

**MINUTES OF THE 92nd MEETING OF MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY (MCZMA) HELD ON 19TH JULY, 2014**

Ninety second meeting of the MCZMA was held under the Chairmanship of Principal Secretary (Environment), GoM on 19th July, 2014 at 11.00 am at MEDC hall, 4th floor, Y.B. Chavan, Mumbai.

List of Members present in the meeting is enclosed as Annexure-I

Item No. 1: Confirmation of Minutes of the 91st Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 29th to 31st May, 2014

The draft minutes of the 91st Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 29th to 31st May, 2014 were circulated to all members of MCZMA through email with a request to provide suggestions / objections, if any, on draft minutes. Expert Members suggested certain changes in the draft minutes which were incorporated appropriately. Accordingly, draft minutes of 91st meeting of MCZMA were confirmed with some changes.

Item No2: Proposed developmental works (Roads) in Mira Bhaindar Municipal Corporation Area by Mira Bhayandar Municipal Corporation

Authority noted that earlier proposals for development of roads in Mira Bhayander Municipal Corporation (MBMC) were considered in the 79th meeting of the MCZMA held on 5.1.2013. As decided in the said meeting MCZMA vide letter dated 25.2.2013 recommended proposals to MoEF subject to certain conditions.


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However, MoEF vide letter dated 20.12.2013 informed MCZMA that according to CRZ Notification, 2011, para [(i),I and III,(j)], the SCZMAs can regulate the construction of roads even in CRZ-IB and in No Development Zone. The proposal is returned for consideration and necessary action.

MBMC officials presented the proposals before the Authority. The Authority noted the following:

1. Improvement / construction of 18 m / 30m wide DP road from Jesal Park to Ghod Bunder Bhayander (E) in MBMC area.

Project Location	Village Navghar Survey Nos. 209(Old), 60, 61, 57, 228, 51, 23 Bhayander Choupaty New Survey 0, 74, 75, 76, 77, 81, 82, 83, 84, 66, 67, 52, 53, 41, 48, 39, 36, 35, 32, 24, 25, 26, 20, 17, 18, 11, 12, 9.80, 79, 15, 69, 70, 38 (Total area – 855102.465 Sq.mtr.) part Mauje Navghar		
CRZ Details	CRZ area classification	Length falling in CRZ category	
	CRZ I(i)/buffer zone	48 m./10586 m	
	CRZ I(ii)	615 m	
	CRZ II	758 m	
	CRZ III	1313 m	
Zoning Remarks	The land under reference falls in Public / Semipublic		
Area Details	Area under proposal: 111657.0366 Sqm Area on road on stilt:1440 Sqm.		

2. Construction of 30m wide DP road from Bhaindar (W) Rly. Station to Subhashchandra Bose Maidan in MBMC area.

Project Location	Survey Nos. 753(340), 754(338), 764(378), 755(337), 773, 573(340)		
CRZ Details	CRZ area classification	Length falling in	


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		CRZ (m)	
	CRZ I(i) / Buffer zone	765 M / 126 M	
	CRZ I(ii)	1189 M	
	CRZ II	--	
	CRZ III	173 M	
Zoning Remarks	The land under reference falls in Public / Semipublic		
Area Details	Area under proposal: 61200 Sqm. Area of Road on stilt: 22950 Sqm		

3. Construction of 18/30m wide DP road passing behind Subhashchandra Bose maidan up to Morwa, Bhaindar (W).

Project Location	Survey Nos. 757(230), 337(755), 17(170), 18(171), 722A(1B), 116(3), 115(264), 103(240), 1(1), 2(2), 99(238), 95(267), 10(228), 9(225), 127(226), 8(224), 128(227), 96(209), 31(215), 7(205), 99(207), 100(192), 101(194), 6(193), 9(185), 86(103), 105, 106(259), 106(187), 59(278)		
CRZ Details	CRZ area classification	Length falling in CRZ category(m)	
	CRZ I(i)/mangroves buffer zone	60 m / 50 m.	
	CRZ I(ii)	296 m.	
	CRZ II	653 m	
	CRZ III	2983 m.	
Zoning Remarks	The land under reference falls in Public / Semipublic		
Area Details	Area under proposal: 75600 Sqm.		

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4. Construction of remaining 30m wide road parallel to railway line towards Naya Nagar Mira Rd. (E). (Mira Road cheda compound road to Mira Road station, East)

Project Location	Survey Nos. 48 (522), 55(521), 57(520), 58(519), 59(518), 76(515)		
CRZ Details	CRZ area classification	Length of road falling in CRZ category	.
	CRZ I(i) / Buffer zone	--	
	CRZ I(ii)	--	
	CRZ II	257 M	
	CRZ III	309 M	
Zoning Remarks	The land under reference falls in Public / Semipublic		
Area Details	Area under proposal = 13038 Sqm.		

5. Construction of 30m wide Dahisar link road in MBMC area.

Proposal Details	Construction of 30m wide Dahisar link road in MBMC area		
Project Location	166, 167(602), 163(604), 162(605), 161(606), 144(607), 142(609B), 138, 23(262), 21(141)		
CRZ Details	CRZ area classification	Length falling in CRZ category	
	CRZ I(i) / Buffer zone	82 M / 332 M	
	CRZ I(ii)	1513 M	
	CRZ II	274 M	
	CRZ III	187 M	

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Member Secretary
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Zoning	The land under reference falls in Public / Semipublic
Remarks	
Area Details	Area under proposal = 75900 Sq.mtr.

Authority observed that MBMC has proposed following alignment substantially on mangrove area:

- 30m wide DP road from Bhaindar (W) Rly. Station to Subhashchandra Bose Maidan, mentioned at Sr. No. 2
- Construction of 30m wide Dahisar link road, mentioned at Sr. No. 5

Authority felt that MBMC need to rework the above mentioned alignment of roads and explore other alternatives wherein minimum or no damage of mangroves is envisaged and revert with the detailed proposal.

In the light of above, the Authority after detailed discussion and deliberation decided to direct MBMC to submit the following:

1. Detailed Project Report for all 5 roads of the project.
2. Rapid Environment Impact Assessment along with Environment Management Plan. EIA & EMP should include cost benefit analysis and issues related to impacts on mangroves.
3. MBMC should rework the proposal at Sr. No. 2 & 5 wherein minimum or no damage of mangroves is envisaged and revert with detailed proposal.
4. Detailed plan for compensatory mangrove plantation.

Item No.3: Proposed construction of elevated connector from Sewri to Worli (East-West Corridor) for Mumbai Trans Harbor Link (MTHL) Dispersal

Project proponent was absent for the meeting. Hence, the proposal was deferred.


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Item No.4: Construction of vehicular bridge at Junction of Yari Road and Lokhandwala back Road near Amarnath Tower Building, Andheri (West) in K/West Ward, Mumbai by MCGM

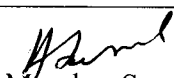
MCGM officials presented the proposal before the Authority. The Authority noted the following:

- a. The proposal is for construction of vehicular bridge at junction of Yari Road and Lokhandwala back road near Amarnath Tower Building, Andheri (W) in K/West Ward, Mumbai.
- b. As per the revised sanctioned Development Plan of Mumbai, 1991, the plot under reference is vacant existing creek land & it is not reserved for any DP reservation / public purpose.
- c. As per the approved CZMP of Greater Mumbai, the plot falls in CRZ I & II and partially in mangroves. It is situated on both sides of the DP Road.
- d. The work of construction of vehicular bridge is to facilitate connectivity in larger public interest.
- e. The total length of bridge is 240 m & width is 21.3m (including footpath).
- f. The total area of the project is 5112sqm.

MCZMA vide its letter dated 01.01.2014 sought information on certain points from the MCGM. Accordingly, Chief Engineer (Bridges), MCGM vide letter dated 5.3.2014 forwarded their reply on points raised by MCZMA, which is as follows:

Sr. No.	Point from MCZMA	Reply from MCGM
1	Length of the road in CRZ I & CRZ II area.	The length of the Bridge in CRZ – I is 110m & area is about 2013.00sqm The length of the Bridge in CRZ – II is 103m & area is about 1884.9sqm
2	Area of Mangroves to be	The area of Mangrove covering the


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	affected by proposed project.	creek by this bridge project is about 2013.00 sqm
3	Mangrove Re-plantation Plan.	Normally the survival rate of mangroves plantation is around 40%. Considering this aspect and the survival rate, the MCGM proposes the planting of mangroves saplings of the prescribed variety on the upstream and downstream side along with the shore line between low tide and high tide area. The number of sapling to be planted will be three times the numbers need to be cut.
4	Rapid EIA with Environment Management Plan (EMP).	Rapid EIA with Environment Management Plan (EMP) is submitted.
	Approved CZMP showing site under reference.	Approved CZMP showing site under reference is submitted.

Authority observed that proposed vehicular bridge is located in dense patch of mangroves.

Authority after detailed discussion and deliberation decided to direct MCGM to submit the following:

1. Rapid Environment Impact Assessment Report along with Environment Management Plan.
2. Study of alternate alignment of road with least damage option to environment / mangroves.


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Item No.5: Proposed beautification on land bearing S. No. 161(pt), CTS No. 1376 (pt), Plot no. R-3 of Juhu village, Tal. Andheri, Mumbai by MCGM

Authority noted that earlier, the proposal was considered in the 91st Meeting of the MCZMA held on 29th to 31st May 2014. However, the matter was deferred, due to absence of project proponent in the meeting.

Proponent presented that the proposal is for development of Garden on open plot between Magic Carpet Society and Milap Society, CTS No. 1376 (pt), Survey No. 161. R-3 of Juhu village, Tal. Andheri, Mumbai by MCGM.

As per approved CZMP of Mumbai, the site under reference falls in CRZ II area. Further, DP remarks of MCGM dated 21.1.2014 shows, plot under reference falls in Residential area. MCGM letter mentions that the plot is affected by 30.50 m wide DP road. As per submitted information, area of land is approximately 6000sqm. Sr. Citizen Rotunda 10 m dia, Children Sand pit area, Security etc are proposed in the garden.

Authority after detailed discussion and deliberation decided to recommend the proposal to concerned planning Authority subject to following conditions:

1. The proposed development of garden should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Project proponent shall do tree plantation in the garden and increase the green belt along the periphery of the garden.
3. No tree felling activity should be undertaken without following due procedure of law and necessary required permissions from competent authority.


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4. Planning Authority should ensure that Residential and commercial use of the garden is not allowed.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.6: Proposed construction of quarters for officers (old Puratan Banglow) on Plot no. 274, B.G Kher Marg, Malbar Hill, Mumbai by PWD

Project proponent presented the proposal before the Authority. The Authority noted the following:

The Public Works Department, GoM has proposed to redevelop existing old Puratan Bungalow by demolishing the structure on plot no. 274, B.G Kher Marg, Malbar Hill, Mumbai.

1. The existing residential structure is ground + 1 storey having total area of 1477.14 sqm.
2. Proposed residential building comprises of stilt + 7 upper floors. Stilt is for parking purpose.
3. As per CZMP of Mumbai approved by MoEF, the plot under reference falls in CRZ II.
4. The DP remarks mention that the said plot falls in residential zone.
5. FSI details, as submitted by project proponent:
 - Area of Plot – 2692.33 sqm
 - Permissible FSI – 1.33
 - Available BUA- 2933.60 sqm
 - Proposed BUA- 2933.54 sqm
 - Proposed building – Stilt + 7 upper floors.

Authority noted that the MCZMA vide letter dated 30.6.2014 requested PWD to submit certain information. Accordingly, PWD has submitted its reply on 4.7.2014.

Authority observed that Intimation of Disapproval (IOD) is not granted to the proposal by MCGM.

Authority discussed the proposal and suggested to explore the possibility of providing more parking space by increasing stilt height and making provision for mechanized car parking, so that open space in front of the building could be free of parking. Further, Authority opined that provision of common air-conditioned meeting room and gymnasium could be provided in


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the building subject to existing town and country planning regulations as on 19.2.1991.

Authority observed the proposal is of reconstruction of existing authorized structure as per para 8.II.CRZ II (iii) of CRZ Notification, 2011, wherein town and country planning regulation as existing as on 19.2.1991 is applicable.

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Reconstruction of authorized building to be permitted subject to the existing Floor Space Index Norms and without change in present use.
3. The concerned Planning authority should ensure that the FSI, Building plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. Project proponent should implement green building measures in the project.
5. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work

Authority decided to recommend the proposal without waiting for confirmation of minutes in next MCZMA meeting.

Item No.7: Proposed reconstruction of Children's Theatre and Museum for Maharashtra Rajya Jawahar Balbhavan at C.T.S No. 1736, Charni Road, Mumbai by PWD

Project proponent presented the proposal before the Authority. The Authority noted the following:

Public Works Dept, GoM has proposed redevelopment of existing Children Theatre and Museum for Maharashtra Rajya Jawahar Balbhavan at C.T.S No. 1736, Charni Road, Mumbai.

1. The existing structure is ground + one storey old building, for office of education department. Year of construction is 1984.


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2. Proposed building comprises of ground+ four floor+ terrace with a height of 25.15 m
3. As per CZMP of Mumbai approved by MoEF the plot under reference falls in CRZ II and landward side of existing road.
4. The DP remarks mention that the said plot falls in residential zone.
5. FSI details, as submitted by project proponent:
 - Area of the plot = 3217.42 sq. m.
 - R.G. 15 % of the plot= 482.61 sq. m.
 - Balance area= 2734.81 sq. m.
 - FSI permissible = 5.32
 - Total permissible area = 14549.18 sq. m.
 - Total proposed area = 6859.97 sq. m.
 - Balance area = 7810.57 sq. m.
 - FSI consumed = 2.15

Authority observed that Intimation of Disapproval (IOD) is not granted to the proposal by MCGM.

Authority observed the proposal is of reconstruction of existing authorized structure as per para 8.II.CRZ II (iii) of CRZ Notification, 2011, wherein town and country planning regulation existing as on 19.2.1991 is applicable.

The Authority observed that project involves redevelopment of public buildings meant for education purpose and noted that *as per para 4(ii)(i) of CRZ Notification, 2011 demolition and reconstruction of building for the purpose of 'education' requires prior CRZ clearance from MoEF.*

In the light of above, the Authority after deliberation decided to recommend the proposal to MoEF from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time and this shall be ensured by the MCGM.
2. Reconstruction of authorized building to be permitted subject to the existing Floor Space Index norms and without change in present use.
3. The concerned planning authority should ensure that the FSI, building plan and height involved in the proposal are as per the town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.


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4. Project proponent should implement green building measures in the project.
5. Proponent should obtain NoC from the Heritage point of view.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Authority decided to recommend the proposal without waiting for confirmation of minutes in next MCZMA meeting.

Item No.8: Proposal for construction of residential quarters including parking facility behind Yashodhan building on plot no. 1977 at Dinshaw Wachha Road, Mumbai by PWD.

Project proponent presented the proposal before the Authority. The Authority noted the following:

1. Public Works Dept., GoM has proposed redevelopment of existing residential quarters including parking facility behind Yashodhan building on plot no. 1977 at Dinshaw Wachha Road, Mumbai.
2. As per CZMP of Mumbai approved by MoEF, the plot under reference falls in CRZ II and landward side of existing road.
3. The DP remarks mentions that, said plot falls in residential zone.
4. Details of existing structure:

Sr. No.	Existing Structure	Use	Authorised details	Area
1	Barrack No. 1	Marine Drive Police Station	Year of construction-1960	372.00 sq.m.
2	Barrack No. 2	PWD maintenance Chowky & Residential quarters	Year of construction-1960	372.00 sq.m.
3	Barrack No. 3	PWD godown	Year of construction-1960	372.00 sq.m.
4	Barrack No. 4	Govt. offices	Year of construction-1960	372.00 sq.m.
5	Barrack No. 5	Govt. office / godown	Year of construction-	137.00 sq.m.


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		1960	
Total			1,625.00 Sq.m

5. The proposed reconstruction on subject plot includes:

- Ground + 8 storey building (type III & IV) + Terrace including 2 basement & podium
- Police Station

6. FSI details, as per details submitted by project proponent:

- Area of the plot - 4425.63 sq. m.
 - R.G. 15 % of the plot (required) - 663.84 sq. m.
 - Net plot area - 3761.79 sq. m.
 - FSI permissible - 1.33
 - Permissible BUA. - 5003.18 sq. m.
 - Total proposed area - 4955.60 sq. m.
- (Residential quarters & police station)
- Balance area - 4995.60 sq. m.
 - Total parking area - 4990.56 sq. m.
 - (1st& 2nd basement floor)

Authority observed that Intimation of Disapproval (IOD) is not granted to the proposal by MCGM.

Authority discussed the proposal and suggested that provision of common meeting room could be proposed in building subject to the town and country planning regulations existing as on 19.2.1991.

In the light of above, the Authority after deliberations decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time and should be ensured by MCGM.
2. Reconstruction of authorized building to be permitted subject with the existing Floor Space Index Norms and without change in present use.
3. The concerned Planning authority should ensure that the FSI, Building plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. Project proponent may adopt green building measures in the project.

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5. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Authority decided to recommend the proposal without waiting for confirmation of minutes in next MCZMA meeting.

Item No.9: Construction of National Flag hoisting post at Girgoan Chowpatty, Mumbai by Collector Mumbai City

Authority noted that Collector, Mumbai City office vide letter dated 26th June, 2014 has forwarded a request letter dated 20.5.2014 of Shri Prakash Shilam, Secretary of Swaraja Bhoomi Smarak Samiti regarding proposal of Construction of National Flag Hoisting post in front of Lokmanya Tilak Samadhi, Girgaon Chowpatty, Mumbai.

Authority after deliberations decided to direct project proponent to submit the following:

1. Duly filled form I (Annexure IV)of CRZ notification, 2011
2. Approved CZMP of Mumbai showing site under reference.
3. Layout drawing of the proposed flag hoisting post with dimensions.
4. Google image / photographs of the site.
5. District Collector's clearance, since the land under reference is Govt land.
6. Clearance from Home Department, GoM
7. NoC from High power committee appointed for Girgoan Chowpatty by Hon. High court of Mumbai.
8. All other required permissions from concerned statutory Authorities for the proposed activity.

Item No.10: Proposed redevelopment of existing cessed building on plot bearing F.P. No. 879 TPS-IV, Mahim Division, at S.K. Bole Road, Dadar, Mumbai


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Proposal was earlier deliberated in 78th and 87th meeting of the MCZMA held on 3.11.2012 & 20.1.2014 respectively. Project proponent presented the detailed background of the proposal before the Authority.

During the 78th meeting, the Authority noted that the Ministry of Environment and Forests (MoEF), has issued CRZ Clearance vide letter No. 11-83/2007-IA-III dated 29.5.2008 for the said project with FSI 2.00 under CRZ Notification 1991. The Zonal remark of MCGM dt. 01.04.2009 mentions as per revised DP sanctioned in 1993, the plot under reference is in residential zone and partly designated for the Municipal Primary School. The MCGM mentions the plot falls in residential zone as per old DP prevailing on 19/2/1991 and is not under any reservation / designation as per old development plan. The approved CZMP (scale 1:4000) prepared by IRS, Chennai shows that the plot falls in CRZ II and the plot under reference is on landward side of existing road. Total area of the plot = 3043.50 sqm. As per the MCGM, The existing buildings are constructed prior to 1940 / 1950. Total built up area of cessed structure is 871.43 Sq.mtr. The MHADA has issued NOC for redevelopment of property with FSI 2.50. The proposal was for redevelopment of existing 5 nos. of structures on land under reference -

- a) Gr + 1 structure- CESS "A" category structure
- b) Ground floor- CESS "A" category structure
- c) Ground floor - CESS "B" category structure
- d) Ground + 1 floor - Non CESS structure
- e) Ground floor- Contravening Non- CESS structure.

Authority felt that the DCR existing as on 6.1.2011 would be applicable for redevelopment of 3 nos. of Cess structures only, and DCR of 1967 would be applicable for redevelopment of Non Cess structure and ground floor contravening (Non- Cess) structure.


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During 78th meeting, the Authority after deliberations decided to direct the project proponent to submit the following information-

1. Existing structure with land use under reference.
2. Existing structure use vis-à-vis proposed land use under reference.
3. Revised/amended lay out plans with FSI calculations with respect to redevelopment of 3 nos. of Cess structures as per DCR existing as on 6.1.2011
4. Revised/amended lay out plans with FSI calculations with respect to Non- Cess structure and ground floor contravening structure as per DCR existing as on 19.2.1991 on land under reference

Based on the decision taken in 78th meeting, the Project Proponent forwarded the reply vide letter dt 09.1.2013 to the points raised by MCZMA.

Reply of proponent was deliberated in 87th meeting of the MCZMA held on 20.1.2014

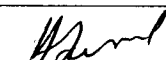
1. Existing structure with use on land under reference.

Sr. No.	Structure No.	Cess / Non-cess	Use
1	1	Cess 'A'	Non-Residential & Residential
2	2	Cess 'A'	Non-Residential & Residential
3	3	Cess 'B'	Residential
4	4	Non-cess	Non-Residential presently vacant
5	5	Non-cess (contravening)	Residential

2. Existing structure use vis-à-vis proposed use on land under reference.

Sr. No.	Structure No.	Existing Use	Proposed Use
1	1	Non-	Predominantly Residential and Non-


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		Residential & Residential	Residential (for school, rehabilitation of existing non residential tenants and other non residential use permissible as DCR 33 (7) and DCR 1991 as amended upto 6 th Jan 2011
2	2	Non-Residential & Residential	
3	3	Residential	
4	4	Non-Residential presently vacant	
5	5	Residential	


3. Revised/amended lay out plans with FSI calculations with respect to redevelopment of 3 nos. of Cess structures as per DCR existing as on 6.1.2011
4. Revised/amended lay out plans with FSI calculations with respect to Non- Cess structure and ground floor contravening structure as per DCR existing as on 19.2.1991 on land under reference

Revised/amended lay out plans with FSI calculations with respect to redevelopment of 3 nos. of Cess structures as per DCR existing as on 6.1.2011 and FSI calculations with respect to Non- Cess structure and ground floor contravening structure as per DCR existing as on 19.2.1991 on land under reference.

FSI calculation for cess & non cess structures as per DCR existing on 6.1.2011 & as on 19.2.1991 respectively is as below.

Sr. No.	Description	Area in Sqm.
1	Area of plot	3043.50
2	BUA of Non-cess structure (484.30 / 1.33)	484.30


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3	Land component of non-cess structures (484.30 / 1.33)	364.13
4	FSI permissible on Non-cess structure land as per DCR as on 19.2.1991	1.33
5	BUA permissible on land under non-cess structures	484.30
6	For Non-cess contravening structures, there was no policy prevailing for redevelopment of contravening structures as per DCR as on 19.2.1991.	
7	Balance land for cess structure redevelopment (3043.50 – 364.13)	2679.37
8	FSI permissible as per DCR as on 6.1.2011	2.5
9	BUA permissible	6698.42
10	Total FSI permissible	7182.72

With these changes the revised / amended plans for the rehab building remains same whereas due to revised permissible FSI of 7182.72sqm which is proposed will be less than the earlier permissible FSI. The revised plans of the sale building is proposed by reducing the last floor to needful extent.

- Reply of the proponent was placed before the 81st MCZMA Meeting held on 26th April, 2013, since proponent was absent, the matter was deferred.
- Proponent has again submitted a reply dated 16th Sep, 2013 along with IOD dated 10.8.2011 granted by MCGM and approved amended plans-

Proposed structures as per amended plans:

As per MCGM vide letter dated 10.10.2013, the proposed plans have been scrutinized by MCGM and Municipal Commissioner has accorded sanction to approve the plans for redevelopment under 33(7) with FSI 2.5 under no. MCP / 9919 dated 19.6.2013. The approved plans have been issued to project proponent on 31.8.2013 u/no. EB/6098/GN/A.


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The approved plans by MCGM are mostly similar to those considered by MCZMA in its earlier meeting with minor changes. As per the approved plans the proposal consists of construction of 2 Buildings.

Building (A) -

Basement for Parking and Utility Services plus ground & first floor for commercial user otherwise permissible 2nd to 5th floor for podium for parking. 6th floor as stilt for R.G., Society office, fitness center & refuge area and 7th to 20th for residential use.

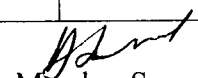
Building (B)-

Gr. Floor on stilt partly for parking and partly for open assembly, 1st to 2nd floor for school user + 3rd to 8th floor for rehabilitation of residential tenants.

The FSI permissible is considered as below:

Sr. No.	Description	Area in Sqm
A. Option -I		
A	Area of plot	3043.50
B	BUA of Non-cessed structure	484.30
C	Land component of non-cessed structures (484.30 / 1.33)	364.13
D	Balance land for FSI 2.5 = 3043.50 – 364.13	2679.37
E	Permissible FSI	2.5 & 1.33
	Permissible BUA	7182.72
B. Option -II		
A	Carpet area for rehabilitation tenants	771.42
B	BUA = 771.42 X 1.2	925.70
C	50% Incentive	462.85
D	BUA of Non Cessed structure	484.30
	Total BUA	1872.85
	7182.72 Sq.m. is greater than 1872.85 Sq.m. Hence Permissible BUA =	7182.72


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	Total Permissible BUA	7182.72
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The details of FSI / free of the FSI are as below-

Building	Proposed Area to be constructed in Sq.m.	Proposed BUA in FSI	Free BUA
Building - A	14475.00	5180.00	9295.00
Building - B	3015.00	1978.54	1036.46
Total	17490.00	7158.57	10331.46

Construction area of free of FSI is 10048 Sqm.

The fitness centre admeasuring 132.60 Sq. m & office admeasuring 19.00 Sq. m. proposal at stilt level (6th floor) of sale building has presently been counted in FSI. The same are permissible free of FSI as per DCR 35(2) (v) and DCR 35(2) (g) respectively. After submission of registration of Society of occupants, these features will be allowed free of FSI; however the in Principle approval of M.C. for the same has already been obtained.

Also for the proposed work non cess component on this land, the proportionate area of staircase, lift etc. has been counted in FSI as per norms prevailing on CRZ Notification 1991 i.e. 19.2.1991.

Public Consultation:

MPCB has submitted the proceedings of public consultation report vide letter dated 14.12.2011. Public hearing for the proposed project was conducted on 18.11.2011.

During 87th meeting of the MCZMA, the Authority noted that the Zonal remark of MCGM dt. 01.04.2009 mentions that, as per revised DP sanctioned in 1993 the plot under reference is in residential zone and partly designated for the Municipal Primary School. The proposed building comprises of 1st to 2nd floor for school user.


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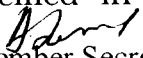
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MCGM letter dated 29.6.2013 mentions that there is Municipal Marathi School & Gujarati School. Authority observed that that there is a demolition and construction of school building involved in the proposal. As per para 4(ii) of CRZ Notification, 2011, such activity needs prior CRZ clearance from MoEF. Proponent pointed out that the Ministry of Environment and Forests (MoEF) has issued CRZ Clearance vide letter No. 11-83/2007-IA-III dated 29.5.2008 for the said project with FSI 2.00 under CRZ Notification 1991. Said CRZ clearance of MoEF has considered the construction of school building on subject plot. Hence, the matter needs not to be sent to MoEF again. After deliberations, the Authority decided that the proposal should be regulated at the MCZMA level only. The Authority deliberated upon the permissible FSI for the project as the project involves commercial components also. After detailed discussion and deliberations the Authority decided to get the written clarification from the MCGM / MHADA whether the incentive FSI of 2.5 under DC reg No. 33(7) of DCR 1991 is applicable to commercial components involved in the proposal.

Authority deliberated upon the permissible FSI for the project as the project involves commercial components also and decided to get the written clarification from the MCGM / MHADA whether the incentive FSI of 2.5 under DC reg No. 33(7) of DCR 1991 is applicable to commercial components involved in the proposal.

MCGM vide letter dated 27.5.2014 submitted its reply to MCZMA. As per the said reply, the proposal under reference is redevelopment under D.C.Reg.33(7) & in view of modified notification from M.O.E.F. dtd.06.01.2011, the Development Control Regulation prevailing on 06.01.2011 is applicable. As per provisions of D.C.Reg.33(7), in case of redevelopment of 'A' Category cessed building, the total permissible F.S.I. shall be 2.5 of the gross plot area or the F.S.I., required for rehabilitation of existing occupiers plus 50% incentive whichever is more as stated in regulation.. The incentive F.S.I. on rehabilitation component of cessed buildings as specified in the

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provision of D.C. Regn.33(7) and Appendix-III thereof is permissible for the residential as well as commercial rehab area. Further, as per provisions of Clause 2 of Appendix-III, it is stated as, Each component shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building, subject to the minimum fixed carpet area 27.88 Sq.Mt. (300 Sq.Mt.) &/or maximum carpet area 70.00 Sqm. as provided in MHADA Act, 1976. In case of non-residential occupier, the area to be given in reconstructed building will be equivalent to the area occupies in the old buildings." From the above stipulation, it is clear that existing residential and non-residential, commercial components are to be rehabilitated as stated in the provision of D. C. Regn. and accordingly, incentive F.S.I. thereon is permissible. Thus the incentive F.S.I. is also admissible on the commercial (non-residential) cess component involved in the proposal as per provision of D.C.Reg.33(7). The letter is issued with the approval of Hon'ble M.C., u/No.MCP/7361, dtd.26.05.2014.

Authority observed that proposal also has combination of redevelopment of cess A & B category, for which 2.5 FSI is claimed by the Proponent. Proponent presented that when there is combination of redevelopment of cess A & B structures, then, the whole project is treated as redevelopment of Cess A structure and is entitled for FSI 2.5. Project proponent submitted such circular/ document supporting the same.

In the light of above, the Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. The concerned Planning authority should ensure that for cess structures, FSI, building plans, height involved in the proposal is as per town and country planning regulations existing as on 6.1.2011.


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3. The concerned Planning authority should ensure that for Non-cess structure & contravening structure, FSI, building plans, height involved in the proposal is as per town and country planning regulations existing as on 19.2.1991. There should not be change in present use of the Non cess and contravening structures.
4. Planning Authority should ensure that Built up area of School approved in Environment clearance granted by MoEF dated 29.5.2008 does not exceed.
5. There should not be any violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.11: Redevelopment of the property on plot bearing C. S. No. 233 of Malabar Cumballa Hill Division, 91, Nepean Sea Road, D ward, Mumbai.

Project proponent was absent for the meeting. However, the Authority took on record the letter dated 4th July, 2014 seeking more time for compliance of queries raised by MCZMA in its previous meeting and deliberated the proposal. The Authority observed that the change in cess category from 'B' to 'A' has happened after the datum line i.e. 6.1.2011 (the date of CRZ Notification, 2011 issued by MoEF), the benefit of that to this project is permissible or not, needs to be further examined. It appears that it should not be given and the permissible FSI should be restricted to 1.33 FSI only. However, the Authority decided to deliberate the matter after receipt of compliance from the project proponent.

Item No.12: Proposed secondary school on plot bearing CTS No.1121/A of village Versova, Andheri (W), Mumbai


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Authority noted that earlier, the proposal was considered in the 91st Meeting of MCZMA held on 29th to 31st May 2014. The Consultant for the project was absent for the meeting, hence proposal was deferred.

Project proponent presented the proposal before the Authority. The Authority noted the followings:

1. The proposal is for construction of secondary school building comprising of basement for car parking + ground floor for bank + book stall & school user + 1st to 7th upper floors for school use on plot bearing CTS No.1121/A of village Versova, Andheri (W), Mumbai
2. As per remarks of MCGM dated 28.1.2014, the plot under reference is situated in Residential zone and not reserved for any public purpose as per 1967 DP. Further, the plot under reference is situated in Residential zone and is reserved for secondary school as per relocation of reservation approved by MCGM as per revised sanctioned DP of 1991.
3. The MCGM vide letter dated 28.1.2014 mentions, as per approved CZMP of Mumbai the land under reference falls in CRZ II and situated on landward side of 13.40 m wide DP road.
4. MCGM mentions that, since the plot is owned by MCGM, specific NOC for allowing additional FSI will be insisted from A.C. (Estate/ Education Officer). Clarification from UD dept. regarding permissibility of allowing 20 % commercial user i.e. bank & Book Stall need to be submitted.
5. FSI Details, as per plans submitted with IOD dated 20.5.2014
 - Total Plot Area – 4920.00 Sqm.
 - Deduction for road set back area – 120.00 Sqm.
 - Balance area of Plot – 4800.00 Sqm.
 - Deduction for RG (15%) – 720.00 Sqm.
 - Net area plot – 4080.00 Sqm.
 - Addition for set back area – 120.00 Sqm.
 - Total Area – 4200.00 Sqm.


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- FSI Permissible – 1
- Permissible floor Area – 4200.00 Sq.m.
- Proposed Area – 3729.59 Sq.m.
- FSI Consumed -0.89

6. As per MCGM letter dated 30.10.2013; Proposed BUA for FSI Purpose is 15664.40 Sqm., BUA claimed free of FSI for purpose of basement 2333.21 Sqm., Total construction area proposed 16800.00 Sq.m.

Authority noted that as per the policy decision taken in 78th meeting of the MCZMA regarding grant of IOD before submitting proposal to MCZMA, the proponent has submitted IOD dated 20.5.2004 issued by the Municipal Corporation of Greater Mumbai. Municipal Commissioner, MCGM has approved the proposal subject to certain conditions. Municipal Commissioner, MCGM has approved to recommend to the State Government to grant the further additional FSI i.e. BUA adm.12,600 Sq.m. for Registered Education Institution, which is permissible as per DC Rules 1967 10(2) as well as within admissible additional FSI (3.00) as per Reg.33(2) of DC Regn 1991 subject to payment of premium to the State Govt. & MCGM and other terms and conditions enumerated therein with NOC from A.C.(Estate) / E.O. as the plot is owned by MCGM.

Authority observed that proposal also has construction of junior college along with secondary school.

In the light of above, the Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.


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3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. There should not be any violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.13: Proposed redevelopment of residential building and BEST bus depot/ Terminal/ staff office etc. on plot bearing F. P. No. 766 of TPS – III, Mahim Division of Mahim Bus Depot, Mumbai

Project proponent presented the matter before the Authority. The Authority noted the following:

1. The Municipal Corporation of Greater Mumbai has forwarded the application vide letter dated 11.04.2014 received from T. H. Motta of M/s TEEARCH along with enclosures regarding above mentioned subject. The matter pertains to issue of applying 100 m CRZ area limit criteria to Mahim Bay, as per CRZ Notification, 2011.
2. Project proponent has requested to allow and approve the redevelopment of the property in accordance with the DC regulations since the plot


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under reference is not affected by CRZ regulation as per CRZ Notification, 2011.

3. As per approved CZMP of Mumbai, the plot under reference falls in CRZ - II.
4. The plot under reference is fronting Mahim Bay which is tidally influenced body of the Arabian Sea.
5. National Hydrographic Office, Deharadun vide letter dated 28.9.2013 mentions that Mahim Bay & Back Bay is considered as Bay and are also depicted as Bays in navigation charts.
6. Department of Ocean Engineering, IIT, Madras mentions that Mahim Bay & Back Bay is considered as Bay.
7. Project Proponent has submitted CRZ map (1:4000 Scale) prepared by IRS, Chennai which is MoEF authorized agency. The said map shows HTL of Mahim bay, 100 m line from HTL and plot bearing F. P. No. 766 of TPS – III, Mahim Division of Mahim Bus Depot, Mumbai
8. Hon'ble High Court, Mumbai has passes several orders in the WP No.647 of 2012 between Rustomjee Reality Pvt Ltd and Ors Vs Union of India and Ors and WP 161 of 2008 between Andheri New Kapaswadi Juhu Ekta Ltd & Ors Vs State of Maharashtra & Ors and WP No. 1694 of 2013 between Murlidhar Ramchandra Panvelkar & Ors Vs State of Maharashtra & Ors.
9. The plot under reference is fronting the Mahim bay which is tidally influenced body and as per CRZ Notification 2011 the CRZ area from Bay (tidally influenced body) is 100 m, hence the plot under reference is not affected by CRZ.

Authority noted that the IRS, Chennai vide letter dated 19.5.2014 mentioned as follows:

- a. The HTL demarcated by IRS, Chennai corresponds to the HTL shown in approved CZMP subjected to the generalization error caused by the variation in scale of mapping.


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- b. CRZ shall be applied for the land / site within 100m buffer zone from HTL for bay / Creek as per para (ii) of CRZ Notification, 2011 of MoEF vide S.O. 19(E), dated 6.1.2011. In this case, the project site containing F. P. No. 766 of TPS – III, Mahim Division of Mahim Bus Depot, Mumbai does not fall within the 100m buffer from HTL for Mahim bay.

Authority noted that as per para 7.(iv) CRZ IV.A. of CRZ Notification, 2011, the water area from the Low Tide Line to twelve nautical miles on the seaward side, is CRZ IV-A area. Further, As per para 7.(iv) CRZ IV.B. of CRZ Notification, 2011, water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year, is CRZ IV-B area.

Authority further noted that as per para (v) of CRZ Notification, 2011, 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.

Authority observed that IRS report concludes that the project site i.e. plot bearing F. P. No. 766 of TPS – III, Mahim Division of Mahim Bus Depot, Mumbai does not fall within the 100m buffer from HTL for Mahim Bay. CRZ map also mentions water body as a “Mahim Bay”. However, legend mentioned in CRZ map shows, water body as ‘CRZ IV-A’, which indicates seafront and not tidally influenced water bodies.

Authority decided to direct the proponent to get clarification regarding the issue from IRS, Chennai who prepared the said CRZ map.

Item No.14: Property situated at C.S. No.791/1(pt) of Bandra Reclamation Area, Bandra (W), Mumbai by M/s Om Metal Consortium


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Project proponent presented the proposal before the Authority. The Authority noted the followings:

1. M/s OM METAL CONSORTIUM vide their letter dated 19th May, 2014. Proponent has requested MCZMA to consider its plot as Non CRZ.
2. The plot under reference was earlier affected by CRZ as per the CZMP prepared in accordance with CRZ Notification 1991 i.e. the subject plot was within 500 meters of High Tide Line (HTL).
3. MoEF published new CRZ Notification on 6.1.2011. As per clause no. 1 (ii) of CRZ Notification 2011, the CRZ area is maximum 100 meters from HTL of "Bay" which is classified as a tidally influenced water body.
4. The plot under reference is fronting the Mahim Bay, which is a tidally influenced water body as classified in the CRZ Notification 2011. Further the National Hydrographer Deharadun vide his letter dated 28th September, 2013 in the case of Amba Recycler (P) Ltd. has already submitted a report, which is on record of the MCZMA, that the water body at Mahim is a Bay and falls within the definition as per clause no.1 (ii) of CRZ Notification 2011 and as such the CRZ area from the HTL of the Mahim Bay is a maximum 100 meters.
5. Institute of Remote Sensing, Anna University Chennai (IRS, Chennai) one of the authorized agencies appointed by Ministry of Environment & Forest, Government of India for demarcating the HTL across the Municipal Corporation of Greater Mumbai, has prepared the CZM Plans as per the CRZ Notification 2011. As per this plan the plot under reference is not affected by the CRZ area as it is beyond 100 meters from the HTL of Mahim Bay and as such outside the purview of the CRZ Notification 2011.
6. As per the various judgments of the Hon'ble High Court in Mumbai, MCZMA is required to scrutinize and approve proposals on case to case basis even as the CZMP for MCGM is under preparation.

7. As the subject property is outside of CRZ, the rules and regulations as may be applicable in respect of the development of the subject property, as on date and as may be notified in future will be applicable in respect of development of the subject property.
8. In accordance with the decision taken in the Minutes of the 88th Meeting of MCZMA held on 31st January 2014, we have requested IRS, Chennai to carry out a survey for demarcated of HTL and delineating the CRZ boundary in respect of the plot under reference. As per the survey undertaken by IRS, Chennai the subject property is outside of CRZ. The survey report in the format required by MCZMA (Deepak Rao Matter) will be submitted in due course.
9. The HTL demarcated by IRS Chennai is as per the current site condition and that it is not the same as the HTL shown in the approved CZMP. The HTL has shifted on account of the construction of the Rajiv Gandhi Sea Link. It is submitted that even if the HTL as shown in the approved CZMP of 1991 is considered, the subject site is beyond 100 meters of the HTL and as such outside of CRZ.

Authority observed that there is a change in HTL (old approved CZMP differs from revised HTL demarcated by IRS). Further CRZ map of IRS, Chennai does not show Arabian Sea, though it has been mentioned in their report. Distance of plot under reference from Arabian sea need to be provided by IRS, Chennai. Authority directed project proponent to submit the said information to the Authority.

Authority observed that Proponent application mention about C. S. No 791/1 (pt), Bandra (W). However, CRZ map prepared by IRS, Chennai as well as report doesn't mention about C. S. No. 791 (pt). It simply mentions 'Project Site'. Authority decided to direct project proponent to submit clarification on the issue.

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Authority noted that as per para 7.(iv) CRZ IV.A. of CRZ Notification, 2011, the water area from the Low Tide Line to twelve nautical miles on the seaward side, is CRZ IV-A area. Further, As per para 7.(iv) CRZ IV.B. of CRZ Notification, 2011, water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year, is CRZ IV-B area.

Authority further noted that as per para (v) of CRZ Notification, 2011, 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.

Authority observed that IRS report concludes that the subject property is outside CRZ. CRZ map also mentions water body as a "Mahim Bay". However, legend mentioned in CRZ map shows, water body as 'CRZ IV-A', which indicates seafront and not tidally influenced water bodies.

Authority decided to direct the proponent to get clarification regarding the issue from IRS, Chennai who prepared the said CRZ map.

Item No.15: Property situated at Plot No.936 in G/South Ward, Mahim, Mumbai by M/s India Lands Hotels Mumbai

Project proponent presented the matter before the Authority. The Authority noted the followings:

1. M/s India Lands Hotels Mumbai private Limited vide letter dated 13th June, 2014 sent a representation to MCZMA mentioning that the plot bearing FP No. 936, CTS No. 1062 in the G/south ward, Mahim Division, Mumbai does not fall under the ambit of CRZ Notification, 2011.


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2. The said plot of G/south ward, Mahim Division and the same falls in Coastal Regulation Zone (CRZ) II as per the CRZ Notification 19th February 1991, following the decision of the Maharashtra Coastal Zone Management Authority taken in Deepak Rao's matter & subsequent similar matters, we hereby make our submission that the site FP No. 936, CTS no. 1062, G/S Ward, Mahim Bay, Mumbai does not fall under the ambit of CRZ Notification, 2011.
3. Ministry of Environment and Forests, New Delhi approved the CZMP of Mumbai vide letter dated 20.01.2000, under the provisions of CRZ Notification, 1991. As per the approved CZMP of Mumbai, the site under reference is situated within 500m CRZ area from the HTL of Mahim Bay.
4. MoEF vide S.O. 19(E) dated 06.01.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ Notification, 2011 mandates the CRZ limit along the "Bay", which is a tidally influences water body as:

" CRZ shall apply to the land area between HTL to 100m or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected 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 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plan (hereinafter referred to as the CZMP)

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 connected to the sea or creeks and the like".


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5. Hon'ble High Court of Mumbai while passing the orders in WP No. 647/25012 (Rustomjee Reality Pvt. Ltd & Anr V/s Union of India & ors). WP No. 1694/20136 (Murlidhar Panvelkar v State of Maharashtra) WP. No 11595/2012 (Omesh Suresh Kalani V/s State of Maharashtra & ors.) and in Andheri New Kapaswadi Juhu EKta CHS V/s State of Maharashtra matters, took on record the CRZ Mao prepared by MoEF authorized agency and observed that the proponent cannot be asked to wait for one more year, merely because MCZMA and NCZMA are going to revise the CZMP in accordance with the CRZ Notification, 2011.
6. National Hydrographic Office, Dehradun, which is one of the MoEF authorized agencies vide letter dated 28th September 2013 clarified that "Mahim Bay" is considered as "Bay" and also depicted as "Bay" on official navigational chart.
7. MCZMA in its 88th meeting held on 31st January 2014 has rightly taken the cognizance of the above mentioned court orders and has given its verdict that the site in the case of Deepak Rao's matter is outside the purview of CRZ Notification, 2011.
8. IRS, Chennai which is also one of the MoEF authorized agencies has prepared CRZ map in the 1:4000 scale superimposing the project subject site. IRS, Chennai report has concluded that the entire site is outside of the 100m CRZ zone. Further the report categorically mentions that the HTL demarcate in this case are same as that of the previous approved CZMP.
9. Proponent requested MCZMA to consider our case i.e. site having FP No. 936, CTS no. 102. and also direct all the Concerned Authorities like, The Urban Development Department and The Municipal Corporation of Greater Mumbai etc. to take necessary action and to remove the said plot from the ambit of CRZ.

Authority noted that as per para 7.(iv) CRZ IV.A. of CRZ Notification, 2011, the water area from the Low Tide Line to twelve nautical miles on the seaward side, is CRZ IV-A area. Further, As per para 7.(iv) CRZ IV.B. of CRZ


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Notification, 2011, water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year, is CRZ IV-B area.

Authority further noted that as per para (v) of CRZ Notification, 2011, 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.

Authority observed that IRS report concludes that the entire site is outside of the 100m CRZ zone. CRZ map also mentions water body as a "Mahim Bay". However, legend mentioned in CRZ map shows, water body as 'CRZ IV-A', which indicates seafront and not tidally influenced water bodies.

Authority decided to direct the proponent to get clarification regarding the issue from IRS, Chennai who prepared the said CRZ map. Conclusion of the IRS report should mention CRZ status of the site in relation to water body at Mahim i.e seafront or tidally influenced water body, in the light of provisions of CRZ Notification, 2011.

Item No.16: Property Situated at Thakurwadi now known as Dr. Babasaheb Jaykar Marg, bearing C.S.No.2193 (pt) of Bhuleshwar Division at Charni Road, Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the following:

- 1) The plot under reference was earlier affected by CRZ as per the CZMP prepared in accordance with CRZ Notification, 1991 i.e. the subject plot was within 500 meters of High Tide Line (HTL).


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- 2) The plot under reference is fronting the Back Bay, which is a tidally influenced water body as classified in the CRZ Notification 2011. Further the National Hydrographer Dehradun vide his letter dated 28th September 2013 in the case of Amba Recycler (P) Ltd. Has already submitted a report which is on record of the MCZMA, that the water body at Marine Drive is a Bay and falls within the definition of a "Bay" as per Clause No. 1 (ii) of CRZ area from the HTL of the Back Bay is maximum 100 meters.
- 3) Institute of Remote Sensing, Anna University Chennai (IRS, Chennai) one of the authorized agencies appointed by MoEF, GOI for demarcating the HTL across the Municipal Corporation of Greater Mumbai, has prepared the CZM Plans as per the CRZ Notification 2011. As per this plan the plot under reference is not affected by the CRZ area as it is beyond 100 meters from the HTL of Back Bay and as such outside the purview of CRZ Notification 2011.
- 4) Applicant has carried out CRZ demarcation as per CRZ Notification, 2011 through IRS, Chennai which is MoEF authorized agency. As per the IRS, Chennai report, the project site is being situated at the frontage to Back Bay, 100m buffer line as per CRZ Notification, 2011 is drawn. The project site is out of CRZ and HTL drawn as per CRZ Notification, 2011 is same as HTL as per CZMP 1991

Authority noted that as per para 7.(iv) CRZ IV.A. of CRZ Notification, 2011, the water area from the Low Tide Line to twelve nautical miles on the seaward side, is CRZ IV-A area. Further, As per para 7.(iv) CRZ IV.B. of CRZ Notification, 2011, water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year, is CRZ IV-B area.

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Authority further noted that as per para (v) of CRZ Notification, 2011, 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.

Authority observed that IRS report concludes that the project site is being situated at the frontage to Back Bay, 100m buffer line as per CRZ Notification, 2011 is drawn. The project site is out of CRZ. CRZ map also mentions water body as a "Back Bay". However, legend mentioned in CRZ map shows, water body as 'CRZ IV-A', which indicates seafront and not tidally influenced water bodies.

Authority decided to direct the proponent to get clarification regarding the issue from IRS, Chennai who prepared the said CRZ map.

Item No17: Proposed construction project on plot bearing 2(316), 4(355)....129(40) of village Kopari, Tal- Vasai, Dist-Thane by M/s. Privilege Power & Infrastructure Pvt. Ltd

The proposal was earlier, deliberated in the 91st Meeting of MCZMA held on 29th to 31st May 2014, wherein the authority noted that

1. Vasai Virar Municipal Corporation (VVMC) vide letter dated 16.4.2014 submitted a proposal of proposed 'Residential Township Project' at village Kopari & Shir gaon, Tal. Vasai, Dist. Thane to MCZMA.
2. The proponent has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai which is MoEF authorized agency. As per the said map, the site under reference partly falls in CRZ area and partly in non CRZ area.
3. The VVMC letter dated 16.4.2014 mentions that, Architect has proposed 'Residential Township Project' on non CRZ area, without claiming the FSI of CRZ portion of land on non CRZ area.


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4. The VVMC letter dated 16.4.2014 mentions that, the plot under reference falls in Special Residential Zone with part area under various reservations of public amenities as per Development Plan of Vasai Virar Sub Region.

5. Area Details:

- Total Area of Plot- 23,16,272.00 Sqm.
- Area Under CRZ- 3,14,369.00 Sqm.
- Non CRZ area -20,01,903.00 Sqm.
- Area under reservation-7,25,275.30 Sqm.


During the meeting, the project proponent presented the approved CZMP of area, with a site indicated on it. Authority examined the CRZ status of the site in the light of approved CZMP of the area and CRZ map in 1:4000 scale prepared by IRS, Chennai, one of the MoEF Authorized agencies. It was observed that site partly falls in CRZ area and construction is proposed on non CRZ area, without claiming the FSI utilization of CRZ portion of land on Non CRZ area of land under reference.

Authority observed that connecting internal roads/ bridges/ channels are proposed in the CRZ area. Authority directed project proponent to indicate the activities proposed on CRZ area on the CRZ map in the scale of 1:4000.

During 91st meeting, the Authority after detailed discussion and deliberations decided to direct project proponent to submit the following:

1. Whether the HTL demarcated by the IRS, Chennai is same as that of HTL shown in approved CZMP
2. Revised proposal along with plans be submitted of roads and bridges wherever it is required showing CRZ status.
3. Superimposition of complete project activities falling in CRZ and non-CRZ area on CRZ map in 1:4000 scale prepared by one of the MoEF Authorized agency.


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Project proponent presented the matter before the Authority. The Authority noted as follows:

CRZ status of plot:

The proponent has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai which is MoEF authorized agency. As per the said map, the site under reference partly falls in CRZ area partly in non CRZ area.

VVMC mentioned vide letter dated 16.4.2014, The CZMP of Vasai-Virar Sub Region was sanctioned by MOEF in 1996 along with CZMP of Maharashtra State with certain conditions Govt. of Maharashtra entrusted the work of incorporation of sensitive features and Mangroves etc to CESS. CESS prepared the CRZ plans and submitted the same to Govt. of Maharashtra in 2009. There plans which shows HTL, LTL and buffer zone of HTL and Mangroves areas and buffer zone of Mangroves area only. The MOEF has directed vide notification dtd 6th January 2011 to prepare fresh CZMP as per the criteria mentioned therein. Subsequently VVMC which is the Planning Authority for VVMC jurisdiction appointed CESS as the agency to prepare the CZMP of Vasai Virar. CESS is yet to finalize CRZ map and CESS has recently submitted Draft CRZ maps to VVMC for remarks. The developer has submitted the map with 1:4000 scale prepared by IRS Chennai as a necessary requirement towards obtaining CRZ clearance from MCZMA. As per the plan submitted part area of plot falls within 100 mt of creek & is in developable zone as per Development Plan of VVMC and on landward side of existing Western Railway corridor. The map shows the set-back area from HTL and buffer of 50mt from the Mangroves as per the CRZ notification 2011. The developer has submitted the application for confirmation of the CRZ boundary as per the office memorandum of the MCZMA (Dtd. 02.07.2011) along with the CRZ map showing the areas proposed for the development of Residential Township.


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It is submitted that, as per MoEF Notification dated 7.5.2014, The Coastal Zone Management Plans which are already approved by the Ministry of Environment and Forests shall be used till 31st January, 2015

Area Details:

VVMC mentioned vide letter dated 16.4.2014,


- Total Area of Plot- 23,16,272.00 Sqm.
- Area Under CRZ- 3,14,369.00 Sqm.
- Non CRZ area -20,01,903.00 Sqm.
- Area under reservation-7,25,275.30 Sqm.

As per presentation submitted by project proponent:

- Plot Area - 23,16,272.00 Sqm.
- Area under CRZ - 3,14,369.00 Sqm.
- Existing Road - 2,314.83 Sqm.
- Balance Plot Area - 19,99,588.21 Sqm.
- DP Reservation - 7,25,275.30 Sqm.
- Net Plot Area - 12,74,312.91 Sqm.
- Plot Area for FSI- 10,88,839.88 Sqm.
- Permissible FSI - 2.50
- Permissible BUA - 26,65,360.63 Sqm.
- BUA from land pooling - 1,21,059.73 Sqm.
- Total permissible BUA - 27,424,479.57 Sqm.
- Total proposed non FSI area - 23,731,64.31 Sqm.
- Total Construction area - 51,15,643.88 Sqm.

Project Proponent submitted letter dated 31.5.2013, as per the said letter, Project proponent assured that, while developing the Development Plan Reservations in the project will take the necessary precautions so that the development will not affect CRZ area falling under the project boundary. No filling on the CRZ area will be carried out at the time of development of the


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project and not claiming any FSI of CRZ area. It is committed that to construct the bridges on the stilts wherever the proposed roads are crossing the creeklets and CRZ area to ensure smooth flow of water in the creeklets and will follow all provisions of the CRZ Notification 2011 while constructing the bridges.

The CRZ plan showing that, HTL, 100m line from HTL, 150m Line from HTL, line as per width of the creek. The CRZ plan also showing the locations of the proposed construction of buildings & proposed bridges marked as 'A' to 'I' and typical longitudinal section of the proposed bridges (9 nos.) over the creeklet. As per the said CRZ map, it seems that, proposed construction of buildings is out of CRZ area (area between 150m from HTL and area as per width of the creek) & proposed bridges (9 nos.) over the creeklet.

Authority discussed that following components are involved in the proposal:

- a. Proposed bridge/canals located in CRZ area
- b. Proposed township in Non CRZ area which requires no access of bridges/canals falling in CRZ area.
- c. Proposed township in Non CRZ area which requires an access of bridges/canals falling in CRZ area.

Authority observed that CRZ status of the above mentioned components is as per CRZ map prepared by IRS, Chennai in 1:4000 scales, which shows existence of creeklets in some part of project area.

Authority further observed that CRZ map of IRS, Chennai doesn't indicate CRZ status as per old approved HTL. Project proponent showed approved CZMP of the area and pointed out the project area on it. However, the Authority noted that project area is not superimposed on the approved CZMP which is vital for ascertaining CRZ status of the site under reference as per old approved CZMP.


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Authority after detailed discussion and deliberation decided that proponent needs to submit the superimposition of project on approved CZMP of Vasai Virar Municipal Corporation area. Further, Rapid EIA & EMP is required to be submitted for construction of bridges/canal in CRZ area. However, the Authority felt that it does not have objection for carrying out developmental activity in Non CRZ area which requires no access of bridges / canals falling in CRZ area, after its CRZ status is ascertained.

Item No18: Proposed construction on Plot No. 36/1, Sector No. 08-A, Airoli, Navi Mumbai

Authority noted that earlier, proposal was considered in the 86th meeting of the MCZMA held on 27th November, 2013, wherein following was noted:

1. The Navi Mumbai Municipal Corporation has forwarded the proposal for the new development of residential building on plot no. 36/1, sector 08/A, Airoli, Navi Mumbai comprises of Ground + 4 upper floors.
2. As per the sanction Development Plan of Navi Mumbai Municipal Corporation, the plot under reference is in residential zone.
3. As per the approved CZMP of Navi Mumbai Municipal Corporation, the plot falls in CRZ II and situated on landward side of existing bund road.
4. The total area of plot is 249.55sqm
5. As per the layout plan,
 - Total area of plot – 249.55sqm
 - Permissible FSI – 1.50
 - Proposed BUA of first floor – 106.405sqm
 - Proposed BUA of second floor – 106.405sqm
 - Proposed BUA of third floor – 106.405sqm
 - Proposed BUA of forth floor – 53.387sqm
 - Total proposed built up floor – 372.602sqm
 - Consumed FSI – 1.49


Chairman

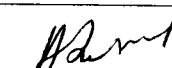

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6. MCZMA vide its letter dated 23.07.2013 sought information on certain points from the Assistant Director of Town Planning, Navi Mumbai Municipal Corporation in the subject matter. Accordingly, ADTP, NMMC forwarded their reply vide letter dated 09.10.2013 on points raised by MCZMA, which is as follows:

Sr. No.	Point raised by MCZMA	Reply from NMMC
1	Planning authority need to verify zoning reservations as per DCR existing as on 19.02.1991 for land under reference:	As per Planning Authority, Zoning / reservation for land under reference as per DCR existing as on 19.02.1991 is Residential.
2	CRZ map indicating HTL & LTL demarcated by one of the Authorized agency in 1:4000 scale or on the approved CZMP of the area showing the site under consideration:	CRZ map indicating 100m CRZ line from HTL of creek prepared by Institute of Remote Sensing, Chennai in 1: 4000 scales. As per the said map the plot under reference falls within 100m CRZ line from the HTL of creek & it is beyond 50m mangroves buffer zone.
3	Google map showing site under reference (colored map):	Google map showing site under reference is submitted.
4	Whether the bund road is an authorized road prior to 19.02.1991:	As per the remarks in Part B submitted by


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		the Navi Mumbai Municipal Council, the bund road is an authorized road prior to 19.02.1991
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In the 86th meeting, the proposal was recommended in subject to certain conditions. Minutes of the 86th Meeting of MCZMA held on 27th November 2013 was confirmed in the 87th Meeting of MCZMA held on 20th and 21st January 2014.

During 87th meeting, while discussing the other proposals of Navi Mumbai area, the Authority deliberated the issue of applicable FSI (Whether 1 or 1.5) for development in CRZ II areas of Navi Mumbai, as per DCR as on 19.2.1991. Authority decided to get the clarification from the Urban Development Department and Navi Mumbai Corporation regarding permissible FSI for the project as per the town and country planning regulations existing and in force as on 19.2.1991. Hence, Recommendation letter to subject proposal was deferred for confirmation of applicable FSI (1 or 1.5) for Navi Mumbai area.

MCZMA vide letter dated 3.3.2014 has sought clarification from Urban Development Department regarding applicable FSI for Navi Mumbai proposals in CRZ II area.

Project proponent vide letter dated 2nd May, 2014 requested to issue CRZ recommendation letter since, the proposal is recommended in 86th meeting. Further, proponent requested to grant CRZ recommendation with stringent FSI 1 as against the claimed FSI of 1.5. Proponent will request Authority for 1.5 FSI, If UDD clarifies for 1.5 FSI.


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In the light of above, the Authority after deliberations decided that subject proposal could be sanctioned with FSI I by Navi Mumbai Municipal Corporation. NMMC should ensure that town and country planning regulations as existing as on 19.2.1991 are applicable to the project. Copy of the sanctioned plans be submitted to MCZMA for information.

Item No.19: Construction of School building at Plot no. 9A, Sector 19, Airoli, Navi Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the followings:

1. Navi Mumbai Municipal Corporation vide letter dated 17.5.2014 mentions that,
 - As per sanctioned development Plan the plot under reference falls in residential zone.
 - As per approved CZMP of Navi Mumbai area, the land under reference falls in CRZ -II and landward side of the existing bund road.
 - As per Navi Mumbai Municipal Corporation vide letter dated 17.5.2014, the proposal is for amended development permission for Construction of School building at Plot no. 9A, Sector 19, Airoli, Navi Mumbai
 - As per submitted information, construction of proposed project will be under taken with FSI of 1.00 the proposed Pre Primary, Primary, Secondary, Higher secondary school building comprised of ground +3 upper floors
 - Navi Mumbai Municipal Corporation has issued Commencement Certificate (CC) vide letter dated 11.10.2006 for Pre Primary, Primary, Secondary, Higher secondary school building. Total BUA = 3410.488 Sqm and FSI = 1.00
 - NMMC vide letter dated 30.6.2011 mentioned that, CC has been issued for Total BUA 3410.488 Sqm and FSI 1.00. Construction as measuring as per 1.00 FSI is completed at site. As per CZMP of Navi Mumbai area, the land under reference falls in CRZ-II. However, Occupation Certificate will be given after MCZMA approval.


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- As per the layout plan submitted by the project proponent:
 - Total Area of Plot – 3986.09sqm
 - Permissible FSI – 1.00
 - Proposed Total BUA– 3978.633 sqm
 - FSI proposed - 0.998

As per the layout plan submitted along with CC dated 11.10.2006 by the project proponent

- Total Area of Plot – 3986.09sqm
- Permissible FSI – 1.00
- Proposed Total BUA – 3410.488 sqm
- FSI proposed – 0.8556

Authority noted that as per clause (Viii) of S.O. 18(E) dated 4.1.2002 vide which, MoEF reconstituted MCZMA Authority:

The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals area referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991

As per above, Prior CRZ recommendation from MCZMA was mandatory in the subject proposal. However, it reveals that the CC was granted to the project by NMMC on 11.10.2006. Construction is completed at site. The proposal is in violation of CRZ Notification, 1991 & 2011. The matter attracts OM dated 12.12.2012 & 27.6.2013 by MoEF. The matter was decided to be referred to Environment Dept for initiating procedures as stipulated in OM dated 12.12.2012 & 27.6.2014 issued by MoEF.


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Item No.20: Proposed new construction of residential building on plot bearing Survey No. 50, Hiss No. 3 of Shriwardhan, Dist. Raigad

Earlier, the Proposal was considered in the 91st meeting of the MCZMA held on 29th and 30th May, 2014. The project proponent was absent for the meeting. Hence, the matter was deferred. Project proponent vide letter dated 21.06.2014 mentioned that, due to inevitable reason it was unable to attend the 91st meeting of MCZMA. Further, it is requested to consider the proposal in the next Meeting of MCZMA.

Project proponent presented the proposal before the Authority. The Authority noted the followings:

As per the Municipal Council of Shriwardhan letter dated 05.07.2012,

- a. Proposal is for new construction residential building comprises of Ground + 2 upper floors on plot bearing Survey No. 50, Hiss No. 3 of Shriwardhan, Dist. Raigad.
- b. As per the Development Plan of Shriwardhan, the plot under reference is in residential zone.
- c. As per the approved CZMP of Shriwardhan Municipal Council, the plot falls in CRZ II and situated on landward side of existing road prior.
- d. The total area of plot is 990.00sqmt
- e. FSI Details, as per the Layout plan submitted by PP,
 - Total Area of Plot – 990.00sqm
 - Permissible FSI – 1.00
 - Permissible built up area – 980.88sqm
 - Proposed built up area ground floor – 163.38sqm
 - Proposed built up area first floor – 163.38sqm
 - Proposed built up area second floor – 163.38sqmt
 - Total built up area – 490.14sqm
 - Consumed FSI – 0.49


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MCZMA vide its letter dated 03.12.2013 sought information on certain points from Chief Officer, the Municipal Council of Shriwardhan in the subject matter. Accordingly, Chief Officer, Municipal Council of Shriwardhan, forwarded their reply vide letter dated 29.01.2014 on points raised by MCZMA, which is as follows:

Sr No.	Point raised by MCZMA	Reply from SMC
1	Duly filled Part B with Shriwardhan Municipal Council remark.	Duly filled Part B with Shriwardhan Municipal Council remark is submitted.
2	Zoning / Reservation of plot under reference as per development plan / Regional Plan existing as per 19.02.1991.	As per the Development Plan existing as on 19.02.1991, the survey no. 50 is in residential zone.
3	PP should submit Duly filled Part A	Duly filled Part A is submitted.
4	Google image showing site under reference.	Google image showing site under reference is submitted.

The Authority after deliberations decided to recommend the proposal from CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.


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2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by Alibag Municipal Council.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.21: Proposed development on property bearing plot no. 1, S. No. 185, Hissa No. 1B (1) & 1B (3), C.S. No. 668, Mauje Murud, Tal. Murud, Dist. Raigad

Project proponent presented the proposal before the Authority. The Authority noted the followings:

- a. The Murud - Janjira Municipal Council has forwarded the proposal for development on property bearing plot no. 1, S. No. 185, Hissa No. 1B (1) & 1B (3), C.S. No. 668, Mauje Murud, Tal. Murud, Dist. Raigad.
- b. The proposed development of residential lodging building comprising of Silt + Ground Floor and 1st – 2nd Floor for rooms for residential lodging use.


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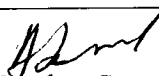
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- c. As per the sanctioned Development Plan of Murud-Janjira, the plot under reference is in residential zone and not under any reservation.
- d. As per the approved CZMP for Murud - Janjira, the plot is in CRZ II and situated on landward side of Beach Road prior to 1991.
- e. The total area of plot is 2000sqmt.
- f. FSI Details, as per plans submitted by PP:
 - o Total Area of Plot – 2000.00sqmt
 - o Permissible FSI – 1.00
 - o Total Deduction – 569.16sqmt
 - o (Area under road + area under nalla) – (523.00sqmt + 46.16sqmt)
 - o Net area of plot – 1430.84sqmt
 - o Permissible floor area – 1477.00sqmt
 - o Existing built up area – 471.09sqmt
 - o Proposed built up area – 989.16sqmt
 - o Total built up area – 1460.25sqmt

MCZMA vide its letter dated 06.12.2013 sought information on certain points from Chief Officer, the Murud - Janjira Municipal Council in the subject matter. Accordingly, Chief Officer, MJMC forwarded their reply vide letter dated 29.01.2014 on points raised by MCZM, which is as follows:

Sr. No.	Point raised by MCZMA	Reply from MJMC
1	Proposal involves reconstruction of existing structure on land under reference, which has been demolished.	Yet it is proposal of reconstruction and previous structure has been demolished.
2	The present use of structure needs to be ascertained.	As per the letter, present use of structure is in the form of incomplete so RCC building not in use. Construction activity is


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		stopped.
3	Permissibility of proposed use (lodging) as per DCR as on 19.2.1991.	As per DCR 1991 proposed use is permissible.
4	Google Image showing site under reference.	Google Image showing site under reference is attached.

Authority observed that construction has started on the site under reference without obtaining prior CRZ recommendation from MCZMA.

Authority noted that as per clause (Viii) of S.O. 18(E) dated 4.1.2002 vide which, MoEF reconstituted MCZMA Authority:

The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991

As per above, Prior CRZ recommendation from MCZMA was mandatory in the subject proposal. However, it reveals that the Construction has started on site without MCZMA prior recommendation. Hence, there is violation of provisions of CRZ Notification, 1991 & 2011. The matter attracts Office memorandum dated 12.12.2012 & 27.8.2013 issued by MoEF. The matter was decided to be referred to Environment Dept for initiating procedure as stipulated in OM dated 12.12.2012 & 27.6.2014 issued by MoEF.

Item No.22: Proposed development for addition 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


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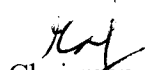
The proponent was absent for the meeting. Hence, the matter was deferred.


Item No.23: Proposed development of new residential building on plot bearing S. No. 318 & 320, Hissa No. 7B 1/2., 11A, 1019 & 2, CTS No. 3558 at mauje Zadgaon, Tal & Dist. Ratnagiri

Project proponent presented the proposal before the Authority. The Authority noted the followings:

As per the Ratnagiri Municipal Council letter dated 31.08.2013,

- a. The proposal is for new residential building on plot bearing S. No. 318 & 320, Hissa No. 7B 1/2., 11A, 1019 & 2, CTS No. 3558 at mauje Zadgaon, Tal & Dist. Ratnagiri comprises of ground + first floor + second floor for residential complex purpose.
- b. As per the Development plan of Ratnagiri, the plot is in residential zone.
- c. As per the CZMP of Ratnagiri, the plot falls in CRZ II and situated on the landward side of the existing road prior 1991.
- d. The total area of plot is 2550.00sqm
- e. The Ratnagiri Municipal Council letter dated 25.6.2013 (page no. 23) mentioned that the plot exist with old plinth.
- f. FSI Details, as per the layout plan submitted by the project proponent,
 - Total Area of Plot – 2550.00sqm
 - Permissible FSI – 0.75
 - Area under open space – 260.00sqm
 - Net area of plot – 2290.00sqm
 - Total area of plot – 2290.00sqm
 - Permissible built up area per floor – 1717.50sqm
 - Proposed built up area ground floor – 806.75sqm


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- Proposed built up area first floor – 806.75sqm
- Proposed built up area second floor – 98.35sqm
- Balance area in the plot – 1483.25sqm
- Total proposed built up area – 1711.85sqm
- FSI proposed to be consumed – 0.74

MCZMA vide its letter dated 03.02.2014 sought information on certain points from the Chief Officer, the Ratnagiri Municipal Council in the subject matter.

Accordingly, Chief Officer, the Ratnagiri Municipal Council, forwarded their reply vide letter dated 03.04.2014 on points raised by MCZMA, which is as follows:

Sr. No.	Point raised by MCZMA	Reply from RMC
1	Authorized details of existing structure / plinth on land under reference with its existing use.	At present there is no structure / plinth on the plot. Plot is open.
2	Whether proposed construction is on existing old plinth?	Plot is open. There is no existing old plinth.
3	Whether the proposed is for new construction or reconstruction by demolishing existing structure. If reconstruction, present use of the existing structure.	This proposal is for new construction.
4	CRZ Status of site as per approved CZMP.	Approved CZMP with site under reference is submitted.
5	Zoning & reservation of site per town & country planning regulation as on 19.2.1991.	Zoning & reservation of site per town and country planning regulation as on 19.2.1991 is residential zone.


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The Authority after deliberations decided to recommend the proposal from CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.24: Proposed development of new residential building on plot bearing S. No. 234 A, Hissa No. 2A (pt), plot No. 1, CTS No. 1461/2C & Hissa No. 2A/2, Plot No. 2, CTS No. 1461/2B, at mauje Zadgaon, Tal & Dist. Ratnagiri

Project proponent presented the proposal before the Authority. The Authority noted the followings:


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As per the Ratnagiri Municipal Council letter dated 12.08.2013,

- a. The proposal is new development of residential building on plot bearing S. No. 234 A, Hissa No. 2A (pt), plot No. 1, CTS No. 1461/2C & Hissa No. 2A/2, Plot No. 2, CTS No. 1461/2B, at mauje Zadgaon, Tal & Dist. Ratnagiri. The proposed construction is on vacant land.
- b. Proposed construction involves development of residential building comprises of Wing A & Wing B consists of Stilt + upper three floors. Stilt floor for parking and upper three floors for residential purpose.
- c. As per the Development plan of Ratnagiri, the plot is in residential zone.
- d. As per the CZMP of Ratnagiri, the plot falls in CRZ II and situated on the landward side of the existing road prior 1991.
- e. The total area of plot is 737.00sqm.
- f. As per the layout plan, S. No. 234 A, Hissa No. 2A (pt), plot No. 1, CTS No. 1461/2C is for redevelopment by demolishing existing structure & Hissa No. 2A/2, Plot No. 2, CTS No. 1461/2B, at mauje Zadgaon, Tal & Dist. Ratnagiri is for new development.
- g. FSI Details, as per the layout plan submitted by the project proponent,
 - Total Area of Plot – 737.00sqm
 - Permissible FSI – 1.00
 - Net area of plot – 737.00sqm
 - Permissible built up area – 737.00sqm
 - Proposed built up area – 734.338sqm
 - Proposed balcony area per floor – 12.690sqm

MCZMA vide its letter dated 20.02.2014 sought information on certain points from the Chief Officer, the Ratnagiri Municipal Council in the subject matter.


Chairman

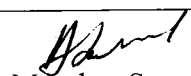

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Accordingly, Chief Officer, the Ratnagiri Municipal Council, forwarded their reply vide letter dated 22.04.2014 on points raised by MCZMA, which is as follows:

Sr. No.	Point raised by MCZMA	Reply from RMC
1	As per the layout plan, S. No. 234 A, Hissa No. 2A (pt), plot No. 1, CTS No. 1461/2C is for redevelopment by demolishing existing structure & Hissa No. 2A/2, Plot No. 2, CTS No. 1461/2B, at mauje Zadgaon, Tal & Dist. Ratnagiri is for new development.	The existing structure in S. No. 234 A, Hissa No. 2A (pt), plot no. 1, CTS No. 1461/2C will be demolished and Hissa No. 2A/2, plot No. 2, CTS No. 1461/2B, at mouje Zadgaon, Tal. & Dist. Ratnagiri is for new development.
2	Whether the proposed construction on plot no. 1 and plot no. 2 is redevelopment of the existing structure or new development. Present status of both plot no's need to be ascertained.	Open plot plinth is existing, which will be demolished for redevelopment.
3	Authorization details and present use of the existing structure of land under reference as on 19.02.1991.	At present the existing structure is in use for residential purpose as on 19.2.1991.
4	Zoning / reservation of land under reference as on 19.2.1991.	Land under reference is in Residential Zone as on 19.2.1991.
5	CZMP showing the proposed	CZMP showing the proposed


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	project layout on land under reference.	project layout on land under reference is submitted.
6	Present Google Image of site under reference.	Present Google Image of site under reference is submitted.

Authority observed that proposal involves reconstruction on plot No.1 and new development on plot No. 2.

The Authority after deliberations decided to recommend the proposal from CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011.
2. Planning Authority should ensure that on plot No. 2, Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Planning authority should ensure that on plot No. 2, Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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:the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. Planning Authority should ensure that on plot No. 1, reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.

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5. The concerned Planning authority should ensure that for development on plot no. 1, FSI, lay out plan, height involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
6. Concerned planning Authority should ensure that for reconstruction of plot no. 2, FSI, lay out plan, height & use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.25: Proposed development of residential cum commercial building on plot bearing S. No. 154 A 1, Hissa No. 4A, CTS No. 111 A at mauje Zadgaon, Tal & Dist. Ratnagiri

Project proponent presented the proposal before the Authority. The Authority noted the followings:

As per the Ratnagiri Municipal Council letter dated 18.10.2013,

- a. The proposal is development of residential cum commercial building on plot bearing S. No. 154 A 1, Hissa No. 4A, CTS No. 111 A at mauje Zadgaon, Tal & Dist. Ratnagiri
- b. The proposal involves development of residential cum commercial building comprises of Stilt + ground + first floor + second floor.
- c. As per the Development plan of Ratnagiri, the plot is in residential zone.
- d. As per the CZMP of Ratnagiri, the plot falls in CRZ II and situated on the landward side of the existing road prior 1991.
- e. The total area of plot is 1215.00sqm
- f. FSI Details, as per the layout plan submitted by the project proponent,
 - Total Area of Plot – 1270.00sqm
 - Permissible FSI – 1.00
 - Area under road widening – 55.00sqm
 - Net plot area available – 1215.00sqm
 - Permissible built up area per floor – 423.33sqm


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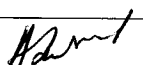
- Proposed ground & stilt floor BUA – 129.39sqm
- Proposed first & stilt upper floor – 417.37sqm
- Proposed part second & first floor BUA – 417.37sqm
- Proposed part second floor BUA – 295.02sqm
- Total balance area – 10.85sqm
- FSI proposed to be consumed – 0.99

MCZMA vide its letter dated 28.02.2014 sought information on certain points from the Chief Officer, Ratnagiri Municipal Council (RMC) in the subject matter.

Accordingly, Chief Officer, RMC, forwarded their reply vide letter dated 03.04.2014 on points raised by MCZMA, which is as follows:

Sr. No.	Point raised by MCZMA	Reply from RMC
1	CZMP showing the proposed project layout on land under reference.	CZMP showing the proposed project layout on land under reference is submitted.
2	Google Image and site photographs of land under reference.	Google Image and site photographs of land under reference are submitted.
3	Development plan showing the land under reference.	Development plan showing the land under reference is submitted.
4	Zoning / reservation as per 19.02.1991.	As per DP existing as on 19.2.1991, the plot is in residential zone.
5	Present status of land under reference.	Plot is open. At present there is no existing structure.
6	Permissibility for commercial	As per DCR Rules, permission for


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	use need to be ascertained.	commercial use can be given.
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Authority noted that Ratnagiri Municipal Council vide letter dated 24.02.2006 had granted the permission for development on plot under reference. However, no construction has been started on site as per permission.

The Authority after deliberations decided to recommend the proposal from CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. Concerned planning Authority should ensure that there should not be violation of provisions of CRZ Notification, 2011.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

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Item No.26: Proposed expansion of the Dharamtar Jetty facility by M/s. JSW Dharamtar Port Ltd

Project proponent presented the proposal before the Authority. The Authority noted the followings:

Background of the project:

The existing berthing facility at Dharamtar is for handling of barges; originally designed for barge sizes of 2500 DWT, presently handles barges up to 3700 DWT are handled at the berths. There are 4 berths (Berth no 1 to 4) totalling to about 331.5 m in one alignment. At present a simple logistic chain is followed at the Dharamtar facility. The mother vessels are moored at the Mumbai Offshore anchorage (Bravo East) for handling cargo at fair weather and Inner Anchorage opposite Nhava Island in the monsoon. The mother ships load the barges using ship's gears. The barges then move in to the creek and travel to the berth and gets unloaded. The material is unloaded using 2 barge unloaders and 2 static Mobile Harbour Cranes and sent to the plant storage through the jetty and the cross country conveyors. There is no storage at the berth at present.

Project location

The existing captive JSW Dharamtar jetty is located on the right bank of Amba River. The proposed facilities are located at Latitude: 18°42' 19" North & Longitude: 73° 1' 42" East. The jetty is located at about 18.0 nautical miles from Jawaharlal Nehru Port and 18.0 nautical miles from Mumbai Port. The jetty is accessible by road and is 68 km from Mumbai. The region is well connected to railway and road. Pen railway station is in close proximity. It is well connected to national highway NH-17 that joins the coastal highway. The site is located 22 km upriver from the mouth of Amba river, SE of the Mumbai Port.


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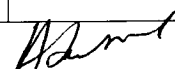
Proposed project

The steel plant at JSW Steel Plant, Dolvi Works, Maharashtra, proposes to expand its manufacturing capacity from existing 3.2 million tons per annum of steel to 4.7 tons per annum capacity in about 15 months and to about 10 million tons capacity per annum in a period of 2 to 3 years. With the final expansion, the import cargo volume would rise from the present 8.24 MTPA to 28.60 MTPA and export cargo from 1.45 MTPA to 4.35 MTPA. Thus the total cargo to be handled would increase from present 9.69 MTPA to 33.95 MTPA. Detail of the cargo handling in phases is depicted in Table 2 - 1. To improve the efficiency, productivity and quality of the jetty services for the increasing demands of raw material it is necessary to increase the existing 331.5 m long berth to 1750 m.

- Quantity of cargo proposed to be handled at the jetty in phases:

Commodities	Quantities in Million tons		
Equipment/Facility	3.2 Million TPA	4.7 Million TPA	10.0 Million TPA
Phase	Existing Jetty	Phase - I	Phase - II
Inbound cargo			
IBRM	5.45	8.67	17
CBRM	1.53	2.95	8.0
Fluxes	0.90	1.59	3.0
Clinker	0.36	1.08	0.6
Sub Total	8.24	14.29	28.60
Out Bound Cargo			
HR coil, Sheets, CR coil in containers, other steel products	0.5 HR coil only	1.0	2.5
Cement	0.5	1.0	1.0
Slag	0.45	0.6	1.0
Container	-	-	0.85


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Sub Total	1.45	2.60	4.35
Grand Total	9.69	16.89	33.95

• **Developmental phases**

1. Existing Operations (Phase — I)

Present capacity of the steel plant is 3.2 MTPA that requires about 8.24 MTPA of raw materials annually. The present Jetty is about 331.5 m long and area designated as berth 1 to 4. The raw material at present is handled using 2 barge unloaders on rail and two static Mobile Harbour Cranes.

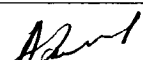
2. Phase —II Expansions

The phase-II operations would involve enhancement of the steel plant capacity from the existing 3.2 MTPA to 4.7 MTPA. The 4.7 MTPA steel plant would require about 14 MTPA of raw materials. In addition, there would be export cargo volumes of about 2.6 MTPA to be handled. Since the current facilities could not be upgraded to handle this cargo, it is proposed to construct a new berth of 718.5 m long, taking the total length of the berth to 1050 m by the end of this phase. In addition in order to allow seamless delivery of products and take care of the uncertainty in cargo arrival and dispatch, and keep the steel plant running, it is decided to do away with the direct delivery to the plant, and maintain storage at the port. Further, with the increased cargo volumes direct transfer to the plant would not be a viable option. Accordingly, about 53 ha back up storage area would be required for the same in this phase. The equipment and the material handling systems for this phase are depicted in Table.

List of equipment in various phases

Commodities	Quantities in Million tons		
Equipment/Facility	3.2 Million	4.7 Million TPA	(10) 9.0 Million TPA


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	TPA		
Phase	Phase - I (Existing)	Phase - II	Phase - III
Barge Un loaders	2 (existing)	4 - 1000 TPH (Avg) - New	2 - TPH (avg) - New
Material Handlers	2 (Existing) to be replaced by 2 new ones	-	-
Jetty Conveyors	Repairs	2 conveyors of 1800 TPH	2 - 1800 TPH conveyors
Yard Conveyors	-	As required	As required
Stacker cum Reclaimers	-	2 no.	2 no.
Cross Country Conveyors	Existing	New one	Refurbish/replace old one

3. Phase — III Operations

In this phase the Steel plant capacity would go up to 10 MTPA. The total raw material requirements also would accordingly go up to 28.6 MTPA. Including the export cargo, about 33 MTPA of cargo would be required to be handled at this phase. Additional 700 m of berth would be required to be constructed in this phase, taking the total length of the berth to 1750 m. In tandem, the backup area requirement would go up to 84 ha from the 53 ha required in phase II. The required system requirement and the system capacity are given in Table 2-2. Dismantling/strengthening/rehabilitating/rebuilding of the existing berths and the handling systems for the existing 331.5 m berth also would be taken up at this stage. These berths would be either retrofitted or rebuilt for handling all types of cargo including export cargo of containers and coils.


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Dredging

The borehole information available in the river and creek area shows the following geological sequence over the site:

- a) Dense to Loose Grey Silty sand for about 6 m
- b) Stiff Dark Grey Sandy clay for about 1 - 4 m
- c) Weathered Rock followed by hard rock of basaltic origin

The existence of weathered or hard rock in the river bed is remote for the depth envisaged for the use of the navigational channel (i.e. 5.0 M CD). This was confirmed by the Geo-physical study carried out along the navigational channel. Borehole data available along the channel also confirms the findings of the geo-physical survey. As indicated above for navigation of 8000 'DVVT barges (loaded draught of 4.8 m) 5 m dredging below the chart datum would be necessary. This depth would ensure movement of the design vessels and handle the required cargo of Phase III, i.e. about 33 million tons per annum. The dredging requirements in the navigational channel based on the above stipulation would work out to about 5.4 million cubic meters. In addition to the navigational channel, the vessel waiting area, and turning area is included in the dredging plan. Total dredging quantity of about 6 million cum may be obtained from this development. Subjected to environmental clearance, the material obtained from dredging would be disposed behind the proposed berths, so that export cargo such as HR Coils could be stored behind the berth, before loading on to the barges. This will help the loading operation of these palletized cargos. There is a patch of rocky strata in front of the existing Jetty; the dredging of this area would have to be carried out using controlled blasting or other suitable methodology. There are no other rocky patches found in the vicinity.

Reclamation

The reclamation of area behind the proposed berths is proposed. This would enable use of the dredged spoils more purposefully and environmental friendly manner.


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Though there is earmarked disposal ground of the dredged material, off the Mumbai port channel, the disposal of dredged spoil will always have impact on the marine flora and fauna. It is therefore often proposed to dispose the material on land or in side confined area (enclosed in side embankments) along the coast line. This is addition to containing the effects on the marine flora and Fauna, would create additional land for development. This will also have a marked effect on the turbidity levels in the creek and prevent spreading of materials in to the navigation channel. Therefore it is proposed to reclaim behind the berths and away from the mangroves, using the dredged spoils, subject to the results of the mathematical model study on the effect of the reclamation on the river morphology.

Fisheries –

The project under consideration is near the sea side, fisheries are an important aspect to be studied. The fishing activity can be divided into two major types, viz. Inland Fishing and Marine fishing. Approximately 2000 people are engaged in Fishery occupation in Pen region as per the Marine Fishery Census 2005. Majority of the fishes captured are the major carps Cirrhina mrigala, Cada catla Labeo rohita and catfishes murrels, Barbus, Hilsa ilisha, Mulletts, crabs, prawns, and shrimps. The major carps with their good taste have good economic value. Moreover, they form a major part of the diet of the people in this region. The ratio of inland to marine fish productivity in metric tones/year for Raigarh district is found to revolve around 0137 as per the records from the office of the Assistant Director of Fisheries, Alibagh, District Raigarh.

Mangroves-

As such there are no mangroves in immediate vicinity of the project area under consideration. No mangroves will be cut during project implementation and utmost care will be taken to conserve them.

Conclusion of EIA:

The proposed project is for expansion of the existing jetty facilities at Dharamtar from 331.5m to 1750m to meet increased demand of the import and export cargo for the 10 MTPA expansions of the JSW Steel Dolvi works.


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The total cargo proposed to be handled at the jetty after expansion shall be about 33.95 MTPA. The project activities envisage berthing, loading and unloading of vessels.

Primary and secondary data were used to assess the environmental impacts of the proposed project. The potential environmental impacts were assessed in a comprehensive manner. All the potential environmental impacts associated with different phases (i.e, during design or pre-construction, construction and operation) of the Project were assessed. The EIA report has thoroughly assessed all the potential environmental impacts associated with the project. The environmental impacts identified by the study are manageable. The implementation of environmental mitigation measures recommended in the report will bring the anticipated impacts to minimum. Site specific and practically suitable mitigation measures are recommended to mitigate the impacts. Further, a suitable monitoring plan has been designed to monitor the effectiveness of envisaged mitigation measures during the operation phase. Expansion of the jetty and port backup will be carried out with utmost care for terrestrial and riverine environment by implementation of a construction-phase EMP and environmental monitoring programmed. The environmental impacts due to construction are envisaged to be localized, mostly reversible and insignificant. No hazardous cargo is proposed to be handled at the port. All cargo will be handled and stored under sprinkling of water to control fugitive emission. Pollution Control Equipment will be installed integrally with the material handling system. The development activity envisages generation of insignificant amount of air and water pollution; the same shall be managed through effective mitigation measures. Greenbelt will be raised to ameliorate fugitive emissions and noise from the port operations. Other EMP measures such as regular sprinkling of water on fine cargo, operation of STP and storm drainage system shall ensure effective environment management in the proposed project. The expansion will bring about opportunities for primary and secondary employment in the region and lead to socio-economic development of the nearby villages.


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The implementation and monitoring of effectiveness of the environmental mitigation measures during the operation phase will be assigned to the Environmental Control Department. An Environmental Management Unit, comprising of senior management level officers will periodically assess and monitor the implementation of mitigation measures, and will tackle the management bottle necks of implementation of mitigation measures and environmental monitoring programme.

MCZMA vide letter dated 21.5.2014 requested to Project Proponent i.e. M/s. JSW Infrastructure Ltd, Mumbai to submit certain information.

M/s. JSW Infrastructure Ltd, Mumbai, vide letter dated 27.5.2014, submitted its point wise reply,

- 1) CRZ map in the scale 1:4000 showing the site under reference and report prepared by NIO, Goa
 - a) CRZ map in the scale 1:4000 showing the site under reference and report prepared and approved in December 2011 by NIO, Goa is submitted.
 - b) Draft CRZ map in the scale 1:4000 showing the site under reference and draft report prepared in April, 2014 by NIO, Goa is submitted.

As per draft report prepared in April 2014 by NIO, Goa as per CRZ Notification, 2011:

- HTL and CRZ mapping was carried out for the JSW Dharamtar Port Private Limited, Dharamtar during the period 10th to 14th April 2014.
- The position of HTL, LTL and CRZ boundaries are demarcated on 1:4000 scale map.


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- High Tide Line for the whole stretch of the study area along the river/canal is demarcated by taking into consideration the embankment of the Amba River.
- Along the Amba River, 100m set back line from the HTL is considered as per the CRZ notification 2011. Along the other small creeks, 100m or width of the creek is considered for the set back line.
- In the northern side of JSW Dharamtar Jetty, around 20m wide mangroves are noticed all along the river. Beyond the mangroves towards the land ward side, most of the area is agricultural lands/fallow lands.
- There is a creek in the northern side of the proposed stock yard facilities. Along this creek, in the western side, mangrove patches are noticed all along the creek in the inter tidal zone. In the either side of this creek, a bund was constructed all along the creek boundary. Beyond this bund, the whole area is covered with agricultural land in the western side and fallow/agriculture lands in the eastern side.
- As per the land use map, the proposed and surrounding area comprising of agriculture/barren lands, patches of mangroves, small creeks, built up area and terrestrial vegetation.
- Cargo facilities such as Barges, Jetties fall are within the CRZ area. Part of the proposed Cargo yard facilities such as Bulk storage yards, Coal storage yards, Container storage yards, Iron storage yards and Lime stone Clinker Dolomite storage yards are within the CRZ area.
- On the other side of the Amba River, PNP bulk handling and yard maintained by PNP Maritime Private Ltd, Dharamtar port is existing. In the northern side of this yard, wide patch of Mangrove was noticed.

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- As per the Coastal Regulation Zone Notification, 2011, the activities are permissible for the construction of Ports and Jetties.

2) All permissions including CRZ permission for existing jetty facility.

The Environmental Clearance for the (Construction of a captive jetty by M/s. Nippon Denro Ispat Ltd in Raigad District of Maharashtra) existing jetty has been accorded by Ministry of Environment and Forests vide letter dated 4.1.1995 subject to certain safeguards. The clearance has been accorded from environmental angle by Ministry of Surface Transport has been granted vide Office Memorandum dated 12.1.1997 subject to certain safeguards for the expansion of the captive jetty by M/s. Nippon Denro Ispat Ltd. Copies of the same are submitted.

3) Remarks of Revenue Department as the proposed expansion of the Dharamtar Jetty facility on Govt. land

The proposed expansion of the Dharamtar jetty facility follows allotment of 1750 m water front from the Maharashtra Maritime Board (MMB). The proposed storage yard is located on private land. The same being purchased from the land owners. A narrow strip of government land is in the CRZ area and is left out from the storage and stock yards footprints. Since, MMB is also a stake holder in the facility, the government land acquisition if any, shall be through the aegis of the MMB.

M/s. JSW Infrastructure Ltd, Mumbai, vide letter dated 5.6.2014 mentions that, the Town Planning and Valuation Department Raigad, Alibag has given zoning / landuse as per Sanctioned revised Mumbai Metropolitan Regional Plan for areas of Pen Taluka on 19.9.2008. As per the said letter, S. No. 80 of mauje Beneghat, Tal-Pen is not seen on Mumbai Metropolitan Regional Plan and S.No. 186A/A, 186A/2, 186A/3 of mauje Vave, Tal- Pen are falls in Green -1 zone.,


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Public Hearing:

The Public Hearing for the proposed increase the proposed expansion of jetty from 331.5m to 1750 m proposed by m/s. JSW Dharamtar Port Pvt. Ltd, at Dharamtar, Dolvi, Tal- Pen, Dist- Raigad was conducted on 22.5.2014 at Pen Education Scirty's Jaikishan Vidya Mandir and Higher Medium School, at Wadkhal, Tal-Pen, Dist- Nashik. The Minutes of the Public hearing alongwith proceedings are submitted by Maharashtra Pollution Control Board vide letter dated 16.6.2014. The conclusion of public hearing, Chairman of public hearing committee and District Collector has appreciated the positive approach of JSW project management team. He has summarized the various issues raised by the people and satisfactory reply given by the project proponent. He has explained the information given by the representatives of Maharashtra Pollution Control Board & Company management about the issues related to pollution control, Kharland bandh repair, compensation to the farmers, issues of fishermen, priority to the local people in employment, water supply and other social activities in the neighboring area of the project. Dist. Collector said, it appeared that all present people want expansion of Jetty project. However, the suggestions given by the people shall be implemented by project management. Dist. Collector has especially said, the project management shall give priority to the local people in proposed employment opportunities. The project management shall work also develop the necessary village development activities in the neighboring area of the project. He has also directed to the project management that, the company shall take immediate action for repair of kharland bandh compensation to the farmers etc. The environment must be protected and the necessary measures for environment protection shall be taken by project management. He has appealed that, taking into consideration that the support of the people for the proposed expansion project, the project management shall complete their commitments given to the people. He expressed confidence that suggestions given by people would be implemented by proponent.


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Authority after deliberation decided to direct the project proponent to submit the following:

1. Layout of expansion of jetty along with dimensions, its capacity vis a vis requirement of material in the JSW steel plant at Village Dolvi.
2. CRZ area classification for Jetty.
3. NoC from Maharashtra Maritime Board for the project activity.
4. Hydrological studies of Dharamtar creek. Impact of expansion of Dharamtar Jetty on flow pattern of Dharamtar creek.
5. Details of the Kharland bandh repair by M/s. JSW Infrastructure Ltd as mentioned in public consultation.
6. Plan for removal of existing jetty & debris management plan.
7. Compliance of the Environment clearance granted to the project of JSW steel.
8. Studies on presence of mangroves in & around project site.

Item No.27: Proposed construction of School at Survey No. 130, Hissa no. 7, Mauje Nagothane, Taluka- Roha

Project proponent presented the proposal before the Authority. The Authority noted the followings:

- a. The Planning Department & Valuation Department, Raigad Alibag has forwarded the proposal for construction of School comprising of ground+1st floor on Survey no. 130, Hissa no. 7, Mauje Nagothane, Taluka- Roha with area 0-30-9 Hecter.
- b. Construction of 5 classrooms at ground floor, 5 classrooms at 1st floor and separate toilets for Boys / Girls / staff is proposed.
- c. As per Coastal Land Use map, the plot under reference falls in CRZ- III (partly falls in 100m- 200m from HTL and partly beyond 200m from HTL of the creek i.e. CRZ III.)
- d. Plot under reference is situated at 190m from HTL of creek.


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- e. As per regional plan sanctioned on 10.9.1991, the said plot is in residential zone.
- f. FSI Details, as per the layout plan submitted by the PP:
- Total Area of Plot – 3085.69sqm
 - Permissible FSI – 1.00
 - Total permissible built up area – 3085.69 sqm
 - Proposed BUA of ground floor – 893.27 sqm
 - Proposed BUA of first floor – 704.16 sqm
 - Total built up area of plot – 1597.43 sqm
 - FSI proposed to be consumed – 0.517


Authority noted that as per para III. CRZ III (iii)(j) of CRZ Notification, 2011,

“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 CZMA” is permissible in No Development Zone of CRZ III area.

Authority after detailed discussion and deliberation decided to recommend the proposal from CRZ point of view to concerned planning authority subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011.
2. The concerned Planning authority should ensure that proposed development of school structure should confirm the local town and country planning regulations.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work.


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Item No.28

Proposed construction of mechanized multilevel car parking on Building Operate and transfer basis on plot bearing C.S.No.2/839,malbar hill Division at Bhulabhai Desai Road in D Ward, Mumbai

Project proponent presented that the MCGM has submitted a letter dated 24.6.2014 to MCZMA regarding proposed construction of mechanized multilevel car parking on Building Operate and transfer basis on plot bearing C.S.No.2/839,malbar hill Division at Bhulabhai Desai Road in D Ward, Mumbai. Earlier, Architect had submitted the proposal for multilevel car parking project for wing "A" for multilevel parking ground + 20 floor and wing B for commercial building comprising lower basement, upper basement + Ground floor + 4th upper floor, Welfare Centre and Public Sanitary Block. IOD was issued on 1st July 2003, C.C. and further C.C. issued on 4th July 2003 and 17th January 2006 respectively. Part occupation was granted for commercial Wing for 2-basement + Gr. Floor + 4th upper floors except commercial portion of 4th floor on 5.12.2009. As per D.P. remarks 1967, the plot under reference falls in Residential zone with shop line. As per D.C.R. 1991, the plot is in Residential Zone with shopping line. The land under reference falls entirely within the Coastal Area Regulation Zone II as per the Govt. of India Notification under 5.0. No. 114 (E) of 19.2.1991 as amended upto date. Architect has obtained above referred NOC from CRZ point of view from M.O.E.F. on the plans approved as per DCR 1991, since the approval was granted in 2003 and have done the development accordingly.

Now, the Architect and Chief Engineer (DP/BP), MCGM present in the meeting submitted that the proposal is for 'change in activity' in upper level basement from Departmental Store to Fitness Centre. It is observed that there is no change in building line or FSI. However, it is not specified in the D.C. Regulation 1967 about user 'fitness centre' permitted in basement, which is counted into FSI.


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MCGM officials pointed out to the Authority that while deliberating on one of the case in 83rd MCZMA meeting dated 6.8.2013, the Authority has directed MCGM not to grant any approval for any 'change of use' prior to MCZMA approval. Since MCGM representative submitted that there is only 'change of activity', the Authority after deliberations concluded that MCGM should take appropriate decision in the matter based on relevant provisions under DCR 1967 & CRZ Notification, 2011, under intimation to MCZMA.

Item No.29: Regarding proposed development at Gothivali village S.Nos.17, 22/2, 22/4 4/1, 28/1, 29, 30, 31, 32, 33, 34, 35, 45, 49, 98, 99, 100, 112, 131 & Talavali village S.No.49, Navi Mumbai- Reliance Corporate IT Park Limited

M/s Reliance Corporate IT park Limited vide letter dated 3rd July, 2014 sent a representation to MCZMA. As per said representation:

1. MCZMA granted its approval along with service apartments and residential buildings in its 86th meeting held on 17.2.2014.
2. CRZ map drawn by IRS, chennai shows that though the total plot size at Ghansoli is about 20 Acres, about 6-7 acres of it fall outside the 150 m line from the old HTL on which the hotel is proposed to be established. This map also indicates that the proposed Hotel building will also be beyond the 100 m line from the revised HTL as required by 2011 Notification.
3. In view of the latest decision of MoEF dated 7th May, 2014 all uncertainty has ended now. MCZMA must take cognizance of the old CZMP and declare that the proposed hotel project falls outside CRZ since it is to be located beyond 150 m of the old HTL, so as that proponent may take clearances for setting up Hotel on the same.
4. There is no change in the layout of the guest house, service apartments and residential buildings in the proposal cleared by MCZMA earlier on


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17.2.2014 and what is being proposed now. Only usage of the guest house is proposed to be changed to hotel without any change in layout.

5. The project has already undergone scrutiny for more than one and a half year, it is request for an early declaration that hotel project falls outside the CRZ and that no clearance of MCZMA is required for the same.

Authority after detailed discussion and deliberation decided that separate & clear proposal should be submitted through Navi Mumbai Municipal Corporation by the project proponent in a prescribed format of MCZMA.

Item No.30: OM dated 12.12.2012 & 27.6.2013 V/s Constitution order of MCZMA dated 6.3.2012

Authority discussed that Ministry of Environment and Forest, New Delhi has issued an office memorandum dated 12.12.2012 & 27.6.2013 pertaining to consideration of proposals for TOR/EC/CRZ clearance involving violation of E(P) Act, 1986, EIA Notification, 2006 and CRZ Notification, 2011.

Para 4 to 7 of OM dated 12.12.2012 prescribes steps for taking credible action under E(P) Act, 1986 on violation cases and procedure for dealing with cases for grant of TOR/ EC/CRZ clearance, once the credible action has been taken. In all these paras, issues of taking action on CRZ violation cases and their subsequent appraisal as per merit of the case has been addressed. As per para 8 of OM dated 12.12.2012, the aforesaid procedure stated in para 4 to 7 will apply to SEIAAs/ SEACs at the state level. However, the name of the State Coastal Zone Management Authority (State CZMAs) is not incorporated in the said para, due to which, the issue of CRZ violation cases and their subsequent appraisal on merit basis, as per OM dated 12.12.2012 & 27.6.2013 could not be undertaken by MCZMA.

It is necessary to incorporate the name of State CZMAs in para 8 of the order so that OM dated 12.12.2012 & 27.6.2013 could be implemented by MCZMA.


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Authority noted that Ministry of Environment and Forest, New Delhi vide S.O. 383(E) dated 6th March, 2012 constituted Maharashtra Coastal Zone Management Authority for a period of 3 years. The Authority is constituted under sub section (1) and (3) of section 3 of the E(P) Act, 1986. The Authority shall have powers take following measure, para (ii): *"Inquiry into cases of alleged violation of the provisions of the said Act or the rules made thereunder or any other law which is related to the objects of the said Act and, if found necessary in a specified case, issuing directions under section 5 of the said Act, in so far as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Govt."*

Authority after detailed discussion and deliberation decided that cases of violation would be dealt with in accordance with the office Memorandum dated 12.12.2012 & 27.6.2013 after receipt of clarification from MoEF sought by MCZMA.

Item No.31: PIL No.92/2014 in High Court of Mumbai (CRZ status of plot bearing Plot No. 73, Sector 19, Airoli, sports Complex)

Authority noted that Public Interest Litigation (PIL) No. 92/2014 Dada Sangle V/s The State of Maharashtra is being heard before Hon. High court of Mumbai. PIL pertains to plot No. 73 situated at Sector 19, Airoli, Navi Mumbai, as to whether subject plot falls in CRZ II area. In the matter, Hon. High Court of Mumbai has directed Maharashtra Coastal Zone Management Authority to file an affidavit within 2 weeks from 11th July, 2014 stating CRZ status of plot bearing No. 73 in Sector 19, Airoli, Navi Mumbai. In response to MCZMA's letter, CIDCO vide letter dated 2nd July, 2014 had forwarded its reply. CIDCO also has forwarded superimposition of plot in approved CZMP (1:25000 scale) blown up to 1:4000 scale, along with Google images showing present condition in and around the plot.


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The approved CZMP is in 1:25000 scale and hence such a small area cannot be assessed using such a coarse map. Further, as per the Google image submitted by CIDCO, there is thick growth of mangroves on the creek-let side, near to subject site. The exact HTL on both sides of the creek-let, boundary of mangroves on both sides, the buffer zone and CRZ limit are required to be ascertained. Therefore, in order to ascertain CRZ status of subject plot, CIDCO was once again instructed to submit the following documents to the Authority:

- a) Superimposition of Plot bearing No. 73, Sector 19, Airoli, Navi Mumbai on approved CZMP in 1:4000 scale by one of the MoEF authorized agencies, with 100 m, 150 m CRZ line from the HTL of the creek. Report should also mention about the width of the creek. Said CZMP should indicate old approved HTL as well as revised HTL, if HTL is changed.
- b) Superimposition of ecosystem in an around the plot under reference on approved CZMP of area.

Authority noted that CIDCO vide letter dated 18th July, 2014 replied to MCZMA. CIDCO forwarded CRZ map in 1:4000 scale (Map "A") superimposing the HTL demarcated in approved CZMP of Navi Mumbai. Said map also shows 100m, 150 m. CRZ area from approved HTL prepared by IRS, Chennai. Further, CRZ map in 1:4000 scale (Draft CRZ Map "B") showing ecosystem (mangroves), present HTL on both sides of the creek-let, boundary of mangroves on both sides, 50 m buffer zone of mangroves and CRZ limit prepared by IRS, Chennai, which is one of the MoEF authorized agencies was also forwarded. Authority examined both the CRZ maps prepared by IRS, Chennai and took it on record.

Authority examined the CRZ map in 1:4000 scale (Map "A") superimposing the HTL demarcated in approved CZMP of Navi Mumbai and found that though the HTL is as per the approved CZMP it is not sure whether the CRZ boundary marked matches that in the CZMP. Hence the Authority decided to get this clarified from MoEF authorized agency through CIDCO by way of indicating CRZ area limit as per approved CZMP of Navi Mumbai in Map "A",


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The Authority noted that as per draft CRZ map (draft CRZ Map "B") showing present ecosystem and present HTL, the site under reference fully falls in CRZ area. The plot is abutting mangroves and substantially falls in the 50 m buffer zone of the mangroves. The Authority further noted that the work of preparation of new CZMPs of Navi Mumbai /CIDCO areas as per provisions of CRZ Notification, 2011 is progressing for CIDCO through MoEF authorized agencies. Thus the said CRZ map (draft CRZ Map "B"), which is expected to be part of the CZMP being prepared, is not yet approved by MoEF. CIDCO is supposed to submit draft CZMPs of CIDCO areas to MCZMA, which will be subjected to public consultation and then will be submitted to MoEF for final approval.

The Authority decided to get clarification pertaining to Map "A" prepared as per old HTL from MoEF authorized agency through CIDCO by way of indicating CRZ area limit as per approved CZMP of Navi Mumbai.

Item No.32: SRA Scheme on plot bearing CS No.1980(pt), Fort, Plot No.153A(pt) & 150A(pt), Backbay reclamation Scheme III, Nariman Point, Mumbai

Authority noted that MCZMA was in receipt of complaint dated 21.4.2014, 8.4.2014, 7.4.2014 by Naim Sheikh and compliant dated 28.3.2014 by Badruddin sheikh. Further M/s Nariman point association also filed complaint dated 25.4.2014 in the subject matter. These complaints mainly alleged that there is no approval of MCZMA for construction of Sale building and requested to halt the construction work on site. Housing dept, GoM vide letter dated 18th June, 2014 has forwarded a letter of MLA, Nana patole with a request to provide report in the matter. MCZMA vide letter dated 21.4.2014, 29.4.2014 & 9.5.2014 forwarded complaints to SRA, Collector, Mumbai city and MMRDA for examination and action, if violation of CRZ Notification, 2011 is observed. Action taken report was sought.


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In response to MCZMA's letter dated 21.4. 2014 & 29.4.2014, the SRA vide letter dated 18th June, 2014 sent their reply to MCZMA. MCZMA has granted approval for construction of Rehabilitation building. However, regarding construction of sale building, there is no clarity on this issue. Nana Patole, MP Gondiya vide his letter dated 16.5.2014 has raised this issue. Further, SRA has requested MCZMA as to whether there is approval of MCZMA for construction of sale building, as decided in 76th meeting of MCZMA. Till the reply from MCZMA comes, construction work of sale building has been stopped.

Slum Rehabilitation Authority officials presented that MCZMA has granted approval for construction of Rehabilitation building. However, regarding construction of sale building, there is no clarity on this issue.

Authority noted the background of the matter which is as follows:

1. Earlier, MCZMA received complaints by Ashwashakti Welfare Association regarding SRA scheme under reference. Complainant alleged the FSI violation and construction going on 150(A) garden plot.
2. These complaints were deliberated before the MCZMA in its 69th, 70th, 72nd, 75th and 76th meeting held on 19.4.2011, 1.7.2011, 4.11.2011 and 15.5.2012 respectively. Authority in its 76th meeting noted the detailed background of the matter. Authority heard the submissions of developer, complainant, slum dwellers and representatives of district collector Mumbai city and SRA present during the meeting. SRA officials present in the meeting informed that the scheme was being undertaken as per approval given by the MoEF, New Delhi. The SRA officials also showed area map clearly indicating SRA scheme boundary indicated by Collector, Mumbai city is similar to the map with SRA. The scheme is as per FSI existing as on 19.2.1991.
3. The Authority vide letter dated 1.10.2012 informed to CEO, SRA, to revoke stop work order issued by MCZMA for the construction of Rehabilitation building subject to compliance of following conditions:


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- SRA should ensure that FSI in the scheme is as applicable in CRZ area i.e. as on 19.02.1991 and ensure that scheme is undertaken as per the conditions stipulated in MoEF approval.
 - There shall be no construction work on 150(A) Garden Plot.
 - SRA to ensure that no violation of provisions of CRZ Notification while developing the project under reference
 - Any appeal against this decision shall lie with the NGT. Van Vigyan Bhavan, Sector 5, R. K. Puran, New Delhi 110022, if preferred within 30days as prescribed under section 16 of National Green Tribunal Act 2010."
4. Copy of the MCZMA letter was also marked M/s Ace Link with directions to submit the bank guarantee of Rs. 2 lakh to ensure that there will not be violation of any condition stipulated in MoEF permission. Stop work order dated 15.3.2011 is closed and recorded subject to the compliance of conditions mentioned in Para 7 of the MCZMA letter.

In the light of above, the Authority after detailed discussion and deliberation decided the following:

1. Site visit will be carried out in order to see whether construction is landward side of imaginary line.
2. SRA should present the matter before the MCZMA about the construction of sale building.

Item No.33: Hon'ble NGT order 29.5.2014 in Awaaz Foundation V/s State of Maharashtra

Additional Collector, Raigad represented that an application No. 34(THC) /2013 Awaz Foundation /Sumeera Abdulali V/s State of Maharashtra is being heard before the Hon. National Green Tribunal, western zone, Pune. An application pertains to illegal sand mining along the konkan coast in Raigad/Ratnagiri and


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Sindhudurg districts. NGT passed an order dated 29th May, 2014 in the matter, as per which,

"It is necessary, therefore, for the State Government to take appropriate policy decision and ensure that the work of maintenance dredging is planned by MMB by conducting EIA study on its own and extraction of sand or removal of sand from the Ghats shall be done under strict supervision of the MCZMA"

Further, NGT also directed as,

"The competent Authorities, including the controlling authority like Police/Coastal Police shall give full support /assistance to the MMB and CRZ authorities to ensure compliances of the CRZ as well as the conditions enumerated while awarding the contracts for maintenance dredging, transportation of the sand and use of the vehicles"

Authority further noted that Thane district Collector vide letter dated 19.3.2014 sent the status report of the illegal sand mining /dredging activities at Thane, Kalyan, Vasai, Palghar, Bhivandi, Dahanu, Talasari taluka of Thane district which falls in CRZ area. Sub Divisional Officer Dahanu informed that there is no illegal sand mining in CRZ area of Dahanu Taluka. Mumbai suburban district vide letter dated 20.5.2014 apprised MCZMA about the action taken against the illegal sand mining activities at village Kulvem, Gorai & Dahisar Checknaka, Tal-Borivali. further it is informed that No sand mining is carried out at village juhu, Madh, Versova, Bandra Tal-Andheri and in taluka Kurla (Mulund).

Following points emerged during the discussion in the matter:

1. As per CRZ Notification, 2011 activities of sand mining in CRZ area is prohibited. However, maintenance or clearing of water ways, channel, ports based on EIA studies are permissible activity.


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2. Environment Department, GoM has constituted District Coastal Zone Monitoring Committees (DCZMCs) in the coastal districts of Maharashtra, as per para 6(c) of CRZ Notification, 2011, under the Chairmanship of District Collector. DCZMCs are constituted to assist the State Govt and MCZMA for enforcement and monitoring of CRZ Notification, 2011.
3. Maharashtra Maritime Board (MMB) is a competent Authority to undertake & monitor & regulate activities of Maintenance dredging or clearing of water ways, channel, ports.
4. MMB requires to undertake EIA studies for the purpose of deciding the issue of environment degradation due to maintenance dredging activities for the purpose of clearing of water ways and approach MCZMA for obtaining CRZ approval.
5. Concerned DCZMCs should function as supervisory body of MCZMA for maintenance dredging for clearing of water ways in CRZ areas. Further, concerned DCZMCs take action against the illegal sand mining activities in respective CRZ areas.
6. District Collector is required to ensure the compliance of CRZ Notification, 2011.
7. MMB should take action against illegal dredging activities in CRZ areas.

Discussion item

CRZ issue in respect of 'Bay' as per CRZ Notification, 2011

Authority deliberated upon the matter of extent of CRZ area limit along the 'Bay', which is classified as tidally influenced water bodies as per provisions of CRZ Notification, 2011.

Earlier, as per CRZ Notification, 1991, there was 500 m CRZ area limit along the 'Bay'. Accordingly, CRZ area extent was indicated in approved CZMP of Mumbai.


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MoEF, New Delhi published new CRZ Notification on 6.1.2011 superseding the old CRZ Notification of 1991. Para (ii) of CRZ Notification, 2011, applies the max. 100 m CRZ area limit along tidally influenced water body such as creeks, estuaries including bay.

Further, as per para II. 9 of Annexure I of CRZ Notification, 2011, for classifying water body, such as sea, lagoon, backwater, creek, bay, estuary, the terminology used by Naval Hydrographic office shall be relied upon.

MCZMA is in receipt of cases of 'Bay' matter, which were deliberated in 88th, 91st & 92nd meeting of the MCZMA. In this context, Principal Secretary, Urban Development Department and Municipal Commissioner, MCGM represented their views in the matter and expressed that the matter needs to be deliberated comprehensively considering the town planning aspects in view of the provision of CRZ Notification, 2011 for 'Bay'. They would need more time to present their view in detail.

It was brought to the notice of PS, UDD and MC, MCGM that there was already an advisory issued by MoEF which restricts CRZ limit to 100 m from HTL for 'tidally influenced water bodies' including bay, even if new CZMP as per CRZ Notification, 2011 is not prepared and has advised CZMAs to apprise projects accordingly. Since PS, UDD and MC, MCGM could not attend the full proceedings of the meeting and left after half an hour, the discussion could not be completed.

Authority also noted after their departure that the PS, UDD has already given his department's view before the review committee appointed by MoEF about the uniformity in application of DCR in CRZ and Non CRZ area in the meeting held on 8th July, 2014 at Mumbai. It was also pointed out that the matter was extensively discussed / deliberated during Deepak Rao v/s State of Maharashtra (WP 327/2013) in MCZMA's various meetings and MCZMA had to


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finally decide the matter and submit its decision to Hon. High court of Mumbai by 17th February, 2014 based on the reports submitted by IRS, Chennai & National Hydrographer office, Deharadun and hence all other cases of Bay matter are being addressed by MCZMA on similar lines.

.....meeting ended with vote of thanks.....

Annexure I

List of Members present for the meeting:

1. Principal Secretary, Urban Development Department
2. Municipal Commissioner, Municipal Corporation of Greater Mumbai
3. Dr. M. Baba, Expert member
4. Dr. M. Shindikar, Expert Member
5. Dr. B. Ingole, Expert Member
6. A. T. Fulmali, Member Secretary.


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Member Secretary