

**MINUTES OF THE 106<sup>th</sup> MEETING OF MAHARASHTRA COASTAL ZONE  
MANAGEMENT AUTHORITY (MCZMA) HELD ON 26<sup>th</sup> and 27<sup>th</sup> Oct, 2015**

The 106<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Additional Chief Secretary (Environment), GoM on 26<sup>th</sup> October, 2015 at 2.00 pm and 27<sup>th</sup> October, 2015 at 10.00 am at Sachivalay Gymkhana, Mumbai.

**Item No. 1:** Confirmation of Minutes of 103<sup>rd</sup>, 104<sup>th</sup> and 105<sup>th</sup> meeting of MCZMA held on 20.8.2015, 1.9.2015 and 15-16.10.2015 respectively

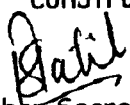
The minutes of 103<sup>rd</sup>, 104<sup>th</sup> and 105<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held under the Chairmanship of Additional Chief Secretary (Environment), GoM on 20.8.2015, 1.9.2015 and 15-16.10.2015 at Sachivalay Gymkhana, Mumbai respectively were confirmed without any change.

**Item No. 2:** Proposed residential reconstruction on plot bearing S. No. 486 A, H. No. 27 B, C. S. No. 3863, mouje Zadgaon, Tal. & Dist. Ratnagiri

Shri. Aadam Mohammad Vasta and Mr. Thorat, Ratnagiri Municipal Council present for the meeting and presented the proposal before the authority. The proposal is for reconstruction of residential building by demolishing existing old structure comprising Stilt + ground floor + 1<sup>st</sup> upper floor on plot bearing S. No. 486 A, H. No. 27B, C. S. No. 3863, at Mouje Zadgaon, Tal. & Dist. Ratnagiri. As per approved CZMP, the plot u/r falls in CRZ II area and situated on landward side of existing road prior to 1991. Plot area under proposal is 250.00 sqm. The PP further stated that he is a fisherman.

After deliberation, Authority decided to recommend the proposal from CRZ point of view to planning authority with following observations:

1. Local body to ensure that FSI for the proposed construction is as per the DCR existing and in force as on 19.2.1991, before issuance of commencement certificate to the said project.
2. All other permissions required should be obtained prior to commencement of construction activity.

  
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**Item No.3:** Clarification for validity of Environment Clearance under CRZ Notification, 1991 for Transit Storage Terminal at JNPT, Uran by M/s IMC Limited


Shri. S.M. Lele, General Manager, M/s IMC company was present for the meeting and presented the matter before the Authority. He stated that the Ministry of Environment and Forest, New Delhi vide letter dated 7<sup>th</sup> May, 2007 granted Environment Clearance under CRZ Notification, 1991 for transit storage terminal at JNPT, Uran to M/s IMC Limited, Mumbai. The project pertains to storage of 14 POL products which were listed under CRZ Notification, 1991. The MoEF vide above clearance permitted total storage capacity of 1,74,716 KL. The PP further submitted that storage capacity of 1,61,195.878 KL has already been constructed and commissioned. The MPCB granted consent to operate on 23.12.2011. And now, work of balance storage capacity of 12, 316 KL is yet to be started.

He further stated that since work and operation of the unit was commenced within the validity period of 5 years and therefore requested to clarify the issues of validity of CRZ clearance for the remaining work, which is within the limit of clearance issued by MoEF, New Delhi.

The Authority perused an Office Memorandum dated 7<sup>th</sup> October, 2014 which gives clarification about the validity of the EC granted under CRZ Notification, 1991. The Authority confirmed that the fresh CRZ clearance under CRZ Notification, 2011 for remaining work is not required, as the work / operation was commenced within 5 years from the date of grant of EC under CRZ Notification, 1991. Further, the Authority noted that activity of transit storage of POL products is not covered under EIA Notification, 2006.

The Authority after deliberation decided to confirm as above subject to the condition that PP should submit undertaking that the construction was initiated within 5 years of issuance of clearance by MoEF, New Delhi.

**Item No.4:** Proposed residential construction on plot bearing S. No. 40, Hissa No. 2/3/1 & 2/3/2, C. S. No. 992/2/3, Mouje Rahatghar, Tal. & Dist. Ratnagiri- Mr. Krishna B Veer.

  
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Shri Krishna Veer and Mr. Thorat from the Ratnagiri Municipal Council were present for the meeting and presented the proposal before the authority. The proposal is for addition of first floor on existing ground floor on plot bearing S. No. 40, Hissa No. 2/3/1 & 2/3/2, C. S. No. 992/2/3, Mouje Rahatghar, Tal. & Dist. Ratnagiri. As per approved CZMP of the area, the plot u/r falls in CRZ II area and situated on landward side of existing road prior to 1991. Total area of plot under consideration is 400.00 sqm, Permissible FSI is 1.00.

The Authority noted that the existing ground floor structure on site under reference is authorized.

After deliberation, Authority decided to recommend the proposal from CRZ point of view to planning authority with following observations:


1. Local body to ensure that FSI for the proposed construction is as per the DCR existing and in force as on 19.2.1991 before issuing commencement certificate for the said project.
2. All other permissions required should be obtained prior to commencement of construction activity.

**Item No. 5:** Proposed residential reconstruction on plot bearing S. No. 40, Hissa No. 5, C. S. No. 992/3, Mouje Rahatghar, Tal. & Dist. Ratnagiri- Mr. Narayan Dicholkar

Shri. Narayan Dicholkar and Shri Thorat from the Ratnagiri Municipal Council were present for the meeting and presented the proposal before the authority. The proposal for addition of first floor on existing ground floor on plot bearing S. No. 40, Hissa No. 5, C. S. No. 992/3, Mouje Rahatghar, Tal. & Dist. Ratnagiri. As per approved CZMP of the area, the plot u/r falls in CRZ II area and situated on landward side of existing road prior 1991. Total area of the plot under proposal is 430.00 sqm, permissible FSI is 1.00. The Authority noted that existing ground floor structure on site under reference is authorized.

After deliberation Authority decided to recommend the proposal from CRZ point of view to planning authority with following observations:

  
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1. Local body to ensure that FSI for the proposed construction is as per the DCR existing and inforce as on 19.2.1991 before issuing commencement certificate for the said project.
2. All other permissions required should be obtained prior to commencement of construction activity.

**Item no.6:** CRZ status for Survey No. 991/, 100/1A, 100/2, 100/3, 101/1A, 101/1B, 101/2, 101/3, 102/1, 102/3, 103/1, 103/2A, 103/2B, 103/3A, 103/3B, 106/1, 106/2, 106/3, 106/4, 106/5A etc. at village Koproli, and S. No. 199/1B, village Pirkon, Tal. Uran, Khopta New Town-CIDCO by M/s. Shilpa Mahendra & Others

Representatives from M/s Shilpa Mahendra & Others presented the matter before the Authority. The PP is seeking CRZ status for site bearing Survey No. 991/, 100/1A, 100/2, 100/3, 101/1A, 101/1B, 101/2, 101/3, 102/1, 102/3, 103/1, 103/2A, 103/2B, 103/3A, 103/3B, 106/1, 106/2, 106/3, 106/4, 106/5A etc. at village Koproli, and S. No. 199/1B, village Pirkon, Tal. Uran, Khopta New Town. The PP has submitted the CRZ map dated 17.4.2014 in the scale of 1:4000 superimposing the project site under reference.

The Authority noted that the project site falls partly inside CRZ III as per approved CZMP. However, the PP stated construction is proposed beyond CRZ belt of the creek.

The Authority after deliberation decided that the project proponent should ensure that construction activities should not be carried out in CRZ area both, as per the approved CZMP as well as CRZ area indicated in the CRZ map in the scale of 1:4000 by IRS, Chennai prepared on 17.4.2014.

**Item No.7:** Proposed residential construction on plot bearing S. No. 77, H. No. 9A2, 12B, 2/1, CTS No. 2332, Murud, Tal. Murud, Dist. Raigad- Mr. Santosh Dandekar

Shri Santosh Dandekar and Mr. Prashant Pawar, Engineer from Murud Janjira Municipal Council were present for the meeting and presented the proposal before the authority. The proposal is for construction of residential building comprising of

  
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ground floor + upper 3 floors on plot bearing S. No. 77, H. No. 9A2, 12B, 2/1, C. S. No. 2332 at village Murud, Tal. Murud & Dist. Raigad. As per approved CZMP of the area, the plot under reference partly falls in CRZ II area and situated on landward side of existing road. The plot area under consideration is 1020.00 sqm, FSI permissible is 1.00.

The Authority observed that plot under reference partly falls in CRZ area and partly in non CRZ area. FSI applicable for construction in CRZ area will be as per Town & Country Planning Regulations as existing & in force as on 19.2.1991.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to following conditions:

1. Local body to ensure that FSI applicable for construction in CRZ area will be as per Town & Country Planning Regulations as existing & in force as on 19.2.1991 before issuing commencement certificate for the said project.
2. All other permissions required should be obtained prior to commencement of construction activity.

**Item no. 8:** Proposed reconstruction of residential building on plot bearing C.S. No. 156 of Malbar and Cumbala Dn. Mumbai- M/s Pagnis & Pagnis

Mr. Pankaj Mehta was present for the meeting and presented the proposal before the Authority. The proposal is for reconstruction of residential building comprises of basement + ground floor / stilt + 1<sup>st</sup> - 7<sup>th</sup> upper floor on plot bearing C.S. No. 156 of Malbar and Cumbala Divison, Mumbai. There is existing ground + 1<sup>st</sup> floor structure on site under reference. As per approved CZMP of Mumbai, the plot under reference falls in CRZ II area. The Plot area under consideration is 1244.99 sqm and FSI permissible is 1.33. Total BUA proposed is 371.764 sqm and FSI consumed is 1.297.

The PP stated that the site under reference is situated on landward side of existing road of Raj Bhavan. The MCGM vide letter dated 22.4.2015 has mentioned that the plot is situated on landward side of existing road. The Authority observed that use of present existing structure and proposed structure is same as per the submission of the applicant.

  
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The Authority instructed PP to submit the documentary proofs from MCGM regarding authenticity of existing ground + 1<sup>st</sup> floor structure.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning authority subject to following conditions:

1. Local body to ensure that FSI as per Town & Country Planning Regulations as existing & in force as on 19.2.1991 before issuing commencement certificate for the said project.
2. The MCGM to strictly ensure that the existing structure on the site is an authorized one before issuing commencement certificate to the said project
3. No debris should be dumped in the sea during construction phase.
4. All other permissions as and when required should be obtained prior to commencement of construction activity.

**Item No.9:** Proposed repair of residential building on plot bearing C.T.S. No. 2304 Malmatta No.13/102(1) area 63 at Murud, Tal. Murud, Dist. Raigad- Mr. Rajendra Jain.

Representative of Ravindra Jain and Mr. Prashant Pawar, Engineer from Murud Janjira Municipal Council were present for the meeting. The proposal is for repair of existing structure on plot bearing C S No. 2304, property No. 13/102 (1), Murud, Dist. Raigad. As per approved CZMP of the area, the plot u/r falls in CRZ II area and situated on landward side of existing road.

The PP stated that proposal is only for repair of slab, plastering & water proofing and submitted the site photographs.

The Authority noted the policy decision taken in its 77<sup>th</sup> meeting dated 9.10.2012 regarding alterations / minor repair proposals in CRZ area.

In view of this, the Authority decided that the present proposal of minor repairs does not require CRZ recommendation from MCZMA. The concerned planning authority should decide the proposal of minor repair to the existing authorized structure at their own level, in the light of the policy decision taken in 77<sup>th</sup> meeting of the MCZMA dated 9.10.2012. However, the Local Planning Authority should ensure that the proposal is only for repairs and no reconstruction is involved.

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**Item no. 10:** Proposed construction of Holiday Resort on plot bearing G. No. 211/2, 212/3 & 212/4 area 0-96-6 H. at Mouje Agarsure, Tq. Alibag, Dist. Raigad

Shri Sagar Shah, representative of Developer was present for the meeting and made a presentation of the proposal before the authority. The proposal is for Holiday Resort comprising of ground floor + first floor on plot bearing Gut No. 211/2, 212/3 & 212/4 at village Agarsure, Tal. Alibag & Dist. Raigad. The site falls in CRZ III area, partly within 150 m & partly within 150m to 500 m from HTL of the Sea, as per coastal land use map of SAC. The plot area under proposal is 9660.00 sqm i.e. more than 0.4 Ha and FSI permissible is 0.20.

The Authority noted that as per annexure III of CRZ Notification, 2011, construction of beach resort is permissible beyond 200 m from HTL of Sea. The Authority observed the following:

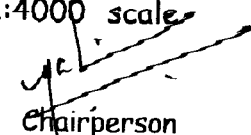
1. PP to submit the revised proposal proposing the construction of resort beyond 200 m from the HTL of the Sea. PP to also submit the building layout plan and landscape plan for the proposed resort.
2. PP to submit the layout plan of the Resort superimposed on the approved coastal land use map.
3. PP to also submit the Environment Management Plan including Sewage treatment facility, domestic solid waste management facility, rainwater harvesting and renewable energy provisions etc.

After deliberation the Authority decided to defer the proposal for submission of compliance as mentioned above

**Item no. 11:** CRZ status for property bearing Final Plot No. 77, TPS Mumbai City II (Mahim Area) off Capt. Dilip Gupte Marg, Shivaji Park, Dadar, Mumbai- Mr. Vilas Avachat

Shri Vilas Avachat was present for the meeting and presented the proposal before the authority. Application is for seeking CRZ status for plot bearing F. P. No. 77, TPS Mumbai City II, Mahim Area Off Capt. Dilip Gupte Marg, Shivaji Park, Dadar, Mumbai. The PP has submitted the CRZ map dated 17.3.2015 in 1:4000 scale.

  
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superimposing the site under reference prepared by IRS, Chennai. As per the report of IRS, Chennai, the HTL demarcated by the IRS corresponds to the HTL shown in the approved CZMP 1991 subject to the generalization error caused due to variation in the scale of mapping.

The Authority noted that as per the report of IRS, Chennai dated 17.3.2015 the plot is beyond 100 m CRZ setback line from the HTL of the Mahim Bay. Photographs of the plot under reference indicating present status were also taken on record.

After deliberation the Authority decided to confirm that the plot bearing Plot No. 77, TPS Mumbai City II, Mahim Area off Capt. Dilip Gupte Marg, Shivaji Park, Dadar, Mumbai is beyond 100 m CRZ setback line.

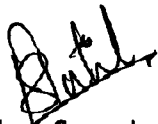
**Item no.12:** CRZ status for Final Plot no. 929, TPS IV, Mahim Division, Prabhadevi, Mumbai- Mr. Vilas Avachat

Shri. Vilas Avachat present for the meeting and presented the proposal before the authority. Application is for seeking CRZ status for Final Plot no. 929, TPS IV, Mahim Division, Prabhadevi, Mumbai. The PP has submitted CRZ map dated in 1:4000 scale superimposing the site under reference prepared by IRS, Chennai. As per the report of IRS, Chennai, The HTL demarcated by IRS corresponds to the HTL shown in the approved CZMP 1991 subject to the generalization error caused due to variation in the scale of mapping.

The Authority noted that as per the report of IRS, Chennai dated 17.3.2015 the plot is beyond 100 m CRZ setback line from the HTL of the Mahim Bay. Photographs of the plot under reference indicating present status were also taken on record.

After deliberation the Authority decided to confirm that the plot bearing final plot No. 929, TPS IV, Mahim Division, Prabhadevi, Mumbai is beyond 100 m CRZ setback line.

**Item No. 13:** Proposed construction of residential building on plot bearing S. No. (19) 90, H.No.2A2 C, S. No. 1766 at Murud, Tal. Murud, Dist. Raigad- Mr. Vikas Bhatkar.

  
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Shri Vikas Bhatkar and Prashant Pawar, Murud Janjira Municipal Council present for the meeting and presented the proposal before the authority. The proposal is for construction of residential building comprising of Ground floor + first floor on plot bearing S. No. (19) 90, H. No. 2A2, CS No. 1766 at village Murud, Tal. Murud & Dist Raigad. As per approved CZMP of the area, the plot u/r falls in CRZ II area and situated on landward side of existing road. The plot under reference is vacant. The plot area under reference is 225.00 sqm, FSI permissible is 1.00 and Proposed BUA is 117.13sqm.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority subject to following conditions:


1. Local body to ensure that FSI for the proposed construction is as per the DCR existing and in force as on 19.2.1991 before issuing commencement certificate for the said project.
2. All other permissions as and when required should be obtained prior to commencement of construction activity.

**Item no. 14:** CRZ status of site bearing C. S. No. 383 of Bhuleshwar Division at 269, Dr. Cawasji Hormasji Street C ward, Mumbai by M/s. Summer Ville Estate Pvt Ltd

Representative of M/s. Summer Ville Estate Pvt Ltd was present for the meeting and presented the proposal before the authority. Application is for seeking CRZ Status to the project site bearing C. S. No. 383 of Bhuleshwar Division at 269, Dr. Cawasji Hormasji Street C Ward, Mumbai. The PP has submitted the CRZ map in 1:4000 scale superimposing project site prepared by IRS, Chennai is submitted. As per the report dated 24.4.2015, HTL demarcated by IRS, Chennai, for Back Bay does corresponds to HTL as per approved CZMP in the vicinity of project site subjected to the generalization error caused by variation in scale of mapping.

The Authority noted that as per the report of IRS, Chennai dated 24.4.2015 the plot is beyond 100 m CRZ setback line from the HTL of the Back Bay.

After deliberation the Authority decided to confirm that the plot bearing C. S. No. 383 of Bhuleshwar Division at 269, Dr. Cawasji Hormasji Street C ward, Mumbai by M/s. Summer Ville Estate Pvt Ltd is beyond 100 m CRZ setback line.

  
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**Item no. 15:** CRZ status for the site of Shivaji Park Gymkhana Trust, Keluskar Road, Shivaji Park of G/N Ward, Dadar(W), Mumbai

The project proponent was present for the meeting and presented the proposal before the authority. Application is seeking for CRZ status for Shivaji Park Gymkhana Trust, Keluskar Road, Shivaji Park of G/N Ward, Dadar (W), Mumbai. The PP has submitted the CRZ map dated 27.3.2015 in 1:4000 scale superimposing the project site under reference. As per the report of IRS, Chennai, the HTL demarcated by the IRS, Chennai for Mahim Bay corresponds to the HTL as per approved CZMP in the vicinity of project site subjected to the generalization error caused by the variation in the scale of mapping.

The Authority noted that as per the report of IRS, Chennai dated 27.3.2015 the plot is beyond 100 m CRZ setback line from the HTL of the Mahim Bay.

After deliberation the Authority decided to confirm that the site of Shivaji Park Gymkhana Trust, Keluskar Road, Shivaji Park of G/N Ward, Dadar(W), Mumbai is beyond 100 m CRZ setback line.

**Item no.16:** Proposed redevelopment of Residential building on plot bearing C.S. No.83, 84 and 85 of Malbar Hill Dn. Banganga Road, D Ward, Mumbai by M/s. Fairdeal Construction

Representative of M/s. Fairdeal Construction presented the proposal before the authority. The proposal for redevelopment of residential building on plot bearing C.S. No. 83, 84 and C.S. No. 85 of Malbar Hill Division, Banganga Road, D Ward, Mumbai. As per approved CZMP of the area, the plot u/r falls in CRZ II area and situated on landward side of existing Walkeshwar Road. The proposed construction comprised of Wing A consist of ground + 1<sup>st</sup> to 2<sup>nd</sup> + service floor of height 13.09 m. Wing B consists of ground floor + 1<sup>st</sup> to 18<sup>th</sup> floor with height 69.40 m. The existing building is category 'A' (R) cessed building as per MCGM letter dated 9.3.2012. Public hearing was conducted on 6.10.2012 by MPCB and the public hearing report was submitted. The plot area under proposal is 821.45 Sqm.

  
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The Authority observed that PP should submit the plot areas having CTS Nos 83, 84 and 85 of Malbar Hill Dn. Banganga Road, D Ward, Mumbai superimposed on the approved CZMP of Mumbai and DP sheet.

The Authority after deliberation decided to defer the proposal subject to compliance of observations as above in the next meeting.

**Item no. 17:** CRZ status for project on Plot No. 1797, Ninad, Shivaji Park, Dadar (W), Mumbai

The Project proponent was present for the meeting and presented the proposal before the authority. Application is for seeking CRZ status for project on C. S. No. 1797, Ninad, Shivaji Parkk, Dadar (W), Mumbai. The PP has submitted the CRZ map dated 21.11.2014 in 1:4000 scale superimposing the site under reference. As per the report of IRS, Chennai, the HTL demarcated by the IRS, Chennai corresponds to the HTL shown in approved CZMP subjected to the generalization error caused by the variation in scale of mapping.

The Authority noted that as per the report of IRS, Chennai dated 21.11.2014 the plot is beyond 100 m CRZ setback line from the HTL of the Mahim Bay.

After deliberation the Authority decided to confirm that the site bearing Plot No. 1797, Ninad, Shivaji Park, Dadar (W), Mumbai is beyond 100 m CRZ setback line.

**Item No. 18:** CRZ status to project site bearing C.S. No. 20 of Girgaon Dn. In D Ward, situated at R. R. Roy Marg, Charni road, Mumbai

The Authority noted that the application seeks CRZ status for site bearing C. S. No. 20 of Girgaon Division, in D ward, Situated at R. R. Roy Marg, Charni Road, Mumbai.

The PP has submitted the CRZ map dated 23.4.2015 in 1:4000 scale superimposing project site prepared by IRS, Chennai. As per the report dated 23.4.2015, HTL demarcated by IRS, Chennai, for Back Bay does corresponds to HTL as per approved CZMP in the vicinity of project site subjected to the generalization error caused by variation in scale of mapping.

  
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The Authority noted that as per the report of IRS, Chennai dated 23.4.2015 the plot is beyond 100 m CRZ setback line from the HTL of the Back Bay.

After deliberation the Authority decided to confirm that the site bearing C.S. No. 20 of Girgaon Dn. In D Ward, situated at R. R. Roy Marg, Charni road, Mumbai is beyond 100 m CRZ setback line.

**Item No.19:** Construction on plot bearing S. No. 7/2, C.T.S. No. 1324 Mouje Alibag, Tal. Alibag, Dist. Raigad by M/s. Shreebag Sahakari Madhyawarti Grahak Mandal Ltd. (Court matter)

The Authority noted that the WP No. 6389 of 2015 has been filed before Hon'ble High Court Mumbai in the proposal under consideration. Authority also noted the order dated 7.8.2015 passed by the Hon'ble High Court of Mumbai in the matter.

The Authority noted that the proposal submitted by the Alibaug Municipal Council is for ground floor construction for commercial use on plot bearing S. No. 7/2, C.T.S. No. 1324 admeasuring 1240 Sqm at Tal. Alibaug, Dist. Raigad. The remarks of Alibaug Municipal Council mention that, the land under reference falls in CRZ-II and landward side of existing structure.

The Authority noted that the PP vide letter dated 9.10.2015 submitted that existing construction on site under reference has been dismantled. The Authority also noted complaints of Ex-MLA Madhukar Thakur in the matter alleging that construction is in CRZ I area and in violation of CRZ norms.

The Authority, after deliberation observed the following:

1. As per approved CZMP of the Alibaug, the site under reference falls in CRZ II area. Alibaug Municipal Council should strictly ensure that the proposed structure is on the landward side of the existing structure, as per the CRZ norms and existing structure on land under reference is dismantled as reported by the PP.
2. The Alibaug Municipal Council should strictly ensure that proposed construction is as per the provisions of CRZ Notification, 2011
3. Local body to ensure that FSI for the proposed construction is as per the DCR existing and inforce as on 19.2.1991.

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4. The Alibaug Municipal Council should ensure that the construction is beyond 50 m mangroves buffer zone, if any.
5. Alibaug Municipal Council to verify the contents/ allegations mentioned in the complaints in the matter as mentioned above before giving permission.
6. All other permissions as and when required should be obtained.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning authority subject to compliance of above mentioned observations. The Alibaug Municipal Council to submit the status to Hon. High Court in the matter as above.

**Item No.20:** Submission of Site visit reports

The MCZMA members visited the following sites, as per decisions taken in the meetings of the MCZMA:

**1. M/s Pan India Paryatan Ltd**

The Authority noted that as per decision taken in 101<sup>st</sup> meeting held on 13.7.2015, site of M/s Pan India Private Ltd was visited by MCZMA members on 11<sup>th</sup> August, 2015. The Authority took the site visit report on record.

The Authority discussed the site visit report and also noted that the proposal submitted by PP is for security fencing wall along with patrolling road at land bearing survey no. 219, 220/1, 222, 225/1, 223/1, 225/4, 224/2/1, 223/4, 227/2, 220/2, 220/3, 225/2, 225/3, 223/2, 223/5, 223/6, 223/7, 221/3, 221/6, 268,269, 270/A and 270/B of village Gorai and survey nos. 170,171,172 and 357 of village Uttan, Mumbai. The proposal was earlier deliberated in 98<sup>th</sup> & 101<sup>st</sup> meeting of the MCZMA held on 31.1.2015 and 13.7.2015 respectively. In these meetings, the project proponent presented the proposal before the Authority and submission of the PP was taken on record by the Authority.

The Authority noted that that the proposal of construction of fencing wall will hamper the ingress/free flow of saline water into the mangroves vegetation area, thereby affecting the growth of mangroves ecosystem present in and around the site under reference. Further, the Authority also noted that no construction is allowed in the CRZ I (A) i.e. mangroves areas as per provisions of CRZ Notification, 2011. Therefore, construction of fencing wall could not be allowed.

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The PP was present in the 98<sup>th</sup> and 101<sup>st</sup> meeting wherein construction of wall as security measure was discussed and his concerns were noted.

The Authority also noted that construction of wall as a security fencing was proposed and therefore EIA report & other information were sought from the PP. However, during the deliberation in the meeting it was observed that construction of wall as fencing in mangroves area is not a permissible activity. Therefore, EIA report may not be required, which was sought before by the Authority. However, the Authority considering the security concerns, as expressed by PP in the meetings, decided to allow only barbed wire fencing with security watch towers, without construction of wall. The PP is to ensure that no mangroves are cut and no temporary road is built along the fence during installation of such barbed wire fencing.

Further, the Authority also noted that PP is required to submit details like land boundary whereon the security fencing is proposed, superimposed on CZMP plan of the area. Layout of the fencing along the boundary of the land under consideration should be approved by concerned planning authority. Design, location & number of the watch towers, nos. of pillars in the barbed wire fencing, distance between pillars etc should be submitted. It was also noted that PP to obtain prior permission of High Court for barbed wire fencing and watch towers, since it is proposed in the mangroves and its 50 m buffer zone area.

After deliberation the Authority decided to defer the proposal subject to compliance of following observations in view of the barbed wire fencing:

1. PP to submit details of the boundary of land demarcated by competent Authority and indicating layout plan of barbed wire fencing superimposed on approved CZMP of Mumbai in the scale of 1:4000, prepared by one of the MoEFCC authorized agency.
2. The PP to submit the design & layout of the barbed wire fencing as well as watch towers with dimensions to the Authority.
3. PP to ensure that installation of watch towers should not hamper the mangroves vegetation and saline ingress / free flow of saline water in the mangroves area.
4. PP to submit the details of mangroves affected, if any due to proposed barbed wire fencing and watch towers. PP to also submit the details of court matter, if any.

  
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**2. M/s Rashmi Housing Pvt Ltd, Juchandra, Vasai.**

The Authority noted that as per decision taken in 102<sup>nd</sup> meeting of the MCZMA held on 31.7.2015 and 1.8.2015, the MCZMA members visited the site of M/s Rashmi Housing Pvt Ltd on 11<sup>th</sup> August, 2015 along with representatives of M/s Rashmi Housing Pvt Ltd. The Authority took the site visit report on record.

**3. M/s Omkar Realtor & Developer Pvt Ltd**

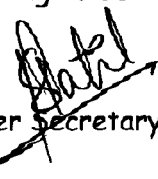
The Authority noted that the WP (L) No. 1247/2015 is filed by the M/s Omkar Realtors & Developers Pvt Ltd against the Union of India & Others in the Hon. Bombay High Court (Mumbai). As per decision taken in the 99<sup>th</sup> MCZMA meeting held on 16.5.2015, the members of the committee constituted by MCZMA visited the site of M/s Omkar Realtors & Developers Pvt Ltd having plot bearing CTS No. 38(A) & 38(B), Goregoan (W), Mumbai on 5<sup>th</sup> September, 2015 along with representative of PP. The Authority took the site visit report on record.

**Item No.21:** Proposed construction on plot No.40, Sector-20, Koparkhairne, Navi Mumbai- Navi Mumbai Municipal Corporation- Arch. M/s. Sunny Home Makers

Mr. Rajesh Lakhanpal presented the proposal before the Authority. The proposal is for residential building comprises of Stilt + Podium (1<sup>st</sup> floor) + 26<sup>th</sup> floor for residential purpose on Plot No. 40, Sector-20, Koperkhairne, Navi Mumbai.

As per the Coastal land use map of Navi Mumbai, the plot falls in CRZ II and situated on landward side of existing bund road. The project proponent has submitted the CRZ map in the scale of 1:4000 indicating 100 m & 150 m CRZ line from HTL of creek prepared by Institute of Remote Sensing, Chennai. As per the said map the plot under reference falls within 100 m CRZ line from the HTL of creek & it is beyond 50 m mangroves buffer zone. The plot area under proposal is 1933.76 sqm.

The Authority noted the letter dated 1.9.2015 of Urban Development Department regarding FSL clarification. The Authority observed that proposal could be

  
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recommended from CRZ point of view. However, it is the responsibility of the concerned planning authority to ensure that the FSI proposed in the proposal under reference is as per town and country planning regulations as existing and inforce as on 19.2.1991.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority subject to following conditions:

1. The local planning authority should strictly ensure that FSI proposed in the proposal under reference is as per town and country planning regulations, as existing and inforce, as on 19.2.1991 before issuance of commencement certificate to the project.
2. Local planning authority should ensure that no construction is allowed within 50 m mangroves buffer zone area.

**Item No.22:** Proposed construction on Plot No. 56, Vashi, Navi Mumbai- Arch. M/s. D.G.Shah & Association

The project proponent presented the proposal before the Authority. The proposal is for residential building comprising of ground + 4 floors on plot No. 56, GES, Vashi village, Navi Mumbai. As per remarks of Navi Mumbai Municipal Corporation (NMMC) dated 26.7.2012, the land under reference falls in CRZ - II and situated on landward side of existing bund road. The plot area under proposal is 130 Sqm.

The Authority noted the report of the NMMC dated 1.8.2015. Site inspection report dated 30.7.2015 states that building on the site under reference is completed.

The Authority after deliberation observed that construction prior to CRZ recommendation is violation of CRZ Notification, 2011 and therefore decided to refer the matter of violation for further legal action to the Environment Department. The matter is delisted till further legal action taken in the matter.

**Item No.23:** Construction of residential building on plot No.96, Sector 31 (G.E.S.) Vashi, Navi Mumbai- Arch. Design

The Project Proponent, Mr. Gavankar was present for the meeting and presented the proposal before the Authority. The proposal is for construction of residential

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building comprising of ground + 3 floors on Plot No. 96, Sector No. 31, GES, Vashi, Navi Mumbai. The plot area under consideration is 143 Sqm. As per remarks of NMMC dated 6.3.2012, the land under reference falls in CRZ - II and situated on landward side of existing bund road.

The Authority noted the report of NMMC which states that during site inspection on 30.7.2015 that the construction on land under reference is already completed.

The Authority after deliberation observed that construction prior to CRZ recommendation is violation of CRZ Notification, 2011 and therefore decided to refer the matter of violation for further legal action to the Environment Department. The matter is delisted till further legal action taken in the matter.

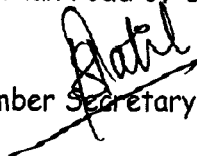
**Item No.24:** Reconstruction on Plot No. 107, 108 & 109 Sector 31, Vashi, Navi Mumbai- M/s. Swami Samarth Developers

The project proponent presented the proposal before the Authority. The proposal is for construction of residential building comprises of Ground + 3 upper floors + 4 (pt) by demolishing existing structure on Plot No. 107, 108 & 109, Sector 31, Vashi, Navi Mumbai. The PP has submitted the CRZ map in the scale of 1:4000 superimposing the site under reference prepared by IRS, Chennai. As per the said map, the plot under reference is partly affected by 100 m CRZ line from the HTL of creek & it is beyond 50 m mangroves buffer zone. The plot area under consideration is 555 Sqm.

The Authority after deliberation decided to visit the site to ascertain the status of construction on site under reference before 15<sup>th</sup> Nov, 2015. Member among the MCZMA will visit the site and submit the report in meeting.

**Item No.25:** Municipal Corporation School Building No.2, at Diwalegaon, CBD Belapur, Navi Mumbai by Architect M/s. Disigno

The Authority noted that the proposal is for Municipal School Building No. 2 comprising ground floor, at Diwalegaon, CBD, Belapur, Navi Mumbai. As per the remarks dated 1.11.2013 of the Navi Mumbai Municipal Corporation, the plot under reference falls in CRZ-II and it is situated on is landward side of the existing gaathan road of 8.00 m width. The plot area under proposal is 9603.584 Sqm.

  
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The Authority noted the reply of Navi Mumbai Municipal Corporation (NMMC). It is noted that there is an existing old structure of AC sheet roofing. It was not clear whether proposal is for reconstruction of school building by demolishing existing school structure.

The Authority after deliberation decided to defer the matter for ascertaining that whether it is construction of new school building or reconstruction of existing school building. The Authority also decided to visit the site by MCZMA members before 15<sup>th</sup> November, 2015. Further, the NMMC to submit before 15<sup>th</sup> Nov, 2015 regarding whether proposed construction is new construction or reconstruction by demolishing existing structure. In case there is no reply from NMMC, the matter will be delisted considering that the NMMC is not interested in the proposal.

**Item No. 26:** Construction on plot having S. No. (31) 191, H. No. 20, 21, 24 C.T.S. No. 25, 26, 28 at Murud, Dist: Raigad by Shri. Jaspal K. Sawhney

Representative of Mr. Sawhney and Mr. Prashant Pawar, Murud Janjira Municipal Council presented the matter before the Authority. The proposal is for construction for building comprising of ground + 2 floors on the plot under reference. As per the CZMP of Murud Janjira Municipal Council, the land under reference falls in CRZ II area. The plot area under proposal is 730 Sqm.

During deliberations in the matter, it was noted that the construction has started on site under reference in the year 2009. It was also noted that the Additional Tehsildar (NA) Raigad Alibag has issued Non Agriculture (NA) Certificate for Commercial Use vide letter dated 25.6.1997.

The Authority observed that the construction has started on site under reference without obtaining prior CRZ recommendation from the MCZMA. The Chief Officer to submit current status of construction undertaken including area developed and year of commencement of the work with copies of permissions issued to the said project.

The Authority after deliberation observed that construction prior to CRZ recommendation is violation of CRZ Notification, 2011 and therefore decided to refer

  
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the matter of violation for further legal action to the Environment Department. The matter is delisted till further legal action taken in the matter.

**Item No.27:** Residential cum commercial building on plot No. 50A, Sector 17, Kalamboli, Navi Mumbai- Dimension Architects Pvt.Ltd

Mr. Uday Dalavi, representative of the PP presented the proposal before the Authority. The proposal is for residential cum commercial building comprising Ground + upper 14<sup>th</sup> floors on Plot No. 50 A, Sector - 17, Kalamboli, Navi Mumbai.

As per the Coastal Landuse Map of Navi Mumbai, the plot falls in CRZ II area and situated on landward side of existing bund road. The project proponent has submitted the CRZ map in the scale of 1:4000 indicating 100m & 150m CRZ line from HTL of creek prepared by IRS, Chennai. As per the said map the plot under reference partly falls within 50m mangroves buffer zone & partly falls within 100m CRZ setback line from the HTL of the creek. The plot area under proposal is 3049. 31 Sqm.

The Authority noted the letter dated 1.9.2015 of the Urban Development Department regarding FSI applicability. The Authority observed that proposal could be recommended from CRZ point of view. However, it is the responsibility of the concern planning authority to ensure that the FSI proposed in the proposal under consideration is as per town and country planning regulations as existing and inforce as on 19.2.1991.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority subject to following conditions:

1. The local planning authority should strictly ensure the FSI proposed in the proposal is as per Town and Country Planning Regulations as existing and in force as on 19.2.1991 before issuance of commencement certificate to the project.
2. Local planning authority should ensure that no construction is allowed within 50 m mangroves buffer zone area.

  
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**Item No.28:** Construction of building on plot bearing S.No.A(36) 106, H.No.11, S. No.(21)107, H.No.12, C.T.S.No.770 & 833, MurudJanjira Municipal Council by Shri. Madhukar Vinayak Bhayde

Mr. Prashant Pawar, Engineer from Murud Janjira Municipal Council (MJMC) presented the proposal before the Authority. He informed that construction admeasuring around 140 Sqft for residential purpose on site has been completed, since old existing residential structure was dilapidated and was about to fall.

The Authority after deliberation decided to seek following information from the MJMC:

1. Documentary proof showing that the PP belongs to traditional coastal communities including fisherfolk, tribals etc.
2. Year of commencement of construction and details of permissions given for the same by local body.

**Item No.29:** Construction of building on plot bearing S.No.Aa(24) 96, H.No.4, C.T.S.No.1744 at Murud, Tal.Murud, Distt. Raigad by Shri. Ramesh Dashrath Gurav


Mr. Prashant Pawar, Engineer from Murud Janjira Municipal Council (MJMC) presented the proposal before the Authority. He informed that construction admeasuring around 150 sqft, for residential purpose on site u/r is completed, since old existing residential structure was dilapidated and was about to fall.

The Authority after deliberation decided to seek following information from the MJMC:

1. Documentary proof showing that the PP belongs to traditional coastal communities including fisherfolk, tribals etc.
2. Year of commencement of construction and details of permissions given by the local body.

**Item No.30:** Storage of material / goods near the land bearing Gat No. 66 area 1.06.00 He. are at Sanegaon, Roha, District Raigad- Indo Energy International Ltd.

  
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Mr. Karnal and Mr. Pinto representing M/s Indo Energy International Ltd presented the proposal before the Authority. He stated that the MoEF has earlier granted the Environmental clearance dated 20.10.2005 for construction of jetty for unloading storage and transportation of steam coal, coke, steel scrap, lime stone and sulphur at Gut No. 52 to 66 of Maouje Sanegaon, Tal- Roha, Dist- Raigad. Now, the PP has proposed to store materials / goods like fertilizers, edible oil, food grain adjoining the land bearing survey no. 52 to 66 on land having area a 1.06.00 Ha at Sanegaon, Roha, District Raigad. However, the land under consideration has no survey nos. and belongs to Government. Further, land under consideration is beyond the notified port limit of Revdanda.

As per the CRZ map in 1:4000 scale prepared by CESS, Kerla, the land under reference falls in Inter Tidal Zone i.e. CRZ I(ii) area. The land is barren with wild grass and saline land. The land under reference has no survey no and doesn't belong to PP and not within the limit of notified port.

The Authority noted the para 8.(ii)(f) of CRZ Notification, 2011 which stipulates that storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports is permissible in CRZ I(ii) area.

In the view of above, the Authority decided that the proposal could not be allowed in the light of provisions of CRZ Notification, 2011. However, the proponent may resubmit the proposal to MCZMA, as and when the land under reference is included within notified port limit by the concerned authorities.

After deliberation considering above observations, the proposal was rejected by the Authority.

**Item No.31:** Proposed additional construction for commercial & residential building on plot bearing S.No.163, H.No.7/2, CTS No. 41, 41B at Zadgaon Tal.& Dist.Ratnagiri by Shri. Rajan G. Surve

Mrs Surve and Thorat, Ratnagiri Municipal Council were present for the meeting who presented the proposal. The proposal is addition of first floor on existing conjoined ground floor structure of residential cum commercial building on plot bearing S. No. 163 A, Hissa No. 7/2, CTS No. 41 & 41B at mauje Zadgaon, Tal & Dist. Ratnagiri. As

  
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per the CZMP of Ratnagiri, the plot falls in CRZ II and situated on the landward side of the existing road prior to 1991. The Ratnagiri Municipal Council vide letter dated 21.6.2015 further clarified that the proposal is for change of use of existing ground floor and construction of first floor on site under reference.

The Authority observed that site visit report from the MPCB is awaited. It was decided to request MPCB to submit the site visit report within a week's time.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority subject to following conditions:

1. The local planning authority should strictly ensure the FSI proposed in the proposal is as per town and country planning regulations as existing and in force as on 19.2.1991 and proposed use in conformity with the local land use plan.
2. The Ratnagiri Municipal Council should ensure that the construction has not already commenced on the site under reference before issuance of permission.

-----Meeting ended with vote of thanks-----

  
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**Annexure I**

List of Members present for the meeting:

1. Mr. B.G. Choudhari, DyChE, MGGM, Member MCZMA
2. Dr. Rakesh Kumar, Expert Member, MCZMA
3. Dr. Baban Ingole, Expert Member, MCZMA
4. Dr. M.C. Deo, Expert Member, MCZMA
5. Shri. B.N. Patil, Member Secretary, MCZMA