

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

APPLICATION NO.19 /2014 (WZ)

Ramdas Janardan Koli Vs The State of Maharashtra

**CORAM: HON'BLE MR JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

Present:

Applicant	: In person.
Respondent No.2	: Sunil Dangare Adv w/ A.S.Mulchandani Adv
Respondent No.4	: D.H. Patil Adv
Respondent No.5	: D.M.Gupte Adv Supriya Dangare Adv
Respondent No.7	: Mr. K.D. Kelkar, Adv.
Respondent No. 8	: Kelvic Setalvad ASG
Respondent No.9	: Mr. Sagar Ghogre, Adv.
Respondent No.10	: Mr. A.V. Bhuskile, Adv.

Date and Remarks	Orders of the Tribunal
Item No.6 February 18,2014 Order No.9	<p>We have heard Learned Counsel for the Respondent Nos.8 and 9 and other Respondents. We have also heard the Applicants in person.</p> <p>The Respondent No.8 has filed reply affidavit. So also the Respondent No.9 has filed reply affidavit.</p> <p>Applicant – Sh. Ramdas Koli, has pointed out from a newspaper report that the Authorities of CIDCO, are undertaking certain activities to change the nature of property by causing destruction of mangroves and by reclamation. The newspaper report is perused by learned Counsel Mr. Kelkar and has assured to instruct concerned officer of the CIDCO to obtain necessary information from the office. We are informed by learned Counsel Mr.Kelkar, that he would give proper instructions to the Chief Officer of CIDCO to ensure that mangroves shall not be destructed, if at all such activity is being carried out, on making due inquiry of the facts, and to give his response, if so, required. We also direct the Applicants to put on record any tangible material about such allegations and not to rely only upon any newspaper report.</p> <p>It is brought to our notice by learned Advocate for Respondent No.8, that a communication has been forwarded to the Chief Secretary, State of Maharashtra, regarding the problems faced by the JNPT on the subject of rehabilitation/compensation to the fishermen. We have perused the copy of communication dated 12.2.2014.</p>

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We are of the opinion that if the issue can be resolved amicably then it will be in the interest of the Applicants as well as Authorities of JNPT/ONGC etc. We expect that the Chief Secretary, State of Maharashtra to intervene in the matter as early as possible for amicable settlement of the issue involved. We further expect the Chief Secretary of the Maharashtra to convene a common meeting wherein the representatives of the Applicants, 3 to 5 in number, may be invited to participate, in order to ventilate their grievances and for explaining their problems and to settle the issues with their assistance, inasmuch as they are stake holders in the process. We direct the Applicants to obtain consent of other Applicants and community of fishermen to authorise 3-5 representatives to take common decision if such meeting is convened, so that no conflict amongst themselves or any further complication in implementation of such decision, if arrived at in such a common meeting would crop up in future.

The Application for amendment to be heard on 28th February, 2014 and the Applicants may give response, if required, to the rejoinders filed by the Respondents concerned. So also, the Respondent No.8, may file any Application, if so required for further modification or pertaining to the progress of the matter in the common meeting, whatever it may be. Copy of the order be furnished to the office of the Chief Secretary, as well as to the office of Law Secretary, Mantralaya, by the MCZMA.

Stand over to 28th February, 2014

....., **JM**
(Justice V. R. Kingaonkar)

....., **EM**
(Dr.Ajay A. Deshpande)