

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

Orig. Application No.77/2016 (WZ)

IN

Application No.33(THC)/2013

(Disposed of on 17-08-2015)

In the matter of :-

Janardan Patil Vrs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER,**

Present:

Applicant	:	None gave appearance.
Respondent No.2	:	Mr. D.M. Gupte, Adv. Mr. Makarand Ghodke, A.C.F.
Respondent-MCZMA	:	Mrs. Supriya Dangare, Adv.

Date and Remarks	Orders of the Tribunal
Item No.14 15th November, 2017 Order No.20	Only compliance that remains to be done is in respect of identification of the violations of the CRZ Notification, 1991 and 2011 relating to destruction of mangroves in Navi Mumbai. A Committee under Chairmanship of Chief Conservator of Forest (Mangrove Cell), Expert Member of MCZMA and Member Secretary, MCZMA was formed to assist and verify the fact position relating to destruction of mangroves and violation of CRZ Notification, 2011 in Navi Mumbai vide Judgment and Order dated 17th August, 2015 passed in Application No. 33(THC)/2013. The Committee was given a freedom to seek expert opinion if required in the given circumstances. Affidavit dated 3rd November 2017 of the Member Secretary, MCZMA placed before us reveals the progress made by the said Committee in achieving the compliance of the order dated 17th August 2015. It is revealed that the Committee after being constituted carried out inspection at villages Gothavali, Airoli Node, Ghansoli and Talvali of Navi Mumbai on 25th October 2017 and made following observations :

Item No.14 15th November, 2017 Order No.20	No.	Site details	Observations made
	01.	Sector 12, Ghansoli, Jijamata Nagpur N.19 07 00.95 E 072 59 33.73	No mangrove destruction was observed.
	02.	Sector 13, Ghansoli, NMMC sports complex N 19 07 20.27 E 072 59 24.02	Dumping of the soil on the plot was observed. However, no mangroves destruction was observed.
	03.	Sector 15, Road End, Ghansoli N 19 07 20.27 E 072 59 19.34	Dumping of the construction debris on the adjacent vacant plot was observed. However, no mangroves destruction was observed.
	04.	Sector 10, Gothivali Near N 19 08 31.63 E 072 59 43.22 (Near High tension line)	Dumping and levelling was observed on the plot. Mangrove destruction is observed from past Google images. The CIDCO and NMMC needs to submit the explanation for the same.
	05.	Sector 10A, Airoli Node, Village Diva N 19 08 12.40 E 72 59 10.00	The exists a road which is not in used. The CIDCO official present during the visit informed that there is a proposal to connect the Ghansoli Node from here At present, there is no destruction of mangroves is observed.
Having known these facts, though limited to the area inspected, MCZMA is under obligation to take necessary action in reference to the violations noticed by the said Committee as aforesaid. MCZMA shall file compliance report regarding the action taken on the violations noticed by the said Committee as aforesaid within next one month. The affidavit reveals that on deliberation the Committee held the view that the issue of assessment of destruction of mangroves and violation of CRZ in entire areas of Navi Mumbai is comprehensive exercise calling for analysis of temporal and spatial changes in the land use and land cover of Navi Mumbai through high resolution satellite			

Item No.14
15th November,
2017
Order No.20

data-baseline data and CZMP maps being available with MRSAC, Nagpur from the year 2005 for mangroves vegetation.

To ascertain the changes in mangroves cover, the Committee has suggested Change Detection Study to be carried out by the Expert Agency competent in using scientific tool of Satellite data analysis. The committee appears to have taken note that the National Centre for Sustainable Coastal Management (NCSCM) for Chennai has identified the ecologically sensitive area i.e. mangroves based on the aerial photography of the year 2011 and the said mangroves data can be compared with the MRSAC, Nagpur in order to ascertain changes in the mangrove cover i.e. change Detection Study.

To secure compliances of our Judgment and order; we direct MRSAC, Nagpur to obtain from National Centre for Sustainable Coastal Management (NCSCM) for Chennai, the data identifying the ecologically sensitive area i.e. mangroves in Navi Mumbai and on comparison of the said data with the previous mangroves data of the year 2005 available with them ascertain the change in mangroves cover in Navi Mumbai and place its report before us on or before the next date.

Registry to communicate this order to MRSAC, Nagpur. Expenses of the Study shall be borne by the MCZMA.

List the case on 10th January, 2018.

....., **JM**
(Justice U.D. Salvi)

....., **EM**
(Dr. Nagin Nanda)