

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

The 175th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment and Climate Change), through Videoconferencing technology on Cisco WebEx platform on 05th July, 2024. List of members present in the meeting is attached as Annexure-I.

Confirmation of minutes of 174th meeting of MCZMA:

The Authority decided to confirm the minutes of 174th meeting of the MCZMA held on 03rd & 04th June, 2014 with following minor changes:

In the proposal of Additional Item No. 3 (M/s. P.R. Landmarks), the FSI shall be read as 5,227.69 sqm, Non FSI shall be read as 4,989.61 sqm & total construction areas shall be read as 10,217.30 sqm.

Item No. 1: Proposed residential cum commercial building on S. No. 36/A/1/2/3/4/5 & 36/B at Village Shriwardhan, Tal. Shriwardhan, Dist-Raigad by M/s. Silver homes enterprises

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for residential cum commercial building on S. No. 36/A/1/2/3/4/5 & 36/B at Village Shriwardhan, Tal. Shriwardhan, Dist-Raigad.

Consultant presented that, proposed construction of residential cum commercial building comprised of Ground (Comm.) + 1st (Comm.) + 2nd & 3rd (Resi.+ Amenity) + 4th - 7th Residential floors on site under reference.

The plot is partly affected by CRZ-IA, CRZ- IA (50 m Mangrove buffer zone), CRZ-II & partly out of CRZ & Seaward side of the existing road. The building is proposed in out of CRZ area (2655.06 Sq.Mt.) No construction will be proposed in Mangrove Buffer Zone & CRZ-II Area.

As per Development Plan of Shriwardhan Municipal Council, the plot under reference is situated in residential zone.

Plot area is 4412.99 Sqm, FSI area is 7853.56 sqm, Non FSI area is 0.00 Sqm, Total Construction area is 7853.56 Sqm


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Deliberation:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site falls near creek and Mangroves. The proposed project site falls in CRZ-IA, CRZ-IA (50 m Mangrove Buffer Zone), CRZ-II and Outside CRZ as per CZMP (Map No. MH 50) map vide CRZ Notification, 2019. The project site under various CRZ zone are as follows-

S. No.	CRZ Classification	Area in sqm	Total Area in sqm
1	CRZ-IA	40.76	4412.99
2	CRZ-IA (50 m Mangrove Buffer Zone)	1647.17	
3	CRZ-II	69.99	
4	Outside CRZ	2655.07	

The Authority noted that, as per remarks of Shriwardhan Municipal Council, the construction / building is proposed on outside CRZ area i.e 2655.07 sqm only. There is no development proposed on CRZ-IA, CRZ-IA (Mangrove Buffer Zone), CRZ-II area & will be kept vacant.

Consultant presented that no construction is proposed on CRZ area. However, permissible FSI of CRZ-II area will be utilized on Non CRZ portion of plot. The Authority further noted that, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019.

The Authority noted that proposed construction of building in Non CRZ area can be allowed. However, the Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ IA & CRZ-II area. Only permissible FSI of CRZ-II will be utilized on Non CRZ portion of plot as per approved CZMP under CRZ Notification, 2019. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to Concerned Planning Authority subject to compliance of following conditions:



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

1. The Concerned Planning Authority should strictly ensure that proposed construction of building in Non CRZ area i.e. 2655.07 sqm only as per approved CZMP under CRZ Notification, 2019.
2. The Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ IA & CRZ-II areas. Only permissible FSI of CRZ-II will be utilized on Non CRZ portion of plot as per approved CZMP under CRZ Notification, 2019.
3. PP to ensure that no mangroves cutting should involved in the project and there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.
4. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
6. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
7. Safe disposal of the wastewater should be ensured.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

*Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024*

Item No. 2: Proposed reconstruction on C.T.S. Nos. 979 & 979/1 to 17, K/W Ward, Village Juhu, Mumbai by M/s Karma CK Constructions

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction on C.T.S. Nos. 979 & 979/1 to 17, K/W Ward, Village Juhu, Mumbai

Consultant presented that, earlier there were two ground floor residential structures on site under reference. The PP has received CRZ Recommendation letter dated 06.06.2022 as per CRZ Notification, 2011 for reconstruction on site under reference. The construction has been started on site under reference. Now, PP has changed the building plans.

Deliberation:

The Authority observed that, PP need to submit following information:

- 1) Clarification from MCGM regarding construction carried out on site under reference is as per earlier CRZ Clearance or as per proposed plans.
- 2) PP to submit comparative statement of change in earlier CRZ clearance and proposed construction along with construction status
- 3) PP to submit FSI, Non FSI & Total Construction area.
- 4) PP to submit plan approval, IOD & Civil Aviation NoC.

Decision:

After deliberation, the Authority decided to defer the proposal for want of above information.


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 3: Proposed slum rehabilitation scheme on plot bearing Tika no. 1, CTS nos. 212- A (pt.) and 212- B of village Chendani, Dist. Thane by M/s Sugee Builders Private Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for slum rehabilitation scheme on plot bearing Tika no. 1, CTS nos. 212- A (pt.) and 212- B of village Chendani, Dist. Thane.

Consultant presented that, Proposed one building having configuration of Ground + Stilt (Bike Parking) + 1st to 4th Podium Parking (for Car) + 5th to 38th floor's (residential use),

The plot is partly falls in CRZ- IA (50 m Mangrove buffer zone) and partly falls in Outside CRZ. The building is proposed in outside CRZ area. No construction is proposed in CRZ- IA (50 m Mangrove buffer zone) area.

As per Development Plan of, the plot under reference is situated in residential zone.

Plot area is 5,979.32 Sqm, FSI area is 83,270 sqm, Non FSI area is 32,370 Sqm, Total Construction area is 1,15,640 Sqm

Deliberation:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed slum rehabilitation scheme on the plot bearing Tika No. 1, CTS Nos. 212-A(pt) and 212-B of Chendani village, Thane District by M/s. Sugee Builders Pvt Ltd falls partially in CRZ-IA(50 m Mangrove Buffer Zone) with remaining area Outside CRZ as per approved CZMP (Map No. MH 79). However, the proposed construction within the project site falls fully outside CRZ as indicated in the local level CRZ map. The area of proposed project site in Chendani village Thane District in various CRZ zone are as follows-

CRZ Classification	Area in sqm
CRZ-IA (50 m Mangrove Buffer Zone)	2.44


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Outside CRZ	5976.88
Total	5979.32

Consultant presented that no construction is proposed on CRZ-IA area i.e. in 2.44 sqm and construction is proposed on Outside CRZ area. The Authority noted that, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019.

As per Para 7(iv) of the CRZ Notification, 2019:

"Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14th September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) for category 'B' projects."

The Authority noted that proposed construction of building in Non CRZ area can be allowed. However, the Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ IA and construction is proposed on Outside CRZ area only as per approved CZMP under CRZ Notification, 2019. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to SEIAA subject to compliance of following conditions:

1. The Concerned Planning Authority should strictly ensure that proposed construction of building in Non CRZ area i.e. 5976.88 sqm only as per approved CZMP under CRZ Notification, 2019.
2. The Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ IA i.e. 2.44 sqm and construction is proposed on Outside CRZ area only as per approved CZMP under CRZ Notification, 2019.
3. PP to ensure that no mangroves cutting should involved in the project and there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

4. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
6. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
7. Safe disposal of the wastewater should be ensured.
8. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
9. PP to obtain the Environment clearance, since the total construction area exceeds 20,000 Sqm as per EIA Notification, 2006.
10. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**


Item No. 4: Proposed Residential / Commercial Layout on Plot Bearing S.NO. 247/1, 2A, 2B, 3, 4A, 4B, 5, 6, 7, 8, 9, 10, 11, 12A, 12B, 12C, 13/1, 13/2, 13/3, 14, 15, 16, 17, 18, 19, 248/1, 2, 3, 4, 5, 6, 7, 8, 249/3, 4, 5, 6, 255/1, 2, 3, 4, 5, 6, 7, 256, 257/1, 2, 3, 4, 5, 6, 7, 8, 9A, 9B, 10, 11, 12, 258/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 259, 260/1, 2, 3, 4, 5/1, 5/2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 261/1, 2, 3, 4, 5, 6, 264/1, 2, 3, 4, 5, 6/1, 6/2, 7, 8, 9, 10, 11, 12, 13, 15, 16 & 273 of Village Kolshet, Tal & Dist: Thane by M/s. Hiranandani Properties Pvt Ltd

Introduction:

The project proponent vide letter dated 02.07.2024 informed that due to change in planning they will not able to present the case during this meeting. The Authority decided to defer the proposal.

Decision:

The Authority decided to defer the proposal.


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 5: Proposed construction of residential building project on plot bearing C. S. No. 2/1623 (PT) of Lower Parel Division, F. P. No. 134, Worli Estate Scheme situated at Dr. Annie Besant Road, Worli, Mumbai by M/s Kajal Developers Private Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of residential building project on plot bearing C. S. No. 2/1623 (PT) of Lower Parel Division, F. P. No. 134, Worli Estate Scheme situated at Dr. Annie Besant Road, Worli, Mumbai.

Consultant presented that, there was no existing structure on site. Developer has proposed to development on the land under reference under Reg. No. 30 of DCPR 2034. The said project consist of 1 Residential building with Ground + 1st to 9th upper Residential Floors with height : 30.90m

Deliberations:

Plot area is 2508.38 Sqm, Possession under other Developer is 836.38 sq. m. Net plot available for development (Kajal Developers Pvt. Ltd.) is 1,672.0 sq. m.

The Authority noted that Adv. Abhijit Mulay on behalf of M/s, Hitesh Builders Pvt Ltd has submitted representation dated 21.06.2024 and mentioned that M./s. Kajal Developers and Hitesh Builders Pvt Ltd are the joint lessees of the plot and MCGM is the Owner /Lesser of the said plot. Further, IOD / approval issued on 20.06.2023 has been cancelled and withdrawn by the MCGM on 10.06.2024.

The Authority asked PP to submit latest approved plan / IOD by MCGM.

Decision:

After deliberation, the Authority decided to defer the proposal for want of above information.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 6: Proposed reconstruction of Gulmohr CHS on plot bearing CTS 926A, Village: Bandra - D, Govind Patil Road, Khar (W), Mumbai by M/s Platinumcorp Lifescapes LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction Gulmohr CHS on plot bearing CTS 926A, Village: Bandra - D, Govind Patil Road, Khar (W), Mumbai.

Consultant presented that, there is 1 existing structure of Ground + 3 floor on site, the said structure is yet to be demolished. Developer has proposed redevelopment on the land under reference under Reg. No. 33 (11) of DCPR 2034.

The said project consist of 1 Residential cum Commercial building with Part Basement for services + Ground Commercial Floor + 1st and 2nd Commercial Floor + 3rd to 18th Residential Floors.

The proposal has also received approval from (SRA) planning authority with file no.: H-W/PVT/0117/20240 116/LOI (Dated 10th May 2024).

As per Development Plan, the plots under reference are situated in Residential Zone and not affected by any reservation.

Plot area is 1,112.9 Sqm, FSI area is 6,007.96 sqm, Non FSI area is 3,377.04 Sqm, Total Construction area is 9,385.0 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site and proposed structure completely falls in CRZ-II as per approved CZMP (Map No. MH 75) of CRZ Notification, 2019.

As per CRZ map, the site under reference is situated on landward side of existing road.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning*

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Member Secretary

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Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that proposed construction of building is allowed subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 7: Setting up a tank farm storage of A, B, C class products at JNPT Dist Raigad by M/s Suraj Agro Infrastructure Pvt Ltd

Introduction:

The project proponent presented the proposal before the Authority. The proposal is for Setting up a tank farm storage of A, B, C class products at JNPT Dist Raigad.

Deliberations:

The PP has presented that they have obtained the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019.

The Authority noted that, as per IRS map the proposed project site Plot 1, 2 & 3 is just outside the CRZ boundary. The Authority observed from Google image, there are 12 Nos. of tanks present on site. The expert members expressed concerned about the said storage in tanks near mangrove area.

The Authority asked PP to submit following details:

- 1) Details of proposed activities in the project
- 2) Details of material to be stored in tanks
- 3) Permissions including CRZ for setting up a tanks
- 4) Environmental Impact Assessment Report, Environment Management Plan & Disaster Management Plan.

Decision:

After deliberation, the Authority decided to defer the proposal for want of above information.


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 8: Proposed reconstruction of existing house on Gat. No.1844, at village Nagao, Tal- Alibag, Dist- Raigad by Nitin Matya Patil

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction of existing house on Gat. No.1844, at village Nagao, Tal- Alibag, Dist- Raigad.

Consultant presented that, PP is proposing reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density. Earlier, Sub Divisional Officer Alibag vide letter dated 21.01.1977 issued approval for construction of house on S. No. 103B. H. No. 2, Nagaon. Presently, Ground Floor structure and part of plinth structure existing on site.

Proposed construction involves 2 Bungalows i.e. Bungalow-A (G+1) and Bungalow B (S + 1) of 9 meter height and Pool on existing Plinth area as per approved plan of 1977.

Plot area is 4100.00 Sqm, FSI area is 1214.62 sqm, Non FSI area is 475.49 Sqm, Total Construction area is 1690.11 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site falls near Arabian Sea. The proposed project site and proposed construction are fall completely inside CRZ-III (No Development Zone) as per CZMP (map No. 62) map prepared by NCSCM Chennai vide CRZ Notification, 2019/

The Authority noted that as per para 5.3 (CRZ-III) of the CRZ Notification, 2019, "(ii) Regulation of activities in NDZ: Following shall be permissible and regulated in the NDZ:-

(a) No construction shall be permitted within NDZ in CRZ III, except for repairs or reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under this notification including facilities essential for



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

activities and construction or reconstruction of dwelling units of traditional coastal communities including fisher folk, incorporating necessary disaster management provisions and proper sanitation arrangements."

The Authority noted that proposed reconstruction of building in CRZ III (NDZ) area is permissible subject to not exceeding existing Floor Space Index, existing plinth area and existing density as per CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure the same.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned Planning Authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including should be obtained before starting construction at the site shall be ensured by Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 9: Proposed redevelopment of existing building known as "Jay Girnar Apartment CHS Ltd." on plot bearing CS no. 172 of Malbar/Cumballa Hill Division, Situated at Dungarshi Road, Walkeshwar Mumbai by M/s. Aurum Girnar LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of existing building known as "Jay Girnar Apartment CHS Ltd." on plot bearing CS no. 172 of Malbar/Cumballa Hill Division, Situated at Dungarshi Road, Walkeshwar Mumbai

Consultant presented that, existing Structure having Ground + 6 upper floors which will be demolished for the proposed redevelopment work.

Proposed redevelopment of existing residential building known as "Jay Girnar Apartment CHS Ltd" on plot bearing CS no. 172 of Malabar/Cumballa Hill Division, Situated at Dungarshi Road, Walkeshwar, Mumbai

Proposed one building having configuration of Basement (Services) + Ground + Parking Tower (Gr + 9th Upper Floor, Height - 24.15 m.) + 15th Floor (Amenity + Refuge) + 2nd to 7th Floor (Rehab) + 8th Floor (Rehab + Refuge) + 9th to 13th Floor (Rehab) + 14th Floor (Sale) + 15th Floor (Refuge + sale) + 16th to 21st Floor (Sale) + 22nd Floor (Refuge + Sale) + 23rd to 25th Floor (Sale), Total Height:- 114.55 m.).

As per Development Plan, the plots under reference are situated in Residential Zone and not affected by any reservation.

Plot area is 1071.92 Sqm, FSI area is 5064.46 sqm, Non FSI area is 5583.48 Sqm, Total Construction area is 10647.94 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed redevelopment of building known as Jay Girnar Apartment CHS on land bearing C. No. 172 of Malabar / Cumballa Division at Dungarshi Road, Walkeshwar Mumbai falls fully inside 500 m setback line from HTL of Arabian



Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Sea. Hence the project site falls fully inside CRZ-II as per approved CZMP (Map No. MH 72)

As per CRZ map, the site under reference is situated on landward side of existing road.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, *(iv) Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that proposed reconstruction of building is allowed subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 10: Proposed Slum Rehabilitation Scheme at CTS No 8 (pt) of Village Parighakhadi and CTS No 577(pt), 578, 579, 580 & 581 (pt) Village Kurla IV, Taluka Kurla LBS Marg, Kurla, Mumbai by M/s. N Khan Construction Works LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Slum Rehabilitation Scheme at CTS No 8 (pt) of Village Parighakhadi and CTS No 577(pt), 578, 579, 580 & 581 (pt) Village Kurla IV, Taluka Kurla LBS Marg, Kurla, Mumbai.

Consultant presented that, the existing slums have been partly demolished and remaining shall be demolished after obtaining all the statutory approvals. Construction of rehabilitation Building 1 is completed on the NON CRZ Portion of the plot, as per Approvals received from SRA and the total constructed area for the same on site till date is below 20,000 Sq mt.

Project site under reference is partly falls in CRZ-II and Non CRZ area. No construction is proposed in CRZ-II area and Proposed construction is falls in Non CRZ area only. Proposed buildings comprises of 1) Rehabilitation Building 1: Ground + 1st to 22nd floor, 2) Rehabilitation Building 2: Basement + Ground + 1st to 22nd floor, 3) Rehabilitation Building 3: Ground + 1st to 21st Floor and 4) Sale Building 1: Basements + Ground (pt) / Stilt (pt) + 1st to 20th floors.

As per DP Remarks 2034 the plot under reference is situated in Residential zone and is reserved for public purpose of Municipal Housing, BEST Bus Facilities and Road depot.


Plot area is 10640.40 Sqm, FSI area is 45321.96 sqm, Non FSI area is 35683.93 Sqm, Total Construction area is 81005.89 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site bearing CTS No 8 (pt) of Village Parighakhadi Taluka Andheri and CTS No 577(pt), 578, 579, 580 & 581 (pt) Village Kurla IV, Taluka Kurla Mumbai falls partly in CRZ-II with remaining are outside CRZ. The



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

proposed buildings in the project site fall completely in 'Outside CRZ'. The project site are falling in different zonation are as follows-

Village	CTS No.	CRZ Classification	Area in sqm	Total area in sqm
Parighkhadi	8(pt)	CRZ-II	1893.28	8909.09
		Outside CRZ	7015.81	
Kurla -IV	577 (pt)	Outside CRZ	199.54	199.54
	578	Outside CRZ	156.49	156.49
	579	Outside CRZ	306.68	306.68
	580	Outside CRZ	722.75	722.75
	581 (pt)	Outside CRZ	662.85	662.85
Total				10957.40

Consultant presented that the project site under reference is partly falls in CRZ-II and Non CRZ area. No construction is proposed in CRZ-II area i.e. 1893.28 sqm and Proposed construction is falls in Non CRZ area only.

The Authority further noted that in certain matters, the Mumbai High Court has passed an order dated 20th October, 2022 in WP (L) No. 32454/2022 (Akshay Sthapatya Pvt Ltd V/s Union of India &Ors) wherein the Hon'ble High Court has directed the MCZMA to appraise slum rehabilitation project on the subject plot by applying Regulation 5.2 (ii) and (iii) of the CRZ 2019 Notification and applicable laws within a time bound manner and disregarding the clarification sought by the MCZMA in its letter dated 8th February 2019.

Further, the Authority noted that, on above said High Court matter, opinion of Hon. Advocate General (AG) was sought, in the light of provisions of CRZ Notification, 2019. The Hon. AG provided the opinion in the matter. Certain excerpts of the AG opinion is as follows:

*"While the 2011 Notification does specially slum rehabilitation projects, the 2019 Notification does not make specific reference to the redevelopment of slums, but in my opinion from that it cannot be implied that SRA projects are out of the purview of Clauses 5.2(ii) & (iii) of the 2019 Notification.
In my opinion, the interpretation of the 2019 Notification by the Bombay High Court is a fair and reasonable interpretation of the 2019 Notification
In my opinion, there is no embargo on the Authority in considering and recommending a proposal for a slum scheme with FSI 4.0 in the CRZ II area....."*



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, (ii) *Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures*

(iii) *Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification...*

(iv) *Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*

As per Para 7(iv) of the CRZ Notification, 2019:

"Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14th September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) for category 'B' projects."

The Authority noted that proposed construction of building in Non CRZ area can be allowed. However, the Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ II and construction is proposed on Outside CRZ area only as per approved CZMP under CRZ Notification, 2019. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to SEIAA subject to compliance of following conditions:


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

1. The Concerned Planning Authority should strictly ensure that proposed construction of building in Non CRZ area only as per approved CZMP under CRZ Notification, 2019.
2. The Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ II and construction is proposed on Outside CRZ area only as per approved CZMP under CRZ Notification, 2019.
3. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
5. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
6. Safe disposal of the wastewater should be ensured.
7. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
8. PP to obtain the Environment clearance, since the total construction area exceeds 20,000 Sqm as per EIA Notification, 2006.
9. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 11: Proposed redevelopment of Dilapidated Building no D (3508) (2)/81-A, at C.S. No. 1/688, Bomanji Petit Road, Adjoining to Green Lawns School D ward, Mumbai by Dinesh Padwal

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of Dilapidated Building no D (3508) (2)/81-A, at C.S. No. 1/688, Bomanji Petit Road, Adjoining to Green Lawns School D ward, Mumbai.

Consultant presented that, existing building of Ground + 4 floors present on site in dangerous and dilapidated condition. The MCGM vide Notice dated 31.01.2015 declared existing building in ruinous condition under Section 354 of MMC Act.

Proposed redevelopment of existing residential building known as "Jay Girnar Apartment CHS Ltd" on plot bearing CS no. 172 of Malabar/Cumballa Hill Division, Situated at Dungarshi Road, Walkeshwar, Mumbai

Proposed construction of residential building comprises of Ground + 9 floors.

As per Development Plan, the plots under reference are situated in Residential Zone and not affected by any reservation.

Plot area is 193.11 Sqm, FSI area is 381.78 sqm, Non FSI area is 97.17 Sqm, Total Construction area is 478.95 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site is completely falls in CRZ-II area.

As per CRZ map, the site under reference is situated on landward side of existing road.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space*


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that proposed reconstruction of building is allowed subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 12: Proposed amendment in CRZ recommendation for expansion of existing MHADA and MHADA new PMGP Colony's Residential Complex with Rehab Shop Line on plot bearing, Survey No. 386, C.T.S. No. 1320 A(PT) of Village, Mulund at Eastern Express Highway, Mulund (E), Mumbai by M/s Richa Realtors.

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for amendment in CRZ recommendation for expansion of existing MHADA and MHADA new PMGP Colony's Residential Complex with Rehab Shop Line on plot bearing, Survey No. 386, C.T.S. No. 1320 A (PT) of Village, Mulund at Eastern Express Highway, Mulund (E), Mumbai.

Consultant presented the background of the matter which is as follows:

The project involves redevelopment of MHADA PMGP Co-operative Housing Society consist of 56 nos. of Gr + 1 and Gr + 2 buildings constructed before 1991. Buildings were old and declared dilapidated.

Initially, the project has received the Environment Clearance on 19.09.2009 from the SEIAA for Total plot area was 100002.00 sqm and Total construction area was 1,36,263.67 sqm.

Further, the project has received CRZ recommendation dated 16.6.2012 from the MCZMA as per para 8.V.1.C of the CRZ Notification, 2011. Total plot area of 100002.00 sqm and Total construction area of 4,31,394.72 sqm.

Thereafter, the project has received the Environment Clearance on 22.03.2013 from the SEIAA for Total plot area was 100002.00 sqm and Total construction area was 4,54,097.30 sqm and same is revalidated vide letter dated 24.01.2020 by SEIAA.

The CRZ Notification, 2019 published by the MoEF&CC, New Delhi came into force in the year 2021 due to approval of CZMP, 2019. In view of CRZ Notification, 2019, the plans get amended.

Thereafter, under the provisions of CRZ Notification, 2019, the project has got the CRZ recommendation dated 8.6.2022 from MCZMA subject to certain



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

conditions. As presented by the PP, the total plot area is 100002.00 Sqm and total construction area is 7,32,431.49 sqm.

The Planning Authority issued IOD and CC for the project from time to time. Presently, the MHADA approved the layout on 12.6.2023. The Architect submitted the certificate about the present status of construction which is as follows:

Now, due to change in project boundary and request to utilize the FSI of the CRZ IA area, the PP is seeking the amendment in the CRZ recommendation dated 8.6.2022 granted by the MCZMA under CRZ Notification, 2019. The PP is also seeking the amendment in the condition no. ii- pertaining to prior High Court permission.

Deliberations:

Request of the PP & observation of MCZMA is as follows:

1) Consent to utilize the FSI of CRZ IA area.

Earlier authorized MHADA buildings are situated within CRZ IA i.e.50 mangrove buffer zone. Hence, PP requested to utilize FSI (with full potential including fungible FSI) of CRZ IA area on Non CRZ Area and CRZ II area. No permanent construction is proposed in the CRZ-IA Area.

The Authority noted that, the CRZ Notification, 2019 is silent about utilization of FSI of CRZ-IA portion of plot on non CRZ portion of plot.

2) Updating the plot boundary.

PP requested for updating CRZ status of plot boundaries as per CRZ demarcation report dated 20.11.2023 by IRS Chennai based on approved CZMP 2019.

Sr. No.	CRZ category	As per CRZ report dated 03.03.2022 by IRS, Chennai	As per CRZ report dated 20.11.2023 by IRS, Chennai
1	CRZ-IA (Eco Sensitive Zone)	194.84 sqm	1388.54 sqm
2	CRZ-IA (50 m mangrove buffer zone)	7273.41 sqm	7273.41 sqm


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

3	CRZ-II	16720.00 sqm	15526.42 sqm
4	Outside CRZ	75813.63 sqm	75813.63 sqm
	Total	100002.0 sqm	100002.0 sqm

The Authority decided to incorporate CRZ status of project site as per CRZ map in 1:4000 scale & report dated 20.11.2023 prepared by IRS, Chennai.

- 3) **Specific Conditions No. ii mentioned in CRZ recommendation letter dated 08.06.2022 as "PP to obtain Prior High Court permission, if stacking / storage of building material or any other temporary construction during construction period within 50m mangrove buffer zone is proposed."**

However, due to the site constraints and conditions on ground will have to use the portion of the land under mangrove buffer zone for following proposes

- a) Stacking / storage of the building material on temporary basis during construction phase only.
- b) Removable porta cabin for site office on temporary basis for supervision of construction of MHADA building.
- c) Temporary barricading during construction for protection of area and reconstruction of existing compound wall after getting complete building construction.
- d) Drilling of rock anchors at approx. 2m below existing ground level which are required for shore piles to be drilled outside buffer zone to retain the excavated earth. We hereby confirm that the rock anchors will not disturb any mangroves which are currently beyond the project boundary.
- e) As per the layout approved by MHADA being Special Planning Authority for the subject Project; PP have planned Miyawaki forest as part of Recreation Ground (RG) in the buffer zone within our plot as per regulatory norms.
- f) Nallah retaining wall & compound wall - As per BMC requirement existing nallah retaining wall which is partly situated in CRZ area needs to be rebuild. Also, the compound wall abutting this retaining wall need to be constructed to protect the area.

The Authority noted that, prior High Court permission is necessary, if the construction activity is situated within 50 m mangrove buffer zone area, as per Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006.


Member Secretary


Chairman

*Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024*

Therefore, Authority decided that, Specific condition No ii i.e. "PP to obtain Prior High Court permission, if stacking / storage of building material or any other temporary construction during construction period within 50m mangrove buffer zone is proposed." will remain unchanged.

Further, regarding repairing and construction of Nalla wall, separate proposal along with MCGM Nalla remarks should be submitted to MCZMA.

Decision:

After deliberation, the Authority decided to amend CRZ status of project site as per CRZ map in 1:4000 scale & report dated 20.11.2023 prepared by IRS, Chennai as per approved CZMP, 2019. Further, all other terms and conditions stipulated in the CRZ recommendation letter dated 08.06.2022 shall remain unchanged.



Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 13: Amendment in the proposed residential Project at on plot no. 76, 77, 95 & 96, Sector 11, Koparkhairane, Navi Mumbai by M/s. Progressive Homes

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Amendment in the proposed residential Project at on plot no. 76, 77, 95 & 96, Sector 11, Koparkhairane, Navi Mumbai.

Consultant presented that, as per the CRZ notification 2011, CRZ clearance was received from Maharashtra Coastal Zone Management Authority (MCZMA) vide CRZ 2020/CR175/TC 4 dated 30/06/2021, for a gross built-up area of 4346.788 m²

Now, PP has changed the building plans and submitted proposal under CRZ Notification, 2019. The proposal consist of 1 no. of building having Basement+ Ground + 14th Floors+ Recreational Floor, Height 63.15 m

Plot area is 799.260 sqm, FSI area is 2,973.796 sqm, Non-FSI Area is 1,372.992 sqm, and total construction area 4,346.788 sqm.

Deliberations:

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site bearing plot Nos. 76, 77, 95 & 96 at Sector 11 Koparkhairane, Navi Mumbai has total area of 799.0 sqm Out of total area of 799.0 sqm of project site, 242 sqm falls in CRZ-II and the remaining area of 556.7 Sqm falls outside CRZ as per existing approved CZMP vide CRZ Notification, 2019. However, the proposed construction area in the project site falls completely outside CRZ.

The Comparative Statement of the project are as follows-


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Sr. No.	Component	Details as per CRZ Clearance dated 30/06/2021	Details as per proposed Amendment	Remarks
1	Name of the Project	Proposed Residential Development	Proposed Residential development	No Change
2	Project Proponent	M/s. Progressive Homes	M/s. Progressive Homes	No change
3	Location of the Project	on plot no. 76. 77. 95 & 96. Sector 11, Koparkhairane. Navi Mumbai Maharashtra	Plot No. 76, 77, 95 & 96, Sector 11. Koparkhairane, Navi Mumbai	No change
4	Plot Area	799.0 m ²	799.0 m ²	No change
5	Area of Plot under CRZ-II	242.3 m ²	242.3 m ²	No change
6	Non CRZ Area	556.7 m ²	556.7 m ²	No change
7	FSI Area	1198.89 m ²	2973.796 m ²	Increased by 1774.906 m ²
8	Non FSI Area	2173.81 m ²	1372.992 m ²	Increased by 800.818 m ²
9	Total construction Built up area	3372.70 m ²	4346.788 m ²	Increased by 974.088 m ²
10	Building Configuration	St+1st to 15th floor	Basement + Gr. + 14 floors + Recreational floor	Changed configuration as per revised planning. No change in tenement Nos.

Consultant presented that no construction is proposed on CRZ area. However, permissible FSI of CRZ-II area will be utilized on Non CRZ portion of plot. The Authority further noted that, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019.

The Authority noted that proposed construction of building in Non CRZ area can be allowed. However, the Concerned Planning Authority should strictly ensure


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

that no construction is allowed in CRZ-II area i.e. 242.300 sqm. Only permissible FSI of CRZ-II will be utilized on Non CRZ portion of plot as per approved CZMP under CRZ Notification, 2019. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to Concerned Planning Authority subject to compliance of following conditions:

1. The Concerned Planning Authority should strictly ensure that proposed construction of building in Non CRZ area i.e. 556.7 sqm only as per approved CZMP under CRZ Notification, 2019.
2. The Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ-II areas i.e. 242.300 sqm. Only permissible FSI of CRZ-II will be utilized on Non CRZ portion of plot as per approved CZMP under CRZ Notification, 2019.
3. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
5. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
6. Safe disposal of the wastewater should be ensured.
7. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 14: Proposed Residential Building on Plot no. 08, Sector - 20C, Airoli, Navi Mumbai by M/s. Jalaram Enterprise

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Residential Building on Plot no. 08, Sector - 20C, Airoli, Navi Mumbai.

Consultant presented that, proposed construction of Residential Building comprises of Ground Floor (St. + Amenity Floor) + 1st to 18th Residential Floor. 2 Nos. of Parking towers also proposed on site under reference.

The plot is partly falls in CRZ- IA (50 m Mangrove buffer zone), CRZ-II & partly out of CRZ. The construction is proposed in CRZ-II & Non CRZ area only and no construction is proposed in CRZ- IA (50 m Mangrove buffer zone) area.

As per Development Plan, the plot under reference is situated in residential zone.

Plot area is 1150.02 Sqm, FSI area is 3434.801 sqm, Non FSI area is 887.928 Sqm, Total Construction area is 4322.729 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site bearing Plot No. 8 Sector 20C, Airoli Navi Mumbai falls near Thane creek and Mangroves. The proposed project site partially falls in CRZ-IA (50 m Mangrove Buffer Zone), CRZ-II and with the remaining area outside CRZ as per CZMP (Map No. MH 79) map prepared by NCSCM, Chennai vide CRZ Notification, 2019. The area details of various coastal regulation zone are as follows-

S. No.	CRZ Classification	Area in sqm
1	CRZ-IA (50 m Mangrove Buffer Zone)	472.12
2	CRZ-II	87.62
3	Outside CRZ	590.28
	Total	1150.02


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

As per CRZ map the site under reference is situated on landward side of existing road.

Consultant presented that no construction is proposed on CRZ-IA (50 m Mangrove Buffer Zone) i.e. 472.12 sqm . The construction is proposed in CRZ-II i.e. 87.62 sqm & Non CRZ area i.e. 590.28 sqm only. The Authority further noted that, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019.

The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *(ii) Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures.*

(iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification...."

The Authority noted that proposed construction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned Planning Authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that proposed construction of building is allowed subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification,



Member Secretary



Chairman

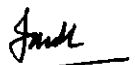
**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

2019 i.e. 18th January, 2019 before issuing commencement certificate to the project.

3. The Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ IA i.e. 472.12 sqm and construction is proposed on CRZ-II & Outside CRZ area only as per approved CZMP under CRZ Notification, 2019.
4. PP to ensure that no mangroves cutting should involved in the project and there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
6. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
7. Safe disposal of the wastewater should be ensured.
8. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 15: Proposed redevelopment of existing demolished building known as Cama Chambers, [Non-Cess Bldg], No.23, on plot bearing C.S.No.178 of Fort Division, Nagindas Master Road, Mumbai by M/s J L Barvadia (Huf)

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of existing demolished building known as Cama Chambers, [Non-Cess Bldg], No.23, on plot bearing C.S.No.178 of Fort Division, Nagindas Master Road, Mumbai.

Consultant presented that, there was one existing building on site, comprising of Ground+ 1st + 2nd upper floors of commercial use and the same has been demolished on site and the plot is vacant. No work has been started on site.

The proposed commercial building comprising of Basement For Parking Spaces Services + Ground Floor For Rehab NR, Sale NR & Meter Room + 1st Floor For Rehab NR + 2nd Floor For Rehab NR + Sale NR + 3rd Floor For Rehab NR & Society Office + 4th & 5th Floor For Rehab NR + 6th & 7th Floor For Sale NR + 8th Floor For Rehab NR & Sale NR + 9th Floor For Rehab NR, Pap NR & Sale NR having height 31.96 mt from general ground level up to terrace level.

The project has been proposed with FSI required for rehabilitation of existing tenants + 5% additional rehab carpet area + 50% incentive FSI permissible + fungible compensatory FSI over and above permissible FSI up to 35% for rehab NR without charging premium and for sale NR by charging premium + FSI as per Regn 33 (12)(B) of DCPR 2034 & fungible FSI as per Regn 31(3) of DCPR 2034, existing as on 18.01.2019 (i.e. publication of CRZ Notification, 2019).

The proposal has received various concessions for latest amended plans from Hon MC Vide No. P-18623/2023/(178)/AWard/FORT/337/1/New dated 12.02.2024

As per Development Plan, the plots under reference are situated in Commercial Zone and not affected by any reservation.

Plot area is 708.20 Sqm, FSI area is 3206.29 sqm, Non FSI area is 903.51 Sqm, Total Construction area is 4520.78 Sqm

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Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the proposed project site bearing CS No. 178 in Fort Division, Ward A Mumbai falls completely falls in CRZ-II as per approved CZMP (Map No. MH 72) prepared as per CRZ Notification, 2019.

As per CRZ map, the site under reference is situated on landward side of existing road.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, *(iv) Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that proposed reconstruction of building is allowed subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019 before issuing commencement certificate to the project.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 16: Proposed reconstruction of Existing Staff Quarters at Colaba Pumping Station Plot Bearing CTS No. 1/23, 597, 25 and 2/600 A Ward Colaba, Mumbai by MCGM

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction of Existing Staff Quarters at Colaba Pumping Station Plot Bearing CTS No. 1/23, 597, 25 and 2/600 A Ward Colaba, Mumbai.

Consultant presented that, there are total 14 existing structures present on the plot and no work has been started on site.

The proposed staff quarters for the Sewage Pumping station with Three Wings -Wing A, Wing B and Wing C, each of Ground Floor 1st to 8th Upper Floors with height of 29.04 m upto ridge level of the sloping terrace on eighth floor Level.

The project has been proposed in lieu of in lieu of plot potential (i.e. basic FSI 1.33) as per regulation no 30 (A)(1) of DCPR, 2034 existing as on 18.01.2019 (i.e. publication of CRZ Notification, 2019)

The proposal has received various concessions for latest amended plans from Hon MC Vide No P-11720/2022/597 AND OTHER)/A WARD/ COLABA/ 337 1 /NEW dated 05.02.2024.

As per D P Remarks 2034 the plot under reference is situated in Residential (R) and partly in Natural Areas (NA) and is reserved for Existing amenities of Sewage Pumping Station (EMS 4.3)

Plot area is 33,444.23 Sqm, New Construction FSI area is 7701.161 sqm, New Construction Non FSI area is 53.239 Sqm, Existing construction FSI Area is 3764.29 sqm, Existing construction Non FSI area is 0.00 sqm, Total Construction area is 11,518.69 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019 indicating existing and proposed structures. As per IRS report, the proposed project site bearing


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

1/23, 25, 2/600 (pt) and 597 Colaba, A Ward, Mumbai falls completely in CRZ-II. The proposed buildings in the project site fall completely in CRZ-II. As per CRZ map, the site under reference is situated on seaward side of existing road.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, *(iv) Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019. Further, the MCGM to ensure that construction should be restricted to authorized plinth only. No seaward side extension is allowed.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning authority subject to compliance of following conditions:

1. The concerned planning authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned planning authority should strictly ensure that proposed reconstruction of building is allowed subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019 before issuing commencement certificate to the project.
3. The concerned planning authority should strictly ensure that there is no reconstruction proposed beyond the existing plinth of the existing authorized building on seaward side.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

5. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
6. Safe disposal of the wastewater should be ensured.
7. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

*Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024*

Item No. 21: Proposed 2 nos. of advertisement hoardings at Tata Garden Park, Bhulabhai Desai Marg, Mumbai by License Department, MCGM

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for 2 nos. of advertisement hoarding of 40 feet X 40 feet Back to Back / V Shaped at Tata Garden Park, Bhulabhai Desai Marg, Mumbai.

The MCGM officials presented that, several Local Government/ Corporation/States & Central Government agencies have utilised their open space by allowing them to advertisement agencies for display of advertisement by inviting tenders to generate revenue. The License Department intends to utilise the spaces of carious interchanges across the Mumbai Coastal Road, wherever there are possibilities of erection of advertisement hoardings /Digital LED Hoarding/ Glow Sign Boards etc., and thereby giving the display and advertisement rights to agencies/ advertisers by inviting E- tender/E-Auction for which approval of Hon'ble Municipal Commissioner has been taken vide under no MGC/F/9448/dt.21.04.2023. A E-Tender was floated on 15.03.2024 at Tata Garden Park, Bhulabhai Desai Marg, Mumbai-4000026 and as a higher bidder, the said tender has been finally awarded to M/s Bizlist Advertising LLP. A proposal has been put up before Hon'ble Municipal Commissioner u/n SL/OD/26/Advt.dt.10.05.2024 and sanctioned obtained by Hon'ble Municipal Commissioner on 14.05.2024 and permission of Maharashtra Coastal Zone Management Authority (MCZMA) is required.

The MCGM requested to allow erection of advertisement structures.

Deliberations:

The Authority noted the CRZ map in 1:4000 scale with superimposition of project site & report prepared by MoEF&CC Authorised agency as per approved CZMP, 2019 is not submitted by MCGM.

Decision:

After deliberation, the Authority decided to defer the proposal for want of above information.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Item No. 22: Proposed advertisement hoarding at Lala Lajpart Rai Park (BMC Garden), Haji Ali Government Colony, Mahalaxmi, Mumbai, Mumbai by License Department, MCGM

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for advertisement hoarding of 40 feet X 40 feet Back to Back / V Shaped Lala Lajpart Rai Park (BMC Garden), Haji Ali Government Colony, Mahalaxmi, Mumbai, Mumbai

The MCGM submitted that, several Local Government/ Corporation/States & Central Government agencies have utilised their open space by allowing them to advertisement agencies for display of advertisement by inviting tenders to generate revenue. The License Department intends to utilise the spaces of carious interchanges across the Mumbai Coastal Road, wherever there are possibilities of erection of advertisement hoardings /Digital LED Hoarding/ Glow Sign Boards etc., and thereby giving the display and advertisement rights to agencies/ advertisers by inviting E- tender/E-Auction for which approval of Hon'ble Municipal Commissioner has been taken vide under no MGC/F/9766dt.05.06.2023. The Licence Department invited E-Tender for advertisement rights at Lala Lajpat Rai Park (BMC Garden), Haji Ali Government Colony, Mahalakshmi, Mumbai-400034 and the offer given by M/s Bizlist Advertising LLP has been accepted as per sanction of Hon'ble Municipal Commissioner under no MGC/F/2429/dt. 14.05.2024.

The MCGM requested to allow erection of advertisement structure at Lala Lajpart Rai Park (BMC Garden), Haji Ali Government Colony, Mahalaxmi, Mumbai, Mumbai

Deliberations:

The Authority noted the CRZ map in 1:4000 scale with superimposition of project site & report prepared by MoEF&CC Authorised agency as per approved CZMP, 2019 is not submitted by MCGM.

Decision:

After deliberation, the Authority decided to defer the proposal for want of above information.



Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Additional Item No. 1: Proposed construction of road on the balance proposed 13.40 m wide DP road on land bearing CTS No. 1509 (pt) and 1514 (pt) of village Dahisar in R/N Ward, Mumbai by MCGM

Introduction:

The Authority noted that, MCGM has submitted proposal for construction of road on the balance proposed 13.40 m wide DP road on land bearing CTS No. 1509 (pt) and 1514 (pt) of village Dahisar in R/N Ward, Mumbai. The said construction of DP road will improve connectivity proposed in DP 2034 in the said area. Proposed Road will be connecting Dahisar Mumbai to Mira-Bhaynder Road with Chatrapati Shivaji Road No 4.

Deliberations:

The Authority noted the MCGM has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, proposed road in various CRZ area are as follows-

CTS No.	Zonation	Area in sqm
1509	CRZ-IA (Mangroves)	32.24
	CRZ-IA (50 m buffer zone from Mangroves)	1742.60
1514	CRZ-IA (Mangroves)	631.63
	CRZ-IA (50 m buffer zone from Mangroves)	465.49
Total		2871.95

The Authority noted the permissibility of construction of road in CRZ-IA as per para 5.1.1 of CRZ Notification, 2019:

"(iii) Construction of roads and roads on stilts, by way of reclamation in CRZ-I areas, shall be permitted only in exceptional cases for defence, strategic purposes and public utilities, subject to a detailed marine or terrestrial or both environment impact assessment, to be recommended by the Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case construction of such roads passes through mangrove areas or is likely to damage the mangroves, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves."


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

The Authority noted that as per para 7 of CRZ Notification, 2019:

"CRZ clearance for permissible and regulated activities- Delegation:

(iii) For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority. "

The Authority observed that, MCGM need to submit Environment Impact Assessment for proposed project.

The Authority noted the project is public utility project which will serve as important connectivity link for residents in the said area and it can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the MCGM as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed construction of road falls in mangrove & its 50 m buffer zone areas.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to MoEF&CC New Delhi subject to compliance of following conditions:

1. The proposed road should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since proposed road falls within mangrove & its 50 m buffer zone areas.
3. PP to ensure that mangroves cutting should be restricted to minimum.
4. Minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves, as per CRZ Notification, 2019.
5. PP to obtain the NoC from the mangrove cell.
6. PP to obtain the Forest clearance under Forest (Conservation) Act, 1980 for diversion of the forest land.
7. MCGM need to submit Environment Impact Assessment for proposed project. MCGM to implement Mitigation measures and Environment



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Management plan as stipulated in the EIA report, effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.

8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
9. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
10. Safe disposal of the wastewater should be ensured.
11. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

Additional Item No. 2: Construction of residential building on land bearing plot no. 20, Sector 2, Dronagiri, Navi Mumbai by Shri. Chandrashekhar Mada

Introduction:

The PP presented the proposal before the Authority. The proposal is for Construction of residential building on land bearing plot no. 20, Sector 2, Dronagiri, Navi Mumbai

The VC & MD, CIDCO vide letter dated 15.09.2023 submitted the followings:

Project details			Date of Commencement certificate issued by Planning Authority	CRZ status as per approved CZMP, as per CRZ Notification, 1991	CRZ status as per approved CZMP under CRZ Notification, 2011	Whether site is situated within 50 m mangrove buffer zone area
Node	Sector No.	Plot No.				
Dronagiri	02	20	21.10.2011	Not Affected	CRZ-II	Partly
Type of development			Residential (12.5 % Scheme)			

Deliberations:

The Authority noted that MoEF&CC, New Delhi vide letter dated 14th March, 2022 sent a clarification to MCZMA, regarding ongoing projects which were not in CRZ as per old approved CZMP under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011

The clarification letter of MoEF&CC, New Delhi reads as follows:

"This has reference to your letter no. MCZMA-2020/CR-26/TC-4 dated 18th November, 2020 and meetings held with the Ministry on 13th January, 2021 and 26th November, 2021 respectively along with City Industrial Development Corporation (CIDCO) and Navi Mumbai Builders Development Association (NMBDA) regarding issues related to ongoing projects which


Member Secretary


Chairman

**Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024**

were not in Coastal Regulation Zone (CRZ) as per old approved Coastal Zone Management Plan (CZMP) under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011.

2. As you are aware, the Ministry issued the CRZ Notification, 2011 vide S.O. No. 19(E), dated 6th January, 2011 in supersession of the CRZ Notification, 1991. As per the said notification, all the State Government and UT Coastal Zone Management Authority (CZMP) are required to prepare the CZMPs as per provisions of the CRZ Notification, 2011 and get approved by the MoEFCC.

Further, as per the Notification vide S.O. 621(E) dated 31st July, 2017, the validity of CZMPs approved under the CRZ Notification, 1991 was extended till 31st July, 2018 for consideration of the proposal for CRZ clearance under the CRZ Notification, 2011

3. In view of the above, it is to clarify that the CZMPs approved under the CRZ Notification, 1991 shall be considered valid till 31st July, 2018 and the same shall be taken into cognizance for approval of the projects. Thereafter, the projects shall be considered for CRZ clearance as per the CZMP prepared and approved in accordance with the CRZ Notification, 2011 or 2019, as the case may be.

4. It is to further clarify that for the projects not falling in the CRZ area as per the CZMPs approved under the CRZ Notification, 1991 but covered under CZMP prepared under the CRZ Notification, 2011 following procedure may be adopted:-

- i. The MCZMA shall certify that the proposal for which Commencement Certificate (CC) were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991, is as per the CZMPs approved under the said notification and shall forward its recommendation to the concerned authority for Occupation Certificate (OC), as applicable.
- ii. The CIDCO/ concerned regulatory authority shall certify that the proposals for which Commencement Certificate were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991 as mentioned in Para 3 above, was as per extant building development norms in place, at that time for sanction for such projects.



Member Secretary



Chairman

*Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024*

- iii. *For all other projects, CZMPs approved in accordance with the CRZ Notification, 2011 or CRZ Notification 2019, as the case may be, shall be applicable.*
- iv. *All the infrastructure projects shall be considered by the MCZMA as per the extant norms.*

The Authority noted that the proposal was earlier considered in 174th meeting of MCZMA held on 03rd to 04th June, 2024 wherein Project Proponent was absent. Now, PP requested to consider the proposal.

The Authority noted that, concern planning authority granted the Commencement Certificate in the year 2011, at the relevant time, the plot was not situated in CRZ area, as per approved CZMP under CRZ Notification, 1991. As per approved CZMP, 2011, the site under reference is partly situated in 50 m mangrove buffer zone i.e. CRZ-IA area. Now, construction is completed on site as per CC and pending for Occupation Certificate.

The Authority noted that, prior High Court permission is necessary, if the construction activity is situated within 50 m mangrove buffer zone area, as per Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006. However, in similar SOP matter, Hon. High Court in Writ Petition No. 15318 of 2023 (Shivtej Builders & Developers Vs The NMMC &Ors) vide Order dated 11.12.2023 directed the NMMC to take up and process the Petitioner's application for an Occupation Certificate in accordance with law, without any regard and clarified that it is not for the MCZMA to direct that this High Court's permission should or should not be obtained.

The Authority noted that, the MoEF&CC, New Delhi has already clarified that the CZMPs approved under the CRZ Notification, 1991 shall be considered valid till 31st July, 2018 and the same shall be taken into cognizance for approval of the projects.

Decision:

In the light of above, the Authority after deliberation decided that Concerned Planning Authority can grant the Occupation Certificate to the building on plot under reference, as per clarification letter dated 14th March, 2022 by the MoEF&CC, New Delhi.



Member Secretary



Chairman

*Minutes of the 175th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th July, 2024*

Annexure I

List of members/officials present in the online meeting:

1. Dy.Ch.E. DP MCGM, Member, MCZMA
2. Mr. A.K. Chaubey, Expert Member, MCZMA
3. Dr. Mahesh Shindikar, Expert Member, MCZMA
4. Mr. Maruti Kudale, Expert Member, MCZMA
5. Smt. Reshma Pitale, BNHS, Member MCZMA
6. Mr. Abhay Pimparkar, Director, Environment & CC and Member Secretary,
MCZMA



Member Secretary



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