

**Minutes of the 154<sup>th</sup> (Day1) meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 15<sup>th</sup> April, 2021**

The 154<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment). In view of present pandemic situation of COVID-19, it was decided to appraise the proposals by using information technology facilities. Hence, the proposals were appraised through Videoconferencing technology on Cisco WebEx platform on 15<sup>th</sup> April, 2021. List of members present in the meeting is at **Annexure-I**.

**Confirmation of 153<sup>rd</sup> minutes of MCZMA meeting:**

The Minutes of 153<sup>rd</sup> meeting of the MCZMA held on 19<sup>th</sup> March, 2021 confirmed with no changes.

**Item No. 1:** Proposed construction of two offshore container berths and development of container terminal on BOT basis in Mumbai Harbour by Mumbai Port Trust (MbPT)

The Mumbai Port Trust (MbPT) Officials presented the proposal before the Authority. The project is an expansion of existing Mumbai Port Trust for improvement of Traffic at Mumbai Port. MbPT has proposed to develop offshore container Terminal (OCT) at Indira Dock, Mumbai Port. It was decided to execute project in two phases.

The Authority noted that the proposal was earlier deliberated in 146<sup>th</sup> meeting of MCZMA held on 04.09.2020. The Authority noted that as per the Minutes of EAC, New Delhi, the Public hearing is exempted since it was already conducted in the year 2005. However, Queries/ Comments raised during earlier public hearing need to be documented in the form of Management Plan. It was noted that the Rapid EIA report submitted by the PP needs to add the chapter on the above said TOR point of the EAC, New Delhi. Accordingly, the matter was deferred for want of the Revised EIA report for the project which would have the chapter on Queries/ Comments raised during earlier public hearing need to be documented in the form of Management Plan. MbPT should also submit the CRZ map in 1:4000 scale superimposing the completed and remaining works.

The MbPT vide letter dated 12.10.2020 submitted revised EIA report, CRZ map in 1:4000 scale.

  
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The Authority noted that the revised EIA report has a chapter on details of public hearing and mitigation plan. One of the issue raised during public hearing was pertaining to mangroves and flamingoes. Reply of the MbPT states that no land is being reclaimed for the project. We are just filling up the old dock basins. About mangroves, this would not at all affected. The Mumbai Port has spent the dumping area is about 25 km away from the mangroves. The Mumbai port has developed and protected mangroves at sewri. Previously about 2000 flamingoes were there but of today there are about 14000 flamingoes. This project will no way affect habitat. Nearly about 15 Acres of area as sanctuary has been replanted. We spent Rs. 50 Lacs to develop this area as sanctuary. The mangrove situated between sewri wadala will be in no way affected.

The Authority noted the status of construction works at MbPT, which is as follows:

**Completed works:**


- 2 berths and approach trestle
- Capital dredging for berth pocket
- Filling of P & V Dock
- Rail Container Depot
- Approach channel and Turning circle dredging
- Berth Packet

**Pending works:**

- Procurement of Cargo handling equipment
- Container yard (Reclamation work completed. Work of development of yard mainly metalling WBM and wearing coat balance)
- Capital dredging in the approach channel and turning circle to the required depth

The Authority discussed the impact of the pending works such as work of development of container yard, capital dredging in approach channel etc. on the coastal environment and mangroves. The MbPT officials submitted that no mangroves would be disturbed while completing the pending works. No land is being reclaimed for the project. MbPT is just filling up the old dock basins.

The Authority noted that as per approved CZMP of Greater Mumbai of 2011, the site under reference falls in CRZ-II & IV areas.



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The Authority noted that as per provisions of CRZ Notification, 2011, following is permissible:

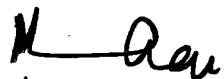
- As per para 3(c) of the CRZ Notification, 2011, (c) maintenance or clearing of waterways, channels and ports, based on EIA studies;
- As per para 4(i) (f) of CRZ Notification, 2011 Construction and operation for ports and harbours, **jetties, wharves**, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are permissible activities.

The Authority felt that the project could be recommended to MoEF&CC, New Delhi from CRZ point of view so that pending works be completed by the MbPT.

In the light of above, after detailed discussion and deliberation, the Authority decided to recommend the proposal to MoEF&CC, New Delhi subject to strict compliance of following conditions:

1. The proposed pending works should be carried out strictly as per the provisions of CRZ Notification, 2011 as amended from time to time.
2. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
3. MbPT to ensure no spillage of oil from ships/ vessels in the sea. MbPT should ensure proper Oil Spill Management Plan as well as barricading/isolation along with danger/inflammable sign to be provided on the existing chemical berths. During operation phase, accidental spill of chemical/oil should be collected and disposed-off through authorized recyclers.
4. The dredged material to be disposed-off at the designated locations to avoid any adverse impact on marine water quality.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PP to ensure that best industrial practices should be followed for fire safety measures and for conservation of coastal environment
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

  
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**Item No.2:** Proposal for pipeline carrying secondary treated sewage from Ghatkoper pumping station to main plant at Deonar for development of 600TPD waste to energy project to generate about 4 MW of power at Deonar, Mumbai by MCGM.

The MCGM officials presented the proposal before the Authority. The MCGM has planned to set up 600TPD waste to energy project to generate about 4 MW of power at Deonar, Mumbai.

For the said waste to energy plant, MCGM has proposed laying of pipeline carrying secondary treated sewage from Ghatkoper pumping station to main plant at Deonar.

The Authority noted that MCZMA in its 119<sup>th</sup> meeting held on 28<sup>th</sup> to 30<sup>th</sup> June, 2017 recommended the project activities such as laying of pipeline and other ancillary activities for the 3000 TPD waste to energy at Deonar, Mumbai. The Main waste to energy plant was in Non CRZ area. The MCGM informed that the said project is now revised and hence, MCGM has scrapped the earlier proposal. Now, MCGM is seeking the fresh CRZ clearance for the revised proposal.

The MCGM officials presented that as per the revised proposal, waste to energy plant capacity is now 600 TPD which is located in Non CRZ area. Other ancillary project activities which are situated in Non CRZ areas, are Effluent treatment plant, Open car park for 50 cars, Effluent pond, Leachate Treatment plant, two numbers of Security Booth and Area for future expansion.

The MCGM has proposed to transport the water required for the said waste to energy plant from nearby Ghatkoper Pumping through pipeline. The said pipeline will carrying secondary treated sewage from Ghatkoper pumping station to main plant at Deonar. As per the approved CZMP, 2011, the said pipeline having 3.5 km length crosses the thane creeklet and hence, falls in CRZ IA and CRZ II area.

MCGM officials further presented that pipeline of 3.5 km is passing through 50 m mangrove buffer zone area and around three (3) mangrove trees would be affected while laying the pipeline across the creek.

  
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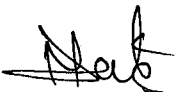
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The Authority discussed that, the project of waste to energy project is crucial and environmentally important project for the city of Mumbai in resolving the issue of MSW.

The main plant and other ancillary activities are in Non CRZ and only pipeline carrying treated sewage from the Ghatkopar pumping station is passing through CRZ area. The Authority discussed the impact of the said pipeline on mangrove vegetation present on the bank of the creeklet. It was suggested that MCGM to adopt best industrial practices to lay the pipeline so that it will have minimum disturbance to mangroves while construction and operation. The MCGM need to ensure that all the necessary statutory permissions such as Forest, Mangrove Cell and High Court are obtained prior to commencement of activities in CRZ area. The Authority noted that as per para 4(ii) (d) of the CRZ Notification, 2011, laying of pipelines requires clearance from MoEF&CC, New Delhi.

After deliberation, the Authority decided to recommend the proposal from CRZ point of view to MoEF, New Delhi subject to compliance of following conditions:

1. Proposed project should be as per the provisions of CRZ Notification, 2011 (amended from time to time)
2. The MCGM to ensure that five times the number of mangroves destroyed/cut during the construction process should be replanted. PP to obtain the NoC from the mangrove Cell for the project.
3. MCGM should obtain prior Hon'ble High Court permission, since the pipeline is passing through 50 m mangrove buffer zone area and would affect the mangrove vegetation
4. Original contours of the creek bed and banks should not be disturbed, during the laying of the pipeline. MCGM shall implement the standard industrial practices to lay the pipeline so that marine ecology would be least affected.
5. Effluents from the ETP should not be discharged into the creek water.
6. PP to restore the sites after completion of the project activities
7. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
8. All other required permissions from different statutory authorities should be obtained prior to commencement of work



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**Item No.3:** Proposed construction of Smashan Shed and Accessory work on plot bearing 78 at mauje Kolamb, Tal. Malvan, Dist. Sindhudurg by Collector Office, Sindhudurg.

Sarpanch, village Kolamb, Malvan presented the proposal before the Authority. The proposal is of construction of Smashan Shed and Accessory work on plot bearing 78 at mauje Kolamb, Tal. Malvan, Dist. Sindhudurg by Collector Office, Sindhudurg.

Earlier the proposal was considered in 146<sup>th</sup> meeting of MCZMA held on 4.9.2020, wherein the Authority noted the remarks of the District Collector office remarks, which states that the site is situated in CRZ I (B) area.

The Authority observed the google image of the site as well as approved CZMP, 2011 and noted that the site of iron shed is on the landward side of the beach. The site may be in CRZ III area. However, exact superimposition of the site on approved CZMP, 2011 is required. Accordingly, the matter was deferred and called upon the report of the District Collect to confirm the exact CRZ status of the site.

The Authority noted that District Collector Sindhudurg vide letter dated 05.01.2021 has submitted its report, as per which, the site is situated in CRZ I (B) i.e. intertidal area. The proposed construction of Smashan Shed and Accessory work is for public utility purpose and essential activity for the local villagers. District Collector office has requested to grant CRZ Clearance.

The Authority discussed the matter and felt that Smashan Shed is essential activity for the villagers, however, the said activity is not a permissible activity in CRZ I (B) i.e. intertidal area, as per CRZ Notification, 2011. Hence, the present proposal stands rejected. However, villagers and District Administration needs to identify revised location for the smashan shed which is not in CRZ I (B) area so that CRZ approval could be granted for the same. After identification of new location, the District Collector office shall submit revised proposal to MCZMA for consideration.

  
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**Item No.4:** Proposal for the work of Training and De-silting of Nalla at various locations in Mira Bhayandar Municipal Corporation by MBMC.

Municipal Commissioner, Mira Bhayander Municipal Corporation presented the proposal before the Authority. He presented that the Mira Bhayander area has extensive network of Creeks and Nalla's spread across the city. The Creeks/ Nalls are crucial outlets that protect city from possible floods. MBMC is a developed urban locality and nallas within the city offload to main creek. However, over the year, growth of mangrove in the nallas have impacted the storm water discharge into the creek, thereby causing water logging into the city. In Phase I, following nallas for training and de-silting purpose are considered. The list of the nallas is as mentioned below:

Sr. No	Name of Nalla	Length(meter)	Proposed scheme
1.	Morva Creek Bridge Nalla	1380	Training & Desilting
2.	Rai Bridge Nalla	945	Training & Desilting
3.	Murdhe Bridge Nalla	1772	Training & Desilting
4.	Ganesh Deval Nagar Nalla	1250	Training & Desilting
5.	Navghar Chalghar Creek Nalla	1983	Training & Desilting
6.	Hutkesh Ughadi to Ghodbunder Gaon Nalla	1400	Training & Desilting
7.	Mira Road Saint Xavier's School to Shrushti Old Bridge	700	Training & Desilting
8.	Uttan Creek Pali Road	980	Training & Desilting

The sites falls in CRZ I (A) mangroves, CRZ I (B) intertidal. With regard to Uttan creeks its, CRZ I (B) and CRZ II area. As per submission of MBMC, total area of mangroves affected for the said work would be around 9.85 Ha.

The Authority deliberated the role of mangrove in flood control. Expert Members shared their view stating that mangrove vegetation grow in saline coastal environment along the creek/ creeklets/ Nallas. During the high tide, mangrove present along the bank of creek / creeklets helps in dissipating the water flow energy horizontally in the mangrove area, thus minimizing the impact of high tide.

  
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Further, mangrove stabilizes the soil along the creek, thereby reducing the soil erosion. However, at the same time, siltation in the creeklets/ nalls and growth of mangrove in the middle portion of creeklets/ nallas could possibly obstruct the free flow of water and in turn may arise water logging situation. Member from the Mangrove Cell also re-iterated the same. Expert Members further raised a concern that it needs to be examined whether the MBMC proposing the training/ realignment of creeklets/ nallas. Training/ alignment may disturb the natural coastal environment of creek lets. In order to strike a balance, appropriate possible measures needs to be worked out so that de-silting of the creeklets/ nalls could be carried out with minimum disturbance to mangroves. Site specific dynamics needs to be understood to assess the ground realities.

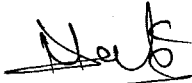
After detailed discussion and deliberation, the Authority decided that sub-committee of expert members of the MCZMA. earlier constituted vide order dated 4<sup>th</sup> November, 2020 based on 147<sup>th</sup> meeting decision, shall make site visits and submit a report to the MCZMA, The sub-committee shall explore ways whether de-silting of Nallas could be done without disturbing mangroves.

After receipt of report from the sub-committee, the matter would be taken up in MCZMA meeting for further appropriate decision, in the light of observations of the report of the sub-committee.

**Item No.5:** Proposed redevelopment of Sherly Rajan Dispensary on plot bearing CTS No. 1163 of Bandra C Village, located at Sherly Mala Road, bandra (W), H/W Ward, Mumbai by MCGM.

Municipal Architect, Municipal Corporation of Greater Mumbai presented the proposal before the Authority. The proposal is for redevelopment of Sherly Rajan Dispensary on plot bearing CTS No. 1163 of Bandra C Village, located at Sherly Mala Road, Bandra (W), H/W Ward, Mumbai.

The proposal is for demolition and reconstruction of Sherly Rajan Dispensary. The proposed construction comprises of stilt floor + ground floor + 2 upper floors includes generic medicine store, dispensary, pharmacists room, health post, lab and drug storage room on plot under reference. Plot area under consideration is 167.55sqm, proposed built up area is 130.60 sqm. As per DP remarks 1967 of the MCGM, the land under reference falls in Residential Zone and reservation of Public Housing, designation of Municipal Dispensary as per SRDP 1991 and Hospital as per DDP, 2034.

  
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As per approved CZMP of 2011 the plot under reference falls in CRZ-II area and landward side of existing road.

As per para 4 (ii) the following activities shall require clearance from MoEF, namely:- Demolition and reconstruction of (a) buildings of archaeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities;

After deliberation, the Authority decided to recommend the proposal from CRZ point of view to MoEF&CC, New Delhi subject to compliance of following conditions:

1. The concerned Planning Authority to ensure that FSI for the proposed reconstruction is as per the town and country planning regulation existing as on 19.2.1991 and before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained.

**Item No.6:** Proposed construction of Staff Quarters and Police Station on plot bearing C. S. no. 1977 at Dinshaw Wachha Road, behind Yashodhan, Mumbai by PWD, Mumbai.

The Authority noted that the PWD, Mumbai submitted an application for construction of staff quarters and police station on plot bearing C. S. no. 1977 at Dinshaw Wachha Road, behind Yashodhan, Mumbai. Old structure is demolished. Plot area under consideration is 4425.63sqm, proposed built up area is 4883.03 sqm.

The Authority noted that the PP has submitted the CZMP of 2011 showing site under reference. As per which, the site is situated beyond 100m from HTL of Backbay and hence, beyond CRZ area.

The Authority after discussion decided to confirm that as per the CZMP of 2011, the plot under reference is situated beyond 100m from HTL of Backbay and hence, situated beyond CRZ area. The matter is not within the ambit of provisions of the CRZ Notification, 2011.

  
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**Item No.7:** Proposed development of RCC Bridge from Ghansoli to Airoli by NMMC

The Municipal Commissioner, Navi Mumbai Municipal Corporation presented the proposal before the Authority. The NMMC has proposed construction of RCC Bridge from Ghansoli to Airoli. It involves construction of segmental bridge over length of 3.05 km with 6 lane divided carriageway. It further merges into proposed four Lane Bridge ending at chainage 3+050 connecting existing road near sector 14 of Airoli. The road on embankment continues into 6 lane bridge and ends at chainage 2+850 connecting Mulund-Airoli bridge with required interchanges. The project involves construction of bridge in mangrove area along east bank of Thane creek over length of 1.05 km. As per approved CZMP, the project falls in CRZ -I (A) & II areas. The project involves construction of bridge in mangrove area along east bank of Thane creek over length of 1.05 km. As per approved CZMP, the project falls in CRZ -I (A) & II areas.

The PP has submitted the Rapid EIA / EMP for the project. The PP presented that appropriate measure are planned in order to minimize the impact of the project on marine ecology, mangrove and flamingos in the airoli creek.

The Authority noted that the proposal was earlier considered in 152<sup>nd</sup> meeting of MCZMA held on 16.02.2021, wherein it was presented that around 5396 mangrove trees covering area of 4 Ha. would be affected for the project. The Authority felt that considering the design of the bridge on pillars, mangroves required to be cut for the project might be less. Member from the Mangrove Cell agreed the same. Hence, exact number of mangroves which would be affected due to proposed bride needs to be worked out once again, in order to determine the impact of the project on mangroves. Dr. Mahesh Shindikar explained that Acanthus are dominant in the region and should be considered based on their footprint rather than numbers.

The Authority also discussed about the proposed road on embankment. The PP informed that road is proposed on existing embankment at the site. The Authority sought details of the exiting embankment at the site. Length of the existing embankment and when it is constructed and whether proposal involves any extension of the embankment.

  
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The MCZMA in its 152<sup>nd</sup> meeting decided to seek following details:

1. Mangrove Cell and NMMC to provide Numbers / Area of mangroves that would be affected due to project in order to understand the impact of the project on mangroves.
2. NMMC to provide report pertaining to road on embankment. Details of existing embankment. Length of the existing embankment and when it is constructed and whether proposal involves any extension of the embankment.

The Authority noted that reports were received from the NMMC and Mangroves Cell.

**1) NMMC Report:-**

The NMMC vide letter dated 17.2.2021 submitted its report. The report states as follows:

- a) Temporary impact: The total 15 m of ROW will be required for construction purpose. Mangroves under this are will be affected temporarily. Permanent Impact: There will be 25 nos of piers for which the mangrove will be affected permanently.

	Mangrove area (Sqm)	Nos of mangrove
Temporary impact	10,125	2640
Permanent Impact	2025	810
Total	12150	3540


- b) The embankment was a part of CIDCO development for sector 10A of Airoli or peripheral road. It is understood that this was done 20 years back.

**2) Mangrove Cell Report:**

The Mangrove cell vide letter dated 26.03.2021 submitted its report. As per the report, the site visit was done at proposed site on 08.03.2021 & following observation was made during the site visit.

- 1) The proposed bridge is constructed from Ghansoli sector 14 to sector 10 A and the GPS regarding are.
  - 19 07 32.63N                      72 59 20.88E (Ghansoli)
  - 19 09 3.16N                      72 59 11.93E (Airoli)
- 2) The proposed bridge is passing through Reserve Forest (Mangrove) villages Dive survey no. 150A, Talvali survey no. 195, Navi Mumbai

  
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survey no. 184 and Ghansoli survey no. 109. Approximately 4ha. forest area will be affected due to the proposed project.

- Total number of mangroves affected will be approximately 5,500 to 6000 trees which fall in the alignment of the proposed bridge. However, approximately 1000 mangroves will be cut for the purpose of construction of piers (25 numbers).
- Part of bridge and embankment is passing through 50m buffer zone of Reserve mangrove forest (Dive village S. N. 150A)
- As the proposed project is an important public infra project to improve connectivity in Navi Mumbai region, it is recommended by the mangrove cell on the condition that PP has to obtain necessary permission under FCA 1980 and also from the Hon'ble High Court.

The Authority noted that as per the report of the mangrove cell, total number of mangroves affected will be approximately 5,500 to 6000 trees which fall in the alignment of the proposed bridge. However, approximately 1000 mangroves will be cut for the purpose of construction of piers. Taking into the order dated 18<sup>th</sup> Sep, 2018 in PIL 87/2006 by Hon'ble High Court, which bars the construction in mangroves area except in public interest project, the Authority after deliberation decided that NMMC need to submit the explicit note on the public interest involved in the project to the MCZMA. Accordingly, the matter was deferred for the want of above said information from the NMMC.

**Item No.8:** Proposed redevelopment of the existing building known as Amir House on plot bearing C S No. 79 of Colaba Division, Nathalal Parikh Marg, Mumbai by M/s M R K Enterprises.

The project proponent could not present the proposal before the Authority due to technical issue. Hence, the matter was deferred.

**Item No.9:** Regarding extension to CRZ Clearance for the proposal of construction on property bearing plot no. 124, CTS no. 1/48/1A/2, Oshiwara, Andheri (w), Mumbai by M/s Samartha Development Corporation.

The consultant on behalf of project proponent presented the matter before the Authority. He submitted the matter pertains to clarification with regard to CRZ Clearance dated 11.11.2011 granted to the project of construction on property bearing plot no. 124, CTS no. 1/48/1A/2, Oshiwara, Andheri (w), Mumbai.

  
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The Authority noted that the project was considered in 71<sup>st</sup> meeting of MCZAM held on 26.8.2011 and decided to recommend the proposal to MCGM subject to certain conditions. Accordingly, MCZMA recommendation letter issued on 11.11.2011 to project.

The complaint was received in the matter alleging that site falls in CRZ I and not in CRZ II area. It was also alleged that Construction activities are being undertaken with destruction of mangroves. The complaint matter was deliberated in 83<sup>rd</sup> & 86<sup>th</sup> and 114<sup>th</sup> meeting of the MCZMA held on 8<sup>th</sup> August, 2013 and 27<sup>th</sup> November, 2013 and November, 2016.

The Authority during the meetings also noted that the WP No. 1579/2012 with Chamber summons No. 232 /2012 with Notice of Motion No. 306/2012 with Chambers summons (L) No. 130/2013 is being heard before the Hon'ble High Court of Mumbai. The Authority in its 114<sup>th</sup> meeting considered all the documents, maps & say submitted by project proponent (PP) and decided to withdraw stop work order dated 29<sup>th</sup> June, 2013 of MCZMA with a condition that the MCGM should ensure that no construction is allowed in 50m Mangroves Buffer Zone area, if any. Accordingly, the MCZMA issued a letter of stop work notice withdrawal was issued on 17.2.2012 to PP.

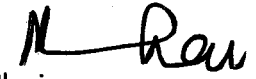
The Hon'ble High Court on 18<sup>th</sup> July, 2019 has dismissed the PIL no. 5/2019 confirming that the plot is in CRZ II and construction is permissible in CRZ II.

The consultant further stated that the construction work on the site is commenced and work upto stilt is completed on the site. He further added that validity of the CRZ clearance is for 7 years as per the CRZ Notification dated 6<sup>th</sup> March, 2018 and it applies retrospectively from 6.1.2011, since the clause of validity has been substituted to original CRZ Notification, 6.1.2011.

The Authority noted the clause (v) of para 4.2 of original CRZ Notification, 6<sup>th</sup> January, 2011 was amended on 6<sup>th</sup> March, 2018 through substitution, which states as follows:

*"The clearance accorded to the projects under this notification shall be valid for a period of seven years from the date of issue of such clearance:*

  
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*Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance:*

*Provided further that the period of validity may be extended for a maximum period of three years in case an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State / Union Territory Coastal Zone Management Authority”;*

The Authority from above noted that clause (v) of para 4.2 was substituted vide CRZ amendment dated 6<sup>th</sup> March, 2018. Hence, Authority opined that substitution of clause (v) of para 4.2 makes the said validity criteria for the CRZ clearance applicable from the date of original CRZ Notification, 6<sup>th</sup> Jan, 2011.

The Authority deliberated that MCZMA has imposed the stop work notice from Jan, 2013 to Feb, 2017 i.e. for the period of 43 months.

Hence, in the said stop work period, the PP could not carried out the construction activity. The Authority felt that the said stop work tenure could be excluded from the counting of the validity period. Hence, considering the operative years of the CRZ clearance, seven year validity period ends on June, 2022.

In the light of above, the Authority after detailed deliberation came to conclusion that, the validity of the project is 7 years and project is commenced within 5 years, hence, the CRZ clearance is at present valid upto 10<sup>th</sup> June, 2022.

**Item No.10:** Proposed alteration on ground floor of existing premises on plot bearing C.S. No. 142 of Fort Division, At 43, V. B. Gandhi Marg, A ward, Mumbai by Shri. Manish N. Munot

The Authority noted that a mail dated 15.4.2021 is received from the PP. The PP informed that he is unable to attend the meeting and requested the Authority to defer the matter. Accordingly, the matter was deferred.

  
Member Secretary

  
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**Item No.11:** Proposal for filing of land (construction and demolition Waste Management Plan) on plot bearing CTS no. 1125, 1126, 1141, 1151, village Erangal, Tal. Borivali, Dist. Mumbai by Shri. Pramod Annaji Mhatre

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

**Item No.12:** Proposed extensive repairs & reconstruction of the existing Garages on plot bearing C. S. No. 253 of Cumballa Hill Division at Ratilal R. Thakkar Marg, Off Ridge Road, Mumbai by Shri. Bhupendra H. Shah (Walkeshwar Chandanbala CHSL)

The consultant on behalf of project proponent presented the matter before the Authority. The proposal is for reconstruction of covered garages which are situated in building side open spaces. Existing building comprises of Basement + Ground Floor + 1<sup>st</sup> to 21<sup>st</sup> Upper Residential floors and 118 Nos. of covered Garages for Parking. The reconstructed garages will be exactly at the same location, without any increase in covered area. Area of the plot as mentioned in P. R. card is 9198.24 Sq. m. The plot under reference is in Residential Zone and is not reserved for any Public purpose. MCGM has forwarded the proposal under Section 342 of MMC Act for proposed Repairs amounting to Reconstruction without involvement of any additional FSI. The Garages are proposed to be reconstructed (100% Repaired) as it is and where it is as per approved plans and hence no involvement of FSI. The plans were approved in the past as per DCR 1967 and same are proposed to be continued.

The Authority noted that as per the CRZ map in 1:4000 scale prepared by the IRS Chennai, 92.4% of the site falls outside CRZ area. And 7.6% percentage of the site falls in CRZ II area. Out of these 118 numbers of garages, 30 numbers of garages are seen to be affected by CRZ II area.

The Authority noted that proposed reconstruction of garages is within the premises of exiting building situated in CRZ II area. The activity could be allowed from the CRZ point of view.

After deliberation, the Authority decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions:

  
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1. The Local Body to ensure that FSI for the proposed reconstruction of garrages is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained

**Item No.13:** Proposed Spirit of Mumbai Tower at Mahim Causeway, Mumbai

The project proponent could not present the proposal before the Authority due to technical issue. Hence, the matter was deferred.

**Item No.14:** Proposed development on land bearing plot no. 1, sector no. 42, Nerul, Navi Mumbai by Shri. Surjit Ailsinghani

The ADTP, NMMC presented the matter before the Authority. The Navi Mumbai Municipal Corporation vide letter dated 16.6.2019 submitted the proposal of proposed residential building ground + 12<sup>th</sup> floor on plot no. 1, sector 42, Nerul, Navi Mumbai. The plot under reference is situated in Residential zone. Plot area is 961.00 sqm. Permissible FSI is 1.00, built up area is 961.00 Sqm.

As per the remarks of the NMMC, the plot falls in CRZ II area and situated on landward side of existing road. The plot is partly within 50 m mangrove buffer zone area.

The ADTP informed that the plot is partly within 50 m mangrove buffer zone area. The Authority after deliberation decided that in view of the Hon'ble High Court order dated 18<sup>th</sup> Sep, 2018 in PIL 87/2006 wherein construction in 50 m mangrove buffer zone area is prohibited except for public interest projects. The Authority observes no public interest in the project, hence, the proposal is rejected from CRZ point of view.

  
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**Item No.15:** Proposed development of residential building on land bearing plot no. 3, Sector No. 31, GES, Vashi, Navi Mumbai by Smt. Shubhangi Hiralal Sarkar & Mr. Hiralal Ashiwini Sarkar

The ADTP, NMMC presented the matter before the Authority. The proposal is for construction of residential building on plot no. 3, sector 31, GES, Vashi, Navi Mumbai. As per sanctioned DP, the plot is situated in Residential zone. The proposed FSI is 1.492 and is within the permissible limit of 1.50 FSI as on 1991. Total plot area is 159.995 Sqm, built up area is 239.295 Sqm.

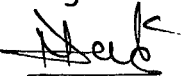
As per the remarks of the NMMC, the plot under reference falls in CRZ II and situated on landward side of existing road. However, the plot falls within 50 m mangrove buffer zone. As per approved CZMP, 2011 showing site under reference submitted by the PP, the plot is situated within 50 m mangrove buffer zone i.e. CRZ IA

The ADTP informed that the plot is situated within 50 m mangrove buffer zone area. The Authority after deliberation decided that in view of the Hon'ble High Court order dated 18<sup>th</sup> Sep, 2018 in PIL 87/2006 wherein construction in 50 m mangrove buffer zone area is prohibited except for public interest projects. The Authority observes no public interest in the project. However, the proposal is of redevelopment of self-dwelling unit for the project proponent. Existing structure on the said plot has got permissions from the CIDCO in the year 1989. In view of the fact, under unique circumstance, the PP may approach the Hon'ble High Court for approval. Till that time, the matter is deferred.

**Item No.16:** Proposed construction of residential building on land bearing plot no. 383 & 388, sector no. 31, GES, Vashi, Navi Mumbai by M/s. JDP construction

The ADTP, NMMC presented the matter before the Authority. The proposal is for construction of residential building on plot no. 383 & 388, sector 31, GES, Vashi, Navi Mumbai.

As per sanctioned DP, the plot is situated in Residential zone. As per submission, Plot area is 178.40 Sqm, Permissible FSI is 1.50 and total built up area is 266.2897. The proposed FSI is 1.492 and is within the permissible limit of 1.50 FSI as on 1991. As per remarks of the NMMC and approved CZMP, 2011, the site under reference falls in CRZ II area and situated on landward side of existing road.

  
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The Authority noted the construction of a building is CRZ II and on landward side is a permissible activity as per para 8.II of CRZ Notification, 2011. However, the NMMC should strictly ensure that the FSI for the proposed construction is in accordance with town and country planning regulation as on 19.2.11991.

After deliberation, the Authority decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions:

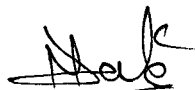
1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained

**Item No.17:** Proposed construction of land bearing plot no. 55, Sector no. 23, GES, Ghansoli, Navi Mumbai by Shri. Prabhakar Patil

The ADTP, NMMC presented the proposal before the Authority. The proposal is for construction of residential building comprises of ground floor + 4 upper floors on land bearing plot no. 55, Sector 23, GES, Ghansoli, Navi Mumbai. As per submission, Plot area under consideration is 148.410 sqm, proposed built up area is 218.576 sqm. As per the Development Plan of NMMC, the plot under reference falls in Residential Zone. As per the remarks of the NMMC and approved CZMP, 2011, the plot falls in CRZ II area and situated on landward side of the existing road. The plot under reference is vacant.

The Authority noted the construction of a building is CRZ II and on landward side is a permissible activity as per para 8.II of CRZ Notification, 2011. The NMMC should strictly ensure that the FSI for the proposed construction is in accordance with town and country planning regulation as on 19.2.11991.

After deliberation, the Authority decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions:



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1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained

**Item No.18:** CRZ status on land bearing S. no. 186/1A (pt) and 188//4 (pt) at village Dive - Anjur, Tal. Bhiwandi, Dist. Thane by M/s B plus Hospitality Pvt. Ltd.

The project proponent was absent for the meeting. The Authority noted as per google image, mangrove destruction is seen near and in the plot. After discussion, the Authority decided to seek a report from the Mangrove Cell about the status of mangrove and whether any destruction of mangroves near the plot. Accordingly, the matter was deferred.

**Item No.19:** CRZ status for land bearing CTS No. 1369 & 1428 of village Bhayander under jurisdiction of Mira Bhayandar Municipal Corporation, Dist. Thane by Mr. Bakir Masalawala

The project proponent presented the matter before the Authority. The PP is seeking CRZ status for land bearing CTS No. 1369 & 1428 of village Bhayander under jurisdiction of Mira Bhayandar Municipal Corporation, Dist. Thane. The PP has submitted CRZ map in 1:4000 scale & report prepared as per approved CZMP of Thane by IRS, Chennai dated September, 2019. As per IRS report:

- The proposed project site bearing CTS No. 1369 & 1428 at Bhayandar, village of Mira Bhayandar Taluka, Dist. Thane, is out of CRZ as per CRZ Notification, 2011.
- The Distance of the nearest corner of the site is 118.8m from HTL.
- It is also found that there is no Mangrove found in the vicinity of the project site.

After deliberation, the Authority decided to confirm that as per approved CZMP, 2011, the proposed project site bearing CTS No. 1369 & 1428 at Bhayandar, village of Mira Bhayandar Taluka, Dist. Thane, is out of CRZ as per approved CZMP under CRZ Notification, 2011.

  
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**Item No.20:** Proposed construction of resort building on plot bearing S. no. 8/18/1/1 A, at Dahanu, Tal. Dahanu, Dist. Palghar by M/s. Sceptre Resort Pvt. Ltd

Chief Officer, Dahanu Municipal Council presented the matter before the Authority. The proposal is for construction of resort building ground floor + 1<sup>st</sup> floor on plot bearing S. no. 8/18/1/1 A at Dahanu, Tal. Dahanu, Dist. Palghar. Plot area under consideration is 1075.00 sqm, proposed built up area is 535.94sqm.

As per the remarks of the Dahanu, the plot falls in CRZ II area and situated on landward side of the existing road. As per the Development Plan of Dahanu, the plot under reference falls in Tourism Zone.

The CO presented that the land under reference is open plot adm. 40 m X 26 m. There is wall compound on four sides of the said plot. The plot is having frontage of 30 m wide DP Road.

The Authority observed the CZMP, 2011 of the site and noted that there plot under reference is fronting to seafront from east side and creek from west side. CO, Dahanu needs to provide remarks whether the site is situated on landward side of existing road from the seafront and creek. After deliberation, the Authority decided to defer the matter for want of above said information from the Dahanu Municipal Council.

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

**Annexure I**

**List of members/officials present in the online meeting:**

1. Mrs. Neenu Somraj, DCF, Mangrove Cell, Member MCZMA
2. Mr. Nandushekhar, Representative Industries dept, Member MCZMA
3. Mr. Rajesh Patgaonkar, DyCE, MCGM, Member MCZMA
4. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
5. Mr. Maruti Kudale, Ex Director, CWPRS, Expert Member, MCZMA
6. Dr. M. S. Khot, Principal, Chhatrapati Sambhaji Raje Sainik School, Ratnagiri, Expert Member, MCZMA
7. Mr. Narendra Toke, Director, Environment, Member Secretary, MCZMA

  
Member Secretary

  
Chairperson