

MINUTES OF THE 23rd MEETING OF THE MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY HELD IN THE CHAMBER OF SECRETARY, ENVIRONMENT DEPTT., MANTRALAYA, ROOM NO.401, 4TH FLOOR, MUMBAI-32 ON 25-05-2004.

The following were present:

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| 1) | Secretary,
Environment Department,
Government of Maharashtra,
Mantralaya, Mumbai-32. | Chairman |
| 2) | Dr. Hrishikesh Samant
Lecturer,
Department of Geology,
St.Xavier's College,
Mumbai. | Member |
| 3) | Dr. D.B.Boralkar
Member Secretary,
MPCB. | Member Secretary |

Other Members, namely, Dr.(Ms) Leela Bhosale, Department of Botany, Shivaji University, Kolhapur, Shri. S. Ayyappan, Director, Central Institute of Fisheries Education and Prof. S.K. Gupta, Head of the Department, CESE Indian Institute of Technology, Powai, Mumbai could not attend the meeting. Principle Secretary, Urban Development Deptt. and Principle Secretary, Revenue Deptt., also could not attend the meeting and were represented by Shri P.N. Kirtane, Under Secretary and Shri S.S. Patankar, Under Secretary respectively. Chairman granted leave of absence to them.

The meeting (22nd) of the Authority was scheduled to be held at 11.00 hrs. on 25/05/2004 in the chamber of Secretary, Environment Deptt., Govt. of Maharashtra, Mantralaya, Mumbai. However, at the fixed time the required quorum was not present. The Chairman of the Authority, therefore, adjourned the meeting and convened at 12.30 hrs. on the same day i.e. on 25/05/2004. No matter which had not been on agenda was discussed during the adjourned meeting.

Shri Surendra Jadhav, Dy.Secretary (Tech.) Environment Deptt., Govt. of Maharashtra, Shri A.B. Jain, Law Officer MPCB, Shri Haldankar, Deputy Chief Engineer, and Shri More, Asstt. Engineer, Development & Planning-I MCGM were present to assist the Authority.

The matters placed before the Authority were considered. Following is the record of the discussion and decisions taken thereon:-

ITEM NO.1 : Confirmation of the minutes of the Meeting (22nd) of the Authority

Chairman, Maharashtra Coastal Zone Management Authority suggested modification in the minutes pertaining to Item No.3 at page 5 first para last sentence and suggested that the word "construction or" be deleted.

With this amendment, the minutes of the 22nd meeting of the Maharashtra Coastal Zone Management Authority held on 26/2/2004 were confirmed.

A communication received from Dr.(Ms.) Leela Bhosale, Member of the Authority vide fax dated 24/5/2004 was taken on record and the observations made therein regarding agenda items for 23rd meeting were noted.

ITEM NO.2 : Statement on follow up actions taken in respect of decisions taken in the last meeting (22nd) of the Authority.

The action taken report on the minutes of the earlier meetings were noted.

ITEM NO.3 : Application received from Municipal Corpn. of Greater Mumbai seeking permission for widening and deepening of S.V. Patel Nagar Nalla at Andheri (West), Mumbai

Member Secretary of the Authority made a brief presentation of the proposal. He informed that Municipal Corpn. of Greater Mumbai (MCGM) has sought permission for widening and deepening of S.V. Patel Nagar Nalla existing in between S.V. Patel Nagar and Swami Samarth Nagar having out fall to the creek. Due to non-existence of proper gradient/section stagnation of water is noted at upstream portion of nalla which has resulted in breeding of mosquitoes on a large scale. He informed that while carrying out this work mangroves are required to be removed which have not been quantified by the Corporation.

Dr. Hrishikesh Samant, Member informed that the permission for nalla cleaning work has to be given subject to the condition that the Corporation should not remove any patch of mangroves which is contiguous & having area of 1000 sq.m. He further

informed that the site in question is not a ground for roosting of flamingoes. Hence, issue of spoiling of their habitat does not arise.

After due deliberation, it was decided to allow the MCGM to carry out the widening/deepening of the S.V. Patel Nagar Nalla subject to the condition that mangroves in area of 1000 sq.m. at a stretch should not be disturbed. The mangroves so removed shall be replanted in equal number. An action taken in this regard shall be submitted to the Authority.

ITEM NO.4: Proposed development on land bearing CTS No.5/10 of Village Borla at Chembur Taluka Kurla for Kutch Sarvodaya Trust.

The matter was discussed. The explanation received from Municipal Commissioner, M.C.G.M. dated 5th April, 2004 in response to the letter of Maharashtra Coastal Zone Management Authority dated 30/9/2003 was considered. The Authority accepted the explanation given by the Municipal Commissioner, MCGM. It was decided to communicate the approval of MCZMA to MCGM allowing them to complete the work as per the permission issued by MCGM in the year 1996.

ITEM NO.5: Complaint filed by Gorai Machhimar Sahakari Sanstha & Bombay Environment Action Group V/s Pan India Paryatan Ltd.

The draft order was perused by the Members and was found in order. The Member Secretary of the Authority were authorized to issue final order incorporating the changes as suggested in the minutes of 22nd meeting vide item at Sr.No.3 on the captioned subject.

ITEM NO.6: Application received from Office of the Commissioner of Income Tax Deptt., Mumbai for proposed development of plot No.196, Backbay Reclamation, Block-III Nariman Point, Mumbai

Additional Commissioner of Income Tax, Mumbai made a brief presentation of the proposal. He informed that the Department is facing acute shortage of office space in Mumbai which is adversely affecting their function. He requested that their case be recommended to the National Coastal Zone Management Authority for approval.

Shri Kirtane, Under Secretary, Urban Development Deptt., informed that they have already recommended the proposal to the MoEF, Gol vide letter dated 24th July,

2002. He also submitted a letter addressed to the Secretary, MoEF, Gol dated 5th April, 2004 which was taken on record. He informed that the land under reference is situated in CRZ-II category and is abating the HTL on landward side. He further informed that development is permissible as per DC Regulation as prevailing on 19/2/1991 and is also permissible under the provisions of CRZ Notification of 1991. It was pointed out that the plot in question was earlier reserved for BEST Bus station. However, while approving the draft development plan the reservation of the said plot was deleted and as per the final development plan sanctioned by the State Govt. on 30/6/2000. the land under reference is shown in commercial zone (C-1). Since there is a change in the reservation of the plot approval of the MoEF, Gol is necessary.

The matter was discussed and it was decided to recommend the proposal to the MoEF, Gol in respect of grant of permissible FSI and change of user for constructing office building by the applicant.

The meeting ended with a vote of thanks to the Chair.