

**Minutes of the 176th Meeting of Maharashtra Coastal Zone Management
Authority held on 05th August, 2024**

The 176th 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 August, 2024. List of members present in the meeting is attached as Annexure-I.

Confirmation of minutes of 175th meeting of MCZMA:

The Authority decided to confirm the minutes of 175th meeting of the MCZMA held on 05th July, 2024 without any change.

Item No. 1: Proposed construction of Residential cum Commercial Building "Imperial Heights" at Plot No- 137, Sector-51, Dronagiri, Navi Mumbai by M/s. RND Builders & Developers Rajpal Deep Nandlal

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of Residential cum Commercial Building "Imperial Heights" at Plot No- 137, Sector-51, Dronagiri, Navi Mumbai.

Consultant presented that, construction of Residential cum Commercial Building "Imperial Heights" comprises of Ground Floor (with shop) +1st to 2nd floor podium + 3rd podium floor with amenities + 4th to 21st floor residential units at Plot No- 137, Sector-51, Dronagiri, Navi Mumbai.

The plot falls in Special Economic zone (as per NMMC development plan by CIDCO).

Plot area is 2549.88 Sqm, FSI area is 12274.424 sqm, Non FSI area is 5391.121 Sqm, Total Construction area is 17665.545 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 project site for proposed construction on land bearing Plot No. 137, Sector - 51, Dronagiri, Navi Mumbai, Raigad district, Maharashtra state falls partly between



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HTL for creek and the 50m width of creek (whichever is less) setback line from HTL for creek as per approved CZMP (Map Nos. MH 69 & MH 73) published vide CRZ Notification 2019. Hence, the aforementioned project site falls partly inside CRZ-II with remaining area outside CRZ as per approved CZMP.

The proposed construction inside the project site falls partly inside CRZ-II with remaining area outside CRZ as indicated in local level CRZ map.

Sr. No.	CRZ Zone	Plot Area within Zone sqm
1	CRZ-II	104.69
2	Outside CRZ	2445.31
Total area		2550.0

The project site falls outside mangroves as well as outside the 50 m setback line from mangroves. As per CRZ map the site under reference is situated on landward side of existing road.

Consultant presented that the construction is proposed in CRZ-II & Non CRZ area.

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 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 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.



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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, 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.



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Item No. 2: Proposed redevelopment of residential Tower Amber CHS, Friends Society, Perry Cross Road, Land Bearing CTS No. C 724 Village Bandra West, Mumbai by M/s Supreme Sky Ventures LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of residential Tower Amber CHS, Friends Society, Perry Cross Road, Land Bearing CTS No. C 724 Village Bandra West, Mumbai.

Consultant presented that, The proposal consist of 28 Residential tenements + 1 Society Office + 1 Fitness Centre + 1 Game Room 2 basement (for OWC, Rain Water Harvesting, UG Tank, Pump room, other ancillary services and Parking Spaces) + Stilts/Ground Floor for Parking spaces +2 Podium (for Parking Fitness Centre, Game Room & Services+ 3rd to 19 floors (For Residential Units), Height 77.10 m under Regulation 33(11) of DCPR 2034.

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

Plot area is 1769.20 Sqm, FSI area is 9553.55 sqm, Non FSI area is 7826.37 Sqm, Total Construction area is 17379.92 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 project site of M/s. Supreme Sky Ventures LLP falls fully inside the 500 m setback line from HTL of Arabian Sea as per approved CZMP (Map No. MH 75) published vide CRZ Notification, 2019. Hence the project site falls completely inside CRZ -II as per approved CZMP. The proposed building and other facilities falls fully in CRZ-II as per approved CZMP. The aforesaid project site falls outside the 50 m setback line from mangroves as per approved CZMP (map No. MH 75)

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



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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. 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 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.



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Item No. 3: Construction on Plot No. 24 to 29 & 29A, Sector 04, Nerul, Navi Mumbai, by M/s. Amey Co-operative Housing Society Ltd

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction on Plot No. 24 to 29 & 29A, Sector 04, Nerul, Navi Mumbai by M/s. Amey Co-operative Housing Society Ltd.

Consultant during the meeting presented the followings-

- a) PP has obtained Environmental Clearance from SEIAA on 14.05.2009.
- b) PP has obtained Commencement Certificate dated 29.03.2008, 18.03.2009, 03.04.2010 from NMMC for construction of residential and commercial building on site under reference.
- c) Accordingly construction has been carried out and Architect has submitted application dated 18.06.2012 & 15.07.2013 for Occupancy certificate to NMMC.
- d) NMMC vide letter dated 03.12.2012 & 13.08.2013 refused to grant Occupation Certificate due to non submission of No Objection from MCZMA.
- e) PP has submitted representation to MoEF&CC, New Delhi for applicability of CRZ Norms on Plot No. 24 to 29 & 29A, Sector 04, Nerul, Navi Mumbai.
- f) The MoEF&CC, New Delhi vide letter dated 01.07.2016 stated that, the Plot No. 24 to 29 & 29A, Sector 04, Nerul, Navi Mumbai do not fall in the demarcated CRZ as per CZMP 1996 on the scale of 1:25000 and taking in consideration the principle of natural justice, there is no necessity of CRZ clearance for the project.
- g) The matter was considered in 114th meeting of MCZMA held on 02nd & 03rd November, 2016. The Authority discussed the letter dated 17.05.2016 and 01.07.2016 issued by MoEF&CC in the matter. After deliberation MCZMA decided to take note of the MoEF letter and the NMMC to take appropriate action on the letter. Accordingly, MCZMA vide letter dated 07.02.2017 communicated to the NMMC.

The consultant informed that, the NMMC has not issued Occupancy Certificate and asked PP to obtain No Objection from MCZMA. Therefore, PP submitted application to MCZMA through NMMC as per SOP issued by MoEF&CC, New Delhi vide letter dated 14th March, 2022 and requested for CRZ Clearance for grant of Occupation Certificate under SOP.


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The Municipal Commissioner, NMMC vide letter dated 06.06.2024 submitted the proposal under SOP and 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
Plot No. 24 to 29 & 29A, Sector 04, Nerul, Navi Mumbai	29.03.2008, 18.03.2009, 03.04.2010	As per letter dated 01.07.2016 of MoEF and letter dated 18.04.2017 of MCZMA the said plot do not fall in demarcated CRZ as per CZMP 1996.	The plot is affected by CRZ-II and it is also partially affected by 50 m mangrove buffer zone as per approved CZMP of CRZ Notification, 2011	Site is situated within 50 m mangrove buffer zone area.
As per approved CZMP under CRZ Notification, 2019 the plot under reference is partly falls in 50 m mangrove buffer zone and partly falls in CRZ-II area				

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2011 & 2019. As per IRS report, the proposed project site in Plot Nos. 24 to 29 & 29 A, Sector 04 Nerul Navi Mumbai Maharashtra falls near Creek and Mangroves. The proposed project site bearing 24 to 29 & 29A, Sector 04 Nerul, Navi Mumbai Maharashtra falls in CRZ-IA (50 m Mangrove Buffer Zone) CRZ-IB, CRZ-II and out side CRZ as per CRZ Notification, 2011 & 2019. The area under various CRZ are presented in Table.

CRZ Classification	As per approved CZMP 2011 Area in sqm	As per approved CZMP 2019 Area in sqm
CRZ-IA (50 m Mangrove)	8216.63	8216.63


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Buffer Zone)		
CRZ-IB	12.75	12.75
CRZ-II	27782.70	1957.23
Outside CRZ	5950.13	31775.6
Total	41962.21	41962.21

Consultant presented that, concern planning authority granted the Commencement Certificate in the year 2008, 2009 & 2010, 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, CRZ-IB, CRZ-II & Non CRZ area. Now, construction is completed on site as per CC and pending for Occupation Certificate.

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 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



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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.
- 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, 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



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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 observed that, the MoEF&CC, New Delhi vide letter dated 01.07.2016 already communicated that, the Plot No. 24 to 29 & 29A, Sector 04, Nerul, Navi Mumbai do not fall in the demarcated CRZ as per CZMP 1996 on the scale of 1:25000 and taking in consideration the principle of natural justice, there is no necessity of CRZ clearance for the project.

Decision:

In the light of above, the Authority after deliberation decided that Concerned Planning Authority can grant the Occupation Certificate to the buildings on plot under reference, as per letter dated 01.07.2016 issued by the MoEF&CC, New Delhi.



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Item No. 4: Proposed Addition & Alteration of existing residential Building on plot bearing CTS No. C/1061, Gaothan Village Sherly Off Carter Road, Bandra (W), Mumbai by Mr. Vijay Bihari Kandhari

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Addition & Alteration of existing residential Building on plot bearing CTS No. C/1061, Gaothan Village Sherly Off Carter Road, Bandra (W), Mumbai.

Consultant presented that, currently, the existing structure comprises of two level basements, one for parking + one for storage + stilt for entrance and parking + 1st floor podium for parking + 2nd to 7th floors as per received IOD vide letter no. CE/2293/WS/AH dated. 07th July 2007 and No objection from CRZ point of view vide letter no. TPB 2006/ 3514/ CR-25/07/UD-12 dated. 05th April, 2007 by the Urban Development Department, Mantralaya, Mumbai along with Full OC vide letter no. CE/2293/WS/AH dated 22nd October 2014.

Proposed Alteration in the existing building from 2nd to 7th floor and Addition of 8th Floor for residential purpose + swimming pool and terrace above along with alterations in the existing residential plan. The amended plan has received Approval letter from BMC vide letter no. CHE/WS/2443/ H/W/ 342/342 /2/ Amend dated 03.04.2024

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

Plot area is 332.80 Sqm, FSI area is 697.25sqm, Non FSI area is 383.55 Sqm, Total Construction area is 1561.08 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 project site of Mr. Vijay Bihari Kandhari bearing CTS No. 1061 of Bandra -C village H/W Ward, Mumbai Maharashtra falls fully inside 500 m setback line from HTL of Arabian Sea as per approved CZMP (Map No. MH 75) published vide CRZ Notification, 2019. Hence the project site falls completely inside CRZ-



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II as per approved CZMP. The project site falls outside 50 m setback line from Mangroves as per approved CZMP (Map No. MH 75)

The Authority observed that PP need to submit followings:

- 1) Whether the site under reference is situated on landward side of existing road.
- 2) Structural stability certificate from registered architect.
- 3) Existing and proposed FSI, Non FSI and Total construction area.

Decision:

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



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Item No. 5: CRZ Status for Plot No. 150, Sector-53, Dronagiri, Navi Mumbai by Mr. Mayurh Dhuri.

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for CRZ Status for Plot No. 150, Sector-53, Dronagiri, Navi Mumbai.

Consultant presented that, site under reference is partly falls in CRZ-IA (50m Mangrove Buffer Zone) and partly outside CRZ. Proposed development will be in the Non CRZ area only & FSI for the CRZ IA will not be used in the project.

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 land bearing Plot No. 150, Sector-53, Dronagiri Node Navi Mumbai falls near creek and Mangroves. The proposed project site bearing Plot No. 10, Sector 53 Dronagiri Node Navi Mumbai Maharashtra partially falls CRZ-IA (50 m Mangrove Buffer Zone) with the remaining area outside CRZ as per CZMP (Map No. MH 69) as per CZMP prepared by NCSCM, Chennai vide CRZ Notification, 2019. The area details are given in Table:

Sr. No.	CRZ Classification	Area in Sqm
1	CRZ-IA (50 m Mangrove Buffer Zone)	27.74
2	Outside CRZ	372.28
3	Total	400.02

The Authority observed that site under reference is partly falls in CRZ-IA (50m Mangrove Buffer Zone) and partly outside CRZ. No construction is proposed in CRZ-IA area. The Authority further noted that, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019.

Decision:

After deliberation, the Authority decided to inform CRZ Status for Plot No. 150, Sector-53, Dronagiri, Navi Mumbai as per approved CZMP under CRZ Notification, 2019.



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Item No. 6: The Mauli Iron Ore Block over an extent of 24.26 Ha located in Redi, Kanyale village, Vengurla Taluka Sindhudurg District by M/s Sociedade De Fomento Industrial Private Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Mauli Iron Ore Block over an extent of 24.26 Ha located in Redi, Kanyale village, Vengurla Taluka Sindhudurg District.

The Project Proponent is in the process of obtaining Environmental clearance for 0.30 Million Tonnes of Iron Ore production per annum. Accordingly, an application was submitted in MoEF&CC for obtaining Environment Clearance for the Project on 18/11/2022. The Expert Appraisal Committee of MoEF&CC considered the Project for grant of Terms of References in its 9th EAC (Non-Coal Mining) Meeting held on 17/01/2023 and accorded TOR for the Project. The MoEF&CC issued the TOR vide its Letter No IA-J-11015/38/2022-IA-II(NCM) dated 6th February 2023 with asked PP to submit SCZMA letter.

Deliberations:

The Authority noted that PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2011. As per IRS report,

- a) The 'Mauli Iron Ore Block' of M/s. Sociedade De Fomento Industrial Pvt Ltd, over an extent of 24.26 Ha. area, located in Kanyale village, Vengurla taluka, Sindhudurg district, Maharashtra state falls fully Out of CRZ as per CRZ notification 2011.
- b) The shortest distance of the nearest site corners D and F are 504.19m and 510.49m respectively.
- c) No mangroves were present in the vicinity of proposed site.

Consultant presented that Letter of Intent (LOI) obtained vide letter no. MMN-0422/C.R. 78/IND-9A dated 20-05-2022 for the grant of a mining lease. Mining Plan has been approved by Indian Bureau of Mines for the production of 0.3 MTPA of Iron Ore vide letter No. MP/MECH-01(MAH)/GOA/2022-23 dated 24.08.2022 .


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The proposal was earlier considered in 173rd meeting of MCZMA held on 20.03.2024 Expert Members asked PP to ensure that there shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area. PP asked to submit undertaking to that effect. Further, PP need to submit mining plan superimposed on CRZ map in 1:4000 scale under CRZ Notification, 2019

Accordingly, PP vide letter dated 25.05.2024 submitted Undertaking to ensure that there shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area. PP has submitted Mining Plan superimposed on CRZ map certified by District Mining Officer Sindhudurg.

During the meeting, the Authority observed that PP has proposed mining activities just beyond 500 m CRZ area as per approved CZMP. The Authority asked PP to maintain 25 m buffer from applicable 500 m CRZ area. Dense bamboo trees plantation need to carried out in the said 25 m stretch in the project site to minimise the impact of mining activities on CRZ area.

The Authority observed that PP need to submit bamboo tree plantation plan in the 25 m stretch in the project site to minimise the impact of mining activities on CRZ area. Further, PP need to submit said tree plantation plan superimposed on CRZ map certified by District Mining Officer Sindhudurg

Decision:

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



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Item No. 7: Construction of residential building on land bearing plot no. 75A & 76, Sector 50 E, Nerul, Navi Mumbai by M/s N M Enterprises

Introduction:

The project proponent was absent for the meeting. The Authority noted that the proposal was earlier considered in 174th meeting of MCZMA held on 03rd & 04th June 2024 and decision taken.

Decision:

In the light of above, the Authority decided to delist the proposal from MCZMA records.



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Item No. 8: Residential cum Commercial building on plot no. 14 & 15, sector - 11, C.B.D. Belapur, Navi Mumbai by M/s Chawla Plaza Owners Co-Operative Housing Society.

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Residential cum Commercial building on plot no. 14 & 15, sector - 11, C.B.D. Belapur, Navi Mumbai.

The Consultant presented that, the construction of Residential cum Commercial building has been completed and pending for Occupation Certificate. The Chronology in the matter areas follows- The CIDCO awarded the tender and allotted the plot under reference vide Agreement to Lease on 09.01.1989 & 13.02.1989. Further, CIDCO granted Commencement Certificate on 25.03.1991. The CIDCO granted the Part Occupancy Certificate for Building Configuration:

- 1) Shopping at ground - 1458.31 Sq.Mt.
- 2) Wing A (1st to 7th Resi.): 1595.29 Sq.Mt.
- 3) Wing B (1st to 4th Resi.): 904.16 Sq.Mt.

The CIDCO vide letter dated 15.12.1994 granted approval for the revised plans & CC was issued for built up area 7142.70 Sq.Mt. Accordingly, construction has been carried out as under:

- 1) Shops at Ground - 52 nos.
- 2) Wing A - 1st to 7th Residential floors
- 3) Wing B - 1st to 7th Residential floors
- 4) Wing C - 1st to 7th Residential floors
- 5) Wing D - 1st to 7th residential floors

Accordingly, PP has approached the Planning Authority (NMMC) for full Occupancy Certificate. Planning authority asked for the clarification from MCZMA regarding grant of OC.

Deliberations:

The proposal was earlier considered in 173rd meeting of MCZMA held on 20.03.2024. The Authority decided to defer the proposal for want of CRZ map in 1:4000 scale & report as per approved CZMP, 2019 from MoEF&CC authorized agency.



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Now, 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 located in Plot Nos. 14 & 15, sector - 11 CBD Belapur Navi Mumbai Maharashtra falls near Panvel Creek and Mangroves. The proposed project site bearing Plot Nos. 14 & 15 Sector 11 CBD Belapur Navi Mumbai Maharashtra completely falls outside CRZ as per CZMP prepared by NCSCM, Chennai vide CRZ Notification, 2019.

Consultant presented that the CIDCO i.e. Planning Authority has issued Commencement Certificate in 25.03.1991 and amended plan approval on 15.12.1994. The concerned authorities at the State level were empowered to regulate the activities from CRZ point of view in CRZ areas as per provisions of CRZ Notification, 1991.

The Authority observed that MoEF&CC, New Delhi has published CRZ Notification dated 19.01.1991. Plot under reference is situated CRZ-II area as per approved CZMP under CRZ Notification, 1991.

The Authority further observed that CRZ Notification 1991 was in force when the Commencement Certificates were granted in 25.03.1991 and amended plan approval 15.12.1994 by CIDCO.

The Authority during the deliberations noted that commencement certificate (CC) was granted to the project by the concerned planning Authority on 25.03.1991 and amended plan approval 15.12.1994 which predates the date of approval of CZMP of Maharashtra in 1996 as well as MCZMA's constitution order dated 4.1.2002, which empowered the MCZMA to examine the project in CRZ area till 03.01.2001 power to regulation allowed with Local Planning Authority. The Authority after detailed discussion and deliberations observed that CRZ Notification, 1991 was in force when the CC was granted in 25.03.1991 and amended plan approval 15.12.1994 to the project and the concerned authorities at the State level were empowered to regulate the activities from CRZ point of view in CRZ areas as per provisions of CRZ Notification, 1991.

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, if the Commencement Certificate is issued by the local planning Authority prior to 4.1.2002 and construction is carried out as per the said Commencement Certificate.



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Item No. 9: Proposed construction of office building, stores & residential quarters at CBD Belapur, Navi Mumbai on site bearing survey nos. 477 & 478 of village Shahabaj, Taluka & District Thane by Directorate of Census Operations, Maharashtra, MHA

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of office building, stores & residential quarters at CBD Belapur, Navi Mumbai on site bearing survey nos. 477 & 478 of village Shahabaj, Taluka & District Thane.

Consultant presented that, the office of Directorate of Census Operations is entrusted with the work of national importance of Census in the state and also functions as office of Director of Citizen Registration System. These offices also monitor Civil Registration System (CRS) activities and also conduct large scale sample surveys on vital statistics. The project is essential as it caters public interest.

The site under reference is partly falls in CRZ -IA (50 m Mangrove Buffer Zone), partly falls in CRZ-II and partly falls in non CRZ area. The project does not involve any building construction in CRZ I(A) and CRZ II. No building construction is proposed on plot bearing S. no. 477. Building construction is proposed in Non CRZ area of plot bearing S.no. 478. Existing 4 nos. Of old structures are present on site.

The plot falls in Public & Semi Public Zone as per Development Plan

Plot area is 5260.0 Sqm, FSI area is 3386.79 sqm, Non FSI area is 1730 Sqm, Total Construction area is 5116.79 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 project sites for the construction of Office Building, Stores & Residential Quarters at CBD Belapur, Navi Mumbai on site bearing Survey Nos. 477 & 478 of village Shahabaj, taluka & district Thane, Maharashtra by the Director of Census Operations Maharashtra, Ballard Estate, Mumbai - 400 001 falls partly within 50m buffer from mangroves and 50m setback line from HTL of creek as



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per approved CZMP (Map No. MH 77) published vide CRZ Notification 2019. Hence, the aforementioned project site falls inside CRZ-IA (50m buffer from Mangroves) and CRZ-II with remaining area outside CRZ as per approved CZMP. The area of project site containing two plots in various CRZ is indicated in table:

Description	CRZ - Classification	Area in Sq.m	Total Area in Sq.m
Plot 1 (S.no. 478)	CRZ - IA (50m Mangrove Buffer Zone)	2361.82	4249
	CRZ - II	206.69	
	Outside CRZ	1680.49	
Plot 2 (S.No. 477)	CRZ - IA (50m Mangrove Buffer Zone)	636.72	1011
	CRZ - II	311.79	
	Outside CRZ	62.49	

The Authority noted that, the site under reference is partly falls in CRZ -IA (50 m Mangrove Buffer Zone) i.e. 2998.54 sqm, partly falls in CRZ-II i.e. 518.48 sqm and partly falls in non CRZ area i.e. 1742.98 sqm.

Consultant presented that construction is proposed on Non CRZ area only i.e. 1742.98 sqm. 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 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. 1742.98 sqm only as per approved CZMP under CRZ Notification, 2019.



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2. The Concerned Planning Authority should strictly ensure that no construction is allowed in CRZ IA i.e. 2998.54 sqm & CRZ-II areas i.e. 518.48 sqm 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.

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Item No. 10: Proposed construction of "Tourist Home Stay" located at Survey No. 64, Village-Kolmandla, Taluka-Murud, District-Raigad by Shri. Vinod K. Nenwani

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. Proposal is for construction of "Tourist Home Stay" located at Survey No. 64, Village-Kolmandla, Taluka-Murud, District-Raigad

Consultant presented that, the project consists of following facilities and amenities: Tourist House (G+1), Game Room & Swimming Pool.

The plot area of the project is 3400.00 sqm, FSI area is 1308.01 sqm & total construction area of 1308.01 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 project site of Mr. Vinod K Nenwani on land bearing survey No.64, village Kolmandla, taluka Murud, district Raigad, Maharashtra falls fully between 200m and 500m setback lines from HTL for Arabian Sea as per approved CZMP (Map Nos. MH 60 & 62) published vide CRZ Notification 2019. Hence, the aforementioned project site falls fully inside CRZ-III B (200m to 500m from HTL) as per approved CZMP

The Authority noted that, the construction is proposed in the 200 m to 500 m from HTL of Arabian Sea (beyond NDZ area of CRZ-III area).

The Authority noted as per Para 5.3(iii) of the CRZ Notification, 2019:

"(iii) Regulation of activities for CRZ-III areas beyond NDZ:

(a) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification.

As per Annexure-III of the CRZ Notification, 2019:

"Guidelines for Development of Beach Resorts, Hotels and Tourism Development Projects in the designated CRZ areas"



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The Authority noted that proposed Tourist Home Stay in CRZ III (beyond NDZ area) is permissible subject to the total covered area on all floors shall not exceed 33 per cent of the plot size i.e., the Floor Space Index shall not exceed 0.33 as per the CRZ Notification, 2019 i.e.18th January, 2019. Planning Authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per the CRZ Notification, 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 Tourist Home Stay 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 shall strictly ensure that construction of Tourist Home Stay is allowed in the 200 m to 500 m from HTL of Arabian Sea (beyond NDZ area of CRZ-III area).
3. The concerned planning authority shall strictly ensure that the total covered area on all floors shall not exceed 33 per cent of the plot size i.e., the Floor Space Index shall not exceed 0.33 as per the CRZ Notification, 2019 i.e.18th January, 2019.
4. The concerned planning authority shall strictly ensure that the overall height of construction up to the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor)
5. PP to strictly ensure the compliance of guideline stipulated in Annexure-III of the CRZ Notification, 2019.
6. 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.
7. 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.
8. Safe disposal of the wastewater should be ensured.
9. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Local Body.


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Item No. 11: Proposed S.R. Scheme u/s. 33(10) of DCPR 2034 on property bearing CTS no. 194A (PT.) of Village Ghatkopar, Mumbai, for Shanti Sagar Police CHS Ltd. through appointed developers M/s. Chouhan Builders India Housing Development Pvt. Ltd.

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 the background of the project as under:

- 1) The S.R. scheme was originally approved as per Reg. 33(14)D of amended DCR 1991 vide LOI dated 01/03/2001, issued in the name of Secretary, Shanti Sagar CHS Ltd. Subsequently, CC was obtained and construction was initiated on site by Shanti Sagar Police CHS Ltd for Building A1,2.
- 2) Subsequently, revised LOI was issued in the year 2004, dated 30/04/2004.
- 3) The construction was continued on site and a total of 19 Rehab Buildings namely A1, A2, B2, B3, B7,B8, B15, B16, B17, B18, B19, B20, B21, B22, B23,B24, B25, C4 & D2 have been constructed on site before the implementation of EIA notification dated 07/07/2004 & 14/09/2006. Building C5 (earlier called B6) was constructed later during 2007-2008.
- 4) The total construction area of this building constructed after 2006 is 1557.87 sq.m. which is below 20,000 sq.m. No construction activity has been taken up on site since then.
- 5) All the constructed buildings are with a configuration of Gr.+7 floors.
- 6) Building A1,2 had received CC in the year 2001, and Part OC dated 14/09/2004 and amended OC dated 09/06/2005. The Remaining 17 buildings B2, B3, B7, B8, B15, B16, B17, B18, B19, B20, B21, B22, B23,B24, B25, C4 & D2 were regularized later in the year 2005 and the IOA, Plinth CC & full CC was obtained dated 17/06/2005. Building C5 is constructed without CC.
- 7) Out of the constructed buildings, buildings B24, B25 & D2 are proposed to be demolished as they fall in the No development zone as per DP Remarks. The project site is partly affected by CRZ. No new buildings are proposed in the CRZ affected area.


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- 8) The total constructed area on site (excluding the area of the buildings proposed to be demolished) is: FSI: 21,691.53 sq.m. Non-FSI: 4340.68 sq.m Total Construction Area: 26,032.21 sq.m.
- 9) Now, 5 new buildings have been proposed namely Composite Building no. 1 (Rehab wing A & Sale Wing B); Composite Building 2 (Rehab Wing A & Sale Wing B); Composite building no. 3 (Rehab Wing A & Sale Wing B); Composite Building 4 (Rehab Wing A & Sale Wing B) and Sale Building 5 are proposed, all with a configuration of Gr.+1st to 22nd Upper floors.

Plot area is 54632.61 Sqm, FSI area is 133339.16 sqm, Non FSI area is 42796.93 Sqm, Total Construction area is 176136.09 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 plot bearing CTS No. 194 (pt) in Ghatkopar village N Ward Mumbai falls in CRZ areas as given below in Table as per existing approved CZMP vide CRZ Notification, 2019

Sr. No.	Description	CRZ - classification	Area in M2	r Total area
1	Proposed building	Outside CRZ	7,426.25	7,426.25
2	Existing building	Outside CRZ	3,157.25	3,157.25
3	Existing building to be demolished	CRZ - II	348.91	758.25
		Outside CRZ	409.33	
4	Garden, road, paved & unpaved area	CRZ - IA (50m Mangrove Buffer Zone)	1,884.90	43,290.86
		CRZ - II	1,969.78	
		CRZ - III (NDZ - Within CRZ - II Grater Mumbai)	671.24	
		Outside CRZ	38,764.94	
		Grand Total	54,632.60	54,632.61

The Authority noted that, the site under reference partly falls in CRZ-IA, CRZ-II & Non CRZ as per approved CZMP 2019.

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The Authority observed that, the MoEF&CC, New Delhi has approved the CZMP under CRZ Notification, 2019 on 29.09.2021. Hence, approved CZMP under CRZ Notification, 2011 was in force till 28.09.2021.

PP has started construction on site under reference which may falls in applicable CRZ area as CZMP approved under CRZ Notification, 1991 & 2011 & the project should have applied for prior CRZ recommendation from MCZMA. However, PP had not applied for the same hence, prima facie this seems to be a violation of CRZ Notification, 1991 & 2011.

The Authority asked PP to submit clarification from SRA about whether Commencement certificate issued for construction at site under reference in CRZ area as CZMP approved under CRZ Notification, 1991 & 2011.

PP to submit superimposition of project layout on approved CZMP under CRZ Notification, 1991 & 2011 in 1:4000 scale prepared by MoEF&CC authorised agency. PP to submit all approvals for construction carried out and Current Status of construction on site under reference. The Authority further asked PP to submit their written statement on why MCZMA should not consider construction carried out as violation of CRZ Notification, 1991 & 2011.

Decision:

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



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Item No. 12: Construction of anti-sea erosion bund (Soft Solution Laying geo containers for shore protection) along the High Tide Line (HTL) at village Bordi, Dist - Thane by Public Works Department

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of anti-sea erosion bund (Soft Solution Laying geo containers for shore protection) along the High Tide Line (HTL) at village Bordi, Dist - Thane.

Consultant presented that, Coast of Bordi village is experiencing erosion due to the higher wave action during the monsoon season which causes damages to the residential properties of the villagers. The existing sea condition have been vulnerable as compared to earlier, which causes higher assail waves impinging on the coast affect existing residential properties and farms of the villagers. The geo-container in the form of soft solution (Soft sand) of 450 m is proposed to maintain the natural aesthetics of the Beach.

PP has submitted CWPRS report dated 20.12.2022 as per which, the total length of the proposed coastal protection work is about 270 m. The proposed coastal protection work is decided to be implemented in the form of soft solution (Sand based solution) to maintain the natural beauty of Bordi beach. The desk studies are conducted for evolving the design cross-section of coastal protection work at Bordi seashore in the form of sand-filled geo-container based on the data such as beach profiles, tides, waves and the existing site conditions. A typical cross-section of geo-container are evolved at Ch. 240 m as shown in Fig.1. The design consists of arrangement of geo-container of size 2 x 1.5 x 0.4 m. Total 9 layers of sand-filled Geo-containers are suggested in stepped manner & a layer (minimum 0.3 m thick) of sand cover is suggested over the Geo-container structure. In order to maintain stable beach profile, a reef structure with geo-container of size 2 x 1.5 x 0.4 m for a width of 8m (at base) is provided at cross Ch. 90 m as shown in Fig 1. The geo-container should be filled with available sand which is free from mud and less than 15% fine material. It may be dredged from nearby creek or offshore area. Use of existing beach sand for filling of geo-container should be avoided. The material used for geo-container shall be made up with woven polypropylene/polyester high strength material having tensile strength 175 Kn/m (both direction), minimum GSM value should be more than 600. For further specification of the geo-textile material ASTM/ISO standards may be referred. The performance



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of the geo-container may be monitored regularly. A smooth roundhead may be provided at both the end of protection work with same size of sand-filled geo-container. It is also suggested that construction of coastal protection with geo-container could be started from more than one end, so that the work could be completed within stipulated time.

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 anti sea erosion bund in Bordi village, palghar District Maharashtra is completely falls in CRZ-IB as per CRZ Notification, 2019. Though the mangroves were present in the vicinity of the project site, the proposed strengthening of existing anti sea erosion has not fall in mangroves or 50 m buffer from mangroves.

The Authority noted that, PP has submitted Environmental Impact Assessment (EIA) & Environment Management Plan (EMP) prepared by Mahabal Enviro Engineers Pvt Ltd (Nabet Accredited Consultant). As per EIA report, Due to low laying areas Bordi village is susceptible to flash floods during the monsoon. Project directly benefits to the local livelihood through the direct protection against flash floods during monsoon. To reduce sea water inclusion in low laying residential and agricultural areas of Bordi. The coastal protection work at Bordi in the form of detached bund (offshore) would be best practice to combat sea erosion problem. The present practice is beneficial to conservation of environment in and around the project location.

The Authority noted that, proposed anti-sea erosion bund is falls in CRZ-IB area as per approved CZMP, 2019.

The Authority noted that as per para 5.1.2 of CRZ Notification, 2019:

"Activities shall be regulated or permissible in the CRZ-I B areas as under:-

- (i) Land reclamation, bunding, etc. shall be permitted only for activities such as,-
(f) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.*
- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like."*

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The Authority noted that as per para 7 of CRZ Notification, 2019 (amended as on 24.11.2022):

CRZ clearance for permissible and regulated activities- Delegation:

"(ii) All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by the Central Government for Coastal Regulation Zone clearance, based on the recommendation of the concerned Coastal Zone Management Authority with the following exceptions, namely: – Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) which shall be dealt by concerned Coastal Zone Management Authority."

The Authority noted that proposed anti-sea erosion bund is permissible activity as per CRZ Notification, 2019.

Decision:

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

1. The concerned planning authority shall ensure that the proposed anti-sea erosion bund 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. Project proponent to ensure that project activities to be carried out as per recommendation of CWPRS report.
3. Project proponent should implement Mitigation measures and Environment 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.
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.



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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.



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Item No. 13: Proposed 1 No of water pipeline, 4 No of Bridges with galleries for utilities, Cross-country Conveyors with utilities and Wagon tippler facility with Railway Lines at JSW Dolvi, District Raigad, by M/s. JSW Steel Ltd

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for 1 No of water pipeline, 4 No of Bridges with galleries for utilities, Cross-country Conveyors with utilities and Wagon tippler facility with Railway Lines at JSW Dolvi, District Raigad.

Consultant presented that, JSW Steel has major production facilities at Vijaynagar (Karnataka), Dolvi (Maharashtra), Selam (Tamil Nadu). Present capacity of Integrated Steel Plant at JSW Dolvi Works is 10 MTPA. JSW Steel has proposed for expansion of its capacity to 15 MTPA. The proposed plant and machinery of expansion project are outside the CRZ. Auxiliary facilities (linear) like water pipeline, bridges with galleries for utilities, Cross-country Conveyors with utilities and Wagon tippler facility with Railway Lines are falling under the purview of CRZ Notification 2019. Present application is for the CRZ permission for Proposed project of construction of 1 No of water pipeline, 4 No of vehicular Bridges with galleries for utilities, Cross-country Conveyors with utilities and Wagon tippler facility.

Present capacity of Integrated Steel Plant at JSW Dolvi is 10 MTPA. JSW Steel has proposed expansion of its capacity to 15 MTPA. This expansion will require facilities for handling of additional raw material and finished goods. Need of each project component is given in table below:

Project Component	Requirement
Water pipeline- 1 Nos (falling under CRZ IA, III, IVB)	To fulfill additional capacity of steel plant one water lines with diameter of 1.1 meters is proposed. These pipelines will carry water from the proposed water reservoir with a capacity of 13,00,000 Kilo liters. Proposed pipelines will cross Amba river to enter in steel plant.
Cross country Conveyor with utilities (falling under CRZ I, III)	Cross Country / Long Distance overland Conveyors with utilities are the most economical means of transporting bulk materials over long distances and the costs are often lower than truck or rail transportation. Installing the Conveyors with utilities beside the existing road facilitates easy


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	approach for maintenance and avoids additional cost of building separate approach roads.
Vehicular Bridges- 4 Nos (falling under CRZ I, III)	4 No vehicular Bridges with galleries for utilities are proposed to facilitate the expansion of steel plant. These bridges will provide connection between land parcels, utilities & facilities of entire 15 MTPA steel plant.
Wagon tippler facility with Railway Lines (falling under CRZ I, III)	A dedicated railway line with wagon tippler facility will be constructed to provide raw materials required for capacity expansion of steel plant.

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by NCSCM, Chennai as per approved CZMP 2019. As per NCSCM report, Area of proposed project activities under each CRZ categories as per approved CZMP of Maharashtra State, 2019:

Sr. No	Sheet No	Proposed Project Activities	Area in Sq.M				
			CRZ IA		CRZ IB	CRZ III	CRZ IVB
			Mangroves	50m mangrove buffer	Intertidal Zone	No Development Zone	Waterbody
1	Sheet No: 1	JH	-	225.00	-	-	-
		Conveyer	531.87	5742.68	2206.27	3620.91	-
2	Sheet No: 2	Wagon Tippler with Railway siding	100.52	7656.01	234.9	664.55	-
3	Sheet No: 4	JH	-	-	-	228.68	-
		Conveyer	275.83	4090.69	577.22	2392.37	-
		Cable galleries	-	-	33.98	383.46	-
		Pipe /Trough Conveyer	-	-	491.21	411.33	-
		Wagon Tippler with Railway Siding	-	-	798.73	-	-



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4	Sheet No: 5	MCC Room	-	400.00	-	-	-
		Wagon Tippler	-	1675.39	-	-	-
		Cable galleries	-	-	228.55	350.9	-
		Pipe/Trough Conveyer	-	-	-	158.48	-
		Wagon Tippler with Railway Siding	2915.11	14309.37	2269.56	455.15	-
		Conveyer	-	-	259.81	527.09	-
5	Sheet No: 7	Pipe and its Galleries	-	472.40	-	-	217.33
6	Sheet No: 8	Bridge	-	-	765.41	372.22	-
		Cable and Pipe Galleries	678.80	3456.14	-	427.14	-
		Pipe and its Galleries	799.29	2188.10	-	488.36	4295.76
		Road Bridge	1201.72	3513.79	-	-	-
		Conveyer	-	592.29	104.99	334.01	-
7	Sheet No: 9	Road with Gate	82.94	-	7568.55	5525.52	-
8	Sheet No: 10	Pipe and its Galleries	2016.72	3685.87	-	611.56	-
9	Sheet No: 11	Road Bridge	-	-	444.85	464.09	-

Length of proposed project activities under each CRZ categories as per approved CZMP of Maharashtra State, 2019:

Sheet No	Proposed Project Activities	Length in meters				
		CRZ IA		CRZ IB	CRZ III	IV B
		mangroves	50m mangrove buffer	Intertidal Zone	No Development Zone	Waterbody
Sheet No: 1	Conveyer	134.35	1976.38	455.27	861.65	-
	JH	-	15.01	-	-	-


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Sheet No: 2	Wagon Tippler with Railway Siding	18.53	1509.10	47.04	130.05	-
Sheet No: 4	Cable galleries	-	-	11.33	127.61	-
	Pipe/Trough Conveyor	-	-	122.62	103.02	-
	JH	-	-	-	21.71	-
	Wagon Tipple with Railway Siding	-	-	253.56	-	-
	Conveyor	69.24	1027.38	210.44	906.07	-
Sheet No: 5	Cable galleries	-	-	76.18	117.01	-
	Pipe/Trough Conveyor	-	-	-	39.73	-
	Wagon Tippler	-	51	-	-	-
	Wagon Tippler with Railway Siding	745.46	2998.48	619.00	70.19	-
	MCC Room	-	40	-	-	-
	Conveyor	-	-	130.22	349.25	-
Sheet No:7	Pipe and its Galleries	-	23.39	-	-	10.10
Sheet No: 8	Conveyor	-	148.10	52.50	135.93	-
	Bridge	-	-	52.35	25.92	-
	Cable and pipe Galleries	68.10	345.76	-	42.06	-
	Pipe and its galleries	39.34	109.13	-	16.15	215.81
	Road Bridge	65.11	186.61	-	-	-
Sheet No:9	Road with Gate	16.91	-	214.86	119.07	-
Sheet No:10	Pipe and its galleries	112.57	173.67	-	29.15	-
Sheet No:11	Road Bridge	-	-	23.27	22.94	-

Consultant presented the project benefits as under:



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<p>Cross-country Conveyors</p>	<ul style="list-style-type: none"> • Conveyors generate significantly fewer greenhouse gas emissions compared to trucks or trains. This is due to the electric power used to run conveyors, which can be sourced from renewable energy. • Conveyors can operate continuously and are generally more energy-efficient than the stop-and-go nature of truck transport • Conveyors often require a narrower right-of-way compared to roads or rail lines, minimizing the disturbance to natural habitat
<p>Vehicular bridges</p>	<ul style="list-style-type: none"> • By providing a direct route between factory units, vehicular bridges reduce the need for trucks or other vehicles to travel longer distances, thereby cutting down on greenhouse gas emissions. • By reducing the need for large, heavy-duty trucks, vehicular bridges contribute to lower noise levels within and around the factory complex. • Safer internal transport routes within the factory reduce the risk of accidents and spills that could harm the environment.
<p>Water Pipeline</p>	<ul style="list-style-type: none"> • Will provide steady water supply for expansion of steel plant and reduce dependency on external water sources such as water tankers.
<p>Wagon tipping facility with Railway Lines</p>	<ul style="list-style-type: none"> • Rail transport is generally more energy-efficient than road transport, resulting in lower greenhouse gas emissions per ton-mile of freight transported. • Railways are more fuel-efficient than road transport, especially for long-distance and bulk transport, leading to lower overall energy consumption

The Authority noted that, PP has submitted Environmental Impact Assessment (EIA) & Environment Management Plan (EMP) prepared by Building Environment (India) Pvt. Ltd (Nabet Accredited Consultant).

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The Authority asked consultant about mangrove at project site. The consultant presented that Floral observations indicated presence of mangrove species such as *Avicennia marina*, *Sonneratia alba*, *Avicennia officinalis* etc. where nala drains into Dharamtar creek beyond project boundary.

The Authority asked PP about any Court matter pending regarding project at site. The PP informed that, Ms. Samita Patil and another has filed a case alleging certain environmental violations at the PP's existing project at Dolvi. Allegations range from emission in Air to Water pollution, Soil Pollution, illegal construction, dumping of slag, encroachment of Govt. land, destruction of mangroves, etc. The NGT Delhi passed an order for fact finding by a 5 member Joint committee which was headed by the Joint Secretary of MOEF&CC along with CPCB, IIT Mumbai, District Magistrate Raigad & State Pollution control Board as it's members. The Applicant raised other frivolous issues regarding land and expansion also before the said Jt. Committee which were considered by them in it's detailed report. The 5 member Jt. Committee submitted it's report with the NGT Delhi on 30th January 2023 with a finding that there were certain area's where violations were observed. Accordingly, they submitted to levy environmental compensation of Rs. 10,79,29,438/- on the PP. Thereafter, the case is now again transferred to NGT Pune and the hearing of the same is pending.

The Authority asked PP & consultant to submit note on permissibility of each proposed activities as per approved CZMP & CRZ Notification, 2019. PP to submit ownership of land. PP to submit whether mangrove cutting involved in the proposed activities and submit mangrove replantation plan.

Decision:

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



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Item No. 14: Proposed construction of Metro line -9 alignment from Dahisar (East) station to entry point of proposed car depot at Dongri {Dahisar (East)-Mira Bhayandar} by MMRDA

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of Metro line -9 alignment from Dahisar (East) station to entry point of proposed car depot at Dongri {Dahisar (East)-Mira Bhayandar}

Consultant presented that Transportation being the most vital element that effect normal life in Mira Bhayandar area, any deficiency, in the infrastructure related to Transportation, seriously affects the productivity and economic growth of the city. Car-besotted and flyover-obsessed Mira Bhayandar needs an alternate transport system which will be greener, safer, faster and non-polluting-in other words people friendly and environment friendly. The presently available network of suburban railways and the road transport system been stretched to the crisis levels. in order to effectively augment the present transport systems MMRDA has conceived the idea of metro railway network. According to MMRDA's estimates, Train Operation Plan for Line-7: CSMIA-Mira Bhayander has been planned in such a way that there are one routes of train operation, one is end to end operation from CSMIA to upto Dongari Depot. In view of increasing demand for mass rapid transport, Maharashtra State Government and Mumbai Metropolitan Region Development Authority desired that the metro corridors shall be developed in this area.

The total length of Metro Line-9 is 13.5 km. Total length of Metro Line-9 extension from Netaji Subhash Chandra Bose Station to entry point of proposed car depot at Dongari and EHV transmission line is 5.43 km and 1.3 km respectively. The piers will be constructed at a distance of 25 m considering the size of each pier for Metro line on ground (5 m x 5 m) with an area of 25 m² and size of each pier for EHV tower is (15 m x 15 m) with an area of 225 m² each foundation structure. The dimension of each station box is 20.5 m x 185 m thus covering an area of 3,792.5 sq. m. The project falls under different CRZ zones and covering an area as follows as per the CRZ survey report:

- CRZ IA = 2,251.13 sq. m.;
- CRZ IA (Mangrove buffer zone) = 18,411.56 sq. m.;
- CRZ IB = 6,399.9 sq. m. & CRZ II = 16,106.84 sq. m.
- Total CRZ area = 43,169.43 sq. m.



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The MMRDA has proposed a Metro Line-9 Project having total alignment length of 13.5 km which ranges from Dahisar (East) to Mira Bhayander and the route alignment of metro corridor runs along western express highway upto some extents in Mumbai city. The alignment has 11 stations and the car depot which is proposed at Dongari in Mira Bhayandar. 8 stations are on the main line between Dahisar and Mira Bhayandar and three proposed stations till Dongari depot.

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,

1) Length of proposed Metro Line, Transmission Line in Various CRZ:

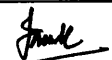
Description	CRZ-Classification	Length in Meters	Total Length (Meters)
Metro Line	CRZ-IA	12.92	5432.87
	CRZ - IA (50m Mangroves Buffer Zone)	532.61	
	CRZ- IB	152.7	
	CRZ-II	2242.93	
	Outside CRZ	2491.71	
Transmission Line	CRZ - IA (50m Mangroves Buffer Zone)	313.27	1300.67
	CRZ- IB	104.36	
	CRZ-II	58.63	
	Outside CRZ	824.41	

2) Area of the proposed structures in various CRZ:

Description	CRZ - Classification	Area in sq. m.	Total Area in sq. m.
Proposed Station - 1	CRZ-II	3790.06	3792.5
	CRZ- IB	2.44	
Proposed Station - 2	CRZ-II	186.15	3792.5
	Outside CRZ	3606.35	
Proposed Station - 3	Outside CRZ	3792.5	3792.5
Netaji Subhash Chandra Bose Station	Outside CRZ	3792.5	3792.5



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ROW for proposed Transmission Line	CRZ-IA	1882.85	46234.59
	CRZ - IA (50m Mangroves Buffer Zone)	9623.42	
	CRZ- IB	3724.73	
	CRZ-II	2147.53	
	Outside CRZ	28856.06	
Proposed EHV Tower No. 1	CRZ - IA (50m Mangroves Buffer Zone)	100.55	225
	CRZ- IB	124.45	
Proposed EHV Tower No. 2	CRZ- IB	23.82	225
	CRZ-II	201.18	
Proposed EHV Tower No. 3	CRZ - IA (50m Mangroves Buffer Zone)	225	225
Proposed EHV Tower No. 4	Outside CRZ	225	225
Proposed EHV Tower No. 5	Outside CRZ	225	225
Proposed EHV Tower No. 6	Outside CRZ	225	225
Proposed Independent flyover on Stilt	CRZ- IB	633.1	6772.2
	CRZ-II	1046.79	
	Outside CRZ	5092.31	
Proposed Integrated flyover on Stilt	CRZ-IA	344.61	11039.65
	CRZ - IA (50m Mangroves Buffer Zone)	5930.34	
	CRZ- IB	1713.52	
	CRZ-II	3051.18	
Proposed Ramp on Stilt	CRZ-IA	23.67	7730.47
	CRZ - IA (50m Mangroves Buffer Zone)	2014.88	
	CRZ-II	3548.35	
	Outside CRZ	702.65	

3) Location of the Metro Rail Piers in various CRZ :

Pier Number	CRZ- Classification	Area of Pier Footing in CRZ zones
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P94, P95, P96, P97, P132, P133, P134, P135, P136, P137, P138, P139, P140, P141, P142, P143, P144, P145, P146, P147	CRZ - IA (50m Mangroves Buffer Zone)	20 x 25 sq. m. = 500 sq. m.
FP1, P4, P5, P6, P7, P8, P9	CRZ- IB	7 x 25 sq. m. = 175 sq. m.
FP2, PP1, P2, P10, PP11, PP26, P27, P28, P29, P30, P31, P32, P33, P34, P35, P36, P37, P38, P39, P40, P41, P42, P43, P44, P45, P46, P47, P48, P49, P50, P51, P52, P53, P54, P55, P56, P57, P58, P59, P60, P61, P62, P63, P64, P79, P80, P81, P82, P88, P89, P92, P93, P122, P123, P124, P125, P126, P127, P130, P149, P150, P151, P152, P153, P154, P155, P156, PP157, P158, P159, P160, SP1, SP2	CRZ-II	73 x 25 sq. m. = 1825 sq. m.
P98, P131, P148	CRZ - IA (50m Mangroves Buffer Zone) & CRZ-II	CRZ-IA (50m Mangroves Buffer Zone) = 17.37 sq. m.; CRZ-II = 57.63 sq. m.; Total Area = 75 sq. m.
P3	CRZ-IB & CRZ-II	CRZ-IB = 2.84 sq. m.; CRZ-II = 22.16 sq. m.; Total area = 25 sq. m.
FP3, P25, P65, P72, P73, P74, P75, P76, P77, P78, P83, P84, P85, P86, P87, P90, P91, P121, P128, SP3	CRZ-II & Outside CRZ	CRZ-II = 230.81 sq. m.; Outside CRZ = 269.19 sq. m.; Total area = 500 sq. m.
FP4, FPS, FP6, FP7, FPS, FP9, FP10, FP11, FP12, FP13, FP14, PP12, CP13, P14, P15, P16, P17, P18, P19, CP20, PP21, P22, P23, P24, P66, P67, P68, P69, P70, P71, P99, P100, P101, P102, P103, P104, P105, P106, P107, P108,	Outside CRZ	66 x 25 sq. m. = 1650 sq. m.


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P109, P110, P111, P112, P113, P114, P115, P116, P117, P118, P119, P120, P129, P161, P162, P163, P164, P165, P166, P167, P168, P169, P170, P171, P172, SP4		
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Authority asked consultant about mangrove vegetation at site under reference. Consultant presented that there are few Mangroves present at some instance along the alignment of project site. Mangroves affected due to the said project is approx. 0.996 ha. Dominant species observed during study is *Avicennia marina* and *Avicennia alba* which are common mangrove species. Other species like *Salvadora sps* and *Avicennia officinalis* also found in small patches during study. The application for the forest clearance has been submitted to concerned department vide proposal no. FP/MH/OTHERS/473689/2024 dated 20.05.2024.

PP has submitted Environmental Impact Assessment (EIA) & Environment Management Plan (EMP) prepared by Mantec Consultants Pvt. Ltd. (Nabet Accredited). As per EIA report, the benefits of the project can be divided into tangible & intangible benefits. The tangible benefits are technical benefits while intangible benefits include the environmental & economic benefits.

Technical Benefits:

- i. Higher carrying capacity (50 seat + 325 standing = 375 per standard Coach) compared to road transport. (Equivalent to 7 lanes of bus traffic or 24 lanes of motor car traffic)
- ii. Higher speed (maximum speed of 80km/hr irrespective of normal time or peak time compared to bus and other road traffic which literally snarls during peak time.)
- iii. Smooth ride as it is not affected by other vehicles, pedestrians etc. (Travel in jam packed buses is very rough.)
- iv. Safer compared to road transport in Mumbai where road accident rate is very high.
- v. Occupies less land space as the Metro runs on elevated tracks which are supported on pillars; each pillar occupying a ground space of approximately 2M x 2M only.
- vi. Elevated Metro Rail occupies only 2M width of the road space.
- vii. No gaseous, liquid or solid pollution as the Metro railway is run on clean energy
- viii. Electricity which does not emit any pollutant during the operation.



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- ix. Lower noise pollution compared to equivalent capacity of road transport. (By virtue of the state of the art technology applied for construction of the coaches and the track and by virtue of high elevation of the track (>7M) the noise nuisance caused by the Metro is far less compared to the road transport. (Noise levels of the modern Metro Rail Coaches and the track at the source is expected to be < 60 dB (A).
- x. Energy efficient (energy consumption per passenger km is only 20% of the energy consumed by the road based transport system).
- xi. Lower journey time (lower by 50-70% of the time taken by road traffic, depending on road conditions).

Environmental Benefits:

- i. Environmental benefits cannot be measured by a tool directly but can be subjectively visualized. Provision of metro lines along any busy corridor would help to reduce congestion on the road.
- ii. Similarly on this section, seamless traffic movement could be achieved for all the vehicles.
- iii. This would help to reduce the consumption of fuel due to lesser interruptions and optimum travel speed.
- iv. Also, due to reduced congestion, noise pollution as well as air pollution in the surrounding areas can be diminish.

Economic Benefits:

- i. The improved speed of traveling will create substantial savings in fuel consumption.
- ii. Fuel savings are significant for individual as well as the country as a whole.
- iii. The improved access towards high traffic areas will also appreciate use of adjoining plots and economic activities will increase.
- iv. Reduced pollution, vehicle maintenance, fuel saving due to better quality of roads.

The Authority noted that as per para 5.1.1 of CRZ Notification, 2019:

"These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions:-

(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities.

(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



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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."

The Authority noted that as per para 5.1.2 of CRZ Notification, 2019:
*"Activities shall be regulated or permissible in the CRZ-I B areas as under:-
(xv) Pipelines, conveying systems including transmission lines."*

The Authority noted that as per para 5.2 of CRZ Notification, 2019:
"(i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable."

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 noted the project is vital infrastructure project. The rapid transit metro system is designed to reduce traffic congestion in the city and supplement the overcrowded Mumbai Suburban Railway network. It can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed construction within mangrove 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:


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1. 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. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed construction in mangrove areas and mangrove cutting involved in the project.
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. PP to strictly ensure that as a mitigation measures to be adopted to mitigate the impacts on flying animals and birds.
8. Project proponent should implement Mitigation measures and Environment 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.
9. 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.
10. 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.
11. Safe disposal of the wastewater should be ensured.
12. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 15: Proposal for construction of residential cum commercial building 'Sky Creeva' situated at plot no-17, sector-50, Dronagiri Navi Mumbai for M/s. Shrey Infra by Hussain Shaikh

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of residential cum commercial building 'Sky Creeva' situated at plot no-17, sector-50, Dronagiri Navi Mumbai.


Consultant presented that, CIDCO has issued Commencement Certificate dated 20.03.2018 for construction of residential cum commercial building on site under reference. Accordingly, construction completed on site. However, CIDCO vide letter dated 04.02.2021 has refused to grant Occupation Certificate and asked PP to submit clarification / clearance from MCZMA to grant Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 15.09.2023 submitted the proposal as per SOP :

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	50	17	20.03.2018	Not Affected	CRZ-II	No
Type of development			Residential (12.5 % Scheme)			


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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 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



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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.
- 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 the Authority asked PP to submit details of construction started on site and status of construction. Further CIDCO need to submit whether the construction carried out on site is as per CC dated 20.03.2018.

PP presented that, Commencement Certificate received on 20.03.2018 and started construction of building within a week at project site. CIDCO vide letter dated 04.07.2024 informed that the work has been completed as per sanctioned plan according to completion certificate submitted by the project architect.

The Authority noted that, concern planning authority granted the Commencement Certificate on 20.03.2018, 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 situated in CRZ-II area. Now, construction is completed on site as per CC and pending for Occupation Certificate.



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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.



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Item No. 16: Proposed underground water tunnel and allied works from shaft 1 near WTP at Jite village to shaft 2 near Sai village in District Raigad by CIDCO

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for underground water tunnel and allied works from shaft 1 near WTP at Jite village to shaft 2 near Sai village in District Raigad

Consultant presented that considering the pace of development the water requirement of Navi Mumbai is estimated to escalate and reach to about 500 MLD (Million Litres per Day) by the year 2042. CIDCO had implemented the Hetawane Water Supply Scheme (HWSS) in year 2001-02 which provides about 150 MLD water to Navi Mumbai. Hence it is necessary to avail additional drinking water immediately from the existing source i.e. Hetawane Dam to meet deficit water demand. At present Hetawane water supply scheme is operating at optimum design capacity of 150 MLD with present water intake arrangement at Hetawane Dam and water treatment plant (WTP) at Jite. In order to utilize the additional 120 MLD drinking water it is necessary to augment the existing water supply system to 270 MLD in time bound manner to cater the increasing drinking water demand of Navi Mumbai. The drinking water pipeline network laid by CIDCO from WTP, Jite to existing MBR at Vahal is 25 years old & it requires frequent maintenance. Also the laid pipeline cannot fulfil the supply of 270 MLD treated water. The existing pipeline is passing through various villages where unmonitored connections on the pipeline result in unaccounted loss of water. Therefore the Treated water Tunnel from WTP Jite to MBR Vahal will be the most feasible option due to unavailability of land for laying additional 1500 mm dia MS pipeline parallel to the existing one. Also the land acquisition for laying of MS pipeline will be tedious & time consuming process.

In comparison, tunnel has lifespan of approximately 100 years with negligible O&M cost while MS pipeline has lifespan of only 25 years with substantially increasing annual O&M expenses. The illegal connections by enroute villages can also be avoided resulting in no loss of pressure & water during conveyance of treated water through Tunnel from WTP Jite to existing MBR at Vahal. Therefore CIDCO has proposed to lay underground treated water tunnel from Jite to Sai village (3.35 km). The proposed tunnel pipeline shall pass underground at depth of more than 60 m. The proposed pipeline tunnel shaft 1 is



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located near Jite village at 18°48'40.94"N 73° 5'37.66"E and shaft 2 is located near Sai village at 18°50'20.45"N 73° 4'56.61"E.

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by NCSCM, Chennai as per approved CZMP 2019. As per NCSCM report,

- 1) Area of the proposed treated water tunnel under each CRZ categories as per approved CZMP of Maharashtra State as per CRZ Notification, 2019:


Proposed Activity	CRZ I		CRZ III	CRZ IVB
	Mangrove (sqm)	50 m Mangrove buffer zone (sqm)	No Development Zone (sqm)	Waterbody (sqm)
Treated Water Tunnel	482.04	1252.34	34.64	41.80

- 2) Length of the proposed treated water tunnel under each CRZ categories as per approved CZMP of Maharashtra State as per CRZ Notification, 2019:

Proposed Activity	CRZ I		CRZ III	CRZ IVB
	Mangrove (m)	50 m Mangrove buffer zone (m)	No Development Zone (m)	Waterbody (m)
Treated Water Tunnel	150.69	391.24	10.62	13.0

Authority asked consultant about mangrove cutting involved in the Project. Consultant presented that the proposed tunnel pipeline shall pass underground at depth of more than 60 m. Therefore, there will be no any impact on mangroves & creek water body.

PP has submitted Environmental Impact Assessment (EIA) & Environment Management Plan (EMP) prepared by Building Environment (India) Pvt. Ltd (NabetAccredited). As per EIA report, the proposed project will enable to utilize 120 MLD capacity to cater the increasing drinking water demand in CIDCO administered area of Navi Mumbai. Apart from water supply the tunnel


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pipeline the illegal connections by enroute villages can be avoided which will reduce significant loss of water during the conveyance of treated water. The proposed tunnel pipeline has a lifespan of approximately 100 years with negligible operational and maintenance costs.

The Authority noted that as per para 5.1.1 of CRZ Notification, 2019:

"These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions:-

(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities.

(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."

The Authority noted that as per para 5.1.2 of CRZ Notification, 2019:

"Activities shall be regulated or permissible in the CRZ-I B areas as under:-

(xv) Pipelines, conveying systems including transmission lines."

The Authority noted that as per para 5.3 of CRZ Notification, 2019:

"(i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-III, in so far as applicable."

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. "

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The Authority noted the laying of new pipeline would play important role in provision of additional water supply to Navi Mumbai. It can be allowed with prior CRZ clearance from MoEF&CC, New Delhi.

The Authority observed that, as per CRZ map the proposed water tunnel superimposed on CRZ-IA (Mangrove & 50 m buffer zone), CRZ-III (NDZ) & CRZ-IVB (Waterbody). However, proposed tunnel pipeline will pass underground at depth of more than 60 m.

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 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. PP to ensure that there will not be any violation of Prior High Court Order dated 17th Sep, 2018 in PIL 87/2006.
3. PP to ensure that proposed tunnel pipeline will pass underground at depth of more than 60 m as proposed and will have no impact on CRZ areas.
4. PP to obtain the NoC from the mangrove cell.
5. PP to strictly ensure that as a mitigation measures to be adopted to mitigate the impacts on flying animals and birds.
6. Project proponent should implement Mitigation measures and Environment 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.
7. 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.
8. 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.
9. Safe disposal of the wastewater should be ensured.
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.



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Item No. 17: Proposed construction of Olivium Resort on S.No. 234 (H.NOS. 8,10,15/1, 18,19,20, 26,28,32,33) of Uttan Village, Taluka & District- Thane by M/s. Olivium Resort LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. Proposal is for construction of Olivium Resort on S.No. 234 (H.NOS. 8,10,15/1, 18,19,20, 26,28,32,33) of Uttan Village, Taluka & District- Thane

Consultant presented that, proposed project comprises of Type A-banquet Hall (Ground Floor), Type B - Cottage (Ground + 1st Floor), Type C - Cottages & Restaurants (Ground + 1st Floor), Type D-Private Family cottages (Ground + 1st Floor), one office (Ground Floor), changing room (Ground Floor) and Toilet Blocks 1 & 2 (Ground Floor). The plot reference falls in residential zone.

Plot area is 20300 Sqm, FSI area is 3660.59 sqm, Non FSI area is 735.18 Sqm, Total Construction area is 4395.77 Sqm

Deliberations:

The Authority noted that PP has submitted proposal along with 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 S. No. 234 (H. No. 8, 10, 15/1, 18, 19, 20, 26, 28, 32, 33 & 35/2) of Uttan Village, Tal & Dist Thane falls in CRZ-II and outside CRZ as per approved CZMP vide CRZ Notification, 2019.

CRZ area details of the project site:

Survey No.	CRZ - Classification	Area in Sq.m	Total Area in Sq.m
234/8	CRZ - II	2800.00	2800.00
234/10	CRZ - II	400.00	400.00
234/15/1	CRZ -II	800.00	800.00
234/18	CRZ - II	1600.00	1600.00
234/19	CRZ - II	900.00	900.00
234/20	CRZ - II	2030.04	3100.00
	Outside CRZ	1069.96	
234/26	CRZ - II	2400.00	2400.00
234/28	Outside CRZ	2400.00	2400.00
234/32	CRZ - II	2400.00	2400.00
234/33	CRZ -11	3267.50	3500.00


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	Outside CRZ	232.50	
234/35/2	Outside CRZ	300.00	300.00
Grand Total		20600.00	20600.00

The Authority asked consultant whether the site is situated on landward side of existing road. Consultant presented that the project site is situated on landward side of existing road.

The Authority asked Consultant about provision of treatment of the sewage. Consultant presented that Sewage Treatment Facility will be proposed and recycling of treated water will be used for flushing & gardening purpose and excess treated water will be provided to tanker water supplier for construction site and RMC sites.

The Authority noted as per Para 5.2 (CRZ-II) of the CRZ Notification, 2019:
"(v) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification."

As per Annexure-III of the CRZ Notification, 2019:
"Guidelines for Development of Beach Resorts, Hotels and Tourism Development Projects in the designated CRZ areas: Construction of beach resorts or hotels in designated areas of CRZ-II for occupation of tourist or visitors shall be subject to the certain conditions,"

The Authority noted that proposed resort structures in CRZ II and landward side of existing road is permissible. Planning Authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per the CRZ Notification, 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 resort 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.

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2. PP to strictly ensure the compliance of guideline stipulated in Annexure-III of the CRZ Notification, 2019.
3. Planning Authority should strictly ensure that construction shall be permitted only to the landward side of an existing road or existing authorized fixed structures.
4. Planning Authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per the CRZ Notification, 2019.
5. PP to ensure necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach.
6. 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.
7. 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.
8. Safe disposal of the wastewater should be ensured.
9. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Local Body.



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Item No. 18: Upgradation of Existing 110 kV Kalwa-Kalyan Transmission Line to 220 kV Level, Thane, Maharashtra by M/s TATA Power

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Upgradation of Existing 110 kV Kalwa-Kalyan Transmission Line to 220 kV Level, Thane, Maharashtra.

Consultant presented that the proposed project includes upgradation of existing 110 kV double circuit transmission line to 220 kV multi circuit transmission line which extends from Kalwa to Kalyan region of Thane in Maharashtra. Mumbai Suburban area is relentlessly having lot of infrastructure developments in and around Kalyan area which is resulting into an annual load growth rate of 6%. The existing overhead 110 KV transmission line includes 87 no. of towers and starts from Kalwa region and extends upto Kalyan region having length 17 km. This transmission line caters the power generated from Tata Power Bhivpuri Hydro Power Station to Mumbai Metropolitan region. This transmission line is more than 75 years old and passes through villages in Thane District, Parsik Hill & Forest Land. To cater existing & future load requirement at Kalyan and the surrounding area, it is necessary to upgrade existing 110 kV level transmission line to 220 KV level. As per directives from Hon'ble Maharashtra Electricity Regulatory Commission for upgradation of 110 kV network to 220 kV, Tata Power plans to replace existing 110 kV Kalwa-Kalyan line corridor to Multi Circuit 220 kV Kalwa-Kalyan line. The upgradation of transmission line starts from tower No. 43 B to tower No. 200 C. It will have same no of towers and will use same RoW as that of existing one.

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, Proposed Corridor for upgradation of the 110KV transmission line in Elatha Tarf Khairane, Kausa, Dawla, Mothi Desai Gaon, Khardipada, Nilaje, Katai villages of Thane district passes through Intertidal area, between HTL and width of creek/50m (whichever is less) setback line from HTL of Creek as per approved CZMP vide CRZ Notification 2019. Hence the corridor of the transmission line (22m wide) passes through CRZ-IA (50m Mangroves Buffer Zone), CRZ-IB and CRZ - II with the remaining portion Outside CRZ.



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1) Length of proposed Transmission Line in Various CRZ:

S. No.	CRZ-Classification	Length in Meters
1	CRZ-IB	214.83
2	CRZ-II	490.83
3	Outside CRZ	15996.19
Total Length in Meters		16701.85

2) Area of the proposed Transmission Line in various CRZ:

S. No.	CRZ-Classification	Area in Sq. M.
1	CRZ-IA (50 m Mangroves Buffer Zone)	458.34
2	CRZ-IB	9951.28
3	CRZ-II	4672.50
4	Outside CRZ	352382.65
Total Length in Meters		367464.76

3) Transmission Line Towers in Various CRZ zone:

S. No.	CRZ-Classification	Tower No.	Total Towers
1	CRZ-II	146,153	2
2	Outside CRZ	124-145, 147-152, 154-200 C, 43 A, 43 B, 156 A, 174A, 175A, 176 A, 178 A	85
Total No. of Towers			87 Nos.

The Authority asked consultant about mangrove vegetation at site under reference. Consultant presented that there Mangroves along Desai Creek are situated roughly 900 meters away, and those along Thane Creek are found at a distance of approximately 700 meters from the alignment. Mostly *Avicinia marina* is dominant however some of the mangroves and associates were also found are *Clerodendron inerme*, *Lantana camara*, *Thespesia populnea*, *Salvadora persica*. There are no mangrove species obstructing the transmission line, and no mangroves are slated for cutting.

Construction of proposed alignment of transmission line requires diversion of forest land. Out of 37.44 ha land required for upgradation work for RoW, 4.58 ha is forest land and 32.86 ha are non-forest land. Details of area statement are attached herein. Out of 87 no. of towers, 11 towers are in the forest land. For this purpose Forest land diversion application is submitted on date 12/05/2024 on PARIVESH.


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PP has submitted Environmental Impact Assessment (EIA) & Environment Management Plan (EMP) prepared by Ultra Tech. (Nabet Accredited). As per EIA report, to facilitate existing and future load requirement at Kalyan, it is necessary to upgrade existing 110 kV level to 220 kV level. Mumbai Suburban area is relentlessly having lot of infrastructure developments in and around Kalyan area which is resulting into an annual load growth rate of 6%. As per directives from Hon'ble Maharashtra Electricity Regulatory Commission for upgradation of 110 kV network to 220 kV level, Tata Power has proposed for replacing existing 110 kV Kalwa-Kalyan line corridor to Multi Circuit 220 kV Kalwa-Kalyan line. The proposed scheme will help to provide existing and future load requirement in the region. It will be beneficial in the long-term Transmission planning. Improvement in reliability and quality power supply can be accomplished. The project will also create employment for many skilled and unskilled workers, contractors, etc. In addition to this direct economic benefit, the electricity transmitted will also help in the booming of commercial, industrial and tourism activities, making indirect positive economic impact and also elevate the living standards and quality of life of the people in the area.

The Authority noted that as per para 5.1.1 of CRZ Notification, 2019:

"These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions:-

(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities.

The Authority noted that as per para 5.1.2 of CRZ Notification, 2019:

*"Activities shall be regulated or permissible in the CRZ-I B areas as under:-
(xv) Pipelines, conveying systems including transmission lines."*

The Authority noted that as per para 5.2 of CRZ Notification, 2019:

"(i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable."

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



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the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority."

The Authority noted the project is vital infrastructure project in order to accommodate Kalyan's current and future load requirements. It can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed transmission line passing through 50 m mangrove buffer zone.

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 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. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed transmission line passing through 50 m mangrove buffer zone.
3. PP to ensure that no mangroves cutting involved in the project.
4. PP to obtain the NoC from the mangrove cell.
5. PP to obtain the Forest clearance under Forest (Conservation) Act, 1980 for diversion of the forest land.
6. PP to strictly ensure that as a mitigation measures to be adopted to mitigate the impacts on flying animals and birds.
7. PP to ensure that free flow of tidal influence water should not be hampered.
8. Project proponent should implement Mitigation measures and Environment 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.
9. 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.
10. 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.
11. Safe disposal of the wastewater should be ensured.



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12. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 19: Proposal for construction of residential cum commercial building 'Anant Corner' situated at Plot No. 120, Sector - 50, Dronagiri, Navi Mumbai for M/s. Ashapura Developers by Mr. Hussain Shaikh

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of construction of residential cum commercial building 'Anant Corner' situated at Plot No. 120, Sector - 50, Dronagiri, Navi Mumbai.

Consultant presented that, CIDCO has issued Commencement Certificate dated 23.01.2018 for construction of residential cum commercial building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 27.03.2024 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	50	120	23.01.2018	Not Affected	CRZ-IA	No
Type of development			Residential (12.5 % Scheme)			



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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 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



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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.
- 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 the Authority observed that, as per CIDCO remarks in the above table, the site is situated in CRZ-IA. However, site is not falls in 50 m mangrove buffer zone. The CIDCO need to submit clarification in the matter. Further, PP to submit details of construction started on site and status of construction. CIDCO need to submit whether the construction carried out on site is as per CC dated 23.01.2018.

PP presented that, Commencement Certificate received on 23.01.2018 and started construction of building within a week at project site. CIDCO vide letter dated 04.07.2024 informed that the site is situated in 50 m Mangrove buffer zone area as per CZMP. The work has been completed as per sanctioned plan according to completion certificate submitted by the project architect.

The Authority noted that, concern planning authority granted the Commencement Certificate on 23.01.2018, 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 situated in CRZ-IA (50 m mangrove buffer zone) area. Now, construction is completed on site as per CC and pending for Occupation Certificate.



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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.



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Item No. 20: Proposed redevelopment on Plot bearing CTS No. 859 of Juhu Village situated in K/W Ward Mumbai by M/s V Hotels Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. Proposal is for redevelopment on Plot bearing CTS No. 859 of Juhu Village situated in K/W Ward Mumbai under Regulation 33(11) of DCPR 2034.

Consultant presented that, Existing Building proposed to be redeveloped is an Authorised building prior to 19.2.1991. Proposed total one composite buildings on the layout as follows-

- 1) Composite building PTC Wing: Ground Floor +1st to 17th Upper Floors
- 2) Composite building Sale Wings A, B,C,D,E:
 - a. Wing A, B & C: Basement + Lower ground + Upper ground & Podium + 1st to 13th Upper floors
 - b. Wings D & E: Basement + Lower ground + Upper ground & Podium + 1st to 5th Upper floors
 - c. Club House: Basement + Lower ground + Upper ground & Podium Floor

Architect has submitted LOI dtd: 26.07.2024 for redevelopment under D.C. Regn. 33(11) and present proposal has FSI approved of 2.635 as per Reg. 33(11) of DCPR2034 which is prevailing as on date of 18th January 2019. As per D.P. 2034, the plot under reference is situated in Residential zone and is not affected by any other reservation.

The existing building is having "Residential Hotel use". The proposed user after redevelopment is "Residential use". As per sanctioned Development the plot is placed in Residential zone and the said land-use as per Development plan is maintained during redevelopment of authorized structure/building.

The plot area of the project is 22212.90 sqm, FSI area is 65370.39 sqm , Non FSI area is 55044.3 sqm & total construction area of 120414.69 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. As per IRS report, the project site bearing S.No.859 falls completely in CRZ-II and the project site


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bearing S.No.561/5 falls completely in CRZ-III (NDZ Within CRZ-II - Greater Mumbai) area and the Existing Building falls completely in CRZ-II area as per approved CZMP (Map No: MH 75) map vide CRZ Notification 2019.

Proposed project site details in various CRZ area :

Sr. No.	CTS No.	CRZ Classification	Area in sqm
1	859	CRZ-II	22212.90
2	561/5	CRZ-III (NDZ Within CRZ-II- Greater Mumbai	1810.20
		Total	24023.10

Consultant presented that, construction is proposed on CRZ-II area and no construction is proposed in CRZ-II (NDZ) area.

The Authority noted that, as per CRZ map, the site under reference is situated on Seaward side of existing road. Consultant presented that, the seaward side plinth of existing structure would be maintained for the redevelopment.

The Authority noted as per Para 5.2(iv) of the CRZ Notification, 2019:
"Reconstruction of authorized 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 as per para 10.3 of CRZ Notification, 2019:

CRZ areas falling within municipal limits of Greater Mumbai:

(i) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible

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,



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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 reconstruction of building in CRZ II area is permissible subject to without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019. However, the concern planning Authority should strictly ensure that no construction is allowed in CRZ-II (NDZ) i.e. Garden / RG/ PG reservation on portion of the site i.e. 1810.20 sqm. Further, the concern planning Authority 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 SEIAA subject to compliance of following conditions:

1. The concerned Planning Authority shall ensure that the proposed redevelopment 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 the proposed redevelopment is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. The concern planning Authority should strictly ensure that no construction is allowed in CRZ-II (NDZ) i.e. Garden / RG/ PG reservation on portion of the site i.e. 1810.20 sqm
4. The concerned Planning Authority to ensure that there is no reconstruction proposed beyond the existing plinth of the existing authorized building on seaward side.
5. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
6. PP to obtain the Environment clearance, if the total construction area exceeds 20,000 Sqm as per EIA Notification, 2006.
7. 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.



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8. 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.
9. Safe disposal of the wastewater should be ensured.
10. 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.



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Item No. 21: Proposed redevelopment on plot bearing C.T.S. No. 278 and C.T.S. No. 279 of Bandra-C Division, Chimbai village, Bandra (W), Mumbai by M/s Choudhary And Company

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. Proposal is for redevelopment on plot bearing C.T.S. No. 278 and C.T.S. No. 279 of Bandra-C Division, Chimbai village, Bandra (W), Mumbai.

Consultant presented that, there is one existing building comprising of Ground floor + 1st floor for residential use on the remaining part of plot bearing C.T.S. No. 278, for which no work has been started on this portion and this authorized structure is standing on site as on date. There was one existing building comprising of Ground floor + 1st floor + Attic for residential use on the plot bearing C.T.S. No. 279 and Part of C.T.S. No. 278, which has been demolished on site as on date. MCGM has issued Notice dated under Section 354 of Mumbai Municipal Corporation Act to pull down the existing structures as it is in ruinous condition.

PP has obtained CRZ Clearance dated 10.06.2022 from MCZMA under CRZ Notification, 2019 for plot bearing C.T.S. No. 278(pt) and 279 under CRZ Notification, 2019.

Now, PP has submitted proposal for plot bearing C.T.S. No. 278 and 279 with amended plans. The proposed construction of single building comprising of Lower basement for parking + upper basement for parking, society office and fitness center + Ground Floor for Entrance Lobby + 1st to 8th upper floors for residential use in lieu of existing plot potential + 200% Road Setback advantage + Additional FSI by paying premium + Admissible TDR + Fungible compensatory area + by claiming Staircase, lift, lift lobby area free of FSI, as per DCPR 2034, i.e. applicable as on 18.01.2019

The proposal has received various concessions from MCZMA on 09.07.2024. As per D.P. 2034, the plot under reference is situated in Residential zone and is not affected by any other reservation.

The plot area of the project is 715.80 sqm, FSI area is 2098.63 sqm, Non FSI area is 2910.01 sqm & total construction area of 5008.64 sqm.



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Deliberations:

The Authority noted the comparative statement presented by consultant as follows-

Details	As Per MCZMA Noc Dt. 10.06.2022	As Per Present Proposal
Plot Area	598.70 Sq. Mtrs.	715.80 Sq. Mtrs.
CTS No.	279 And 278 (Pt)	279 And 278
FSI Proposed To Be Consumed	2.94	2.93
FSI Area	1,761.62 Sq. Mtrs.	2,098.63 Sq. Mtrs.
Non FSI Area	2,109.90 Sq. Mtrs.	2,910.01 Sq. Mtrs.
Total Construction Area	3,871.52 Sq. Mtrs.	5,008.64 Sq. Mtrs.
No. of Floors	Lower Basement +Upper Basement +Ground Floor + 1st Floor +2nd Floor + 3rd To 8th Upper Floors For Residential Use	Lower Basement + Upper Basement + Ground Floor + 1st To 8th Upper Floors For Residential Use
No. of Flats	03	08
Maximum Height	31.99 Mtrs Up To Terrace Level	32.00 Mtrs Up To Terrace Level

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 plot bearing CTS Nos. 278 and 279 in Bandra -C village, H/W Ward Mumbai Maharashtra falls completely in CRZ-II as per approved CZMP (Map No. MH 75) prepared as per CRZ Notification, 2019. The proposed building falls completely in CRZ-II.

The Authority noted that, as per CRZ map, the site under reference is situated on Seaward side of existing road. Consultant presented that, the seaward side plinth of existing structure would be maintained for the redevelopment.

The Authority noted as per Para 5.2(iv) of the CRZ Notification, 2019:
"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as


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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 within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019. However, the concerned Planning Authority 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 redevelopment 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 the proposed redevelopment is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. The concerned Planning Authority to 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.
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.



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Item No. 22: Construction of Mosque Building situated at Plot No.144, Sector - 50 E, Seawood Nerul Navi Mumbai for Islamic Welfare Association by Hussain Shaikh

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. Proposal is for Construction of Mosque Building situated at Plot No.144, Sector - 50 E, Seawood Nerul Navi Mumbai.

Consultant presented that, Navi Mumbai Municipal Corporation has issued Commencement Certificate dated 10.1.2014 and amended Commencement Certificate on 14.6.2017 for construction of Mosque Building site under reference. Accordingly, construction completed on site. However, NMMC vide letter dated 05.04.2021 has refused to grant Occupation Certificate and asked PP to submit No Objection from MCZMA.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 Municipal Commissioner, NMMC vide letter dated 25.07.2022 forwarded the proposal as per SOP:

Project details	project location (whether landward side of existing road or authorized structure or seaward side)	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
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Project on plot no. 144, Sector 50E, Nerul, Navi Mumbai	The said plot is situated on seaward side of existing road	CC dated 10.1.2014 Amended CC on 14.6.2017	The land bearing plot no. 144, Sector 50E, Navi Mumbai was not affected by CZMP 1991	The land bearing plot no. 144, Sector 50E, Navi Mumbai was not affected by CZMP 1991	Proposal is not situated within 50 m mangrove buffer zone
Note: - The Plot is fronting on existing road on eastern side and western boundary of the plot is abutting HTL					

Deliberations:

The proposal was earlier considered in 173rd meeting of MCZMA held on 20.03.2024. The Authority observed that, as per NMMC remarks the plot is abutting the HTL and plot is situated on seaward side of existing road. The Authority further noted that presently, the MoEF&CC, New Delhi vide letter dated 25.08.2023 has approved the CZMPs of Thane District, under provisions of the CRZ Notification, 2019. The Authority observed that demarcation of CRZ map in 1:4000 scale & report as per approved CZMP, 2019 from MoEF&CC authorized agency is required.

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 the proposed construction falls completely in CRZ-II area as per approved CZMP (Map No. MH 77) map vide CRZ Notification, 2019.

The Authority noted that, the 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


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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 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



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building development norms in place, at that time for sanction for such projects.

- 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, Hon. High Court passed an Order dated 07.05.2024 in Writ Petition No. 80 of 2024 (Islamic Welfare Association Vs State of Maharashtra & Ors)

The Authority noted that, concerned planning authority granted the Commencement Certificate on 10.01.2014 & 14.06.2017, 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 & 2019, the site under reference is situated in CRZ-II area. Now, construction is completed on site as per CC and pending for Occupation Certificate.

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.



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Item No. 23: Construction of residential cum commercial building known as "TULSI POOJA" situated at Plot No- 07 Sector- 52, Dronagiri, Navi Mumbai for Shree Samarth Buildcom by Hussain Shaikh

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of residential cum commercial building known as "TULSI POOJA" situated at Plot No- 07 Sector- 52, Dronagiri, Navi Mumbai.

Consultant presented that, CIDCO has issued Commencement Certificate dated 04.07.2013 & amended Commencement Certificate on 23.05.2017 for construction of residential cum commercial building on site under reference. Accordingly, construction completed on site. However, CIDCO vide letter dated 12.10.2019 has refused to grant Occupation Certificate and asked PP to submit clarification / clearance from MCZMA to grant Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 27.03.2024 submitted the followings as per SOP:

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	52	07	04.07.2013	Not Affected	CRZ-IA	Yes
Type of development			Residential (12.5 % Scheme)			

[Signature]

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[Signature]

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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 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



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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.
- 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, concern planning authority granted the Commencement Certificate on 04.07.2013 & 23.05.2017, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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.



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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.



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Item No. 24: Proposed replacement of existing 800 mm Dia MS water pipeline in Phase II between Belapur to Kalamboli Junction, Navi Mumbai under AMRUT-2.0 by NMMC

Introduction:

The Municipal Commissioner, NMMC along with NMMC Officials & Consultant presented the proposal before the Authority. The proposal is for replacement of existing 800 mm Dia MS water pipeline in Phase II between Belapur to Kalamboli Junction, Navi Mumbai under AMRUT-2.0

Consultant presented that, The Govt. of India has formulated the action plan for the development and improvement of the infrastructural activities particularly in urban areas under Atal Mission for Rejuvenation and Urban Transformation (AMRUT) in 500 cities of India. The AMRUT 2.0 scheme's major objective is to provide 100% coverage of water supply and sewerage connection. This project was awarded by the Central Government under AMRUT 2.0 Scheme for Belapur ward in Navi Mumbai. This project received technical sanction/approval in November 2022 also received administrative approval on 09.02.2023.

The existing water supply system of the NMMC with 800 mm diameter is provided at Kalamboli Junction and supplies water to the Belapur ward. Existing 800 mm Dia MS pipeline has been already laid from Kalamboli Junction to Belapur for the same length i.e. 8261 Meter. This feeder main is used to supply water for Kamothe, Jui, Kharghar, Belpada & Belapur etc. Over a period of 35 years, Due to the humid climate of NMMC area and Industrial pollution in the vicinity, the existing pipeline has been rusted tremendously & which requires replacement on urgent basis. The bridge constructed on Taloja Creek, which supports the existing pipeline was built 35 years ago and is currently in a structurally deprived condition as per Structural Stability Report from IIT Bombay.

The existing pipeline has been proposed for replacement with a 24x7 water supply system, featuring a diameter of 800 mm and a length of 8261 meters & 1 no. of the bridge over Taloja creek for the transfer of the water pipeline i.e. 145 m in length & 6 m wide. Proposed pipeline will improve the water infrastructure, with wide-ranging benefits for residents, businesses, and the environment. The construction of a new bridge for the water pipeline ensures safety, durability, reliability and cost effectiveness, safeguarding the essential water infrastructure and meeting the needs of the community for years to


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come. For the execution purpose & urgency the work of pipeline execution work is divided into three phases:

Description	length	CRZ Status
Proposed Phase - I (A - B)	0 M - 4300 M (4300 M)	Not Affected by CRZ Areas.
Proposed Phase - II (B - C)	4300 M - 7000 M (2700 M)	Affected by CRZ Areas.
Proposed Phase - III (C - D)	7000 M - 8261 M (1261 M)	Not Affected by CRZ Areas.

Proposed pipeline will cross Taloja Creek to enter in Kharghar. Bridge will be constructed on a total 09 no of Piles having total length 145 m & 6.00 m in wide.

Description	Total Area (Sq.Mt)	CRZ Status
Proposed Bridge in Phase - II	870.00	Affected by CRZ Areas.

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 800mm diameter pipeline from Kalamboli to Belapur in Raigad District. Maharashtra falls near Taloje River and Mangroves The proposed 800mm diameter pipeline from Kalamboli to Betapur in Raigad district and proposed bridge falls in CRZ IA, CRZ IA (50m Mangrove Buffer Zone). CRZ II, CRZ IVB and outside CRZ as per CZMP (Map No. MH 77) map prepared by NCSCM, Chennai vide CRZ Notification 2019.

Area under various Coastal Regulation Zones			
Description	CRZ Classification	Length in metres	Total Length in Metres
Proposed Phase-I (800 mm dia Pipeline (A-B))	Outside CRZ	4300.00	4300.00
Proposed Phase-II (800 mm dia Pipeline (B-C))	CRZ -IA	8.24	2700.00
	CRZ- IA (50m Mangrove Buffer Zone)	465.85	
	CRZ - II	897.24	
	CRZ - IVB	126.25	
	Outside CRZ	1202.42	


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Proposed Phase-III (800 mm dia Pipeline (C-D))	Outside CRZ	1261.00	1261.30
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Description	CRZ Classification	Area in Sqm	Total Area in Sqm
Proposed Bridge in Phase - II	CRZ -IA (50m Mangrove Buffer Zone)	167.14	870.00
	CRZIVB	702.86	

Expert members asked to NMMC about mangrove cutting involved in the project. Consultant presented that there is no mangrove vegetation at study area C. During survey 5 species of mangroves and 4 species of associated plants were observed in the study area B. The dominant species in project site B were *Avicennia marina*, *Avicennia officinalis*, *Salvadora persica* and *Derris trifoliata*. Mangrove associate species recorded from the study area were *Salvadora persica*, *Derris trifoliata*, *Ipomoea sp.* etc. Some of these species such as *Derris trifoliata* was growing as epiphytes on the *Ficus* species. sometimes covering entire canopy of the plant.

Officials of NMMC informed that no mangroves are being cut during the construction of pipeline as there is a replacement of existing pipeline.

The Authority noted that, NMMC has submitted Environmental Impact Assessment (EIA) & Environment Management Plan (EMP) prepared by ACE Environment (Nabet Accredited Consultant).

The Consultant presented that anticipated impacts and mitigation measures as follows-

Impact	Construction Phase	Mitigation Measure	Operation Phase
Air Environment	Emission of pollutants. The nature of pollutants will be both gaseous (SO ₂ , NO _x , CO) and suspended particulates (PM ₁₀ &	Dust suppression measures through the NMMC's fogger machine. Use of water sprinkling wherever necessary can be practiced to	It will not generate emission of dust as it is a water pipeline project.


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	PM2.5)	reduce particulate matter dispersion in air. Construction material carrying vehicles should be covered with tarpaulin sheets. DG sets are planned to reduce the impact of air pollution.	
Noise Environment	Increase in noise level during construction phase would be a temporary and instantaneous effect. Impact on noise environmental would be low.	Construction activity should be restricted to day time. Acoustic enclosures to DG sets should be provided. Severity, probability and duration of impact is ranked low and duration of impact is ranked low.	During this phase, no major impact on noise environment is anticipated.
Water Environment	Surface Water (Freshwater) & Ground Water- The project is confined to existing 800 mm Dia pipeline project from Belapur to Kalamboli Junction. Also, project does not involve deep excavations which may contaminate ground water. Creek water and Sediment - Piling activity involves flushing of muck from pile holes which may contaminate water	Loose soil generated during site clearance should be collected in a way to avoid falling into the creek and used for filling or gardening purpose. Storages of hazardous material should be done away from creek banks to avoid accidental entry into waterbody.	Not have any impacts on surface as well as ground water sources.


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	and sediment in creek.		
Land	The land use change along the pipeline will be brought back to its normal state after laying of the main pipeline. Thus, in the pipeline route no land use change is anticipated. There will be no change in the land use due to the laying of pipeline.	Standard work practice and management of excavate earth and proper storage and disposal of construction waste to NMMC's plot will be done to avoid soil contamination and soil erosion. Top soil removed from project location can be reused in gardening or filling purposes in the NMMC area.	No major impact on land environment anticipated as it is a water pipeline project.
Biological Environment	Proposed bridge construction activity may cause siltation in creek due to excavations for the bridge. Siltation in turn would affect water and sediment quality of the creek thereby affecting planktonic flora and fauna in it.	The loose soil generated during construction should be stored at designated place to avoid falling in creek or may be recused on site or in gardening. Flora & Fauna Study has been carried out.	No major impact will happen during operation stage.


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Socio-Economic Environment	The setting up of any kind of project would undoubtedly include significant impact on socio-economic and cultural life of the people in the study area.	These impacts will be positive associated with some adverse effects as well.	No impact
Due to rainfall and soil erosion	Soil characteristics, climate, rainfall, intensity, and duration, vegetation and topography determine the rate of soil erosion.	To control soil erosion, no construction work will be carried out in rainy season. Provisions for drainage will be provided in the project site for preventing water logging.	No impact will be during operation phase.

The Authority noted that as per para 5.1.1 of CRZ Notification, 2019:

"These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions:-

(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities.

(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."

The Authority noted that as per para 5.1.2 of CRZ Notification, 2019:

"Activities shall be regulated or permissible in the CRZ-I B areas as under:-

(xv) Pipelines, conveying systems including transmission lines."

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The Authority noted that as per para 5.2 of CRZ Notification, 2019:

"(i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable."

The Authority noted that as per para 5.4 of CRZ Notification, 2019:

"Activities shall be permitted and regulated in the CRZ IV areas as under:-

(iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities and the like."

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 noted the proposed project falls in CRZ-IA (Mangrove & 50 m buffer zone), CRZ-II & CRZ-IVB & Outside CRZ area. The proposed public interest project is 24x7 water supply system for Belapur Navi Mumbai under AMRUT- 2.0 from Belapur to Kalamboli Junction. It can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed construction within 50 m mangrove buffer zone.

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 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. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed construction in 50 m mangrove buffer zone.



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3. NMMC to ensure that no mangroves cutting involved in the project as proposed and there will no violation of order dated 17th Sep, 2018 passed by Hon. High Court in PIL 87/2006.
4. NMMC to obtain the NoC from the mangrove cell.
5. NMMC to ensure that free flow of tidal influence water should not be hampered.
6. Project proponent should implement Mitigation measures and Environment 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.
7. 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.
8. 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.
9. Safe disposal of the wastewater should be ensured.
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



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Item No. 25: Construction of residential cum commercial Building "Akshar Elita" at Plot No. 38, Sector-47, Dronagiri, Navi Mumbai by M/s. Vagad Constructions

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of residential cum commercial Building "Akshar Elita" at Plot No. 38, Sector-47, Dronagiri, Navi Mumbai.

Consultant presented that, CIDCO has issued Commencement Certificate dated 15.05.2017 for construction of residential cum commercial building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 24.07.2024 submitted the followings as per SOP:

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	47	38	15.05.2017	Not Affected	CRZ-IA	Yes
Type of development			Residential (12.5 % Scheme)			



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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, area of project site in Various CRZ is as follows-

CRZ Classification	Area in sqm
CRZ-IA (50 m Mangrove Buffer Zone)	1179.87
Outside CRZ	19.66
Total	1199.53

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 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



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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.
- 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, concern planning authority granted the Commencement Certificate on 15.05.2017, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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



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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.



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Chairman

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Item No. 26: Construction of Residential cum Commercial Building "Akshar Evita" on Plot No- 1, Sector- 54, Dronagiri, Navi Mumbai by M/s. Akshar Om Construction

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of Residential cum Commercial Building "Akshar Evita" on Plot No- 1, Sector- 54, Dronagiri, Navi Mumbai

Consultant presented that, CIDCO has issued Commencement Certificate dated 23.05.2017 for construction of residential cum commercial building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 24.07.2024 submitted the followings as per SOP:

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	54	01	23.05.2017	Not Affected	CRZ-IA	Yes
Type of development			Residential (12.5 % Scheme)			



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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, Project site completely inside CRZ-IA (50 m buffer from mangroves) as per approved CZMP-

CRZ IA (50m Mangrove Buffer Zone)	1449.94 Sq.m.
Total	1449.94 Sq.m.

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 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



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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.
- 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, concern planning authority granted the Commencement Certificate on 23.05.2017, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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


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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.



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Item No. 27: Proposed retail outlet fuel station on plot bearing S. no. 357, H no. 5(P) at village Juchandra, on Naigaon Bhafhane Road, Tal. Vasai, Dist. Palghar by Hemendra Bosmia (Aditya Rohit Chheda)

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for retail outlet fuel station on plot bearing S. no. 357, H no. 5(P) at village Juchandra, on Naigaon Bhafhane Road, Tal. Vasai, Dist. Palghar.

The proposal is for construction of retail outlet (petrol Pump) at S. No. 357. Hissa No. 5(P) at village Juchandara, Taluka Vasai, District Palghar. Total plot area is 1303.45 Sqm with total construction area of 57.75 Sqm.

Deliberations:

The Authority noted that the proposal was earlier considered in 169th meeting of MCZMA held on 22.08.2023. Expert Members opined that the location of the proposed construction is not clear i.e whether proposed within CRZ II or 50 m mangrove buffer zone area. Further, clarification is also required on proposed construction is on landward side of existing road / authorized structure or not). Further, Expert Members asked PP to submit the permission from the PESO Authority along with NA order. The Authority felt that the PP need to submit the required information. Expert member also asked PP to submit details of applicability of Wetlands (Conservation and Management) Rules, 2017 to the proposed land parcel along with maps & reports.

The Authority noted the PP has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai as per approved CZMP 2019. As per IRS map,

Sr. No.	CRZ Classification	Area in Sqm
1	CRZ-IA (50 m Mangrove Buffer Zone)	466.30
2	CRZ-II	331.58
3	Outside CRZ	505.57
	Total	1303.45



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Further PP has submitted permission dated 19.03.2020 received from the PESO Authority and No Objection Certificate dated 07.04.2021 received from District Collector Palghar.

The Authority asked PP to submit clarification from VVMC regarding:

- 1) Whether the site under reference is situated on landward side of existing road prior to 1991.
- 2) Applicability of Wetlands (Conservation and Management) Rules, 2017 to the proposed land parcel along with maps & reports.

Decision:

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



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Item No. 28: Construction of residential building at Plot No. 25, Sector-47, Dronagiri, Navi Mumbai by M/s. Kamdhenu Devkrupa LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of residential building at Plot No. 25, Sector-47, Dronagiri, Navi Mumbai.

Consultant presented that, CIDCO has issued Commencement Certificate dated 31.03.2017 for construction of residential building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 24.07.2024 submitted the followings as per SOP:

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	47	25	31.03.2017	Not Affected	CRZ-IA	Yes
Type of development			Residential (12.5 % Scheme)			



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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 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.

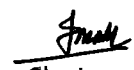
Further, as per the Notification vide S.O. 621(E) dated 31st July, 2017, the validity of CZMPs approved under the CRZ Notification, 1991 was extended till 31st July, 2018 for consideration of the proposal for CRZ clearance under the CRZ Notification, 2011

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



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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.
- 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, concern planning authority granted the Commencement Certificate on 31.03.2017, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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.

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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.



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Item No. 29: Construction of residential building at Plot No. 90, Sector-52, Dronagiri, Navi Mumbai by M/s. RND Builders & Developers Rajpal Deep Nandlal

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of residential building at Plot No. 90, Sector-52, Dronagiri, Navi Mumbai

Consultant presented that, CIDCO has issued Commencement Certificate dated 24.11.2016 for construction of residential building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 24.07.2024 submitted the followings as per SOP:

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	52	90	24.11.2016	Not Affected	CRZ-IA	Yes
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


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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 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,



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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.
- 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, concern planning authority granted the Commencement Certificate on 24.11.2016, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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



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under reference, as per clarification letter dated 14th March, 2022 by the
MoEF&CC, New Delhi.



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Item No. 30: Construction of residential building at Plot No. 135, Sector-53, Dronagiri, Navi Mumbai by M/s. Villa Realtors Mr. Karan Bhatt

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of residential building at Plot No. 135, Sector-53, Dronagiri, Navi Mumbai

Consultant presented that, CIDCO has issued Commencement Certificate dated 24.06.2017 for construction of residential building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 24.07.2024 submitted the followings as per SOP:

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	53	135	24.06.2017	Not Affected	CRZ-IA	Yes
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



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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 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.



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- 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.
- 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, concern planning authority granted the Commencement Certificate on 24.06.2017, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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.



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Item No. 31: Construction of residential building at Plot No. 122, Sector-50, Dronagiri, Navi Mumbai by M/s. Khodiyar

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of residential building at Plot No. 122, Sector-50, Dronagiri, Navi Mumbai

Consultant presented that, CIDCO has issued Commencement Certificate dated 09.05.2017 for construction of residential building on site under reference. Accordingly, construction on site under reference has been completed and pending for Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP 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 VC & MD, CIDCO vide letter dated 24.07.2024 submitted the followings as per SOP:

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	50	122	09.05.2017	Not Affected	CRZ-IA	Yes
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


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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 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.



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- 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.
- 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, concern planning authority granted the Commencement Certificate on 09.05.2017, 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 situated in CRZ-IA (50 m mangrove buffer zone) 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.



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Item No. 32: Proposed addition / alteration of existing building on plot bearing C.T.S. No. C753/A at Perry Cross Road & Kantwadi Road, Bandra (West), Mumbai by Mr. Samir N. Bhojwani

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. Proposal is for addition / alteration of existing building on plot bearing C.T.S. No. C753/A at Perry Cross Road & Kantwadi Road, Bandra (West), Mumbai

Consultant presented that, there is one existing building which comprises of 2 basements + lower stilt + upper stilt + 1st to 16th upper floors having height of 49.00 meters upto terrace level for residential use on the plot, which is on the landward side of the existing roads.

The proposal is for additions/alterations in the existing building which comprises of 2 basements + lower stilt + upper stilt + 1st to 16th upper floors having height of 49.00 meters upto terrace level for residential use. The additions/alterations are in the form of additional floors of 17th to 20th Upper floors with some alteration in the existing floors in the building. The proposed building height will be 69.92 meters upto terrace level. The proposal envisages retaining the existing authorized residential building and counting the areas earlier claimed free of FSI, now in FSI computations. The proposal also envisage construction of additional 4 floors over the existing authorized building.

The Provisional CFO NOC NOC has been issued on 04.08.2023. As per D.P. 2034, the plot under reference is situated in Residential zone and is not affected by any other reservation.

The plot area of the project is 1274.70 sqm, FSI area is 4659.77 sqm , Non FSI area is 7213.96 sqm & total construction area of 11873.73 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. 753A at Perry Cross Road & Kantwadi


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Road, Bandra-C village, H/W ward, Bandra (W), Mumbai, Maharashtra falls completely in CRZ II as per approved CZMP (Map No. MH 75) prepared as per CRZ Notification 2019. The proposed building in the project site falls completely in CRZ II.

The Authority noted that, as per CRZ map, the site under reference is situated on landward side of existing road.

The Authority asked PP to submit structural stability Certificate. PP submitted the certificate dated 03.07.2024 as per which, the building is being proposed for four additional floors i.e. up to the 20th floor. They have re-analysed the building for four additional floors. Constructions of additional four floors are feasible. The said additions shall not affect the structural stability of the existing structure. The building shall be safe and stable for its intended use after additions of four floors.

The Authority noted as per Para 5.2 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 authorised fixed structures: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

(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 authorized 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 addition / alteration of existing building in CRZ II area is permissible within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019.



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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 addition / alteration of existing building 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 the proposed addition / alteration of existing building is within the limit of permissible FSI as per Town and Country planning regulations existed as on 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.



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Item No. 33: Proposed construction on plot bearing old S. No. 245, New S. No. 36, Hissa No. 3B village Navghar, Tal & Dist Thane by M/s. Salasar Samarth

Introduction:

The project proponent presented the proposal before the Authority. The proposal is for construction on plot bearing old S. No. 245, New S. No. 36, Hissa No. 3B village Navghar, Tal & Dist Thane.

Project Proponent presented that the project site under reference is partly falls in CRZ-II and partly in non CRZ area. No construction is proposed in CRZ-II area. PP requested to allow utilisation of FSI of CRZ portion on non CRZ portion of the contiguous land as per letter dated 28.09.2015 issued by MoEF&CC, New Delhi.

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 project site superimposed on the approved CZMP Map No. MH 82, partly falls in CRZ-II with remaining area 'Outside CRZ' prepared as per CRZ Notification, 2019. Extent of proposed project site in various CRZ as follows:

Survey No.	Hissa No.	CRZ Classification	Area in sqm	Total area in sqm
36	3B	CRZ-II	661.63	3240.00
		Outside CRZ	2578.37	

PP is seeking the utilization of the FSI of CRZ II portion of the land on Non CRZ portion. The PP during the meeting presented that no construction is proposed in CRZ portion of the land. Only FSI of the CRZ II portion of the land is proposed to be utilized on non CRZ portion of the land.

The Authority asked PP to whether construction is started on site under reference. PP stated that the subject property is open land and till date there is no construction on the above said plot. The Authority asked PP to submit the undertaking stating the same. PP submitted the Undertaking dated 07.08.2024.



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The Authority noted the letter dated 28.09.2015 issued by MoEF&CC New Delhi regarding clarification on utilization / computation of BUA of the CRZ part of the plot for construction on contiguous non CRZ part of the plot of single owner. As per the said clarification at para 3: "*Potential of plots in CRZ II has to be calculated on the basis of 1991 norms as amended from time to time if the potential is being utilized on non CRZ contiguous portion of land.*"

The Authority noted that, Potential of plot in CRZ II could be utilized, on the basis of 1991 norms as amended from time to time, on non CRZ contiguous portion of land as per clarification letter dated 28.09.2015 by the MoEF&CC, New Delhi. Further, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019

Decision:

After deliberation, the Authority decided that Potential of plot in CRZ II allowed to be utilized, on the basis of 1991 norms as amended from time to time, on non CRZ contiguous portion of land, as per clarification letter dated 28.09.2015 by the MoEF&CC, New Delhi.



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Item No. 34: Amendment in EC/CRZ for Proposed repairs limited to reconstruction of existing Cruise Terminal Building of Mumbai Port Trust at Ballard Pier Extension, Indira Dock, Mumbai by Mumbai Port Authority

Introduction:

The Mumbai Port Authority has submitted proposal for amendment in EC/CRZ for Proposed repairs limited to reconstruction of existing Cruise Terminal Building of Mumbai Port Trust at Ballard Pier Extension, Indira Dock, Mumbai.

Earlier PP has obtained CRZ clearance from MCZMA on 07.02.2019 under CRZ Notification, 2011 reconstruction of existing Cruise Terminal Building on site under reference. The new International Cruise Terminal building comprises of Ground + 3rd floors. Further, PP has also obtained Environmental Clearance from SEIAA on 31.03.2020.

Now, PP has submitted proposal for amendment in CRZ clearance by proposing construction of Multi Level Car Parking (MLCP) having Ground + 5 floors adjacent to International Cruise Terminal building. The said proposal of amendment was considered in 172nd meeting of MCZMA held on 05th February, 2024 & recommended the proposal to SEIAA for grant of CRZ Clearance under CRZ Notification, 2019.

The proposal of amendment was considered by SEIAA in its 276th meeting held on 24th June, 2024. The SEIAA noted that PP has obtained CRZ clearance from MCZMA on 07.02.2019 and Environmental Clearance from SEIAA on 31.03.2020 for reconstruction of existing Cruise Terminal Building on site under reference. Now, PP has submitted proposal for amendment in CRZ clearance. The SEIAA observed that construction of Multi Level Car Parking (MLCP) having Ground + 5 floors is newly proposed on vacant land adjoining to Cruise Terminal Building and situated on seaward side of existing road.

The SEIAA after deliberation decided to refer back the proposal to MCZMA for examination of amendment proposal in light of provisions of CRZ Notification, 2019.



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Deliberations:

As the SEIAA has refer back the amendment proposal to MCZMA for examination in light of provisions of CRZ Notification, 2019.

Therefore, MCZMA again examined the proposal of amendment including the CRZ map in 1:4000 scale & provisions of CRZ Notification, 2019.

The Authority observed that, earlier MCZMA vide letter dated 07.02.2019 has granted recommendation from CRZ point of view under para 8.II (iii) of CRZ Notification, 2011 for reconstruction of existing Cruise Terminal Building on site under reference.

Now, PP has submitted proposal for amendment in CRZ recommendation by proposing construction of Multi Level Car Parking (MLCP) having Ground + 5 floors adjacent to International Cruise Terminal building.

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale prepared by IRS, Chennai. As per CRZ map, Multi Level Car Parking (MLCP) is falls in CRZ II.

The Authority noted that, as per Para 5.2 (CRZ-II) 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 authorised fixed structures: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

(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 authorized 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 observed that construction of Multi Level Car Parking (MLCP) having Ground + 5 floors is newly proposed on vacant land adjoining to Cruise



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Terminal Building and situated on seaward side of existing road. The construction of new buildings on the seaward side of existing road is not permissible as per Para 5.2 (ii) & (iii) of the CRZ Notification, 2019.

However, PP informed that construction of Multi Level Car Parking (MLCP) is required for parking facilities of passengers, which is proposed adjoining to International Cruise Terminal Building and requested for CRZ Clearance for the same.

The Authority observed that, as the new construction is proposed on seaward side, the matter could be sent to MoEF&CC New Delhi to take appropriate decision on the proposed new construction of Multi Level Car Parking (MLCP) as per CRZ Notification, 2019.

Decision:

As the new construction is proposed on seaward side, the Authority after deliberation decided to send the matter to MoEF&CC New Delhi to take appropriate decision on the proposed new construction of Multi Level Car Parking (MLCP) as per CRZ Notification, 2019.



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- Item No. 35:** Reduction of setback throughout India of
- a) Coastal Stretched and
 - b) Rivers / lakes / Estuaries and other water bodies
from 500 meters to 50 meters and 100 meters to
50 meters respectively

Introduction:

The Authority noted the representation dated 10.07.2024 received from Hotel and Restaurant Association (Western India) regarding Reduction of setback throughout India of Coastal Stretched and Rivers / lakes / Estuaries and other water bodies from 500 meters to 50 meters and 100 meters to 50 meters respectively, so as to develop tourism facilities at the coastal stretch.

Deliberations:

The Authority noted that, the Ministry of Environment, Forest & Climate Change (MoEF&CC), New Delhi has issued CRZ Notification dated 18.01.2019. Therefore, the above referred representation could be sent to MoEF&CC, New Delhi for necessary action.

Decision:

After deliberation, the Authority decided to send the representation of Hotel and Restaurant Association (Western India) to MoEF&CC, New Delhi for necessary action.



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Authority held on 05th August, 2024**

Item No. 36: Proposed Holiday Resort "Seabreeze- Middle Phase & Bottom Phase" at Gat No. 171, 172, 173, 190 (P), 191/1 (P), 191/2, 191/3, 192, 194/2, 183/3(P), 184, 185, 186, 187(P), 188(P), at Village- Tekali, Tal. Alibag, Dist. Raigad by Mr. Amol Kapadia

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Holiday Resort "Seabreeze- Middle Phase & Bottom Phase" at Gat No. 171, 172, 173, 190 (P), 191/1 (P), 191/2, 191/3, 192, 194/2, 183/3(P), 184, 185, 186, 187(P), 188(P), at Village- Tekali, Tal. Alibag, Dist. Raigad

Consultant presented that proposed Holiday Resort "Seabreeze- Middle Phase & Bottom Phase" comprises of following-

BOTTOM PHASE		
Building Name	Configuration	Height (m)
Hotel (3 Nos.)	G + 14 Floor	47.25
Villa (8 Nos.)	G + 1 Floor	8.60
MIDDLE PHASE		
Hotel	G + 14 Floor	47.25
Ballroom	Ground	4.95
Function Lobby	Ground	4.95
Meeting room & conference	Ground	4.95
Wellness center	Ground	4.95
Horse stable	Ground	5.25
Ranch Dinning	Ground	4.95
Villa	G+1	8.60

Plot area is 74720 Sqm, FSI area is 91263 sqm, Non FSI area is 8630.24 Sqm, Total Construction area is 99893.24 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. The Authority noted that, the site under reference is falls in CRZ - III (NDZ), CRZ-III (200 m to 500 m from HTL) and outside CRZ area. Consultant presented that, construction of resort buildings is proposed on outside CRZ area only. The Authority noted



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that, activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019. The Authority from the above said CRZ map of Chennai observed that the subject site is partly in CRZ and substantially outside CRZ area. It is further observed that proposed construction of Hotel Resort buildings are situated outside CRZ area. Certain portion of proposed internal road is passing partly through CRZ III area (beyond NDZ) and minor portion of road is passing through NDZ of CRZ III area.

The Authority observed that proposed internal road is allowed in CRZ III (beyond NDZ), as per para 5.3 (iii) (d) of CRZ Notification, 2019. However, construction of internal road is not allowed in NDZ of CRZ III area. PP should follow that no construction is carried out NDZ of the CRZ III area.

The Authority noted as per Para 5.3(iii) of the CRZ Notification, 2019:

"(iii) Regulation of activities for CRZ-III areas beyond NDZ:

- (a) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification.*
- (d) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads, bridges, etc.*

As per Annexure-III of the CRZ Notification, 2019:

"Guidelines for Development of Beach Resorts, Hotels and Tourism Development Projects in the designated CRZ areas"

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 hotel resort buildings in Non CRZ area is outside the ambit of CRZ Notification, 2019. Only, proposed internal road is allowed in CRZ III (beyond NDZ), as per CRZ Notification, 2019. However, construction of internal road is not allowed in NDZ of CRZ III area. PP should follow that no construction is carried out NDZ of the CRZ III



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area. Concern planning Authority should strictly ensure that no construction is carried out NDZ of CRZ III area. 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 hotel resort building in Non CRZ area only as per approved CZMP under CRZ Notification, 2019.
2. Proposed internal road is allowed in CRZ III (beyond NDZ), as per CRZ Notification, 2019. Construction of internal road is not allowed in NDZ of CRZ III area. PP should follow that no construction is carried out NDZ of the CRZ III area.
3. Concern planning Authority should strictly ensure that non construction is allowed in NDZ of CRZ III area.
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 should obtain the Environment Clearance under EIA Notification, 2006 since total construction area exceeds 20,000 Sqm.
9. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Local Body.



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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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