

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

No. MCZMA-2011/CR-1/MCZMA
Environment Department,
Mantralaya, Mumbai -400 032
Dated: 02.07.2011

OFFICE MEMORANDUM

Subject: Implementation of provisions of Coastal Regulation Zone Notification, 2011 issued vide S.O.19 (E), dated 6th January, 2011-regarding-

Reference:

1. Coastal Regulation Zone Notification, 2011 issued vide S.O. 19(E), dated 6th January, 2011
2. D/P/657(E) dated 19th March, 2011 Corrigendum to CRZ Notification, 2011
3. Clarifications issued by MoEF vide letters dated 8.2.2011 and dated 24.2.2011

Ministry of Environment and Forests (MoEF), Government of India, New Delhi has issued the CRZ Notification, 2011 vide S.O. 19(E), dated 6th January, 2011. The Maharashtra Coastal Zone Management Authority (MCZMA) has been constituted under Section 3 of Environment (Protection) Act, 1986 and has been entrusted to regulate the development or construction activities in different categories of CRZ areas as defined in the CRZ Notification, 2011. The CRZ Notification, 2011 as per the para 4 (b) also empowers the MCZMA to examine the proposals and give its prior recommendations for the proposals/ activities proposed in CRZ areas.

To bring clarity in processing the cases submitted for prior permission of CRZ clearance, it was under consideration to issue guidelines for the same to the Planning Authorities and other concerned. The same matter was also considered in the 69th Meeting of MCZMA.

Therefore, the following guidelines are issued to facilitate the speedy disposal of proposals submitted to the MCZMA by Planning Authorities and other concerned.

1) Application procedure for submitting the application for prior CRZ recommendation/clearance under CRZ Notification, 2011.

MoEF has laid down an application procedure in para 4.2 of the CRZ Notification, 2011 as per the para 4.2(i) of this notification following documents should be submitted along with the application:

- (a) Form-1 (Annexure-IV of the notification);
- (b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and (d). However, this will not be applicable for the housing construction projects proposed in CRZ area.
- (c) Comprehensive EIA with cumulative studies for projects in the stretches classified low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;
- (d) Disaster Management Report, Risk Assessment Report and Management Plan;

- (e) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2 of CRZ Notification, 2011) in 1:4000 scale;
- (f) Project layout of the proposed project indicating various activities superimposed on the above map indicated at (e) above;
- (g) The CRZ map normally covering 7 km radius around the project site (not for smaller housing projects)
- (h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas around the proposed project;
- (i) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like;

As per the para 4(i) (d), MCZMA has to send prior recommendations from CRZ point of view to the concerned Planning Authorities. Applications in case of housing, building construction and area development project should be submitted through concerned Planning Authorities such as Municipal Corporation, Municipal Council and District Collector (Town Planning) for rural areas.

To get the information such as land use, zoning remarks, existing structure details, proposal details, authorization details etc. required in compliance with the various provisions stipulated in the CRZ Notification, 2011, MCZMA has developed a comprehensive checklist which will enable the Authorities to process the applications speedily. The checklist comprises Part-A and Part-B. As per the checklist, the owner of the project shall submit the detailed proposals along with the information indicated in Part-A of the checklist to the concerned Planning Authorities.

The Planning authority in turn shall develop the Part-B of the application indicating information required as per the check list and send the proposal to MCZMA. The Planning Authorities while sending the proposals to the MCZMA should incorporate executive summary of the proposal, Authority's specific remarks if any, etc. before sending an application to MCZMA. The checklist is enclosed as Annexure-I.

2) Validity of Coastal Zone Management plans (CZMP) prepared under CRZ Notification, 1991:

As per para 5(xii) of CRZ Notification, 2011, the approved CZMP under CRZ, 1991 will be valid for 2 years. This map will be used for the processing of the proposals for CRZ NOC till the new CZMP as per CRZ, 2011 is approved. For rural areas CZMP prepared by Space Application Centre (SAC), Ahmedabad (in the scale of 1:25000) and approved by MoEF shall be used. Coastal land use maps prepared by MRSAC, Nagpur, prepared on the basis of CZMP of SAC, Ahmedabad shall be submitted with the application along with approved map for ready reference only.

3) SRA scheme in CRZ-II area within limit of Greater Mumbai:

- i) Application should be submitted through concerned planning authority as illustrated above.
- ii) Documents required as per para 4.2 (i) of the CRZ Notification, 2011
- iii) Identification of the slum cluster in CRZ-II area of Greater Mumbai as on 6.1.2011 (data is to be provided by concerned planning authorities)
- iv) Statement indicating 51% stake of the Government or parastatal bodies
- v) Areas statement with FSI calculations. FSI will be in accordance with local Town and country planning regulation as on 6.1.2011
- vi) Undertaking from project proponent to get cover under RTI Act, 2005 and Comptroller and Auditor General.
- vii) Report of the Public consultation with legally entitled slum dwellers.
- viii) List of eligible tenants
- ix) Notification indicating notified slum by Govt. of Maharashtra

4) Redevelopment of Cessed or Dilapidated or Unsafe building in CRZ-II area of Greater Mumbai:

- i) Application should be submitted through concerned planning authority as illustrated above.
- ii) Documents required as per para 4.2 (i) of the CRZ Notification, 2011
- iii) Identification of cessed or dilapidated or unsafe buildings in CRZ II areas of Greater Mumbai as on 6.1.2011 (Data is to be provided by the concerned planning authority)
- iv) Areas statement with FSI calculations. FSI will be in accordance with local Town and country planning regulation as on 6.1.2011
- v) Undertaking from project proponent to get cover under RTI Act, 2005 and Comptroller and Auditor General.
- vi) Report of the Public consultation with legally entitled tenants of the dilapidated or cessed or unsafe buildings.
- vii) List of eligible tenants.
- viii) Certificate indicating cessed/ dilapidated/ unsafe buildings

5) FSI for the proposals other than SRA scheme, dilapidated buildings, cessed buildings and unsafe buildings in CRZ-II area of Greater Mumbai will be as per the Development Control Rules existing and in force as on 19.2.1991 i.e. as per the DCR, 1967 which was existing and in force as on 19.2.1991.


6) For areas other than the Greater Mumbai, FSI for new construction, resorts, hotels, redevelopment etc. will be as per DCR existing and in force as on 19.2.1991.

7) Existing road means the road which was approved in Development Plan and was in place on or before 19.2.1991.

8) CRZ clearance given under CRZ Notification, 2011 will be valid for 5 years only from the date of issue of the clearance for commencement of construction and operation.

9) Development Plan which was existing and in force as on 19.2.1991 will be applicable for new construction, redevelopment etc. in CRZ areas

Yours faithfully,


Secretary (Environment) &
Chairperson (MCZMA)

Copy to:

1. Special Secretary, Ministry of Environment & Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi- 110 003
2. Principal Secretary
Urban Development Department/ Revenue Department/ Industries Department/ Rural Development Department/ ADF Department/ Water Resources Department/ Irrigation Department/ Public Works Department/ Forest Department/ Ports Department/ Transport Department/ Housing Department/ Tourism Department
3. Municipal Commissioner,
Municipal Corporation of Greater Mumbai/ Thane/ Navi Mumbai/ Mira-Bhayandar/ Kalyan-Dombivali/ Vasai-Virar/ Bhiwandi-Nizampur
4. Metropolitan Commissioner, MMRDA, Bandra (East), Mumbai- 400 051
5. Divisional Commissioner, Konkan Division, Konkan Bhavan, Navi Mumbai- 400 614
6. Director, Ministry of Environment & Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi- 110 003
7. Managing Director, CIDCO, CBD Belapur, Navi Mumbai- 400 614
8. District Collector,
Mumbai City/ Mumbai Suburbs/ Thane/ Raigad/ Ratnagiri/ Sindhudurg
9. Member Secretary, Maharashtra Pollution Control Board, Sion, Mumbai- 400 022
10. Chief Officer
Municipal Council of Alibag/ Ratnagiri/ Sindhudurg/ Sawantwadi/ Malvan/ Vengurla/ Kankavali/ Mahad/ Roha/ Pen/ Panvel/ Uran
11. Chief Executive Officer
MHADA/ SRA/ Shivshahi Punarvasan Prkalp Limited
12. Director, Town Planning, Mumbai
13. Deputy Director, Town Planning, Mumbai
14. Chief Executive Officer, Maharashtra Maritime Board
15. Chairman, Mumbai Port Trust (MbPT)/ Jawaharlal Nehru Port Trust (JNPT)
16. Managing Director, MSRDC
17. Managing Director, MIDC
18. Managing Director, MTDC

Annexure I
Checklist for Submission of Application for prior CRZ Clearance under
CRZ Notification, 2011

General Instructions for Submission of Application for CRZ Clearance to MCZMA:

- (1) Please do not write on the checklist.
- (2) PART-A of the application form is applicable for all projects. Project Proponent is required to fill submit the application to concerned planning authorities such as Municipal Corporation, Municipal Councils, District Collector through Town Planning for the rest of the rural area, MHADA / SRA/ MMRDA / CIDCO etc. as per the details indicated in the checklist.
- (3) PART-B of the application covering all the detailed information, maps indicated in the check-list should be completed/ developed by concerned planning authority and send to MCZMA for prior CRZ recommendation/ clearance.
- (4) Concerned planning authority should submit applications to MCZMA along with PART-A & PART-B with detailed information on the points covered in it along with its remarks on the proposed project/ activity.

PART-A
(To be submitted by Project proponent to Planning Authority)

		Particulars	Page No.
1		Executive Summary of the project	
2		Duly filled Form I as per annexure IV of CRZ Notification 2011 (Compulsory for all Projects)	
3		Whether proposed project covered under EIA Notification 2006	
	a	If yes, duly filled Form I & IA (As per provision 4(i)(d) and 4(ii)(a) of CRZ Notification, 2011)	
	b	CRZ map indicating HTL & LTL demarcated by one of the authorized agency in 1:4000 scale (as per para (2) of CRZ Notification, 2011)/ on the approved CZMP of the area showing the site under consideration	
4		Introduction of the Project/ Background information indicating following:	
	i	Identification of the project & project proponent , landownership indicating CTS No./ Survey Nos. etc.	
	ii	Brief description of nature of the project with details including, Layout Plan, Building Floor Plan etc.	

		Particulars	Page No.
	iii	Need for the project & its importance	
	iv	Demand supply gap or information on similar projects in the region	
5	i	Location of the project showing general location, specific location , Project boundary, project site approved layout with coordinates from competent Authority	
	ii	Details of the alternative sites considered from environmental point of view	
6		Site Analysis	
	i	Area of the project site (in sq. m.)	
	ii	Connectivity	
	iii	Land form, land use, Land ownership	
	iv	Topography (along with map)	
	v	Existing land use pattern (agriculture, non- agriculture, forest, water bodies shortest distances from the periphery of the project to periphery of the forest, national park, wild life sanctuary, eco-sensitive area, water bodies (distance from the HFL of the river). In case of notified industrial area, a copy of the Gazette notification should be given	
	vi	Social Infrastructure available	
7		Planning Brief	
	i	Planning concept (type of industries, facilities, transportation etc) Town & Country planning/ Development Authority Classification.	
	ii	Population projection	
	iii	Land use planning (breakup along with green belt etc)	
	iv	Assessment of Infrastructure Demand (Physical & Social)	
	v	Amenities/ Facilities (existing & proposed)	
	vi	Proposed use	
	vii	FSI proposed to be consumed	
	viii	Whether lift, lobby, staircase etc. are claimed free of FSI & if so whether they are permissible (if so mention the provision of DCR)	
8		Proposed Infrastructure	
	i	Industrial area (Processing Area)	
	ii	Residential Area (Non processing Area)	
	iii	Green Belt/ Afforestation details	
	iv	Social Infrastructure	
	v	Connectivity (Traffic &Transportation Road/ Rail/ Metro/Water ways etc)	
	vi	Drinking Water Management (Source & supply of Water)	
	vii	Sewerage System.	
	viii	Industrial Waste Management	

		Particulars	Page No.
	ix	Solid Waste Management	
	x	Power requirement & Supply/ Source	
9		Rehabilitation & Resettlement (R& R) Plan	
	i	Policy to be adopted (central/ state) in respect of the project affected persons including home oustees, land oustees & landless laborers (a brief outline to be given)	
	ii	Proposed detailed action plan for mangroves replantation (if any)	
10		Project Schedule & Cost Estimates	
	i	Likely date of start of construction & likely date of completion (Time schedule for the project to be given)	
	ii	Estimated project cost along with analysis in terms of economic viability of the project	
	iii	Share holding of the developer	
	iv	Share holding of the state government	
11		Analysis of proposal (Final Recommendations)	
	i	Environmental cost benefit analysis including financial & social benefits with special emphasis on the benefit to the local people including tribal population, if any, in the area	
12	i	Rapid EIA report including marine & terrestrial component except for construction projects listed under 4 (c), 4(d) of CRZ Notification, 2011. (Not applicable for building proposal)	
	ii	Comprehensive EIA with cumulative studies for projects in the stretches classified as low & medium eroding by MoEF based on scientific studies & in consultation with the State Governments and Union Territory Administration (as per provision of 4.2 (c) of CRZ Notification, 2011) (Not applicable for building proposal)	
	iii	Disaster Management Report , Risk Assessment Report & Management Plan (As per provision of 4.2 (d) of CRZ Notification, 2011)	
	iv	Photographs & Google images of the site indicating existing status & location of the site	
	v	CRZ map indicating HTL and LTL and CRZ classification by one of the authorized agencies by MoEF in 1:4000 scales and project layout superimposed on the above map of CZMP (As per provision 4.2 (e) and (f) of CRZ Notification, 2011)	
	vi	The CRZ map normally covering 7 km radius around the project (for ports, harbours, jetties, infrastructure projects) (as per provision 4.2 (g) of CRZ Notification, 2011)	
	vii	NOC from MPCB for projects involving significant discharge of effluents, solid wastes, sewage and the like (As per provision 4.2 (i) of CRZ Notification, 2011)	
13		Attached following No Objection Certificates (if applicable)	
	i	Heritage Conservation	
	ii	State Ground Water Board	

			Particulars	Page No.
	iii		Maharashtra Pollution Control Board	
	iv		High Court	
	v		Maritime board	
	vi		Port Trust	
	vii		Civil Aviation	
	viii		High Rise Committee	
			Applicable for SRA/ Cessed/ Dilapidated/ Unsafe Building	
14			Undertaking of the Project proponent for the development through Slum Rehabilitation Scheme along with the state Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard (as per the provision of 8 (V) (2) (iii) of CRZ Notification, 2011)	
15			Undertaking of the Project proponent to agree to be covered under the Right to Information Act 2005 (as per the provision 8 (V) (c) (d) (v) of CRZ Notification, 2011)	
16			Public consultation Report (As per provision 8 (v) (4) of CRZ Notification, 2011)	
17			Stake of the State Govt. or its parastatal entities (which should not be less than 51%) in the project (As per provision 8(V)(1)(ii)(b)(2)(i) of CRZ Notification, 2011)	
18			Any other information relevant to the proposal	

Declaration

I hereby declare that the information mentioned above is true to the best of my knowledge. I fully understand that any information furnished above, if proved incorrect or false will render me liable for any penal action or other consequences as may be prescribed in law or otherwise warranted. Further I hereby state that I will also submit half yearly compliance report in soft & hard format, on 1st June & 31st December of each calendar year to the CZMA as per the rule 4.2 (v) of the CRZ Notification, 2011 issued under the Environment Protection Act, 1986. I will pay the requisite fees to MCZMA for processing the application placed before it.

Signature of Applicant

Date:

Place:

PART-B

(To be filled by Planning Authority for onward submission to MCZMA)

Note:

- (1) Proposals other than Koliwada, Cessed, SRA, Dilapidated & unsafe Building in Mumbai area should be processed as per DCR 1967. For other areas proposals should be processed as per DCR existing & in force as on 19.2.1991.
- (2) CZMP of Maharashtra and Mumbai approved by Govt. of India (MoEF) will be valid for two years till the new CZMP is prepared and approved as per CRZ Notification, 2011. The planning authorities should process application on the basis of approved CZMP of the area. For rural areas CZMP prepared by Space Application Centre (SAC), Ahmedabad (in the scale of 1:25000) and approved by MoEF shall be used. Coastal land use maps prepared by MRSAC, Nagpur, prepared on the basis of CZMP of SAC, Ahmedabad shall be submitted with the application along with approved map for reference. This procedure will be applicable till the time new CZMP as per CRZ Notification, 2011 is approved by MoEF.

			Particulars	Page No.
1	a		Whether the project site falls in CRZ-I, II, III & IV	
	b		CRZ map indicating HTL & LTL demarcated by one of the authorized agency in 1:4000 scale (as per para (2) of CRZ Notification, 2011)/ on the approved CZMP of the area showing the site under consideration	
	c		Project layout superimposed on the above map indicated at (b) above	
	d		CRZ map covering 7 km radius around the project site & indicating CRZ-I, II, III & IV areas including other notified ecologically sensitive areas	
	e		If Project Site falls in CRZ-I A/ CRZ-I B, then submit the following	
		i	Distance of the project site from mangroves/ HTL	
		ii	Density of mangroves & extent of 50 meter buffer zone from project site	
	f		If Project Site falls in CRZ-II	
		i	Whether project site is on seaward side of the existing road as on 19.2.1991	
		ii	Whether project site is on landward side of the existing road constructed prior to 19.2.1991	
		A	If yes, certificate from Competent Authority indicating approval of road on development plan & date of construction	
		B	width of road	

			Particulars	Page No.
		lii	Whether project site is on seaward/ landward side of the Hazard line	
	g		If Project Site falls in CRZ III, distance of project site from HTL & mangroves, if any	
2			Zoning, Land use & Development Plan remarks from the Competent Authority indicating the following details: (As per the provision 8(i)(I), (II) & (III) of CRZ Notification, 2011)	
		i	Identification of the project & project proponent, landownership indicating CTS No./ Survey Nos. etc.	
		ii	Brief description of nature of the project with details including, Layout Plan, Building Floor Plan etc.	
		iii	Information of the project site with respect to the CTS No., Survey No. total area etc.	
		iv	Copy of approved CTS plan from Land Records Department/City Survey Office	
		v	Status of land Freehold/ Leasehold	
		vi	Copy of Property Card/ 7/12 Extract	
		vii	Zoning remarks for the project site as per development plan existing & enforce as on 19.2.1991	
		viii	Zoning remarks for the project site as per current/ prevailing development plan as on today	
		ix	Permissible height as per DCR enforce as on 19.2.1991	
		x	Permissible height as per current prevailing DCR	
		xi	FSI calculations as permissible in DCR existing on 19.2.1991 indicating eligible FSI in the proposed project	
		a	Proposed use	
		b	FSI proposed to be consumed	
		c	Whether lift, lobby, staircase etc. are claimed free of FSI & if so whether they are permissible (if so mention the provision of DCR)	
		xii	Permissibility of proposed use as per development plan & DCR as on 19.2.1991	
		xiii	Development plan of the area indicating site under reference, zoning, reservation etc.	
		xiv	Land use change, if any, in the project	
		xv	Designated reservations, if any, as per development plan/ Regional plan as on 19.2.1991 and as per current prevailing development plan of the area	
		xvi	Specific powers of Authority enabling relaxation in height, use & another provisions of DC Regulations	
3			Proposed project Detail including Layout Plan, Building Floor Plan etc. (As per provision 8(II) & (III) of CRZ Notification, 2011)	
4			Details of Existing structure/ Infrastructure on site from Competent Authority indicating following details (As per provision 8(II) & (III) of CRZ Notification, 2011)	
	I		Occupation certificate	

			Particulars	Page No.
	ii		Commencement certificate	
	iii		Authorized plinth map from land records/ city survey office	
	iv		FSI consumed & approved building plan of the existing structure from Planning Authority	
	v		Remarks indicating existing use of the structure	
	vi		Details of court cases/legal matters if any with respect to proposed matter	
	vii		Details of complaints, if any	
5			Additional information for reconstruction of Houses in Koliwada (As per provision 8(V)(4)(g) of CRZ Notification, 2011)	
	a		Details of notified fishing settlement areas/ Koliwad as per development plan existing as on 19.2.1991 from competent Authority	
	b		Certificate from competent Authority indicating, traditional Fishermen communities/ other local coastal communities as per the Govt. records if proposal belongs to Koliwada	
6			SRA/ CESS/ Dilapidated/ Unsafe Building (As per provision 8(V) of CRZ Notification, 2011)	
	a		Slum area declaration Notification along with list of eligible tenants	
	b		Public consultation Report	
	c		CESS/Dilapidated/dangerous/Unsafe building certificate from Competent Authority.	
	d		Stake of the State Govt. or its parastatal entities (which should not be less than 51%) in the SRA scheme projects (As per provision 8(V)(1)(ii)(b)(2)(i) of CRZ Notification, 2011)	
7			Detailed remarks of the Planning Authority on the proposed project	

Signature

Chief Engineer (DP), MCGM /
Municipal Commissioner/ Chief Engineer,
Coastal Municipal Corporation /
Chief Officer, Coastal Municipal Council/
Chief Town Planner, CIDCO / MMRDACE /
Chief Engineer, MHADA / SRA / SPPL etc. /
District Collector (Assistant Director Town
Planning) as applicable for the area

Date:

Place: