(ङ) स्थानीय मत्स्य ग्राही समुदायों के लिए अपेक्षित सुविधाएं जैसे मछली सुखाने के प्रांगण, नीलामी के लिए हॉल, जाल की मरम्मत के लिए प्रांगण, परम्परागत नौका निर्माण प्रांगण, बर्फ संयंत्र, बर्फ तोड़ने वाली इकाइयां, मछलियों के संसाधन की सुविधाएं आदि।

(च) जहां भी सीआरजेड-III क्षेत्रों के एनडीजेड से राष्ट्रीय अथवा राज्य राजमार्ग गुजर रहे हैं, वहां समुद्र की तरफ की ओर सड़क पर अस्थायी पर्यटन सुविधाएं जैसे शौचालय, चेन्ज रूम, पेयजल सुविधा और अस्थायी शैक्स निर्मित किए जा सकते हैं।

एनडीजेड में ऐसी सड़कों की भूमि की ओर, रिसॉर्ट/होटल और संबद्ध पर्यटन सुविधाएं अनुज्ञात होंगी और तथापि, इस अधिसूचना के अनुसार और यथा लागू उपाबंध-III की शर्तों या मार्गदर्शक सिद्धांतों के अनुसार अनुमोदित सीजेडएमपी में पर्यटन योजना को सम्मिलित किए जाने की शर्त पर ही ऐसी सुविधाओं को अनुज्ञात किया जाएगा।

(छ) सीआरजेड-III क्षेत्रों में एनडीजेड और समुद्र तटों में अस्थायी पर्यटन सुविधाएं अनुज्ञेय होंगी और ऐसी अस्थायी सुविधाओं में केवल शैक्स, शौचालय या प्रसाधन, कपड़े बदलने के लिए कक्ष, शॉवर पैनल्स, इंटरलॉकिंग पेवर ब्लॉक आदि का उपयोग करते हुए निर्मित वॉक वेज, पेयजल सुविधाएं, बैठने की व्यवस्थाएं आदि सम्मिलित होंगी और तथापि, ऐसी सुविधाओं को इस अधिसूचना के अनुसार अनुमोदित सीजेडएमपी में दर्शाई जा रही पर्यटन योजना के अद्यधन ऐसी सुविधाओं की स्थापना के लिए एचटीएल से 10 मीटर की न्यूनतम दूरी के अनुरक्षण के अधीन रहते हुए अनुज्ञात किया जाएगा।

(ज) खोज और अनुसंधान हेतु परमाणु खनिज निदेशालय द्वारा खनन योजना के अनुसार भारत सरकार के परमाणु ऊर्जा विभाग द्वारा प्राधिकृत ऐसे अभिकरणों द्वारा एक या अन्य खनिजों के साथ पाए गए, खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) की प्रथम अनुसूची के भाग ख के अधीन विनियमित, परमाणु खनिजों का खनन।



## (iii) एनडीजेड से बाहर सीआरजेड-III क्षेत्रों के लिए कार्यकलापों का विनियमन:

- (क) इस अधिसूचना के उपाबंध-III में दी गई शर्तों या मार्गदर्शक सिद्धांतों की शर्त के अद्ययधीन समुद्र तट पर रिसॉर्ट या होटलों या पर्यटन विकास परियोजनाओं के निर्माण के लिए निर्दिष्ट क्षेत्रों में खाली पड़े हुए प्रखंडों का विकास,
- (ख) आवासीय इकाइयों का निर्माण अथवा पुनर्निर्माण जब तक कि वह पारंपरिक अधिकारों और रूढिगत उपयोग जैसे कि मौजूदा मछुआरा समुदाय के गांवों आदि की परिधि के अंदर है और ऐसे निर्माण अथवा पुनर्निर्माण हेतु निर्माण अनुमति केवल दो तलों (भूतल+एक तल) सहित 9 मीटर तक अधिकतम ऊँचाई के निर्माण की समग्र ऊँचाई सहित स्थानीय नगर और शहर आयोजना नियमों की शर्त के अद्ययधीन होगा।
- (ग) मछुआरों सहित स्थानीय समुदायों को मौजूदा मकानों के प्लिथ क्षेत्र या डिजाइन अथवा अग्रभाग में परिवर्तन किए बिना 'होम स्टे' के माध्यम से पर्यटन को सुकर बनाने के लिए अनुज्ञात किया जा सकेगा।
- (घ) वर्षा जल से बचने के लिए सार्वजनिक आश्रय स्थलों, सामुदायिक शौचालयों, जल आपूर्ति व्यवस्था, बाहितमल निस्तारण, सड़कों और पुलों का निर्माण।
- (ङ.) चूना पत्थर का खनन:  
खनन क्षेत्र में प्रतिष्ठित राष्ट्रीय स्तर के संसाधनों अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान परिषद्, केन्द्रीय खनन अनुसंधान संस्थान आदि की सिफारिशों के आधार पर खनन योजनाओं के अधीन उन विशिष्ट अभिज्ञात क्षेत्रों में चूनापत्थर खनिजों के चयनित खनन को अनुज्ञात किया जा सकेगा, जो एचटीएल की ऊँचाई से पर्याप्त ऊँचाई पर हैं, बशर्ते कि एचटीएल के ऊपर एक मीटर की ऊँचाई तक में खनिजों का उत्खनन न किया गया है और पर्याप्त अवरोधक सृजित किया गया हो ताकि लवणीय जल के प्रवेश के विरुद्ध सुरक्षोपाय किए जा सकें और वह तटीय जलों के प्रदूषण और तटीय अपरदन के निवारण के संबंध में पर्याप्त सुरक्षोपायों की शर्त के अद्ययधीन हो।
- (च) खोज और अनुसंधान हेतु परमाणु खनिज निदेशालय द्वारा खनन योजना के अनुसार भारत सरकार के परमाणु ऊर्जा विभाग द्वारा प्राधिकृत ऐसे अभिकरणों द्वारा एक या अन्य खनिजों के साथ पाए गए, खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) की प्रथम अनुसूची के भाग ख के अधीन अधिसूचित, परमाणु खनिजों का खनन।
- (iv) भू-गर्भीय जल का निष्कर्षण और उससे संबंधित निर्माण को उन क्षेत्रों में जहां, स्थानीय समुदाय निवास करते हैं और जो केवल उनके उपयोग के लिए है, को छोड़कर एचटीएल से 200 मीटर तक के क्षेत्र में प्रतिबंधित किया जाएगा और एचटीएल के 200-500 मीटर तक के उन क्षेत्रों में, भू-गर्भीय जल का निष्कर्षण को पेयजल, बागवानी, कृषि और मत्स्यन आदि के लिए साधारण कुँओं के माध्यम से शारीरिक श्रम द्वारा अनुमत किया जा सकेगा, जहां जल का कोई अन्य स्रोत उपलब्ध न हो और समुद्र जल के प्रवेश द्वारा प्रभावित क्षेत्रों में राज्य सरकार या संघ राज्य क्षेत्र प्रशासन द्वारा अभिहित प्राधिकरण द्वारा ऐसे निष्कर्षण पर प्रतिबंध लगाया जा सकेगा तथापि, बागवानी और कृषि उद्देश्य के लिए सरकारी कल्याण योजनाओं द्वारा समर्थित माइक्रो सिंचाई अनुमत की जाएगी।
- (v) पर्याप्त पर्यावरणीय सुरक्षा उपायों के साथ सीआरजेड-III क्षेत्रों में अपशिष्ट भूमियों और गैर-कृषि भूमियों पर विमान पत्तनों का विकास।

## 5.4 सीआरजेड-IV

सीआरजेड IV क्षेत्रों में अनुज्ञेय और विनियमित निम्नलिखित कार्यकलाप होंगे:-

- (i) स्थानीय समुदायों द्वारा पारम्परिक रूप से मत्स्य पालन और संबद्ध कार्यकलाप किए गए हैं
- (ii) भू-सुधार, समुद्री जल को बांधने के लिए केवल निम्नलिखित कार्यकलाप अनुज्ञात होंगे;
- (क) अग्रतट सुविधाओं जैसे पत्तन, बंदरगाह, जेट्टी, घाट, तटबंध या स्लिपवे, पुल और सीलिक और रिवर सुधारों के लिए होवर पत्तन आदि;



- (ख) तट रक्षक सहित रक्षा, रणनीतिक और सुरक्षा प्रयोजन के लिए परियोजनाएं;
- (ग) क्षरण को रोकने के लिए उपाय;
- (घ) जलमार्गों, चैनलों और बंदरगाहों की देखरेख और उनकी साफ-सफाई;
- (ङ) बलुईटीलों को बनने से रोकने, ज्वार नियंत्रकों का प्रतिस्थापन, तेज जल प्रवाह नालियों को बिछाने तथा स्वच्छ जलाशयों में लवणीय जल के सम्मिश्रण को रोकने और स्वच्छ जल के रिचार्ज हेतु संरचना स्थापित करने संबंधी गतिविधियों पर आधारित उपाय;
- (iii) पत्तनों और बंदरगाहों, जेट्टी, घाटों, तटबंधों, क्षरण नियंत्रण उपायों, तरंगरोधो (ब्रेकवाटर्स), पाईपलाइनों, नेवीगेशनल सुरक्षा सुविधाओं जैसे वाटरफ्रंट अथवा प्रत्यक्ष रूप से आवश्यक तटग्र सुविधाओं से संबंधित कार्यकलाप।
- (iv) गैर-परम्परागत ऊर्जा स्रोत और संबद्ध सुविधाओं जैसे अपतटीय पवन, तरंग ऊर्जा, महासागरीय ताप विद्युत ऊर्जा संरक्षण आदि द्वारा विद्युत उत्पादन।
- (v) जहाजों से पत्तनों तक खतरनाक पदार्थों का अंतरण।
- (vi) अधिसूचित पत्तनों में खाद्य तेल, उर्वरकों और खाद्यान्न जैसे गैर-परिसंकटमय कार्गो का भंडारण।
- (vii) जलमार्गों में शोधित बहिस्त्रावों के निस्तारण के लिए सुविधाएं।
- (viii) रणनीतिक और तटरक्षक तटीय सुरक्षा नेटवर्क सहित रक्षा संबंधी परियोजनाओं के रूप में वर्गीकृत परियोजनाएं।
- (ix) परमाणु ऊर्जा विभाग की परियोजनाएं।
- (x) तेल और प्राकृतिक गैस का अन्वेषण और निष्कर्षण तथा इससे जुड़ी हुई अन्य गतिविधियां और सुविधाएं आदि।
- (xi) खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) की पहली अनुसूची के भाग-ख के अधीन अधिसूचित परिमाणु खनिजों की खोज और खनन जो अन्य खनिज (खनिजों) के साथ और ऐसे संबद्ध खनिज (खनिजों) के रूप में पाए जाते हैं।
- (xii) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा अधिसूचित पर्यावरणीय मानकों और केन्द्रीय प्रदूषण नियंत्रण बोर्ड या राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति के सुसंगत निदेशों के अनुरूप कच्चे माल के परिवहन हेतु तटग्र अपेक्षित सुविधाएं, शीतलन जल का उपयोग करने के लिए सुविधाएं या धर्मल पावर संयंत्रों से निकलने वाले शीतलन जल अथवा शोधित अपशिष्ट जल के निस्तारण हेतु मुहाना।
- (xiii) पाईपलाइन, ट्रांसमिशन लाईन सहित संचार प्रणाली की व्यवस्था।
- (xiv) चक्रवात के पूर्वानुमान, महासागर अवलोकन स्थल, संचलन और संबद्ध सुविधाओं की मानीटरी के लिए मौसम रडार।
- (xv) संबंधित राज्य सरकार द्वारा सीआरजेड-IV(क) क्षेत्रों में पर्याप्त पर्यावरणीय सुरक्षोपायों सहित निम्नलिखित की शर्तों के अध्येक्षीन अपवाद मामलों में स्मारक या स्मृति स्थलों का निर्माण और संबद्ध सुविधाएं अर्थात्:-
- (क) संबंधित राज्य सरकार पर्यावरणीय पैरामीटरों सहित विभिन्न पैरामीटरों के संबंध में विचारित वैकल्पिक अवस्थानों और वेटेज मैट्रिक्स के ब्यौरे सहित सीआरजेड-IV 'क' क्षेत्रों में परियोजना की अवस्थापना के लिए राज्य तटीय जोन प्रबंध प्राधिकरण को औचित्यकरण प्रस्तुत करेगी जो परियोजना की जांच करेगा और राज्य सरकार द्वारा पर्यावरणीय प्रभाव मूल्यांकन रिपोर्ट की तैयारी करने के लिए विचारार्थ विषय (टीओआर) प्रदान करने के लिए केन्द्रीय सरकार (पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय) को सिफारिश करेगा।

(ख) केन्द्रीय सरकार द्वारा टीओआर प्रदान करने पर संबंधित राज्य सरकार पर्यावरण समाघात के साथ निर्धारण अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 के अधीन अधिकृत प्रक्रिया के अनुसार प्रस्तावित परियोजना के लिए सार्वजनिक सुनवाई आयोजित करने के लिए राज्य प्रदूषण नियंत्रण बोर्ड को अपेक्षित स्थिति के दौरान स्थल- पर और स्थल- से -दूर आपात योजना और बचाव कार्य योजना सहित प्रारूप



पर्यावरण समाघात निर्धारण रिपोर्ट (ईआईए) सहित पर्यावरणीय प्रबंधन योजना (ईएमपी), प्रारूप जोखिम निर्धारण रिपोर्ट सहित आपदा प्रबंधन योजना (डीएमपी) प्रस्तुत करेगा।

- (ग) संबंधित राज्य सरकार, जन सुनवाई के दौरान जनता द्वारा उप-मद (ख) में उठाए गए संगत मुद्दों का निराकरण करने के पश्चात् अंतिम ईआईए, ईएमपी, जोखिम आकलन और डीएमपी को राज्य सीजेडएमपी को उनकी जांच करने और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को सिफारिश करने के लिए प्रस्तुत करेगा;
- (घ) केन्द्रीय सरकार यदि वह ऐसा करना आवश्यक समझे तो उप-मद (ख) में संदर्भित जन सुनवाई की आवश्यकता को अनावश्यक भी बना सकता है यदि उसका यह समाधान हो जाता है कि इस परियोजना में जनता का पुनर्वास और पुनर्स्थापना सम्मिलित नहीं है अथवा परियोजना स्थल, मानव बस्तियों से दूर अवस्थित है।

#### 5.5 डीईई स्थापनाओं से स्वीकृति की अपेक्षा:

परमाणु ऊर्जा विनियामक बोर्ड मार्गदर्शक सिद्धांतों द्वारा विनिर्दिष्ट चारदिवारी सीमाओं के अंतर्गत आने वाली नई संरचनाओं के निर्माण सहित किसी विकासात्मक कार्यकलापों को करने से पहले परमाणु ऊर्जा विभाग स्थापनाओं से पूर्व अनापत्ति अभिप्राप्त करनी होगी।

#### 6. तटीय जोन प्रबंधन योजनाएं (सीजेडएमपी)

(i) इस अधिसूचना के उपबंधों के अनुसार, सभी तटीय राज्य और संघ राज्य क्षेत्र सीआरजैड अधिसूचना, 2011 संख्यांक का.आ. 19 (अ), तारीख 6 जनवरी, 2011 के अधीन विरचित संबंधित तटीय जोन प्रबंधन योजना (सीजेडएमपी) को इस अधिसूचना के उपबंधों के अनुसार पुनरीक्षित या अद्यतन करेंगे और उसे अनुमोदनार्थ यथाशीघ्र पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को प्रस्तुत करेंगे और उन सभी परियोजना कार्यकलापों, जिन पर इस अधिसूचना के उपबंध लागू होते हैं, का मूल्यांकन अद्यतन तटीय क्षेत्र प्रबंधन योजनाओं के अनुसार किया जाना अपेक्षित होगा और जब तक सीजेडएमपी को इस प्रकार पुनरीक्षित या अद्यतन नहीं किया जाता है, तब तक इस अधिसूचना के उपबंध लागू नहीं होंगे और ऐसी परियोजनाओं के मूल्यांकन और सीआरजैड स्वीकृति के लिए सीआरजैड अधिसूचना, 2011 के उपबंधों के अनुसार तैयार की गई तटीय क्षेत्र प्रबंधन योजनाओं का अनुसरण किया जाता रहेगा;

(ii) तटीय राज्य सरकार या संघ राज्य क्षेत्र द्वारा ख्याति प्राप्त एवं अनुभवी वैज्ञानिक संस्था (ओं) या पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के राष्ट्रीय सतत तटीय प्रबंधन केन्द्र (इसके उपरांत एनसीएससीएम के रूप में उल्लिखित) सहित अन्य एजेंसियों के सहयोग से और संबंधित पणधारियों के साथ परामर्श करके सीजेडएमपी तैयार या अद्यतन की जाएगी;

(iii) तटीय राज्य और संघ राज्य क्षेत्र अधिसूचना के **उपबंध-IV** में दिए गए मार्गदर्शक सिद्धांतों, जिनके अंतर्गत आम जनता से परामर्श करना भी है, के अनुसार संबंधित प्रदेशों के अंदर सीआरजैड क्षेत्रों को अभिज्ञात और वर्गीकृत करते हुए 1:25,000 स्केल मैप का प्रयोग करके प्रारूप सीजेडएमपी तैयार करेंगे;

इस अधिसूचना में सूचीबद्ध समस्त विकास संबंधी कार्यकलापों को राज्य सरकार, संघ राज्य क्षेत्र प्रशासन, स्थानीय प्राधिकरण या संबंधित तटीय जोन प्रबंध प्राधिकरण द्वारा इस अधिसूचना के उपबंधों के अनुसार यथास्थिति ऐसी अनुमोदित सीजेडएमपी, जो विद्यमान हो, के ढांचे के अंदर विनियमित किया जाएगा;

(iv) राज्य सरकार या संघ राज्य क्षेत्र द्वारा प्रस्तुत प्रारूप सीजेडएमपी को पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) में अधिकथित प्रक्रिया (ओं) के अनुसार, समुचित परामर्शों और सिफारिशों के साथ मूल्यांकन के लिए संबंधित तटीय जोन प्रबंध प्राधिकरण के समक्ष प्रस्तुत किया जाएगा;

(v) तत्पश्चात् पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय संबंधित राज्य सरकारों या संघ राज्य क्षेत्रों की संबंधित तटीय क्षेत्र प्रबंधन योजनाओं पर विचार करेगा और अनुमोदन प्रदान करेगा।

(vi) सामान्यतया सीजेडएमपी को पांच वर्ष की अवधि से पहले संशोधित न किया जाएगा पांच वर्ष के बाद संबंधित राज्य सरकार या संघ राज्य क्षेत्र संशोधन लाने पर विचार कर सकती है।



**7. अनुज्ञेय और विनियमित कार्यकलापों के लिए सीआरजैड अनापत्ति-प्रत्यायोजन:**

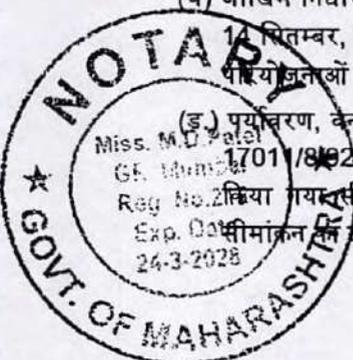
- (i) इस अधिसूचना के उपबंधों से प्रभावित होने वाली सभी अनुज्ञेय और विनियमित परियोजनाओं को आरंभ करने के पूर्व सीआरजैड अनापत्ति प्राप्त करना अपेक्षित होगा।
- (ii) सीआरजैड-I और सीआरजैड-IV क्षेत्रों में संचालित सभी विकासात्मक कार्यकलापों या परियोजनाओं, जो इस अधिसूचना के अनुसार विनियमित या अनुज्ञेय हैं, के संबंध में पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा संबंधित तटीय जोन प्रबंध प्राधिकरण की सिफारिश के आधार पर सीआरजैड अनापत्ति प्रदान की जाएगी।
- (iii) इस अधिसूचना के अनुसार अन्य सभी अनुज्ञेय और विनियमित कार्यकलापों, जो पूर्ण रूप से सीआरजैड-II और सीआरजैड-III क्षेत्रों में आते हैं, के लिए संबंधित तटीय जोन प्रबंध प्राधिकरण द्वारा सीआरजैड अनापत्ति प्रदान करने के संबंध में विचार किया जाएगा और तथापि, सीआरजैड-II और III में संचालित ऐसी परियोजनाओं, जो सीआरजैड-I या IV क्षेत्रों में भी आती हैं, को सीआरजैड अनापत्ति देने के संबंध में केवल पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा संबंधित सीजैडएमए की सिफारिशों के आधार पर विचार किया जाएगा।
- (iv) जिन परियोजनाओं या कार्यकलापों के लिए जिसे इस अधिसूचना के उपबंधों और ईआईए अधिसूचना, 2006 संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 के उपबंध लागू होते हैं, उनके संबंध में संबंधित अनुमोदक प्राधिकरण द्वारा संबंधित सीजैडएमए की संस्तुतियों के आधार पर प्रत्यायोजनों, अर्थात् क्रमशः प्रवर्ग 'ख' और प्रवर्ग 'क' के लिए राज्य पर्यावरणीय समाघात निर्धारण प्राधिकरण (जिसे इसमें इसके पश्चात् एसईआईए कहा गया है) या पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, के अनुसार ईआईए अधिसूचना, 2006 के अधीन समेकित पर्यावरणीय और सीआरजैड अनापत्ति प्रदान की जाएगी।
- (v) ईआईए अधिसूचना के उपबंधों को आकृष्ट करने के लिए नियत निर्धारित सीमा से कम निर्मित क्षेत्र के साथ भवन या निर्माण कार्य परियोजनाओं के मामले में, इन परियोजनाओं को संबंधित स्थानीय राज्य अथवा संघ राज्य क्षेत्र योजना प्राधिकरणों द्वारा इस अधिसूचना के अनुसार संबंधित तटीय जोन प्रबंध प्राधिकरण की सिफारिश प्राप्त करने के पश्चात् मंजूरी प्रदान की जाएगी।
- (vi) केवल कुल 300 व.मी. के निर्मित क्षेत्रफल तक की स्वयं के लिए निर्मित आवासीय इकाइयों के लिए संबंधित तटीय जोन प्रबंध प्राधिकरण की सिफारिशों की अपेक्षा के बिना संबंधित स्थानीय प्राधिकरण द्वारा मंजूरी प्रदान की जाएगी और तथापि, ऐसे प्राधिकरण मंजूरी प्रदान करने से पूर्व तटीय विनियम जोन अधिसूचना के परिप्रेक्ष्य में उस प्रस्ताव की जांच करेंगे।

**8. अनुज्ञेय और विनियमित कार्यकलापों के लिए सीआरजैड अनापत्ति प्राप्त करने की प्रक्रिया:**

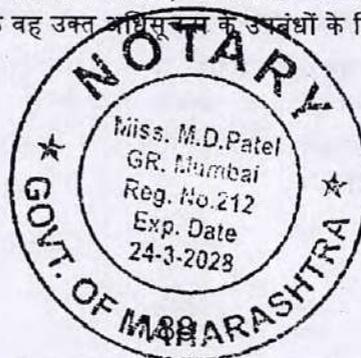
- (i) परियोजना के प्रस्तावक इस अधिसूचना के अधीन पूर्व अनापत्ति प्राप्त करने हेतु निम्नलिखित दस्तावेजों के साथ संबंधित राज्य अथवा संघराज्य क्षेत्र के तटीय जोन प्रबंध प्राधिकरण को आवेदन प्रस्तुत करेंगे:-

- (क) इस अधिसूचना के उपाबंध-V के अनुसार परियोजना सार के ब्यौरे।
- (ख) भवन निर्माण परियोजनाओं या आवासीय योजनाओं को छोड़कर यथा लागू सामुद्रिक और प्रादेशिक घटक सहित त्वरित पर्यावरण समाघात निर्धारण रिपोर्ट।
- (ग) इस अधिसूचना के अधीन तैयार की गई सीजैडएमपी के अनुसार, यदि परियोजनाएं कम और मध्यम अपरदन वाले क्षेत्रों में स्थित हों (ईआईए अधिसूचना 2006, संख्यांक का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 के उपबंधों को लागू करने हेतु निर्धारित अवसीमा से कम निर्मित क्षेत्रफल वाली भवन निर्माण परियोजनाओं या आवासीय योजनाओं को छोड़कर) तो परियोजनाओं के लिए समेकित अध्ययनों के साथ विस्तृत ईआईए रिपोर्ट।
- (घ) जोखिम निर्धारण रिपोर्ट और आपदा प्रबंधन योजना ईआईए अधिसूचना 2006, संख्यांक का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 के उपबंधों को लागू करने हेतु निर्धारित अवसीमा से कम निर्मित क्षेत्रफल वाली भवन निर्माण परियोजनाओं या आवासीय योजनाओं को छोड़कर।

- (ङ) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा तारीख 14 मार्च, 2014 के उसके कार्यालय आदेश संख्या जे-1701/8/02-आईए-III द्वारा पहचान किए गए अभिकरणों में से किसी अभिकरण द्वारा 1:4000 स्केल में तैयार की गई सीआरजैड मानचित्र जिसमें एनसीएससीएम द्वारा किए गए अनुसार ज्वार रेखा या एलटीएल के सीमांकन का उपयोग किया गया हो।



- (च) इस अधिसूचना के अधीन तैयार की गई अनुमोदित तटीय जोन प्रबंध योजना के अनुसार, परियोजना की सीमाओं और परियोजना के स्थान की सीआरजैड श्रेणी को सम्यक् रूप से उपदर्शित करते हुए उपर्युक्त मानचित्र पर अध्यारोपित परियोजना की रूपरेखा।
- (छ) सीआरजैड मानचित्र जिसमें सामान्यतः परियोजना के आस-पास के 7 किलोमीटर क्षेत्र को सम्मिलित किया गया हो और अन्य अधिसूचित पारिस्थितिकीय दृष्टि से संवेदनशील क्षेत्रों सहित सीआरजैड-I, II, III और IV क्षेत्रों को भी दर्शाया गया हो।
- (ज) औद्योगिक बहिष्काव और मल-जल के शोधित निस्सारण वाली परियोजनाओं के लिए संबंधित राज्य प्रदूषण नियंत्रण बोर्डों अथवा संघ राज्य क्षेत्र की प्रदूषण नियंत्रण समितियों से "स्थापित करने की सहमति" या एनओसी। यदि, प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति की पूर्व सहमति प्राप्त नहीं की गई है तो परियोजना का निर्माण कार्यकलाप शुरू होने से पहले प्रस्तावक द्वारा इस अधिसूचना के अधीन मंजूरी लेना सुनिश्चित किया जाएगा।
- (ii) संबंधित तटीय जोन प्रबंध प्राधिकरण अनुमोदित तटीय जोन प्रबंध योजना के अनुसार तथा इस अधिसूचना के अनुपालन में उपर्युक्त खंड (i) में यथोल्लिखित दस्तावेजों की जांच करेगा और पूर्ण आवेदन की प्राप्ति की तारीख से साठ दिन की अवधि के भीतर निम्नलिखित की सिफारिश करेगा:-
- (क) उन परियोजनाओं या कार्यकलापों के लिए भी जिन पर ईआईए अधिसूचना 2006, संख्यांक का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 लागू होती है, ईआईए अधिसूचना 2006 के अधीन समेकित अनापत्ति को समर्थ बनाने के लिए क्रमशः श्रेणी 'क' और श्रेणी 'ख' परियोजनाओं हेतु तटीय जोन प्रबंध प्राधिकरण अपनी सिफारिशें पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय या एसईआईए को अग्रेषित करेगा। तथापि, सीआरजैड-I या सीआरजैड-IV क्षेत्रों में स्थित ऐसी श्रेणी 'ख' की परियोजनाओं के लिए, सीआरजैड अनापत्ति हेतु अंतिम सिफारिश केवल पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा संबंधित एसईआईए को दी जाएगी ताकि वह उस प्रस्ताव के संबंध में समेकित पर्यावरणीय अनापत्ति और सीआरजैड अनापत्ति प्रदान कर सके।
- (ख) तटीय जोन प्रबंध प्राधिकरण अपनी सिफारिशें पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को उन परियोजनाओं या कार्यकलापों के लिए जिन्हें ईआईए अधिसूचना, 2006 में सम्मिलित नहीं किया गया है किंतु उन पर सीआरजैड अधिसूचना लागू होती है और जो सीआरजैड-I या सीआरजैड-IV क्षेत्रों में स्थित हैं, अग्रेषित करेगा।
- (ग) उन परियोजनाओं या कार्यकलापों के लिए जो ईआईए अधिसूचना, 2006 में सम्मिलित नहीं हैं किंतु उन पर या अधिसूचना लागू होती है और जो सीआरजैड-II या सीआरजैड-III क्षेत्रों में स्थित हैं, पर संबंधित सीजेडएम द्वारा प्रस्तावक से पूर्ण प्रस्ताव प्राप्त होने के साठ दिन के भीतर विचार किया जाएगा।
- (घ) उन निर्माण परियोजनाओं की दशा में जिन पर यह अधिसूचना लागू होती है किंतु ईआईए अधिसूचना, 2006 के उपबंधों को लागू करने हेतु निर्धारित अवसीमा से कम निर्मित क्षेत्रफल वाली परियोजनाओं के मामले में ऐसे प्राधिकरणों द्वारा अनुमोदन प्रदान करने को सुविधाजनक बनाने के लिए तटीय जोन प्रबंध प्राधिकरण अपनी सिफारिशों को संबंधित राज्य या संघ राज्य क्षेत्र के योजना प्राधिकरणों को अग्रेषित करेगा।
- (iii) पर्यावरण वन और जलवायु परिवर्तन मंत्रालय तटीय जोन प्रबंध प्राधिकरण की सिफारिशों के आधार पर साठ दिन की अवधि के भीतर पूर्ण परियोजना प्रस्तावों के लिए इस अधिसूचना के अधीन अनापत्ति प्रदान करने पर विचार करेगा।
- (iv) यदि तटीय जोन प्रबंध प्राधिकरण उनके पुनर्गठन अथवा किन्हीं अन्य कारणों से कार्यशील न हों, तो यह राज्य सरकार अथवा संघ राज्य क्षेत्र प्रशासन के पर्यावरण विभाग, जो संबंधित राज्यों या संघ राज्य क्षेत्रों की सीजेडएमपी के अभिरक्षक हैं, का दायित्व होगा कि वह उक्त अधिसूचना के उपबंधों के निबंधनानुसार प्रस्तावों पर टिप्पणी दे और सिफारिश करे।



- (v) इस अधिसूचना के अधीन परियोजनाओं को दी गई अनापत्ति सात वर्ष की अवधि के लिए विधिमान्य होगी, परंतु निर्माण संबंधी कार्यकलाप ऐसी अनापत्ति जारी करने की तारीख से सात वर्ष के भीतर पूरे हो जाएं और कार्य संचालन आरंभ हो जाए।

विधिमान्यता को अधिकतम तीन वर्षों की अवधि के लिए और विस्तारित किया जा सकेगा, परंतु आवेदक द्वारा विधिमान्यता की अवधि के भीतर संबंधित राज्य या संघ राज्य क्षेत्र तटीय जोन प्रबंधन प्राधिकरण द्वारा अनापत्ति की विधिमान्यता के विस्तार हेतु की गई सिफारिश के साथ संबंधित प्राधिकरण को आवेदन प्रस्तुत किया जाए।

अनापत्ति प्रदान करने के उपरांत निगरानी:-

(क) परियोजना के प्रस्तावक के लिए यह अनिवार्य होगा कि वह प्रत्येक कलेंडर वर्ष की 1 जून और 31 दिसम्बर की तिथि को संबंधित विनियामक प्राधिकरण (णों) को हार्ड और सॉफ्ट प्रतियों में पर्यावरणीय अनापत्ति की निर्धारित निबंधनों तथा शर्तों के संबंध में अर्धवार्षिक अनुपालन रिपोर्ट प्रस्तुत करें और परियोजना के प्रस्तावक द्वारा प्रस्तुत की गई सभी अनुपालन रिपोर्ट प्रस्तुत करें और परियोजना के प्रस्तावक द्वारा प्रस्तुत की गई ऐसी सभी अनुपालन रिपोर्टों को पब्लिक डोमेन में प्रकाशित किया जाएगा और उसकी प्रतियां संबंधित तटीय जोन प्रबंध प्राधिकरण को आवेदन करने पर किसी भी व्यक्ति को उपलब्ध कराई जाएंगी।

अनुपालन रिपोर्ट को संबंधित विनियामक प्राधिकरण की वेबसाइट पर भी प्रदर्शित किया जाएगा।

- (vii) तटीय जोन प्रबंध प्राधिकरण की कार्यप्रणाली में पारदर्शिता बनाए रखने हेतु, यह तटीय जोन प्रबंध प्राधिकरण का दायित्व होगा कि वह इस परियोजना के लिए समर्पित वेबसाइट सृजित करें और उस पर कार्यसूची, कार्यवृत्त, लिए गए निर्णयों, अनापत्ति पत्रों, उल्लंघनों, उल्लंघनों पर की गई कार्रवाई तथा माननीय न्यायालय के आदेशों सहित अदालती मामलों और संबंधित राज्य सरकार या संघ राज्य क्षेत्र की अनुमोदित सीजैडएमपी को अपलोड करें।

#### 9. इस अधिसूचना का प्रवर्तन :

- (i) पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) के अधीन इस अधिसूचना के कार्यान्वयन और प्रवर्तन तथा उसके अंतर्गत निर्धारित शर्तों के अनुपालन के प्रयोजन लिए शक्तियां मूल रूप से अथवा प्रत्यायोजित रूप में पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, राज्य सरकार या संघ राज्य क्षेत्र प्रशासन, तटीय जोन प्रबंध प्राधिकरण और राज्य या संघ राज्य क्षेत्र तटीय जोन प्रबंध प्राधिकरण को प्रदान की गई हैं;

- (ii) राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण या राज्य सरकार या संघ राज्य क्षेत्र तटीय जोन प्रबंध प्राधिकरण की संरचना, कार्यकाल और आदेश को पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा माननीय उच्चतम न्यायालय द्वारा 1993 की रिट याचिका 664 में दिए गए आदेशों के अनुसार पहले ही अधिसूचित किया जा चुका है।

- (iii) राज्य सरकार अथवा संघ राज्य क्षेत्र का तटीय जोन प्रबंध प्राधिकरण इस अधिसूचना के प्रवर्तन और निगरानी हेतु तथा इस कार्य में सहायता करने हेतु मुख्य रूप से उत्तरदायी होगी, राज्य सरकार और संघ राज्य क्षेत्र की सरकार संबंधित जिला मजिस्ट्रेट की अध्यक्षता में जिला स्तरीय समितियों का गठन करेंगी जिसमें मछुआरों सहित स्थानीय परंपरागत तटीय समुदायों के कम से कम तीन प्रतिनिधि सम्मिलित होंगे और राज्य सरकार, संबंधित जिला मजिस्ट्रेट के स्तर पर इस अधिसूचना के प्रवर्तन पर विचार कर सकेंगी।

- (iv) मछुआरा समुदायों, जनजातियों सहित परंपरागत तटीय समुदायों की आवास इकाइयों जिनके संबंध में तटीय विनियमन जोन अधिसूचना 2011के उपबंधों के अधीन अनेजा प्राप्त थी, किन्तु उनके संबंध में उक्त अधिसूचना के अधीन संबंधित प्राधिकारियों से औपचारिक अनुमोदन प्राप्त नहीं किया गया है, पर विचार संबंधित तटीय जोन प्रबंध प्राधिकरण द्वारा किया जाएगा और आवास इकाइयों को निम्नलिखित शर्त के अधीन विनियमित किया जाएगा, अर्थात् :

(क) उनका उपयोग किसी तरह की वाणिज्यिक गतिविधि के लिए नहीं किया जाएगा;

(ख) उन्हें किसी गैर-परंपरागत तटीय समुदाय को बेचा अथवा अंतरित नहीं किया जाएगा;

#### 10. ऐसे क्षेत्र जिन पर विशेष ध्यान देने की आवश्यकता है :

##### 10.1 अति संवेदनशील तटीय क्षेत्र (सीवीसीए) :

- (i) उप पैरा 3.1 में उल्लिखित सभी सीवीसीए के लिए, ऐसी एकीकृत प्रबंधन योजनाएं (आईएमपी) तैयार की जाएंगी, जो अन्य बातों के साथ-साथ कच्छ वनस्पति के संरक्षण और प्रबंधन, औषधालयों, स्कूलों, वर्षा से बचने के लिए सार्वजनिक

शरण स्थल, सामुदायिक, शौचालय, पुल, सड़क जेट्टी, जलापूर्ति जल-निकास प्रणाली, सीवरेज जैसी स्थानीय समुदायों की आवश्यकताओं तथा समुद्री जल स्तर में वृद्धि होने और अन्य प्राकृतिक आपदाओं से होने वाले प्रभावों का भी ध्यान रखेंगी और आईएमपी को तटीय जोन प्रबंधन योजनाओं की तैयारी के लिए मार्गदर्शक, सिद्धांत के अनुरूप तैयार किया जाएगा।

(ii) मछुआरों सहित तटीय समुदायों के विचारों के दृष्टिगत तटीय जोन प्रबंधन प्राधिकरण द्वारा जब तक आईएमपी अनुमोदित और अधिसूचित किया जाता है, तब तक पारंपरिक निवासियों के लिए अपेक्षित स्वास्थ्य केंद्र, विद्यालय, वर्षा/चक्रवात से बचाव के आश्रय स्थल, सामुदायिक शौचालय, पुल, सड़कें, जेट्टी, जलापूर्ति, जल निकास प्रणाली, सीवरेज की मामला दर मामला आधार पर मंजूरी दी जा सकेगी।

### 10.2 अंतर्देशीय बैकवाटर द्वीपों और मुख्य भूमि तट के द्वीपों के लिए सीआरजेड :

- (i) तटीय बैकवाटर के सभी अंतर्देशीय द्वीपों और मुख्य भूमि तट के द्वीप भी इस अधिसूचना के अंतर्गत सम्मिलित किए जाएंगे।
- (ii) ऐसे तटीय क्षेत्रों में स्थान-सीमाओं सहित बैकवाटर द्वीप समूहों की अद्वितीय तटीय प्रणालियों तथा मुख्य भूमि तट के द्वीपों के दृष्टिगत, भूमि की ओर एचटीएल से 20 मीटर का सीआरजेड, ऐसे द्वीप समूहों के लिए समान रूप से लागू होगा और निम्नलिखित कार्यकलाप विनियमित किए जाएंगे:-
  - (क) इन द्वीपों के एचटीएल से 20 मीटर के अंतर्गत स्थानीय समुदायों के मौजूदा आवासीय स्थलों की मरम्मत या इनका पुनर्निर्माण किया जाए, तथापि, इस क्षेत्र में किसी नए निर्माण की अनुमति नहीं होगी।
  - (ख) फोरशोर सुविधाएं जैसे मछली पकड़ने के लिए जेट्टी, मछली सुखाने के लिए स्थान, जाल की मरम्मत के लिए स्थान, पारंपरिक तरीके से किया जाने वाला मत्स्य प्रसंस्करण, नौका निर्माण का स्थान, बर्फ संयंत्र, नौका की मरम्मत इत्यादि कार्य, उचित पर्यावरणीय सुरक्षापायों के अध्यक्षीन सीआरजेड सीमाओं में किया जाए।
- (iii) द्वीप संरक्षण जोन अधिसूचना, 2011 संख्या का.आ. 20(अ), तारीख 6 जनवरी, 2011 के अनुसार जैसा कि लक्षद्वीप और अंडमान और निकोबार में छोटे द्वीपों पर लागू होता है, एकीकृत द्वीप प्रबंधन योजनाएं (आईआईएमपी), ऐसे सभी द्वीपों के लिए संबंधित राज्यों/संघ राज्य क्षेत्रों द्वारा तैयार की जाएगी और शीघ्रतः अनुमोदन के लिए पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को प्रस्तुत की जाएगी। आईआईएमपी के विरचित होने तक इस अधिसूचना के उपबंध लागू नहीं होंगे और सीआरजेड अधिसूचना, 2011 संख्या का.आ. 19(अ), तारीख 6 जनवरी, 2011 के उपबंधों के अनुसार, सीजेडएमपी लागू होती रहेगी।

### 10.3 वृहत्त मुंबई की नगरपालिका सीमाओं के भीतर आने वाला सीआरजेड क्षेत्र :

- (i) वृहत्त मुंबई क्षेत्र के 'ग्रीनलंग' की सुरक्षा और परिरक्षा के लिए सभी खुले स्थानों, पार्कों, उद्यानों, सीआरजेड-II के अंदर की विकास योजनाओं में निर्धारित क्रीडास्थलों को नो डेवलपमेंट जोन, के रूप में वर्गीकृत किया जाएगा और नागरिक सुविधाओं, मनोरंजन और खेलकूद से संबंधित कार्यों के लिए स्टेडियम, जिम्नाजियम आदि निर्माण के लिए ही 15% भूमि स्थान सूचकांक की अनुमति होगी और ऐसे खुले स्थानों के आवासीय या वाणिज्यिक उपयोग की अनुमति नहीं होगी।
- (ii) नगरपालिका क्षेत्र में मलजल शोधन के लिए, सीआरजेड-I क्षेत्र में मलजल शोधन संयंत्रों का निर्माण, विशेष परिस्थितियों में केवल नगरपालिका प्राधिकरणों द्वारा किया जाएगा जहां तटीय जोन प्रबंध प्राधिकरण की सिफारिशों और केन्द्रीय सरकार के अनुमोदन के अध्यक्षीन ऐसी सुविधाएं स्थापित करने के लिए कोई वैकल्पिक साइट उपलब्ध नहीं है और यदि किसी कच्छ वनस्पति क्षेत्र में ऐसे संयंत्र का निर्माण करना अपरिहार्य है तो निर्माण प्रक्रिया के दौरान प्रभावित या नष्ट हुए या काटे गए कच्छ वनस्पति क्षेत्र का न्यूनतम तीन गुना, कच्छ वनस्पति का प्रतिपूरक वृक्षारोपण किया जाएगा।

[फा. सं. 19-112/2013-आईए-III]

रितेश कुमार सिंह, संयुक्त सचिव



**उपाबंध-****पारिस्थितिकी संवेदनशील क्षेत्र के लिए संरक्षण, सुरक्षा और प्रबंधन रूपरेखा**

तटीय और समुद्री पारिस्थितिकीय संवेदी क्षेत्र (ईएसए) और भू-रूपात्मक विशेषताएं के कार्यों को बनाए रखने में महत्वपूर्ण भूमिका निभाते हैं। कच्छ वनस्पति, समुद्र तट, प्रवाल भित्ति इत्यादि, तटीय कटाव, तटरेखा परिवर्तन, खारे पानी के प्रवेश को नियंत्रित करने में सहयोग देते हैं और तटीय खतरों जैसे तूफानी लहरों, चक्रवातों और सुनामियों के विरुद्ध प्राकृतिक रक्षक के रूप में कार्य करते हैं। ईएसए, तटीय आजीविका के लिए प्रत्यक्ष और अप्रत्यक्ष पारिस्थितिक सेवाएं प्रदान करके तट की जैविक समग्रता बनाए रखता है। इसके अतिरिक्त, कई मूल्यवान पुरातात्विक और धरोहर वाले स्थान भी तट के साथ-साथ स्थित हैं। अतः उपर्युक्त क्षेत्रों, विशेषताओं और स्थलों का संरक्षण और सुरक्षा आवश्यक हो जाती है।

**1. सामान्य उपाय**

- (i) उपग्रह आंकड़ों का प्रयोग करके एनसीएससीएम द्वारा सभी ईएसए की पहचान की जाएगी और सीमा-रेखा निर्धारित की जाएगी।
  - (ii) ईएसए के संरक्षण और सुरक्षा का उल्लेख करते हुए, इस अधिसूचना में यथाअंतर्विष्ट मार्गदर्शन सिद्धांतों के अनुसार राज्य सरकार और संघ राज्य क्षेत्र प्रशासन प्राधिकृत अभिकरणों के माध्यम से सीजेडएमपी तैयार करेंगी।
  - (iii) इस अधिसूचना के अधीन अनुज्ञेय कार्यकलापों को सीजेडएमपी में सम्मिलित किया जाएगा।
- प्रत्येक ईएसए के संरक्षण, सुरक्षा और प्रबंधन के लिए अपनाई गई विशिष्ट शर्तें निम्नलिखित हैं:-

**1.1 कच्छ वनस्पति :**

- (i) कच्छ वनस्पति को वन (संरक्षण) अधिनियम, 1980 (1980 का 69) के अधीन वन के रूप में घोषित किया गया है।

इस अधिसूचना में किसी अन्य बात के होते हुए भी, संबंधित राज्य सरकारों या संघ राज्य क्षेत्र प्रशासनों या केंद्रीय सरकार द्वारा वन (संरक्षण) अधिनियम, 1980 के अधीन वनभूमि के रूप में घोषित उक्त अधिनियम, 1980 के उपबंध लागू होंगे।

वन (संरक्षण) अधिनियम, 1980 के अधीन घोषित नहीं की गई कच्छ वनस्पति :

- (क) सरकारी भूमि में कच्छ वनस्पति को संबंधित राज्य/केंद्र शासित प्रदेश की सरकारों द्वारा तैयार की जाने वाली विस्तृत योजना के आधार पर संरक्षित किया जाएगा। यदि कच्छ वनस्पति क्षेत्र 1000 वर्ग मीटर से अधिक है तो कच्छ वनस्पति क्षेत्र की परिधि के साथ-साथ 50 मीटर का बफर क्षेत्र प्रदान किया जाएगा। 50 मीटर के इस बफर क्षेत्र का उपयोग, उद्यान विकसित करने, कच्छ वनस्पति जैव-विविधता से संबंधित अनुसंधान सुविधाओं संरक्षण के लिए सुविधाओं आदि जैसे कार्यों के लिए जन-सुविधाओं हेतु जा सकता है।

- (ख) निजी भूमि में कच्छ वनस्पति के लिए बफर क्षेत्र की आवश्यकता नहीं होगी।

**1.2 प्रवाल और प्रवाल भित्ति तथा संबंधित जैव-विविधता:**

- (i) प्रवाल और प्रवाल भित्ति तथा इसके आस-पास के क्षेत्र को नष्ट करना एक निषिद्ध कार्यकलाप है।
- (ii) अनुसंधान प्रयोजनों के लिए आवश्यक उन कम मात्राओं को छोड़कर, सभी प्रवाल और प्रवाल भित्ति को सुरक्षित किया जाएगा।
- (iii) प्रवाल और प्रवाल भित्तिके प्रतिरोपण कार्यकलाप, वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53) के अधीन, आवश्यक अनुमोदन प्राप्त करने के बाद, जहां भी सुधार के लिए आवश्यक हो, मान्यता प्राप्त अनुसंधान संस्थानों के माध्यम से किया जाएगा।
- (iv) समाप्त या नष्ट हुए या दोनों प्रवाल क्षेत्रों का कायाकल्प और पुनर्वास किया जाएगा। प्रवाल और प्रवाल भित्ति का संरक्षण और सुरक्षा निम्नानुसार की जाएगी :



- (क) चिन्हित और चित्रित की गई सक्रिय और सजीव प्रवाल और प्रवाल भित्तियों पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) के अधीन ईएसए के रूप में घोषित और अधिसूचित किया जाएगा;
- (ख) यह सुनिश्चित किया जाएगा कि ऐसा कोई कार्यकलाप जो प्रवाल, प्रवाल भित्ति और संबंधित जैव-विविधता जैसे कि खनन, उत्सर्जन और मल-जल बहिष्काव, निकर्षण, बैलेस्ट पानी निर्वहन, जहाज की धुलाई, परंपरागत गैर-हानिकारक मत्स्य पालन से इतर मछली पालन, निर्माण कार्यकलापों जैसे अन्य कार्यों के लिए हानिकारक है, को प्रवाल क्षेत्रों में और इसके आस-पास नहीं किया जाएगा।

**1.3 वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53), वन (संरक्षण) अधिनियम, 1980 (1980 का 69) या पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) के उपबंधों के अधीन घोषित जैव-मंडल रिज़र्वों सहित राष्ट्रीय उद्यानों, समुद्री उद्यानों, अभयारण्यों, रिज़र्व वनों, वन्यजीव पर्यावास तथा अन्य संरक्षित क्षेत्रों को निम्नानुसार संरक्षित और सुरक्षित किया जाएगा:**

- (i) उपर्युक्त उल्लिखित क्षेत्रों का संरक्षण और सुरक्षा, यथास्थिति संबंधित अधिनियमों, अधिसूचनाओं या मार्गदर्शन सिद्धांतों के अनुरूप होगी।
- (ii) बढ़ते हुए तूफानों, ज्वारभाटा और बाढ़ से जान-माल की हानि रोकने के लिए तटीय क्षेत्रों में वन क्षेत्रों की बढ़ोतरी के प्रयास किये जाएंगे।
- (iii) संबंधित राज्य सरकारें या संघ राज्य क्षेत्र प्रशासन, स्थान के लिए उपयुक्त रोपण सामग्री के साथ शैल्टर बेल्ट पौधरोपण या जैव-सुरक्षा शुरू करने के लिए ऐसे उपायों हेतु पर्याप्त निधियां प्रदान करेंगी।

#### 1.4 लवणीय कच्छ भूमि :

लवणीय कच्छ भूमि का संरक्षण और सुरक्षा निम्नानुसार की जाएगी:

- (i) लवणीय कच्छ क्षेत्रों को संरक्षित और सुरक्षित किया जाएगा तथा लवणीय कच्छ भूमि में स्थानिक जैव-विविधता को बढ़ावा देने के प्रयास किए जाएंगे।
- (ii) केवल उन्हीं कार्यकलाप की अनुमति होगी जो केबलों के उपरिगामी संदेश या पारेषण और पारेषण लाइन केबलों को भूमिगत बिछाने और इसी तरह के कार्यों के लिए आवश्यक हैं।
- (iii) लवणीय कच्छ भूमि में परंपरागत रूप से मछली पकड़ने की अनुमति होगी।
- (iv) दिशा-निर्देशों में विनिर्दिष्ट कड़े मानदंडों के पालन के अध्याधीन लवणीय कच्छ क्षेत्रों के इर्द-गिर्द अस्थाई पर्यटन सुविधाएं देने पर विचार किया जा सकता है।
- (v) कुछ लवणीय कच्छभूमि, जिनकी कम जैव-विविधता है, जो एनसीएससीएम द्वारा चिन्हित और तटीय जोन प्रबंध योजना में सीमांकित हैं, को लवण कच्छ कार्यकलापों के लिए विचार किया जा सकता है।

#### 1.5 कछुओं के प्रजनन स्थलों की सुरक्षा एवं संरक्षण निम्नानुसार की जाएगी:

- (i) संबंधित राज्यों या संघ राज्य क्षेत्रों द्वारा अभिज्ञात कछुओं के प्रजनन स्थल को वन्यजीव (संरक्षण) अधिनियम, 1972 के अनुसार संरक्षित किया जाएगा।
- (ii) कछुओं के प्रजनन स्थल के आस-पास कोई क्रियाकलाप अनुज्ञात नहीं होंगे जिनमें इन स्थलों के संरक्षण और सुरक्षा के लिए अपेक्षित क्रियाकलापों के सिवाए रोशनी और ध्वनि प्रदूषण भी सम्मिलित हैं।
- (iii) कछुओं के प्रजनन स्थानों के संरक्षण के लिए सख्त प्रबंधन योजनाएं शुरू की जाएंगी और संबंधित राज्य या संघ राज्य क्षेत्र प्राधिकरणों द्वारा इसका कार्यान्वयन किया जाएगा।

#### 1.6 हार्स शू केकड़े के पर्यावासों की सुरक्षा और संरक्षण निम्नानुसार की जाएगी :

- (i) अभिज्ञात पर्यावास का संरक्षण और सुरक्षा की जाएगी।
- (ii) इन पर्यावासों के आस-पास ऐसे कोई क्रियाकलाप नहीं किए जाएंगे जिससे हार्स शू केकड़े की सुरक्षा और संरक्षण प्रभावित होती हो।



**1.7 समुद्री घास की सुरक्षा और संरक्षण निम्नानुसार की जाएगी :**

- (i) अभिज्ञात घास की सुरक्षा और संरक्षण किया जाएगा।
- (ii) ऐसे कोई क्रियाकलाप नहीं किए जाएंगे जिनका समुद्री घास पर प्रतिकूल प्रभाव पड़ता हो।
- (iii) राज्यों या संघ राज्य क्षेत्रों द्वारा यथासंभव तटीय जल के किनारों की समुद्री घास के फैलाव के प्रयास किए जाएंगे।

**1.8 पक्षियों के घोंसला बनाने वाली भूमि की निम्नानुसार सुरक्षा एवं संरक्षण किया जाएगा।**

- (i) पक्षियों के स्थानीय प्रवास मार्ग सहित उनके घोंसला वाली भूमि की सुरक्षा की जायेगी। उस स्थान में पवन चक्कियों, पारेषण लाइनों और अन्य क्रियाकलापों के निर्माण सहित कोई विकासात्मक क्रियाकलाप नहीं किए जाने चाहिए जिनका घोषला भूमि तथा प्रवास मार्ग पर प्रतिकूल प्रभाव पड़ता हो।
- (ii) लवणीय दलदली भूमि तथा अन्य तटीय जल निकायों की जैव-विविधता को समृद्ध बनाने सहित वन और कच्छ वनस्पति क्षेत्र बढ़ाने के प्रयास किए जाएंगे ताकि जलीय पक्षियों के लिए उपयुक्त पर्यावास सुलभ हो सकें।

**1.9 भू-आकृतिक महत्व के क्षेत्रों का संरक्षण और प्रबंधन निम्नानुसार किया जाएगा:****(i) अभिज्ञात रेत के टीलों का संरक्षण और सुरक्षा निम्नानुसार किया जाएगा:**

- (क) अभिज्ञात रेत के टीलों को पर्यावरण (संरक्षण) अधिनियम, 1986 के अंतर्गत अधिसूचित किया जाएगा।
- (ख) पैदल मार्गों, टेंट और इसी तरह के अन्य स्थानों पर पर्यावरण अनुकूल अस्थायी पर्यटन सुविधाएं प्रदान करने के सिवाए कोई विकासात्मक क्रियाकलाप अनुज्ञात नहीं होंगे।
- (ग) टेलिंग या अन्य उपयुक्त रेत का ठीक प्रकार से प्रयोग करके अणु खनिज निकालने के सिवाए रेत के टीलों से रेत का खनन निषिद्ध होगा।
- (घ) रेत के टीलों पर ऐसे कोई क्रियाकलाप नहीं किए जाएंगे जिनसे रेत के टीलों का क्षरण/विनाश होता हो।
- (ङ) रेत के टीलों पर केवल स्थानीय वनस्पतियों का वनीकरण किया जाएगा।
- (च) राज्य या संघ राज्य क्षेत्र चिन्हित रेत के टीलों के लिए प्रबंध योजनाएं तैयार की जाएंगी।

**(ii) रेतीले तट:**

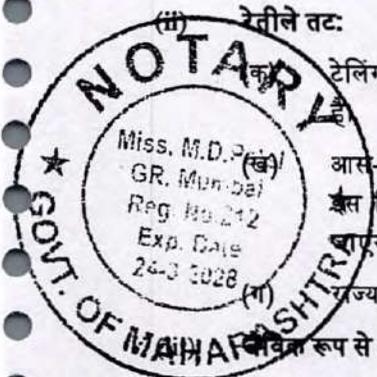
- (क) टेलिंग या अन्य रेत का उपयुक्त प्रयोग करके दुर्लभ खनिज निकालने के सिवाए तटीय रेत का खनन निषिद्ध होगा।
- (ख) आस-पास में तट की क्षति का पुर्वानुमान होने पर तटों पर अनुमेय विकास क्रियाकलाप शुरू किए जाते हैं तो इस स्थिति में परियोजना प्राधिकारियों द्वारा इसकी क्षतिपूर्ति के लिए तटों का आवश्यक सुधार किया जाएगा और उनके द्वारा तटों का दीर्घावधिक अनुरक्षण सुनिश्चित किया जाएगा।
- (ग) राज्य या संघ राज्य क्षेत्र सीमांकित तटों के लिए प्रबंध योजनाएं तैयार करेंगे।

**(iii) जैविक रूप से सक्रिय मडप्लैट्स :**

- (क) एनसीएससीएम द्वारा राज्य सरकार/संघ राज्य क्षेत्र प्रशासन के सहयोग से जैविक रूप से सक्रिय मडप्लैट्स अभिज्ञात किए जाएंगे।
- (ख) राज्य या संघ राज्य क्षेत्र ऐसे सीमांकित जैविक रूप से सक्रिय मडप्लैट्स के लिए प्रबंध योजनाएं तैयार की जाएंगी।

**1.10 पुरातत्वीय महत्व के क्षेत्रों या अवसंरचना तथा विरासत महत्व के स्थल :**

- (i) राज्य पुरातत्वीय अभिकरण यथास्थिति, संबंधित अधिनियमों, अधिसूचनाओं या मार्गदर्शक सिद्धांतों के उपबंधों के अनुसार भारतीय पुरातत्व सर्वेक्षण द्वारा अभिज्ञात सभी पुरातत्वीय संरचनाओं तथा विरासत स्थलों का संरक्षण और सुरक्षा के लिए उत्तरदायी होंगे।



- (ii) पुरातत्वीय तथा विरासत महत्व के अभिज्ञात क्षेत्रों या संरचनाओं के लिए कोई हानिकर क्रियाकलाप अनुज्ञात नहीं होंगे।
- (iii) यह सुनिश्चित किया जाएगा कि इन अवसंरचनाओं या क्षेत्रों का परिरक्षण किया जाए तथा ऐसे संरचनाओं के अग्रमार्ग/प्लिथ क्षेत्र में परिवर्तन किए बिना क्रियाकलाप किए गए हों। ऐसे अवसंरचनाओं पर संरचना के बाहरी वास्तुकीय डिजाइन में परिवर्तन किए बिना इंटीरियर के सावधानीपूर्वक डिजायनिंग करने के पश्चात संगत मानकों के अनुसार प्रयोग करने पर विचार किया जाएगा।

उपाबंध-II

सीआरजेड-आई को छोड़कर सीआरजेड में भंडारण के लिए अनुमत पेट्रोनिबम व रसायन उत्पादों की सूची

- (i) कच्चा तेल;
- (ii) लिक्विफाइड पेट्रोलियम गैस;
- (iii) मोटर स्प्रीट;
- (iv) कैरोसिन;
- (v) विमान ईंधन;
- (vi) हाई स्पीड डीजल;
- (vii) लुब्रीकेटिंग ऑयल;
- (viii) ब्यूटेन;
- (ix) प्रोपेन;
- (x) कम्प्रेस्ड नेचुरल गैस;
- (xi) नेफ्था;
- (xii) फर्नेस ऑयल;
- (xiii) लो सल्फर हैवी स्टॉक;
- (xiv) लिक्विफाइड नेचुरल गैस;
- (xv) उर्वरक व उर्वरकों के उत्पादन हेतु कच्चा माल;
- (xvi) एसिटिक अम्ल;
- (xvii) मोनो इकालीन ग्लाइकोल;
- (xviii) पराक्सलीन;
- (xix) इथेन;
- (xx) बुटाडाइन;
- (xxi) मेथनाल;
- (xxii) कास्टिक;
- (xxiii) बिटुमेन।



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**उपाबंध-III**

नामोद्दिष्ट सीआरजेड क्षेत्रों में तटीय रिजार्टों, होटलों और पर्यटन विकास परियोजनाओं के विकास संबंधी दिशानिर्देश

**1. सीआरजेड-II.**

पर्यटकों या यात्रियों के ठहरने के लिए सीआरजेड-II के निर्धारित क्षेत्रों में तट रिजार्टों या होटलों का निर्माण निम्नलिखित शर्तों के अध्ययन होगा, अर्थात:-

- (i) निर्माण की अनुज्ञा विद्यमान सड़क या विद्यमान प्राधिकृत निर्धारित संरचनाओं की भूमि की तरफ के लिए दी जाएगी।
- (ii) निजी सम्पत्तियों के आस-पास वनस्पति क्षेत्र सहित तारवाड़ तथा कंटीली तार-बाड़ की अनुमति दी जाएगी बशर्ते कि फेसिंग से किसी भी तरह तट पर जनता के आने-जाने में बाधा न पड़े।
- (iii) रेत के टीलों को समतल नहीं किया जाएगा;
- (iv) खेल सुविधाओं के लिए गोल पोस्ट, नेट पोस्ट और लैम्प पोस्ट के अतिरिक्त किसी भी प्रकार के स्थाई निर्माण की अनुमति नहीं होगी।
- (v) तहखाने के निर्माण की अनुमति इस आधार पर दी जा सकती है कि प्रस्तावक राज्य भूगर्भ जल प्राधिकरण से इस बात का अनापत्ति प्रमाण पत्र प्राप्त करेगा कि निर्माण उस क्षेत्र में भू-गर्भीय जल के मुक्त प्रवाह को प्रभावित नहीं करेगा।
- (vi) राज्य भूगर्भ जल प्राधिकरण इस प्रकार से अनापत्ति प्रमाण पत्र जारी करने से पहले केंद्रीय सरकार द्वारा जारी किए गए दिशा-निर्देशों को ध्यान में रखेगा।
- (vii) परियोजना क्षेत्र से उपचारित बहिस्त्रावों, ठोस अपशिष्टों, उत्सर्जनों की गुणवत्ता तथा ध्वनि स्तर केंद्रीय या राज्य प्रदूषण नियंत्रण बोर्ड तथा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) सहित सक्षम प्राधिकरणों द्वारा निर्धारित मानकों के अनुरूप होगी।
- (viii) बहिस्त्रावों और ठोस अपशिष्टों के उपचार के लिए आवश्यक प्रबंध किए जाएं और यह सुनिश्चित किया जाए कि अनुपचारित बहिस्त्रावों और किसी बहिस्त्राव या ठोस अपशिष्ट का विसर्जन तट पर न किया जाए।
- (ix) यदि परियोजना में वनेतर प्रयोजनों के लिए वन भूमि का उपयोग शामिल है, वन (संरक्षण) अधिनियम, 1980 (1980 का 69) के अधीन अपेक्षित स्वीकृति प्राप्त की जाए और परियोजना के लिए लागू अन्य केंद्रीय तथा राज्य विधियों क्षेत्र के पर्यटन विभाग का अनुमोदन प्राप्त किया जाएगा।

**2. सीआरजेड-III**

पर्यटकों या यात्रियों के अस्थाई-निवास हेतु सीआरजेड-III के निर्धारित क्षेत्रों में तट रिसोर्ट या होटलों के निर्माण, निम्नांकित परिस्थितियों के अध्ययन होंगे, अर्थात;

- (i) निजी संपत्तियों के चारों ओर वानस्पतिक आवरण के साथ पौधों और कांटेदार तारों द्वारा चारदीवारी के निर्माण की अनुमति इस शर्त पर दी जा सकती है कि ऐसी चारदीवारी के कारण लोगों को समुद्रतट तक पहुंचने में कोई व्यवधान न हो;
- (ii) रेत के टीलों को समतल नहीं किया जाएगा;
- (iii) खेल सुविधाओं के लिए, गोल पोस्ट, नेट पोस्ट और लैम्प पोस्ट के अतिरिक्त किसी भी प्रकार के स्थायी निर्माण की अनुमति नहीं होगी;
- (iv) तहखाने के निर्माण की अनुमति इस आधार पर दी जा सकती है कि राज्य भूगर्भ जल प्राधिकरण से इस आशय का अनापत्ति प्रमाण-पत्र प्राप्त किया जाएगा कि ऐसा निर्माण कार्य उस क्षेत्र में भू-गर्भीय जल के मुक्त प्रवाह को प्रतिकूल रूप से प्रभावित नहीं करेगा;
- (v) राज्य भू-गर्भ जल प्राधिकरण, इस प्रकार का अनापत्ति प्रमाण पत्र जारी करने से पहले केंद्रीय सरकार द्वारा जारी किए गए दिशा-निर्देशों पर विचार करेगा;



- (vi) यद्यपि विकास रहित क्षेत्र में भूमि स्थान सूचकांक की गणना के लिए किसी भी प्रकार के निर्माण की अनुमति नहीं है, तथापि सम्पूर्ण भू-खण्ड का क्षेत्रफल, जिसमें वह भाग भी शामिल होगा जो विकास रहित क्षेत्र के अंतर्गत आता है, को भी ध्यान में रखा जाएगा;
- (vii) सभी तलों (फ्लोर) का कुल ढका हुआ क्षेत्र, भू-खण्ड के कुल आकार के 33 प्रतिशत से अधिक नहीं होना चाहिए, अर्थात् भूमि स्थान सूचांक 0.33 से अधिक नहीं होना चाहिए तथा खुला क्षेत्र समतल होगा और उचित वनस्पतियों से आच्छादित होगा;
- (viii) निर्माण-कार्य, आस-पास की स्थलाकृति एवं स्थानीय वास्तुकला शैली के अनुरूप होगा;
- (ix) निर्माण-कार्य में छत की कुल ऊंचाई 9 मीटर से ज्यादा नहीं होगी और दो तल से ज्यादा (नीचे का तल व उसके ऊपर का तल) का निर्माण नहीं होगा;
- (x) भूगर्भ-जल को उच्च ज्वार रेखा में 200 मीटर के नीचे से नहीं लिया जाएगा; 200-500 मीटर के ज़ोन में इसे केन्द्रीय या राज्य भू-जल बोर्ड की सहमति से ही लिया जा सकता है;
- (xi) उच्च ज्वार रेखा के 500 मीटर की दूरी में बालू का खनन, समतल करना या बालू को खोदना, केवल बिल्डिंग की बुनियाद या स्वीमिंग पुल को छोड़कर अनुमत नहीं होगा;
- (xii) परियोजना क्षेत्र में शोधित बहिस्त्रावों, ठोस कचरे, उत्सर्जनों और ध्वनि के स्तर और इसी प्रकार के अन्य की गुणवत्ता, केन्द्रीय अथवा राज्य प्रदूषण नियंत्रण बोर्ड सहित सक्षम प्राधिकरणों द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) के अधीन बनाए गए मानकों के अनुसार होगी;
- (xiii) बहिस्त्रावों तथा ठोस कचरे के शोधन हेतु आवश्यक व्यवस्थाएँ अवश्य की जानी चाहिए और इस बात को सुनिश्चित करना चाहिए कि अशोधित बहिस्त्राव तथा ठोस कचरे को पानी में या तट पर फेंका न जाए; तथा कोई भी बहिस्त्राव या ठोस कचरा, समुद्र तट पर छोड़ा नहीं जाएगा;
- (xiv) समुद्र तट पर लोगों की पहुंच को अनुमति देने हेतु किन्हीं दो होटलों या समुद्रतटीय रिज़ॉर्टों के मध्य कम से कम 20 मीटर की चौड़ाई का अन्तराल होना चाहिए; और किसी भी स्थिति में कुल अन्तराल 500 मीटर से कम नहीं होगा; तथा
- (xv) यदि परियोजना में वन भूमि का अपवर्तन, वनेतर प्रयोजनों से किया जाना है तो वन (संरक्षण) अधिनियम, 1980 (1986 का 29) के अधीन, सहमति प्राप्त करना आवश्यक होगा तथा अन्य केन्द्रीय और राज्य कानूनों के लागू होने वाली सभी आवश्यकताओं को परियोजना द्वारा पूर्ण किया जाएगा; तथा राज्य या संघ राज्य क्षेत्र के पर्यटन विभाग से अनुमति प्राप्त करनी होगी।

**टिप्पणः** पारिस्थितिकीय संवेदनशील क्षेत्रों (जैसाकि समुद्री पार्क, मैंग्रोव, प्रवालभित्ति, मछलियों का जनन व पालने का क्षेत्र, वन्यजीव पर्यावास तथा ऐसे अन्य क्षेत्र जिन्हें केन्द्रीय सरकार या राज्य सरकार या संघ राज्य क्षेत्र सरकार द्वारा अधिसूचित किया गया हो) में समुद्रतटीय रिज़ॉर्ट/होटलों के निर्माण की अनुमति नहीं होगी।



उपाबंध-IV

तटीय ज़ोन प्रबंधन योजना को तैयार करने के लिए मार्गदर्शक सिद्धांत

### 1. उच्च ज्वार रेखा और निम्न ज्वार रेखा का चिन्हांकन

एनसीएससीएम द्वारा देश की सम्पूर्ण समुद्र तट रेखा के लिए उच्च ज्वार रेखा (एचटीएल) और निम्न ज्वार रेखा (एलटीएल) के लिए गए चिन्हांकन को तटीय राज्यों और संघ राज्य क्षेत्रों को उपलब्ध कराना है तथा एचटीएल और एलटीएल का किया गया ऐसा सीमांकन ही इस अधिसूचना के अधीन सभी प्रयोजनों के लिए लागू होगा।

### 2. 'जोखिम रेखा' :

सर्वे ऑफ इण्डिया (एसओआई) द्वारा किसी समयावधि में हुए जल स्तर घट-बढ़, समुद्र स्तर में वृद्धि और तट रेखा परिवर्तनों (अपक्षरण और संचयन) के कारण भू-क्षेत्र में बाढ़ के विस्तार को ध्यान में रखते हुए 'जोखिम रेखा' का सीमांकन

किया गया है। एसओआई द्वारा मानचित्रित जोखिम रेखा को एनसीएससीएम के माध्यम से तटीय राज्यों और संघ राज्य क्षेत्रों के साथ साझा किया गया है। जोखिम रेखा का उपयोग अनुकूलक और उपशमन उपायों की योजना बनाने सहित तटीय पर्यावरण के लिए आपदा प्रबंधन योजना बनाने हेतु एक उपकरण के तौर पर किया जाएगा। तटीय समुदायों की असुरक्षा में कमी करने और सतत आजीविका सुनिश्चित करने के विचार से सीज़ेडएमपी को तैयार करते समय जोखिम रेखा और एचटीएल के बीच के क्षेत्र के लिए भूमि उपयोग की योजना बनाते समय जलवायु परिवर्तन और तटरेखा परिवर्तनों के ऐसे प्रभावों को ध्यान में रखा जाएगा।

### 3. सीज़ेडएम मानचित्र का निर्माण

(i) 1:25,000 पैमाने का आधार मानचित्र सर्वे ऑफ इण्डिया (एसओआई) से लिया जाएगा और जब कभी भी 1:25,000 पैमाने का मानचित्र उपलब्ध नहीं होगा तो ऐसी स्थिति में आधार मानचित्र तैयार करने के प्रयोजन से 1:50,000 पैमाने के मानचित्र को 1:25,000 तक बड़ा करके प्रयोग किया जाएगा तथा ये मानचित्र निम्नांकित मानकों के अनुरूप होंगे :-

:	7.5 मिनट X 7.5 मिनट
:	सर्वे ऑफ इण्डिया की शीट की साख्यांकन पद्धति के अनुसार
:	एचरेस्ट या डब्ल्यूजीएस 84
:	औसत समुद्र स्तर (एमएसएल)
:	एसओआई मानचित्र की स्थलाकृति को आधुनिक उपग्रह इमेजेनरी या एरियलफोटोग्राफ का उपयोग करते हुए अद्यतन बनाया जाएगा।

(ii) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के कार्यालय आदेश संख्या जे-17011/8/92-आईए-III, तारीख 14 मार्च, 2014 के द्वारा अभिज्ञात किसी भी अभिकरण द्वारा उच्च ज्वार रेखा या एलटीएल के सीमांकन का उपयोग करते हुए 1:25,000 पैमाने का तटीय ज़ोन प्रबंधन (सीज़ेडएम) मानचित्र तैयार किया जाएगा, जैसाकि एनसीएससीएम द्वारा किया जाता है।

(iii) विभिन्न विनियामक रेखाएं अर्थात् एचटीएल से क्रमशः 20 मीटर, 50 मीटर, 200 मीटर और 500 मीटर की दूरी पर, जैसाकि विभिन्न सीआरज़ेड श्रेणियों में लागू है, और जोखिम रेखा का सीमांकन किया जाएगा और सीज़ेडएम मानचित्रों में स्थानांतरित किया जाएगा।

(iv) एचटीएल, एलटीएल और सीआरज़ेड सीमाओं, यथा लागू, को भी सीज़ेडएम मानचित्रों में ज्वार द्वारा प्रभावित होने वाले अर्न्तस्थलीय जल स्रोतों के किनारों के साथ सीमांकित किया जाएगा।

(v) विभिन्न समुद्र तटीय क्षेत्रों का वर्गीकरण, सीआरज़ेड अधिसूचना के अनुसार किया जाएगा और मानक राष्ट्रीय अथवा अन्तरराष्ट्रीय रंग कोडों को प्रयोग किया जाएगा।

### 4. स्थानीय सीज़ेडएम मानचित्र

(i) स्थानीय सीज़ेडएम मानचित्र, तटीय क्षेत्र प्रबंधन योजना के क्रियान्वयन को सुकर बनाने के लिए स्थानीय निकायों तथा अन्य अभिकरणों के प्रयोग हेतु हैं।

(ii) भूकर (ग्रामीण) मानचित्र, जोकि 1:3960 या इसके नज़दीकी पैमाने पर राजस्व प्राधिकरणों के पास उपलब्ध हैं, को आधार मानचित्रों के रूप में प्रयोग किया जाएगा।

(iii) एचटीएल, एलटीएल और अन्य सीआरज़ेड विनियामक रेखाओं तथा जोखिम रेखा का सीमांकन, भूकर मानचित्रों में किया जाएगा और वर्गीकरणों को स्थानीय सीज़ेडएम मानचित्रों में स्थानांतरित किया जाएगा।

### 5. सीआरज़ेड क्षेत्रों का वर्गीकरण

(i) सीज़ेडएम मानचित्रों में क्षेत्र की भू-उपयोग योजना स्पष्ट रूप से चिह्नित की जाएगी और एनसीएससीएम द्वारा तटीय राज्यों और संघ राज्य क्षेत्रों को उपलब्ध कराए गए मानचित्रण के अनुसार पारिस्थितिकीय संवेदनशील क्षेत्रों (ईएसए)

या सीआरज़ेड-क क्षेत्रों को चिन्हांकित किया जाएगा। ऐसे सभी ईएसए को रंग कोडो द्वारा समुचित ढंग से सीमांकित किया जाएगा।

(ii) 1000 वर्ग मी. से अधिक के मैंग्रोव क्षेत्रों के चारों ओर बफर क्षेत्र को, मैंग्रोव क्षेत्र से भिन्न करते हुए अलग रंग से चिन्हांकित किया जाएगा। बफर क्षेत्र को भी सीआरज़ेड-क क्षेत्र के रूप में वर्गीकृत किया जाएगा।

(iii) सीआरज़ेड क्षेत्रों में, मछुआरा समुदाय के गांव, उनकी साझा संपत्तियां, मछली पकड़ने के घाट, बर्फ संयंत्र, मछली सुखाने के प्लेटफार्म अथवा क्षेत्र, मछुआरा और स्थानीय समुदाय की ढांचागत सुविधाओं जैसे कि दवाखाना, सड़कें, विद्यालय इत्यादि को भूकर पैमाने के मानचित्र पर प्रदर्शित किया जाएगा। राज्य और संघ राज्य क्षेत्र विस्तार और अन्य ज़रूरतों, साफ-सफाई, सुरक्षा और आपदा तैयारी सहित मूल सेवाओं के प्रावधानों को ध्यान में रखते हुए तटीय मछुआरा समुदायों की दीर्घकालीन आवासीय ज़रूरतों के लिए विस्तृत योजनाएं तैयार करेंगे।

(iv) सीआरज़ेड-IV के जल क्षेत्रों को सीमांकित किया जाएगा और यदि जल क्षेत्रसमुद्र, लगून, बैकवॉटर, क्रीक, खाड़ी इस्चुअरी आदि हो तो उसे स्पष्ट रूप से सीमांकित किया जाएगा और जल क्षेत्रों के इस प्रकार के वर्गीकरण के लिए नैवल-हाइड्रोग्राफिक ऑफिस द्वारा प्रयोग की जाने वाली शब्दावली का प्रयोग किया जाएगा।

(v) जल क्षेत्रों में मछली पकड़ने के स्थानों तथा मछली प्रजनन क्षेत्र को स्पष्ट रूप से चिन्हित किया जाएगा।

(vi) सीवीसीए में, भू-उपयोग मानचित्रों को तटीय क्षेत्र प्रबंधन योजना में अध्यारोपित किया जाएगा और इसमें सीआरज़ेड I, II, III, IV को स्पष्ट रूप से दर्शाया जाएगा।

(vii) समुद्र की ओर विद्यमान प्राधिकृत विकास कार्यों को स्पष्ट रूप से सीमांकित किया जाएगा।

(viii) चक्रवातों, तूफानों, सुनामियों तथा इस तरह की आपदा के दौरान बचाव तथा राहत कार्यों के उद्देश्य के लिए सीजेडएम मानचित्रों पर चक्रवात आश्रयों, रेन शेल्टर्स, हेलिपैडों तथा अन्य आधारभूत संरचनाओं सहित सड़क नेटवर्क जैसी विशेषताओं को स्पष्ट रूप से इंगित किया जाए।

(ix) भवनों के निर्माण या अन्य कार्यकलापों को सीजेडएमपी के अधीन अनुज्ञात किया जाएगा बशर्ते कि ठोस तथा द्रव अपशिष्टों का उचित प्रबंधन तथा निपटान पर्यावरणीय मानकों, नियमों तथा संविधियों के अनुसार किया जाएगा और किसी भी परिस्थिति में अशोधित बहिस्त्रावों का तटीय जल में निस्सारण नहीं किया जाएगा।

## 6. सीजेडएमपी पर जनता से परामर्श

(i) तैयार किए गए प्रारूप सीजेडएमपी का व्यापक रूप से प्रचार किया जाएगा तथा पर्यावरण (संरक्षण) अधिनियम, 1986 के अनुसार सुझाव और आपत्तियां प्राप्त होंगी। सीजेडएमपी पर जन सुनवाई, संबंधित सीजेडएमए द्वारा जिला स्तर पर की जाएगी।

(ii) प्राप्त सुझावों तथा आपत्तियों के आधार पर सीजेडएमपी में संशोधन किया जाएगा तथा इस पर पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय का अनुमोदन प्राप्त किया जाएगा।

(iii) अनुमोदित सीजेडएमपी को पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की वेबसाइट तथा संबंधित राज्य और संघ राज्य क्षेत्र तटीय जोन प्रबंधन प्राधिकरण की संबंधित वेबसाइट पर डाला जाएगा तथा इसकी हार्डकॉपी पंचायत कार्यालय और जिला कलेक्टर के कार्यालय में उपलब्ध कराई जाएगी।

## 7. तटीय जोन प्रबंधन योजनाओं का संशोधन

(i) संदेह होने पर संबंधित राज्य या संघ राज्य क्षेत्र के तटीय क्षेत्र प्रबंधन प्राधिकरण, मामले को राष्ट्रीय संवहनीय तटीय प्रबंधन केन्द्र को हस्तांतरित करेगा जो अद्यतन उपग्रह चित्र तथा वास्तविकता के आधार पर सीजेडएमपी का सत्यापन करेगा।

(ii) यदि अपेक्षित हो तो संशोधित मानचित्र को पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के विचारार्थ प्रस्तुत किया जाएगा।

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## उपाबंध-V

## परियोजना सूचना का विवरण

## 1. परियोजना विवरण

- क. परियोजना का नाम  
ख. सर्वे नं./गांव/कोर्डिनेट  
ग. जिला  
घ. राज्य  
ड. किसके लिए प्रस्ताव (संबंधित क्षेत्र का चयन करें) है :  
(i) सीआरजेड के अधीन नयी मंजूरी  
(ii) पहले से जारी सीआरजेड की मंजूरी में संशोधन  
(iii) पहले से जारी सीआरजेड मंजूरी की वैधता को बढ़ाना  
च. आवेदक का नाम  
छ. आवेदक का पता  
ज. संपर्क का विवरण : (दूरभाष संख्या तथा ईमेल पता)  
झ. परियोजना की लागत (करोड़ रु. में)

## 2. परियोजना का लाभ

- क. परियोजना लाभ का विवरण  
ख. संभावित रोजगार का सृजन (हां/ना)  
(i) अपेक्षित कुल जनशक्ति  
(ii) स्थायी रोजगार (संख्या)  
(iii) अस्थायी रोजगार (संख्या)  
(iv) अस्थायी रोजगार - निर्माण के दौरान (संख्या)  
(v) अस्थायी रोजगार- प्रचालन के दौरान (संख्या)



## 3. विचाराधीन परियोजना का विवरण (परियोजना की श्रेणी का चयन करें) :

## क. आश्रय/भवन/नागरिक सुविधाएं

- (i) कुल क्षेत्र/निर्मित क्षेत्र (वर्ग मी. में)  
(ii) संरचना की ऊंचाई  
(iii) एफएसआई अनुपात  
(iv) संबंधित नगर योजना प्राधिकारी/पंचायत इत्यादि का नाम  
(v) कार पार्किंग क्षेत्र के प्रावधान का विवरण

## ख. तटीय सड़कें/स्टील्ट पर सड़कें

- (i) भूमि सुधार का क्षेत्र  
(ii) उद्धार के लिए अनुमानित मलवा/मिट्टी की मात्रा

- (iii) परिवहन की क्षमता
- (iv) सड़क का परिमाण
- ग. थर्मल पावर ब्लो डाऊन से पाइपलाइनें**
- (i) पाइपलाइन की लंबाई
- (ii) सीआरजेड क्षेत्र की लंबाई अनुपात
- (iii) खुदाई की गहराई
- (iv) खुदाई की चौड़ाई
- (v) समुद्र के किनारे से समुद्र की गहराई तक पाइप लाइन की लंबाई
- (vi) समुद्र जल की सतह से आऊट प्वाइंट की गहराई
- (vii) निस्सारण बिंदु पर परिवेश के ऊपर बहिस्त्राव का तापमान
- घ. पाइपलाइन के माध्यम से शोधित बहिस्त्राव का समुद्र तट में निपटान**
- (i) प्रवेश/निकास का स्थान
- (ii) आउटफाल बिंदु की गहराई
- (iii) पाइपलाइन की लंबाई
- (iv) सीआरजेड क्षेत्र की अनुप्राय लंबाई
- (v) खुदाई की गहराई
- (vi) खुदाई की चौड़ाई
- (vii) किनारे से लेकर गहरे समुद्र संकरी खाड़ी तक पाइपलाइन की लंबाई
- (viii) जल के सतह से आउट फाल बिंदु की गहराई
- (ix) निस्सारण बिंदु पर जल की गहराई
- (x) बहिस्त्राव, बीओडी, सीओडी, टीएसएस, तेल और ग्रीस, भारी धातुएं
- ङ. सामानों/रसायनों के भण्डारण की सुविधा**
- (i) रसायन का नाम
- (ii) रसायन का अंतिम उपयोग
- (iii) भण्डारण के लिए टैंकों की संख्या
- (iv) टैंकों की क्षमता
- च. अपतटीय ढांचा**
- (i) अन्वेषण या विकास
- (ii) समुद्रतल की गहराई
- (iii) रिग्स की संख्या
- (iv) प्लेटफार्म की संख्या
- (v) समूह जमाव स्टेशनों का विवरण



**छ. विलवणीकरण संयंत्र**

- (i) विलवणीकरण की क्षमता
- (ii) कुल लवण जल उत्पादन
- (iii) निस्सारण बिंदु पर परिवेश से ऊपर बहिःस्राव का तापमान
- (iv) परिवेशी लवणता
- (v) निपटान बिंदु

**ज. दुर्लभ भूमि/आणविक खनिजों की खुदाई**

- (i) खनन की क्षमता
- (ii) निष्कर्षित किए जाने वाले खनिज
- (iii) खनिज का अंतिम उपयोग
- (iv) खनन पट्टा/जांच पड़ताल तथा अनुमोदित खनन योजना के लिए सरकारी आदेश का विवरण
- (v) खनन पट्टा क्षेत्र की सीमा

**झ. मलजल उपचार संयंत्र**

- (i) क्षमता
- (ii) निर्माण का कुल क्षेत्र
- (iii) सीपीसीबी/एसपीसीबी/अन्य प्राधिकृत एजेंसियों द्वारा यथानिर्धारित बहिःस्राव मापदंड का अनुपालन
- (iv) क्या निस्सारण समुद्र जल/संकरी खाड़ी में किया जा रहा है? यदि हां
  - समुद्र तट/ज्वारीय नदी के किनारे से समुद्री आऊट फाल बिंदु की दूरी
  - समुद्री जल/नदी जल के सतह से आऊट फाल बिंदु की गहराई
  - आऊट फाल बिंदु पर समुद्र तल/नदी तल की गहराई

**व. लाइट हाऊस**

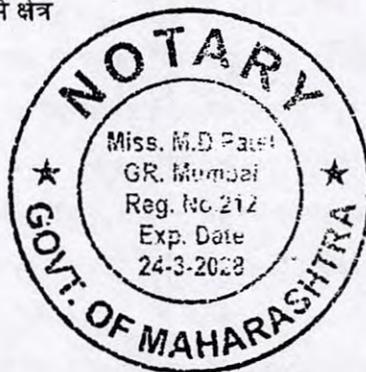
- (i) संस्थापना/प्लेटफार्म का कुल भूमि क्षेत्र
- (ii) संरचना की ऊंचाई

**ट. पवन चक्की**

- (i) क्षमता (मेगावाट)
- (ii) पवन चक्की की ऊंचाई
- (iii) पवन चक्की का व्यास
- (iv) ब्लेड की लंबाई
- (v) घूर्णन की गति
- (vi) प्रसारण की रेखा, (ऊपरी या भूमिगत)

**ठ. अन्य**

- (i) कृपया महत्वपूर्ण विशेषताएं के साथ उल्लेख करें
- (ii) संगत कागजातों को दर्शाएं (केवल पीडीएफ में अपलोड करें)



4. सीआरजेड वर्गीकरण के अनुसार परियोजना की स्थिति (यदि परियोजना स्थल विभिन्न/भिन्न सीआरजेड श्रेणियों में पड़ता है तब भी उसका उल्लेख किया जाए)।
5. सीआरजेड अधिसूचना की धारा जिसके अधीन यह परियोजना अनुमत/विनियमित कार्यकलाप है।
6. परियोजना मूल्यांकन के लिए आवश्यक कार्य क्षेत्र
- क. एचटीएल, एलटीएल सीमांकन दर्शाते हुए 1:4000 मान सीआरजेड मानचित्र और एचटीएल से समीपी परियोजना सीमादीवार (मीटर में) की दूरी का उल्लेख किया जाएगा:
- (i) अपलोड मैप (किमी में फाइल)
- ख. परियोजना की स्थिति के वर्गीकरण सहित अन्य तैयार अधिसूचित ईएसए के साथ सीआरजेड नक्शा - 1:4000 मान पर अभ्यारोपित परियोजना का अभिविन्यास
- (i) अपलोड मैप (किमी में फाइल)
- ग. परियोजना स्थल के आस पास से 7 किमी व्यास को शामिल करते हुए 1:25000 मान पर सीआरजेड नक्शा :
- (i) अपलोड मैप (फाइल किमी में)
7. परियोजना की स्थिति (प्रकार का चयन करें)
- (i) अपरदनरहित तट
- (ii) निम्न एवं मध्यम अपरदन तट
- (iii) अत्यधिक अपरदन तट
8. सम्मिलित वन/कच्छ वनास्पति भूमि का विवरण (हां/ना) यदि हां तो
- (i) अपवर्तित भूमि का विवरण
- (ii) प्रस्तुत की जाने वाली पर्यावरण मंजूरी (कागजात अपलोड करें)
- (iii) इस परियोजना में काटे जाने वाले पेड़ों की संख्या
- (iv) प्रस्तुत की जाने वाली प्रतिपूरक वनीकरण योजना (कागजात अपलोड करें)
9. ईएसए/तटीय पार्क/वन्यजीव अभ्यारण्य से प्रस्तावित परियोजना की दूरी
- (i) परियोजना स्थल के 10 किलो मीटर के दायरे में (हां/ना) यदि हां
- एनडब्ल्यूबीएल से अनुमति को प्रस्तुत करना (कागजात अपलोड करें)
10. राज्य/संघ राज्य क्षेत्र के प्रदूषण नियंत्रण बोर्ड से प्राप्त बनापत्ति प्रमाण पत्र वा स्थापना की सहमति (हां/ना) यदि हां
- (i) एनओसी की प्रति प्रस्तुत करें (कागजात अपलोड करें)
- (ii) लगाई गई शर्तों का उल्लेख करें (कागजात अपलोड करें)
11. पर्यावरण समाघात निर्धारण अध्ययन (संबंधित विषय को भरें)
- क. स्थलीय अध्ययन
- (i) पर्यावरण समाघात निर्धारण (स्थलीय) अध्ययन का संक्षिप्त ब्यौरा
- (ii) पर्यावरण समाघात निर्धारण में की गई संस्तुति को अपलोड करें (कागजात अपलोड करें)
- (iii) अध्ययन की समयावधि का उल्लेख
- ख. समुद्र तटीय अध्ययन
- (i) पर्यावरण समाघात निर्धारण (समुद्री) अध्ययन के सारांश का विवरण

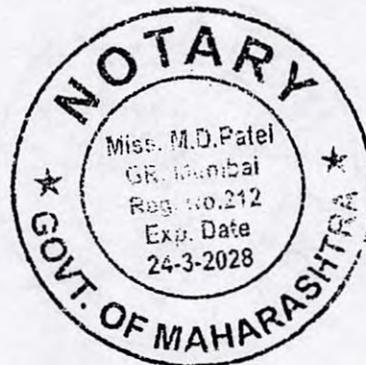


- (ii) पर्यावरण समाघात निर्धारण में की गई संस्तुति को अपलोड करें (कागजात अपलोड करें)
- (iii) अध्याय की समयावधि का उल्लेख
12. आपदा प्रबंधन योजना/राष्ट्रीय तेल छितराव आपदा संभावना योजना (यदि लागू हो)
13. तरल बहिस्त्राव के निस्सारण में सम्मिलित परियोजना :
- (i) मल निस्सारण उपचार संयंत्र की क्षमता
- (ii) उत्पन्न बहिस्त्राव की मात्रा
- (iii) उपचारित बहिस्त्राव की मात्रा
- (iv) उपचार और निपटारे का तरीका
14. ठोस अपशिष्ट के निस्सारण में शामिल परियोजना :
- (i) ठोस अपशिष्ट का प्रकार
- (ii) उत्पन्न ठोस अपशिष्ट की मात्रा
- (iii) निस्सारण का तरीका
- (iv) परिवहन का स्वरूप
15. प्रतिदिन किलो मीटर में जल आवश्यकता (केएलडी)
- (i) अपेक्षित जल की मात्रा
- (ii) जल का स्रोत
- (iii) यदि भूमिगत जल (केन्द्रीय भूजल प्राधिकरण या प्राधिकृत निकाय से अनुमोदन की प्रति अपलोड करें)
- (iv) यदि कोई अन्य स्रोत हो (सक्षम प्राधिकारी से प्राप्त अनुमति की प्रति संलग्न करें)
- (v) परिवहन का स्वरूप
- (vi) जलापूर्ति की सपुर्दगी (दस्तावेज अपलोड करें)
16. जल शोधन तथा पुनश्चक्रण का विवरण (यदि कोई हो) (बहुविध प्रविष्टियों की अनुमति है)

प्रकार/स्रोत	सृजित अपशिष्ट जल की मात्रा (किलो मीटर प्रति दिन)	शोधन क्षमता (किलो मीटर प्रति दिन)	शोधन क्षमता	निपटान का स्वरूप	छोड़े गए जल की मात्रा (किलो लीटर प्रति दिन)	पुनश्चक्रण/पुनः उपयोग में प्रयुक्त शोधित जल की मात्रा

17. वर्षा जल संचय का विवरण

- (i) भण्डारण टैंकों की संख्या
- (ii) टैंक की कुल क्षमता
- (iii) रिचार्ज गड्डों की संख्या
- (iv) गड्डों की क्षमता



**18. अपेक्षित ऊर्जा और स्रोत**

- (i) कुल अपेक्षित ऊर्जा (किलोवाट एच)
- (ii) स्रोत
- (iii) समझौते की प्रति अपलोड करें (केवल पीडीएफ में अपलोड करें)
- (iv) एवजी प्रबंधन (विवरण)

**19. ऊर्जा दक्षता/बचत के उपाय**

- (i) स्रोत/स्वरूप
- (ii) बचत का विवरण

**20. राज्य तटीय क्षेत्र प्रबंधन प्राधिकरण की संस्तुति**

- (i) सीजेडएमए की संस्तुति की प्रति अपलोड करें (केवल पीडीएफ में अपलोड करें)
- (ii) लागू शर्तों के अनुपालन की स्थिति

**21. क्या प्रस्ताव पर ईआई अधिसूचना, 2006 लागू है (हां/ना)**

- (i) उसकी श्रेणी का ब्यौरा क्या है?
- (ii) इसी के लिए प्रस्ताव का ब्यौरा (जैसा लागू हो)

**22. सामाजिक तथा पर्यावरणीय मामलों तथा सुझाए गए उपशमन के उपायों सहित लेकिन आर एंड आर, जल, वायु, खतरनाक अपशिष्ट, पारिस्थितिकीय पहलू इत्यादि तक सीमित नहीं। (संक्षिप्त विवरण दें)****23. न्यायालय के मामलों का विवरण क्या परियोजना तथा या भूमि जहां परियोजना स्थापित करना का प्रस्तावित के विरुद्ध कोई मामला न्यायालय में लंबित है (हां/ना)**

यदि हां,

लंबित या समाप्त (संगत का चयन करें)

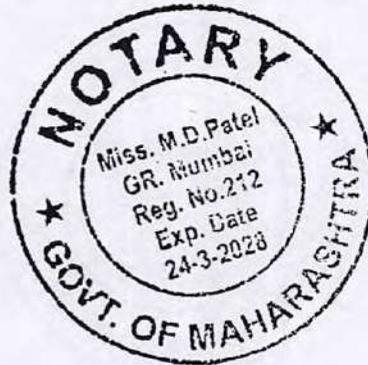
- (i) न्यायालय का नाम (सर्वोच्च न्यायालय, उच्च न्यायालय, राष्ट्रीय हरित अधिकरण)
- (ii) मामला संख्या
- (iii) मामले का विवरण
- (iv) न्यायालय का आदेश/निर्देश यदि कोई हो तथा प्रस्तावित परियोजना से इसकी संगतता (कागजात अपलोड करें)

**24. अतिरिक्त सूचना, कोई हो**

**वचनबद्धता :** यह प्रमाणित किया जाता है कि उपरोक्त दी गई जानकारी मेरी जानकारी और विश्वास के अनुसार पूर्णतया सत्य है तथा सीआरजेड अधिसूचना, 2011 के उपबंधों के उल्लंघन संबंधी किसी भी तथ्य को छुपाया नहीं गया है।

आवेदक का नाम और हस्ताक्षर

तारीख :



## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

## NOTIFICATION

New Delhi, the 18th January, 2019

**G.S.R. 37(E).**—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.19 (E), dated the 6<sup>th</sup> January, 2011 (hereinafter referred to as the Coastal Regulation Zone Notification, 2011), the Central Government declared certain coastal stretches as Coastal Regulation Zone (hereinafter referred to as the CRZ) under section 3 of Environment (Protection) Act, 1986 (29 Of 1986);

And Whereas, the Ministry of Environment, Forest and Climate Change has received representations from various coastal States and Union territories, besides other stakeholders, regarding certain provisions in the Coastal Regulation Zone Notification, 2011 related to management and conservation of marine and coastal ecosystems, development in coastal areas, eco-tourism, livelihood options and sustainable development of coastal communities etc.;

And Whereas, various State Governments and Union territory administrations and stakeholders have requested the Ministry of Environment, Forest and Climate Change to address the concerns related to coastal environment and sustainable development with respect to the Coastal Regulation Zone Notification, 2011;

And Whereas, the Ministry of Environment, Forest and Climate Change had constituted a Committee under the Chairmanship of Dr. Shailesh Nayak to examine various issues and concerns of coastal States and Union territories and various stakeholders, relating to the Coastal Regulation Zone Notification 2011 and to recommend appropriate changes in the said Notification;

And Whereas, the report submitted by Dr. Shailesh Nayak Committee has been examined in the Ministry and consultations have been held with various stakeholders in this regard;

And Whereas, a draft Coastal Regulation Zone Notification, 2018 was issued and hosted in the website of the Ministry of Environment, Forest and Climate Change on the 18<sup>th</sup> April, 2018 seeking comments and suggestions from all concerned;

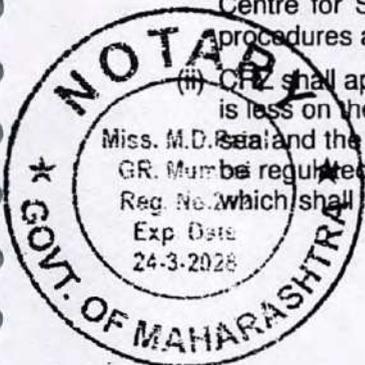
And Whereas, objections and suggestions received in response to the above mentioned draft Coastal Regulation Zone Notification, 2018 have been duly considered by the Central Government;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Coastal Regulation Zone Notification 2011, number S.O. 19(E), dated the 6<sup>th</sup> January, 2011, except as respects things done or omitted to be done before such supersession, the Central Government, with a view to conserve and protect the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming, do hereby, declares the coastal stretches of the country and the water area up to its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands, as Coastal Regulation Zone as under:-

- (i) The land area from High Tide Line (hereinafter referred to as the HTL) to 500 meters on the landward side along the sea front.

Explanation. - For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide, as demarcated by the National Centre for Sustainable Coastal Management (NCSCM) in accordance with the laid down procedures and made available to various coastal States and Union territories.

- (ii) CRZ shall apply to the land area between HTL to 50 meters or width of the creek, whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of five parts per thousand (ppt).



measured during the driest period of the year and distance up to which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plan (hereinafter referred to as the CZMP):

Provided that the CRZ limit of 50 meters or width of the creek whichever is less, shall be subject to revision and final approval of the respective CZMPs as per this notification, framed with due consultative process, public hearing etc. and environmental safeguards enlisted therein, and till such time the CZMP to this notification is approved, the limit of 100 meters or width of the creek whichever is less, shall continue to apply.

Explanation.- For the purposes of this sub-paragraph the expression "tidal influenced water bodies" means the water bodies influenced by tidal effects from sea in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds that are connected to the sea.

- (iii) The "intertidal zone" means land area between the HTL and the Low Tide Line (hereinafter referred to as the LTL).
- (iv) The water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

**2.0 Classification of CRZ.** – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely: -

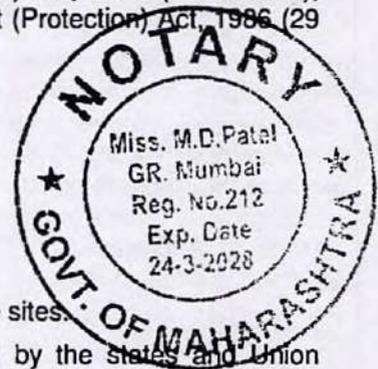
**2.1 CRZ-I areas are environmentally most critical and are further classified as under:**

**2.1.1 CRZ-I A:**

- (a) CRZ-I A shall constitute the following ecologically sensitive areas (ESAs) and the geomorphological features which play a role in maintaining the integrity of the coast viz.:
  - (i) Mangroves (in case mangrove area is more than 1000 square meters, a buffer of 50 meters along the mangroves shall be provided and such area shall also constitute CRZ-I A);
  - (ii) Corals and coral reefs;
  - (iii) Sand dunes;
  - (iv) Biologically active mudflats;
  - (v) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986), including Biosphere Reserves;
  - (vi) Salt marshes;
  - (vii) Turtle nesting grounds;
  - (viii) Horse shoe crabs' habitats;
  - (ix) Sea grass beds;
  - (x) Nesting grounds of birds;
  - (xi) Areas or structures of archaeological importance and heritage sites.
- (b) A detailed environment management plan shall be formulated by the states and Union territories for such ecologically sensitive areas in respective territories, as mapped out by the National Centre for Sustainable Coastal Management (NCSCM), Chennai based on guidelines as contained in **Annexure-I** to this notification and integrated with the CZMP.

**2.1.2 CRZ-I B:**

The intertidal zone i.e. the area between Low Tide Line and High Tide Line shall constitute the CRZ-I B.



**2.2 CRZ-II:**

CRZ-II shall constitute the developed land areas up to or close to the shoreline, within the existing municipal limits or in other existing legally designated urban areas, which are substantially built-up with a ratio of built-up plots to that of total plots being more than 50 per cent and have been provided with drainage and approach roads and other infrastructural facilities, such as water supply, sewerage mains, etc.

**2.3 CRZ-III:**

Land areas that are relatively undisturbed (viz. rural areas, etc.) and those which do not fall under CRZ-II, shall constitute CRZ-III, and CRZ-III shall be further classified into following categories: -

**2.3.1 CRZ-III A:**

Such densely populated CRZ-III areas, where the population density is more than 2161 per square kilometre as per 2011 census base, shall be designated as CRZ-III A and in CRZ-III A, area up to 50 meters from the HTL on the landward side shall be earmarked as the 'No Development Zone (NDZ)', provided the CZMP as per this notification, framed with due consultative process, have been approved, failing which, a NDZ of 200 meters shall continue to apply.

**2.3.2 CRZ-III B:**

All other CRZ-III areas with population density of less than 2161 per square kilometre, as per 2011 census base, shall be designated as CRZ-III B and in CRZ-III B, the area up to 200 meters from the HTL on the landward side shall be earmarked as the 'No Development Zone (NDZ)'.

**2.3.3:**

Land area up to 50 meters from the HTL, or width of the creek whichever is less, along the tidal influenced water bodies in the CRZ III, shall also be earmarked as the NDZ in CRZ III.

*Note: The NDZ shall not be applicable in the areas falling within notified Port limits.*

**2.4 CRZ- IV:**

The CRZ- IV shall constitute the water area and shall be further classified as under:-

**2.4.1 CRZ- IVA:**

The water area and the sea bed area between the Low Tide Line up to twelve nautical miles on the seaward side shall constitute CRZ-IV A.

**2.4.2 CRZ- IVB:**

CRZ-IV B areas shall include the water area and the bed area between LTL at the bank of the tidal influenced water body to the LTL on the opposite side of the bank, extending from the mouth of the water body at the sea up to the influence of tide, i.e., salinity of five parts per thousand (ppt) during the driest season of the year.

**3.0 Areas requiring special consideration in the CRZ.-** Following coastal areas shall be accorded special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities: -

**3.1 Critically Vulnerable Coastal Areas (CVCA):**

Sundarban region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 such as Gulf of Khambat and Gulf of Kutchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhitarkanika in Odisha, Coringa, East Godavari and Krishna in Andhra Pradesh shall be treated as Critical Vulnerable Coastal Areas (CVCA) and managed with the involvement of coastal communities including fisher folk who depend on coastal resources for their sustainable livelihood.

3.2 CRZ for inland Backwater islands and islands along the mainland coast.

3.3 CRZ falling within municipal limits of Greater Mumbai.



**4. Prohibited activities within CRZ.-** The following activities shall be prohibited, in general, within the entire CRZ and exceptions to these and other permissible and regulated activities in specific CRZ categories viz. CRZ-I, II, III and IV, shall be governed by the provisions of paragraph 5:-

- (i) Setting up of new industries and expansion of existing industries, operations or processes.
- (ii) Manufacture or handling of oil, storage or disposal of hazardous substances as specified in the notification of the Ministry of Environment, Forest and Climate Change number G.S.R.395 (E), dated the 4<sup>th</sup> April, 2016.
- (iii) Setting up of new fish processing units.
- (iv) Land reclamation, bunding or disturbing the natural course of seawater except for the activities permissible under this notification and executed with prior permission from the competent authority.
- (v) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements.
- (vi) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling.
- (vii) Port and harbour projects in high eroding stretches of the coast.
- (viii) Mining of sand, rocks and other sub-strata materials.
- (ix) Dressing or altering of active sand dunes.
- (x) In order to safeguard the aquatic system and marine life, disposal of plastic into the coastal waters shall be prohibited and adequate measures for management and disposal of plastic materials shall be undertaken in the CRZ.
- (xi) Drawal of ground water.

**5. Regulation of permissible activities in CRZ:**

**5.1 CRZ-I:**

**5.1.1. CRZ-IA:**

These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions:-

- (i) Eco-tourism activities such as mangrove walks, tree huts, nature trails, etc., in identified stretches areas subject to such eco-tourism plan featuring in the approved CZMP as per this notification, framed with due consultative process, public hearing, etc. and further subject to environmental safeguards and precautions related to the Ecologically Sensitive Areas, as enlisted in the CZMP.
- (ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities.
- (iii) Construction of roads and roads on stilts, by way of reclamation in CRZ-I areas, shall be permitted only in exceptional cases for defence, strategic purposes and public utilities, subject to a detailed marine or terrestrial or both environment impact assessment, to be recommended by the Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case construction of such roads passes through mangrove areas or is likely to damage the mangroves, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

**5.1.2 CRZ-I B - The Inter tidal areas:**

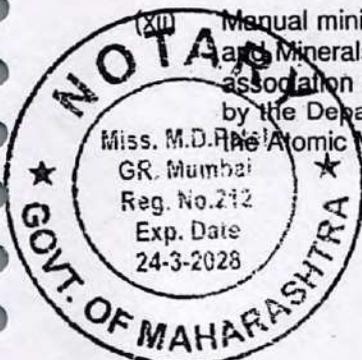
Activities shall be regulated or permissible in the CRZ-I B areas as under:-

- (i) Land reclamation, bunding, etc. shall be permitted only for activities such as



- (a) foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, hover ports for coast guard, sea links, etc;
- (b) projects for defence, strategic and security purposes;
- (c) road on stilts, provided that such roads shall not be authorised for permitting development on the landward side of such roads, till the existing High Tide Line:  
Provided that the use of reclaimed land may be permitted only for public utilities such as mass rapid or multimodal transit system, construction and installation of all necessary associated public utilities and infrastructure to operate such transit or transport system including those for electrical or electronic signaling system, transit stopover of permitted designs; except for any industrial operation, repair or maintenance;
- (d) measures for control of erosion;
- (e) maintenance and clearing of waterways, channels, ports and hover ports for coast guard;
- (f) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.
- (iii) Power by non-conventional energy sources and associated facilities.
- (iv) Transfer of hazardous substances from ships to Ports, terminals and refineries and vice versa.
- (v) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II to this notification, subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment, Forest and Climate Change, provided that such facilities are for receipt and storage of fertilizers and raw materials required for fertilizers, like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid, etc.
- (vi) Storage of non-hazardous cargo i.e. edible oil, fertilizers and food grains in notified Ports.
- (vii) Hatchery and natural fish drying.
- (viii) Existing fish processing units may utilise 25% additional plinth area for modernisation purposes (only for additional equipment and pollution control measures) subject to the following:-
- (a) Floor Space Index of such reconstruction not exceeding the permissible Floor Space Index as per prevalent town and country planning regulations;
- (b) additional plinth area is constructed only to the landward side.
- (c) approval of the concerned State Pollution Control Board or Pollution Control Committee.
- (ix) Treatment facilities for waste and effluents and conveyance of treated effluents.
- (x) Storm water drains.
- (xi) Projects classified as strategic, defence related projects and projects of the Department of Atomic Energy, Government of India.

(xii) Manual mining of atomic mineral(s) notified under Part-B of the First Schedule to the Mining and Minerals (Development and Regulation) Act, 1957(67 of 1957) occurring as such or in association with one or other minerals in the intertidal zone by such agencies as authorised by the Department of Atomic Energy, Government of India as per mining plan approved by the Atomic Mineral Directorate for Exploration and Research:



Provided that the manual mining operations shall be carried out only by deploying persons using baskets and hand spades for collection of ore or mineral within the intertidal zone and as per approved mining plan, without deploying or using drilling and blasting or Heavy Earth Moving Machinery in the intertidal zone.

- (xiii) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (xiv) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water, intake water for desalination plants, etc, and outfall for discharge of treated wastewater or cooling water from thermal power plants in conformity with the environmental standards notified by Ministry of Environment, Forest and Climate Change and relevant directions of Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), as the case may be.
- (xv) Pipelines, conveying systems including transmission lines.
- (xvi) Weather radar for monitoring of cyclones prediction, ocean observation platforms, movement and associated activities.
- (xvii) Salt harvesting and associated facilities.
- (xviii) Desalination plants and associated facilities.

#### 5.2 CRZ-II:

- (i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable.
- (ii) Construction of buildings for residential purposes, schools, hospitals, institutions, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

- (iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification, and in the event that there is a need for amendment of the FSI after the date of publication of this notification in the official Gazette, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the SCZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures, etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.
- (iv) Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette and in the event that there is a need for amendment of the FSI after the said date of this notification, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the CZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are



handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.

- (v) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at **Annexure-III** to this notification.
- (vi) Temporary tourism facilities shall be permissible in the beaches which shall only include shacks, toilets or washrooms, change rooms, shower panels; walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements, etc. and such facilities shall however be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification, framed with due consultative process or public hearing, etc. and further subject to environmental safeguards enlisted in the CZMP, however, a minimum distance of 10 meter from HTL shall be maintained for setting up of such facilities.

### 5.3 CRZ-III:

- (i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-III, in so far as applicable.

(ii) **Regulation of activities in NDZ:**

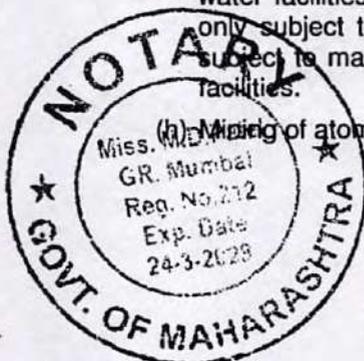
Following shall be permissible and regulated in the NDZ:-

- (a) No construction shall be permitted within NDZ in CRZ III, except for repairs or reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under this notification including facilities essential for activities and construction or reconstruction of dwelling units of traditional coastal communities including fisher folk, incorporating necessary disaster management provisions and proper sanitation arrangements.
- (b) Agriculture, horticulture, gardens, pastures, parks, playfields and forestry.
- (c) Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by Coastal Zone Management Authority (CZMA).
- (d) Construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee.
- (e) Facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like.
- (f) Wherever there is a national or State highway passing through the NDZ of CRZ-III areas, temporary tourism facilities such as toilets, change rooms, drinking water facility and temporary shacks can be taken up on the seaward side of the road.

On landward side of such roads in the NDZ, resorts or hotels and associated tourism facilities shall be permitted and such facilities shall, however, be permitted only subject to the incorporation of tourism plan in the approved CZMP as per this notification and the conditions or guidelines at Annexure-III, to this notification as applicable.

- (g) Temporary tourism facilities shall be permissible in the NDZ and beaches in the CRZ-III areas and such temporary facilities shall only include shacks, toilets or washrooms, change rooms, shower panels, walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements etc., and such facilities shall, however, be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification subject to maintaining a minimum distance of 10 meters from HTL for setting up of such facilities.

(h) Mining of atomic minerals notified under Part-B of the First Schedule to Mining and



Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals by such agencies as authorised by the Department of Atomic Energy, Government of India, as per mining plan by the Atomic Mineral Directorate for Exploration and Research.

(iii) **Regulation of activities for CRZ-III areas beyond NDZ:**

- (a) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification.
- (b) Construction or reconstruction of dwelling units, so long it is within the ambit of traditional rights and customary uses such as existing fishing villages, etc. and building permission for such construction or reconstruction will be subject to local town and country planning rules, with an overall height of construction not exceeding 9 meters and with only two floors (ground + one floor).
- (c) The local communities including fishermen may be permitted to facilitate tourism through 'home stay' without changing the plinth area or design or facade of the existing houses.
- (d) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads, bridges, etc.
- (e) Limestone mining:

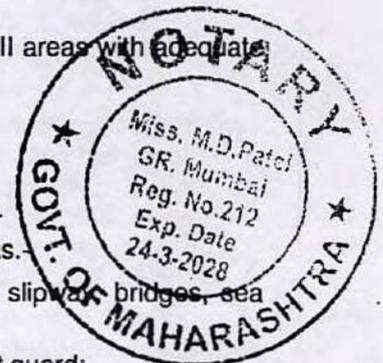
Selective mining of limestone minerals may be permitted in specific identified areas under the mining plans, which are adequately above the height of HTL, based on the recommendations of reputed National Institutes in the mining field such as Council of Scientific and Industrial Research (CSIR), Central Mining Research Institute etc., provided that the extraction of minerals shall be carried out not below a height of 1 meter above the HTL and an adequate barrier shall be created so as to safeguard against saline water incursion and subject to appropriate safeguards related to pollution of coastal waters and prevention of coastal erosion.

- (f) Mining of atomic minerals notified under Part-B of the First Schedule of Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals by such agencies as authorised by Department of Atomic Energy, Government of India, as per mining plan by the Atomic Mineral Directorate for Exploration and Research.
- (iv) Drawing of groundwater and construction related thereto shall be prohibited within 200 meters of HTL except for the use of local communities in areas inhabited by them and in the areas between 200 to 500 meters of the HTL, groundwater withdrawal may be permitted only through manual means from ordinary wells for drinking, horticulture, agriculture and fisheries, etc. where no other source of water is available and restrictions for such drawal may be imposed by the designated Authority by State Government or Union territory Administration in the areas affected by sea water intrusion, however, for horticulture and agriculture purpose, micro irrigation promoted by Government welfare schemes shall be permitted.
- (v) Development of airports in wastelands and non-arable lands in CRZ-III areas with adequate environmental safeguards.

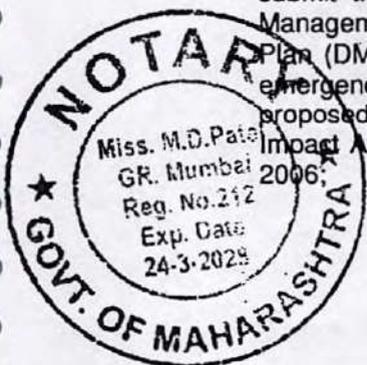
**5.4 CRZ-IV:**

Activities shall be permitted and regulated in the CRZ IV areas as under:-

- (i) Traditional fishing and allied activities undertaken by local communities.
- (ii) Land reclamation, bunding, etc to be permitted only for activities such as:
  - (a) foreshore facilities like ports, harbours, Jetties, wharves, quays, slipways, bridges, sea links and hover ports for coast guard ,etc;
  - (b) projects for defence, strategic and security purpose including coast guard;



- (c) measures for control of erosion;
- (d) maintenance and clearing of waterways, channels and ports;
- (e) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities and the like.
- (iv) Power by non-conventional energy sources and associated facilities such as offshore wind, wave energy, ocean thermal energy conversion, etc.
- (v) Transfer of hazardous substances from ships to Ports.
- (vi) Storage of non-hazardous cargo like edible oil, fertilizers and food grains in notified Ports.
- (vii) Facilities for discharging treated effluents into the water course.
- (viii) Projects classified as strategic and defence related projects including coast guard coastal security network.
- (ix) Projects of department of Atomic Energy.
- (x) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto.
- (xi) Exploration and mining of atomic minerals notified under Part-B of the First Schedule of the Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957), occurring as such or in association with other mineral(s) and of such associated mineral(s).
- (xii) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, and foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, in conformity with the environmental standards notified by Ministry of Environment, Forest and Climate Change and relevant directions of the Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee.
- (xiii) Pipelines, conveying systems including transmission lines.
- (xiv) Weather radar for monitoring of cyclone prediction, ocean observation platforms, movement and associated activities.
- (xv) Construction of memorials or monuments and allied facilities by the concerned State Government in CRZ-IV (A) areas, in exceptional cases, with adequate environmental safeguards, subject to the following, namely: -
- (a) the concerned State Government shall submit justification for locating the project in CRZ-IVA area along with details of alternate sites considered and weightage matrix on various parameters including environmental parameters, to State Coastal Zone Management Authority who will examine the project and make recommendation to the Central Government (Ministry of Environment, Forest and Climate Change) for grant of Terms of Reference (ToRs) for preparation of an environmental impact assessment report by the State Government;
- (b) On grant of ToRs by the Central Government, the concerned State Government shall submit the draft Environmental Impact Assessment report (EIA) with Environmental Management Plan (EMP), draft Risk Assessment Report with Disaster Management Plan (DMP) including on-site and off-site emergency plan and evacuation plan during emergency, to the State Pollution Control Board for conduct of public hearing for the proposed project in accordance with the procedure laid down under the Environment Impact Assessment (EIA) notification number S.O. 1533(E), dated the 14<sup>th</sup> September,



- (c) The concerned State Government shall, after addressing the relevant issues raised by the public during the public hearing referred to in sub-item (b), submit the final EIA, EMP, Risk Assessment and DMP, to the State CZMA for their examination and recommendation to MoEF&CC;
- (d) The Central Government may, if it considers necessary so to do, dispense with the requirement of public hearing referred to in sub-clause (b), if it is satisfied that the project will not involve rehabilitation and resettlement of the public or the project site is located away from human habitation.

### 5.5 Requirement for Clearance from Department of Atomic Energy installations:

Prior to undertaking any developmental activity including construction of new structures, falling in the boundary limits specified by Atomic Energy Regulatory Board (AERB) guidelines, prior clearance shall be obtained from Department of Atomic Energy installations.

### 6. Coastal Zone Management Plan (CZMP)

- (i) All coastal States and Union territory administrations shall revise or update their respective coastal zone management plan (CZMP) framed under CRZ Notification, 2011 number S.O. 19(E), dated 6<sup>th</sup> January, 2011, as per provisions of this notification and submit to the Ministry of Environment, Forest and Climate Change for approval at the earliest and all the project activities attracting the provisions of this notification shall be required to be appraised as per the updated CZMP under this notification and until and unless the CZMPs is so revised or updated, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification, 2011 shall continue to be followed for appraisal and CRZ clearance to such projects.
- (ii) The CZMP may be prepared or updated by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of Ministry of Environment, Forest and Climate Change and in consultation with the concerned stakeholders.
- (iii) The coastal States and Union territories shall prepare draft CZMP in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in **Annexure-IV** to this notification, which involve public consultation.
- All developmental activities listed in this notification shall be regulated by the State Government, Union territory administration, the local authority or the concerned Coastal Zone Management Authority within the framework of such approved CZMP, as the case may be, in accordance with provisions of this notification.
- (iv) The draft CZMP shall be submitted by the State Government or Union territory to the concerned Coastal Zone Management Authority for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986 (29 of 1986).
- (v) The Ministry of Environment, Forest and Climate Change shall thereafter consider and approve the respective CZMP of concerned State Governments or Union territory administrations.
- (vi) The CZMP shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking a revision.

### 7. CRZ clearance for permissible and regulated activities- Delegation:

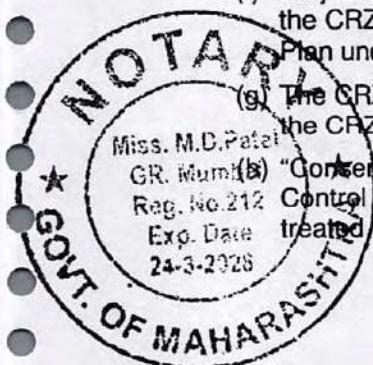
- (i) All permitted or regulated project activities attracting the provisions of this notification shall be required to obtain CRZ clearance prior to their commencement.
- (ii) All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by Ministry of Environment, Forest and Climate Change for CRZ clearance, based on the recommendation of the concerned Coastal Zone Management Authority.



- (iii) For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority.
- (iv) Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) or the Ministry of Environment, Forest and Climate Change for category 'B' and category 'A' projects respectively.
- (v) In case of building or construction projects with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 these shall be approved by the concerned local State or Union territory Planning Authorities in accordance with this notification, after obtaining recommendations of the concerned Coastal Zone Management Authority.
- (vi) Only for self-dwelling units up to a total built up area of 300 square meters, approval shall be accorded by the concerned local Authority, without the requirement of recommendations of concerned Coastal Zone Management Authority and such authorities shall, however, examine the proposal from the perspective of the Coastal Regulation Zone notification before according approval.

**8. Procedure for CRZ clearance for permissible and regulated activities:**

- (i) The project proponents shall apply with the following documents to the concerned State or the Union territory Coastal Zone Management Authority for seeking prior clearance under this notification:-
- (a) Project summary details as per Annexure-V to this notification.
- (b) Rapid Environment Impact Assessment (EIA) Report including marine and terrestrial component, as applicable, except for building construction projects or housing schemes.
- (c) Comprehensive EIA with cumulative studies for projects, (except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 number S.O 1533(E), dated 14<sup>th</sup> September, 2006) if located in low and medium eroding stretches, as per the CZMP to this notification.
- (d) Risk Assessment Report and Disaster Management Plan, except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 number S.O 1533(E), dated 14<sup>th</sup> September, 2006).
- (e) CRZ map in 1:4000 scale, drawn up by any of the agencies identified by the Ministry of Environment, Forest and Climate Change vide its Office Order number J-17011/8/92-IA-III, dated the 14<sup>th</sup> March, 2014 using the demarcation of the HTL or LTL, as carried out by NCSCM.
- (f) Project layout superimposed on the CRZ map duly indicating the project boundaries and the CRZ category of the project location as per the approved Coastal Zone Management Plan under this notification.
- (g) The CRZ map normally covering 7 kilometre radius around the project site also indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas.
- (h) "Consent to establish" or No Objection Certificate from the concerned State Pollution Control Board or Union territory Pollution Control Committee for the projects involving treated discharge of industrial effluents and sewage, and in case prior consent of



- Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this notification.
- (ii) The concerned Coastal Zone Management Authority shall examine the documents in clause (i) above, in accordance with the approved Coastal Zone Management Plan and in compliance with this notification and make recommendations within a period of sixty days from date of receipt of complete application as under: -
- (a) For the projects or activities also attracting the EIA Notification, 2006 number S.O. 1533(E), dated 14<sup>th</sup> September, 2006, the Coastal Zone Management Authority shall forward its recommendations to Ministry of Environment, Forest and Climate Change or SEIAA for category 'A' and category 'B' projects respectively, to enable a composite clearance under the EIA Notification, 2006 number S.O. 1533(E), dated 14<sup>th</sup> September, 2006, however, even for such Category 'B' projects located in CRZ-I or CRZ-IV areas, final recommendation for CRZ clearance shall be made only by the Ministry of Environment, Forest and Climate Change to the concerned SEIAA to enable it to accord a composite Environmental Clearance and CRZ clearance to the proposal.
- (b) Coastal Zone Management Authority shall forward its recommendations to the Ministry of Environment, Forest and Climate Change for the projects or activities not covered in the EIA notification, 2006, but attracting this notification and located in CRZ-I or CRZ-IV areas.
- (c) Projects or activities not covered in the aforesaid EIA Notification, 2006, but attracting this notification and located in CRZ-II or CRZ-III areas shall be considered for clearance by the concerned Coastal Zone Management Authority within sixty days of the receipt of the complete proposal from the proponent.
- (d) In case of construction projects attracting this notification but with built-up area less than the threshold limit stipulated for attracting the provisions of the aforesaid EIA Notification 2006, Coastal Zone Management Authority shall forward their recommendations to the concerned State or Union territory planning authorities, to facilitate granting approval by such authorities.
- (iii) The Ministry of Environment, Forest and Climate Change shall consider complete project proposals for clearance under this notification, based on the recommendations of the Coastal Zone Management Authority, within a period of sixty days.
- (iv) In case the Coastal Zone Management Authorities are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administration, who are the custodian of the CZMP of respective States or Union territories, to provide comments and recommend the proposals in terms of the provisions of the said notification.
- (v) The clearance accorded to the projects under this notification shall be valid for a period of seven years, provided that the construction activities are completed and the operations commence within seven years from the date of issue of such clearance.
- The validity may be further extended for a maximum period of three years, provided an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State or Union territory Coastal Zone Management Authority.
- (vi) Post clearance monitoring:
- (a) It shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on the 1<sup>st</sup> June and 31<sup>st</sup> December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned Coastal Zone Management Authority.



- (b) The compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vii) To maintain transparency in the working of the Coastal Zone Management Authority, it shall be the responsibility of the Coastal Zone Management Authority to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMP of the respective State Government or Union territory.

**9. Enforcement of this notification:**

- (i) For the purposes of implementation and enforcement of the provisions of this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 (29 of 1986) with the Ministry of Environment, Forest and Climate Change, State Government or the Union territory Administration, National Coastal Zone Management Authority and the State or Union territory Coastal Zone Management Authority;
- (ii) The composition, tenure and mandate of National Coastal Zone Management Authority and State Government or the Union territory Coastal Zone Management Authority have already been notified by the Ministry of Environment, Forest and Climate Change in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of 1993;
- (iii) The State Government or the Union territory Coastal Zone Management Authority shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned comprising at least three representatives of local traditional coastal communities including from fishermen, and the State Government may consider the enforcement of this notification to the level of respective District Magistrates.
- (iv) The dwelling units of the traditional coastal communities including fishermen, tribals as were permissible under the provisions of the Coastal Regulation Zone notification, 2011 number S.O. 19(E), dated the 6<sup>th</sup> January, 2011, but which have not obtained formal approval from concerned authorities under the said Notification shall be considered by the respective Coastal Zone Management Authority and the dwelling units shall be regularised subject to the following condition, namely: -
- (a) these are not used for any commercial activity;
- (b) these are not sold or transferred to non-traditional coastal community.

**10. Areas requiring special consideration:**

**10.1 Critically Vulnerable Coastal Areas (CVCAs):**

- (i) For all the CVCAs mentioned in sub-paragraph 3.1, Integrated Management Plans (IMPs) shall be prepared, which shall, inter alia, keep in view the conservation and management of mangroves, needs of local communities, such as dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the guidelines for preparation of Coastal Zone Management Plan.
- (ii) Till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain/cyclone shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the Coastal Zone Management Authority with due regards to the views of coastal communities including fisher folk.

**10.2 Inland backwater islands and islands along mainland coast:**

- (i) All the inland islands in the coastal backwaters and islands along the mainland coast shall also be covered under this notification.



- (ii) In view of the unique coastal systems of backwater islands and islands along the mainland coast, along with space limitations in such coastal stretches, CRZ of 20 meters from the HTL on the landward side shall uniformly apply to such islands and activities shall be regulated as under:-
- (a) existing dwelling units of local communities may be repaired or reconstructed within 20 meters from the HTL of these islands, however, no new construction shall be permitted in this zone.
- (b) foreshore facilities, such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up in CRZ limits subject to due environmental safeguards.
- (iii) Integrated Island Management Plans (IIMPs), as applicable to smaller islands in Lakshadweep and Andaman & Nicobar, as per Island Protection Zone Notification, 2011 number S.O. 20(E), dated the 6<sup>th</sup> January, 2011, shall be formulated by respective States or Union territory for all such islands and submitted to Ministry of Environment, Forest and Climate Change and till the IIMPs are framed, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification 2011 number S.O. 19(E), dated the 6<sup>th</sup> January, 2011, shall continue to apply.

### 10.3 CRZ areas falling within municipal limits of Greater Mumbai:

- (i) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (ii) Construction of sewage treatment plants in CRZ-I area for the purpose of treating the sewage from the municipal area shall be taken only by the municipal authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the Coastal Zone Management Authority and approval by the Central Government and in case the construction of such plant is inevitable in a mangrove area, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

[F. No. 19-112/2013-IA-III]

RITESH KUMAR SINGH, Jt. Secy.

Annexure-I

### CONSERVATION, PROTECTION AND MANAGEMENT FRAMEWORK FOR ECOLOGICALLY SENSITIVE AREAS

The coastal and marine Ecologically Sensitive Areas (ESAs) and the geo-morphological features play a vital role in maintaining the functions of the coast. Mangroves, beaches, coral reefs, etc., aid in controlling coastal erosion, shoreline change, saltwater intrusion and also serve as natural defence against coastal hazards such as storm surges, cyclones and tsunamis. The ESAs maintain the biological integrity of the coast by providing direct and indirect ecosystem services to the coastal livelihood. In addition, several invaluable archaeological and heritage sites are also located along the coast. Hence conservation and protection of the above areas, features and sites become necessary.

#### 1. General measures

- (i) All ESAs shall be identified and boundary delineated by NCSCM using satellite data.
- (ii) The State Governments or Union territory Administrations through the authorised agencies shall prepare CZMP as per the guidelines contained in this notification highlighting the conservation and protection of the ESAs.
- (iii) Those activities permissible under this notification shall be included in the CZMP.



Specific conditions shall be adopted for the conservation, protection and management of each of the ESAs as under: -

#### 1.1 Mangroves:

- (i) Mangroves declared as forest under the Forest (Conservation) Act, 1980 (69 of 1980).

Notwithstanding anything contained in this notification, such mangroves declared by the concerned State Governments or Union territory Administrations or Central Government as forest land under the Forest (Conservation) Act, 1980 (69 of 1980) shall attract the provisions of the said Act.

- (ii) Mangroves not declared under Forest (Conservation) Act, 1980:

(a) Mangroves in Government land shall be protected based on a detailed plan to be prepared by the concerned State Governments or Union territory administrations, and in case the mangrove area is more than 1000 square meters, a buffer of 50 metre along the periphery of mangrove area shall be provided. This buffer zone of 50 metre may be utilised for public facilities for developing parks, research facilities related to mangrove biodiversity, facilities for conservation and the like.

(b) Mangroves in private land will not require a buffer zone.

#### 1.2 Corals and coral reefs and associated biodiversity:

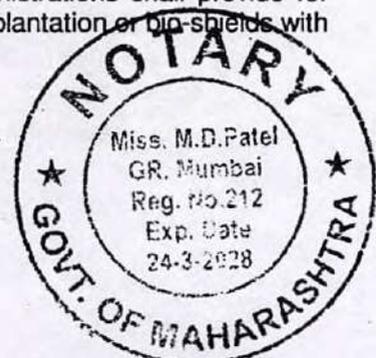
- (i) Destruction of coral and coral reefs and the surroundings is a prohibited activity.
- (ii) All coral and coral reefs shall be protected except for those small quantities required for research purposes.
- (iii) Coral and coral reefs transplantation activities shall be through recognised research institutions wherever required for regeneration after obtaining necessary approvals under Wildlife (Protection) Act 1972 (53 of 1972).
- (iv) The dead or destroyed or both coral areas shall be taken up for rejuvenation and rehabilitation. The conservation and protection of corals and coral reefs shall be taken up as follows:-
- (a) active and live coral and coral reefs identified and delineated shall be declared and notified as ESA under Environment (Protection) Act 1986 (29 of 1986);
- (b) it shall be ensured that no activities that are detrimental to the health of corals, coral reefs and its associated biodiversity, such as mining, effluent and sewage discharge, dredging, ballast water discharge, ship washings, fishing other than traditional non-destructive fisheries, construction activities and the like are taken up in and around the coral areas.

#### 1.3 The National Parks, marine parks, Sanctuaries, reserve forests, wildlife habitats and other protected areas declared under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act 1980 (69 of 1980) or Environment (Protection) Act 1986 (29 of 1986); including Biosphere Reserves shall be conserved and protected as follows:-

- (i) Conservation and protection of the above mentioned areas shall be as per the provisions of the respective Acts, notifications or guidelines as the case may be.
- (ii) Efforts shall be made to increase the forest area in the coastal region in order to prevent loss of life and property from increased storms, tides and floods.
- (iii) The concerned State Governments or Union territory administrations shall provide for adequate funds for such measures to undertake shelter belt plantation or bio-shields with planting material suitable to the location.

#### 1.4. Salt marshes:

The conservation and protection of salt marshes shall be as follows:-



- (i) The salt marsh areas shall be conserved and protected and efforts shall be made to promote the endemic biodiversity in the salt marshes.
- (ii) Only those activities required for overhead conveying or transmission of cables and underground laying of transmission line cables and so on, shall be permissible.
- (iii) Traditional fishing shall be permissible in salt marshes.
- (iv) Temporary tourism facilities around the salt marsh areas may be considered subject to adhering to norms laid down in the guidelines.
- (v) Certain salt marshes which have less biodiversity, identified by NCSCM and demarcated in Coastal Zone Management Plan can be considered for salt pan activities.

**1.5 Turtle nesting grounds shall be protected and conserved as follows:-**

- (i) Turtle nesting grounds identified by the concerned State Governments or Union territory administrations shall be protected as per Wildlife (Protection) Act of 1972.
- (ii) No activities shall be permitted in and around the turtle nesting ground including those causing light and sound pollution except for those required for conservation and protection of these sites.
- (iii) Strict management plans for protecting the turtle nesting grounds shall be undertaken and implemented by the concerned State or Union territory Authorities.

**1.6 Horse shoe crabs habitats shall be protected and conserved as follows:-**

- (i) The habitat identified shall be taken up for conservation and protection.
- (ii) No activities shall be taken up in and around these habitats which affect the horse shoe crab ecosystem.

**1.7 Sea grass beds shall be protected and conserved as follows:-**

- (i) Identified sea grass beds shall be conserved and protected.
- (ii) No developmental activities that have adverse effect on the sea grass bed shall be undertaken.
- (iii) Efforts shall be made to propagate sea grass beds along the coastal waters where ever possible by States or Union territories as it acts as a carbon sink.

**1.8 Nesting grounds of birds shall be protected and conserved as follows:-**

- (i) The nesting ground of birds including their local migratory route shall be protected. No developmental activities which have adverse impact on the nesting grounds and the migratory routes shall be undertaken including construction of wind mills, transmission lines and the like in the locality.
- (ii) Efforts shall be made to increase the forest cover and mangrove cover including enriching the biodiversity of salt marsh and other coastal water bodies so as to provide for suitable habitat for the avifauna.

**1.9 Geo-morphologically Important Zones shall be protected and managed as follows:**

- (i) **Sand dunes** identified shall be conserved and protected as follows:
  - (a) sand dunes identified shall be notified under Environment (Protection) Act 1986;
  - (b) no developmental activities shall be permissible except for providing eco-friendly temporary tourism facilities on stilts such as walkways, tents and the like;
  - (c) mining of sand from sand dunes shall be prohibited activity except for the removal of atomic minerals with proper replenishment using the tailings or other suitable sand;
  - (d) no activities on the sand dunes shall be taken up that would lead to erosion/destabilisation of sand dunes;
  - (e) afforestation, if any, on the sand dunes shall be done only with native flora;



(f) the States or Union territory shall prepare management plans for the demarcated sand dunes.

(iii) **Sandy beaches:**

(a) Mining of beach sand is prohibited except for manual mining of atomic minerals with proper replenishment using the tailings or other suitable sand.

(b) When the permissible developmental activities are taken up on the beaches if loss of beach in the neighbourhood is predicted, necessary beach nourishment to compensate for the losses shall be undertaken by the project authorities and its long term maintenance shall be ensured by them.

(c) The States or Union Territory shall prepare management plans for the demarcated beaches.

(iv) **Biologically active mudflats:**

(a) Biologically active mudflats shall be identified by NCSCM in association with State Governments or Union territory administrations.

(b) The States or Union territories shall prepare management plans for such demarcated biologically active mudflats.

**1.10 Areas or structures of archaeological importance and heritage value sites:**

(i) State Archaeological agencies shall be responsible for conservation and protection of all archaeological structures and heritage sites identified by the Archaeological Survey of India, as per the provisions of the respective Acts, notifications or guidelines.

(ii) No activities that are detrimental to the identified areas or structures of archaeological and heritage value shall be permitted.

(iii) It shall be ensured that these structures or areas are preserved and activities undertaken without changing the façade/plinth of such structures. Such structures could be considered for use in accordance with the relevant norms after undertaking careful designing of the interiors without changing the exterior architectural design of the structure.

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**Annexure-II**

**LIST OF PETROLEUM AND CHEMICAL PRODUCTS PERMITTED FOR STORAGE IN CRZ, EXCEPT CRZ-I A**

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;



- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers;
- (xvi) Acetic acid;
- (xvii) Mono ethylene glycol;
- (xviii) Paraxylene;
- (xix) Ethane;
- (xx) Butadine;
- (xxi) Methanol;
- (xxii) Caustic;
- (xxiii) Bitumen.



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**Annexure-III****GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS, HOTELS AND TOURISM DEVELOPMENT PROJECTS IN THE DESIGNATED CRZ AREAS****1. CRZ-II**

Construction of beach resorts or hotels in designated areas of CRZ-II for occupation of tourist or visitors shall be subject to the following conditions, namely: -

- (i) construction shall be permitted only to the landward side of an existing road or existing authorized fixed structures;
- (ii) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
- (iii) no flattening of sand dunes shall be carried out;
- (iv) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (v) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
- (vi) the State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate;
- (vii) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986 (29 of 1986);
- (viii) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (ix) if the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 (69 of 1980) shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with and approval of the State or Union territory Tourism Department shall be obtained.

**2. CRZ-III**

Construction of beach resorts and hotels in designated areas of CRZ- III for occupation of tourists or visitors shall be subject to the following conditions, namely: -

- (i) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
- (ii) no flattening of sand dunes shall be carried out;
- (iii) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (iv) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
- (v) the State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate;
- (vi) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;
- (vii) the total covered area on all floors shall not exceed 33 per cent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
- (viii) the construction shall be consistent with the surrounding landscape and local architectural style;
- (ix) the overall height of construction up to the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor);
- (x) groundwater shall not be tapped within 200 metre of the High Tide Line; and within the 200 to 500 metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
- (xi) extraction of sand, leveling or digging of sandy stretches, except for structural foundation of building or swimming pool, shall not be permitted within 500 metres of the High Tide Line;
- (xii) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986 (29 of 1986);
- (xiii) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (xiv) to allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500 metres apart; and
- (xv) If the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 (69 of 1980) shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and approval of the State or Union territory Tourism Department shall be obtained.

**Note:** Construction of beach resorts or hotels shall not be permitted in Ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central Government or State Government or Union territory administrations).



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**ANNEXURE -IV****GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****1. Demarcation of High Tide Line and Low Tide Line:**

Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) as carried out by NCSCM for the entire coastline of the country, has been made available to the Coastal States or Union territories and only such demarcation of HTL and LTL shall be applicable for all purposes of this notification.

**2. Hazard Line:**

A 'Hazard line' has been demarcated by the Survey of India (SOI) taking into account the extent of the flooding on the land area due to water level fluctuations, sea level rise and shoreline changes (erosion or accretion) occurring over a period of time. The hazard line mapped by SOI has been shared with the coastal States or Union territories through NCSCM. The hazard line shall be used as a tool for disaster management plan for the coastal environment, including planning of adaptive and mitigation measures. With a view to reduce the vulnerability of the coastal communities and ensuring sustainable livelihood, while drawing the CZMP, the land use planning for the area between the Hazard line and HTL shall take into account such impacts of climate change and shoreline changes.

**3. Preparation of CZM Maps:**

(i) Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:-

Unit : 7.5 minutes X 7.5 minutes

Numbering : Survey of India Sheet Numbering System

Horizontal Datum : Everest or WGS 84

Vertical Datum : Mean Sea Level (MSL)

Topography : Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

(ii) Coastal Zone Management (CZM) Maps of scale 1:25,000 shall be got prepared by any of the agencies identified by the Ministry of Environment, Forest and Climate Change vide its Office Order number J-17011/8/92-IA-III dated the 14<sup>th</sup> March, 2014 using the demarcation of the High Tide Line or LTL, as carried out by NCSCM.

(iii) Various regulatory lines viz. at a distance of 20 metres, 50 metres, 200 metres and 500 metres from HTL respectively, as applicable in various CRZ categories, and the Hazard line shall be demarcated and transferred to the CZM maps.

(iv) HTL, LTL and CRZ boundaries, as applicable, shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies.

(v) Classification of different coastal zones shall be done as per the CRZ notification and Standard national or international colour codes shall be used.

**4. Local level CZM Maps:**

(i) Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans.

(ii) Cadastral (village) maps in 1:3960 or the nearest scale, as available with revenue authorities shall be used as the base maps.

(iii) HTL, LTL, other CRZ regulatory lines and the Hazard line shall be demarcated in the cadastral maps and classifications shall be transferred into local level CZM maps.



**5. Classification of CRZ areas:**

- (i) The CZM Maps shall clearly demarcate the land use plan of the area and map out the Ecologically Sensitive Areas (ESAs) or the CRZ-IA areas as per mapping made available by NCSCM to coastal State or Union territories. All such ESAs shall be appropriately demarcated with colour codes.
- (ii) Buffer zone along mangrove areas of more than 1000 square metres shall be stipulated with a different colour distinguishing from the mangrove area. The buffer zone shall also be classified as CRZ-I area.
- (iii) In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States and Union territories shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
- (iv) The water areas of CRZ-IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, and estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
- (v) The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
- (vi) In CVCAs, the land use maps shall be superimposed on the Coastal Zone Management Plan clearly demarcating the CRZ-I, II, III, IV.
- (vii) The existing authorised developments on the seaward side shall be clearly demarcated.
- (viii) The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.
- (ix) Construction of buildings or other activities shall be permitted under the CZMP provided adequate arrangements are made for proper management and disposal of solid and liquid wastes in accordance with the environmental standards, rules and statutes, and under no circumstances, untreated effluents shall be disposed off in the coastal waters.

**6. Public consultations on CZMP:**

- (i) The draft CZMP prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMP shall be held at district level by the concerned CZMA.
- (ii) Based on the suggestions and objections received the CZMPs shall be revised and approval of Ministry of Environment, Forest and Climate Change shall be obtained.
- (iii) The approved CZMP shall be put up on the website of Ministry of Environment, Forest and Climate Change, concerned website of the State or Union Territory Coastal Zone Management Authority and hard copy made available in the Panchayat Office and District Collector Office.

**7. Revision of Coastal Zone Management Plans:**

- (i) Whenever there is a doubt, the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.

required, the rectified map shall be submitted to Ministry of Environment, Forest and Climate Change for consideration.

\*\*\*\*\*



**ANNEXURE-V****PROJECT INFORMATION DETAILS****1. PROJECT DETAILS**

- A. Project Name
- B. Survey No./ Village/ Co-ordinates
- C. District
- D. State
- E. Whether the proposal is for (Select relevant field)
  - (i) Fresh Clearance under CRZ
  - (ii) Amendment to an already issued CRZ clearance
  - (iii) Extension of validity of an already issued CRZ clearance
- F. Name of the Applicant
- G. Address of the Applicant
- H. Contact details (Telephone nos. and e-mail address)
- I. Cost of the project (Rs in crores)

**2. BENEFITS OF THE PROJECT**

- A. Details of Project Benefits
- B. Employment Likely to be Generated (Yes/No)

If Yes

- (i) Total Manpower Requirement
- (ii) Permanent Employment (Numbers)
- (iii) Temporary Employment (Numbers)
- (iv) Temporary Employment- During Construction (Numbers)
- (v) Temporary Employment- During Operation (Numbers)

**3. DESCRIPTION OF THE PROJECT UNDER CONSIDERATION (Select the Category of the project):****A. Resort / Buildings / civic amenities**

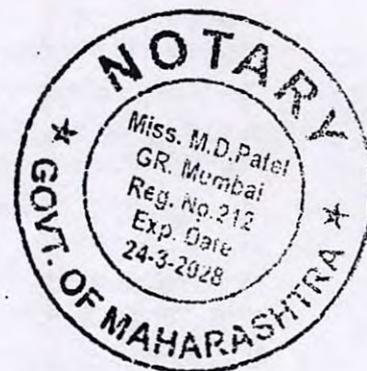
- (i) Total area/Built-up area (in sqm.)
- (ii) Height of structure
- (iii) FSI ratio
- (iv) Name of concerned town planning authority/ Panchayat etc.
- (v) Details of provision of car parking area

**B. Coastal Roads / Roads on Stilt**

- (i) Area of land reclamation
- (ii) Estimated quantity of muck/earth for reclamation
- (iii) Traffic carrying capacity
- (iv) Dimensions of road

**C. Pipelines from thermal power blow down**

- (i) Length of pipeline
- (ii) Length traversing CRZ area



- (iii) Depth of excavation
- (iv) Width of excavation
- (v) Length of pipeline from seashore to deep sea
- (vi) Depth of outfall point from surface of sea water
- (vii) Temperature of effluent above ambient at disposal point

**D. Marine Disposal of Treated Effluent through pipelines**

- (i) Location of intake/ outfall
- (ii) Depth of outfall point
- (iii) Length of pipeline
- (iv) Length traversing CRZ area
- (v) Depth of excavation
- (vi) Width of excavation
- (vii) Length of pipeline from shore to deep sea/creek
- (viii) Depth of outfall point from surface of water
- (ix) Depth of water at disposal point
- (x) BOD, COD, TSS, oil and grease, heavy metals in the effluent

**E. Facility for storage of goods/chemicals**

- (i) Name of chemical
- (ii) End use of the chemical
- (iii) No. of tanks for storage
- (iv) Capacity of tanks

**F. Offshore structures**

- (i) Exploration or development
- (ii) Depth of sea bed
- (iii) No. of rigs
- (iv) No. of platform
- (v) Details of group gathering stations



**G. Desalination Plant**

- (i) Capacity of desalination
- (ii) Total brine generation
- (iii) Temperature of effluent above ambient at disposal point
- (iv) Ambient salinity
- (v) Disposal point

**H. Mining of atomic minerals**

- (i) Capacity of mining
- (ii) Type of mineral to be extracted
- (iii) End use of the mineral
- (iv) Government order for mining lease/exploration and approved mining plan details
- (v) Extent of mining lease area

**I. Sewage Treatment Plants**

- (i) Capacity
- (ii) Total area of construction
- (iii) Compliance of effluent parameters as laid down by cpcb/spcb/other authorised agency
- (iv) Whether discharge is in sea water/creek?
  - If yes
    - Distance of marine outfall point from shore/from the tidal river bank
    - Depth of outfall point from sea water/river water surface
    - Depth of seabed/riverbed at outfall point

**J. Lighthouse**

- (i) Total ground area of foundation/platform
- (ii) Height of the structure

**K. Wind Mills**

- (i) Capacity (MW)
- (ii) Height of the windmill
- (iii) Diameter of the windmill
- (iv) Length of blade
- (v) Speed of rotation
- (vi) Transmission lines (overhead or underground)

**L. Others**

- (i) Please specify with salient features
- (ii) Upload relevant Documents (upload PDF only)

4. **PROJECT LOCATION AS PER CRZ CLASSIFICATION** (If project site falls in different/multiple CRZ categories the same may also be elaborated)
5. **CLAUSE OF CRZ NOTIFICATION UNDER WHICH PROJECT IS A PERMISSIBLE /REGULATED ACTIVITY**
6. **MANDATORY FIELDS FOR PROJECT ASSESSMENT**
  - A. **CRZ map in 1:4000 scale indicating HTL, LTL demarcation and distance of the nearest project boundary (in meters) from HTL to be stated**
    - (i) Upload Map (kml file)
  - B. **Project layout superimposed on CRZ Map 1:4000 scale with classification of project location including other notified ESAs prepared**
    - (i) Upload Map (kml file)
  - C. **CRZ map 1:25000 scale covering 7 km radius around Project site**
    - (i) Upload Map (kml file)
7. **PROJECT LOCATED IN** (Select Type)
  - (i) Non eroding Coast
  - (ii) Low and Medium eroding coast
  - (iii) High eroding Coast



**8. DETAILS OF FOREST/ MANGROVES LAND INVOLVED (YES/NO)****IF YES**

- (i) Detail of area diverted
- (ii) Forest clearance to be submitted (Upload document)
- (iii) No. of trees to be cut under the project
- (iv) Compensatory afforestation plan to be submitted (Upload document)

**9. DISTANCE OF PROPOSED PROJECT FROM ESA/MARINE PARK/ WILD LIFE SANCTUARY**

- (i) Within 10 kilometre radius from the project site (Yes/No)

**If YES**

- Permission from NBWL to be submitted (Upload document)

**10. NOC OR CONSENT TO ESTABLISH FROM STATE/UT POLLUTION CONTROL BOARDS OBTAINED (YES/NO)****If YES**

- (i) Copy of NOC to be provided (Upload document)
- (ii) Conditions imposed to be stated (Upload document)

**11. Environment Impact Assessment (EIA) studies (relevant fields to be filled)****A. Terrestrial studies:**

- (i) Summary details of EIA (Terrestrial) Studies
- (ii) Upload Recommendation made in EIAs (Upload document)
- (iii) State period of Study

**B. Marine Studies**

- (i) Summary details of EIA (Marine) Studies
- (ii) Upload Recommendation made in EIAs (Upload document)
- (iii) State period of Study

**12. DISASTER MANAGEMENT PLAN / NATIONAL OIL SPILL DISASTER CONTINGENCY PLAN (if applicable)****13. PROJECT INVOLVING DISCHARGE OF LIQUID EFFLUENTS:**

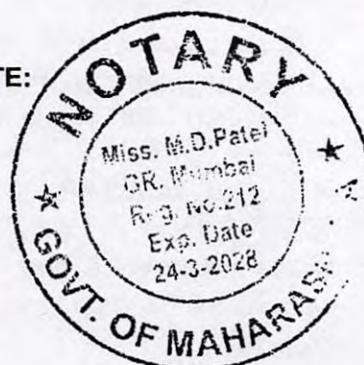
- (i) Capacity of Sewage Treatment Plant
- (ii) Quantity of effluent generated
- (iii) Quantity of effluent treated
- (iv) Method of treatment and disposal

**14. PROJECT INVOLVING DISCHARGE OF SOLID WASTE:**

- (i) Type of solid waste
- (ii) Quantity of solid waste generated
- (iii) Method of disposal
- (iv) Mode of transport

**15. WATER REQUIREMENT in kilo litres per day (KLD)**

- (i) Quantity of water required
- (ii) Source of water



- (iii) If Ground water (Upload a copy of approval from Central Ground Water Authority or other authorised body)
- (iv) If other Source (Upload a copy of permission from competent authority)
- (v) Mode of transport
- (vi) Commitment of water supply (Upload document)

**16. DETAILS OF WATER TREATMENT AND RECYCLING (If any) (Multiple Entries Allowed)**

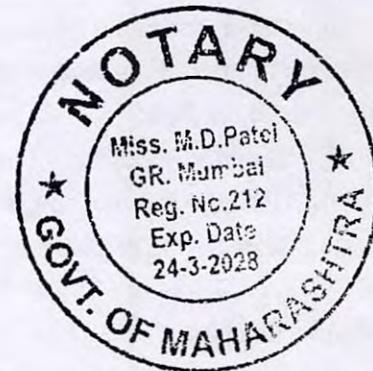
Type/Source	Quantity of Waste Water Generated (Kilos Litre per Day)	Treatment Capacity (Kilos Litre per Day)	Treatment Method	Mode of Disposal	Quantity of Discharged Water (Kilos Litre per Day)	Quantity of Treatment Water used in Recycling/Reuse (Kilo Litre per Day)

**17. DETAILS OF RAINWATER HARVESTING**

- (i) No. of Storage tanks
- (ii) Total capacity of tanks
- (iii) No. of Recharge Pits
- (iv) Capacity of pits

**18. ENERGY REQUIREMENT AND SOURCES**

- (i) Total Power Requirements (kwh)
- (ii) Source
- (iii) Upload Copy of Agreement (upload pdf only)
- (iv) Stand by Arrangement (Details)

**19. ENERGY EFFICIENCY/SAVING MEASURES**

- (i) Source/Mode
- (ii) Details of savings

**20. RECOMMENDATION OF STATE COASTAL ZONE MANAGEMENT AUTHORITY**

- (i) Upload Copy of CZMA recommendations (Upload pdf only)
- (ii) Compliance status of the Conditions Imposed

**21. WHETHER PROPOSAL ATTRACTS EIA NOTIFICATION, 2006. (Yes/No)**

If YES,

- (i) the category thereof
- (ii) Status of proposal for EC (as applicable)

**22. SOCIAL AND ENVIRONMENTAL ISSUES AND MITIGATIONS MEASURES SUGGESTED INCLUDING BUT NOT LIMITED TO R&R, WATER, AIR, HAZARDOUS WASTES, ECOLOGICAL ASPECTS, ETC. (Brief Details to be Provided)****23. DETAILS OF COURT CASES** Whether there is any Court Cases pending against the project and/or land in which the project is proposed to be set up? (Yes/No)

If Yes, Pending or Disposed (Select relevant)

- (i) Name of the Court (Supreme Court, High Court, National Green Tribunal)
- (ii) Case No.

- (iii) Case Details
- (iv) Orders/Directions of the court, if any and its relevance with the proposed project  
(Upload document)

**24. ADDITIONAL INFORMATION, If any**

**UNDERTAKING:** It is certified that the information given above are true to the best of my knowledge and belief and nothing contravening the provisions of CRZ Notification, 2011 has been concealed therefore.

Name and Signature of the applicant:

Date:





# भारत का राजपत्र

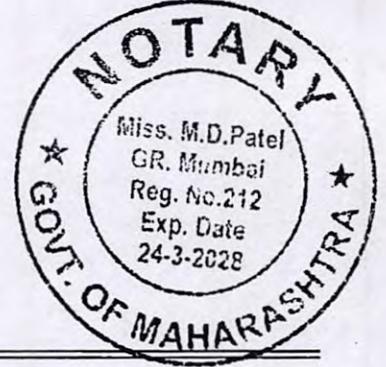
## The Gazette of India

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वसाधारण  
EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

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NEW DELHI, TUESDAY, DECEMBER 14, 2021/AGRAHAYANA 23, 1943

पर्यावरण, वन और जलवायु मंत्रालय

आदेश

नई दिल्ली, 13 दिसम्बर, 2021

**का.आ. 5188(अ).**—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) और उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र तटीय जोन प्रबंध प्राधिकरण (जिसे इसमें इसके पश्चात् प्राधिकरण कहा गया है) का, जो राजपत्र में इस आदेश के प्रकाशन की तारीख से प्रभावी तीन वर्षों की अवधि के लिए, गठन करती है जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्:-

क्रम सं.	सदस्य	प्रास्थिति
(1)	(2)	(3)
1.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, वन और पर्यावरण विभाग, महाराष्ट्र सरकार	अध्यक्ष, पदेन
2.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, राजस्व विभाग, महाराष्ट्र सरकार	सदस्य, पदेन
3.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, शहरी विकास विभाग, महाराष्ट्र सरकार	सदस्य, पदेन

4.	मत्स्य पालन आयुक्त या संयुक्त आयुक्त (समुद्रीय) या मत्स्य पालन सहायक आयुक्त (समुद्रीय), मत्स्य पालन विभाग, महाराष्ट्र सरकार	सदस्य, पदेन
5.	अपर मुख्य सचिव या प्रधान सचिव अथवा सचिव, उद्योग विभाग, महाराष्ट्र सरकार	सदस्य, पदेन
6.	नगरपालिका आयुक्त, ग्रेटर मुम्बई नगर निगम या ग्रेटर मुम्बई नगर निगम द्वारा पदाभिहित/नामनिर्दिष्ट उपसचिव से अन्यून स्तर का अधिकारी	सदस्य, पदेन
7.	अपर प्रधान मुख्य वन संरक्षक, मेन्गोव सेल, मुम्बई या मेन्गोव सेल द्वारा नामनिर्दिष्ट उप मुख्य वन संरक्षक से अन्यून स्तर का अधिकारी	सदस्य, पदेन
8.	निदेशक, केंद्रीय मत्स्य पालन अनुसंधान, मुम्बई अनुसंधान केंद्र, अंधेरी, मुम्बई	सदस्य, पदेन
9.	डॉ अनिल के. चौबे, पूर्व-निदेशक, क्षेत्रीय कार्यालय; राष्ट्रीय समुद्री विज्ञान संस्थान (एनआईओ), अंधेरी, मुम्बई	सदस्य, विशेषज्ञ
10.	डॉ. महेश आर. शिंदीकर,, प्राचार्य, इंजिनियरी महाविद्यालय, पुणे	सदस्य, विशेषज्ञ
11.	श्री मारुती डी.कुडाले, पूर्व-अपर निदेशक, केंद्रीय जल और शक्ति अनुसंधान स्टेशन, पूणे	सदस्य, विशेषज्ञ
12.	श्री अनीश अंधेरिया, वन्य जीव संरक्षण न्यास, 11वां तल, मफतलाल सेंटर, नरीमन प्वाइंट, मुम्बई, विशेषज्ञ सदस्य के रूप में	सदस्य, विशेषज्ञ
13.	बाम्बे नैचुरल हिस्ट्री सोसाइटी, होमबिल हाउसफोर्ट, मुम्बई-400001 का एक प्रतिनिधि	सदस्य, गैर-सरकारी संगठन
14.	निदेशक, पर्यावरण और जलवायु परिवर्तन विभाग, महाराष्ट्र सरकार, भुवनेश्वर	सदस्य-सचिव, पदेन

2. प्राधिकरण का मुख्यालय मुम्बई में होगा।

3. प्राधिकरण की बैठक की गणपूर्ति, उसके कुल सदस्यों की एक तिहाई सदस्य होगी।

4. पदेन सदस्य से भिन्न सदस्य को, केंद्रीय सरकार द्वारा अधिकथित मानकों के अनुसार भत्ते देय होंगे।

5. हित संघर्ष से बचने के लिए कोई सदस्य किसी परियोजना के जिसमें उन्होंने परामर्शी सेवाएं प्रदान की है अंकन की प्रक्रिया में प्राधिकरण की किसी बैठक से विलग रहेगा।

6. प्राधिकरण, ओडीशा राज्य में तटीय पर्यावरण की क्वालिटी को संरक्षित करने और सुधारने तथा तटीय विनिमय जोन क्षेत्रों में पर्यावरणीय प्रदूषण के निवार, उपशमन और नियंत्रण के उद्देश्यों के लिए निम्नलिखित उपाय करेगा, अर्थात्:-

(i) प्राधिकरण, परियोजना प्रस्ताव के अनुमोदन के लिए आवेदन प्राप्ति के पश्चात्, यदि वह अनुमोदित तटीय जोन प्रबंध योजना के अनुसरण में हैं और भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय द्वारा का.आ. संख्यांक 20(अ), तारीख 6 जनवरी, 2011 और सा.का.नि. संख्यांक 37(अ), तारीख 18 जनवरी, 2019 द्वारा जारी की गई तटीय विनिमय जोन अधिसूचना (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) की अपेक्षाओं के भीतर है तो उसका परीक्षण करेगा और संबद्ध प्राधिकरण ऐसी परियोजना के अनुमोदन के लिए, जैसा कि उक्त अधिसूचना में विनिर्दिष्ट है, ऐसे आवेदन की प्राप्ति की तारीख से साठ दिनों के भीतर सिफारिश करेगा;

(ii) प्राधिकरण, उक्त अधिसूचना में विनिर्दिष्ट किए गए के अनुसार तटीय विनिमय जोन में सभी निम्नलिखित क्रियाकलापों को विनियमित करेगा;

(iii) प्राधिकरण, उक्त अधिसूचना के उपबंधों का प्रवर्तन और मानीटरी के लिए उत्तरदायी होगा;



- (iv) प्राधिकरण, तटीय विनियम जोन क्षेत्रों और तटीय जोन प्रबंध योजना के वर्गीकरण में परिवर्तन या उपांतरणों के लिए राज्य सरकार से प्राप्त प्रस्तावों की परीक्षा करेगा और राष्ट्रीय तटीय जोन प्रबंधन प्राधिकरण को उस पर विनिर्दिष्ट सिफारिश देगा;
- (v) प्राधिकरण, उक्त अधिनियम या उसके अधीन बनाए गए नियमों के उपबंधों के अभिकथित अतिक्रमण के मामलों में जांच करेगा और उक्त अधिनियम तथा उसके अधीन बनाए गए नियमों के उपबंधों के अतिक्रमण या उल्लंघन को अंतर्वलित करने वाले मामलों का पुनर्विलोकन करेगा;
- (vi) प्राधिकरण, उक्त अधिसूचना के अतिक्रमण या उल्लंघन के मामलों में स्वप्रेरणा से या किसी व्यक्ति या निकाय या संगठन द्वारा किए गए परिवाद के आधार पर जांच या पुनर्विलोकन करेगा;
- (vii) प्राधिकरण, उक्त अधिनियम की धारा 19 के अधीन परिवाद फाइल करने के लिए प्राधिकृत है;
- (viii) प्राधिकरण, उसके समक्ष तथ्यों को सत्यापित करने के लिए जैसा अपेक्षित है, उक्त अधिनियम की धारा 10 के अधीन कार्रवाई करेगा।

7. प्राधिकरण, अपने कृत्यों में पारदर्शिता बनाए रखने के उद्देश्य के लिए एक समर्पित वेबसाइट तैयार करेगा और इसके कृत्य, जिसके अंतर्गत बैठकों में कार्यसूची, बैठकों का कार्यवृत्त, प्रत्येक बैठकों में किए गए विनिश्चय, उक्त अधिसूचना के अतिक्रमण तथा उल्लंघन के मामलों में सिफारिश और अतिक्रमण तथा उल्लंघन पर की गई कार्रवाई और न्यायालय मामले जिसके अंतर्गत न्यायालयों के आदेश हैं और राज्य सरकार की अनुमोदित तटीय जोन प्रबंध योजना से संबंधित सूचना डालेगा।

8. प्राधिकरण छह माह में कम से कम एक बार अपने क्रियाकलापों की रिपोर्ट राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण को भेजेगा।



[फा. सं. 12-5/2005-आईए-III (भाग)]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**ORDER**

New Delhi, the 13th December, 2021

**S.O. 5188(E).**—In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Authority namely, the Maharashtra Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this order in the Official Gazette, namely:-

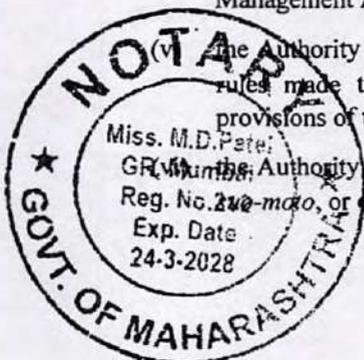
S. No.	Members	Status
(1)	(2)	(3)
1.	Additional Chief Secretary or Principal Secretary or Secretary, Environment and Climate Change Department, Government of Maharashtra	Chairperson, <i>ex-officio</i> ;
2.	Additional Chief Secretary or Principal Secretary or Secretary, Revenue Department, Government of Maharashtra	Member, <i>ex-officio</i> ;
3.	Additional Chief Secretary or Principal Secretary or Secretary Urban Development Department, Government of Maharashtra.	Member, <i>ex-officio</i> ;
4.	Commissioner or Joint Commissioner of Fisheries (Marine) or Assistant Commissioner of Fisheries (Marine), Fisheries Department, Government of Maharashtra	Member, <i>ex-officio</i> ;
5.	Additional Chief Secretary or Principal Secretary or Secretary, Industry Department, Government of Maharashtra	Member, <i>ex-officio</i> ;
6.	Municipal Commissioner, Municipal Corporation of Greater Mumbai or Officer not below the rank of Deputy Secretary designated/nominated by Municipal Corporation of Greater Mumbai	Member, <i>ex-officio</i> ;

7.	Additional Principal Chief Conservator of Forest, Mangrove Cell, Mumbai or Officer not below the rank of Deputy Chief Conservator of Forest nominated by Mangrove Cell.	Member, <i>ex-officio</i> ;
8.	Director, Mumbai Research Centre of Central Marine Fisheries Research, Versova, Andheri, Mumbai	Member, <i>ex-officio</i> ;
9.	Dr. Anil K. Choubey, Ex-Director, Regional Office, National Institute of Oceanography (NIO), Andheri, Mumbai	Member, <i>Expert</i> ;
10.	Dr. Mahesh R. Shindikar, Professor, College of Engineering, Pune	Member, <i>Expert</i> ;
11.	Mr. Maruti D. Kudale, Ex-Additional Director, Central Water and Power Research Station, Pune	Member, <i>Expert</i> ;
12.	Shri Anish Andheria, Wildlife Conservation Trust, 11 <sup>th</sup> Floor, Mafatlal Centre, Nariman Point, Mumbai-400021	Member, <i>Expert</i> ;
13.	A representative of Bombay Natural History Society (BNHS), Hombill House Fort, Mumbai-400001	Member, <i>Non-Government Organisation</i> ;
14.	Director, Environment and Climate Change Department, Government of Maharashtra	Member Secretary

2. The Authority shall have its headquarters at Mumbai.
3. The quorum for the meeting of the Authority shall be one-third of the total number of its Members.
4. A Member, other than an *ex-officio* Member, shall be paid allowances as per the norms laid down by the Central Government.
5. In order to avoid any conflict of interest, a member shall recuse himself from the meeting of the Authority, in the process of appraisal of any project, for which they have rendered consultancy service.
6. The Authority shall, for the purposes of protecting and improving the quality of the costal environment and preventing, abating and controlling environmental pollution in the Coastal Regulation Zone areas in the State of Maharashtra, take the following measures, namely: -
  - (i) the Authority shall, after receiving the application for approval of project proposal, examine the same if it is in accordance with the approved Coastal Zone Management Plan and within the requirements of the Island Protection Zone notification issued by the Government of India in the erstwhile Ministry of Environment and Forests and published *vide* number S.O.20(E), dated the 6<sup>th</sup> January, 2011 and G.S.R. 37(E), dated the 18<sup>th</sup> January, 2019 (hereinafter referred to as the said notifications), and make recommendations for approval of such project to the concerned authority, as specified in the said notifications, within a period of sixty days from the date of receipt of such application;
  - (ii) the Authority shall regulate all developmental activities in the Coastal Regulation Zone areas as specified in the said notifications;
  - (iii) the Authority shall be responsible for enforcing and monitoring the provisions of the said notifications;
  - (iv) the Authority shall examine the proposals received from the Union territory Administration for changes or modifications in the classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan and make specific recommendations thereon, to the National Coastal Zone Management Authority;

(v) The Authority shall inquire into cases of alleged violation of the provisions of the said Act or the rules made thereunder, and review the cases involving violations or contraventions of the provisions of the said Act and the rules made thereunder;

(vi) The Authority shall inquire or review cases of violations or contraventions of the said notifications *in-vivo*, or on the basis of a complaint made by any individual or body or organisation;



- (vii) the Authority is authorised to file complaints under section 19 of the said Act;
- (viii) the Authority shall take such action as may be required under section 10 of the said Act, to verify the facts of the cases before it.
7. The Authority shall, for the purpose of maintaining transparency in its functioning, create a dedicated website and post the information relating to its functions, including the agenda in its meetings, minutes of the meetings, decisions taken in each meeting, recommendations for matters on violations and contravention of the said notifications and actions taken on such violations and contraventions, court matters including the orders of the courts and the approved Coastal Zone Management Plan of the State Government.
8. The Authority shall furnish reports of its activities at least once in six months to the National Coastal Zone Management Authority.

[F. No. 12-5/2005-IA.III (part)]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.



10/5/23

Item No. 04

(Court No. 1)

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

Original Application No. 343/2021

Madhura Rajesh Tawde

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 15.12.2021

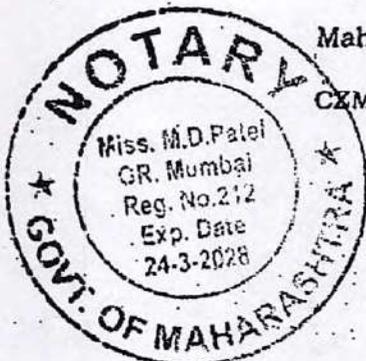
**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Application is registered based on a complaint received by e-mail

## ORDER

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. In view of above, we find it necessary to require a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. State PCB and CZMA will be the nodal agency for coordination and compliance. The joint



Committee may hold its first sitting preferably within two weeks, undertake visit to the site, interact with the stakeholders and plan and execute remedial measures in accordance with law. An action taken report may be furnished within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 07.03.2022.

A copy of this order be forwarded to the MCZMA, CPCB, State PCB, SEIAA, Maharashtra, BMC and concerned District Magistrate by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. Nagin Nanda, EM

December 15, 2021  
Original Application No. 343/2021  
AVT



**REPORT OF THE JOINT COMMITTEE IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS.**

### 1.0 Background

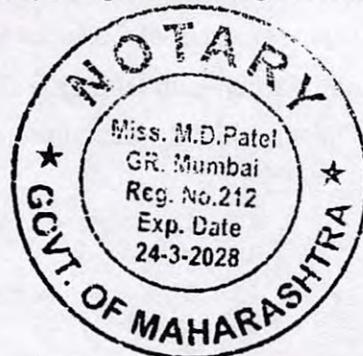
Grievance in the Original Application No. 343 of 2021 (PB), titled Madhura Rajesh Tawade v/s State of Maharashtra Ors., as per order dated 15/12/2021 of the Hon'ble NGT is about seeking remedial action against the damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Also, the applicant mentioned that unauthorized structures have been constructed which are against CRZ Regulations issued under Environment (Protection) Act, 1986.

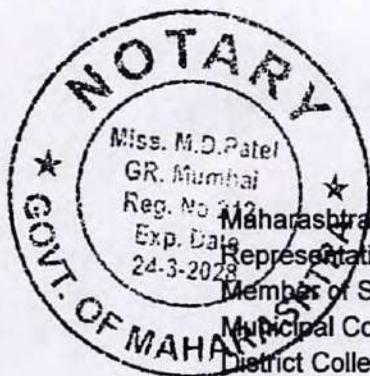
Hon'ble NGT directed vide order dated 15/12/2021 (copy of Hon'ble NGT order, dated 15/12/2021 is given at Annexure-1) and relevant order is reproduced as below:

*"2 In view of above, we find it necessary to require a factual and action taken report from a six-member joint committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, MPCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. State PCB and CZMA will be the nodal agency for coordination and compliance. The joint Committee may hold its first sitting preferably within two weeks, undertake visit to the site, interact with the stakeholders and plan and execute remedial measures in accordance with law. An action taken report may be furnished within two months by email at [judicialngt@gov.in](mailto:judicialngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.*

*List for further consideration on 07.03.2022."*

In compliance to the aforesaid order of the Hon'ble NGT, MPCB vide letter dated 24/02/2022 issued a committee constitution order comprising of following officials.





Maharashtra Coastal Zone Management Authority	Member
Representative from CPCB, Regional Office, Pune	Member
Member of SEIAA, Maharashtra	Member
Municipal Commissioner, MCGM or his representative	Member
District Collector, Mumbai Suburban District or his representative	Member
Regional Officer, MPCB-Mumbai	Member Convener

## 2.0 Approach

In order to comply with the aforesaid Hon'ble NGT Order, the Central Pollution Control Board (CPCB) vide email dated 12/01/2022 communicated the nominee details to the nodal agency i.e. MPCB and also requested to provide background information, copy of the Original Application, other relevant information for reference & deliberation in the aforesaid matter. Upon receipt of nominee details, first meeting of the joint committee was convened on 11/03/2022 at M West Ward-MCGM, Chembur, Mumbai. Copy of first minutes of the joint committee meeting dated 11/03/2022 is given at **Annexure-2**. The joint committee deliberated about alleged dumping of debris on salt pan/mangrove areas as mentioned in the Hon'ble NGT order, status of C&D waste generation and its present management practice in Mumbai City and CRZ maps of the area under reference. Also, deliberated to have an interaction with the concerned stakeholder i.e. The Slat Pan Department, Mumbai to deliberate about status & issue of dumping of C&D waste near the mangrove areas and action taken therefor for the earlier noticed violations if any; Thereafter the joint committee carried-out reconnaissance survey of the alleged areas on 11/03/2022 to delineate and to gather the preliminary information about the issue of dumping of debris in salt pans and mangrove areas. The following joint committee members were present during the inspection:

- i. Shri S. B. Sandanshiv, Under Secretary – Environment, Govt. of Maharashtra
- ii. Shri Nishchal C., Scientist 'D', CPCB, Regional Directorate, Pune
- iii. Shri Sanjay R. Bhosale, Regional Officer, MPCB-Mumbai
- iv. Shri Gajanan Bellale, Assistant Commissioner, F/N Ward, MCGM, Mumbai
- v. Shri Vishvas Mote, Assistant Commissioner, M/W Ward, MCGM, Mumbai
- vi. Ms. Avanti Mayekar, Naib Tehsildar, Thasildar Office Kurla (Mulund)  
Representative of Collector Bandra, Mumbai

Shri Tanaji Yadav, Sub-Regional Officer-I, MPCB-Mumbai and Shri Rupesh Mahale, Project Officer, MCZMA accompanied the joint committee during the inspection. Also,

officials of Municipal Corporation Greater Mumbai (MCGM), were present and provided the visit coordination.

The concerned agencies viz. Office of the Dy. Salt Commissioner, MCGM & MCZMA were requested by the nodal agency i.e. MPCB during March & April, 2022 for submission of desired information for way forward & in compliance of Hon'ble NGT order dated 15/12/2021. Meanwhile, joint committee submitted the progress report to the Hon'ble NGT through the nodal agency (MPCB) on 06/05/2022, titled as "Progress report of the joint committee in compliance of the order dated 15/12/2021 passed by the Hon'ble NGT (PB), in OA. no. 343/2021, Madhura Rajesh Tawade vs State of Maharashtra Ors."

The joint committee convened its second meeting on 25/05/2022 F/N Ward Office, Matunga, Mumbai to discuss on the progress of decisions taken during previous meeting of the joint committee. Copy of second minutes of the joint committee meeting dated 25/05/2022 is given at **Annexure-3**. Thereafter, the concerned agency viz. Salt Pan Department, was requested by the nodal agency i.e. MPCB during June, July & August, 2022 for submission of desired information for way forward & in compliance of Hon'ble NGT order dated 15/12/2021. Accordingly, Office of the Dy. Salt Commissioner, Mumbai submitted the information to MPCB vide letter dated 25/08/2022 (Copy of letter of Office of the Dy. Salt Commissioner, Mumbai dated 25/08/2022 is given at **Annexure-4**).

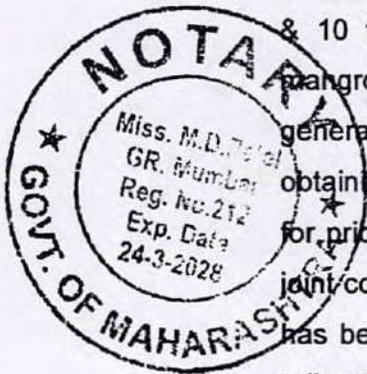
### 3.0 Observations and findings

This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.

- i. The alleged areas as per Hon'ble NGT order i.e. area near coastal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.



- ii. As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).
- iii. As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.
- iv. It is observed that along the periphery of salt pan at C. S. no. 145, dense mangroves have been spread. However, the operator of salt pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.
- v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of salt pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair



or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.

- vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.
- vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019. The approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at <https://mczma.gov.in/sites/default/files/CZMP%20MH%2076.pdf>
- viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove



- buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.
- ix. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.
- x. Some of the photographs taken during the joint committee inspection is given at Annexure-7 for kind ready reference.

#### 4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.



Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in slat pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-I A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of



outer bunds of slat works/pan, which is falling within the 50 m mangrove buffer zone as per the superimposed map of the area under reference.

Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

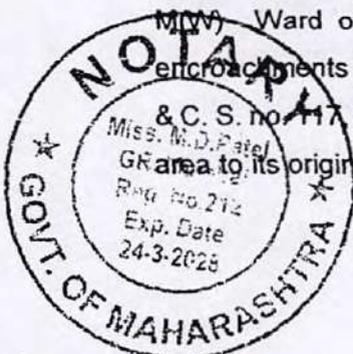
#### 5.0 Recommendations

(a) For violations of provisions of CRZ Notification, 2019

In view of the aforesaid violations of:

- i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/ M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.

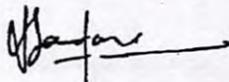
(b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.



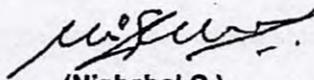
(c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc.

(d) Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators.



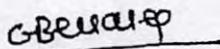
(S. B. Sandanshiv),  
Under Secretary –  
Environment, Govt. of  
Maharashtra



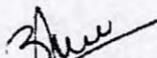
(Nishchal C.),  
Scientist 'D', CPCB,  
Regional Directorate,  
Pune



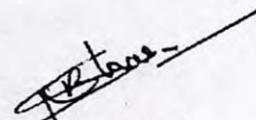
(Pankaj Joshi),  
Member, SEIAA



(Gajanan Bellale),  
Assistant Commissioner,  
F/N Ward, MCGM, Mumbai



(Avanti Mayekar), Naib  
Tehsildar, Representative  
of Collector's Office –  
Bandra, Mumbai



(Sanjay R. Bhosale),  
Regional Officer, MPCB-  
Mumbai

\*\*\*\*\*



Item No. 04

(Court No. 1)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 343/2021

Madhura Rajesh Tawde

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 15.12.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Application is registered based on a complaint received by e-mail**

**ORDER**

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. In view of above, we find it necessary to require a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. State PCB and CZMA will be the nodal agency for coordination and compliance. The joint



Committee may hold its first sitting preferably within two weeks, undertake visit to the site, interact with the stakeholders and plan and execute remedial measures in accordance with law. An action taken report may be furnished within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List for further consideration on 07.03.2022.

A copy of this order be forwarded to the MCZMA, CPCB, State PCB, SEIAA, Maharashtra, BMC and concerned District Magistrate by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. Nagin Nanda, EM

December 15, 2021  
Original Application No. 343/2021  
AVT



**MINUTES OF THE FIRST MEETING OF JOINT COMMITTEE CONSTITUTED IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS.**

The Hon'ble NGT in the aforesaid matter vide order dated 15/12/2021 constituted a six-member joint committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, MPCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate. The nodal agency for coordination and compliance will be the MPCB and the MCZMA. Grievance in the application is about remedial action against the damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Also, the applicant mentioned that unauthorized structures have been constructed which are against CRZ Regulations issued under Environment (Protection) Act, 1986. Copy of the said order dated 12/01/2022 of Hon'ble NGT is given at Annexure-I. The operative directions of the Hon'ble NGT to the aforesaid joint committee in brief are as follows;

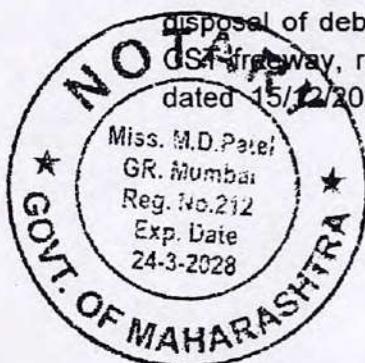
- i. To undertake site visit and interact with the stakeholders;
- ii. To plan and execute remedial measures in accordance with law;

In compliance with aforesaid order of the Hon'ble NGT, the six-member joint committee has been constituted by MPCB comprising of following officials.

1. Maharashtra Coastal Zone Management Authority	Member
2. Representative from CPCB, Regional Office, Pune	Member
3. Member of SEIAA, Maharashtra	Member
4. Municipal Commissioner, MCGM or his representative	Member
5. District Collector, Mumbai Suburban District or his representative	Member
6. Regional Officer, MPCB, Mumbai	Member
Convener	

First meeting of the joint committee was convened on 11/03/2022 at M West Ward-MCGM, Chembur, Mumbai. List of participants present in the aforesaid joint committee meeting is given in at Annexure – II.

Representative from MPCB, Mumbai welcomed all the members of the joint committee and invitee participants. He briefed about the issue of unauthorised disposal of debris at near Costal road at Wadala to Mahul, closed to Chembur to CST freeway, regarding constitution of joint committee for compliance of the order dated 15/12/2021 passed by the Hon'ble National Green Tribunal, New Delhi in



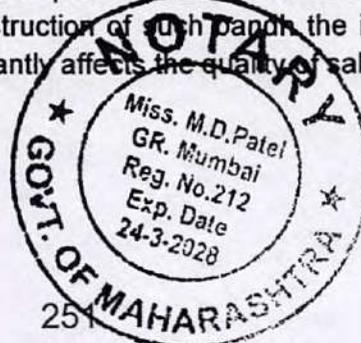
Original Application No. 343/2021 (PB) and also about the operative directions of the Hon'ble NGT to the joint committee.

Representative from CPCB, Pune deliberated about identification of exact location of alleged dumping of debris on salt pan/mangrove areas as mentioned in the Hon'ble NGT order or tracking from the public grievance database of MCGM/MPCB/MCZMA about the aforesaid alleged issues or similar issues. He mentioned about the requirement of recent CRZ maps prepared by MCZMA and mapping of mangroves prepared by Maharashtra Remote Sensing Application Centre (MRSAC) for the aforesaid alleged areas. Further, he deliberated about the C&D waste generation and its present management practice in Mumbai City. He put forward before the joint committee to have an initial reconnaissance survey of the alleged areas to delineate and to gather the preliminary information about the issue of dumping of debris in salt pans and mangrove areas.

Representative from MCZMA mentioned about availability of latest CRZ maps of Mumbai City and Suburban, which are published recently in 2021. He mentioned about need to involve the stakeholders for deliberation of issues and also compliance of Hon'ble NGT order dated 15/12/2021.

Meeting concluded with vote of thanks to the dais.

After the detailed deliberation, joint committee along with officials of MCGM visited the alleged areas near coastal road at Wadala to Mahul, close to Chembur to CST freeway. It is observed that near coastal road, adjacent to Chembur to CST freeway; wide area of salt pan exists and it is within the jurisdiction of F-North Ward of MCGM, Mumbai. The joint committee interacted with the personnel working at salt pan and gathered that the said salt pan is a private land situated at C.S.no. 144 & 145, owned by Shri Garodia and it has been spread over about 100 to 110 acres. Also, the joint committee observed that at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (land belonging to Govt.). The joint committee observed that along the periphery of salt pan at C. S. no. 145, dense mangroves have been spread but the owner of salt pan i.e. Shri Garodia has constructed a huge bandh (app. 5 feet height & 10 feet width, made of C&D waste) between the dense mangrove area and salt pans. He informed to the joint committee that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining his consent. He further informed to the joint committee that such bandh has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bandh the intrusion of creek water causes flooding and also significantly affects the quality of salt in the salt pans.



As informed by the owner of slat pan, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing of slat.

The joint committee after reconnaissance survey, interaction with the owner of salt pan and detailed deliberation, it was felt to prudent to have interaction with the stakeholder i.e. The Slat Pan Department, Mumbai to deliberate about ownership status of salt pan, status & issue of dumping of C&D waste near the mangrove areas and action taken therefor for the earlier noticed violations if any.

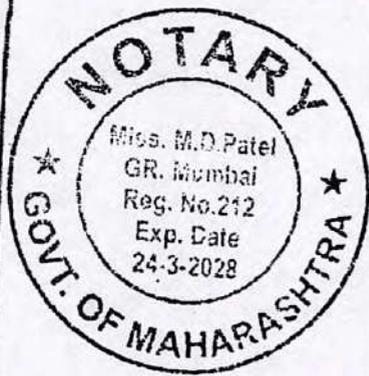
**Decisions:**

After detailed discussions, following decisions were taken by the joint committee;

- i. MCGM to submit the status of C&D waste w.r.t. ward wise daily/monthly generation quantity, present scientific management practices including mechanism for collection, handling, transportation, processing and disposal/utilisation of processed C&D waste in Mumbai City.
- ii. MCZMA to provide CRZ maps of the alleged areas located at C.S. no. 144, 145 and 117.
- iii. MPCB to coordinate with MRSAC for getting the mangrove maps of the alleged areas located at C.S. no. 144, 145 and 117.
- iv. MPCB to coordinate and request the stakeholder i.e. representative from Salt Pan Department, Mumbai to make it convent to attend the second joint committee meeting followed by site inspection for deliberation of issues.
- v. Based on the reconnaissance survey and subsequent collection, compilation & vetting of information through the concerned agencies/stakeholders and as per the applicable Notifications /Rules /Bye-laws, the joint committee may plan and execute remedial measures in accordance with Law by the way of formulating time bound action plans for restoration of the site/environment.



नाव	विभाग	सही	भा. नं.
<p>१) <del>श्री. सुभाष</del>  <del>श्री. श्री.</del>  <del>श्री. श्री.</del>  <del>श्री. श्री. जयदेव, पुणे</del></p>			
<p>२) भवानत वेल्हाड          सहभाक फाउण्ड          FIN word</p>		<p>G. B. W. &amp;          11/3/2022</p>	8424046715
<p>३) संजय संदानशिव          शास्त्रज्ञ श्रेणी २ तथा          अवरलक्षित (तांत्रिक)          पर्यावरण व वातावरण          व्यवस्था विभाग,          मंत्रालय</p>		<p><i>[Signature]</i>          11/3/2022</p>	9004653983
<p>४) महेंद्र उगाडे          स. आनुमान          एम पुन          पुणेई मलानापालक</p>		<p><i>[Signature]</i>          4/3/2022</p>	7506985715
<p>संजय भोसले          प्रादेशिक अधिकारी          म. प्र. मि. मंडळ, पुणे</p>		<p><i>[Signature]</i>          11/3/22</p>	9220921241
<p>5) Nishchal C.          Scientist - D          CPCB, Po - Pune</p>		<p><i>[Signature]</i>          11/03/22</p>	9722017220
<p>6) Rupesh Mahale,          Project officer, MIZMA</p>		<p><i>[Signature]</i>          11/3/2022</p>	8369231439



	नाव	विभाग	सही	114 नं
८)	दिपक रामचंद्र मधने	इ.के.व्हा (एम/प)		9920061433
९)	T. G. Yadav	उप्रा. अ. मुं - १ मंत्र. नि. मं		9987578609
१०)	D. V. Mhatre	इ.के.व्हा. उ. प्र. व्हा. म. प्र. नि. मं. मुंबई-१		9423936267
११)	म. गो. इंगळे	उ. प्र. अ. मुं - ३		9969803810
१२)	आके. लु. वडिग	स. प्र. (अ. क. व्हा) एम. प्र.		966705719
१३)	जुखे व. खडार	कार्यालयी अधिकारी (सि. व्हा.) एम. प्र.		995026041
१४)	वैभव गोडसे	सहा. आय. (इ. व्हा.) को.		8291206075
१५)	V. P. MATE	A. C. M. W.		9167445003
१६)	Aranti mayekar	Naib Tahasildar Tahasil Kurla (Collector office) Bardra		9202757626



**MINUTES OF THE SECOND MEETING OF JOINT COMMITTEE CONSTITUTED IN COMPLIANCE OF THE ORDER DATED 15/12/2021 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 343/2021, MADHURA RAJESH TAWADE V/S STATE OF MAHARASHTRA ORS. Dated 25/5/2022**

Second meeting of the joint committee was held on 25/05/2022 at F/N Ward Office, Matunga, Mumbai to discuss on the progress of decisions taken during previous meeting of the joint committee. List of participants present in the aforesaid joint committee meeting is given at Annexure-I.

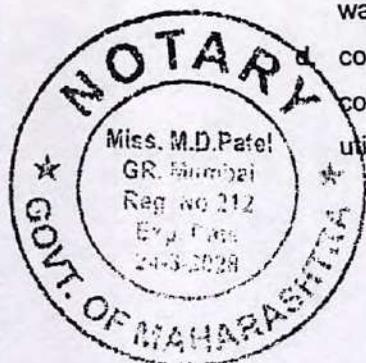
Representative from MPCB, Mumbai welcomed all the members of the joint committee and invitee participants from Salt Pan Department, Mumbai. He briefed about the decisions taken during previous meeting of the joint committee.

The joint committee members deliberated about the issue of unauthorised disposal of debris at near Costal road at Wadala to Mahul, closed to Chembur to CST freeway. Also, about the status of ownership of alleged land at C. S. no. 117, 144 & 145, where unauthorized disposal of debris observed during the previous joint committee visit and unauthorised encroachment by slum dwellers. Subsequently, it was decided to collect various records/documents from Salt Pan Department about the status of ownership of alleged land at C.S. no. 117, 144 & 145 along with PR card.

**Decisions:**

After detailed discussions, following decisions were taken by the joint committee;

- i. MPCB to pursue with Slat Pan Department, Mumbai for submission of following:
  - a. chronology of events w.r.t. petition filed by the Slat Pan Department, Mumbai before the Hon'ble Court(s) against the occupier of salt pan and its present thereof; (including copies of orders, reply affidavits filed etc.);
  - b. copies of letter if any; addressed by the occupier of slat pan to the Salt Pan Department, Mumbai for seeking permission to dump C&D waste for the reported repair/maintenance of bandh along the periphery of slat pan;
  - c. copies of reply if any; by the Salt Pan Department, Mumbai addressed to the occupier of the salt pan for giving consent/permission to utilize/dump C&D waste at the alleged C.S. no(s).
  - d. copies of action taken if any; against the occupier of the salt pan, if no consent/permission has granted by the Salt Pan Department, Mumbai for utilization of C&D waste for augmenting the existing bandh;



- e. copies of various communication/correspondence letters from Dy. Superintendent of Salt, Wadala; Dy. Salt Commissioner, Mumbai; Superintendent of Salt addressed to various agencies for dumping of C&D waste in the aforesaid alleged areas.
  - f. copies of public grievance(s) received, and action taken report submitted in the aforesaid alleged issues of dumping of C&D waste.
  - g. copy of layout of the salt pan works at C.S. no. 117, 144 & 145;
- ii. It was requested that the Slat Pan Department, Mumbai may positively send the aforesaid compiled information to MPCB on or before 10/06/2022 for compilation of information, report preparation, deliberation of the joint committee and for compliance of the aforesaid Hon'ble NGT order. Further, it was decided that in view of non-submission of aforesaid documents by the Slat Pan Department, Mumbai, the joint committee may finalize the report and convey the status to Hon'ble NGT.

Meeting ended with vote of thanks.

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भारत सरकार  
GOVERNMENT OF INDIA  
उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डिंग, चौथी मंजील Exchange Building, 4<sup>th</sup> floor

सर शिवसागर रामगुलाम मार्ग Sir Shivsagar Ramgulam Marg

बेलाई ईस्टेट, मुंबई - 400001 Ballard Estate, MUMBAI - 400001

Email: [dsaltcom.mum@nic.in](mailto:dsaltcom.mum@nic.in)

Phone: 022-20825206

022-20822192

**BY EMAIL / SPEED POST**

C. No. D-11030/1/Land/2008/11/ 24400

Date: 25/08/2022

To

✓ The Regional Officer,  
Maharashtra Pollution Control Board,  
Kalpataru Point, 1<sup>st</sup> Floor, Sion Crucial,  
Opp. Cineplanet Cinema, Sion (East),  
Mumbai - 400022.

Sub:- Damage to the environment due to destruction of mangroves by dumping debris on salt pan lands at Wadala - Hormoz salt works - Reg.

Sir,

Please refer to your letter No. MPCB/ROM/TB-1367 dated 03.06.2022 on the above subject.

The information desired by your above referred letter is as below:-

- i) **Status of ownership of land bearing CS No. 117, 144 & 145 of Salt Pan Division, Wadala** : It is informed that lands bearing CS No. 144 & 145 under Hormoz salt works are owned by Government of India. Property cards of these CS Nos. are available online and the same can be downloaded.
- ii) **Status of Litigation or petition with regard to salt pan lands against occupier** : In case CS No. 144 & 145 of Salt Pan Division, Wadala, no litigation in any court is pending. But an eviction proceedings against the salt manufacturers under provisions of Public Premises Act 1971 is pending before the Estate Officer of this Department since year 2013.

SROF  
M. Patil

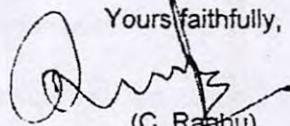
30/8/22



Page 1 of 2

- iii) **Permission taken by salt manufacturer of Hormoz salt works for dumping of debris** : No permission has been taken by the salt manufacturer for repair or maintenance of the salt work outer bund. However, it is informed that permission is not required for regular repair or maintenance of the outer embankment of salt works.
- iv) **Copies of letters addressed to salt manufacturer by Salt Department regarding repair or maintenance of the outer embankment / bund** : No permission given and hence no letter is issued by this office in this regard.
- v) **Copies of letters addressed to salt manufacturer or other agencies by Deputy Superintendent of Salt, Wadala or Superintendent of Salt, Bhandup regarding repair or maintenance of the outer embankment / bund** : No communication or letter has been issued by Deputy Superintendent of Salt, Wadala or Superintendent of Salt, Bhandup in this regard.
- vi) **Copies of letters issued with regard to public grievances on this subject** : A complaint from shri Stalin D. was received on this subject and he was given reply vide this office letter dated 27.04.2022 (Annexure No. 1).
- vii) **A copy of layout plan of Hormoz salt works (CS No. 144 & 145)** : A copy of the layout plan is enclosed herewith at Annexure No. 2.

Yours faithfully,



(C. Raghu)

Deputy Salt Commissioner  
Mumbai

Copy for information to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.





76

GOVERNMENT OF INDIA  
Office of the Deputy Salt Commissioner  
Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,  
MUMBAI - 400 001  
Phone: 22611527, 22695206, Fax: 022 22671192,  
E-mail: dsaltcom.mum@nic.in

C. No. D-11030/13/Land/2008/I/ 2141-43 Date: 27 / 04/2022

To  
Shri Stalin D,  
Director, Vanshakti,  
Nandkumar Pawar House,  
2<sup>nd</sup> Floor, Opp. Jagnath Darshan,  
M.D. Keni Marg, Bhandup village East,  
Mumbai - 400042.



Sir,

Sub: Massive dumping of debris on wetlands, mangroves and Salt Pans at Wadala regarding.

Please refer to your mail dated 03.03.2022 and 09.03.2022 on above subject.

In this connection it is to state that the outer bund of M/s Hurmoz Salt Works, Wadala is about 1 Km long which was badly damaged due to "Taukte" cyclone in May 2021 and reduced to 1-2 feet height. Since the area is tide prone, the sea water enters in the Salt Works during every high tide and manufacturing of Salt was affecting adversely which necessiated the repairing of the bund.

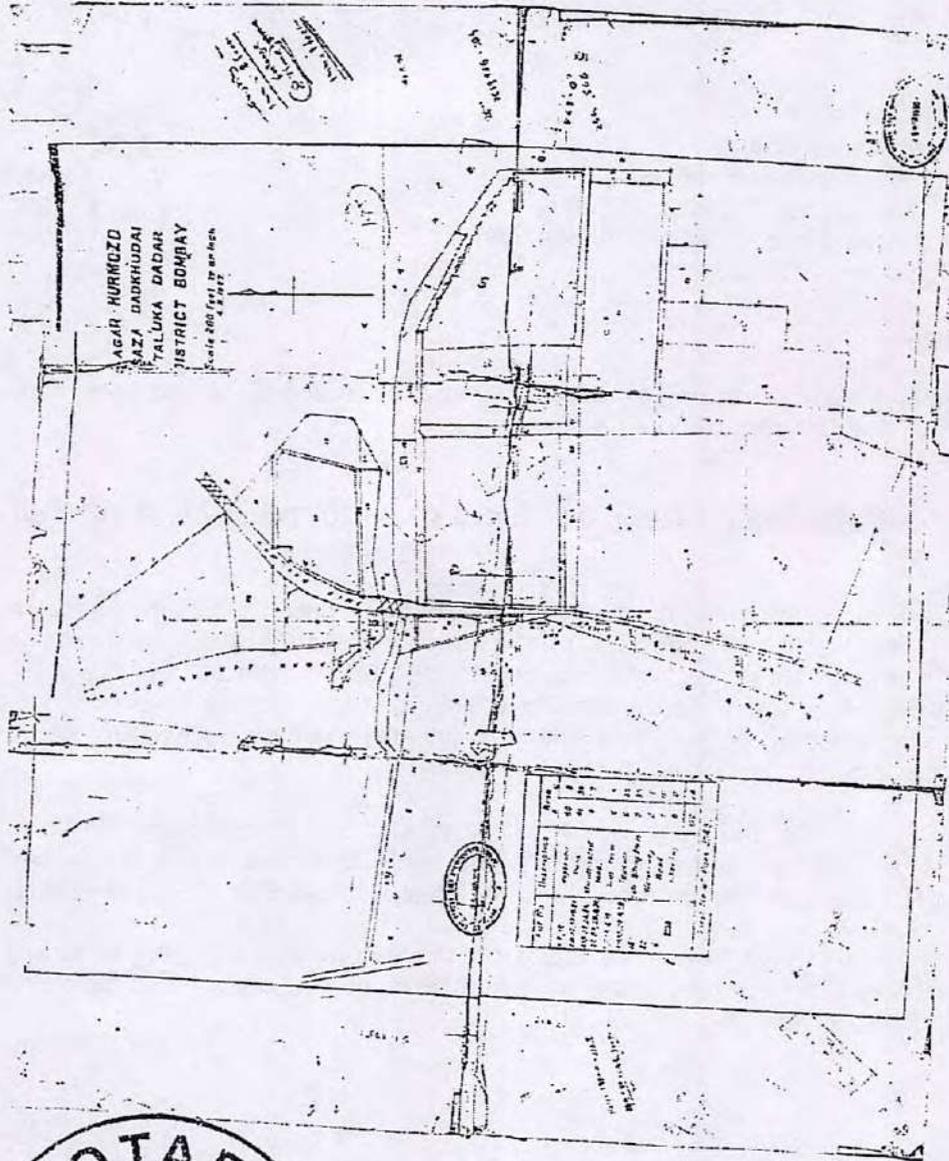
Further, the bund was repaired by the Salt Manufacturer by bringing the soil/debris from out side due to non availability of soil at the site as one side of the bund is dense mangrove and on other side the Salt Works is situated.

However at present there is no movement and dumping of debris at the site as the repairing work of outer bund of the above said Salt Works has almost completed.

Yours faithfully

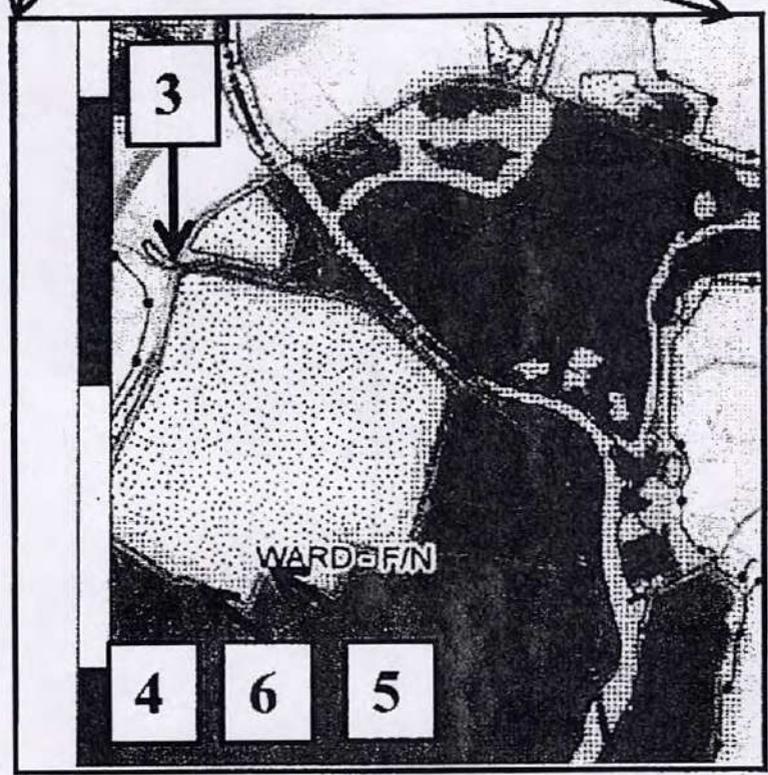
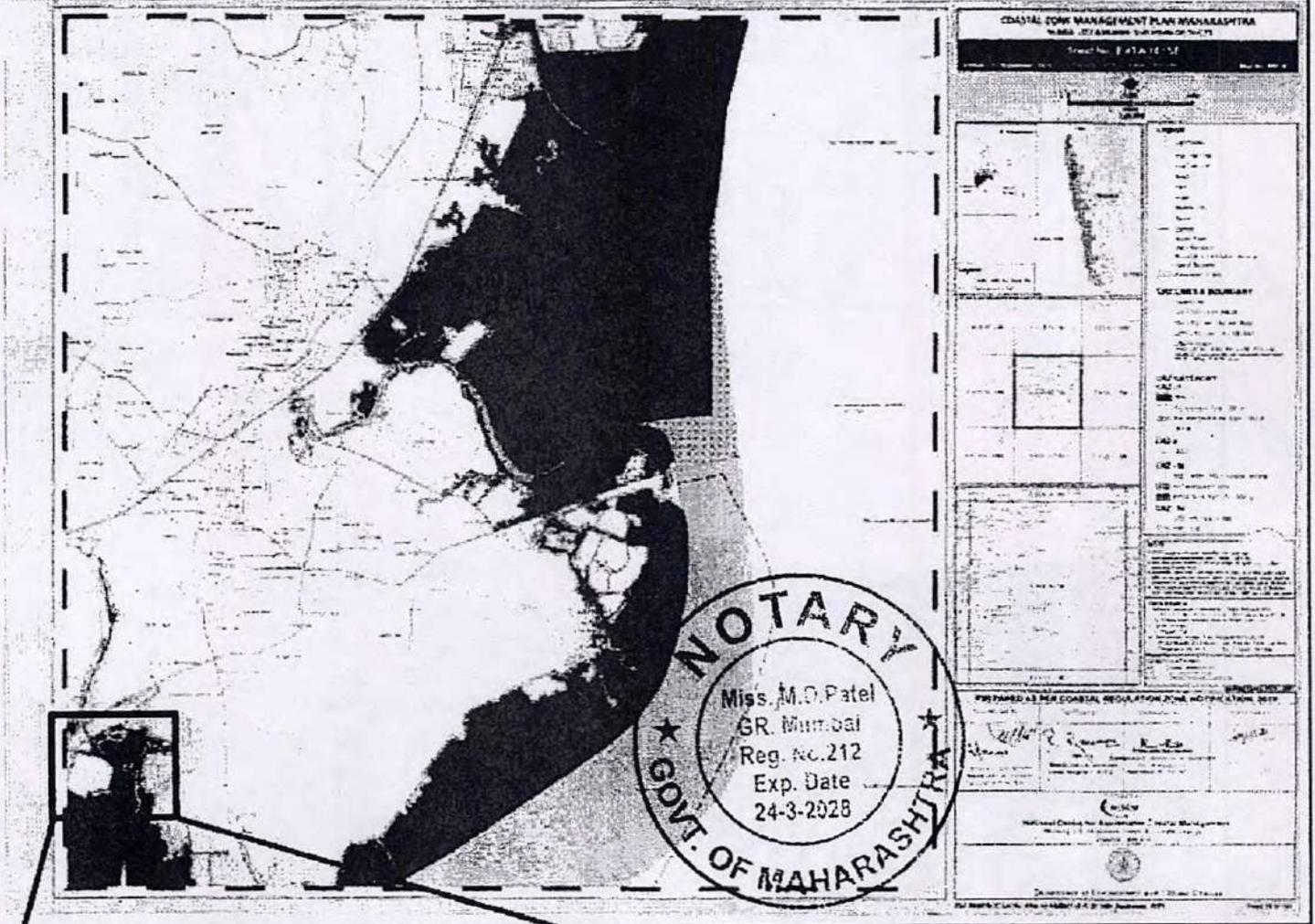
(C. Raghu)  
Deputy Salt Commissioner  
Mumbai

Copy to: The Superintendent of Salt, Bhandup.  
The Deputy Superintendent of Salt, Wadala.



★ NOTARY ★  
 Miss. M.D. Patel  
 Gr. Numbal  
 Reg. No. 212  
 Exp. Date  
 24-3-2028  
 ★ GOVT. OF MAHARASHTRA ★





**CRZ CATEGORY**

**CRZ - I**

- CRZ - IA
- Eco Sensitive Zone - CRZ IA
- 50m Mangrove Buffer Zone - CRZ IA
- CRZ IB

**CRZ II**

- CRZ II

**CRZ - III**

- NDZ - Within CRZ II - Greater Mumbai
- No Development Zone
- 50m to 500m from HTL - CRZ IIIA

**CRZ - IV**

- CRZ - IVA (Upto 12 NM)
- CRZ - IVB

Annexure-7



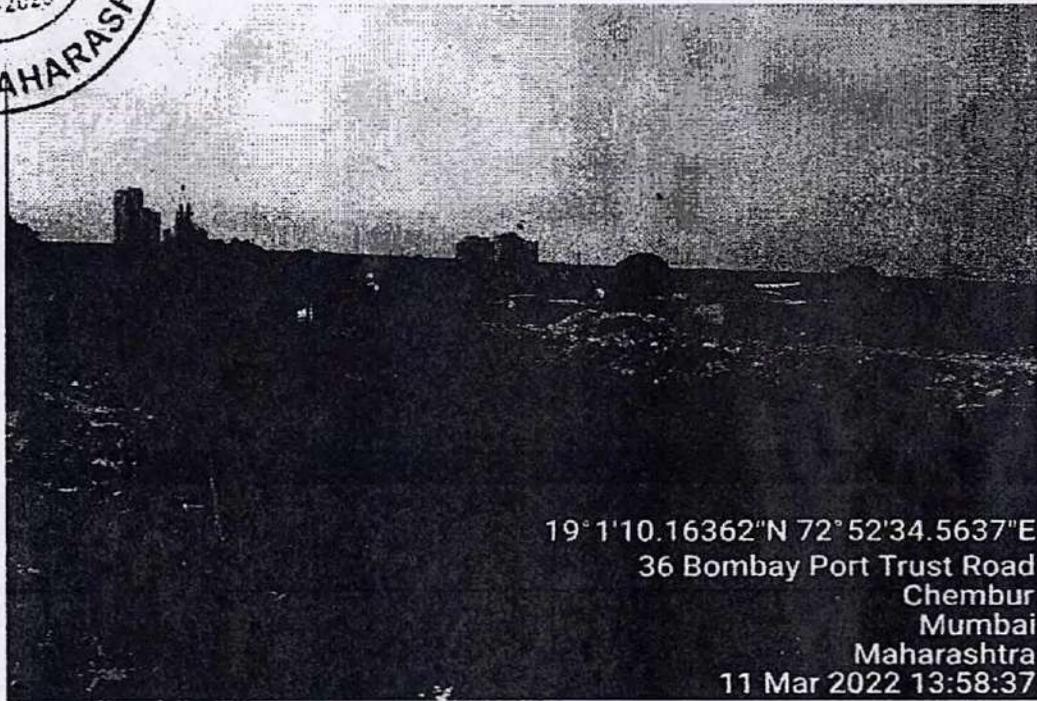
Photograph-1: Location of salt pan at C. S. no. 144 & 145 near Costal road at Wadala to Mahul, close to Chembur to CST freeway.



Photograph-3: A view of salt pan at C. S. no. 144 & 145 near Costal road at Wadala to Mahul, close to Chembur to CST freeway.



Contd./-



19° 1' 10.16362" N 72° 52' 34.5637" E  
 36 Bombay Port Trust Road  
 Chembur  
 Mumbai  
 Maharashtra  
 11 Mar 2022 13:58:37

**Photograph-3: Illegal encroachment of slum dwellers at C. S. no. 144 (Pvt. land) & C. S. no. 117 (Govt. land), originally a marshy land and also covered with mangroves.**



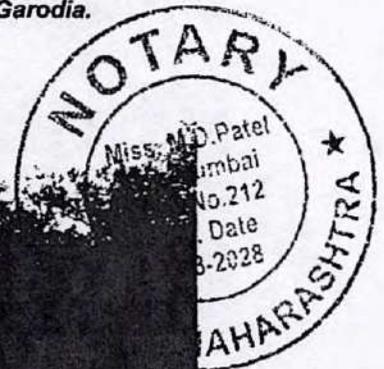
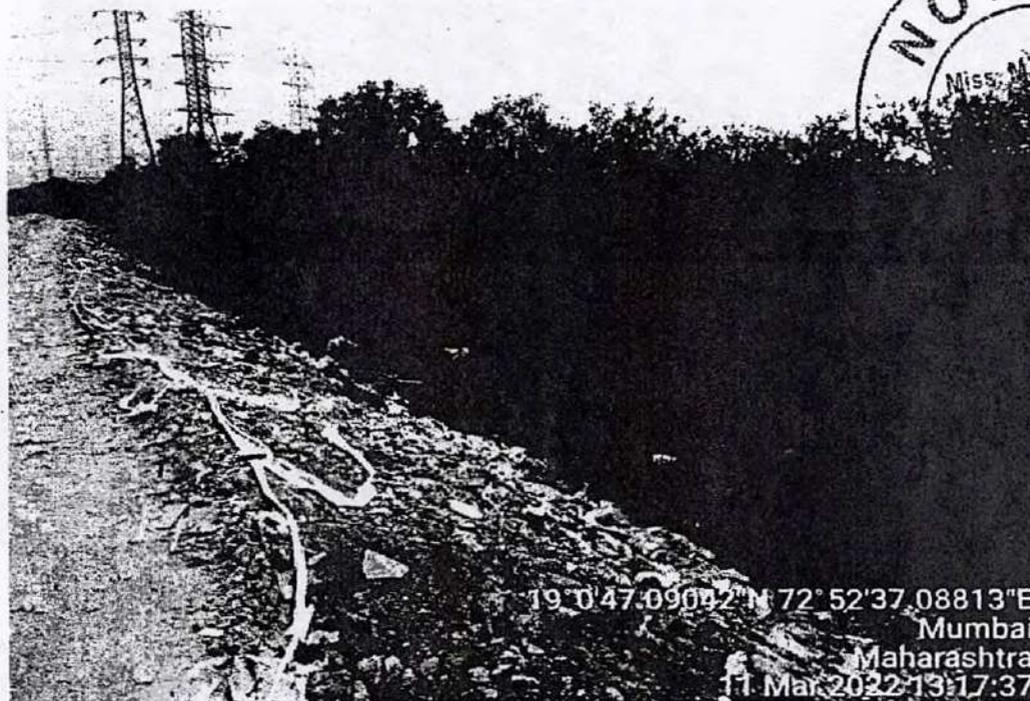
19° 0' 47.8991" N 72° 52' 35.05193" E  
 Wadala - Chembur Road  
 Wadala  
 Mumbai  
 Maharashtra  
 11 Mar 2022 13:14:33

**Photograph-4: Unauthorized dumping of C&D waste adjacent to mangrove area along the entire periphery of the reported Pvt. land at C. S. no. 144 & 145, operated by Shri Garodia.**

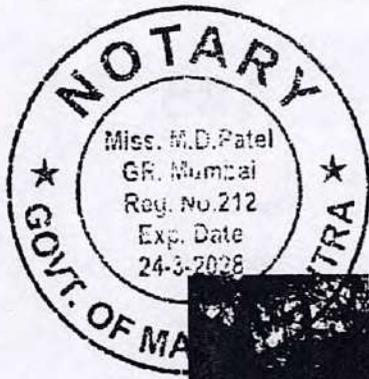
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**Photograph-5: Unauthorized dumping of C&D waste adjacent to mangrove area along the entire periphery of the reported Pvt. land at C. S. no. 144 & 145, operated by Shri Garodia.**



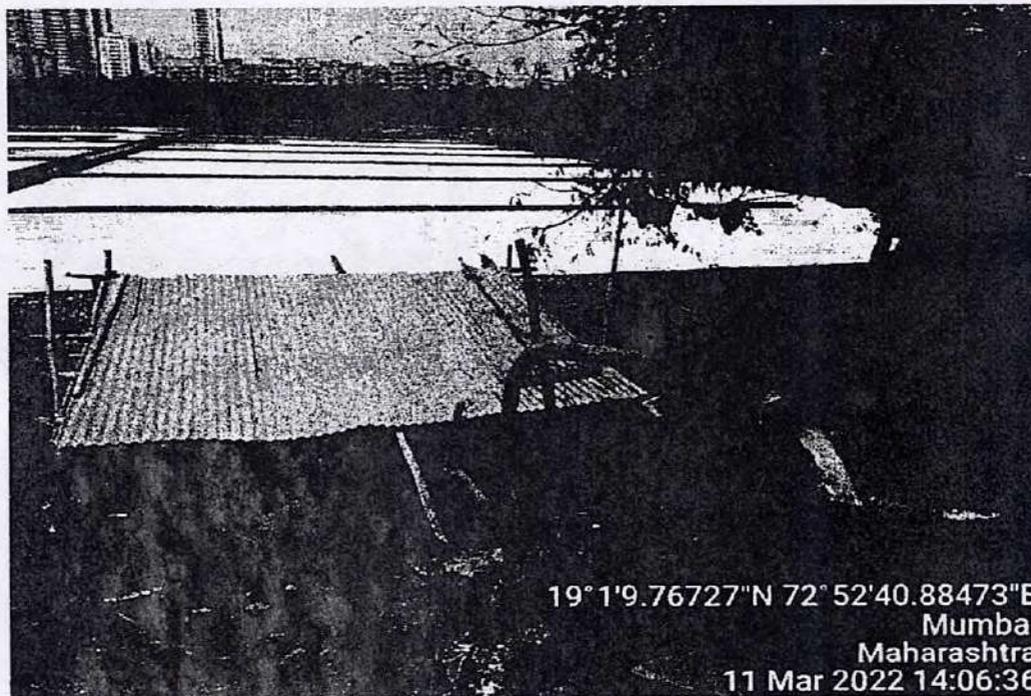
**Photograph-6: A closer view of unauthorized dumping of C&D waste adjacent to mangrove area along the entire periphery of the reported Pvt. land at C. S. no. 144 & 145, operated by Shri Garodia.**



Contd./-



**Photograph-7: Conventional bund created along the periphery of the reported Pvt. land at C. S. no. 144 & 145, operated by Shri Garodia, to prevent the ingress of creek water into salt pans.**



**Photograph-8: Bore-well(s) installed within the salt pan premises i.e. on reported Pvt. land at C. S. no. 144 & 145, operated by Shri Garodia to draw salt-laden ground water for harvesting the salt.**

④

10/5/23

Annexure 127

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 343/2021

Madhura Rajesh Tawde

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 28.09.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondent(s): Mr. Mukesh Verma, Advocate for MPCB &amp; MCZMA

**ORDER**



1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

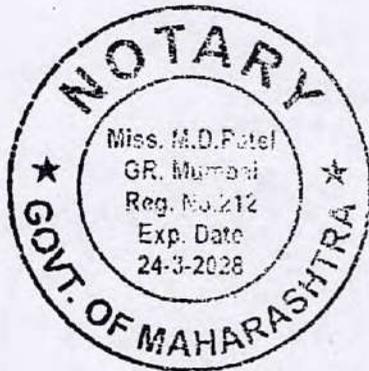
2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

**"3.0 Observations and findings**

*This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.*

- i. *The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.*
- ii. *As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).*
- iii. *As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.*
- iv. *It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were*



produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.

v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.

vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.



vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at <https://mczma.ciov.in/sites/default/files/CZMP%20MH%2076.01>

viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it

is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.



As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.

- x. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

#### 4.0 Conclusions

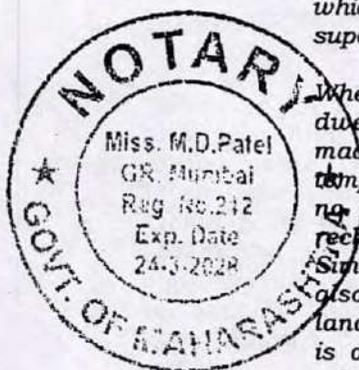
The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-1 A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove buffer zone as per the superimposed map of the area under reference.



Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the

local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

### 5.0 Recommendations

(a) For violations of provisions of CRZ Notification, 2019 In view of the aforesaid violations of:

i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.

(b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.



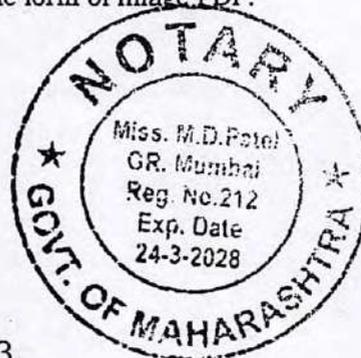
MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

(d) Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported

*through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."*

4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.



6. Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date.

List for further consideration on 02.01.2023.

A copy of this order be forwarded to CPCB, NCZMA, MPCB, Principal Secretary, Environment, Maharashtra, Commissioner, Municipal Corporation, Greater Mumbai and Collector, Bandra by e-mail for compliance.



Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 28, 2022  
Original Application No. 343/2021  
DV

10/5/23 Annexure-135<sup>5</sup> (Gilly)

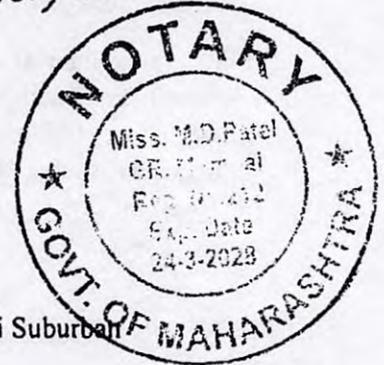
**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

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

No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032.  
Date: 26<sup>th</sup> December, 2022

**URGENT NGT MATTER**

**REMINDER LETTER**



To,  
District Collector, Mumbai City  
Old Custom House,  
Mumbai City

To,  
District Collector, Mumbai Suburban  
Govt Colony, Bandra (E),  
Mumbai Suburban- 400051

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

**Ref:** 1) Order dated 28.9.2022 passed by the Hon'ble NGT in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

2) First (1<sup>st</sup>) review meeting held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya.

3) This office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022

Dear Sir,

Reference kindly invited to this office letter no OA 2022 / CR 3 / TC - 4 dated 1.11.2022 sent to you for compliance of order 28.9.2022 passed by Hon'ble NGT, New Delhi in Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra. Copy of the said letter is attached herewith for a ready reference.

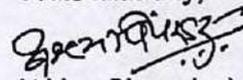
2. It is to remind you that, in order to comply with the order 28.9.2022 passed by Hon'ble NGT, New Delhi, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of

Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the order dated 28.9.2022 of Hon'ble NGT along with minutes of the 1<sup>st</sup> review meeting is sent to you once again for ready reference.

3. As per the above said Hon'ble NGT order, *Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by vide conference on the next date*" The next date in the matter is 2/1/2023.

4. In the light of above, you are once again directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of Maharashtra on or before 10<sup>th</sup> November, 2022. Action taken report be submitted to the Department immediately, so that Hon'ble NGT could be appraised about the action on next date of hearing i.e. listed on 2<sup>nd</sup> January, 2023. Please treat this as MOST URGENT

Yours faithfully,

  
(Abhay Pimparkar)

Director, Environment and Climate Change Dept  
and MS, MCZMA

Copy for information to:

1. Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File - TC 4

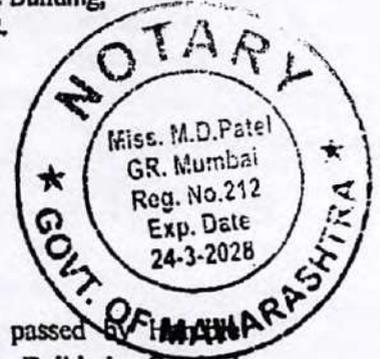


**MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY**

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

No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032,  
Date: 1.11.2022

To,  
Prerna Joshi,  
Salt Commissioner, Government of India,  
New Delhi



**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

Your kind attention is requested in the matter of Original Application No. 343/2021 filed by Madhura Rajesh Tawade versus State of Maharashtra before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. Grievance in this application was for remedial action against damage to the environment in Mumbai City near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves. Unauthorized structures are against CRZ regulations issued under Environment (Protection) Act, 1986.

2. It is to inform that vide order dated 15.12.2021, the Hon'ble NGT had earlier sought a factual and action taken report from a six member joint committee comprising of MCZMA, CPCB, MPCB, SEIAA, BMC and concerned District Magistrate. In pursuance of the said order, a joint committee had submitted its report on 26.9.2022 before Hon'ble NGT. Copy of the said joint committee report is attached herewith.

3. Presently, the Hon'ble NGT has passed an order dated 28.9.2022 in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra), which is as follows:

*"The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGM has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The salt commissioner Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal*

Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.5.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded / encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF / OCR support PDF and in in the form of image PDF."

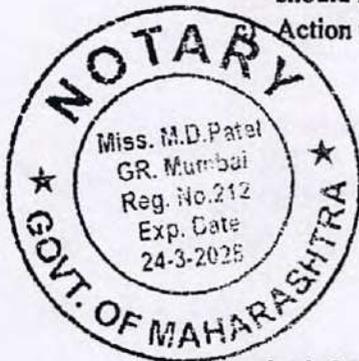
A copy of the above said order of the Hon'ble NGT is attached herewith.

4. In the matter, first (1<sup>st</sup>) review meeting was held on 18<sup>th</sup> October, 2022 in the chamber of Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai, wherein officials from the MCGM, Salt Commissioner, District Collector, Mumbai City and MPCB were present for deliberations. A copy of the minutes of the said meeting is attached herewith.

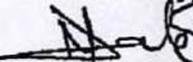
5. In the light of above, in order to comply with above stated order dated 28.9.2022 of the Hon'ble NGT in time bound manner, following directions are issued to MCGM:

- Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land
- Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&D waste on salt pan land. Deputy Salt Commissioner should issue notices to salt salt pan operators / salt manufactures for the same.

Action taken report be submitted to the Department at the earliest.



Yours faithfully,

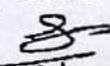
  
(Narendra D. Toke) 11/22

Director, Environment and Climate Change Dept  
and MS, MCZMA

Copy for information to:

- Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
- Select File - TC 4

o/c

आज दि. 2/11/2022  
रोजी निर्गमित केले  
लिपिक/कार्यासन   
पर्यावरण व वातावरणीय बदल विभाग  
मंत्रालय, मुंबई ४०० ०३२

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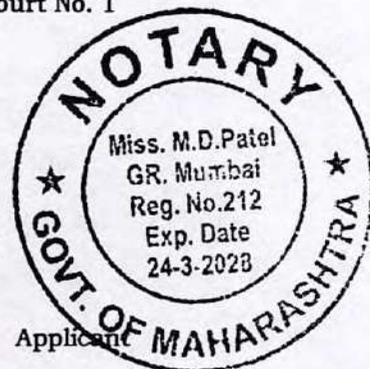
Annexure 'H'  
139

Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI****(BY HYBRID MODE)**

Original Application No. 343/2021



Madhura Rajesh Tawde

Versus

Applicant

State of Maharashtra

Respondent(s)

Date of hearing: 15.03.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Madhura Tawde, Applicant in Person

Respondent(s): Mr. Pravin Dasade, Principal Secretary, Environment &amp; Climate Change &amp; Mr. Abhey Pimpkar, Director, Environment &amp; Climate Change with Mr. Mukesh Verma, Advocate MCZMA &amp; MPCB

**ORDER**

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

3. The matter was last considered on 28.09.2022 in the light of report of joint Committee dated 26.09.2022. Finding serious violations of CRZ Notification, 2019 by illegal encroachments, dumping of C&D waste and damage to the mangroves, the Tribunal directed the State Coastal Zone Management Authority to prepare a time bound action plan for remedial action to remove unauthorized dumping of waste, encroachments and restoration of mangroves. Action was also directed to be taken by Salt Commissioner, Mumbai to be overseen by Principal Secretary, Environment Department, Maharashtra and NCZMA.

4. Relevant extracts from order of the Tribunal are reproduced below:-

3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

**"3.0 Observations and findings**

*This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.*

- i. *The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.*
- ii. *As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).*
- iii. *As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt*



Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.

iv. It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.



v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.

vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.

vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The

approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at <https://mczma.ciov.in/sites/default/files/CZMP%20M%20H%202076.01>

- viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.



- ix. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.
- x. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

#### 4.0 Conclusions

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt

manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.



Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.

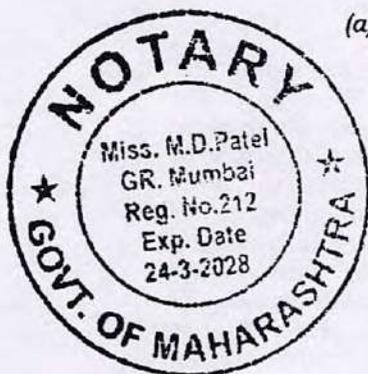
During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-I A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove

buffer zone as per the superimposed map of the area under reference.

Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

#### 5.0 Recommendations



- (a) For violations of provisions of CRZ Notification, 2019 In view of the aforesaid violations of:
- i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.
- (b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.
- (c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.

- (d) Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."

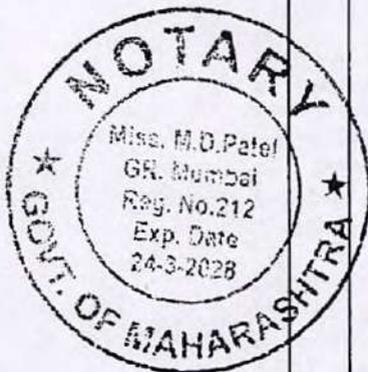


4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-nqt@gov.in](mailto:judicial-nqt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

5. In pursuance of above, status report has been filed by the joint Committee on 13.02.2023 giving status of action as follows:-

Sr No	Organization	Directions issued	Status of Action
1	MCGM	a) MCGM to immediately take	The MCGM vide letter dated 29.12.2022 submitted its reply which states that:



		<p>necessary action of removal of encroachments/ illegal constructions on subject land, for which, ward offices of F/ N and M/ W should act in coordination along with office of Salt Commissioner.</p> <p>b) MCGM to formulate action plan along with budgetary allocation for immediate collection of C&amp;D waste from the subject land. MCGM should sent C&amp;D waste from the subject land to Navi Mumbai C&amp;D waste processing facility or any other nearby facility, until the C&amp;D waste processing facility is set up by the MCGM for Mumbai City and necessary charges for waste processing shall be borne by MCGM as per order of Hon'ble NGT. Action plan should also include the time line for setting up of C&amp;D waste facility within MCGM area.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>The said plots ownership is with Salt Commissioner. The said plot given to M/s Harmor Salt Works on lease / rental basis. Hence the protection of land is the responsibility of owner/ occupier / tenant of the land, by deploying security guard or by constructing protection wall along the periphery of the land</p> <p>MCGM may help to remove or to process the C &amp; D waste materials from the said location if the fund and land were made available by owner of the land</p> <p>Also as the ownership of land pertains to salt commissioner, MCGM is not authorized to remove the structure from the land of salt Commissioner. In view of above, MCGM may help to remove the authorized structure if salt commissioner takes leadership for removing the same.</p> <p>MCGM has submitted also an additional reply in the matter. Pertaining to removal / processing of C&amp;D waste, the reply of MCGM states as follows:</p> <p>The recommendation of the Committee for the removal of unauthorized C&amp; waste dumped at the Salt pan plot is as following.</p> <p>"Dumping C&amp;D waste/debris for carrying out repairing &amp; augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ - IA. The operator of salt pan / salt manufacturer under the supervision of officer of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC may be directed to remove the unauthorized dumping of C&amp;D waste and shall dispose the same in an environmentally sound manner in the nearby C&amp;D waste processing facility at Navi Mumbai or other facility, as appropriate".</p> <p>However its seems that above mentioned recommendation may not have been considered, as intended by committee as, the C&amp;D waste material dump at the salt pan plot is to be removed by operator of salt pan/ salt manufacturer under the supervision of office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) ward of BMC. Therefore the necessary arrangement required for removal of C&amp;D material has to be done by the operator of salt pan / salt manufacturer only. BMC is ready for any supervision / coordination required for the same as recommended by the committee.</p> <p>Furthermore it is to be informed that currently there are two nos of C&amp;D waste processing Plants operational in and in the vicinity of Mumbai vis</p>
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			<p>M/s Godrej Construction Ltd at Vikhroli (E), Mumbai Capacity 300mt/day M/s Metro waste Handling Pvt. Ltd. at Shilphata, TMC Capacity 300mt/day. BMC has also proposed to set up 02 Nos of C&amp;D waste processing plants with capacity of 600 mt/day (total capacity 1200 mt/day). Estimated completion period for these is 2 years. The rendering for the same is under progress.</p> <p>In addition to this BMC has approved designated unloading sites for disposal of C&amp;D waste material generated out of construction and other activities in BMC limits as per directives of Hon'ble Supreme Court in SLP No. 23708 dt. 15.03.2018. The details of these designated unloading sites are available in Public Domain on BMC Portal. Any generator can dispose of their C&amp;D waste by following due procedure and by obtaining consent of the respective land owner / authorized representative of these designated unloading sites.</p> <p>Copies of MCGM replies are attached as Annexure III</p> <p><b>DELIBERATIONS:</b></p> <p>After taking note of abovementioned reply of MCGM, Principal Secretary, Env&amp;CC Department during the meeting pointed out that the specific directions has been issued by the Hon'ble NGT. The said directions of Hon'ble NGT are as follows:</p> <p>"MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste"</p> <p>The Principal Secretary, Env&amp;CC Department during the meeting instructed MCGM officials to comply with Hon'ble NGT order since the directions of Hon'ble NGT are specific and clear to MCGM.</p> <p>MCGM officials during the meeting stated that the matter would be deliberated with Senior Officials of MCGM and accordingly, further line of action would be taken in the matter.</p> <p>Principal Secretary, Env&amp;CC Department once again directed that it is mandatory for the MCGM to comply with the above stated order of the Hon'ble NGT.</p>
2	District Collector, Mumbai City and Suburban	Office of District Collectors to hereby directed to take immediate action of removal of encroachments / authorized structures on Survey No. 117 which belongs to State of	<p><b>REPLY OF OFFICE OF DISTRICT COLLECTOR, CITY:</b></p> <p>The Office of Deputy Collector (Encroachment), old custom House, Fort, Mumbai vide letter dated 6.2.2023 submitted the status of action taken. The said report states as follows:</p>



		<p>Maharashtra on or before 10th November, 2022.</p> <p>Action taken report be submitted to the Department at the earliest.</p>	<ul style="list-style-type: none"> <li>Plan for removal of encroachment on subject Govt land bearing CS No. 117 (pt) was staged on 10.1.2023 by the office of Deputy Collector (Encroachment). Accordingly, on 10.1.2023, 55 number of illegal constructions were removed by the office of Deputy Collector (Encroachment) with the joint help of F/ North ward of MCGM and local police station. Photographs of the said land are attached with the report. Display board is put on site warning for action against the illegal constructions on the land. Moreover, 3 pakka and 3 kaccha illegal constructions which could not be removed on 10.1.2023, were removed on 6.2.2023. Photographs of the same are attached with the report.</li> <li>On CS No. 117(pt), Annexure has been issued on 8.7.2010 pertaining to Slum Rehabilitation Scheme of Aman Sagar Sahakari Housing Society.</li> <li>On North side of CS No. 117(pt), at Shantinagar, there is construction of SamajMandir built using the fund from Local MLA shri Captain Tamil Selvan. Regarding confirmation about the said construction, office of Superintendent, Land Records and District Planning Officer, Mumbai has been asked.</li> </ul> <p>Copy of reply of Salt Department is attached as Annexure IV</p> <p><b>DELIBERATIONS:</b></p> <p>Principal Secretary, Env&amp;CC Department noted the action taken by the Office of District Collector, Mumbai city. He instructed that adequate measures need to be taken by the office of District Collector to protect the Govt land from encroachments in future.</p>
3	Office of Salt Commissioner	<p>a) Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to immediately take necessary action of removal of encroachments/ illegal constructions on subject land</p> <p>b) Salt Commissioner should not allow the salt pan operators / salt manufactures to allow the collection / dumping of the C&amp;D waste on salt pan land. Deputy Salt Commissioner should issue</p>	<p><b>REPLY OF OFFICE OF SALT DEPT:</b></p> <p>Office of Deputy Salt Commissioner submitted its reply on 23.12.2022 in the matter. The said reply states that:</p> <p>The office has issued letter No. S-11011(30) Salt/84/5430-36 dated 29.10.2022 (Annexure No.1) to the salt manufactures of Hormoz salt works under CS No., 144 &amp; 145 of Salt Pan Division, Wadala. To the said letter, a reply dated 18.11.2022 (Annexure No.2) has been given by the salt manufactures of the salt works. The salt manufactures have visited this office on 21.12.2022 and have assured that no such further attempt of dumping in salt pan lands will be undertaken by them. They have further informed that the land mafias in the area are dumping C &amp; D waste materials during night hours in salt pan lands with motive to grab / encroach upon land and it is becoming very difficult to prevent such isolated attempts by these land mafias. Despite shortage of manpower, the Salt Department is making all efforts to prevent encroachments in salt pan lands.</p>

	<p>notices to salt salt pan operators / salt manufactures for the same.</p> <p>c) Action taken report be submitted to the Department at the earliest.</p>	<p>It is further informed that the land under CS No. 117 of Wadala Salt Pan Division is owned by Government of Maharashtra and encroachments are mainly located on this lands. The encroachments are spilling over to Salt Department land under Hormoz salt works bearing CS No. 144 &amp; 145 which is adjacent to land bearing CS No. 117. We are not aware of any initiative / action taken either by the Municipal Corporation of Greater Mumbai OR the District Collector Mumbai as per the order dated 28.09.2022 of the Hon'ble NGT.</p> <p>Copy of reply of office of Deputy Collector, Mumbai city t is attached as Annexure V</p> <p><b>DELIBERATIONS:</b></p> <p>Principal Secretary, Env&amp;CC Department noted the reply and instructed Salt Department to provide all necessary assistant to MCGM and District Collector office in order to comply with directions of the Hon'ble NGT. He pointed out that as per Hon'ble NGT order, "The Salt Commissioner, Mumbai has also to take necessary action in the matter"</p> <p>Therefore, it is mandatory for the office of the Salt Commissioner Salt Commissioner should extend support and act in coordination with MCGM and District Collector, Mumbai City to comply with the order of Hon'ble NGT. Further, Salt Department need to come with practical measures to prevent encroachment and dumping on the land in future.</p>
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6. From the above, it is seen that even after expiry of more than five months, action taken is not adequate. C&D waste has not been removed and illegal encroachments still remain. There appears to be lack of inter-departmental coordination and failure at higher level to remedy the situation by adopting stringent approach. In this process, damage to the coast and environment continued. Such sorry state of affairs needs to be handled with iron hand and rigorously monitored on continuous basis at higher level, making the officers accountable for their inaction/negligence.

7. The ACS, Environment present in person by video conferencing has now assured the Tribunal that within three months the remedial measures will be completed which will include removing all encroachments, lifting of C&D waste for its appropriate processing and revival of damaged mangrove

plantation. Let the same be done and compliance report filed on or before June 30, 2023 with the Registrar General, NGT by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If any further direction is found necessary, he may place the matter before the Bench.

Subject to above, the Application is disposed of.

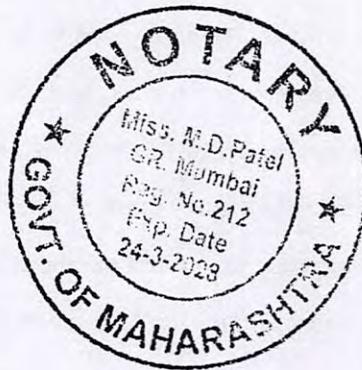
A copy of this order be forwarded to Chief Secretary, Maharashtra, Salt Commissioner, Mumbai, MCZMA and NCZMA by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 15, 2023  
Original Application No. 343/2021  
AB



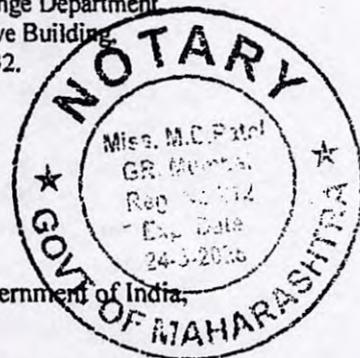
10/5/23

Annexure 151

## GOVERNMENT OF MAHARASHTRA

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

No. OA 2022 / CR 3 / TC - 4  
 Office of the -  
 Maharashtra Coastal Zone Management Authority,  
 Environment & Climate Change Department  
 15<sup>th</sup> floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032.  
 Date: 20<sup>th</sup> April, 2023



To,

1) Municipal Commissioner,  
 Municipal Corporation of Greater Mumbai,  
 Mahapalika Marg, Fort, Mumbai

2) Prema Joshi,  
 Salt Commissioner, Government of India,  
 New Delhi

3) District Collector, Mumbai City  
 Old Custom House,  
 Mumbai City

4) Deputy Commissioner of Police,  
 Zone IV, Mumbai

5) Regional Officer,  
 Maharashtra Pollution Control Board,  
 Sion. Kalpataru Point, Mumbai

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s GoM)

**Ref:** Site Visit of the Principal Secretary, Env&CC Department on 18<sup>th</sup> April, 2023

Dear Sir/ Madam,

This is to inform you that The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18<sup>th</sup> April, 2023 at 10.30 am. with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions. Copy of the minutes of site visit and joint meeting is attached herewith.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

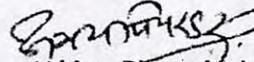
1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18<sup>th</sup> April, 2023 for implementing the Hon'ble NGT directions
3. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris/ C&D waste on the salt pan site and remove the existing C&D waste from the site
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the C&D waste from the site. Deputy salt commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region, Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.
10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises of Mr. Anil Sharma, Metro Waste handling Pvt Ltd, Executive Engineer. MCGM, City Survey & Land Record Officer, Mr. D. A. Patil, Consultant and Regional officer, MPCB, Mumbai who will act as Member convenor.

In the light of above, it is hereby directed that MCGM, Salt Pan Department, District Collector, Mumbai City should immediate start implementing the above said directions. District Collector, Mumbai City should file complaint under Section 19 & 15 of the



Environment (Protection) Act, 1986 as stated above. Police Department should provide all assistance / support to MCGM, Salt Pan Department and District Collector, Mumbai City for implementing the directions of the Hon'ble NGT.

Yours faithfully,

  
(Abhay Pimparkar)

Director, Environment and Climate Change Dept

**Copy for information to:**

1. Principal Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File TC-4





**MINUTES OF SITE VISIT AND JOINT MEETING**

Compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

The Principal Secretary, Environment & Climate Change Department visited the subject site of Wadala Salt Pan land on CS No. 144 & 145 at Wadala, Shanti Nagar and Govt Land CS No. 117 on 18<sup>th</sup> April, 2023 at 10.30 am, with respect to compliance of Orders dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT in OA No. 343/2021. Concern officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department were present for the site visit. List of Officials present is attached as Annexure I.

2) Following the site visit, a joint meeting was conducted at MPCB Head Office, Sion under the Chairmanship of Principal Secretary, Environment & CC Department to deliberate and decide on further line of actions.

3) In the light of site visit and detailed discussions and deliberations during the meeting, following directions were issued:

1. All concerned officials from MCGM, Salt Pan Department, District Collector, Mumbai City and Police Department will work as one team, in order to comply with the directions dated 28.9.2022 and 15.3.2023 in OA No. 343/2021 (Madhura Tawde V/s GoM).
2. Start work from today i.e. 18<sup>th</sup> April, 2023 for implementing the Hon'ble NGT directions
3. Salt Pan Department should file FIR against the salt operators and give directions to immediately stop receiving the debris/ C&D waste on the salt pan site and remove the existing C&D waste from the site
4. Salt Pan Department to increase surveillance of the site and install CCTV cameras & boom barriers to strengthen the surveillance and prevent further dumping of the C&D waste.
5. Complaint to be filed under Section 19 & 15 of the Environment (Protection) Act, 1986 against the Superintendent of Salt, Deputy Superintendent of Salt and Salt pan operators. MCZMA, DCZMC, City and Regional Officer to file the said complaint.
6. It is the joint responsibility of the MCGM and Salt Department to remove the C&D waste from the site. Deputy salt commissioner to immediately remove the C&D waste & illegal encroachments, hutments with the support of MCGM and Police Department. MCGM to provide the manpower and machineries for the removal of the C&D waste.
7. MCGM should give a timeline & provision for budget for processing of the C&D waste in consultation with Higher Authorities of MCGM.
8. District Collector, Mumbai City to remove the illegal encroachments on Govt land CS No. 117 with the help of Police Department & MCGM
9. Task Force Committee under the Chairmanship of Director, Environment & CC Department to be constituted for monitoring the status of compliance of Hon'ble NGT order dated 28.9.2022 and 15.3.2023 in OA No. 343/2021. Task Force Committee

members will be comprising of Deputy Municipal Commissioner / Joint Municipal Commissioner, MCGZM, Assistant Commissioner, MCGM, District Collector Mumbai & his representative, Deputy Collector (Encroachment) Dharavi Region. Deputy salt commissioner & Superintendent of Salt, Deputy Commissioner of Police, City Survey and Land Record officer and Regional Officer (BMW), MPCB (Member Convenor). Task Force will hold weekly meetings in order to monitor the status of Compliance.

10. Technical Committee to be constituted to estimate the quantity of C&D waste dumps in and around the salt pan area, as mentioned in NGT order. Technical Committee will comprises of Mr. Anil Sharma, Metro Waste handling Pvt Ltd, Executive Engineer, MCGM, City Survey & Land Record Officer, Mr. D. A. Patil, Consultant and Regional officer, MPCB, Mumbai who will act as Member convenor.



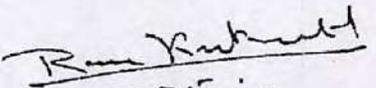
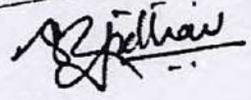
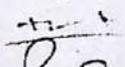
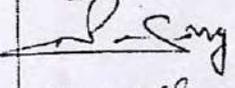
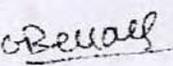
SITE VISIT

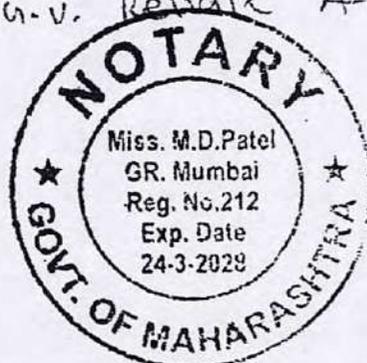
Visit of Principal secretary, Environment & CC Dept at  
Wadala salt pan, Shanti Nagar, Wadala.

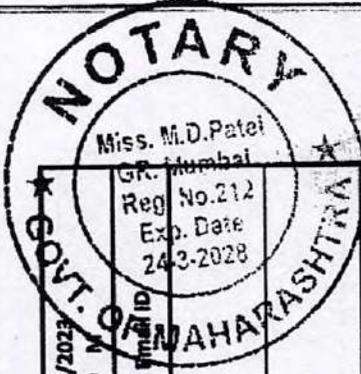
Date: 18<sup>th</sup> April, 2023

Ref: Hon. NGR order dt 28/9/2022 &  
15/3/2023 in O.A. 343/2021  
(Madhura Tawade v/s GON)

List of officials present for site visit

SR. NO.	Name & Designation of official	Signature & Contact
1)		
2)		
3)	Ravi Katakdhond CAD. Collector, Mumbai City)	
4)	Chanda Jadhav DMCSM	
5)	Krishna Kanase - SLR Mumbai City collector office	 (9930626644)
6)		
7)	P.N. Kulkarni E.E (SWM) 2II	 9137172334
8)	A.P. Mchauty, Sahaib & Salt	 9022912578
9)	S.N. PANDEY, Dy Subdt. of salt	 9426967322
10)	G.V. Rewale A.C. (BMC)	 - 9424046715

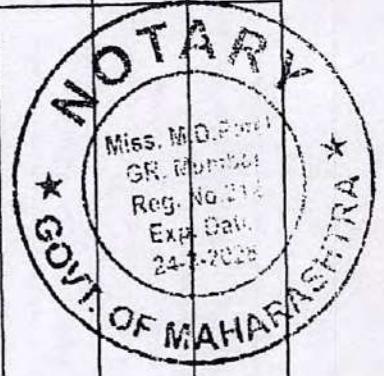




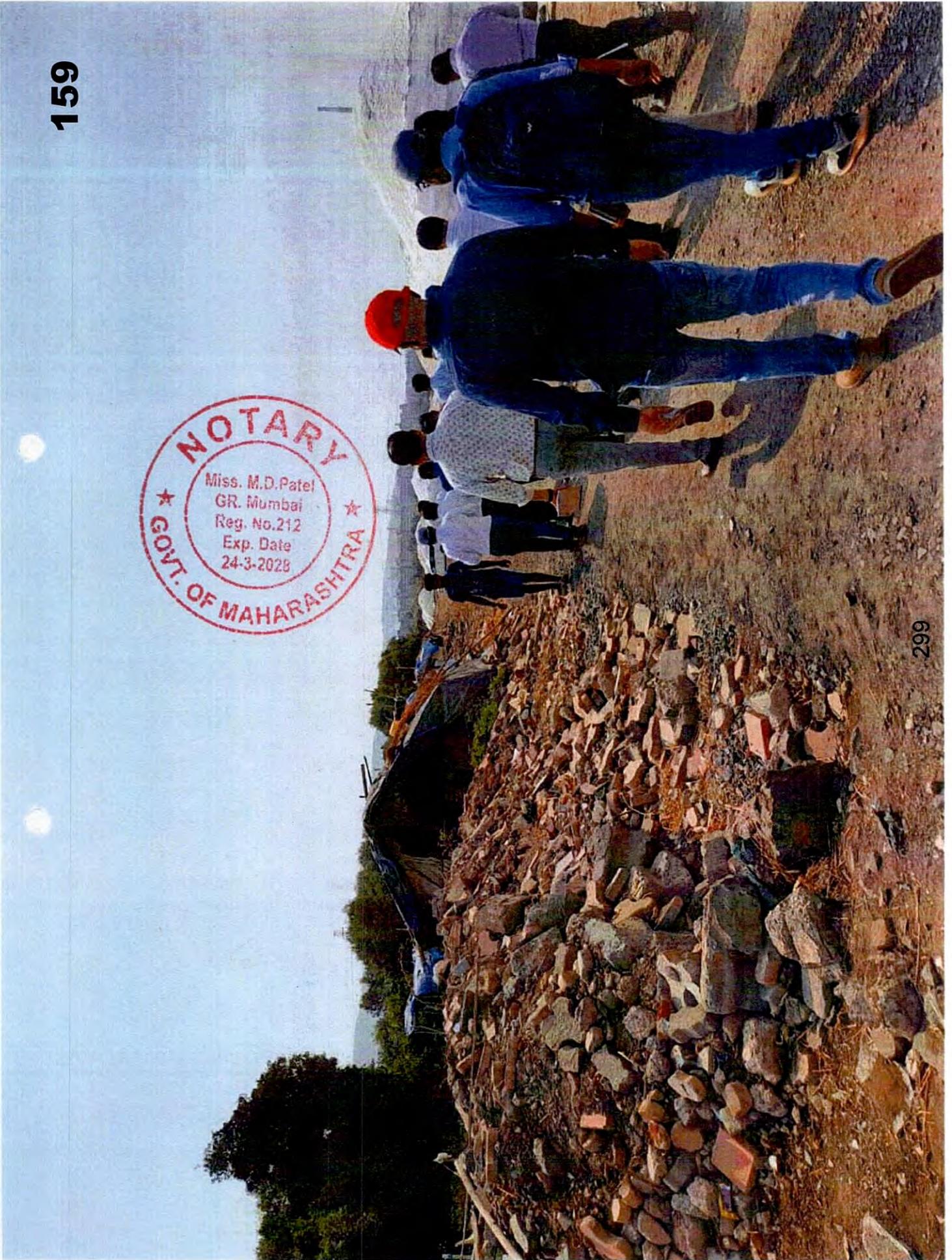
Meeting Regarding Meeting regarding construction and demolition waste management at salt pan, Mumbai		Date - 18/04/2023	Time - 11:00 AM		
Sr. No.	Name Of Officers & Designation	Department	Contact No.	Signature	Email ID
1	Shri Pravin Darade, IAS Principal Secretary, Environment	Environment Department			
2	Ban Katakdhond Ad. Collector Mumbai City	Revenue.	9699000000	<i>[Signature]</i>	
3	Chanda Jadhav DMC ISWM	BMC	9167203780	<i>[Signature]</i>	dmc.iswm@mcgm.gov.in
4	Abhay Pimpastkar	Env ce Dept	9890624888	<i>[Signature]</i>	abhaypn@yahoo.com
5	Gajanan Bellare	AE BMC	8424046715	<i>[Signature]</i>	a.c.f.n@mcgm.gov.in
6	Poochunam N. Kulkarni	E.E.(SWM) 2-II	913772334	<i>[Signature]</i>	1677716@mcgm.gov.in
7	A.P. Muckhandy,	Supdt. of Salt	9022555888	<i>[Signature]</i>	a.p.muckhandy@mcgm.gov.in
8	S.N. Patil	Dy. Supdt. of Salt	9426967322	<i>[Signature]</i>	bandyinspectsalt65@gmail.com
9	Pranav Handre	C&D Consultant	982022096	<i>[Signature]</i>	Pranavhandre20@gmail.com
10	Santosh Patil	Sidhasiri, Kaneri	9820920209	<i>[Signature]</i>	santoshpatil@4k5resort.com

11	DR. D.A. Patel	CRZ Consultant	9323058368	<i>[Signature]</i>	lap_24@hotmail.com
12	T. G. Yadav	SPOC MPCB	9987528609	<i>[Signature]</i>	
13	Samraj Ashok	COLLECTOR OFFICE Mumbai city	9967977259	<i>[Signature]</i>	
14	Krishnat Karax	C.S.R, Mumbai city Collector office	9930626664	<i>[Signature]</i>	CTS.ver.Collectorcity@gmail.com
15	A.N. Shende	Ward Executive Engineer F/N ward	9872924769	<i>[Signature]</i>	
16	S.K. Gaikwad	Executive Engineer (EWH) D.O. Halward, BMC	9004649964	<i>[Signature]</i>	
17	ANIL SHARMA	Regional CEO Metro waste handling Ltd	9867714965	<i>[Signature]</i>	anilsharma@citykfeupna.com
18	Pranod B. Shelke	PCMC CB D waste management Panel	8087911590	<i>[Signature]</i>	Pranod B Shelke@gmail.com
19	K.S. Langote	F.O, MPCB	9869450079	<i>[Signature]</i>	
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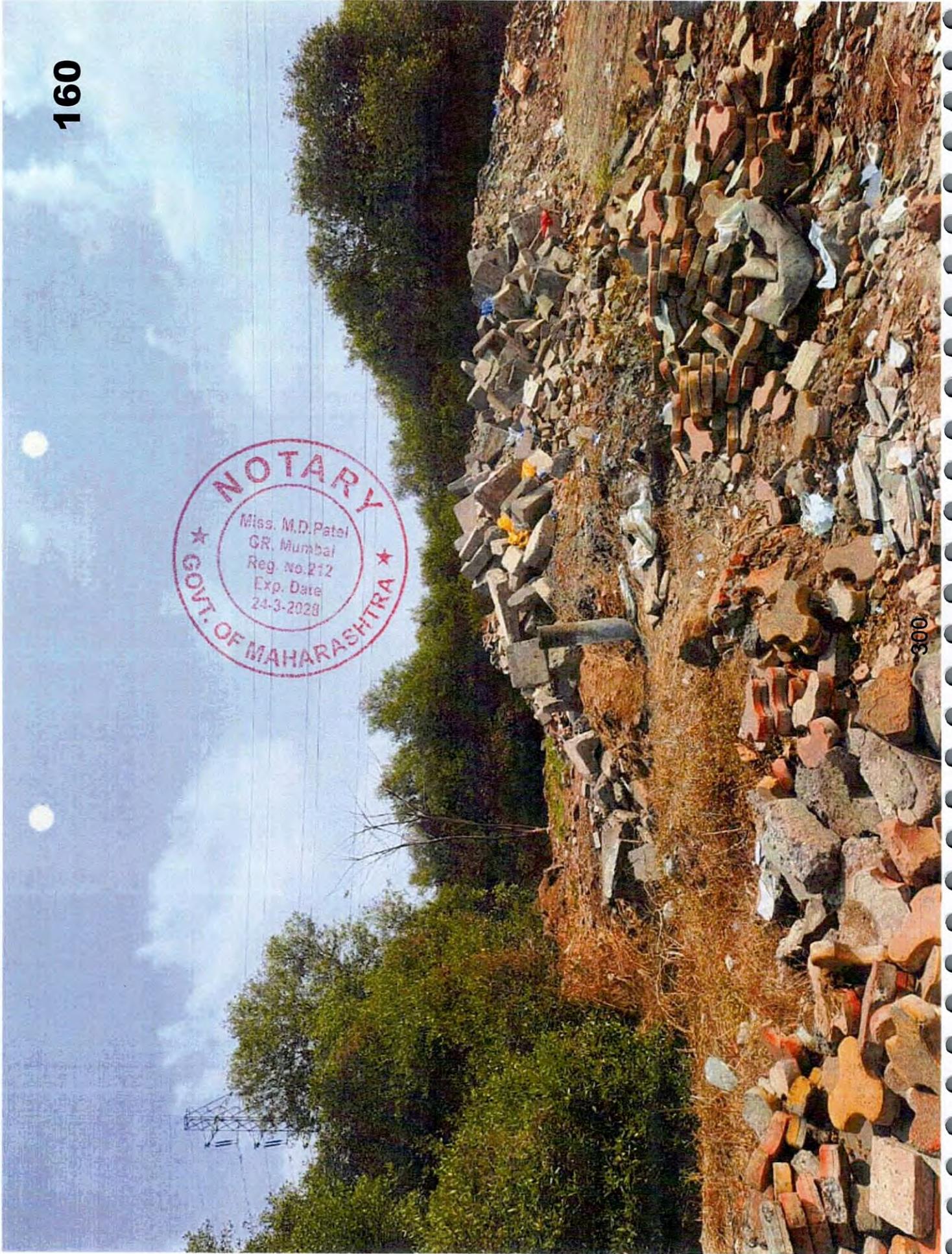
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NOTARY  
★ Miss. M.D.Patel ★  
GR. Mumbai  
Reg. No.212  
Exp. Date  
24-3-2028  
★ GOVT. OF MAHARASHTRA ★

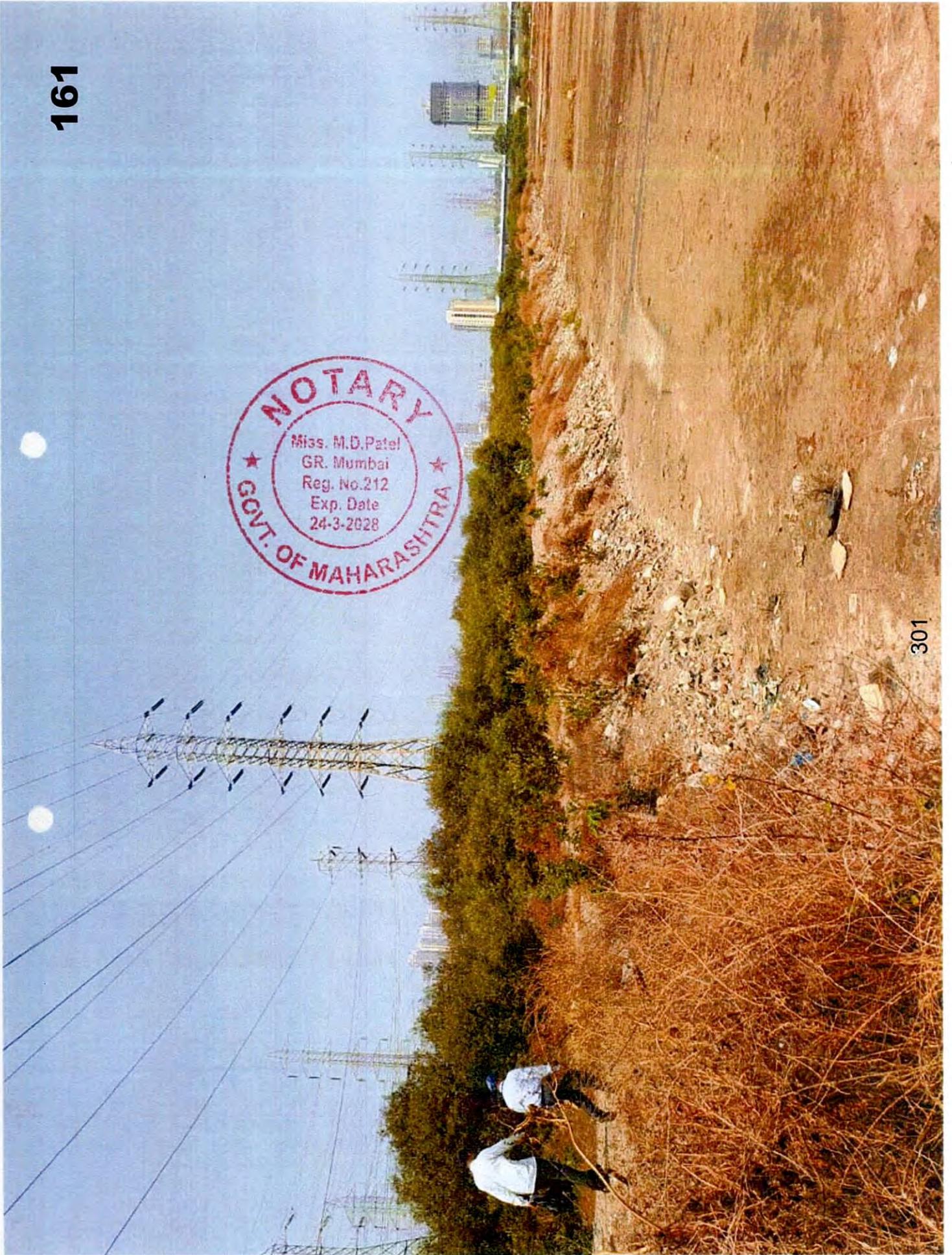


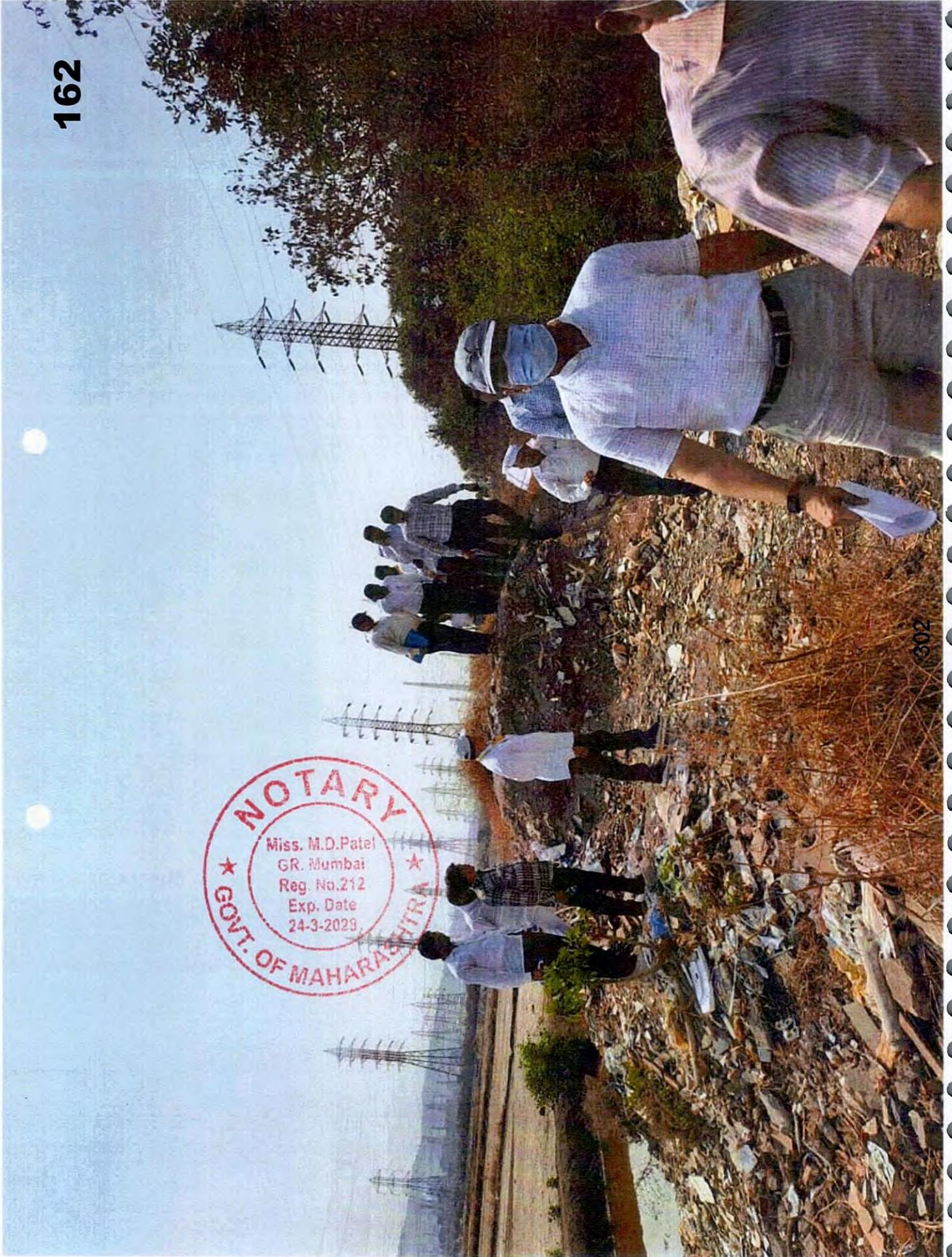
NOTARY  
★ Miss. M.D.Patel ★  
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Exp. Date  
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★ GOVT. OF MAHARASHTRA ★



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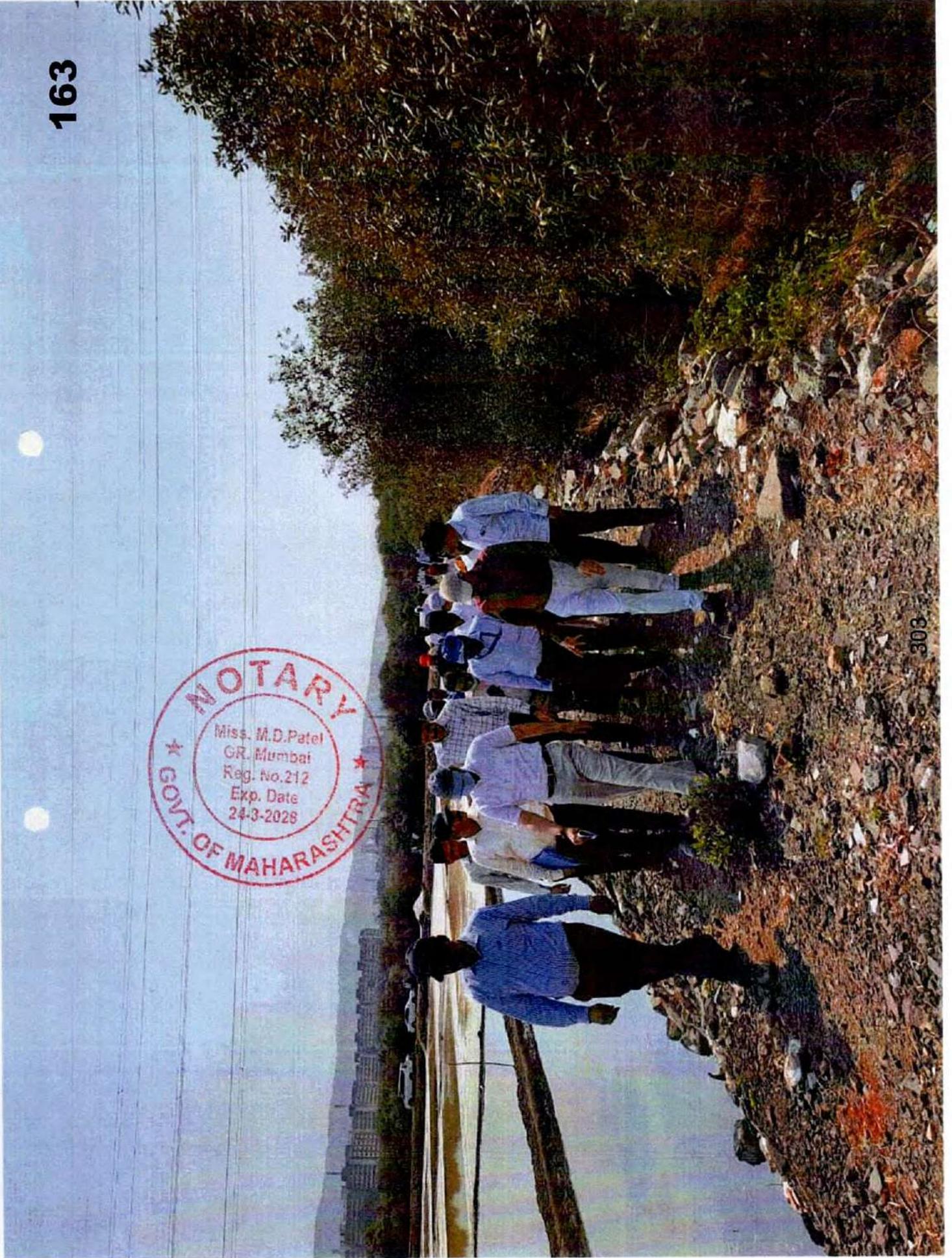
**NOTARY**  
Miss. M.D.Patel  
GR. Mumbai  
Reg. No.212  
Exp. Date  
24-3-2028  
**GOVT. OF MAHARASHTRA**

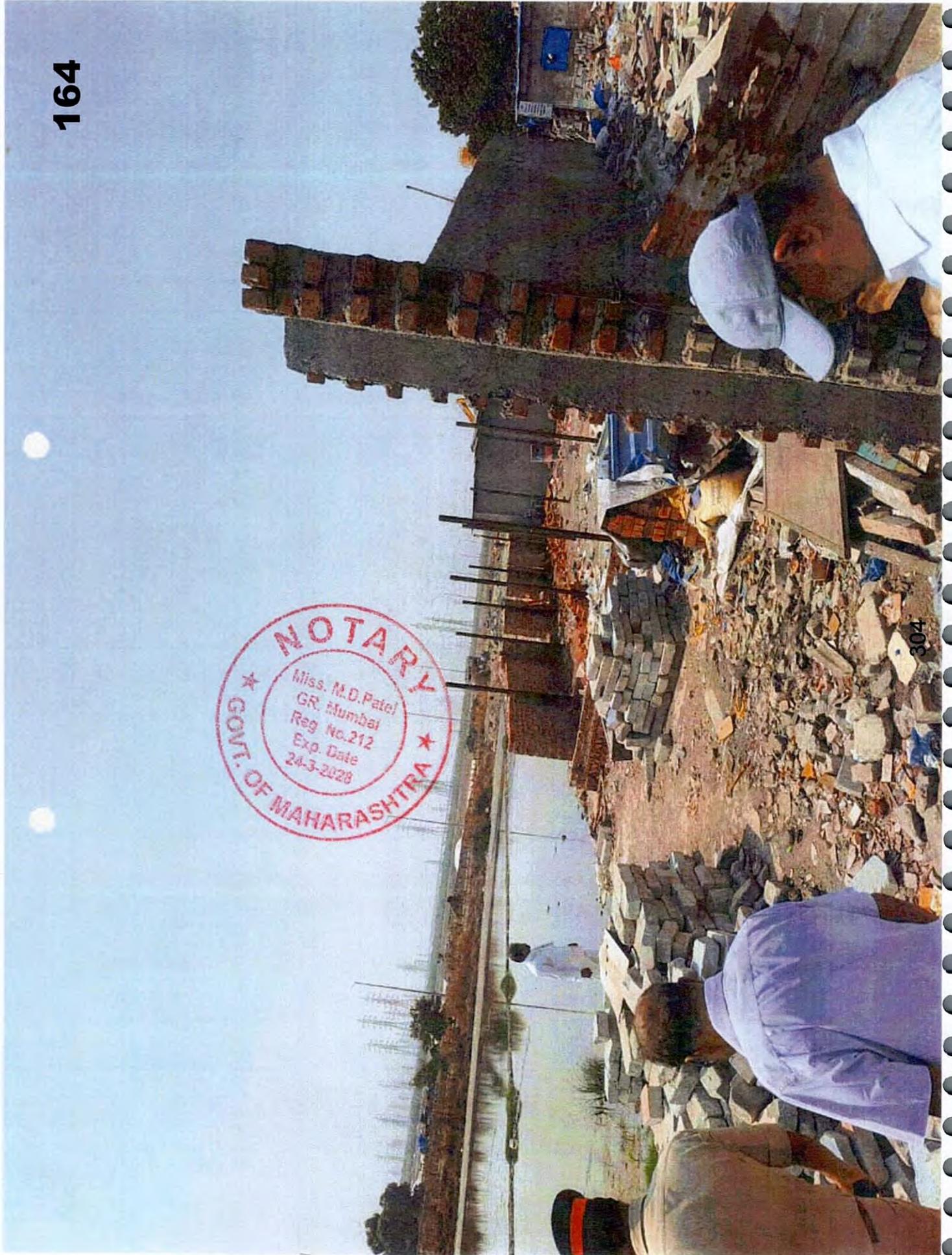


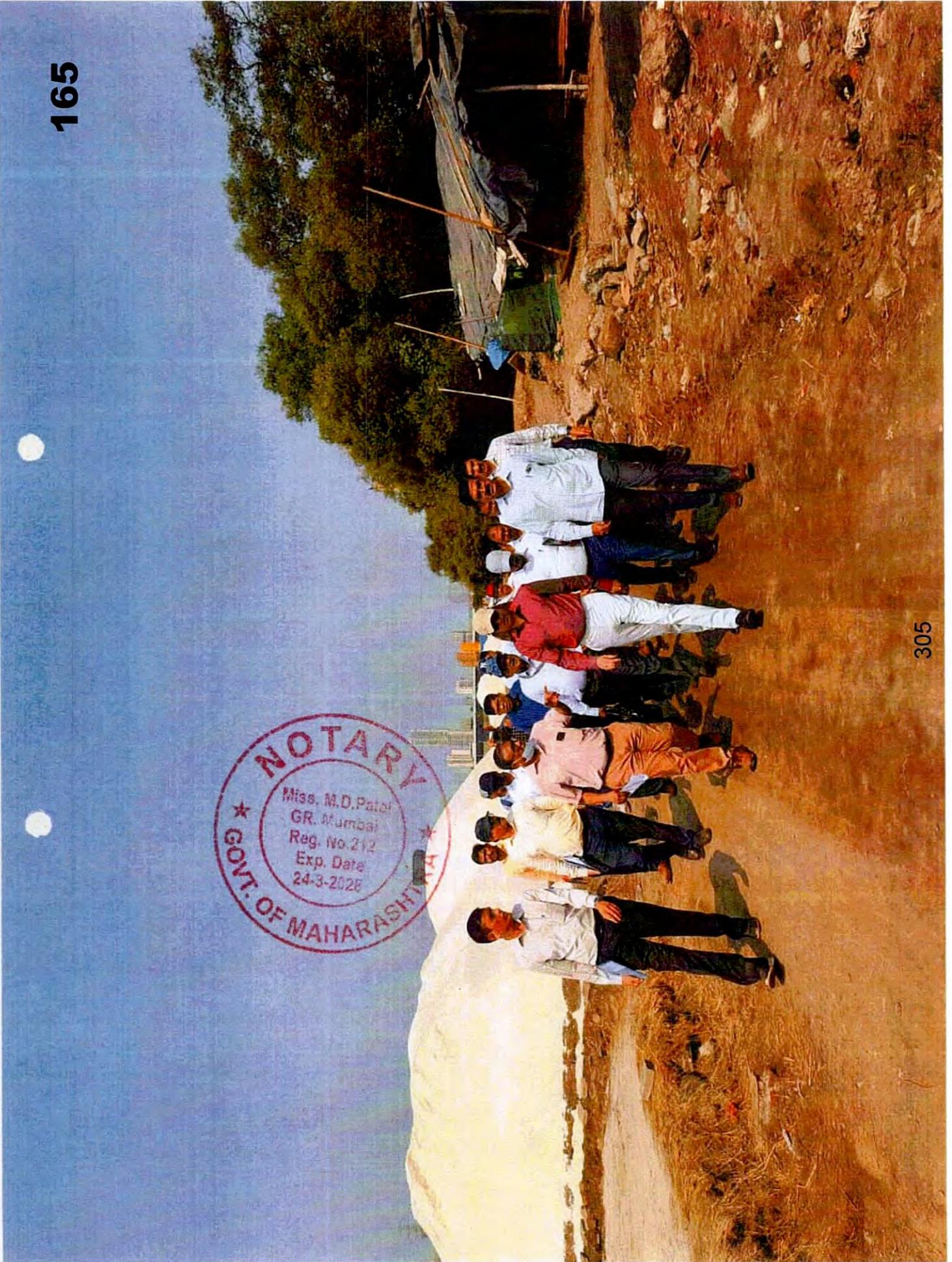


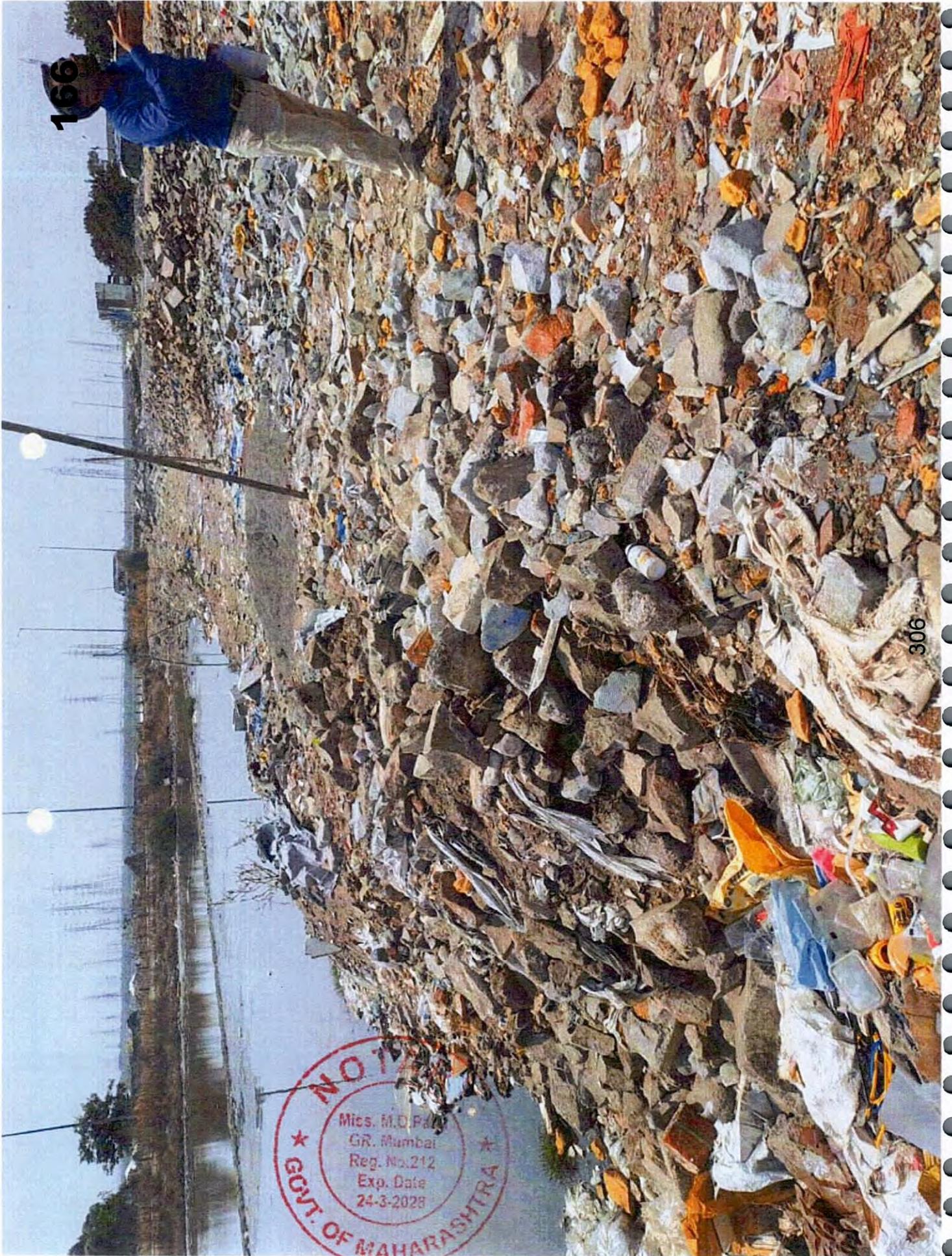
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NOTARY  
Miss. M.D.Patel  
GR. Mumbai  
Reg. No.212  
Exp. Date  
24-3-2028  
GOVT. OF MAHARASHTRA







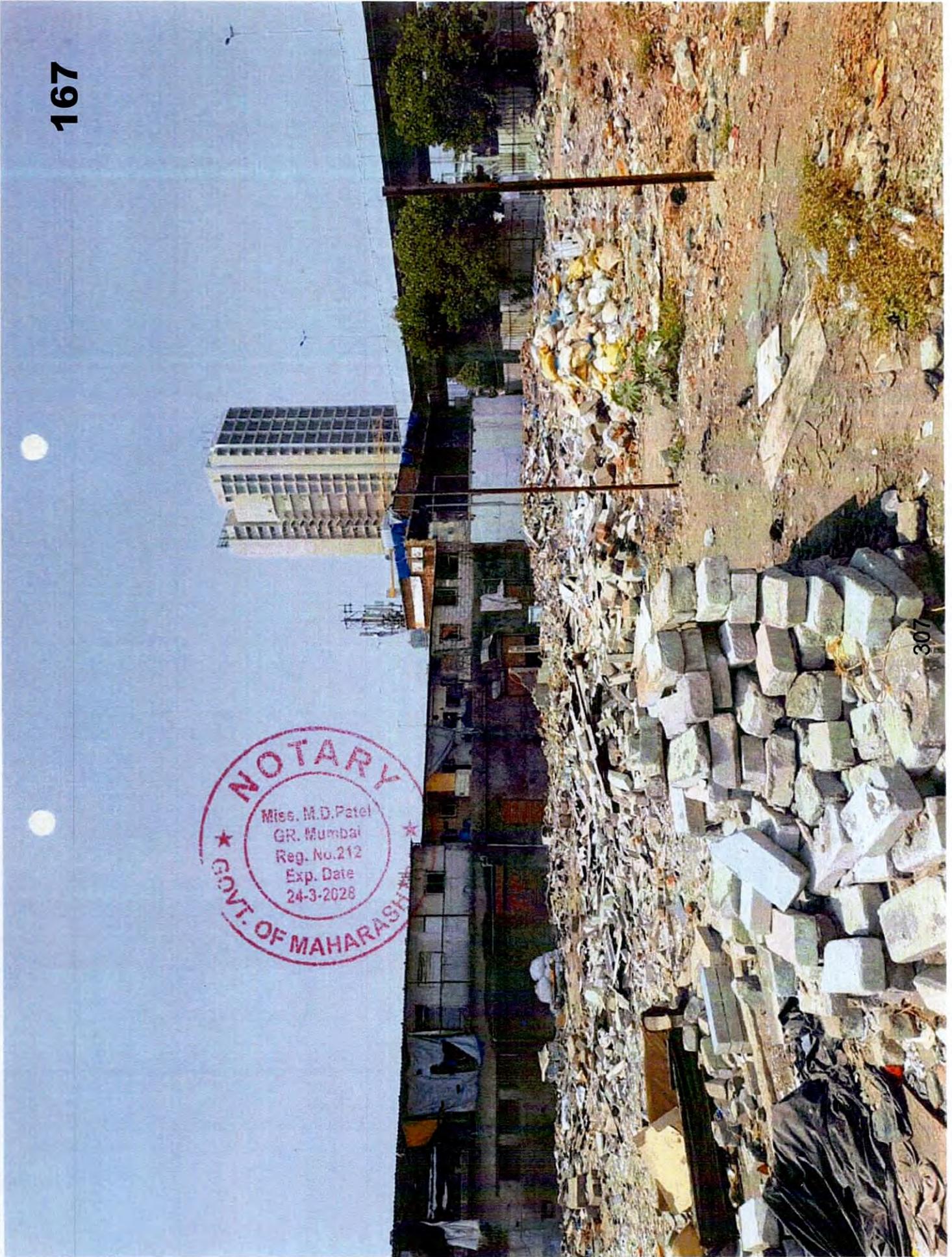


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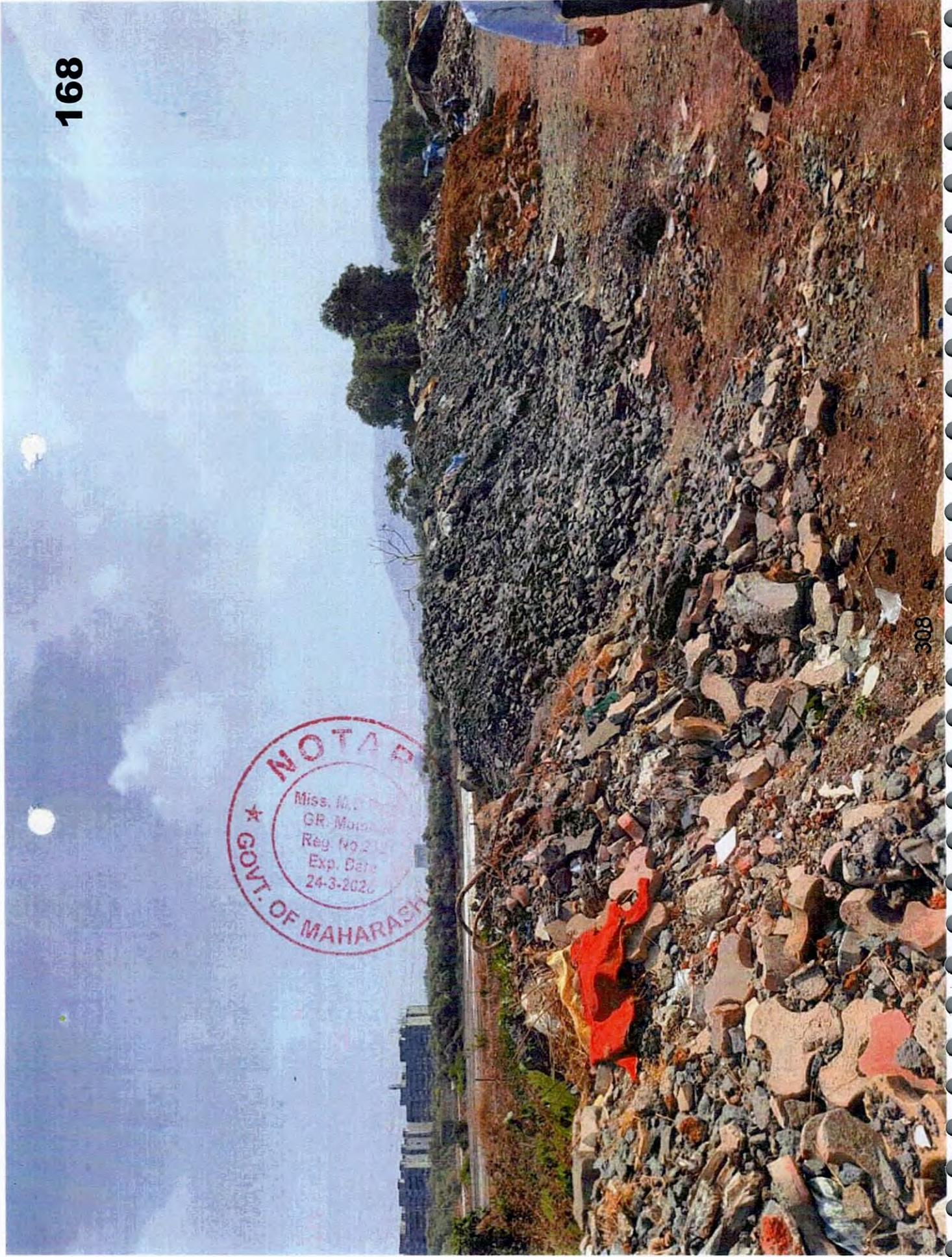
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NOTA  
Miss. M.D.P.  
Gr. Mumbai  
Reg. No.212  
Exp. Date  
24-3-2028  
★ GOVT. OF MAHARASHTRA ★

NOTARY  
Miss. M.D.Patel  
GR. Mumbai  
Reg. No.212  
Exp. Date  
24-3-2028  
GOVT. OF MAHARASHTRA



307



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IN THE COURT OF  
METROPOLITAN MAGISTRATE  
69<sup>TH</sup> COURT AT MAZGAON  
MUMBAI

R. C. C. No. of 2023  
Maharashtra Coastal Zone Management  
Authority

Environment Department  
)...Complainant

Versus

Shri A.P. Mohanti & Ors )...Accused

.....  
CRIMINAL COMPLAINT  
-----

Ⓜ Dated 10<sup>th</sup> May, 2023



Sangram B. Suryavanshi

Advocate for the Complainant

15 Vasudev Mension, 30-C/F, Opp.  
Yazdani Bakery, Cawasji Patel Street,

Fort, Mumbai – 400001

Reg. No. MAH/2137/2008

Mob. No. 9730736824

MINUTES OF 4<sup>th</sup> JOINT MEETING HELD ON 8<sup>th</sup> JUNE, 2023  
UNDER THE CHAIRMANSHIP OF  
PRINCIPAL SECRETARY, ENVIRONMENT & CLIMATE CHANGE, GOM

**SUB:** Compliance of Order dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

A Fourth (4<sup>th</sup>) review meeting was held on 8<sup>th</sup> June, 2023 under the Chairmanship of Principal Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai at Env&CC Dept, Dalamal House, Mumbai List of the officer present for the said meeting is attached as Annexure I.

2. Director, Environment &CC asked the officials from District Collector, Mumbai City, MCGM, Salt Pan Department and Police Department about the action taken towards the compliance of directions of the Hon'ble NGT orders 28.9.2022 and 15.3.2023 and directions passed by the Environment &CC Department.

3. Deputy Collector, Mumbai, City informed that illegal construction of samaj mandir on Govt land bearing CS No. 117 has been demolished on 29.5.2023, with the support of police Bandobast. He informed that a report in the matter along with site photographs will be submitted to Env&CC Department at the earliest.

4. The Salt Pan Dept officials informed that instructions are issued to Salt operators to remove all C&D waste materials from the premises of Hormoz Salt Works within 10 days. In case of failure to remove the C&D waste materials, allow access to the MCGM for removal of the C&D waste materials and also bear the costs of the same as may be charged by the MCGM. Salt Pan Department have informed to MCGM that salt manufactures of Hormoz salt works vide letter dated 27.4.2023 have shown their willingness to remove the C&D waste from Hormoz Salt Works and to dump the same at site designated by MCGM. A letter has been issued to the salt manufacturers from this office to remove the C&D waste materials within 10 days & dispose them in consultation with the MCGM. If the manufacturers fail to remove the C&D waste materials, MCGM is at full liberty to remove the same and recover the expenditure from the salt manufactures of Hormoz salt works.

5. The MCGM officials informed that a written communication has been made to Salt Department to dispose of the C&D waste at the plant facilities in the vicinity. The names of facilities/facilitators have been communicated to Salt Department vide letter dated 6.6.2023. Officials further informed that simultaneously tender process is ongoing for lifting of the C&D waste.

6. The PS, Env&CC appreciated the work done by the office of District Collector for removal of illegal construction of Samaj Mandir. However, he expressed displeasure over the lack of efforts from Salt Pan Department with respect to lifting of C&D waste and protection of their own land from illegal dumping. It is the responsibility of the Salt Pan Department to protect their land and prohibit the illegal dumping activities. Adequate Staff and measures like installation of CCTV should be installed by the Salt Pan Department for monitoring of compliance of Hon'ble NGT order, which were already instructed to Salt Pan Dept.

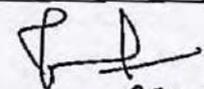
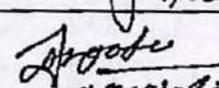
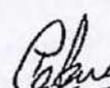
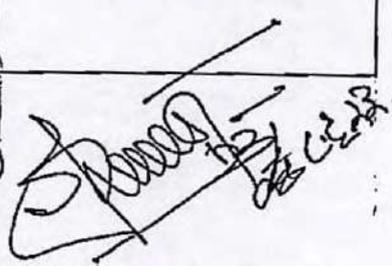
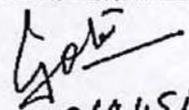
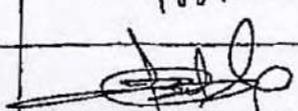
7. At the end, following Directions were issued in the meeting:

- I. Salt Pan Dept shall ensure that Salt Operators starts lifting the C&D waste immediately from 12<sup>th</sup> June, 2023 positively. In case, Salt Operators does not comply with the directions, the Salt Pan Dept officials shall file FIR in local police station against the Salt Operators. The Local police station shall get the FIR registered for stringent action against the salt operators. The MCGM shall start lifting the C&D waste from 12<sup>th</sup> June, 2023. MCGM shall send the demand letter mention the cost to District Collector who will recover the amount from salt pan department & salt operators following land revenue procedure.
  - II. Salt Pan Department shall immediately remove the temporary hutments situated adjacent to mangrove area which is not allowed under CRZ norms.
  - III. Salt Pan Department shall protect the salt pan land and install CCTV for monitoring the illegal activities of dumping of C&D waste. Protection of the salt pan land is sole the responsibility of the Salt Pan Department. PS, Env&CC further directed that salt pan department should take all measures to prevent further dumping of C&D waste on the site.
  - IV. Office of District Collector, Mumbai city has demolished the samaj mandir constructed illegally on Govt land. Collector office shall write to MCGM for lifting the construction debris from the site immediately. A detailed report with site photographs shall be submitted to Environment &CC Department
  - V. MCGM officials informed that trucks illegally dumping C&D waste were held and office has the vehicle numbers of said trucks. PS, Env&CC directed the MCGM to provide the list of trucks illegally dumping C&D waste along the road to Environment &CC Department and Transport Commissioner. Necessary actions will be taken against the said trucks.
-

4<sup>th</sup> Review Meeting on 8<sup>th</sup> June, 2023  
Original Application No. 343/2021  
(Madhura Rajesh Tawade V/s State of Maharashtra)

Order dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT

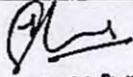
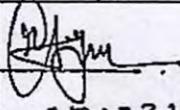
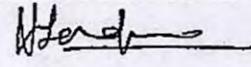
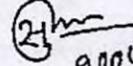
List of officials present for the meeting

Sr No.	Name of officials and Designation	Signature and contact
1	A. P. Mohanty, Suptd of Salt Salt Department. SCG.	 9022915588
2.	T. Vyayan In-charge Asst. Comd/Byran Salt Department (SCG)	 9942575269
5	Ranjeet Kumar, DY. Suptd of Salt, Wadala	 7016293380
4	Dnyaneshwar D. Atgode Senior Police Inspector Wadala T. T. Police station	 9869107752
5	S. R. Bhosale R. O. MPCB, Mumbai	 9220926241
6	T. G. Yekar	
7.	Dr. Jaikrishna S. Phad Dep. Collector (Environ. Removal) Dharavi sec. Mumbai City	
8	Kartikaya Langde field officer MPCB	 9869450079
9.	Satish Sulakhe Sub Eng. mcm F1 North	 7978785039

4<sup>th</sup> Review Meeting on 8<sup>th</sup> June, 2023  
 Original Application No. 343/2021  
 (Madhura Rajesh Tawade V/s State of Maharashtra)

Order dated 28.9.2022 and 15.3.2023 passed by Hon'ble NGT

List of officials present for the meeting

Sr No.	Name of officials and Designation	Signature and contact
10	S. K. Gaikwad	 9819028256
11	Ranjan C. Bagwe	 9867319444
12	Sanjay Sandanshi, Under Secretary, Environment 20/12	 9004653933
13	Mandlaumet Gaur Ro CSMS MPD	 9819632723
14	Subhash K Gaikwad E.E(B&F) (D.O. F&A)	 9004649964

## GOVERNMENT OF MAHARASHTRA

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

No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032.  
Date: 13<sup>th</sup> June, 2023

To,

1) Municipal Commissioner,  
Municipal Corporation of Greater Mumbai,  
Mahapalika Marg, Fort, Mumbai

2) Prerna Joshi,  
Salt Commissioner, Government of India,  
New Delhi

3) District Collector, Mumbai City  
Old Custom House,  
Mumbai City

4) Deputy Commissioner of Police,  
Zone IV, Mumbai

5) Regional Officer,  
Maharashtra Pollution Control Board,  
Sion, Kalpataru Point, Mumbai

**SUB:** Regarding compliance of Order dated 28.9.2022 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s GoM)

**Ref:** 4<sup>th</sup> Review joint meeting held on 8<sup>th</sup> June, 2023 held under the Chairmanship of Principal Secretary, Environment & CC Dept

Dear Sir/ Madam,

This is to inform you that a Fourth (4<sup>th</sup>) review meeting was held on 8<sup>th</sup> June, 2023 under the Chairmanship of Principal Secretary, Environment & Climate Change Department, GoM, Mantralaya, Mumbai at Env&CC Dept, Dalamal House, Mumbai. A copy of the minutes of the said meeting is attached herewith.

2. After detailed deliberations in the said meeting, following directions are issued hereby:

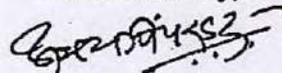
1. Salt Pan Dept shall ensure that Salt Operators starts lifting the C&D waste immediately from 12<sup>th</sup> June, 2023 positively. In case, Salt Operators does not comply with the directions, the Salt Pan Dept officials shall file FIR in local police station against the Salt

Operators. The Local police station shall get the FIR registered for stringent action against the salt operators. The MCGM shall start lifting the C&D waste from 12<sup>th</sup> June, 2023. MCGM shall send the demand letter mention the cost to District Collector who will recover the amount from salt pan department & salt operators following land revenue procedure.

- II. Salt Pan Department shall immediately remove the temporary hutments situated adjacent to mangrove area which is not allowed under CRZ norms.
- III. Salt Pan Department shall protect the salt pan land and install CCTV for monitoring the illegal activities of dumping of C&D waste. Protection of the salt pan land is sole the responsibility of the Salt Pan Department. PS, Env&CC further directed that salt pan department should take all measures to prevent further dumping of C&D waste on the site.
- IV. Office of District Collector, Mumbai city has demolished the samaj mandir constructed illegally on Govt land. Collector office shall write to MCGM for lifting the construction debris from the site immediately. A detailed report with site photographs shall be submitted to Environment &CC Department
- V. MCGM officials informed that trucks illegally dumping C&D waste were held and office has the vehicle numbers of said trucks. PS, Env&CC directed the MCGM to provide the list of trucks illegally dumping C&D waste along the road to Environment &CC Department and Transport Commissioner. Necessary actions will be taken against the said trucks.

In the light of above, considering the Hon'ble NGT orders, it is hereby directed that MCGM, Salt Pan Department, District Collector, Mumbai City should immediate start implementing the above said directions. Action taken report be submitted to the Department at the earliest.

Yours faithfully,



(Abhay Pimparkar)

Director, Environment and Climate Change Dept

Copy for information to:

1. Principal Secretary, Environment & Climate Change Department, 2<sup>nd</sup> Floor, Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. Select File TC-4

## GOVERNMENT OF MAHARASHTRA

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

No. OA 2022 / CR 3 / TC - 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> floor, New-Administrative Building,  
Mantralaya, Mumbai- 400 032.  
Date: 13<sup>th</sup> June, 2023

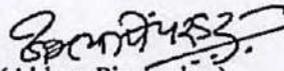
To,  
Additional Secretary,  
Ministry of Commerce and Industry  
Department for promotion for industry and Internal Trade  
Room No. 236, Vanjiya Bhavan, Akbar Road, New Delhi

**SUB:** Regarding compliance of Order dated 28.9.2022 and 15.3.2023 passed by Hon'ble National Green Tribunal, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade V/s State of Maharashtra)

**Ref:** Your Letter dated 22.5.2023 in the subject matter

With reference to above referred letter received in the subject matter, it is to remind you that protection of the salt pan land is the sole responsibility of the Salt Pan Department. As instructed earlier also, Salt Pan Department should protect its land and take all measures to prevent dumping of C&D waste on the site and install CCTV for monitoring of the illegal activities of dumping of C&D waste. This is to further note that Salt Department need to ensure that the Salt Operators starts lifting the C&D waste immediately from 12<sup>th</sup> June, 2023 for disposal at the plant/ facility as communicated by the MCGM vide its letter dated 6.6.2023 to Salt Pan Department (Copy attached). The Salt Department / Salt Operators shall bear the cost lifting, transportation and processing. Further, the Salt Pan Department shall remove the temporary hutments situated adjacent to mangrove area which are not allowed in CRZ area.

Yours,

  
(Abhay Pimparkar)

Director, Environment and Climate Change Dept

Copy for information and necessary actions to:

1. Salt Commissioner of India, Ministry of Commerce & Industry, New Delhi.
2. Deputy Salt Commissioner, Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulam Marg, Ballard Estate, Mumbai



Email: [dsaltcom.mum@nic.in](mailto:dsaltcom.mum@nic.in)  
Phone: 022-20825206, 20822192

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्स्चेंज बिल्डींग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulam Marg,

Ballard Estate, MUMBAI - 400001

**Mail/Speed Post**

C. No. D-11030(1)Land/2008/II/

2915-2924

Date: 29/06/2023

To,

The Principal Secretary,  
Environment & Climate Change Department,  
15<sup>th</sup> Floor, New Administrative Building,  
Madam Cama Road, Hutatma Rajguru Chowk,  
Mantralaya, Mumbai - 400032.

Sir,

Sub : Action Taken Report of o/o Deputy Salt Commissioner, Mumbai in respect of implementation of orders dated 28.09.2022 & 15.03.2023 in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) before Principal Bench of National Green Tribunal, New Delhi - Reg.

With reference to orders dated 28.09.2023 and dated 15.03.2023 of the Hon'ble NGT, New Delhi in Madhura Rajesh Tawade Vs State of Maharashtra case, this office has taken following actions:-

- a) **Removal of encroachments in CS No. 144 pt. of Salt Pan Division under Hormoz salt works** :- The demolition drive was conducted by this office on 02.06.2022 and about 60 illegal / unauthorized structures on CS No. 144 pt. of Salt Pan Division under Hormoz salt works were demolished. Further, a protective compound wall has been constructed along encroachment prone boundary of CS No. 144 pt. so as to prevent further encroachments in CS No. 144. A report dated 13.06.2022 of the Deputy Superintendent of Salt, Wadala is enclosed herewith at **Annexure No. 1.**
- b) **Removal of temporary huts used as labour rest sheds in CS No. 145 of Salt Pan Division under Hormoz salt works** :- All the

temporary labour rest sheds made of tarpaulin sheets have been removed as all the labours have moved to their native places due to closure of salt manufacturing season.

c) **Removal of C&D waste used by salt manufacturer for strengthening of outer embankments in CS No. 145 of Salt Pan Division under Hormoz salt works :-**

1. The Deputy Salt Commissioner, Mumbai directed the salt manufacturers of Hormoz salt works to immediately remove C&D waste dumped in salt pan lands and also to remove unauthorised structures in land if any vide letter dated 29.10.22. A copy enclosed at **Annexure No. 2**.
2. The Deputy Superintendent of Salt, Wadala filed Police complaint against the salt manufacturers on 17.03.2023
3. After receiving details of C& D waste processing units from MCGM on 7.6.23, the Deputy Salt Commissioner, Mumbai vide letter dated 08.06.2023 asked salt manufactures to start removing C&D waste from or before 12.06.2023, otherwise MCGM will start removing C&D waste and the cost will be recovered from them. A copy enclosed at **Annexure No. 3**.
4. The Deputy Superintendent of Salt, Wadala accompanied the salt manufacturers to Godrej C&D Waste Processing facilities and Navi Mumbai Municipal Corporations for allowing their sites for disposal of C&D waste to be removed from CS No. 145. Godrej C&D Waste Processing collected samples from CS No. 145. The permission for C&D disposal at NMMC site was obtained by the Deputy Superintendent of Salt, Wadala from the Commissioner, NMMC at about 7.00 pm on 13.06.2023.
5. The salt manufacturer has started removing C&D waste from Hormoz salt works with effect from 14.6.23 and our officers and watch & ward staff are regularly monitoring the same. Deputy Superintendent of Salt, Wadala, one MTS staff and 2 Nos. of watch and ward staff are continuously supervising and monitoring the works of removal of C&D waste from CS No. 145 of salt pan division. Superintendent of Salt, Bhandup is also frequently visiting the site for inspecting the removal work. The Deputy Superintendent of Salt, Trombay has also been deputed for supervision of the work of removal of C&D waste from CS No. 145.
6. Upto 21.06.2023, 20 loads of dumpers of C&D waste have been removed by the salt manufacturer from CS No. 145 of Salt Pan Division.
7. Shri Murarilal N. Garodia, the salt manufacturer vide letter dated 21.06.2023 (**Annexure No. 4**) has informed that as per report of Godrej C&D Waste Processing Plant, the C&D debris dumped in CS No. 145 is mix of all types of waste and

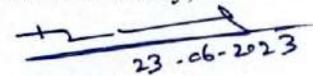
hence cannot be processed; and also, NMMC is dumping the C&D waste at their land filling sites. Hence, it has been requested by shri Garodia to allow him to dump the C&D waste at designated land fill site or dumping sites. It has also been requested by him to allow sufficient time for removal as only one dumper & only one hydraulic excavator can be moved/used on the bund at a time.

8. In view of very slow pace of removal of C&D waste by the salt manufacturer from CS No. 145, the Deputy Superintendent of Salt, Wadala has filed Police complaint against the salt manufacturers at Wadala Police Station on 22.06.2023. The Police Officer told that first she will examine the case and then will register the FIR.
9. As per C&D Waste Management Rules 2016, order dated 26-29.02.2016 of Hon'ble Bombay High Court in CA No. 221/2013 in PIL No. 217/2009, order dated 04.05.2017 of Hon'ble Bombay High Court in Review Petition (L) No. 3720/2017 in CA No. 221/2013 in PIL No. 217/2009 and order dated 15.03.2018 in SLP (Civil) Diary No. 23708/2017 of the Hon'ble Sureme Court, the constructor (builder/developer) who generated the waste and the MCGM, who has been entrusted with the responsibility for management of safe dumping of the waste, are equally responsible for allowing the Salt manufacturer to dump the waste on Salt Department land, without obtaining the NOC of the Salt Department, and hence these two agencies may also be asked to remove the waste at their own expense, in order to comply with the order dated 15.03.2023 of Hon'ble NGT.

Encl. : As above.

**Draft approved by the Deputy Salt  
Commissioner, Mumbai**

Yours faithfully,

  
23-06-2023

(A. P. Mohanty)

dc for Deputy Salt Commissioner  
MUMBAI

Copy submitted to :-

- 1) The Municipal Commissioner, MCGM, Mumbai.
- 2) The Executive Engineer (SWM) Zone II, MCGM, 3rd floor, F/ North ward Office, Matunga 96, Bhau Daji Road, Mumbai - 400019.

- 3) The Deputy Municipal Commissioner (SWM) BMC HO, Annexe Building, 3rd Floor, Mahapalika Marg, Mumbai - 400001.
- 4) The Director (Environment), Environment & Climate Change Department, 15<sup>th</sup> Floor, New Administrative Building, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai - 400032.
- 5) The Assistant Engineer, (SWM) Zone II, MCGM, 3rd floor, F/ North ward Office, Matunga 96, BhauDaji Road, Mumbai - 400019
- 6) The Regional Officer, Maharashtra Pollution Control Board, Kalptaru point, I Floor, Opp PVR Theatre, Sion (E), Mumbai 400022.

Copy to Salt Commissioner, Jaipur for information and necessary action.

Copy to the Superintendent of Salt Bhandup.

Copy to The Deputy Superintendent of Salt Wadala.



Government of India,  
Office of the Deputy Superintendent of Salt  
Wadala  
Office at The Superintendent of Salt premises  
BHANDUP (East), MUMBAI – 400042.

C. No. -9(1) Land /2021/Wdl/135-136

Date: 13/06/2022

To,  
The Deputy Salt Commissioner,  
Mumbai- 400001.

**Subject: Report on demolition drive held in C.S. no. 144 at Shantinagar, Wadala on dated 02.06.2022- Reg.**

Sir,

In Wadala at Shantinagar, unauthorized structures are/ were made in C.S. no. 117 & 144. Few structures are at diagonal boundary line of C.S.no.117 & 144. A demolition was proposed by the collector, Mumbai (copy of the Notice enclosed, **Annexure - I**) in C.S. no. 117 on 26.05.2022 for which the notice was pasted in the area on 24.05.2022. Based on this notice, the encroachers filed a **Writ Petition (L)No. 16469 of 2022** in Bombay High Court on 25.05.2022 and got an injunction (order copy enclosed, **Annexure - II**) for 3 weeks against the demolition notice of the Collector. So the demolition proposed by the Deputy Collector (Encroachment/Removal), Mumbai is postponed till further order (the letter copy enclosed, **Annexure - III**).

Initially in our letter dated 19.05.2022 ( copy enclosed, **Annexure - IV**), it was proposed to have a combined demolition drive in C.S. no. 117 & 144 with the help of the Collector's Mumbai staff, Forest Department staff and BMC staff. But after stay order of dated 25.05.2022, collector's Mumbai staff handcuffed and they did not involve in the demolition.

We proposed demolition date on 1<sup>st</sup> & 2<sup>nd</sup> of June, 2022 and moved letter for the purpose to the police authorities. The notice (copy enclosed, **Annexure - V**) for the same was pasted on the unauthorized structures of the area on 30.05.2022 to vacate them. In normal course we could not get letter confirming the Police Bandobast in time. Then myself along the Superintendent of Salt Shri Rajeev Nayak put exhaustive effort to get Police Bandobast but it could not be availed for 01.06.2022. However,

ultimately we succeeded to get a letter (copy enclosed, **Annexure - VI**) from DCP (Bandobast) by 6.30 pm of 01.06.2022. Then online payment of Rs. 152471/= (Rupees one lac fifty two thousand four hundred seventy one) is made (copy of challan enclosed, **Annexure - VII**) for the police bandobast as per the letter issued by the the DCP (Bandobast) to the police authorities to confirm the police bandobast for 02.06.2022.

On 02.06.2022 Police Personnels, MCGM officials, BEST staff, Forest Department staff, all gathered at the site around 11.30 am. From the department besides me shri A.K.Srivastava, shri Sekhar, Shri J.E.Valanjuwani, shri G. Jadav (all Deputy Superintendent of Salt), shri Sanjay Gamre, Shri P.D. Bane (Both MTS) were made their active participation in the demolition. Shri C. Raghu, Deputy Salt Commissioner and Shri Rajeev Nayak, Superintendent of Salt were present on the site in lead role. Two (2) JCB were arranged from market and two were provided by the Mumbai Municipality. Police & Forest guards did march past in the area. Police detained some nominated miscreants of the area before start of the demolition. Afterwards, 4 JCB started their work from different sides and demolished around 60 structures within a span of three hours. We received a good support from MCGM, BEST and Forest department during the demolition to accomplish its success.

Structures failiing on diagonal boundary line of C.S. no. 117 & 144 could not be demolished because of standing stay order of Bombay High Court in WP 16469 of 2022 and will be considered for demolition in due course after vacation of the existing stay order.

Entire demolition process of dated 02.06.2022 was photographed and videographed. Thirty (30) Photos, in triplicate, alongwith a pen drive containing soft copy of photos and videos for the conducted demolition are submitted herewith for your perusal and further necessary action in the matter.

Enclosure - As above.

Yours faithfully,



(S N Pandey)  
Deputy Superintendent of Salt  
Wadala

Copy submitted to the Superintendent of Salt, Bhandup for information please.



SRS

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Praecipe-WP(L)-16469-2022.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 16469 OF 2022

Shaikh Mehboobali Jainuddin & Ors. .. Petitioners

V/s

The State of Maharashtra & Ors. .. Respondents

\*\*\*\*\*

Mr.Rammani Upadhyay a/w Jigar Agarwal and Suman Mourya  
for Petitioners.

Mr.A.L.Patki - Addl. GP for State.

\*\*\*\*\*

**CORAM: PRAKASH D. NAIK &  
ABHAY AHUJA, JJ.**

**DATE : 25<sup>th</sup> MAY 2022  
(Vacation Court)**

**P.C. :-**

1. Not on board. Mentioned. Taken on board.
2. The Petitioners herein are challenging the public notice dated 23<sup>rd</sup> May, 2022 (Exhibit - F) indicating that the land on Survey No. 117 belongs to the Government and the structures are unauthorized and within twenty four hours, the occupants on the said plot of land shall vacate the premises and the

1/4

Respondents will demolish the said premises.

3. Learned Advocate for the Petitioners submitted that the structures are in existence since last several years. He has relied upon certain documents annexed to this Petition such as electricity bill and the voters I.D. card and submitted that the structures are in existence at least since 1994. It is further submitted that the action is being initiated when the Monsoon is approaching without giving sufficient notice to the Petitioners to approach the Authority under the Maharashtra Land Revenue Code, 1966.

4. It is submitted that remedy of Appeal is provided for challenging such notice under Section 50(5) of the aforesaid Code. The Petitioners would prefer such an Appeal but since the notice vacating the premises or demolishing it is very short, the Petitioners have approached this Court under Article 226 of the Constitution of India. It is apprehended that in the event, the premises are demolished, the Petitioners will be homeless.

5. Learned Additional GP Mr.Patki submitted that the Petitioners have no right to occupy the premises on the land

SRS

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Praecipe-WP(L)-16469-2022.doc

belonging to the Government. The structures are not covered by the SRA Scheme. The documents relied upon by the Petitioners are in respect to the other plot of land. The structures were demolished in the past also and these structures are erected repeatedly inspite of demolition. Under these circumstances, twenty four hours' notice is required to be given to the Petitioners. He relied upon the map to indicate that the structures which are sought to be demolished by the Respondents are towards the North side.

6. After hearing the arguments of both the learned Advocates at length, we find that these are all the disputed questions of facts. It is not possible for us to decide such contentious issues in a Writ. However, an Appeal is provided under Section 50(5) of the Maharashtra Land Revenue Code, 1966. The structures are sought to be demolished by tomorrow. In the circumstances, to permit the Petitioners to prefer an Appeal in accordance with the aforesaid Code and till then some relief may be granted to the Petitioners.

7. The Petitioners may prefer an Appeal within two weeks

3/4

SRS

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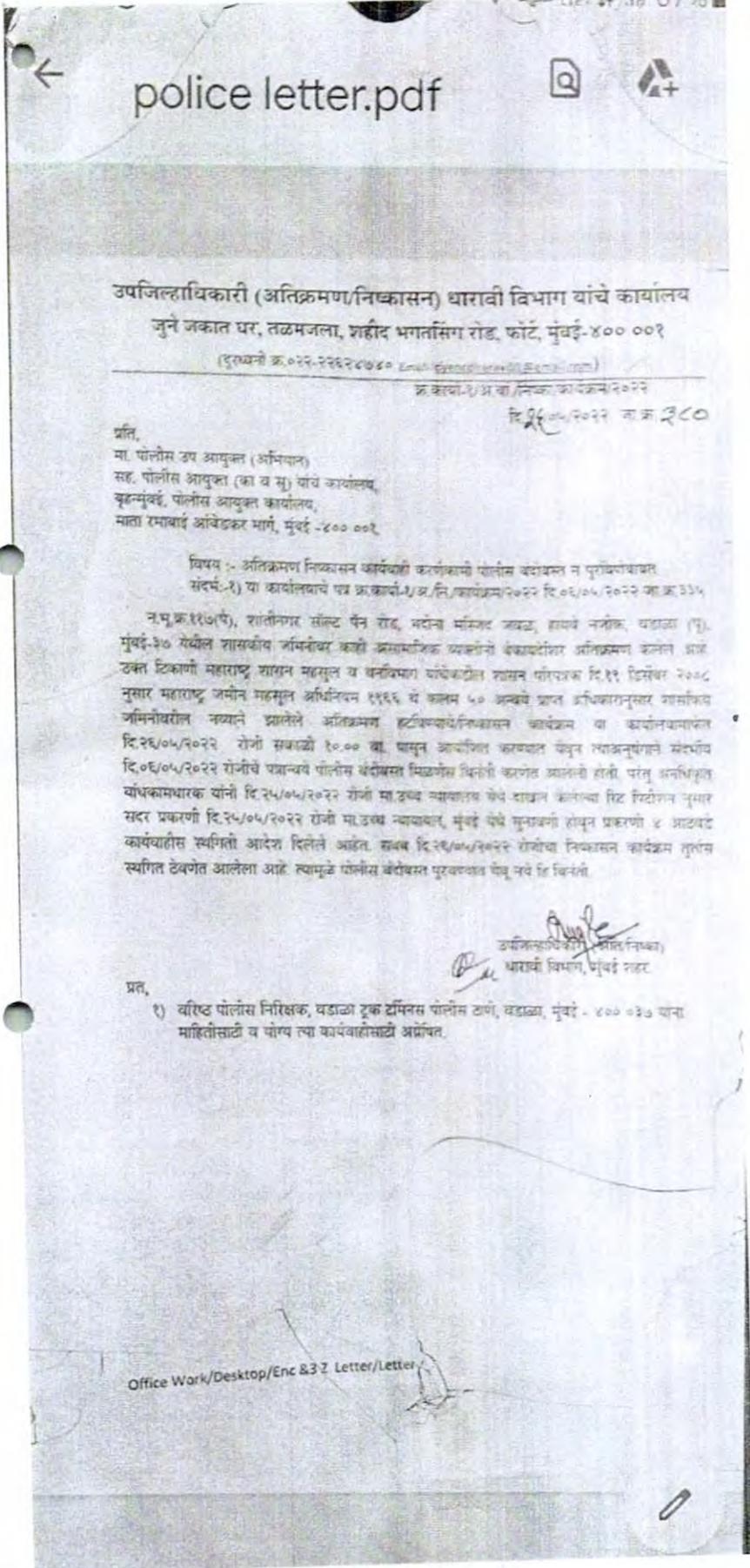
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from today before the Competent Authority in accordance with Section 50(5) of the Maharashtra Land Revenue Code, 1966. For a period of three weeks, the Respondents shall not implement the impugned notice of demolition.

8. All the contentions of the parties are kept open.
9. The Petition stands disposed of.

(ABHAY AHUJA, J.)

(PRAKASH D. NAIK, J.)





Government of India,  
Office of the Deputy Superintendent of Salt  
Wadala  
Office at The Superintendent of Salt premises  
BHANDUP (East), MUMBAI – 400042.

C. No. – 1(1)Admn/Wdl/2021/116-121

Date :19 /05/2022

To,  
The Deputy Commissioner of Police (Bandobast),  
Police Commissioner Office,  
Mata Ramabai Ambedkar Marg, Mumbai – 400001.

**Subject: Request to provide Police Bandobast to remove the encroachment behind&around Madina Masjid area in Shantinagar, Wadala (East), Mumbai.**

Sir,

Several illegal structures have been erected by the miscreants on government land in Survey no. 117 and 144 of Wadala, behind and around Madina Masjid area in Shantinagar, Wadala (East), during lockdown period and afterward. Survey no. 117 belongs to the State Govt. of Maharashtra whereas adjacent land under Survey no. 144 is owned by Union of India through Salt Department.

It is proposed to carry out demolition of the unauthorized structures **on 01.06.2022 & 02.06.2022**. You are, therefore, requested to provide us police Bandobast on the above mentioned dates at 11 O'clock on the proposed date to maintain law & order during demolition drive at the above mentioned sites. The following police personnels are required **for two days @ 8 hours per day** at the time of demolition drive on the above mentioned dates to maintain law & order-

Sl. No.	Designation	No. of persons required
1	Police Inspector (PI)	02
2	Police Sub-Inspectors (PSI)	04
3	Assistant Sub-Inspectors of Police (ASI)	04
4	Head Constables (HC)	08
5	Police Constables (Sepoy)/ WPC.	25 (including 10 WPC)

PTO

You are, therefore, requested to intimate us following information at the earliest

- 1) the net amount required to be deposited for police protection charges for 2 days,
- 2) In which favour, it is to be deposited and
- 3) The system to be adopted for the payment of police protection charges to enable us to carry out demolition drive on the proposed dates.

Your kind co-operation in the matter is solicited.

Yours faithfully,



(S N Pandey)  
Deputy Superintendent of Salt  
Wadala

**Copy submitted for information & necessary action**

- (1) The Senior Inspector of Police, Wadala T.T. Police station, Wadala with reference to his letter no. 8550/2021 dated 21.12.2022.
- (2) The Assistant Commissioner of Police, Sion Division, Sector -7, Antop Hill, Wadala, Mumbai 400037. He is requested to look into the matter.
- (3) Messrs. Hurmoz Salt Works, Wadala, Mumbai. He is requested to keep ready material to fence the boundary of Survey no. 144 at Madina Masjid side after removal of encroachment.
- (4) The Deputy Salt Commissioner, Mumbai.
- (5) The Superintendent of Salt, Bhandup.

भारत सरकार  
नमक अधीक्षक कार्यालय  
भांडूप (पूर्व) - ४०००४२

Government of India  
Office of Superintendent of Salt  
Bhandup (East), Mumbai - 400042

**प्रसिद्धि पत्रक**

दिनांक 01/06/2022 आणि 02/06/2022 या कालावधीत मौजे माटुंगा C.S.No.144, साल्ट पैन विभाग, येथील नमक विभाग भारत सरकारच्या जागे वर झालेल्या अनधिकृत अतिक्रमीत झोपड्यांवर अतिक्रमण निष्कासन करण्याची कारवाई संयुक्तीकरित्या नमक विभाग, पोलीस विभाग, बृहन्मुंबई महानगर पालिका यांचे मार्फत नियोजित आहे. तरी सदर क्षेत्रामध्ये असलेल्या अनधिकृत झोपडी धारकांना सुचित करण्यात येते की त्यांनी त्यांचेकडे असलेले झोपडीतील किंमतीवस्तू, मौल्यवान वस्तू, घरातील सामान स्वतःहून त्वरीत काढून घ्यावे अतिक्रमण निष्कासनच्या कारवाईच्या दरम्यान जर आपल्या घरातील सामानाचे नुकसान झाल्यास त्यास शासनाचे कोणतेही विभाग जबाबदार राहणार नाही, त्यास सर्वस्वी आपण स्वतः जबाबदार असाल याची नोंद घ्यावी.

दिनांक : 27-05-2022



नमक अधीक्षक,  
भांडूप

भारत सरकार  
नमक अधीक्षक कार्यालय  
भांडूप (पूर्व) - ४०००४२

Government of India  
Office of Superintendent of Salt  
Bhandup (East), Mumbai - 400042

**प्रसिद्धि पत्रक**

दिनांक 01/06/2022 तथा 02/06/2022 को मौजे माटुंगा C.S.No.144, साल्ट पैन विभाग में नमक विभाग (भारत सरकार) की जगह पर बने हुए अनधिकृत झोपडीयों के निष्कासन की कारवाई संयुक्तरूप से नमक विभाग, पोलीस विभाग, बृहन्मुंबई महानगर पालिका की तरफ से किया जाएगा. अतः इस क्षेत्र में आने वाली अनधिकृत झोपडी धारकों को सूचित किया जाता है कि आप अपना कीमती सामान, मौल्यवान वस्तुएँ तथा अन्य सभी प्रकार के घर का सामान अपने आप तुरंत निकाल ले अन्यथा अतिक्रमण के निष्कासन की प्रक्रिया के दौरान यदि आपके घर के सामान को कोई नुकसान पहुँचता है तो इसका उत्तरदायित्व सरकार का नहीं होगा. तथा सम्पूर्ण रूप से झोपडीधारक स्वतः उत्तरदायी रहेगा, जिसका संज्ञान हो।

दिनांक : 27-05-2022



नमक अधीक्षक,  
भांडूप



सदरक्षणाय खतानाहणाय



महाराष्ट्र शासन  
पोलीसविभाग

कक्ष-११ ( बंदोबस्त शाखा )

पोलीस आयुक्त, यांचे कार्यालय

डॉ. डी. एन. रोड, मुंबई- ४००००१

दूरध्वनी क्र. २२६२०६१०

E-mail : D.desk11.mum@mah.police.gov.in

Annexure - VI

O W NO CP/D-11(4)/SSG/२९३ /2022

DATE 01/06/2022

प्रति,

वरिष्ठ पोलीस निरीक्षक,

वडाळा टी.टी. पोलीस ठाणे,

मुंबई.

विषय :- अतिक्रमण निष्कासनाकरीता पोलीस बंदोबस्त मिळणेबाबत.

संदर्भ : १) जा.क.गो.न.१०(१)/जमिन/बीएनडी/१३/पीटी-४/२०६/२२, दि.१२/१५/२२.

२) जा.क.पोउआ/कक्ष-११(४)/एसएसजी/२७१०/२२, दि.२०/०५/२२.

३) जा.क.पोउआ/परि-०४/१४४३/२२, दि.३१/०५/२२.

उपरोक्त विषय व संदर्भांचे पत्र सोबत पाठविण्यात येत आहे. उप अधिक्षक, मिठ विभाग भांडूप, मुंबई यांनी सर्व्हे नं.१५ मधील सरकारी जमिनीवर अनेक बेकायदा बांधकामे असून वडाळा येथील ११७ आणि १४४, शांतीनगर येथील मदिना मशिदीच्या मागे, वडाळा पूर्व या ठिकाणी निष्कासन कारवाईकरीता दि.०५/०६/२०२२ व दि.०२/०६/२०२२ रोजी ०३ पोलीस निरीक्षक, ०६ पोलीस उप निरीक्षक, ०६ पो.ह., २५ पोलीस अंमलदार, १० महिला पोलीस अंमलदार अशा पोलीस बंदोबस्ताची मागणी केली आहे.

सदरच्या निष्कासनाकरीता पोलीस बंदोबस्त पोलीस ठाणे, परिमंडळ व प्रादेशिक विभाग उत्तर, वर शासकीय देय दराने पुरविण्यात यावा व पुःशेवण्यात आलेल्या बंदोबस्ताची वसुली करण्याकरीता बंदोबस्ताला अहवाल पोलीस उप आयुक्त सशस्त्र पोलीस ताडदेव, मुंबई यांना तात्काळ सादर करावा.

टीप:-सदर बंदोबस्त शुल्काची रक्कम नसावा. करण्याबाबत यास प्रगल्भीय वापर करावा. बंदोबस्त शुल्क वसुलीबाबतचे पुरेसे कलम पोलीस उप आयुक्त, सशस्त्र पोलीस ताडदेव, मुंबई येथे अभिलेखी नोंद ठेवण्याकरीता पाठविण्यात यावा.

(संजय लारकर)

पोलीस उप आयुक्त (अभियान),  
पोलीससहाय्युक्त, (का. व सु.),  
बृहन्मुंबई यांचेकरीता

प्रतमाहिती व कार्यवाहीकरीता:-

- १) पोलीस उप आयुक्त, परिमंडळ-०४, मुंबई.
- २) अप्पर पोलीस आयुक्त, मध्य प्रादेशिक विभाग, मुंबई
- ३) पोलीस उप आयुक्त, सशस्त्र पोलीसदल, ताडदेव, मुंबई
- ४) उप अधिक्षक, मिठ विभाग, भांडूप, मुंबई.

Salt Dept. Permi

1557

Annexure - VII



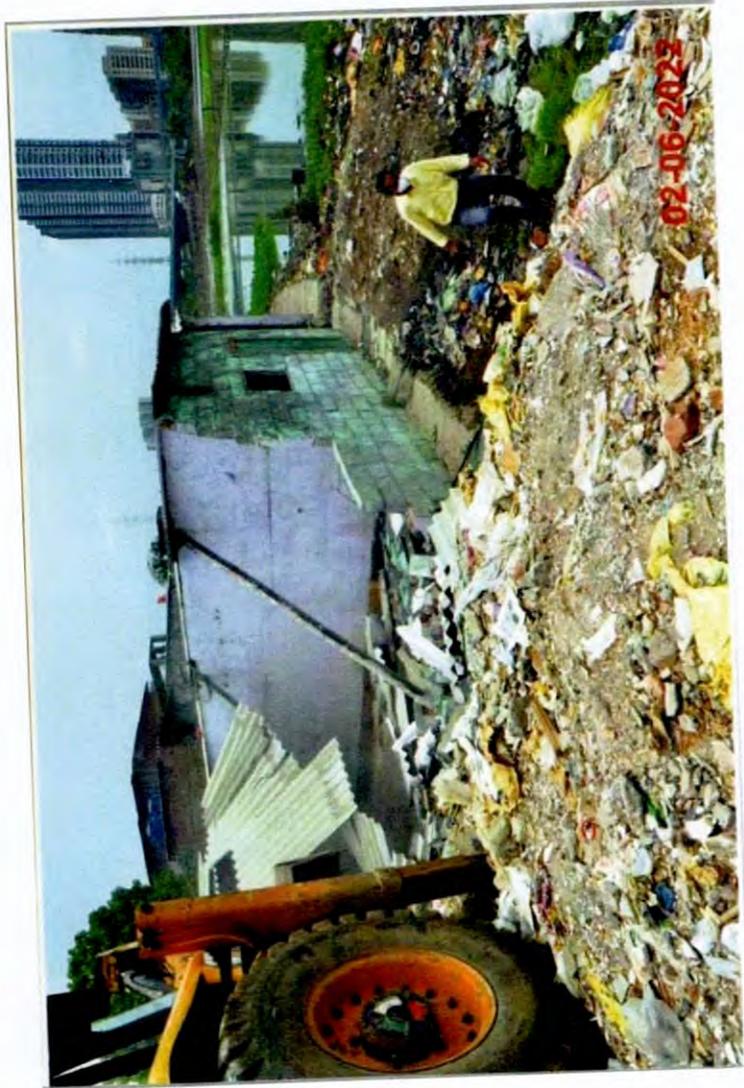
CHALLAN  
MTR Form Number-6



GRN	MH002751499202223E	BARCODE			Date	01/06/2022-22:23:31	Form ID					
Department				Commissioner Of Police, Mumbai								
Type of Payment				Receipts from Police Protection Police supplied to other parties.								
Office Name				DCP ARMS FORCE TARDEO		Payer Details						
Location				MUMBAI		Full Name						
Year				2022-2023 One Time		S N PANDEY						
Account Head Details				Amount In Rs.		Flat/Block No.						
0055002101 Service Fee				152471.00		WADALA						
						Premises/Building						
						Road/Street						
						Area/Locality						
						MUMBAI						
						Town/City/District						
						PIN						
						Remarks (If Any)						
						POLICE PROTECTION FOR DEMOLITION						
						Amount In						
						One Lakh Fifty Two Thousand Four Hundred Seventy O						
Total				1,52,471.00		Words						
						ne Rupees Only						
Payment Details				CENTRAL BANK OF INDIA					FOR USE IN RECEIVING BANK			
Cheque/DD Details				Bank CIN		Ref. No.		02810672022060167235		318768096		
Cheque/DD No.				Bank Date		RBI Date		01/06/2022-22:26:16		Not Verified with RBI		
Name of Bank				Bank-Branch				CENTRAL BANK OF INDIA				
Name of Branch				Scroll No. , Date				Not Verified with Scroll				

Department ID :

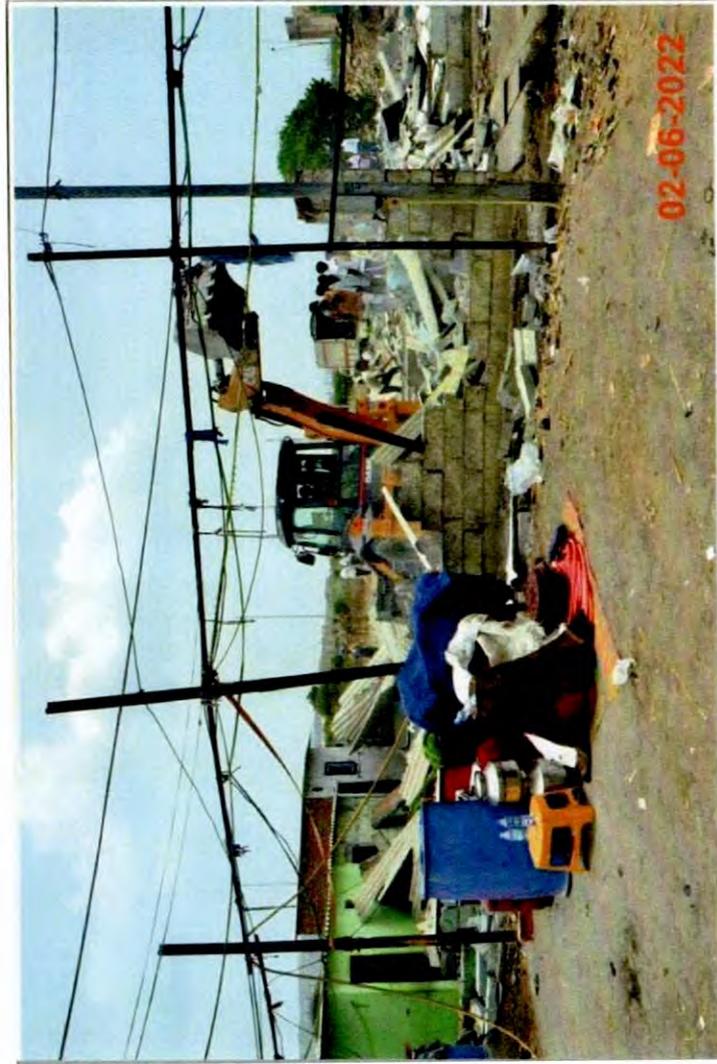
Mobile No. : 9426967322



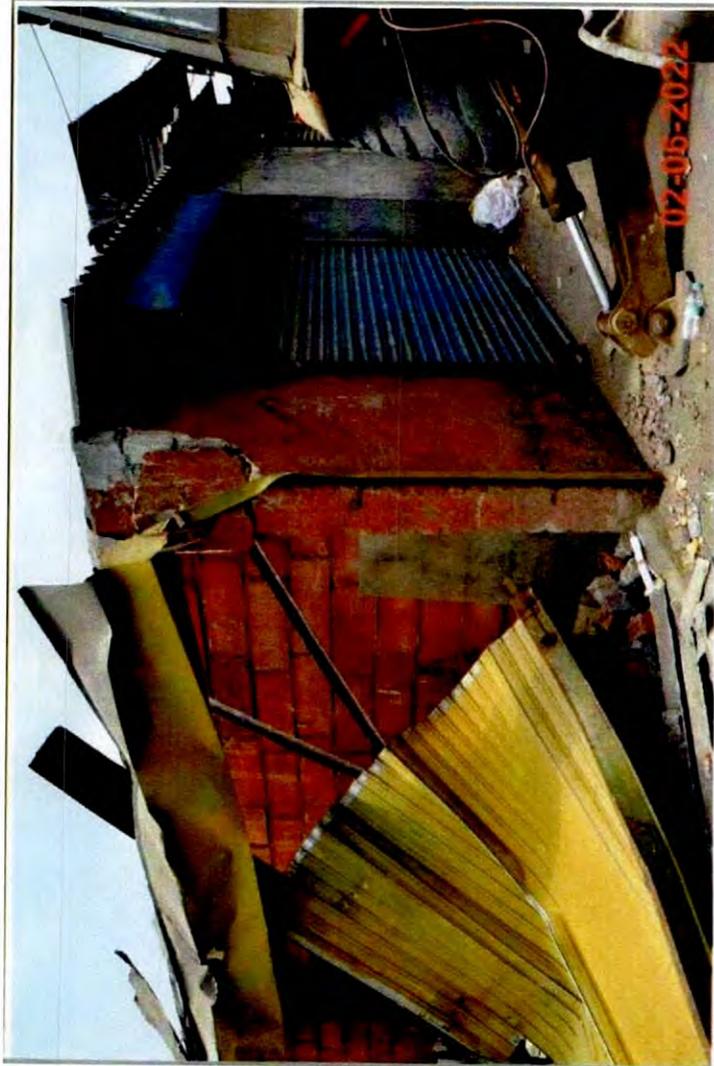




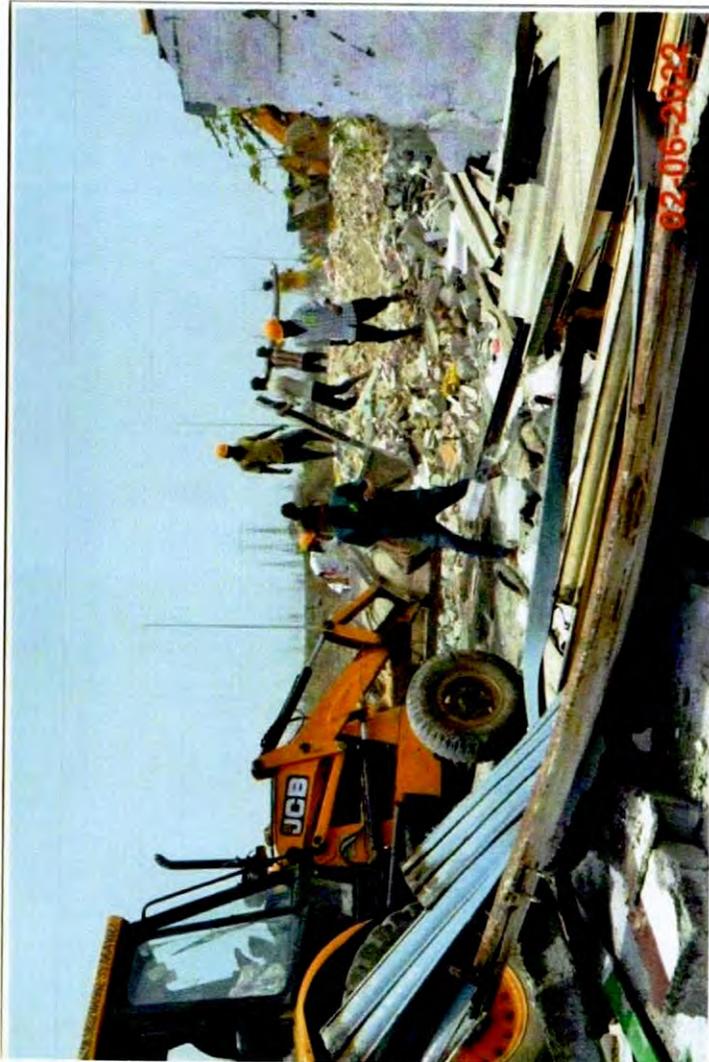




1563



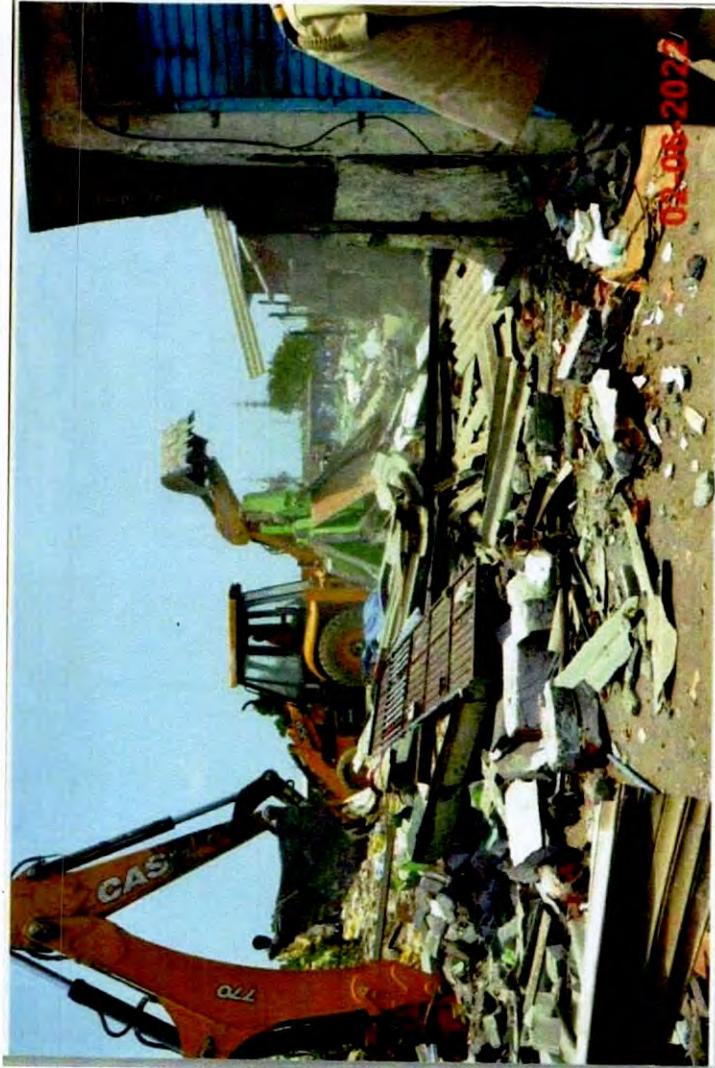










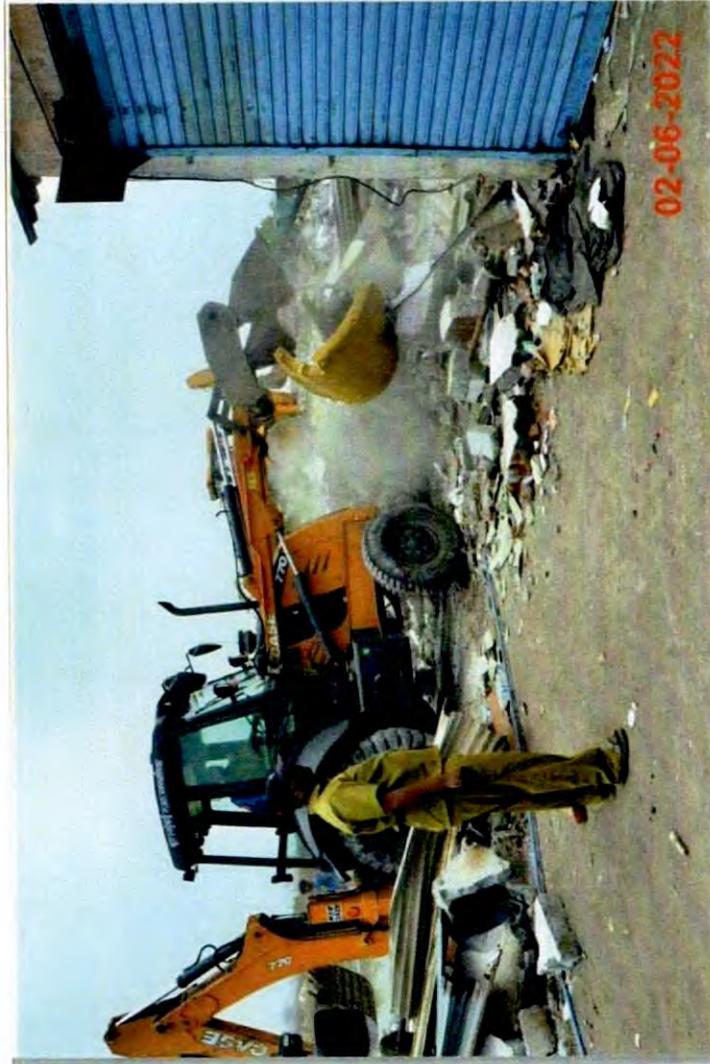






































Annexure No. A



Email: dsaltcom.mum@nic.in  
Phone: 022-20825206, 20822192

भारत सरकार

GOVERNMENT OF INDIA

उपनमक आयुक्त कार्यालय

Office of the Deputy Salt Commissioner

एक्सचेंज बिल्डिंग, चौथी मंजील, सर शिवसागर रामगुलाम मार्ग, बेलाई ईस्टेट, मुंबई - 400001.

Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulum Marg,

Ballard Estate, MUMBAI - 400001

C. No. S-11011(30)Salt/84/

5430-5436

Date: 29 /10/2022

To,

- 1) Shri Muralilal N. Garodia,  
Sheela Apartment, 4<sup>th</sup> Floor,  
Off Bhulabhai Desai Road,  
MUMBAI - 400026.
- 2) Shri Byram Rohinton Dhalla,  
Putla Mansion, Darabsha Road,  
Off Napeansea Road,  
MUMBAI - 400026.

Sir,

Sub : Unauthorised activities in Hormoz salt works at  
Wadala Salt Factory - Dumping of debris and  
construction of compound wall - Reg.

It is informed that various complaints regarding dumping of debris and construction of compound wall in Hormoz salt works at Wadala Salt Factory has been received in this office. Further it is informed by the Forest Range Officer, Mangrove Cell, Central Mumbai vide letter dated 31.05.2022 (**Annexure No. A**) that criminal offence No. E-10/2022-23 dated 21.04.2022 has been registered against you. It is further informed that the National Green Tribunal vide order dated 28.09.2022 (**Annexure No. B**) in OA No. 343/2021 (Madhura Rajesh Tawade Vs State of Maharashtra) has ordered to remove unauthorised dumping of waste, illegal encroachments and to restore the area.

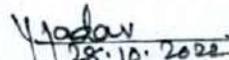
In view of above you are hereby directed to immediate necessary action as below:-

- a) Immediately stop / take action on unauthorised dumping of waste, illegal encroachments / constructions in land bearing CS No. 144 & 145 under Hormoz salt works.
- b) Immediately remove the C&D waste and debris dumped in the land bearing CS No. 144 & 145 under Hormoz salt works.
- c) Immediately remove unauthorised structures, if any in the land bearing CS No. 144 & 145 under Hormoz salt works.

An immediate action on the above is requested. You are requested to be vigilant and to use the land for the purpose of salt manufacture only and to avoid any illegal activities in the land bearing CS No. 144 & 145 under Hormoz salt works. If you fail to do so, suitable legal action will be taken against you.

Encl.: As above.

Yours faithfully,

  
28.10.2022  
(Y. K. Yadav)

for Deputy Salt Commissioner  
MUMBAI



Copy submitted to the Salt Commissioner Jaipur for information.

Copy for information to

- (i) The Director (Environment), Environment Department, 15<sup>th</sup> Floor, New Administrative Building, Mantralaya, MUMBAI - 400032.
- (ii) The Range Forest Officer, Mangrove Cell, Salt Pan CS No. 83, Chembur Shivadi Road, Bhakti Park Monorail Station, Near Casting Yard, Wadala (East), MUMBAI.

Copy for information and necessary action to:-

- 1) The Superintendent of Salt, Bhandup.
- 2) The Deputy Superintendent of Salt, Wadala.



महाराष्ट्र शासन  
वनविभाग

वनपरिक्षेत्र अधिकारी, कांदळवन कक्ष मध्य मुंबई  
यांचे कार्यालय

सॉल्ट पॅन. न.भू.क्र.८३, चेंबूर-शिवडी रस्ता, भक्तीपार्क मोनोरेल स्टेशन  
जवळ कार्स्टींग यार्ड शेजारी, वडाळा (पूर्व), मुंबई

Office Of The Deputy Secy.  
Forest Dept.  
दूरध्वनी क्र.  
EmailId: fcomcm@gmail.com

2990

सं/मं

जा.क्र./व.क्र./म.मु./गुन्हे/160/2022-23,

मध्य मुंबई, वडाळा, दि. 31/05/2022

प्रति,

मा. डेप्युटी सॉल्ट कमिशनर,  
४ मजला एक्सचेंज विल्डींग,  
बेलाड ईस्टेट मुंबई-४००००१

विषय:- रौं.गु.क्र.ई१०/२०२२, दि. २१/०४/२०२२ बाबत.

उपरोक्त विषयान्वये, आपणास कळविणेत येते की मौजे सॉल्टपॅन अधिसूचित कांदळवन न.भू.क्र.२५५ चे लगत सॉल्ट विभागाचे जुन्या बांधावर नविन भरावा केल्याचे दिसून आले आहे. त्यापैकी अधिसूचित कांदळवन क्षेत्रावर बांधाचे समांतर हद्दीलगत सुमारे ०.०३ हे. क्षेत्रावर अंदाजे १० ते १२ ट्रक माती व डेब्रीजचा भरावा केला असल्याचे आढळून आले आहे. त्याबाबत इकडील कार्यालयामार्फत रौं.गु.क्र.ई-१०/२०२२-२३ दि.२१/०४/२०२२ अन्वये गुन्हा नोंद केला आहे.

अधिसूचित कांदळवन न.भू.क्र.२५५ लगत असलेल्या क्षेत्राचे सॉल्ट लिज होल्डर श्री.मुरारीलाल गरोडीया हे असून सदरचा भरावा त्यांच्यामार्फत केले असल्याचे समजून येत आहे. सदर भरावा करणेकरीता संबंधीताने आपले विभागाचे परवानगी घेतली आहे किंवा कसे ? याबाबत इकडील कार्यालयास अवगत करणेकरीता आपले कार्यालयाकडील प्रतिनिधीस आवश्यक त्या दस्तावेज सह या कार्यालयात दि.०८/०६/२०२२ रोजी उपस्थित राहणेबाबत कळवावे.

(सुरेश चव्हरक)

वनपरिक्षेत्र अधिकारी,  
कांदळवन संधारण घटक,  
मध्य मुंबई

प्रत :- १) श्री.मुरारीलाल गरोडीया, पत्ता :- सॉल्ट पॅन रोड, शांतीनगर वडाळा (पु) मुंबई-४०००३७.

२/- आपणास वरील नमुद दिनांकास आपले म्हणणे मांडण्यासाठी आवश्यक त्या दस्तऐवजांसह या कार्यालयात उपस्थित रहावे.

२) वनपाल दादर/कुलाबा,

२/- सदरचे पत्र संबंधीत कार्यालयास पोहोच करून दिनांकीत पोहोच या कार्यालयास सादर करावी.

1591

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 343/2021

Madhura Rajesh Tawde

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 28.09.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondent(s): Mr. Mukesh Verma, Advocate for MPCB &amp; MCZMA

**ORDER**

1. Grievance in this application is for remedial action against damage to the environment in Mumbai city near coastal road at Wadala to Mahul, close to Chembur to CST freeway by adding debris on the salt pan, making island out of it and encroaching the same, affecting the mangroves which are important for Mumbai city. Unauthorized structures are against CRZ Regulations issued under Environment (Protection) Act, 1986.

2. Vide order dated 15.12.2021, the Tribunal sought a factual and action taken report from a six-member joint Committee of Maharashtra Coastal Zone Management Authority (MCZMA), CPCB, State PCB, SEIAA, Maharashtra, BMC and the concerned District Magistrate.

1

3. In pursuance of above, report of the joint Committee has been filed on 26.09.2022 by the State PCB with following observations, conclusion and recommendations:

**"3.0 Observations and findings**

*This report is outcome containing factual and action taken report of the said joint committee based on the meetings of the joint committee, information received from concerned agencies viz. Office of the Dy. Salt Commissioner and MCZMA through MPCB, followed by site inspection and subsequent discussions of the joint committee. The observations & findings of the joint committee are given as below.*

- i. *The alleged areas as per Hon'ble NGT order i.e. area near costal road at Wadala to Mahul, close to Chembur to CST freeway is a wide area of salt pan within the jurisdiction of F-North / M-West Ward of MCGM, Mumbai.*
- ii. *As per the preliminary information gathered during joint committee inspection dated 11/03/2022, prima-facie the said salt pan is a private land situated at C.S.no. 144 & 145, operated by Shri Garodia and it has spread over about 100 to 110 acres. Wherein, at C.S.no. 144, majority of the area has been encroached by slum dwellers by constructing houses made of brick masonry and cement roofing sheets. Besides the aforesaid C. S.no. 144, majority of the area has also been encroached by slum dwellers at C. S. no. 117 (reportedly land belonging to Govt. of Maharashtra).*
- iii. *As per the information provided by Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, land bearing C.S. no. 144 & 145 under Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. nos. are being operated by the salt manufacturers and as per the aforesaid letter dated 25/08/2022, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's office since 2013.*
- iv. *It is observed that along the periphery of slat pan at C. S. no. 145, dense mangroves have been spread. However, the operator of slat pan/salt manufacturer i.e. Shri Garodia has constructed a huge bund (app. 5 feet height & 10 feet width, made of unprocessed C&D waste) between the dense mangrove area and salt pans. It was informed that C&D waste reportedly generated from South Mumbai is being dumped by the private parties upon obtaining consent of operator of salt pan. However, no documentary evidences for prior consent for dumping/utilization of C&D waste were*

produced to the joint committee. It was further informed to the joint committee that such bund has been constructed to prevent intrusion of creek water into salt pan from adjacent creek, without construction of such bund the intrusion of creek water may causes flooding and also significantly affects the quality of salt in the salt pans.

- v. As per the information provided by the Dy. Salt Commissioner, Mumbai vide letter dated 25/08/2022, the operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of the salt work outer bund. Further, it was also informed by the Dy. Salt Commissioner, Mumbai that no permission was granted to the operator of slat pan/salt manufacturer or also no such permission may not be required for regular repair or maintenance of the outer embankment of salt works.
- vi. Further, it is observed from the reply submitted by the Dy. Salt Commissioner, Mumbai vide letter dated 27/04/2022 to the Director, Vanashakti (w.r.t. the representation made by Vanashakti regarding massive dumping of debris on wetlands, mangroves and salt pans at Wadala, Mumbai) that bunds located in the alleged area of about 1 km long was damaged due to Taukte Cyclone in May, 2021. Accordingly, the operator of slat pan/salt manufacturer has carried-out repairing activities by dumping debris in order to prevent intrusion of sea into salt pans water during high tides.
- vii. Maharashtra Coastal Zone Management Authority, Department of Environment, Govt. of Maharashtra has uploaded the approved CZMP of Mumbai City and Mumbai Suburban, 2019 in their website, which is as per the Coastal Regulation Zone Notification, 2019 The approved CZMP of the area under reference is given at **Annexure-5** for kind reference and the copy of the same is available at <https://mczma.ciov.in/sites/default/files/CZMP%20MH%2076.01>
- viii. The area under reference i.e. C.S. no. 145 was superimposed on the approved CZMP of Mumbai City and Mumbai Suburban, 2019 prepared by the MCZMA. Copy of superimposed CZMP of Mumbai City and Mumbai Suburban, 2019 is given at **Annexure-6** for kind reference. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas. Also, based on the analysis and superimposition of CZMP, it

is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. Further, 5.1.1 of section 5.0 of the CRZ Notification, 2019 stipulates about regulation of permissible activities in CRZ-IA; wherein certain activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities. However, the aforesaid section of CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.

- ix. As informed by the operator of slat pan/salt manufacturer, total seven bore-wells have been installed within the slat pan area for extraction of slat laden ground water and subsequent channelizing into salt pans for manufacturing/harvesting slat.
- x. Some of the photographs taken during the joint committee inspection is given at **Annexure-7** for kind ready reference.

#### **4.0 Conclusions**

The alleged area i.e. C.S. no. 144 & 145 is under M/s Hormoz Salt Works are owned by the Govt. of India. However, the aforesaid C.S. no. 145 is being operated by the salt manufacturer for harvesting of salt. Presently, an eviction proceeding against the salt manufacturers under provisions of Public Premises Act, 1971 is pending before the Estate Officer of Dy. Salt Commissioner's Office since 2013. Based on the analysis and superimposition of CZMP, it is observed that the aforesaid C.S. no. 145, where salt harvesting is being done falls under CRZ-IB as per the CRZ Notification, 2019. Further, as per s. no. (xvii) of section 5.1.2: CRZ-I B - The inter tidal areas of the CRZ Notification, 2019; salt harvesting and associated facilities are being regulated or permissible in the CRZ-I B areas.

Also, based on the analysis and superimposition of CZMP, it is observed that the existing bund (along the periphery of slat pan at C. S. no. 145) which is repaired & augmented by dumping C&D waste, falls within the 50 m mangrove buffer zone i.e. CRZ-I A as per the CRZ Notification, 2019. The activities regulated under CRZ-I A of the CRZ Notification, 2019 doesn't specify about repair & augmentation of existing bunds. Whereas, only in CRZ-I B-The inter tidal areas, bunding activities are permitted.

*Damage of bunds reportedly due to Taukte Cyclone in May, 2021, the repairing activities is carried-out by the operator of slat pan/salt manufacturer by dumping C&D waste & debris in order to prevent intrusion of sea into salt pans water during high tides.*

*During site inspection no mangroves were observed towards landward side i.e. in salt pan area (CRZ-I B). However, dense mangroves are observed towards creek-ward side i.e. in close proximity to the existing outer bund of salt pan. Operator of slat pan/salt manufacturer has not obtained permission from the Dy. Salt Commissioner's Office to carry-out repair or maintenance of outer bund of the salt works. Nevertheless, carrying out repairing & augmentation works of existing bund (by dumping unprocessed C&D waste & debris), falling within 50 m mangrove buffer zone i.e. CRZ-1 A, without prior permission is not justifiable and also not a permitted activity as per CRZ Notification, 2019.*

*As per the annual report on Construction and Demolition Waste Management Rules, 2016 for the state of Maharashtra (2020-2021) published by MPCB that MCGM, Mumbai generated 34,58,548 MT of C&D waste during calendar year January to December, 2020. Further, based on the aforesaid report it is observed that MCGM doesn't have designated C&D waste processing facility for handling & processing of C&D waste and the aforesaid quantity of 34,58,548 MT of C&D waste was disposed by landfilling without processing or filled in low lying area. In absence of such environmentally sound C&D waste processing facility, undue/unauthorized utilization/disposal of unprocessed C&D waste in low lying areas, CRZ areas or in any other areas cannot be ruled-out, as it is evident from the present matter; where the unprocessed C&D waste is being utilized for repairing & augmentation activities of outer bunds of slat works/pan, which is falling within the 50 m mangrove buffer zone as per the superimposed map of the area under reference.*

*Whereas the C.S. no. 144 is being encroached by slum dwellers by reclaiming the land and constructing houses made of brick masonry & cement roofing sheets. Also, some temporary structures are raised in south-western side of C.S. no. 144 by the operator of slat pan/salt manufacturer by reclaiming the land with dumping C&D waste & debris. Similarly, the C.S. no. 117 belongs to Govt. of Maharashtra, is also being encroached by slum dwellers by reclaiming the land. Based on the analysis and superimposition of CZMP, it is observed that C.S. no. 144 and 117 falls under CRZ-II, where certain activities are permitted as per section 5.2 of 5.0 of the CRZ Notification, 2019, stipulates about regulation of permissible activities in CRZ. The construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permitted w.r.t. subject to the*

local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of Notification.

#### 5.0 Recommendations

- (a) For violations of provisions of CRZ Notification, 2019 in view of the aforesaid violations of:
- i. Dumping C&D waste/debris for carrying out repairing & augmentation works of existing bund, falling within 50 m mangrove buffer zone i.e. CRZ-I A. The operator of salt pan/salt manufacturer under the supervision of Office of Dy. Salt Commissioner, Mumbai and F(N)/M(W) Ward of MCGM may be directed to remove the unauthorized dumping of C&D waste and shall dispose the same in an environmentally sound manner in the nearby C&D waste processing facility at Navi Mumbai or other facility, as appropriate.
- (b) Dy. Salt Commissioner, Hon'ble Collector Mumbai / Mumbai Suburban & F(N)/ M(W) Ward of MCGM may take appropriate action and also to remove illegal encroachments (construction of houses & other temporary structures) at C. S. no. 144 & C. S. no. 117, which is a CRZ-II area, so as to ensure the restoration of the aforesaid area to its original condition.
- (c) MCGM may be directed to submit a time bound action plan along with budgetary estimate for selection of appropriate site as per Schedule-I of the Construction and Demolition Waste Management Rules, 2016 and also to establish adequate C&D waste processing facility for handling, processing & disposal of C&D waste as per Rule 6 of the Construction and Demolition Waste Management Rules, 2016.
- (d) Till such facility is established w.r.t. (c) as above, MCGM to issue detailed directions with regard to proper collection, management of C&D waste within its jurisdiction in accordance with the provisions of aforesaid Rules. Also, to ensure that such waste should be processed only at nearby processing facility. Further, MCGM should increase surveillance activities to abate undue/unauthorized disposal of C&D waste at sensitive areas viz. CRZ areas, river banks, etc. Office of the Dy. Salt Commissioner, Mumbai should ensure that no undue/unauthorized dumping of C&D wastes in the areas under their jurisdiction may not be permitted in near future, as in the present case the alleged area falls within 50 m mangrove buffer zone i.e. CRZ-I A, as per CRZ Notification, 2019. However, in case such undue/unauthorized dumping is observed/reported

*through public grievances etc., such instances may be immediately brought to the notice of MCGM for taking appropriate penal action against violators."*

4. We have heard learned Counsel for the State PCB. The report shows that there have been unchecked violations by way of encroachments, construction of bund, other illegal constructions and dumping of debris in violation of environmental norms and to the detriment of environment, particularly mangroves. However, the Committee has not indicated the violators of CRZ Notification and also not mentioned the action taken or proposed against such violators.

5. The recommendations in the report to remove unauthorized dumping of waste, removing illegal encroachments and restoration of the area have to be accepted. MCGMA has to prepare a time bound action plan with budgetary support in the matter and has to issue directions for scientific handling of waste. The Salt Commissioner, Mumbai has also to take necessary action in the matter. This needs to be overseen by the Principal Secretary, Environment, Maharashtra. NCZMA has also to oversee compliance in terms of Notification dated 11.05.2022 issued by the MoEF&CC. The NCZMA and Principal Secretary, Environment, Maharashtra may file action taken reports after coordinating with concerned authorities, particularly giving progress in encroachments removed, waste collected and sent to authorized processing plant, restoration of degraded/encroached area and plan to set up C&D processing plants and other associated actions within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

6. Principal Secretary, Environment Department, Maharashtra may remain present in person for interaction with the Tribunal by video conference on the next date.

List for further consideration on 02.01.2023.

A copy of this order be forwarded to CPCB, NCZMA, MPCB, Principal Secretary, Environment, Maharashtra, Commissioner, Municipal Corporation, Greater Mumbai and Collector, Bandra by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 28, 2022  
Original Application No. 343/2021  
DV



GOVERNMENT OF INDIA  
**Office of the Deputy Salt Commissioner**  
Exchange Building, 4<sup>th</sup> floor, Sir Shivsagar Ramgulam Marg, Ballard Estate,  
**MUMBAI – 400 001**  
Phone: 2082 5206, 2082 2192  
E-mail: dsaltcom.mum@nic.in

C.No. D-11030(1)Land/2008/II/ 2685-2695

Dated: 08/06/2023

**MOST URGENT / FINAL WARNING**

To

- 1) Shri Murarilal N. Garodia,  
Sheela Apartment, 4<sup>th</sup> Floor,  
Off Bhulabhai Desai Road,  
MUMBAI- 400026.
- 2) Shri Byram Rohinton Dhalla,  
Putla Mansion, Darabsha Road,  
Off Napeansea Road,  
MUMBAI- 400026.

Sir,

**Subject:**Lifting, Transporting and Processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward-Regarding.

**References:-**

1. Your Letter dated 27.04.2023 & 26.05.2023.
2. **This Office Letter dt. 29.05.2023 & dt. 07.06.2023.**
3. Office Letter of MCGM No. AE/SWM/345/FN dt. 26.05.2023.

In above-referred letters of this Office, you have been instructed to remove all the C & D waste materials from the premises of Hormoz Salt Works within 10 days time bound limit and although the said period is over now, still no action so far has been taken at your end. As per the Orders dt. 28.09.2022 & 15.03.2023 passed by the Hon'ble NGT, Principal Bench, New Delhi in Original Application No. 343/2021 (Madhura Rajesh Tawade v/s Government of Maharashtra), the Principal Secretary, Environment & Climate Change Department, Govt. of Maharashtra has directed for disposal of the C & D waste from the premises of Hormoz Salt Works and failure to dispose of the said debris would attract the serious/dire consequences. Although you have agreed to

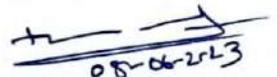
remove the C & D waste materials from the premises of Hormoz Salt Works, you have not taken any action in this regard till date. Pursuant to the Order given by the Hon'ble NGT and direction of the Principal Secretary of the Environment & Climate Change Department, Govt. of Maharashtra, you are hereby again directed to commence the disposal of the said C & D debris from 09.06.2023, in a scientific and environmentally sound manner as directed by the Hon'ble NGT dt. 28.09.2022 & 15.03.2023. If you fail to remove the C & D waste materials at your own, FIR will be lodged against you in the concerned police station under the relevant sections of the Indian Penal Code, 1860 and under the Environment Protection Act, 1986.

It may please be noted that if you fail to lift the C & D waste, MCGM will start lifting of C & D waste from Monday i.e., 12.06.2023 onwards and, as already informed to you vide office letter dt. 26.05.2023 of MCGM (copy enclosed for ready reference), you have to bear all the expenses charged by the MCGM including the supervision charges at the rate of 15% under appropriate Act and MCGM will not be responsible for any damage caused to your salt works during the work of removal of C & D waste materials.

**Please treat it as most urgent and ensure compliance.**

Encl.as above

Yours Faithfully,



(A.P. Mohanty)

Superintendent of Salt

Mumbai

**Copy for information and necessary action to:**

1. The Deputy Municipal Commissioner (SWM), BMC HO, Annexe Building, 3<sup>rd</sup> Floor, Mahapalika Marg, Mumbai-400 001.
2. The Director (Environment), Environment & Climate Change Department, 15<sup>th</sup> Floor, New Administrative Building, Mantralaya, Mumbai- 400 032.

3. The Principal Secretary, Environment & Climate Change Department, 15<sup>th</sup> Floor, New Administrative Building, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai- 400 032.
4. The Executive Engineer (SWM), Zone-II, MCGM, 3<sup>rd</sup> Floor, F/North Ward Office, Matunga 96, Bhau Daji Road, Mumbai-400 019.
5. The Assistant Engineer (SWM), F/N Ward, MCGM, 3<sup>rd</sup> Floor, F/North Ward Office, Matunga 96, Bhau Daji Road, Mumbai-400 019.
6. The Regional Officer, Maharashtra Pollution Control Board, Kalpataru Point, 1st floor, Opp. PVR Theatre, Sion (E), Mumbai-400022.
7. Copy submitted to the Salt Commissioner, Jaipur for information.
8. Copy to:
  - A. The Superintendent of Salt, Bhandup for information and necessary action.
  - B. The Deputy Superintendent of Salt, Wadala for information and necessary action. He may ensure that lifting of the C & D waste from the premises of Hormoz Salt Works is commenced from 09.06.2023 positively and if the manufacturers fail, FIR may be filed.

**MUNICIPAL CORPORATION OF GREATER MUMBAI**3<sup>rd</sup> floor, F/North ward office, Matunga 96, Bhau daji road Mumbai-19

219

To

✓ Dy. Salt Commissioner

Exchange Building, 4<sup>th</sup> Floor, Shiv Sagar Ram  
Gulam Marg, Ballard Estate Mumbai 400 001.

To

M/s Hormoz Salt Works,

Shanti Nagar, Salt Pan Road, Near Madina masjid,  
Wadala (E), Mumbai – 400 037.**Notice - III**

No. AE/SWM 3451/FN

Date: 26/05/2023

Office Of The Deputy Salt Commissioner  
Mumbai

9 MAY 2023

Handwritten signature: H. E. (SWM)

Handwritten number: 2287

Handwritten initials: V. B.

Sub:- Lifting Transporting and processing of C & D waste dumped for preparation of bunds with C & D waste at salt pan land in Wadala, F/North ward.

Ref:- i) Order dated 28.09.2022 passed by the Hon'ble NGT in original application no. 343/2021 (Mhadhra Tawde V/s State of Maharashtra)

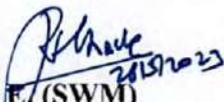
As per direction given by Hon, NGT, it is required to process C & D waste dumped illegally at salt pan land in wadala. Hon'ble NGT has ordered "to remove unauthorized C & D waste and shall dispose the same in an environmentally sound manner in the nearby C & D Waste processing facility at Navi Mumbai or other Facility as appropriate".

As per NGT's order issue was discussed in the task force meeting to remove and process the C & D waste in environmentally sound manner. In that meeting representative of salt commissioner stated that M/s. Hormoz Salt works has agreed to remove the C&D waste lying at salt pan land (letter ref No 2). But M/s. Hormoz Salt works has not commented on scientific processing and disposal of the C & D Waste dumped at salt pan land as per NGT's order. The same point was also discussed in meeting but till date no information is received from salt commissioner office and M/s. Hormoz Salt works regarding disposal of C & D waste dumped on salt pan land in an environmentally sound manner in the nearby C & D Waste processing facility at Navi Mumbai or other Facility as appropriate.

Therefore as per instructions from higher authorities, BMC has decided to remove and process part of C & D waste dumped for making bunds at salt pan land as per NGT's order at initially on pilot basis at risk and cost of Salt Commissioner / M/s Hormoz salt works i.e. the expenditure incurred by BMC in above process along with 15% supervision charges will be reimbursed by Salt Commissioner / M/s Hormoz salt works to BMC. Only after reimbursement of cost incurred by BMC as mentioned above by Salt Commissioner / M/s Hormoz salt works, BMC will plan for removal and disposal of remaining C&D waste at salt pan land along with expenses for the same in consultation with Salt Commissioner. Therefore you are hereby requested to direct M/s Hormoz salt works to allow access to BMC at salt pan land for above mentioned work. Also you are requested to arrange your representative during the work. BMC will not be responsible for any damage during work. Considering the urgency of work you are requested to please reply within 3 days of receipt of this letter.

Treat it as most URGENT.

  
AE (SWM)  
F/North ward

  
E. E. (SWM)  
Zone -II

Subject to Mumbai jurisdiction

**HORMOZ SALT WORKS**

MFG. OF: INDUSTRIAL KITCHEN &amp; IODIZED SALT

Shanti Nagar, Salt Pan Road, Near Madina Masjid, Wadala (E), Mumbai - 400 037

☎ Off: 022-23513327 / 98200 86081 / 99209 97280

Dated -21/06/23

To,  
The Deputy Superintendent of Salt,  
(Wadala)  
Exchange Building,  
Ballard Estate,  
Mumbai.

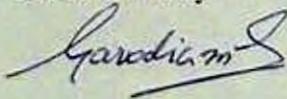
**Sub – Removal of C&D Waste used for protective Bund (embankment)  
fortification from C.S.No.145.**

Dear Sir,

This is with reference to the MCGM letter No AE/SWM 4174 F/N Dated 06/06/2023 where in names of the processing and recycling plants are provided, we had approached the "Godrej C&D Waste Processing Plant" for the disposal and processing of our C&D waste but as per the report (enclosed) by them it is a mix of all types of construction debris. Then we also contacted "NMMC C&D Waste plant" they have accepted to take our C&D Waste but as per the feedback from the drivers of the dumpers going to NMMC Plant, this Bund waste is a mixture of many different kinds of materials like soil, brick pease, POP powder, pieces of tiles, plastics Gypsum and many other waste in this C&D waste so NMMC is unloading vehicle in their dumping LandFill site. According to this our C&D waste in this form cannot be recycled or processed so now we request you to give us permission to dump this waste at the designated dumping site or land fill and not process or recycle as this material as it is not concrete waste but a mixture of everything.

I would also like to mention that only one set of hydraulic excavator and few dumpers can we used at one time as there is path way for only a single dumper to move around and due to continuous movement of the loaded dumpers the bund it sinking and sliding, we are repairing the bund and disposing the waste simultaneously, kindly provide sufficient time for the same.

Yours Sincerely

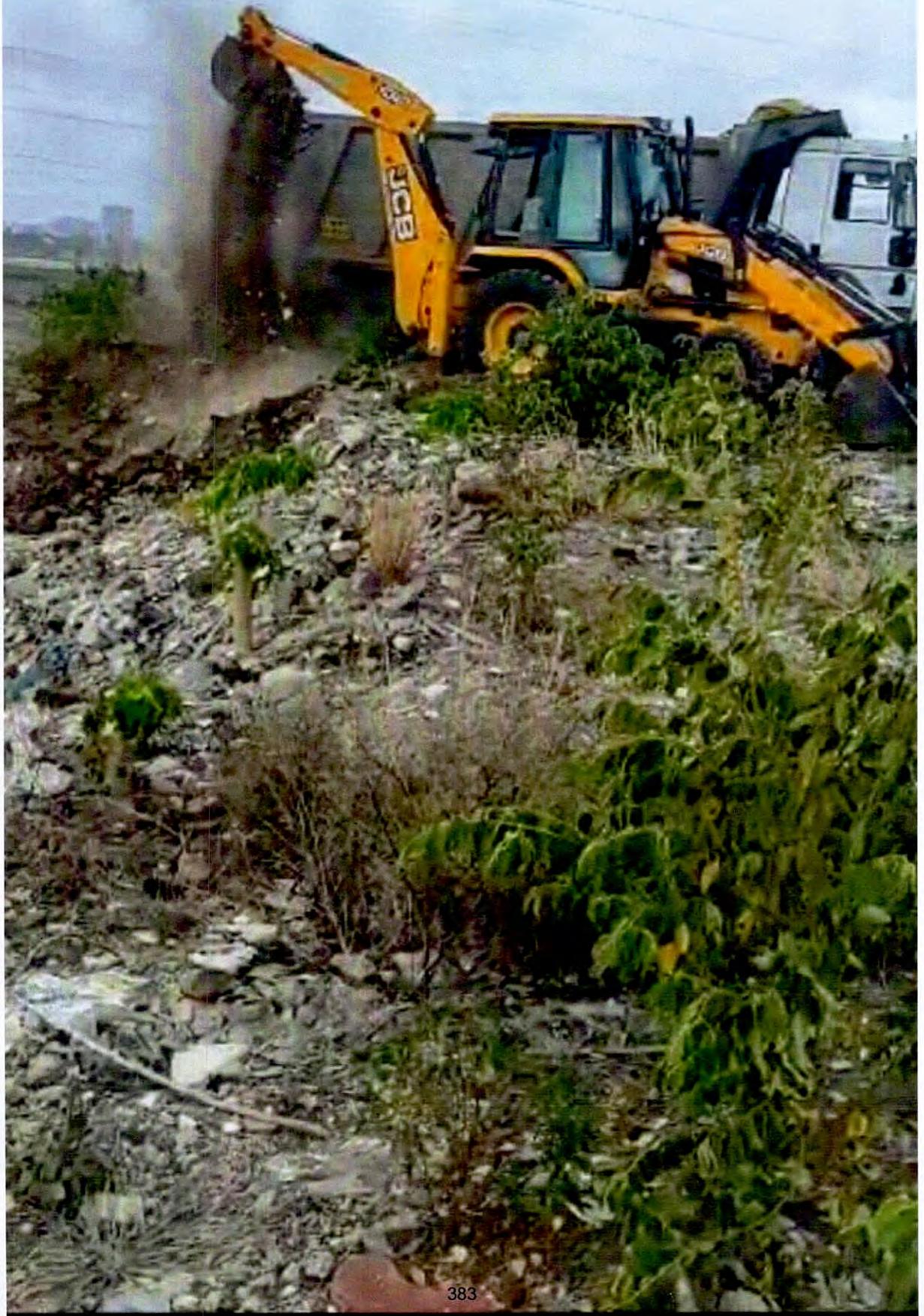


Mr. Murarilal N. Garodia

Encl. Report of Godrej C &amp; D waste processing plant

Copy to  
Deputy Salt Commissioner

1605



1606



1607



385

# जिल्हाधिकारी मुंबई शहर कार्यालय

जुने जकात घर, पहिला मजला, शहीद भगतसिंग रोड, फोर्ट, मुंबई-४०० ००१

न्यायालयीन प्राधान्य

प्रधान सचिव (पर्यावरण)

क्रमांक 1078

दि. 23<sup>rd</sup> JUNE 2023

क्र.कार्या-३/NGT/आदेश /निष्कासन/२०२३ / 9792

दिनांक : 19/06/2023 जा.क्र.

अनुपालन अहवाल

Dir (Env)

प्रति,

मा. प्रधान सचिव,

पर्यावरण विभाग, पहिला मजला,

दालमल बिल्डींग, नरीमन पॉईंट मुंबई.

विषय -राष्ट्रीय हरीत न्यायाधिकरण , नवी दिल्ली यांचेकडे दाखल अर्ज क्र.३४३/२०२१

श्रीम. मधुरा राजेश तावडे

विरुद्ध

महाराष्ट्र शासन व इतर

संदर्भ- १)मा.विभागीय आयुक्त कोकण विभाग यांचेकडील पत्र दि.७-११-२०२२

२)अपर जिल्हाधिकारी मुंबई शहर यांचेकडील दि.१२-०१-२०२३ जा.क्र.२८

३)मा.राष्ट्रीय हरीत न्यायाधिकरण, नवी दिल्ली यांचेकडील (दावा क्र.३४३/२०२१) मधील आदेश

दि.२८-९-२०२२ व दि.१५-३-२०२३

४)M.C.Z.M.A. यांचेकडील पत्र दि.२६-१२-२०२२

महोदय,

विषयांकित प्रकरणी संदर्भिय-२ चे पत्रासोबत मा . राष्ट्रीय हरीत न्यायाधिकरण , नवी दिल्ली यांचेकडील दि.२८-९-२०२२ व दि.१५-३-२०२३ रोजीचे आदेशानुसार मुंबई शहरामध्ये अतिक्रमणे वाढ होवून होत असलेल्या पर्यावरणाचे नुकसान यांवरील अतिक्रमणावर कार्यवाही करणेस आदेशित केलेले आहे.

त्या कार्यालयाचे कार्यक्षेत्रातील शासन मालकीचे सी.एस. क्र. ११७(पै) येथील शांतीनगर, इस्टर्न एक्सप्रेस हायवे नजीक, मदीना मस्जिदचे जवळ, वडाळा (पूर्व)मुंबई-३७ येथे अतिक्रमण करून अनिवासी वापराचे झोपड्या बांधलेल्या होत्या. यापूर्वीदेखील सदरचे जागेवर अशाच प्रकारचे अतिक्रमणे झालेली होती. या कार्यालयाकडून वेळोवेळी सदरचे अनधिकृत बांधकामे निष्कासीत करणेत आलेली आहेत. दि.०७-०१-२०२१ रोजी या कार्यालयाकडून शांतीनगर, मदीना मस्जिदचे जवळ, मोकळ्या जागेवरील एकूण २३ अनधिकृत बांधकामे निष्कासीत करण्यात आलेली आहेत. तसेच निष्कासन कार्यवाही नंतर पून्हा उक्त ठिकाणी नव्याने ५५ अनधिकृत बांधकामे आढळून आली होती. त्याअनुषंगाने

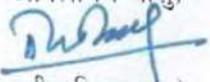
1/5 (174)  
Pl. Copy to report  
to Submt to  
Hombk Nat  
by 23/6/23

Rm  
2/1/6

नवीन ५५ अनधिकृत बांधकामे निष्कासन कार्यक्रम दि.११-१-२०२२ रोजी नियोजित करण्यात आला होता परंतु शासनाचे कोविड १९ चा वाढता प्रादुर्भाव मुळे व शासनाचे दि.८-१-२०२२ चे आदेशानुसार अतिक्रमण निष्कासन तूर्तास स्थगित ठेवण्यात आला होता.

तसेच उक्त प्रश्नांकित ५५ बांधकामे निष्कासीत करणेबाबत या कार्यालयाचे जाहिर नोटिस दि.२३-५-२०२२ प्रसिध्द करणेत आली होती तसेच दि.२६-५-२०२२ रोजी ५५ अनधिकृत बांधकामाचे निष्कासनाचा कार्यक्रम आयोजित करण्यात आला होता. प्रश्नांकित ५५ बांधकामधारक यांनी मा. उच्च न्यायालय मुंबई येथे याचिका क्र.१६४६९/२०२२ दाखल केली होती. त्यानुसार मा. उच्च न्यायालय मुंबई यांचे दि.२५-५-२०२२ रोजीचे आदेशान्वये उक्त ५५ अनधिकृत बांधकामांचे निष्कासनासाठी ०३ आठवड्यांची स्थगिती देवून महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम ५० (५) अन्वये अपिल प्राधिकरणाकडे अपिल करण्याचे निर्देश दिले होते. त्यानुसार याचिकाकर्ते यांनी मा.अपर आयुक्त, कोकण विभाग यांचेकडे दाखल केलेल्या अपिल क्र.एलएनडी /२९१/२०२२ मध्ये दि.२१-११-२०२२ रोजीचे आदेशानुसार याचिकाकर्ते यांची अपिल अमान्य करण्यात आले.परंतु मा. अपर आयुक्त कोकण विभाग यांचेकडील दि.२१-११-२०२२ रोजीचे आदेशाविरुध्द याचिकाकर्ते यांनी मा. उच्च न्यायालय मुंबई येथे Civil Writ Petition (St) No. ३०३२७ of २०२२ दाखल केले असून सदरचे याचिकेमध्ये मा. उच्च न्यायालय मुंबई यांनी दि.७-१२-२०२२ रोजीचे सुनावणीमध्ये याचिकाकर्ते यांना अपिल दाखल करण्यासाठी मुदत देवून ०४ आठवडे याचिकाकर्ते यांचे बांधकाम निष्कासन करून नये असे निर्देश दिलेले होते. दि.०६-०१-२०२३ रोजी ०४ आठवड्याची मुदत संपली तसेच शासनाकडून सदरचे बांधकामाबाबत लेखी स्वरुपात लेखी स्थगिती आदेश या कार्यालयास प्राप्त नसल्याने सदरचे ५५ अनधिकृत बांधकामे बृहन्मुंबई महापालिका एफ /नॉर्थ विभाग यांचेकडील निष्कासन पथक तसेच स्थानिक पोलिस बंदोबस्तामध्ये उपजिल्हाधिकारी (अति/निष्का) धारावी विभाग या कार्यालयाकडून निष्कासीत करण्यात आलेली आहेत.

तसेच मा. राष्ट्रीय हरीत न्यायाधिकरण, नवी दिल्ली यांचेकडील संदर्भिय-३ चे आदेशान्वये सी. एस. क्र. ११७ (पै.)सॉल्ट पॅन विभाग या जागेवरील अतिक्रमणावर कार्यवाही करून निष्कासन करणेस आदेशीत केलेले आहे. त्यानुसार या कार्यालयाने सी.एस. क्र. ११७(पै.)शांतीनगर, सॉल्ट पॅन विभाग या जागेवरील ५१ फुट X ५१ फुट क्षेत्रफळाचे समाजमंदिर या नावे असलेले समाजमंदिर व बाजूला असलेले ०३ अनधिकृत बांधकामे असे एकूण ०४ बांधकामे उपजिल्हाधिकारी (अति/निष्का) धारावी विभाग या कार्यालयाने दि.२९-५-२०२३ रोजी निष्कासीत करण्यात आले आहेत. महाराष्ट्र हरीत न्यायाधिकरण कडील संदर्भिय आदेशाचे परीपुर्ण अनुपालन करण्यात आलेबाबतचा अहवाल येणेप्रमाणे सादर करणेत येत आहे.

आपला विश्वासु,  
  
 (राजीव निवतकर )  
 जिल्हाधिकारी मुंबई शहर





