

**MINUTES OF THE 104<sup>th</sup> MEETING OF MAHARASHTRA COASTAL ZONE  
MANAGEMENT AUTHORITY (MCZMA) HELD ON 1<sup>st</sup> SEP, 2015**

The 104<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Additional Chief Secretary (Environment), GoM on 1<sup>st</sup> September, 2015 at 11.00 am at Sachivalay Gymkhana, Mumbai.

**Item No.1:** Discussion on work of preparation of Coastal Zone Management Plan (CZMP) as per CRZ Notification, 2011 by IRS, Chennai

The Director, IRS and professors of IRS, Chennai presented the progress of preparation of draft CZMP of the Raigad and Ratnagiri Districts. The draft CZMPs of the said area in 1:4000 scale is prepared and transferring these maps on 1:25000 scale is under progress.

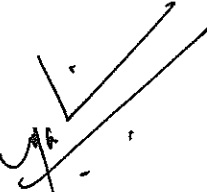
The Director, IRS informed that the revalidation of the HTL is being done in the Coastal states of the country by the National Centre for Sustainable Coastal Management, Chennai on the instance of MoEFCC, New Delhi. And the draft CZMPs in 1:25000 scale along with report can be sent after reconciliation of HTL demarcated by IRS, Chennai as per CRZ Notification, 2011 and the revalidated HTL by the NCSCM.

The MCGM representative informed that demarcation of Koliwad as in the Mumbai City is yet to be done and hence, such Koliwad as could not be superimposed on the draft CZMPs on Mumbai, prepared by IRS, Chennai. The MCGM officials further informed that superimposition of the Koliwad as on draft CZMPs would take considerable time. Hence, without the said superimposition, the draft CZMPs of Mumbai city prepared by IRS, Chennai could be subjected to public consultation.

The Authority after detailed discussion and deliberation decided the followings:

1. The Authority will request the NCSCM, Chennai to reconcile the HTL with the HTL demarcated by the NCESS, Kerala and IRS, Chennai. After that, IRS, Chennai and NCESS, Kerala can submit the draft CZMPs in 1:25000 scale of their respective areas with reconciled HTL.
2. In case of MCGM area, the IRS, Chennai can send the draft CZMPs after reconciliation of HTL, even if Koliwad as are not superimposed on it. Thereafter, the MCGM shall decide the matter of sending the draft CZMPs of Mumbai city prepared as per CRZ Notification, 2011 to Environment Department for public consultation as per EIA Notification, 2006, in absence of superimposition of Koliwad as on the draft CZMPs.

**Item No.2:** Release of payment to IRS and CESS for work of CZMP preparation as per CRZ Notification, 2011

  
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The preparation of Coastal Zone Management Plans (CZMPs) in 1:4000 scale and 1:25000 scale is in progress by the MoEF authorized agencies in accordance with the provisions of CRZ Notification, 2011. State Environment Dept has entered into memorandum of understanding with IRS, Chennai and CESS, Kerala. The Authority further noted that total cost of the project will be determined upon completion of the work as per cost criteria decided by authority i.e. Rs. 50,000 per km length of HTL as per decision taken in the meeting dated 26.7.2011 and as mentioned in MoUs. The Authority noted that the amount of Rs 340 Lakhs is available for distribution to appointed MoEF authorized agencies.

The Authority after discussion decided to release the 50 percent amount of 340 Lakhs each to IRS, Chennai and NCESS, Kerala

**Item No.3:** Discussion on issues / difficulties regarding implementation of CRZ Notification, 2011 in MBMC area by Mira Bhaindar Municipal Corporation

The Mira Bhaindar Municipal Corporation officials presented the draft CZMPs of MBMC are prepared by National Centre for Earth Science & Studies, Kerala. Public consultation has been conducted on the said draft CZMPs. There are certain reservations in the Development Plan of MBMC which are falling in CRZ area. As a result, the MBMC is facing difficulties in development of such reservations in CRZ areas. MBMC officials pointed out five (5) nos. Of such reservations. The Authority instructed MBMC to provide details of such 5 reservations along with their locations, so that joint inspection can be carried out by the MCZMA. The Joint inspection can be carried out with representatives of NCESS, Kerala, MBMC (2 Members), MPCB and MS, MCZMA.

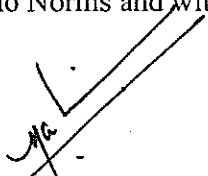
**Item No.4:** Proposed reconstruction of building and new construction of commercial & residential restaurant & lodging building on plot bearing S.No.50A, Hissa No. 75 & S. No. 26, Hissa No. 8, Mouje Kille, Tal. & Dist.Ratnagiri by Shri. Umesh S. Shetye

The Authority noted that the Ratnagiri Municipal Council (RMC) vide letter dated 28.1.2015 forwarded the proposal of reconstruction of building and new construction of commercial & residential restaurant & lodging on plot bearing S. No. 50A, Hissa No. 75 & S. No. 26, Hissa No. 8, Mouje Kille, Tal. & Dist. Ratnagiri.

The project proponent presented that there is existing structure on land u/r which is of residential use. Now, PP is proposing to develop residential + Khanalval use on plot u/r. The Authority observed that this is proposal of reconstruction of existing structure in CRZ II area.

The Authority noted that the permissibility of the proposal which is as follows:

- As per para 8.II. CRZ II (iii) of CRZ Notification, 2011  
(iii) 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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In the light of above, the Authority after deliberation decided to direct Ratnagiri Municipal Council to provide the details about the present use of the structure as per their record along with current dated photographs of the site u/r.

**Item No.5:** Proposed Fish Processing Factory Building on land bearing CTS No.829, S.No. 54A1A/11/12/13KK, H.No. 54A1A/9/A at Mouje Rahatghar, Tal. & Dist. Ratnagiri by Shri. Rafiq M. Naik

The Authority noted that the Ratnagiri Municipal Council (RMC) has forwarded proposal vide letter dated 29.1.2015 received on 2.2.2015 for proposed fish processing factory building on plot bearing CTS No.829, S.No. 54A1A/11/12/13KK, H.No. 54A1A/9/A at Mouje Rahatghar, Tal. & Dist. Ratnagiri.

The PP was absent for the meeting. The official of RMC was present who requested the Authority to defer the proposal. Hence, the Authority decided to defer the proposal.

**Item No.6:** Proposed construction on land bearing S.No.89, H.No.5B, C.T.S. No. 2026/4 at Mouje Rahatghar, Tal. & Dist. Ratnagiri by Mrs. Varsha S. Devlekar

The Authority noted that the Ratnagiri Municipal Council (RMC) vide letter dated 28.1.2015 (received on 2.2.2015) forwarded proposal for proposed new building on plot bearing S.No.89, H.No.5B, C.T.S. No. 2026/4 at Mouje Rahatghar, Tal. & Dist. Ratnagiri.

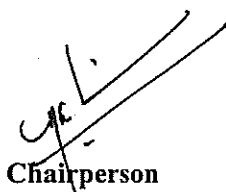
The project proponent presented the followings:

1. The proposal is for new construction of residential bungalow on plot bearing S.No.89, H.No.5B, C.T.S. No. 2026/4 at Mouje Rahatghar, Tal. & Dist. Ratnagiri. The proposed residential building comprises of ground floor + 1<sup>st</sup> upper floor, as per plans submitted by PP.
2. The remarks dated 5.2.2015 of RMC, the plot under reference is falls in CRZ II area and landward side of the existing road, as per approved CZMP.
3. As per Development Plan of RMC area, the plot u/r is falls in residential zone.
4. FSI details, as per the plans submitted by PP, Total area of plot is 110.00sqm, Permissible BUA- 132.00sqm and Total proposed BUA- 90.88sqm

The PP was present for the meeting who stated that the plot is vacant and new development is proposed on it.

The Authority noted the permissibility of the proposal as per CRZ Notification, 2011:

- MoEF issued a amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:  
In the said notification, in paragraph 8, in sub-paragraph (i),-  
(a) The Note and the entries relating thereto shall be omitted;  
(b) In clause II relating to CRZ-II, for sub-clause (ii), the following sub- clause shall be substituted, namely:-

  
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“(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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 Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concern planning Authority subject to 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. 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 authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level : 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 :
4. The Ratnagiri Municipal Council should ensure that FSI, plan involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. Debris generated during construction activity should not be dumped into CRZ area and it should be disposed scientifically at a notified place.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.7:** Proposed reconstruction of building on plot bearing S.No.42, H.No.4A,4B,4K,4D, CTS No. 850A, 850B, 850/1, Maouje Rahatghar, Tal.& Dist.Ratnagiri by Shri. DashrathVitthal Nagvekar

The Authority noted that the Ratnagiri Municipal Council (RMC) vide letter dated 28.1.2015 forwarded proposal for proposed reconstruction of building on plot bearing S.No.42, H.No.4A,4B,4K,4D, CTS No. 850A, 850B, 850/1, Maouje Rahatghar, Tal. & Dist. Ratnagiri.

The Authority noted the proposal details as follows:

1. The proposal is for reconstruction of existing building on plot bearing S.No.42, H.No.4A,4B,4K,4D, CTS No. 850A, 850B, 850/1, Maouje Rahatghar, Tal. & Dist. Ratnagiri.
2. The proposed residential building is by demolishing existing structure comprises of ground floor for residential use, as per plans submitted by PP

  
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3. The plot under reference is falls in CRZ II area and landward side of the existing road, as per approved CZMP. As per Development Plan of RMC area, the plot u/r is in residential zone.
4. FSI details, as per the plans submitted by PP:
  - Total area of plot = 1950.00sqm
  - Permissible FSI = 1.00
  - Deduction area = 338.00sqm
  - Gross area of plot – 1612.00sqm
  - Net plot area = 1450.80sqm
  - Permissible plot area = 1450.80
  - Total Proposed BUA = 126.50sqm
  - FSI propose to be consumed – 0.10

The PP presented that the there exists old house construced in the year around 1925-1930. Now, the reconstruction of the existing house for residential purpose is proposed.

The Authority noted that as per para 8.II. CRZ II of CRZ Notification, 2011

(iii)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;

The Authority after discussion decided to recommend the proposal to concerned planning Authority from CRZ point of view under CRZ Notification, 2011 subject to compliance of following conditions:

1. The proposed reconstruction 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 with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
3. The Ratnagiri Municipal Council should ensure that the FSI, plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991
4. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.8:** Proposed residential with shophline buildings Group Housing Scheme on S.No. 1, 2, 3, 4, etc. at village Rajawali, Tal. Vasai, Dist. Palghar by M/s. Sai Rydam Realtors Pvt. Ltd.

The Authority noted that the Vasai Virar Municipal Corporation vide letter dated 31.1.2015 forwarded the proposal of residential with shophline buildings Group Housing Scheme on S.No. 1, 2, 3, 4, etc. at village Rajawali, Tal. Vasai, Dist. Palghar. M/s Sai Rydam Realtors Pvt Ltd vide letter dated 31.8.2015 submitted the application.

The PP presented the proposal which is as follows:

- The PP has not proposed any development in the CRZ area. CRZ area will be kept virgin and will be used for landscape and Recreational ground. There are also reservations in the

  
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plot in the form of 'Play Ground' and 'Ground which is to be handed over to the Corporation.

- The detailed layout showing the landscape plan, RG, G and PG reservations on the plot affected by CRZ and Non CRZ area and the same is depicted on the CRZ map prepared by IRS, Chennai. The RG proposed in CRZ-area is 2,25,039.70 Sqm whereas the 'G' reservation measuring 16,758.39 Sqm & 'PG' reservation measuring 14,072.87 Sqm within CRZ buffer area as per sanctioned DP of VVSR. All the development is proposed on non CRZ part of the plot and using the FSI of CRZ plot on its as applicable norm.

The Authority after deliberation directed PP to submit the report about the probable Environment Impact in CRZ area due to activities that will be carried out in Non CRZ area and its mitigation measures. The Authority further directed PP to submit the proposal of plantation in CRZ area.

**Item No.9:** CRZ Status of project site bearing C.S. No.1635 of Fort Division, J. Tata Road, Mumbai by M/s. Airlines Hotels Pvt. Ltd.

The Authority noted that the M/s. Airlines Hotels Pvt. Ltd. has submitted application vide letter dated 30.1.2015 for reconstruction of existing building at project site bearing C.S. No.1635 of Fort Division, J.Tata Road, Mumbai.

M/s. Airlines Hotels Pvt. Ltd submitted the CRZ map (1:4000 scale) and report dated 16.12.2014 and corrigendum dated 19.2.2015 of IRS, Chennai for project site. The said corrigendum dated 19.2.2015 of IRS, Chennai is as follows:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- 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 C.S. No. 1635, Fort Division, Churchgate, Mumbai does not fall within the 100m buffer from HTL for Back Bay.
- It is also stated that the above said site does not fall within the 100m as per approved CZMP 1991.
- The site also does not fall within the 500m buffer from HTL for Arabian Sea.

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Dehradun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Back Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.
3. The PP submitted the CRZ map (1:4000 scale) and report dated 16.12.2014 and corrigendum dated 19.2.2015 of IRS, Chennai for project site. The said corrigendum dated 19.2.2015 of IRS, Chennai is as follows:

  
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- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- 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 C.S. No. 1635, Fort Division, Churchgate, Mumbai does not fall within the 100m buffer from HTL for Back Bay.
- It is also stated that the above said site does not fall within the 100m as per approved CZMP 1991.
- The site also does not fall within the 500m buffer from HTL for Arabian Sea

The PP presented that the old building is heritage building and it is constructed prior to 1947.

The Authority, taking into consideration CRZ map & report dated 16.12.2014 & 19.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Back Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing C.S. No. 1635, Fort Division, Churchgate, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Back Bay. Further, the project site u/r is situated beyond 500 m CRZ buffer area from approved HTL of Arabian Sea. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.10:** Redevelopment of residential building on property bearing Plot No.7/15, Estate Scheme No.58, C.S.No. 15/866 of Worli Division situated at Khan AbdulGafarkhan Road, Worli Sea face in G/South Ward, Mumbai by M/s. Sea Green Co-operative Housing Society Ltd.

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 2.2.2015 forwarded the proposal to MCZMA. The Authority decided to keep the proposal pending, in the light of Hon'ble Supreme court order dated 21.11.2014 in SLP No 30684/2014 filed by MCZMA.

**Item No.11:** CRZ status of project site bearing F.P. No.1241 of TPS IV Mahim Dn. Daruwala Compound, Old Prabhadevi Road, Prabhadevi, Dadar (West) Mumbai by M/s. Oceanfront Infra. Pvt. Ltd.

The Authority noted that the M/s. Oceanfront Infra Pvt. Ltd. vide letter dated 4.2.2015 submitted application for CRZ status of project site bearing F.P. No.1241 of TPS IV Mahim Dn. Daruwala Compound, Old Prabhadevi Road, Prabhadevi, Dadar (West) Mumbai.

M/s. Oceanfront Infra Pvt. Ltd. has submitted the CRZ map in 1:4000 scale and report dated 2.2.2015 of IRS, Chennai. The IRS, Chennai report dated 2.2.2015 mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.

  
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- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.
3. The PP submitted the CRZ map (1:4000 scale) and report dated 2.2.2015 of IRS, Chennai. The IRS, Chennai report dated 2.2.2015 mentions that:
  - The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
  - The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The PP stated that the existing building is a Cess building on plot u/r.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing F.P. No.1241 of TPS IV Mahim Dn, Prabhadevi, Dadar (West) Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.12:** CRZ status of project site bearing Plot No. 112, Shivaji Park Scheme, C.S.No. 1822, Mahim Division. M.B.Raut Road, Dadar, Mumbai-28 for Building known as "Anand" by M/s. Ajit Barve & Associates Architects

The Authority noted that the M/s. Ajit Barve & Associates Architects vide letter dated 3.2.2015 submitted application for CRZ status of project site bearing Plot No. 112, Shivaji Park Scheme, C.S.No. 1822, Mahim Division. M.B.Raut Road, Dadar, Mumbai-28 for Building known as 'Anand'

  
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M/s. AjitBarve & Associates Architects submitted the CRZ map (1:4000 scale) and report dated 2.2.2015 of IRS, Chennai for project site bearing C.S.No. 1822, Mahim Division. M.B.Raut Road, Dadar, Mumbai. The IRS, Chennai report dated 2.2.2015 mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.
3. The PP submitted the CRZ map (1:4000 scale) and report dated 2.2.2015 of IRS, Chennai for project site bearing C.S.No. 1822, Mahim Division. M.B.Raut Road, Dadar, Mumbai. The IRS, Chennai report dated 2.2.2015 mentions that:
  - The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
  - The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer)

The PP was present for the meeting who informed that there is earlier CRZ recommendation of MCZMA for the project.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing C.S.No. 1822, Mahim Division. M.B.Raut Road, Dadar, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.13:** Proposed redevelopment & reconstruction of workshop building & academic block on C.S. No. 5A/47 of Lower Parel Division on Keshavrao Khade Marg,

  
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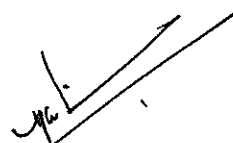
Haji Ali, Mumbai for All India Institute of Physical Medicine & Rehabilitation by  
M/s. Ark Designs Pvt Limited.

The Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 3.2.2015 (received on 5.2.2015) forwarded the proposal to MCZMA.

The Authority noted the project details as follows:

1. The proposal is for redevelopment & reconstruction of workshop building & academic block on C.S. No. 5A/47 of Lower Parel Division on KeshavraoKhadeMarg, Haji Ali, Mumbai for All India Institute of Physical Medicine & Rehabilitation.
2. The proposed building comprising of two tier basement parking and store + workshop at ground + research and day care centre as 1<sup>st</sup> & 2<sup>nd</sup> floor + 3<sup>rd</sup> + 4<sup>th</sup> floor for training rooms + 5<sup>th</sup> to 7<sup>th</sup> upper floors for residence of students, faculty and staff.
3. As per remarks of MCGM note dated 3.2.2014, the plot under reference is situated in Residential Zone and designated for the public purpose of existing Children Orthopedic Hospital as per old DP (1967).
4. As per approved CZMP of Mumbai the land under reference falls in CRZ II and landward side of existing road.
5. As per MCGM letter dated 3.2.2014, there is existing building comprises of Ground + 1<sup>st</sup> (pt) + 2<sup>nd</sup> to 3<sup>rd</sup> floor. The same is proposed to be demolished and relocate to the other part of the adjoining plot.
6. FSI Details:
  - The redevelopment proposal is under consideration with Regn 33(2) of DCR 1991 i.e. 3.99 FSI. The concession with respect to provision in modified DCR – 1991 involved in proposal are already approved for 3.99 FSI by competent authority i.e. Municipal Commissioner, MCGM under regulation 64(b) of DCR -1991. The approval of UDD in Govt. of Maharashtra for additional FSI over and above zonal FSI of 1.33 is yet to be obtained.
  - Architect has submitted plans for the proposed building comprising of two level basement + ground floor + 7 upper floors with building height of 30.00 m. The plans for 3.99 FSI are approved by authority, subject to condition that the proposal shall be restricted to FSI 1.33 with height of bldg as 18.30m till the clearance of UDD is obtained for additional FSI.
  - As per plans submitted by PP,
    - Area of plot – 2186.93sqm
    - RG 15% - 328.04 sqm
    - Internal Road – 374.83 sqm
    - Net Area of Plot – 1858.89 sqm
    - Permissible FSI– 3.99
    - Permissible Floor Area – 7416.98sqm
    - Proposed BUA – 6974.45sqm

The PP stated that the old building is constructed in the year around 1955. Now, the reconstruction of the same is proposed.

  
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The Authority noted the para 4(ii)(i) of CRZ Notification, 2011, as per which, demolition and reconstruction of building under public use for the purpose of medical care requires prior approval of MoEF, New Delhi.

The Authority after detailed discussion and deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to MoEFCC, New Delhi subject to 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 MCGM should ensure that the proposal is in accordance with town and country planning regulations as existing as on 19.2.1991.
3. The MCGM should ensure that there should not be change in present use for reconstruction of existing structure.
4. Debris generated during the construction phase should not be disposed in CRZ area.
5. All other mandatory permissions from different statutory authorities should be obtained prior to the commencement of work.


**Item No.14:** CRZ status of plot bearing F.P.No. 524, 525 & 526, TPS-III of Mahim Division situated at the junction of M.M.Chotani Marg & existing Road, G/N Ward, Mumbai by M/s. Unique Constructions

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 4.2.2015 (received on 5.2.2015) forwarded the proposal of redevelopment of property bearing F.P.No. 524, 525 & 526, TPS-III of Mahim Division situated at the junction of M.M.ChotaniMarg& existing Road, G/N Ward, Mumbai. Further, M/s. Unique Constructions has submitted application vide letter dated 8.7.2015 (received on 9.7.2015) for CRZ status of plot bearing F.P.No. 524, 525 & 526, TPS-III of Mahim Division situated at the junction of M.M.ChotaniMarg& existing Road, G/N Ward, Mumbai.

M/s. Unique Constructions submitted the CRZ map (1:4000 scale) and report dated 2.7.2015 of IRS, Chennai. The IRS report dated 2.7.2015 mentions that:

- The HTL demarcated by IRS, Chennai corresponds to the HTL shown in approved CZMP 1991 subject to the generalization error caused by the variation in the scale of mapping.
- 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. 524, 525 & 526 of TPS-III, Mahim Division, Mumbai does not fall within the 100m buffer from HTL for Mahim Bay and the shortest distance from the HTL for Mahim Bay to the nearest corner of project site is 430m. It is also stated that the above said site does not fall within the 100m as per approved CZMP 1991.

The Authority noted as follows:

  
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1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.
3. The PP submitted the CRZ map in 1:4000 scale and report dated 2.7.2015 of IRS, Chennai. The IRS report dated 2.7.2015 mentions that:
  - o The HTL demarcated by IRS, Chennai corresponds to the HTL shown in approved CZMP 1991 subject to the generalization error caused by the variation in the scale of mapping.
  - o 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. 524, 525 & 526 of TPS-III, Mahim Division, Mumbai does not fall within the 100m buffer from HTL for Mahim Bay and the shortest distance from the HTL for Mahim Bay to the nearest corner of project site is 430m. It is also stated that the above said site does not fall within the 100m as per approved CZMP 1991.

The PP stated that there exists old building on site u/r and MHADA has issued NoC for the redevelopment of the same.

The Authority, taking into consideration CRZ map & report dated 2.7.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing F.P.No. 524, 525 & 526 of TPS-III, Mahim Division, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.15:** CRZ status of project site bearing F.P.No.1247 & 1248 of TPS IV Mahim Division, Old Prabhadevi Road, Dadar (West), Mumbai by M/s. Vijayraj Estates

The Authority noted that the M/s. Vijayraj Estates has vide letter dated 4.2.2015 submitted an application for CRZ status of project site bearing F.P.No.1247 & 1248 of TPS IV Mahim Division, Old Prabhadevi Road, Dadar (West), Mumbai.

M/s. Vijayraj Estates submitted the CRZ map in 1:4000 scale and report dated 2.2.2015 of IRS, Chennai. The IRS report dated 2.2.2015 mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.

  
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- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.
3. The PP submitted the CRZ map (1:4000 scale) and report dated 2.2.2015 of IRS, Chennai. The IRS report dated 2.2.2015 mentions that:
  - The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
  - The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The PP stated that there exists old chawl on site u/r.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing F.P.No.1247 & 1248 of TPS IV Mahim Division, Old Prabhadevi Road, Dadar (West), Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.16:** Proposed addition to the existing ground floor of the existing hospital building known as Shushrusha Hospital situated on plot bearing C.S.No. 312, F.P.No. 698-B of TPS-IV, Mahim, Ranade Road, Dadar (W), Mumbai by M/s. Shashank Mehendale & Associate.

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 4.2.2015 forwarded the proposal addition to the existing ground floor of the existing hospital building known as Shushrusha Hospital situated on plot bearing C.S.No. 312, F.P.No. 698-B of TPS-IV, Mahim, Ranade Road, Dadar (W), Mumbai to MCZMA.

  
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The project proponent presented that the site u/r is froting to Mahim Bay and it is situated beyond 100 m CRZ buffer area from the HTL of Mahim bay.

The PP submitted the CRZ map (1:4000 scale) & report dated 9.7.2015 of IRS, Chennai. The report of IRS, Chennai mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in the approved CZMP 1991 subject to the generalization error to variation in the scale of mapping
- CRZ shall be applied for the land/ site within the 100-m buffer zone from HTL for Bay/ creek as per para (ii) of CRZ Notification, 2011 of MoEF vide S.O. 6.1.2011. In this case, the project site containing C.S. No. 312, F.P. NO. 698-B, TPS IV of Mahim Division, G/N ward, Mumbai Maharashtra does not fall within the 100 m buffer from HTL for Mahim Bay. It is also stated that the above said site does not fall within the 100 m as per approved CZMP.

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart
3. The PP submitted CRZ map(1:4000 scale) & report dated 9.7.2015 of IRS, Chennai. The report o IRS, Chennai mentions that:
  - o The HTL demarcated by IRS corresponds to the HTL shown in the approved CZMP 1991 subject to the generalization error to variation in the scale of mapping
  - o CRZ shall be applied for the land/ site within the 100 m buffer zone from HTL for Bay/ creek as per para (ii) of CRZ Notification, 2011 of MoEF vide S.O. 6.1.2011. In this case, the project site containing C.S. No. 312, F.P. NO. 698-B, TPS IV of Mahim Division, G/N ward, Mumbai Maharashtra does not fall within the 100 m buffer from HTL for Mahim Bay. It is also stated that the above said site does not fall within the 100 m as per approved CZMP.

The PP was present for the meeting who stated that the hospital building on plot u/r is old and constructed prior to 19.2.1991.

The Authority, taking into consideration CRZ map & report dated 9.7.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing C.S.No. 312, F.P. No. 698-B, TPS IV of Mahim Dn, G.N Ward, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim

  
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Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.17:** Proposed redevelopment on C.S.No.167, Mazgaon Division, D'Lima Street, E Ward, Mumbai by M/s. Hoor Construction

The Authority noted The Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 4.2.2015 forwarded the proposal to MCZMA.

The Authority noted the project details which are as follows:

1. As per MCGM letter dated 4.2.2015, the proposal is for proposed redevelopment of cessed building and non cessed buildings as per DCR 33(7) on the plot ur.
2. Proposed building comprises of 2 wings i.e Wing 'A' and 'B'. Wing 'A' for Rehab comprises of common Basemnt + Ground + 1<sup>st</sup> to 13<sup>th</sup> + 14<sup>th</sup> (pt) upper floor with height 48.90m and Wing 'B', for Sale comprises of common Basemnt + Ground + 1<sup>st</sup> podium + structural floor + 2<sup>nd</sup> podium for amenity + 3<sup>rd</sup> to 17<sup>th</sup> upper floor with total height of 61.50m.
3. The MHADA vide letter dated 13.9.2012 has granted No Objection Certificate for redevelopment of property at C.S.No.167, Mazgaon Division, bearing cess No. E- 5072-73, E-5077(4) & E-5077 (3A), Building No. 29, 15-27 & CHawl No. 9, situated at Dilima Street, Mazgaon, Mumbai known as "Haji Kasan Building" with FSI 2.5 or FSI required for rehabilitation of existing occupiers plus 50% incentive, whichever is higher in accordance with the erlier DC Regn. 33(7) and Appndiz- III to this Regulation 33(7) as captioned proeprty is affected by CRZ.
4. The Municipal Commissioner, MCGM has approved various concessions for the proposed building on 7.4.2014. MCGM has issued IOD vide letter dated 17.9.2014 for the project.
5. As per remarks of MCGM dated 4.2.2015, the plot under reference is situated in Residential Zone (R) as per old DP as well as revised sanctioned DP (1993).
6. As per approved CZMP of Mumbai the land under reference falls in CRZ II and situated on landward side of existing road.
7. As per MCGM letter dated 4.2.2015, the land under reference falls within 500m from HTL and is in CRZ II and situated on landward side of existing East Island Freeway / BPT road.
8. Existing structure Details:
  - As per MCGM letter dated 4.2.2015, in this case there were 3 existing cess buildings along with 1 non cess structure on site.
  - As per plan certified by MHADA, out of 3 buildings, 1 building comprises of ground floor structure having A + A1 + C category, another building comprises of ground floor structure having A category & 3<sup>rd</sup> building comprises of Gr. + 1 structure having A+ A1 category. Non cess structure is not existing on site. L.S. has stated that the same was destroyed in the fire, few years ago.
  - MCGM vide letter dated 2.12.2011 mentioned that, the property bearing Ward No. E-5077(3A), A/c No. 12-0027-00-4, Street No 21AA, Carpenter Road, is Cessed under category A (for the year 2009 – 2010).

  
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- MCGM vide letter dated 2.12.2011 mentioned that, the property bearing Ward No. E-5077(4), A/c No. 12-0028-00-1, Street No 15-17, Carpenter Road, is Cessed under category A + A1 (for the year 2009 – 2010).

**9. FSI Details:**

- As per MCGM letter dated 4.2.2015, the FSI is worked out based on 2.5 on land component of reminder plot area after deducting land component of non cessed buildings and 1.33 is proposed on land component of non cessed building.
- Details of FSI / Free of FSI area as permissible as per DCRs as on 6.1.2011.

Total Construction Area	Proposed BUA for FSI Purpose	BUA claimed free of FSI
12679.00sqm	4790.61sqm	7888.38 sqm

- As per plan submitted by PP:
  - Area of plot – 2065.82sqm
  - Land component for cess area – 1746.27 sqm
  - Land component for non cess area – 319.55 sqm
  - Permissible FSI for cess component – 2.50
  - Permissible FSI for non cess component – 1.33
  - Total Permissible Floor Area – 4790.68sqm
  - Proposed BUA – 4790.61sqm

10. Public hearing was conducted on 10.4.2012 by MPCB as per CRZ Notification, 2011 and as per procedure laid down under EIA Notification, 2006.

The Authority noted the para 8.V.1. (c) of CRZ Notification, 2011

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority CRZ notification, 2011 subject to 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. All the conditions of para 8.v. 1. (c) of CRZ Notification, 2011 should be complied with for redevelopment of cess building.
3. The MCGM should ensure that FSI, plans, height involved in the proposal is as per town and country planning regulations existing as on 6.1.2011, for redevelopment of cess building.
4. The MCGM should ensure that FSI, non FSI and concessions, if any, are strictly as per the provisions of DCR existing as on 6.1.2011, for redevelopment of cess building.
5. The MCGM should ensure that FSI, non FSI and concessions, if any, are strictly as per the provisions of DCR existing as on 19.2.1991, for redevelopment of Non Cess structure.
6. The MCGM should ensure that FSI, plans, height involved in the proposal is as per town and country planning regulations existing as on 19.2.1991, for redevelopment of Non cess structure
7. The MCGM should ensure that there should not be change in present use for the reconstruction of Non Cess structure.

  
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8. Debris generated during the construction should not be disposed in the CRZ area.
9. Project proponent should implement green initiatives such as rainwater harvesting system for ground water recharge, solar panel for generation of renewable energy for captive consumption.
10. All other mandatory permissions from different statutory authorities should be obtained prior to the commencement of work.

**Item No.18:** CRZ Status of plot bearing CTS No. 611 at Juhu, K/W Ward, Mumbai by M/s. Nem Virchand Soni & Others

The Authority noted that the M/s. NemVirchand Soni & Others vide letter dated 4.2.2015 (received on 7.2.2015 ) submitted application for CRZ Status of plot bearing CTS No. 611 at Juhu, K/W Ward, Mumbai. As per DP remarks of MCGM dated 14.11.2014, the plot under reference falls in CRZ-II. M/s. NemVirchand Soni & Others submitted the CRZ map (1:4000 scale) and report dated 16.10.2014 of IRS, Chennai for plot bearing CTS No. 611 at Juhu, K/W Ward, Mumbai. The report dated 16.10.2014 of IRS, Chennai mentions that:

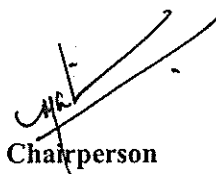
- o The part of the project site falls inside the CRZ area as per 1991 approved CZMP, but outside 500m buffer from CRZ based on 2011 data.
- o The HTL demarcated by IRS based on 2011 data and the HTL shown in the approved CZMP 1991 are different because of the construction near coastline.
- o The distance of the project site to the nearest HTL point corresponding to 1991 CZMP is about 458 m and from HTL of 2011 data is 502m
- o The road on the seaward side of the project site that is shown in the map existed in 1991.
- o There no mangroves present in the vicinity.

The Authority noted that the CRZ map (1:4000 scale) dated 16.10.2014 prepared by IRS, Chennai indicates the new draft HTL as per CRZ Notification, 2011 which is not yet approved by MoEFCC, New Delhi.

The Authority after deliberation decided to direct PP to submit the superimposition of old approved HTL & its CRZ area as per CRZ Notification, 2011 on CRZ map(1:4000 scale) through IRS, Chennai. The IRS, Chennai report should mention the conclusion with respect to old approved HTL and its CRZ area.

**Item No.19:** CRZ status of -

- a) Plot bearing CTS No. 612A, 612, 613A, 614 & 615 of village Eksar, R/N Ward, Mumbai by M/s. V.M.Associates
- b) Plot bearing CTS No. 553 (pt), 554(pt), 556, 557 (pt), 558(pt), 560 (pt), 565, 566 (pt), etc. of village Eksar, R/N Ward, Mumbai by M/s.Shubjeevan Builders Pvt.Ltd.
- c) Plot bearing CTS No. 659 and 946A/2 of village Eksar, R/N Ward, Mumbai by Shri. RushiChintamani Mali

  
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The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 6.2.2015 (received on 7.2.2015) forwarded representation from owners / developers namely M/s. V.M.Associates, M/s.Shubjeevan Builders Pvt.Ltd. &Shri. Rushi Chintamani Mali respectively. The MCGM vide letter dated 6.2.2015 mentioned that, as per DP remarks the plot under reference falls within CRZ-II. The PP submitted the CRZ map(1:4000 scale) prepared by the IRS, Chennai.

Sr. No.	Location	CRZ Status	Project Proponent
1	Plot bearing CTS No. 612A, 612, 613A, 614 & 615 of village Eksar, R/N Ward, Mumbai	CRZ map in 1:4000 scale prepared by IRS Chennai as per CRZ Notification, 2011, indicates that, the plot under reference falls beyond 100m from HTL of creek.	M/s. V. M. Associates
2	Plot bearing CTS No. 553 (pt), 554(pt), 556, 557 (pt), 558(pt), 560 (pt), 565, 566 (pt), etc. of village Eksar, R/N Ward, Mumbai	CRZ map in 1:4000 scale prepared by IRS Chennai as per CRZ Notification, 2011, indicates that, the plot under reference falls beyond 100m from HTL of Manori creek.	M/s. Shubjeevan Builders Pvt. Ltd.
3	Plot bearing CTS No. 659 and 946A/2 of village Eksar, R/N Ward, Mumbai	CRZ map in 1:4000 scale prepared by IRS Chennai as per CRZ Notification, 2011, indicates that, the plot under reference falls beyond 100m from HTL of Manori creek.	Shri. Rushi Chintamani Mali

MCGM mentions that, the above plots are to be out of CRZ in accordance with clause 1 (i) of CRZ Notification dated 6.1.2011 as it is beyond 100mtrs from HTL of tidal influenced body i.e. the water bodies influenced by tidal effects creeks and the like, as indicated under CRZ Notification, 2011, as per the demarcation by IRS, Chennai. MCGM requested to MCZMA that to offer the necessary instruction so as to take further necessary action in the matter.

The Authority noted that the CRZ map (1:4000 scale) prepared by IRS, Chennai indicated the new draft HTL as per CRZ Notification, 2011 which is not yet approved. Authority after deliberation decided to direct PP to submit the CRZ map (1:4000 scale) indicating the old approved HTL of coastal water body and its CRZ area, as per CRZ Notification, 2011 prepared by one of the MoEF authorized agency. The IRS, Chennai report should mention the conclusion with respect to old approved HTL and its CRZ area. The PP should also submit the current status of the site u/r along with current dated photographs.

**Item No.20:** CRZ Status of plot bearing CTS No. 778 of village Juhu at existing 30.50 mts.wide 10th Road, J.V.P.D. Scheme at Andheri (W), Mumbai by M/s. YMS Consultants Limited.

  
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The Authority noted that the MCGM vide letter dated 6.2.2015 (received on 7.2.2015) forwarded representation M/s. YMS Consultants Limited regarding CRZ status of plot bearing CTS No. 778 of village Juhu at existing 30.50 mts.wide 10th Road, J.V.P.D. Scheme at Andheri (W), Mumbai.

The project proponent (PP) presented that the MCGM vide letter dated 6.2.2015 mentioned that, as per DP remarks dated 5.2.2014 the plot under reference falls within CRZ-II. DP Sheet dated 5.2.2013 indicates the plot under reference partly falls in CRZ-II area and partly in non CRZ area. MCGM mentions that, the above plot are to be out of CRZ in accordance with clause 1 (i) of CRZ Notification dated 6.1.2011 as it is beyond 500mtrs from HTL of seafronts as per the demarcation by IRS, Chennai. MCGM requested to MCZMA that to offer the necessary instruction so as to take further necessary action in the matter.

The PP submitted CRZ map (1:4000 scale) & corrigendum dated 3.6.2015 prepared by IRS, Chennai. As per corrigendum dated 3.6.2015 issued by IRS, Chennai:

- HTL demarcated by Institute of Remote Sensing with GPS survey for Arabian Sea is same as that of HTL in approved CZMP in the vicinity of project site subjected to generalization error caused by the scale of mapping.
- CRZ shall be applied for the land / site within 500m buffer zone from HTL for Sea as per para (i) of CRZ Notification 2011 of MoEF vide S.O. 19(E) dated 6.1.2011.
- In this case the project site containing CTS No. 778, Juhu Village, K-West Ward, Mumbai, falls outside 500m buffer from HTL for Arabian Sea as per GPS survey conducted by IRS in 2014.
- The project site also falls outside 500m buffer from HTL for Arabian Sea as per approved CZMP.

The PP stated that the old existing building is constructed before 30 years.

In the light CRZ map(1:4000 scale) report dated 3.6.2015 of IRS, Chennai ( MoEF authorized agency), the Authority after deliberation decided that the project site bearing CTS No. 778 of village Juhu at existing 30.50 mts.wide 10th Road, J.V.P.D. Scheme at Andheri (W), Mumbai does not fall within the 500 m CRZ buffer area from approved HTL for Arabian Sea. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.21:** CRZ Status of plot bearing CTS No.1/A (pt) & 3(pt) of village Deonar, M/W ward, Mumbai by M/s. Phulkar and Phulkar Arch.

The Authority noted that the the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 6.2.2015 forwarded a representation of M/s. Phulkar and Phulkar Arch regarding development of school building on plot bearing CTS No.1/A(pt) & 3(pt) of village Deonar, M/W ward, Mumbai. As per DP remarks dated 21.12.2011 the plot u/r falls within CRZ-II. The DP Sheet dated 21.12.2011 indicates the plot u/r partly falls in CRZ area and partly in non CRZ area.

The PP submitted the CRZ map (1:4000 scale) daed 28.5.2014 prepared by IRS, Chennai. The MCGM mentions that, the said plot are to be out of CRZ in accordance with clause 1 (ii) of CRZ

  
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Notification dated 6.1.2011 since it is beyond 100 m. from HTL creeks, backwaters, ponds connected to the creeks and the like, as per the demarcation by IRS, Chennai. The MCGM requested to MCZMA that to offer the necessary instruction so as to take further necessary action in the matter.

The Authority observed the CRZ map (1:4000 scale) prepared by IRS, Chennai and noted that the said CRZ map indicates the new draft HTL as per CRZ notification, 2011. The new draft HTL is yet to be approved by MoEFCC, New Delhi. The project proponent was present for the meeting and presented the matter.

The Authority after discussion decided to direct PP to submit the followings:

1. CRZ map(1:4000 scale) prepared by IRS, Chennai need to indicate the old approved HTL of Coastal water body and its CRZ area as per CRZ Notification, 2011 through IRS, Chennai. The report of IRS, Chennai should mention the conclusion.
2. Current status of plot u/r along with current dated site photographs. If there exists structure on site u/r, authorization details of its along with earlier CRZ clearance needs to be submitted.

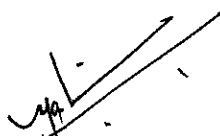
**Item No.22:** Proposed construction of residential & commercial building on property bearing S.No.(21), H.No.5B, S. No. 92, C.T.S.No. 1765(P) at Murud, Tal. Murud, Dist.Raigad by Smt. Alka Damodar Baile

The Authority noted that the Murud Janjira Municipal Council (MJMC) vide letter dated 5.2.2015 submitted proposal for proposed construction of residential & commercial building on property bearing S. No. (21), H. No. 5B, S. No. 92, C.T.S.No. 1765(P) Tal.Murud, Dist.Raigad.

The Authority noted the proposal details which are as follows:

- As per the remarks dated 5.2.2015 of MJMC, the proposal is for construction of residential & commercial building on property bearing S.No.(21), H.No.5B, S. No. 92, C.T.S.No. 1765(P) at Murud, Tal.Murud, Dist.Raigad.
- As per plan submitted by PP, proposed residential cum commercial building comprises of Stilt + Raised ground floor + 1st & 2<sup>nd</sup> upper floors.
- The remarks of MJMC mention that, the plot under reference is falls in CRZ II area and landward side of the existing road, as per approved CZMP. As per Development Plan of MJMC area, the plot u/r is situated in residential zone
- FSI details, as per the plans submitted by PP:
  - Total area of plot = 530.00sqm
  - FSI = 1.0
  - Permissible BUA = 176.66sqm
  - Proposed BUA = 176.57sqm
  - Total BUA = 529.73sqm

The PP & MJMC official stated that the proposal is for Restaurant+ lodging purpose.

  
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The Authority discussed the proposal and decided to direct the Murud Janjira Municipal Council to submit the following:

- Present use of existing structure on site u/r as per records of MJMC.
- Authorization details of existing structure u/r.
- Whether the proposal comprises of resort/ hotels for occupation of tourist or visitors

**Item No.23:** Proposed construction on plot bearing CTS No. 798(pt) S.No.(40)111, H.No.6A at Murud, Tal.Murud, Dist.Raigad by Shri. Rajendra K. Randive.

The Authority noted that the Murud Janjira Municipal Council (MJMC) vide letter dated 5.2.2015 (received on 9.2.2015) forwarded proposal for proposed new building on plot bearing CTS No. 798(pt) S.No.(40)111, H.No.6A at Murud, Tal.Murud, Dist.Raigad.

The Authority noted the project details which are as follows:

1. As per the remarks dated 5.2.2015 of MJMC, the proposal is for new construction of residential building on plot bearing CTS No. 798(pt) S.No.(40)111, H.No.6A at Murud, Tal. Murud, Dist. Raigad.
2. As per plan submitted by PP, proposed residential building comprises of Stilt + Raised ground floor + 1<sup>st</sup> upper floor.
3. The remarks of MJMC mentions that, the plot u/r falls in CRZ II area and is situated on landward side of the existing road, as per CZMP of MJMC area. As per Development Plan of MJMC area, the plot u/r is falls in residential zone
4. FSI details, as per the plans submitted by PP:
  - Total area of plot = 280.00sqm
  - FSI = 1.0
  - Permissible BUA = 140.00sqm
  - Proposed BUA = 76.768sqm
  - Total BUA = 153.5sqm

The PP further stated that the construction is not started yet on site u/r.

The Authority noted the permissibility of the proposal as per CRZ Notification, 2011:

- MoEF issued a amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:  
In the said notification, in paragraph 8, in sub-paragraph (i),-  
(a) The Note and the entries relating thereto shall be omitted;  
(b) In clause II relating to CRZ-II, for sub-clause (ii), the following sub- clause shall be substituted, namely:-  
“(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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:

  
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The Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concern planning Authority subject to 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. 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 authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level : 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 :
4. The Murud Janjira Municipal Council should ensure that FSI, plan involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. Debris generated during construction activity should not be dumped into CRZ area and it should be disposed scientifically at a notified place.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.24:** Proposed Dahej Nagothane Ethane Pipeline (DNEPL) Project by M/s. Reliance Gas Pipelines Ltd.

The Authority noted that the M/s. Reliance Gas Pipelines Ltd. vide letter dated 5.2.2014 (received on 10.2.2015) submitted a proposal of Proposed Dahej Nagothane Ethane Pipeline (DNEPL) Project to MCZMA.

The project proponent presented the project details which are as follows:

1. M/s. Reliance Gas Pipelines Ltd. (RGPL) proposed to lay a pipeline of 440km (12" dia) from RIL's Dahej manufacturing Division (DMD), Gujarat to RIL's Naothane Manufacturing Division (NMD), Maharashtra and a 46 km (8" dia) spur pipeline to RIL's Hazira Manufacturing Division (HMD) for transportation of 1.4 MMTPA of liquid Ethane. Out of total 486 km pipeline, approximately 230km passes through State of Maharashtra.
2. Pipelines are most eco-friendly mode of transportation of hydrocarbons. The impact on the air and water environment is negligible as the pipeline is buried underground. There will be no permanent facility in CRZ area. Pipeline will be laid by using the Horizontal Directional Drilling (HDD) methodology at the crossings to completely avoid physical disturbance to the tidal water bodies. After construction / laying of the pipeline the land shall be restored back to near original conditions.
3. The proposed DNEPL project is also under consideration by MoEFCC for grant of Environment Clearance under EIA Notification, 2006. MoEFCC has granted Terms of Reference (ToR) vide letter dated 15.10.2014.
4. Project proponent has submitted CRZ maps (scale 1:4000) & report prepared by IRS, Chennai. As per the said report,

  
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5. The details of pipeline crossing through different CRZ categories falling under Maharashtra State are listed below-

Sr. No.	Site	CRZ Class	Length (m)	Total length (m)
1	Nigade River	CRZ-III	152.24	218.24
		CRZ-IVB	66.00	
2	Amba River	Mangrove Area (CRZ-1A)	35.38	851.28
		Buffer Area for Mangroves (CRZ-1A)	260.77	
		CRZ-III	390.34	
		CRZ-IVB	21.06	
		CRZ-IB	143.74	
3	Amba Tributary	CRZ-IB	95.85	52.16
		CRZ-III	56.31	

6. Project proponent has submitted Environmental Impact Assessment Report, Environment Management Plan, Disaster Management Report for the proposed project.

The Authority instructed PP to minimize the disturbance through reducing the underground and above ground arrangement of pipelines and to have depth of minimum 10 m for pipeline in mangrove and buffer area and further, there should be one entry and exist point for pipeline.

The Authority noted that as per para 4(ii)(d) of CRZ Notificaiton, 2011, laying of pipelines, conveying system, transmission line requires prior clearance from MoEF, New Delhi.

The Authority observed the CRZ map (1:4000 scale) prepared by IRS, Chennai and noted that the old approved HTL needs to be indicated in the said CRZ map.

The Authority after deliberation decided to direct PP to submit the CRZ map (1:4000 scale) indicating the old approved HTL of coastal water body and its CRZ area, as per CRZ Notification, 2011 prepared by one of the MoEF authorized agency. The IRS, Chennai report should mention the conclusion with respect to old approved HTL and its CRZ area. The PP should also submit the currensnt status of the site u/r along with current dated photographs.

**Item No.25:** Proposed construction of Fish Cutting Shed Building on plot bearing S. No. 127/1/2B, 127B, C.T.S.No. 829/20, 829/21, 829/22 at Mouje Rahatghar, Tal. & Dist.Ratnagiri by Shri. Sureshkumar M. Khadilkar

The Authority noted the Ratnagiri Municipal Council (RMC) vide letter dated 6.2.2015 (received on 10.2.2015) forwarded proposal for proposed new fish cutting shed building on plot bearing S. No. 127/1/2B, 127B, C.T.S.No. 829/20, 829/21, 829/22 at Rahatghar, Tal & Dist.Ratnagiri.

The Authority noted the project details which are as follows:

1. The proposal is for new construction of Fish Cutting Shed Buildingon plot bearing S. No. 127/1/2B, 127B, C.T.S.No. 829/20, 829/21, 829/22 at Rahatghar, Tal. &Dist.Ratnagiri

  
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2. As per plan submitted by PP, proposed fish cutting shed building comprises of ground floor
3. The remarks dated 6.2.2015 of RMC mentions that, as per CZMP of RMC area, the plot u/r falls in CRZ II area and is situated on landward side of the existing road.
4. As per Development Plan of RMC area, the plot u/r is situated in non-residential zone.
5. FSI details as per the plans submitted by PP:
  - o Total area of plot = 1911.00sqm
  - o Permissible FSI = 0.50
  - o Total permissible BUA = 955.50sqm
  - o Proposed BUA = 954.98sqm
  - o Total proposed BUA = 954.98sqm
  - o FSI propose to be consumed – 0.50

The Authority noted the permissibility of the proposal as per CRZ Notification, 2011:

- MoEF issued a amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:

In the said notification, in paragraph 8, in sub-paragraph (i),-

(a) The Note and the entries relating thereto shall be omitted;

(b) In clause II relating to CRZ-II. for sub-clause (ii), the following sub- clause shall be substituted, namely:-

“(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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 Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concern planning Authority subject to 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. This CRZ recommendation is only for fish cutting activities by manual method. Fish cutting by mechanized way is not allowed.
3. There should not be fish processing activities at the site u/r.
4. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
5. Buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level : 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 :

  
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6. The Ratnagiri Municipal Council should ensure that FSI, plan involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
7. Debris generated during construction activity should not be dumped into CRZ area and it should be disposed scientifically at a notified place.
8. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.26:** Proposed reconstruction of building on plot bearing CTS No. 1110, 1110/1 to 13 of village Versova, at 18.30 mt. wide D.P.Road, Andheri (W), Mumbai by Shri. Ayub I Patel, M/s. Olive Developers

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 10.2.2015 (received on 10.2.2015) forwarded the proposal to MCZMA.

The Authority noted the project details which are as follows:

1. As per MCGM letter dated 4.2.2015, the proposal is for reconstruction of building on plot bearing CTS No. 1110, 1110/1 to 13 of village Versova, at 18.30 mt. wide D.P.Road, Andheri (W), Mumbai.
2. Proposed single residential building with 3 nos. of row houses as 3 wings, comprising of Basement for storage + part Silt for mechanized puzzle parking system and part ground + 1<sup>st</sup> and 2<sup>nd</sup> floor for residential use in lieu of plot potential and by claiming staircase & lift, lift well area benefit by claiming setback area advantage as per DCR 1967 by proposing to demolish existing structures on the plot under reference.
3. Municipal Commissioner, MCGM has approved various concessions for the proposed building on 12.7.2014. MCGM has issued IOD vide letter dated 25.8.2014 for the project.
4. As per remarks of MCGM dated 10.2.2015, the plot u/r is situated in Residential Zone (R) as per old DP (1967) as well as revised sanctioned DP (1993) and is partly affected by 18.30 mtrs wide DP Road as per both of these development plans.
5. The subject plot has residential structure existed on plot as per CS plan and the user residential was permissible as per land use and zoning as on 19.2.1991.
6. As per approved CZMP of Mumbai the land under reference falls in CRZ II.
7. As per MCGM letter dated 10.2.2015, the land under reference falls within 500m from HTL of Arabian Sea and is in CRZ II and situated on landward side of existing J.P. Road in existence prior to 19.2.1991
8. Existing structure Details:  
As per MCGM letter dated 10.2.2015, there exists old structure of residential use on the said plot. The existing structure is very old and is in existence prior to 1961 -62 as may be seen from Assessment Certificate. Structure and use existing prior to 1961-62 are tolerated and considered adequate for authenticity.
9. FSI Details:
  - o As per MCGM letter dated 10.2.2015, Proposed residential building by demolishing existing structure in lieu of plot potential of permissible 1.00 FSI as per DCR 10 of DCRs of 1967 and by availing setback area advantage up to 40%

  
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of net plot area (in the instant case road set back is less than 40% of net plot area) as per regulation 10 (2) of DCRs of 1967.

- o Details of FSI/ Free of FSI

Total Construction Area	Proposed BUA for FSI Purpose	BUA claimed free of FSI
1600.0 sqm	812.37sqm	788.50sqm

- As per approved plan (IOD) by MCGM dated 25.8.2014,
  - o Area of plot – 829.20sqm
  - o Permissible FSI– 1.00
  - o Permissible Floor Area – 829.20sqm
  - o Proposed BUA – 812.37sqm

The Authority noted the permissibility as per CRZ Notification, 2011

- As per 8(i) II. CRZ-II of CRZ Notification, 2011:
  - (iii) 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.
- As per amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:  
In the said notification, in paragraph 8, in sub-paragraph (i),-
  - (a) the Note and the entries relating thereto shall be omitted;
  - (b) in clause II relating to CRZ-II, for sub-clause (ii), the following sub- clause shall be substituted, namely:-  
“ (ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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 :

Provided further that the construction in CRZ-II area of Goa, Kerala and Mumbai shall be governed by the provisions of Clause V of paragraph 8.”

- Para 8.v. I of CRZ Notification, 2011 is for CRZ areas falling within the limits of MCGM,-
  - (iii) in CRZ areas-  
The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991, unless specified otherwise in this notification.

The Authority after discussion decided to recommend the proposal to concern planning Authority from CRZ point of view under CRZ Notification, 2011 subject to compliance of following conditions:

  
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1. The proposed reconstruction 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 with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
3. MCGM should ensure that redevelopment is in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991.
4. The MCGM should ensure that the FSI, plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.27:** CRZ status of project site bearing C.S.No. 1821 of Mahim Division in G/North ward, situated Shivaji Park Road No.3, Mumbai by M/s. Shiddhivinayak Habitats

The Authority noted that the M/s. Shiddhivinayak Habitats vide letter dated 4.2.2015 (received on 10.2.2015) submitted application for CRZ status of project site bearing C.S.No. 1821 of Mahim Division in G/North ward, situated Shivaji Park Road No.3, Mumbai.

The M/s. Shiddhivinayak Habitats has submitted the CRZ map in 1:4000 scale and report dated 2.2.2015 of IRS, Chennai. The IRS report dated 2.2.2015 mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart
3. The PP submitted the CRZ map in 1:4000 scale and report dated 2.2.2015 of IRS, Chennai. The IRS report dated 2.2.2015 mentions that:
  - o The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
  - o The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as

  
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per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The PP stated that there exists old building on site u/r. The PP needs to submit the authorization details of old building.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing C.S.No. 1821 of Mahim Division in G/North ward, situated Shivaji Park Road No.3, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.28:** CRZ status of project site bearing F.P.No.720 of TPS IV Mahim in G North Ward, situated at D.S.Babrekar Road, Mumbai by M/s. Shree Dadar Jain Paushadhshala Trust

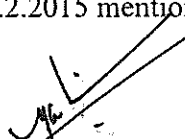
The Authority noted that the M/s. Shree Dadar Jain Paushadhshala Trust vide letter dated 6.2.2015 submitted application for CRZ status of project site bearing F.P.No.720 of TPS IV Mahim in G North Ward, situated at D.S.Babrekar Road, Mumbai.

M/s. Shree Dadar Jain Paushadhshala Trust has submitted the CRZ map in 1:4000 scale and report dated 3.2.2015 of IRS, Chennai. The IRS report dated 3.2.2015 mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart
3. The PP submitted the CRZ map in 1:4000 scale and report dated 3.2.2015 of IRS, Chennai. The IRS report dated 3.2.2015 mentions that:

  
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- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward-side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority, taking into consideration CRZ map & report dated 3.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings, subject to submission of authorization of details of existing building:

- The project site bearing F.P.No.720 of TPS IV Mahim in G North Ward, situated at D.S.Babrekar Road, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.29:** CRZ status to project site bearing Final Plot No. 719 of TPS IV Mahim in G N Ward situated at D.S. Babrekar Road, Mumbai by M/s. Shree Saiganesh Constructions

The Authority noted that the M/s. Shree Saiganesh Constructions vide letter dated 6.2.2015 (received on 10.2.2015) submitted application for CRZ status to project site bearing Final Plot No. 719 of TPS IV Mahim in G/N Ward situated at D.S. Babrekar Road, Mumbai

M/s. Shree Saiganesh Constructions has submitted the CRZ map in 1:4000 scale and report dated 2.2.2015 of IRS, Chennai. The report dated 2.2.2015 of IRS, Chennai mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013, clarified to Amba Recycler Private

  
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Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart

3. The PP submitted the CRZ map in 1:4000 scale and report dated 2.2.2015 of IRS, Chennai. The IRS report dated 2.2.2015 mentions that:
  - o The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
  - o The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The PP was present for the meeting who stated that there exists cess building on site u/r.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing Final Plot No. 719 of TPS IV Mahim in G/N Ward situated at D.S. Babrekar Road, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence. the project site u r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.30:** Proposed construction of ice and cold storage building on land bearing S.No.146, C. T. S.No.1274/20, Plot No. 27 at Zadgaon, Tal.& Dist.Ratnagiri by Shri. Imran Umar Memon

The Authority noted that the Ratnagiri Municipal Council (RMC) vide letter dated 7.2.2015 (received on 12.2.2015) forwarded proposal for proposed ice and cold storage building on plot bearing S.No.146, C. T. S.No.1274/20, Plot No. 27 at Zadgaon, Tal. & Dist.Ratnagiri.

The Authority noted the project details which are as follows:

1. As per the Ratnagiri Municipal Council (RMC) remarks dated 7.2.2015, the proposal is for new construction of ice and cold storage building on plot bearing S.No.146, C. T. S.No.1274/20, Plot No. 27 at Zadgaon, Tal. & Dist.Ratnagiri.
2. As per plan submitted by PP, proposed ice and cold storage building comprises of Ground Floor.
3. As per CZMP of RMC area, the plot u/r is falls in CRZ II area and landward side of the existing road. As per Development Plan of RMC area, the plot under reference is falls in Light Industrial Zone.
4. FSI details, as per the plans submitted by PP:
  - o Total area of plot = 495.00sqm
  - o Permissible FSI = 1.00
  - o Permissible BUA = 495.00sqm

  
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- Total proposed BUA (ground floor) = 207.81sqm
- FSI propose to be consumed – 0.42

The Authority noted the permissibility of the proposal as per CRZ Notification, 2011:

- MoEF issued a amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:  
In the said notification, in paragraph 8, in sub-paragraph (i),-  
(a) The Note and the entries relating thereto shall be omitted;  
(b) In clause II relating to CRZ-II, for sub-clause (ii), the following sub- clause shall be substituted, namely:-  
“(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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 Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concern planning Authority subject to 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. This CRZ recommendation is only for cold storage of fishes for local / traditional communities.
3. No Ice plant is allowed at the site u.r. There should not be fish processing activities at the site u/r.
4. Buildings shall be permitted only on the landward side of the existing road. or on the landward side of existing authorized structures.
5. Buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level : 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 :
6. The Ratnagiri Municipal Council should ensure that FSI, plan involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
7. Debris generated during construction activity should not be dumped into CRZ area and it should be disposed scientifically at a notified place.
8. All other required permission from different statutory authorities should be obtained prior to commencement of work.

  
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**Item No.31:** Proposed reconstruction of building on plot bearing CTS No. D/497A, D/498, D/499 and D/500 of Danda village, Khar (W), Mumbai by Shri. H. T. Shrigudi & Shri. Vini H. Shrigudi

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 11.2.2015 forwarded the proposal to MCZMA.

The Authority noted the project details which are as follows:

1. The proposal is for reconstruction of building on plot bearing CTS No. D/497A, D/498, D/499 and D/500 of Danda village, Khar(W), Mumbai
2. Proposed new building comprising of Ground floor + 1<sup>st</sup> to 4<sup>th</sup> upper floor levels + 5<sup>th</sup> part upper floor level for flats / rooms for residential use.
3. Municipal Commissioner, MCGM has approved various concessions for the proposed building on 29.10.2014. MCGM has issued IOD vide letter dated 24.12.2014 for the project.
4. As per remarks of MCGM dated 11.2.2015, the plot under reference is situated in Residential Zone (R) as per old DP (1967) as well as revised sanctioned DP (1993) and is partly affected by the reservation of DP Road as per both of these development plans, The user residential was permissible as per land use and zoning as on 19.2.1991.
5. As per approved CZMP of Mumbai the land under reference falls in CRZ II.
6. As per MCGM letter dated 11.2.2015, the land under reference falls within 500m from HTL of Arabian Sea and is in CRZ II and situated on landward side of existing GovindPatil Road / Bazar Road / DP Road in existence prior to 19.2.1991
7. Existing structure Details:
  - As per MCGM letter dated 11.2.2015, 2 nos. of ground storey structures exists on plot, which is on landward side of the existing road. The existing structure is very old and is in existence prior to 1961 -62 as may be seen from Assessment Certificate.
  - Structure and use existing prior to 1961-62 are deemed authosed and considered adequate for authenticity.Existing residential use prior to 19.2.1991 as per assessment bills.
8. FSI Details:
  - As per MCGM letter dated 11.2.2015, Proposed residenial building by demolishing existing structure in lieu of plot potential of permissible 1.00 FSI as per DCR 10 of DCRs of 1967.
  - Details of FSI/ Free of FSI

Total Construction Area	Proposed BUA for FSI Purpose	BUA claimed free of FSI
526.13qm	408.59 sqm	117.54sqm

- As per approved plan (IOD) by MCGM,
- Area of plot – 411.3sqm
- Permissible FSI– 1.00
- Permissible Floor Area – 411.3sqm
- Proposed BUA – 408.59sqm
- FSI Consumed – 0.993

  
Chairperson



The Authority noted the permissibility as per CRZ Notification, 2011

- As per 8(i) II. CRZ-II of CRZ Notification, 2011:  
(iii) 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.
- As per amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:  
In the said notification, in paragraph 8, in sub-paragraph (i),-  
(a) the Note and the entries relating thereto shall be omitted;  
(b) in clause II relating to CRZ-II, for sub-clause (ii), the following sub-clause shall be substituted, namely:-  
“(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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 :

Provided further that the construction in CRZ-II area of Goa, Kerala and Mumbai shall be governed by the provisions of Clause V of paragraph 8.”

- Para 8.v. I of CRZ Notification, 2011 is for CRZ areas falling within the limits of MCGM,-  
(iii) in CRZ areas-  
The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991, unless specified otherwise in this notification.

The Authority after discussion decided to recommend the proposal to concern planning Authority from CRZ point of view under CRZ Notification, 2011 subject to compliance of following conditions:

1. The proposed reconstruction 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 with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
3. MCGM should ensure that redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991, unless specified otherwise in this notification.
4. The MCGM should ensure that the FSI, plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

  
Chairperson

**Item No.32:** CRZ status of project site bearing F.P. No.15 of TPS-I, Bandra in H/West Ward, situated at S.V.Road, Mumbai by M/s. Rizwan A. Batliwala

The Authority noted that the M/s. Rizwan A. Batliwala vide letter dated 4.2.2015 (received on 12.2.2015) submitted application for CRZ status of project site bearing F.P. No.15 of TPS-I, Bandra in H/West Ward, situated at S.V.Road, Mumbai.

M/s. Rizwan A. Batliwalahas submitted the CRZ map (1:4000 scale) and report dated 2.2.2015 of IRS, Chennai. The reports of IRS, Chennai dated 2.2.2015 mentions that:

- There is change in HTL as demarcated by IRS as per 2011 CRZ Notification, than HTL as shown in approved CZMP 1991.
- The site falls inside the CRZ area, which is 500m from HTL of 1991 approved CZMP. But the project site falls outside 100m buffer of 1991 approved HTL. Also the site falls outside the 100m buffer zone (i.e. CRZ-II) as per 2011 CRZ notification guidelines.
- This is because the buffer for Mahim Bay is 100 (as per 2011 CRZ guidelines) and tidally influence water extent of Mithi River that open to Mahim Bay is the buffer of 100 m (CRZ Notification 2011 S.O. 19(E)). Due to these reasons the site falls outside the CRZ-II zone as per 2011 Notification guidelines.
- There are roads existed near to the project site in the year 1991. There are mangroves present in the vicinity. The project site falls outside the 50m mangrove buffer.

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational char
3. The PP the CRZ map (1:4000 scale) and report dated 2.2.2015 of IRS, Chennai. The reports of IRS, Chennai dated 2.2.2015 mentions that:
  - There is change in HTL as demarcated by IRS as per 2011 CRZ Notification, than HTL as shown in approved CZMP 1991.
  - The site falls inside the CRZ area, which is 500m from HTL of 1991 approved CZMP. But the project site falls outside 100m buffer of 1991 approved HTL. Also the site falls outside the 100m buffer zone (i.e. CRZ-II) as per 2011 CRZ notification guidelines.
  - This is because the buffer for Mahim Bay is 100 (as per 2011 CRZ guidelines) and tidally influence water extent of Mithi River that open to Mahim Bay is the buffer of 100 m (CRZ Notification 2011 S.O. 19(E)). Due to these reasons the site falls outside the CRZ-II zone as per 2011 Notification guidelines.

  
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- There are roads existed near to the project site in the year 1991. There are mangroves present in the vicinity. The project site falls outside the 50m mangrove buffer.

The PP presented that there exists old building constructed prior to year 1940.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site F.P. No. 15 of TPS, Bandra No. 1, in H/West ward, Bandra(W), Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay and Mahim creek. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.33:** CRZ Status of F.P.No. 757 of TPS Mahim No. IV, situated at Mahim Division, G/N Ward, Mumbai by M/s. Vision Nest


The Authority noted that the M/s. Vision Nest vide letter dated 11.2.2015 (received on 13.2.2015) submitted application for CRZ Status of F.P.No. 757 of TPS Mahim No. IV, situated at Mahim Division, G/N Ward, Mumbai.

M/s. Vision Nest submitted the CRZ map in 1:4000 scale dated 2.2.2015 and report dated 3.2.2015 of IRS, Chennai for project site bearing F.P. No. 757 and 760 of TPS IV Mahim Division, G/N Ward, Mumbai. The IRS report dated 3.2.2015 mentions that:

- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
- The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The Authority noted as follows:

1. The Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates the max 100 m. CRZ limit along the 'Bay', which is a tidally influenced water body.
2. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28<sup>th</sup> September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart

  
Chairperson

3. The PP submitted the CRZ map in 1:4000 scale dated 2.2.2015 and report dated 3.2.2015 of IRS, Chennai for project site bearing F.P. No. 757 and 760 of TPS IV Mahim Division, G/N Ward, Mumbai. The IRS report dated 3.2.2015 mentions that:
- The HTL demarcated by IRS corresponds to the HTL shown in approved CZMP 1991 subject to the generalized error of variation in the scale of mapping.
  - The CRZ II /III (as the case may be) is 100m from HTL for bay areas, as per the 2011 CRZ guidelines, as against 500m from HTL according to 1991 CZMP. Therefore the site on landward side of Mahim Bay falls outside the CRZ area as per 2011 CRZ guidelines. There is no mangrove present in the vicinity. (The project site falls outside the 50m mangrove buffer).

The PP presented that there exists old building constructed prior to year 1975.

The Authority, taking into consideration CRZ map & report dated 2.2.2015 of IRS, Chennai (MoEF authorized agency) as well as Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' and opinion of Advocate General, GoM decided the followings:

- The project site bearing project site bearing F.P. No. 757 of TPS IV Mahim Division, G/N Ward, Mumbai does not fall within the 100 m CRZ buffer area from approved HTL for Mahim Bay. Hence, the project site u/r does not fall under the ambit of the CRZ Notification, 2011.

**Item No.34:** Proposed redevelopment of residential building on plot No.28 of Mazgaon Division situated at Ismail Abdul Vora Lane (Baker Lane), Mumbai by M/s. Merlin Developers & Mr. Firoz N. M. Vora

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 11.2.2015 forwarded the proposal to MCZMA.

The Authority noted the project details which are as follows:

1. As per MCGM letter dated 11.2.2015, the developer has proposed to demolish one cessed building as well as two non cessed buildings as per DCR 33(7) on the plot and proposed a new residential (R) and non residential (NR) building comprises of Ground + 1 to 7 upper floors.
2. MHADA vide letter dated 2.5.2014 has granted No Objection Certificate for redevelopment of captioned property at C.S. No. 28 of Mazgaon Division having Cess No. E-6857 (1A) (Cessed) & E-6857 (1AA), E-6857 (2) (Non Cessed) situated at 7A, Baker Lane, Mazgaon, Mumbai Building known as "Marine Castle" with FSI 2.5 or FSI required for rehabilitation of existing occupiers plus 50% incentive, whichever is higher in accordance with the earlier DC Regn. 33(7) and Appndiz- III to this Regulation 33(7) as captioned property is affected by CRZ.
3. Municipal Commissioner, MCGM has approved various concessions for the proposed building on 17.12.2014. MCGM has issued IOD vide letter dated 31.12.2014 for the project.

  
Chairperson

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4. As per remarks of MCGM dated 11.2.2015, the plot under reference is situated in Residential Zone (R) as per old DP as well as revised sanctioned DP (1993). The user residential was permissible as per landuse and zoning as on 19.2.1991 as well as on 6.1.2011.
5. As per approved CZMP of Mumbai the land under reference falls in CRZ II and situated on landward side of existing road. As per MCGM letter dated 11.2.2015, the land under reference falls within 500m from HTL and is in CRZ II and situated on landward side of existing Frere Road / East Island Freeway / BPT road in existence prior to 19.2.1991.

**6. Existing structure Details:**

As per MCGM letter dated 11.2.2015:

- In this case there existed one Cessed A category building of Ground + 1 upper floor with existing BUA of 189.19 sqm and existed two Non Cessed buildings on the plot which ere existence prior to 61 -62 as per assessment bill records. The xisting FSI consumed is 0.99 on the plot.
- The existing user of the building is non residential (NR) for the non cessed category structure (Bakery and tiled shed used by owner) as per plan approved by MHADA on 2.5.2015.
- Cessed building comprises of 4 nos of tenants (R) and two non cessed buildings comprises ½ no of tenants (NR) which will be rehabilitated in the scheme.
- MCGM vide letter dated 11.12.2013 mentioned that, the property bearing Ward No. E-6857 (1A), A/c No. 12-0925-002-0000 at 7A, Baker lane is cessed under category A(R) (for the year 2009 – 2010).
- MCGM vide letter dated 11.12.2013 mentioned that, the property bearing Ward No. E-6857 (1AA), A/c No. 12-0925-011-0000 at 7A, Private lane and the property bearing Ward No. E-6857 (2), A/c No. 12-0926-009-0000 at Private lane is Not Cessed (for the year 2009 – 2010).

**7. FSI Details:**

- As per MCGM letter dated 11.2.2015, the FSI is worked out based on 2.5 on land component of reminder plot area after deducting land component of non cessed buildings and 1.33 is proposed on land component of non cessed buildings as admissible on 6.1.2011 i.e FSI of 2.26 in total is proposed on net plot as per DCR 33(7) as amended up to 6.1.2011.
- Details of FSI / Free of FSIO area as permissible as per DCRs as on 6.1.2011.

Total Construction Area	Proposed BUA for FSI Purpose	BUA claimed free of FSI for purposes like basement upper floor parking, staircases, lifts, balcony, refuge area etc.
1400 sqm	817.78 sqm	186.55sqm

- As per plans approved (IOD) by MCGM on 31.12.2014,
  - Area of plot – 362.05sqm
  - Permissible FSI – 2.50
  - Permissible Floor Area – 818.05 sqm
  - Proposed BUA – 817.78sqm

  
Chairperson

8. Public hearing was conducted on 7.3.2015 by MPCB as per CRZ Notification, 2011 and as per procedure laid down under EIA Notification, 2006.

The Authority noted the provisions of CRZ Notification, 2011( amended from time time)

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority CRZ notification, 2011 subject to 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. All the conditions of para 8.v. 1. (c) of CRZ Notification, 2011 should be complied with for redevelopment of cess building.
3. The MCGM should ensure that FSI, plans, height involved in the proposal is as per town and country planning regulations existing as on 6.1.2011, for redevelopment of cess building.
4. The MCGM should ensure that FSI, non FSI and concessions, if any, are strictly as per the provisions of DCR existing as on 6.1.2011, for redevelopment of cess building.
5. The MCGM should ensure that FSI, non FSI and concessions, if any, are strictly as per the provisions of DCR existing as on 19.2.1991. for redevelopment of Non Cess structure.
6. The MCGM should ensure that FSI, plans, height involved in the proposal is as per town and country planning regulations existing as on 19.2.1991, for redevelopment of Non cess structure
7. The MCGM should ensure that there should not be change in present use for the reconstruction of Non Cess structure.
8. Debris generated during the construction should not be disposed in the CRZ area.
9. Project proponent should implement green initiatives such as rainwater harvesting system for ground water recharge, solar panel for generation of renewable energy for captive consumption.
10. All other mandatory permissions from different statutory authorities should be obtained prior to the commencement of work.

**Item No.35:** Proposed construction on land bearing S.No.83/2 at Mouje Chendhare, Tal.Alibag, Dist- Raigad by Shri. Shrikant B. Mohite.

The Authority noted that the Town Planning & Valuation Dept., Alibag – Raigad vide letter dated 12.2.2015 forwarded proposal for construction of residential building on plot bearing S.No.83/2 at Mouje Chendhare, Tal.Alibag, Dist.Raigad.

The Authority noted the project details which are as follows:

  
Chairperson

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1. As per remarks dated 12.2.2015 of Town Planning office, Alibag- Raigad, the proposal is for construction residential building on plot bearing S.No.83/2 at Mouje Chendhare, Tal.Alibag, Dist.Raigad.
2. As per plan submitted by PP, proposed construction is for residential building comprises of Ground Floor + First Floor.
3. The Town Planning office remarks dated 12.2.2015 mentions that, as per Landuse Map of Alibag area, the plot under reference is falls in CRZ III area and landward side of the existing road.
4. As per Development plan underMRTP of Alibag area dated 20.5.1985, the plot u/r is falls in Urbanisable Zone – I and as per sanctioned Development Plan as on 1991, the plot under reference falls in residential zone
5. FSI details, as per the plans submitted by PP:
  - Total area of plot = 2930.00sqm
  - FSI = 0.75
  - Permissible BUA = 586.00sqm
  - Proposed BUA on ground floor – 129.78sqm
  - Proposed BUA on first floor – 38.20sqm
  - Total proposed BUA = 167.98sqm

The project proponent was present for the meeting who informed that PP is a local inhabitant of the area and construction of Gr + first floor structure is proposed for his own residential purpose.

The Authority noted that the plot u/r is situated within 200 m to 500 m from HTL of Arabian sea as per approved coastal land use map of the area. Further, as per para 8(i)III(B)(vii) of CRZ Notification, 2011:

“Construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans is permissible activity. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor)”

The Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concern planning Authority subject to 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 construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans is permissible activity. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).

  
Chairperson

3. Concern planning authority should ensure that the PP is local inhabitant and construction for residential purpose is situated beyond 200 m landward from the approved HTL of Arabian Sea.
4. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.36:** Proposed extinction of first floor on ground floor structure on plot bearing S. No. (3) 78 H.No.5A/1B & 5A/1C of C.T.S.No. 1672 (pt) at Murud, Tal. Murud, Dist. Raigad by Shri. Shahin S. Sambulkhani

The Authority noted that the Murud Janjira Municipal Council (MJMC) vide letter dated 5.2.2015 (received on 20.2.2015) forwarded proposal of reconstruction of existing old structure on plot bearing S. No. (3) 78 H.No.5A/1B & 5A/1C of C.T.S.No. 1672 (pt), Tal. Murud, Dist. Raigad. The remarks of MJMC mention that, as per CZMP of MJMC area, the plot u/r falls in CRZ II area and landward side of the existing road. As per Development Plan of MJMC area, the plot u/r is falls in residential zone. As per the plans submitted by PP:

- Total area of plot = 1040.00sqm
- FSI = 1.0
- Less area under G Zone – 30.00sqm
- Area under R Zone – 410.00
- Permissible BUA = 136.66sqm
- Existing BUA – 135.95sqm
- Proposed BUA = 135.95sqm
- Total BUA = 271.90sqm

The official of Murud Janjira Municipal Council presented that there exists old ground floor structure on plot u/r and extension of first floor is proposed. The Authority instructed MJMC to submit the authorization details of existing ground floor structure.

The Authority noted the permissibility of the proposal as per CRZ Notification, 2011:

- MoEF issued a amended Notification dated 16<sup>th</sup> June, 2015, which stipulates as follows:

In the said notification, in paragraph 8, in sub-paragraph (i),-

(a) The Note and the entries relating thereto shall be omitted;

(b) In clause II relating to CRZ-II, for sub-clause (ii), the following sub- clause shall be substituted, namely:-

“(ii) buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level :

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 Authority after deliberation decided to recommend the proposal from CRZ point of view under CRZ Notification, 2011 to concern planning Authority subject to submission of the

  
Chairperson



authorization details of existing ground floor structure by the MJMC and 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. 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 authorised structures shall be subject to the existing local town and country planning regulations as modified from time to time, except the Floor Space Index or Floor Area Ratio, which shall be as per 1991 level : 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
4. The Murud JanjiraMunicipal Council should ensure that FSI, plan involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. Debris generated during construction activity should not be dumped into CRZ area and it should be disposed scientifically at a notified place.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work.

**Item No.37:** CRZ status of project site bearing C.T.S. No. 39B of village Juhu. in K-West Ward, situated at Military Road, Mumbai by M/s. Pacl Limited

The Authority noted that the M/s. Pacl Limited vide letter dated 6.2.2015 submitted application for CRZ status of project site bearing C.T.S. No. 39B of village Juhu, in K-West Ward, situated at Military Road, Mumbai by M/s. Pacl Limited.

M/s. Pacl Limited submitted the CRZ map in 1:4000 scale and report dated 24.5.2012 of IRS, Chennai. The Said CRZ map indicates new draft HTL, which is not yet approved.

The Authority observed that CRZ map (1:4000 scale) prepared by IRS, Chennai need to indicate the old approved HTL of Coastal water body and its CRZ area as per CRZ Notification, 2011.

The Project proponent was absent for the meeting.

The Authority after discussion decided to direct PP to submit the followings:

1. CRZ map(1:4000 scale) prepared by IRS, Chennai need to indicate the old approved HTL of Coastal water body and its CRZ area as per CRZ Notification, 2011 through IRS, Chennai. The report of IRS, Chennai should mention the conclusion.
2. Current status of plot u/r along with current dated site photographs. If there exists structure on site u/r, authorization details of its along with earlier CRZ clearance needs to be submitted.

  
Chairperson

The PP should submit the above said information within 1 month period, otherwise, it will be construed by the Authority that the PP is not interested in the proposal and it will be delisted from the records of MCZMA, on approval of Chairperson, MCZMA.

**Item No.38:** Proposed construction of school building on land bearing CTS No. 1374B/166 of village Versova at S.V.P. Nagar MHADA Layout, Andheri (W), Mumbai by Shri. Jesus S. Lall, President of National Education Society

The Authority noted that Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 24.2.2015 forwarded the proposal to MCZMA.

The project proponent presented the proposal which is as follows:

1. The proposal is for school comprising 2 tier basements for Car parking and services + Ground floor + 1<sup>st</sup> to 7<sup>th</sup> upper floor for school use by claiming 1.00 plot potential FSI + 3.88 additional FSI for school building on CTS No. 1374 B 166 of Village Versova, Mumbai.
2. The plot u/r is part of survey no. 120 of Versova and phase -I of approved layout dated 10.9.1998. The owner of layout is MHADA and layout is aided by World Bank.
3. MoEF has granted Environmental Clearance for phase -I of layout under reference vide their letter dated 10.2.2003. It is also stated that the requirement of existing road on seaward side of the plot is not imposed in case of MHADA layouts as per amendment to the principal notification issued on 21.5.2002.
4. As the proposal is approved "In Principle" for planning consuming 4.88 FSI and various Concessions in the proposal are approved by Municipal Commissioner, the proposal seeking additional FSI shall be sent to UDD. The plans for 4.88 FSI can be approved only after this additional FSI is approved by the State Govt.
5. Municipal Commissioner, MCGM has approved various concessions for the proposed building on 30.9.2014. MCGM has issued IOD vide letter dated 15.1.2010 for the project.
6. As per remarks of MCGM dated 24.2.2015, the plot under reference is situated in Residential Zone (R) and was not reserved for any public purpose as per old DP 1967
7. As per approved CZMP of Mumbai the land under reference falls in CRZ II.
8. Construction line of proposed building is beyond 50m from mangroves and not affected by buffer zone.
9. MCGM mentioned vide letter dated 24.2.2015, the land under reference falls within 500m from HTL of Arabian Sea and is in CRZ II as per approved CZMP of Mumbai. The plot under reference is not on landward side of 9.00m wide Internal Layout Road (in existence prior to 19.2.1991).
10. As per MCGM letter dated 24.2.2015, Architect has proposed school building in lieu of plot potential of permissible 1.00 FSI as well as additional FSI as per DCR 10 of DCR 1967.
11. Details of FSI / Free of FSI area as permissible as per DCRs as on 1967.

Total Construction Area	Proposed BUA for FSI Purpose	BUA claimed free of FSI
9396.50sqm	12421.10 sqm	3024.60sqm

12. As per plan submitted by PP,

  
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- Area of plot – 1917.70sqm
- Permissible FSI– 1.00
- FSI Credit available for Additional FSI - 7729.46 sqm
- Permissible BUA– 9248.93
- Total Permissible Floor Area – 9248.93sqm
- FSI Consumed – 4.82

The Authority noted the remarks dated 24.2.2015 of the MCGM. The plot u/r falls in CRZ II area and is not situated on landward side of existing road (i.e on Seward side). Further, as per MCGM remarks, construction line of proposed building is beyond 50m from mangroves and not affected by buffer zone. The MoEF vide letter dated 10.2.2003 has granted Environmental Clearance for phase –I of layout u/r.

In the light of above, the Authority after discussion decided to refer the proposal to MoEFCC, New Delhi for appropriate decision in the matter.

**Item No.39:** CRZ status of land bearing CTS No. 657 A (pt), S.No. 275(pt) of village Kanjur, Kanjur (E), Mumbai by M/s. H. S. Thakker & Associates

The Authority noted that M/s. H. S. Thakker & Associates vide letter dated nil (received on 26.2.2015) submitted application regarding property bearing CTS No. 657A(pt), S. No. 275 (pt) of village Kanjur, Kanjur (E), Mumbai.

The said letter of M/s M/s. H. S. Thakker & Associates mentions as follows:

- As per DP remarks the entire plot is affected by CRZ and as per sanctioned CZMP plan.
- As per demarcation of HTL deone by IRS, Chennai, only part portion of land is affected by CRZ.
- PP has proposed to develop the plot u/r as per provisions of DCR 1991 as the plot is designated for District Centre (Flower market). The PP has to construct and handover constructed amenity of 30% of MCGM free of cost as per provision of DCR 1991.

The PP has requested to kindly issue NoC for allowing development on the above plot as per provisions of DCR 1991 for Non CRZ portion only and as per demarcation issued by authorized agency.

The Authority noted the CRZ map (1:4000 scale) & report dated June, 2014 prepared by IRS, Chennai. The said CRZ map indicates new draft HTL as per CRZ Notification, 2011 which is not approved yet by MoEFCC, New Delhi.

The Authority noted that the MCZMA has earlier in its 87<sup>th</sup> meeting dated 20<sup>th</sup> & 21<sup>st</sup> Jan, 2014 discussed the application “error evident on record”- reclassification cases on plot CTS no. 275(pt), 657-C. 657-D & 657-A of village Kanjur(E), Mumbai. The Authority in its 87<sup>th</sup> meeting examined the status of the site on coastal land use map of the area 19889-91 and decided that the site falls in CRZ area, as per coastal land use map sent by SAC, Ahemadabad. The Authority decided to report the matter to MoEF. Accordingly, the matter was sent to MoEF, New Delhi by MCZMA.

  
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The Authority observed that the PP can submit the proposal of development on plot u/r through MCGM as per OM dated 2.7.2011 of MCZMA along with the CRZ status of the plot u/r as per approved CZMP of Greater Mumbai.

**Item No.40:** Proposed Asia Africa Europe One (AAE-I) Submarine Cable System landing at Versova Beach, Mumbai by M/s. Reliance Jio Infocomm Limited

The Authority noted that the M/s. Reliance Jio Infocomm Limited vide letter dated 12.2.2014 (received on 26.2.2015) submitted a proposal of Bay of Bengal Gateway (BBG) Submarine Cable System Landing at Versova Beach, Mumbai to MCZMA.

The project proponent presented project details which are as follows:

1. The AAE-1 Submarine Cable System, spanning around 25,000 km, will link South Asia to Africa and Europe via the Middle East with connections reaching out to 18 countries namely; Hong Kong, Vietnam, Malaysia, Singapore, Thailand, Myanmar, India, Pakistan, Oman, UAE, Qatar, Yemen, Djibouti, Saudi Arabia, Egypt, Greece, Italy and France. The cable will terminate in Mumbai at a Beach Man Hole (BMH) proposed to be located at a beach road connecting JP Road to Versova Beach, in front of Harshvardhan Society. Size of the BMH proposed is 4m x 2m x 2m. This is the most preferred route option for cable laying in this segment and landing at Versova Beach.
2. The proposed landing site for the AAE-1 Submarine Cable System is located at Versova Beach, Mumbai, Maharashtra.
3. The cable will land in a BMH proposed to be located at a beach road connecting JP Road to Versova Beach, in front of Harshvardhan Society. The global positioning system (GPS) of the centre of the BMH is 19° 7' 59.52" (19.1332°) N and 72° 48' 41.148" (72.81143°) E.
4. As per submitted information, the cable will enter the Indian Territorial Waters (CRZ-IVA), the beach (CRZ-IB) and terminate in the BMH (CRZ-II). Project proponent has submitted CRZ map (scale 1:4000) & report dated 12.2.2015 prepared by IRS, Chennai. As per the said report,
  - The proposed Beach Man Hole (BMH) lies in CRZ-II.
  - The Shortest distance between inner side (seaward side) of proposed BHM and the boundary of CRZ-I(B) area is 26.51 m.
  - The shortest distance between center of proposed BMH and the boundary of CRZ I(B) area is 28.10m.
5. Project proponent has submitted Environmental Impact Assessment Report, Environment Management Plan, Disaster Management Report & approved CZMP showing site u/r for the proposed project. As per EIA report, the AAE-1 Submarine Cable System Landing and the associated marine installation will have low and insignificant impacts on the environment.

The Authority observed that there are no ecological sensitive areas / mangroves at the landing point. Authority noted that as per para 4(ii)(d) of CRZ Notification, 2011, laying of pipelines, conveying system, transmission line requires prior clearance from MoEF, New Delhi. Authority after detailed discussion and deliberation decided to recommend the proposal from CRZ point of view to MoEF, as per CRZ Notification, 2011.

  
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**Item No.41:** CRZ status of project site bearing S.No. 1/3, 1/4, 29/2A, 29/3 & 30/9 of village Vasundari, Tal.Kalyan, Dist.Thane by Shri. Faiyaz Gharade

The Authority noted that the Shri.Faiyaz Gharade vide letter dated 25.2.2015 (received on 27.2.2015) submitted application for CRZ status of project site bearing S.No. 1/3, 1/4, 29/2A, 29/3 & 30/9 of village Vasundari, Tal.Kalyan, Dist.Thane.

Shri. FaiyazGharade submitted the CRZ map (1:4000 scale) and report dated 16.2.2015 of IRS, Chennai for project site bearing S.No. 1/3, 1/4, 29/2A, 29/3 & 30/9 of village Vasundari, Tal.Kalyan, Dist.Thane. The said report of IRS, Chennai mentions as follows:

- As per section 1 para (ii) of CRZ Notitification, 2011 of MoEF vide S.O. 19(E) dated 6.1.2011, CRZ shall apply to the land area between HTL to 100mtrs or width of the creek ehichever is less on the landward side along the tidal influenced water bodies that are connected to the sea.
- The project in Survey No. 1/3, 1/4, 29/2A, 29/3 & 30/9 of village Vasundari, Tal.Kalyan, Dist.Thane falls outside 100m buffer from HTL of KaluNadi as well as 100 m biffer from Ulhas River.
- HTL demarcated by Institute of Remote Sensing, Anna University with GPS Survey conducted during 2015 for Kalunadi and Ulhas River corresponds to HTL indicated in approved CZMP for Thane District subjected to the generalization error caused by the variation in scale of mapping.
- The project site falls outside 100m buffer from HTL indicated in approved CZMP.

The project proponent was present for the meeting who informed that the site u/r is vacant and submitted the site photographs.

The Authority noted that the as per para (ii) of CRZ Notification, 2011, the CRZ area limit with regard to river (tidally influenced water body) is 100 m or width of the creek whichever is less.

In the light of CRZ map(1:4000 scale) & report dated 16.2.2015 prepared by IRS, Chennai ( MoEF authorized agency), the Authority after discussion decided that the project site bearing S.No. 1/3, 1/4, 29/2A, 29/3 & 30/9 of village Vasundari, Tal.Kalyan, Dist.Thane does not falls within 100 m CRZ buffer area from approved HTL of Kalu & Ulhas River. Hence, the project site u/r does not fall under the ambit of CRZ Notification, 2011.

**Item No.42:** Construction on plot bearing S. No. 7/2, C.T.S. No. 1324 Mouje Alibag, Tal. Alibag, Dist. Raigad by M/s. Shreebag Sahakari Madhyawarti Grahak Mandal Ltd. (Court matter)

The Authority noted that the Alibag Municipal Council (AMC) vide letter dated 15.6.2015 forwarded the proposal to MCZMA, as per which, the proposal is for ground floored construction for commercial use on plot bearing S. No. 7/2, C.T.S. No. 1324 Mouje Alibag, Tal. Alibag, Dist. Raigad. As per Alibag Municipal Council vide letter dated 15.6.2015, the land u/r falls in CRZ-II and landward side of existing structure. Area of plot is 1240 Sqm. Proposed BUA is 707.28 Sqm ( FSI consumed 0.57).

  
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The official of Alibaug Municipal Council presented that the plot u/r is situated in Residential Zone and out of congested area as per sanctioned DP of Alibaug. The plot does not fall within 50 m. mangroves buffer zone.

The Authority noted that the WP No. 6389 of 2015 has been filed before Hon'ble High Court Mumbai in the subject proposal. Hon'ble High Court Mumbai has passed following Order on 7.8.2015-

*" 3. As of today, there is no occupation certificate granted by the Alibag Municipal Corporation to the structure constructed by the fourth Respondent.*

*4. Place the Petition on 25th September 2015 which is the scheduled date. By way of adinterim relief, we direct that the Alibag Municipal Corporation shall not grant occupation certificate without seeking clarification from the Maharashtra Coastal Zone Management Authority that the structure is not affected by the Coastal Regulation Zone Notification dated 6th January 2011.*

*5. Thus, it follows that without grant of occupation certificate, the fourth Respondent shall not use the structure in question."*

The Authority after discussion decided to defer the matter in order to examine in detail the petition filed by the petitioner in WP No. 6389/2015 before the Hon'ble High Court of Mumbai.

**Table Item no. 1:** Proposal for storage depot & allied activities for Mumbai Metro Line-3 – Colaba – Bandra- SEEPZ project activities by Mumbai Metro Rail Corporation Ltd.

The Authority noted that the Mumbai Metro Rail Corporation Limited (MMRC) submitted the the proposal vide letter dated 28.08.2015 to MCZMA.

The MMRC officials presented the project which is as follows:

- The Government of India and Government of Maharashtra have approved the Mumbai Metro Line 3 (MML3) connecting Colaba – Bandra – SEEPZ (Andheri East) a fully underground corridor (length: 33.5 km and Stations: 27).
- Majority of the alignment passes under the DP roads at a depth of 18-25m below ground level; stations are located generally at 1.0 km intervals. All the station has been planned either below the existing roads or open spaces depending on site conditions.
- The MMRC has proposed temporary project activities like Storage Depots (CDs) and Tunnel boring Machine (TBM) worksites at identified sites located at Colaba and Mahim. The identified sites fall in CRZ area. MMRC is in the process of getting the possession of the said identified sites.
- The proposed temporary project activities are tabulated as below:

  
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Sr. No.	Plot No. ref/ ownership	DP remarks	Activity proposed	CRZ status
1	Helipad Land; adj. Backbay BEST Depot - Plot No. 97 D BBRS Scheme, Block 6 Total area- 9,854 Sqm.	1. falling in residential Zone 2. partly affected by the 60.97 m wide prakash pethe marg	Storage Depot- Temporary usage.	CRZ II area and situated on landward side of existing world trade centre building.
2	Land behind World Trade Centre (Sachivalaya Gymkhana land) CTS No. 1/639 and 1A/639, BBRS, Block 5, Plot No. 97/B Total area of plot- 9890 Sqm.	MCGM - PG/ Stadium MMRDA - PG/ Gymkhana	Storage Depot- Temporary usage.	CRZ III area
3	Nursery & BMC park in front of Colaba Woods Garden Plot No. 87A, 87, 88, 89, 90 & 103 Total area of plot – 14,175 Sqm	DP road-10,800 Sqm and children park area -3375 Sqm. Children Park ( 60. 87 m wide DP road is proposed)	Temporary & Permanent (Station & allied facilities)	CRZ III area
4	Plot No. 105, BBRS Scheme, Block 4, Colaba. Total area of plot – 2,155 Sqm.	Parking	Temporary; Construction Depot	CRZ II area and situated on landward side of Koliwada( Machimar Nagar)

  
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5	Plot No. 109, Open land of BMC park near Badhwar Park on Prakash Pethe Marg.  Total area of plot- 2,020 Sqm.	DP Road	Traction Sub Station (TSS)	CRZ II area and situated on landward side of Koliwada ( Machchimar Nagar)
6	Plot no. 176,177/a,178,178/a; Political Party Offices & MAT & other Govt Offices /Barracks  Total area of plot- 19,597 Sqm.	RG/PG	Temporary & Permanent; Metro Stn,(VB), Ancillary, Entry/Exits	CRZ III area.
7	Plot No. 151 B/ 1 & 151 B/2, Fort, CTS No. 1975 & 1/1975, BBRS Scheme, Block 3; Land behind Fire Brigade,  Total area of plot- 3,829 sqm.	MCGM - Partly affected by reservation of BEST, Fire Brigade station, Post & Telegram office MMRDA -Govt. Housing Govt - Public / Semi- Public Zone	Storage Depot- Temporary usage.	CRZ II and situated on landward side of existing new Manora MLA Hostel.
7A	Plot; 150A, BBRS Scheme, Block 3; Land behind Manora/MLA Quarters, BBRS SCHEME BLOCK 3,  Total area of plot- 4,002 Sqm.	No Development Zone (NDZ)	Storage Depot- Temporary usage.	CRZ III area.
8	Desai Maidan Part of F.P. No. 484A TPS-III, Mahim	Play Ground	Storage Depot- Temporary usage.	The plot is situated beyond 100 m CRZ area limit from the approved HTL of Mahim Bay. Hence, the

  
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	Total plot area- 2,862 Sqm.			plot is Non CRZ.
9	Naya Nagar Slum area, Near Xaviers Engg. Institute, Mahim  Total area of plot- 2,175 Sqm.	2116 (part) Educational Complex	TBM shaft/ Worksite	Plot is situated beyond 100 m CRZ are limit from the approved HTL of Mahimi Bay as well as Mahim Creek. Hence, the plot is Non CRZ.
10	Road end of Senapati Bapat Marg, Near Police colony and Rheja hospital, Mahim.  Total plot area- 5,300 Sqm.	MCGM Road	Storage Depot- Temporary usage.	CRZ II area and it is situated on landward side of existing railway track.
11	CTS 343: Land Adjacent to Sion Mahim Road (T Junction)  Total area of plot – 3,292 Sqm.	Residential Zone (primary School reservation)	Temporary; Construction Depot	CRZ II area and situated on landward side of existing sion-mahim link Road.
12	CTS 629 (part), 629/1269, Bandra, 629/1276 BKC, TATA plot and Court land plot  Total plot area- 10,245 Sqm.	Residential/ DP Road. Partly affected by 15m wide wooded area.	Temporary; Construction Depot	Area of plot falling in CRZ I area- 7415.01  And, area of plot falling in CRZ II area is 12666.093 Sqm. Further, are of plot 320.74 Sqm falls in CRZ III area.  The portion of plot falling in CRZ II is situated on landward side of existing BKC internal road.

  
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The Authority noted that the MMRC has also prepared the Comprehensive EIA & EMP complying JICA environmental guideline which has been approved by JICA after following due process. The tender documents for civil contracts have all the necessary provisions stipulating EMP by contractor and will be monitored by MMRC to during entire construction period.

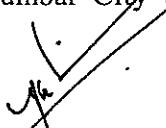
The Authority observed that the proposal mainly involves storage of materials/ equipments/ machineries for Mumbai Metro Line-3 – Colaba – Bandra- SEEPZ project. Further, as per submissions of MMRC, project activities such as storage of material/ equipment, traction sub station and TBM launching worksite are temporary in nature and the sites/plot areas would be occupied for a period of 4.5 years from the date of commencement of construction activity. The Authority observed that the project activities could be allowed in those sites which falls in CRZ II area and situated on landward side of existing road or existing authorized structure. The Authority instructed the MMRC to submit the followings:

1. Authorization details of Koliwada( Machchimar Nagar), Colaba
2. Distance of the site from the approved HTL of Mahim Bay needs to be provided by the PP through MCGM for the site having Part of F.P. No. 484A TPS-III, Mahim (Total plot area- 2,862 Sqm.). Desaid Maidan, Mumbai.
3. Distance of the site from the approved HTL of Mahim Bay needs to be provided by PP through MCGM for the site having area 2,175 Sqm at Naya Nagar Slum area, Near Xaviers Engg. Institute, Mahim. PP needs to submit an undertaking that the site u/r is situated beyond 100 m approved HTL of Mahim Bay.
4. Whether the site having area 5,300 Sqm road end of Senapati Bapat Marg, Near Police colony and Raheja hospital, Mahim (project site at Sr No. 10) is situated on landward side of existing road or existing authorized structure.

The Authority noted that as per CRZ Notification, 2011, all open spaces, parks, gardens, playgrounds indicated in development plans in Greater Mumbai area within CRZ II shall be categorized as CRZ III, that is, 'No development Zone'. The Authority observed that certain activities are also proposed in CRZ III area, which will not be in consonance with CRZ Notification, 2011. Further, part of project at Sr No. 12 also falls in CRZ I area which will not be allowed.

As per submission of MMRC, the proposal at Sr No. 2, 6, 7A and part of the project at Sr No. 3 and 12 are falling in CRZ III area and part of project at Sr No. 12 also falls in CRZ I area which will not be inconsonance with CRZ Notification, 2011. In view of the State Govt declaring the project as Public project of Urgency and Important Urban transportation project, it is requested to recommend these proposals as special case to MoEF for consideration from CRZ point of view.

The Authority discussed the request of the MMRC and felt that the project of Metro Line 3 is important infrastrucuture project for Mumbai City and it is in the interest of public. The

  
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Authority felt that the proposals falling in CRZ III area could be referred to Ministry of Environment, Forest and Climate Change, New Delhi for further appropriate action and guidance.

The Authority after deliberation decided to recommend the proposal falling in CRZ II areas to concern planning Authority from CRZ point of view subject to submission of above said information from MMRC and subject to compliance of following conditions:

1. The project activities 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. This CRZ recommendation is only for the project activities falling in CRZ II area and situated on landward side of existing road or existing authorized structure.
3. There should not be any project activity in CRZ I and CRZ II area situated on seaward side of existing road or existing authorized structure.
4. Project sites should be temporarily barricaded.
5. No manufacturing activities are allowed on the project sites.
6. No destruction of mangroves is allowed.
7. The Environment Management Plan (EMP) should be implemented in spirit and in an effective manner for protection of coastal environment.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be disposed scientifically at a designated place.
9. During the construction & operational phase, all efforts should be made to maintain surrounding ecology of the area.
10. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Table Item no. 2:** Proposed redevelopment of building on plot bearing C.S. No. 579 of Malabar Hill Division, Nepeansea Road, D Ward, Mumbai by M/s. Satellite Developers

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 17.8.2015 forwarded the proposal to MCZMA. The project proponent presented that as per MCGM letter dated 17.8.2015, the proposal is for redevelopment of Morarka Bungalow which is a non-cessed structure, and is a part of multi mill aggregation scheme of 7 textile mills (NTC) being developed under Regulation 58 of DC Regulation 1991.

The Authority noted that earlier the proposal for redevelopment of building under para 8.v(c) of CRZ Notification, 2011 (redevelopment of dilapidated building under 33(6) of DCR 1991 as on 1991) was considered in 75<sup>th</sup> meeting of the MCZMA held on 15.5.2012. The MCZMA vide letter dated 7.7.2012 granted CRZ recommendation to the project of redevelopment of building on plot bearing CS No. 579 of Malabar Hill Division, Nepean Sea Road, D ward, Mumbai subject to certain conditions. Now, the proposal forwarded by MCGM is under DCR 58 of DCR 1991.

  
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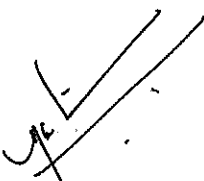
The Authority deliberated the matter and decided to seek a clarification from the MCGM as to whether the proposal submitted by MCGM under regulation 58 of DCR 1991 is in accordance with the para 8.V.1. (C) of CRZ Notification, 2011 (amended from time to time).

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

**Annexure I**

List of Members present for the meeting:

1. Joint Secretary, Urban Development Department
2. Joint commissioner, Fisheries.
3. Mr. B. G. Chaudhari, DyChE, MCGM.
4. Dr. M.C. Deo, Expert Member, MCZMA
5. Dr. Mahesh Shindikar, Expert Member, MCZMA
6. Shri. A.T. Fulmali, Member Secretary, MCZMA

  
Chairperson