

MINUTES OF THE 25<sup>th</sup> MEETING OF THE MAHARASHTRA  
COASTAL ZONE MANAGEMENT AUTHORITY HELD IN THE  
CHAMBER OF PRINCIPAL SECRETARY, ENVIRONMENT DEPT.,  
MANTRALAYA, ROOM NO. 401, 4TH FLOOR, MUMBAI-400 032  
ON 05-10-2004.

The following were present :

- 1) Principal Secretary,  
Environment Department,  
Government of Maharashtra,  
Mantralaya, Mumbai-32. Chairman
- 2) Principal Secretary,  
Urban Development Deptt,  
Government of Maharashtra,  
Mantralaya, Mumbai-32. Member
- 3) Prof. S. K. Gupta,  
Head of the Department,  
CESE, I. I. T., Powai,  
Mumbai. Member
- 4) Dr. Hrishikesh Samant  
Lecturer,  
Department of Geology,  
St. Xavier's College,  
Mumbai. Member
- 5) Dr. D.B. Boralkar  
Member Secretary,  
MPCB. Member Secretary

Other members namely Dr. Leela Bhosale, Department of Botany, Shivaji University, Kolhapur, Shri Ayyappan, Director, Central Institute of Fisheries Education and Principal Secretary, Revenue Dept. could not attend the meeting. The Chairman granted leave of absence to them.

Shri Surendra Jadhav, Dy. Secretary (Tech.) Environment Dept., Govt. of Maharashtra, Shri A. B. Jain, Sr. Law Officer, MPCB, Shri N. R. Rane, Desk Officer, Urban Development Dept., Govt. of Maharashtra were present to assist the Authority.



The Chairman welcomed the Members. At the outset, he informed that, there is need to streamline the receipt and disposal of applications/complaints as these are received sometimes by Member Secretary, MCZMA, Dy. Secretary, Environment Dept., Urban Development Dept. and the Principal Secretary, Environment Dept., He suggested that henceforth all the applications/complaints shall be forwarded to Member Secretary, MCZMA after comments of Urban Development Dept. (UDD)/ Environment Dept. (ED), MPCB as the case may be. On receipt of comments, Member Secretary, MCZMA will move the file after examining all the aspects to the Chairman, MCZMA along with the draft agenda item for approval. The Chairman, MCZMA will peruse the comments of all concerned and take a decision on the file and send the same to the Member Secretary, MCZMA for taking further steps i.e. placing the matter before MCZMA etc. The Chairman further clarified that, this will ensure total transparency in the process. Members can also peruse the files, if so desire.

This was agreed to by all the Members.

**ITEM NO. 1 :**      **Confirmation of the minutes of the Meeting (24<sup>th</sup>) of the Authority held on 14/09/2004.**

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Minutes of the 24<sup>th</sup> Meeting of the MCZMA held on 14/09/2004 were placed before the Authority for consideration. The minutes were approved and confirmed.

**ITEM NO. 2:**      **Statement of follow up actions taken in respect of decisions taken in the last meeting (24<sup>th</sup>) of the Authority.**

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Authority noted information regarding follow up action taken arising out of the decisions taken in the last meeting. While discussing the issues, Authority decided as under:



**Sr. No.1.** Writ Petition No. 1151/95 filed by  
Ashoka Aptt. Co. Op. Hsg. Soc. & Ors.  
V/s.  
MCGM

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The Chairman inquired as to whether any communication is received from the party's Advocate for the Petitioners regarding the status of stay granted by Hon'ble High Court in Writ Petition No. 2986/2002. It was informed that a communication is received stating that, there is no "Stay" Order in effect in the above Writ Petition .

It was decided to call all the concerned parties and to take a final decision in the matter.

**Sr. No. 4:** Alleged illegal construction of multiplex on plot No. 240, 240-A, Nariman Point, Mumbai.

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It was decided to inform the complainant that, since the matter is subjudice in the Hon'ble High Court, the applicant's application to the MCZMA is not maintainable & is disposed of.

**ITEM NO. 3:** Application for grant of permission to demolish old unused bridge and construction of new bridge at Talaja & Kasardi.

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The matter was discussed, it was revealed that M/s. MSRDC while submitting the plan did not show the actual locations of the old bridges and the proposed bridges to be constructed at Talaja and Kasardi. It was decided to obtain a proper plan to enable the Authority to take proper decision. With these observations, the item was deferred.



**ITEM NO. 4 :**      **Construction of bridge at Millat Nagar, Andheri (W),  
Mumbai on creek joining missing link in the CZMP.**

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The Asstt. Engineer, MCGM gave a brief background of the matter and informed that due to increase in traffic movement, there is a need to construct the bridge at Millat Nagar, Andheri (W). Since the proposed bridge falls in CRZ-I (i) area and there is likelihood of destruction of mangroves, it was decided that the site will be visited by Prof. Gupta and Dr. Samant. Based on the report of these members, suitable decision will be taken.

**ITEM NO. 5:**      **Application seeking approval for construction of minor  
jetty received from M/s. Indo Energy International Ltd.,  
Mumbai.**

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M/s. Indo Energy International Ltd., intends to establish minor jetty at Sanegaon, Tal. Roha, Dist. Raigad and had made an application to the Environment Dept., Govt. of Maharashtra on 9<sup>th</sup> Jan. 2003. He further informed that the proposal was examined by the Environment Dept. and was recommended for grant of environmental clearance to the Ministry of Environment & Forests, Govt. of India. After due deliberations, it was decided to forward the application with due recommendations to Ministry of Environment & Forests, Govt. of India for grant of environmental clearance.

**ITEM NO. 6:**      **Proposed construction of a building known as Shri  
Niketan Bldg., on plot bearing CS No. 3 (pt) of Worli  
Division.**

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The proposal was forwarded by Urban Development Deptt. to the Ministry of Environment Deptt., Govt. of India with a copy to MCZMA to recommend the proposal to MoE&F, GOI. It was further informed that the MoE&F, GOI has already granted environmental clearance with suitable terms and conditions to M/s. Millennium Developers Pvt. Ltd., Mumbai vide order No.11-13/2004/IIA/III dated 23/9/2004 for re-construction of the building known as Shri Niketan on plot bearing CS No. 3 (pt) of Worli Division, Mumbai.



**ITEM NO. 7 :      Application received from M/s. Reliance Communication Infrastructure Ltd., Reg. CRZ clearance for laying optical fibre cable on the Mumbai Coast.**

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M/s. Reliance Communication Infrastructure Ltd. have submitted an application seeking CRZ clearance for laying Optical Fibre Cable on the Mumbai Coast. It was brought out that the proposed cable landing station will be located on the landward side of HTL and will be installed in a backyard of a residential premises at Varsova, Mumbai. It was further informed that the project proponents have carried out demarcation of HTL & LTL and CRZ boundary, from Center For Earth Science Studies, Thiruvanthapuram. The activity proposed is a permissible activity.

The report was considered and the proposal was approved.

**ITEM NO. 8 :      Application received from M/s. Yogayatan Ports seeking NOC for development of marine facilities at Mankhurd.**

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A request from the project proponent has been received vide letter dated 01.10.2004, requesting the Authority to defer the proposal as the project proponents intend to submit some more papers for consideration of the Authority. The letter dated 01.10.2004 was taken on record and the matter was deferred.

**ITEM NO. 9 :      In the matter of Writ Petition No. 85/2000  
Colaba Cuffe Parade Citizen's Group and Others  
V/s  
Union of India and Ors.**

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A brief background of the matter was given and orders of Hon'ble High Court in Writ Petition No. 85/2000 dated 21<sup>st</sup> March, 2001 and 16<sup>th</sup> April, 2001 were referred to. The Union of India has to submit the action taken report to the Hon'ble High Court that the major issue is of verification of hutments which have come up in CRZ areas after 19<sup>th</sup> Feb. 1991 and removal of such unauthorized structures by Collector-Mumbai. The Collector-Mumbai has submitted a letter and sought time as concerned Addl. Collector and other officials are busy in the Maharashtra Legislative Assembly Elections. A request letter of 5.10.2004 of the



Collector-Mumbai was taken on record and the matter was adjourned. In the meantime, Additional Collector shall submit action taken report in this regard for consideration by the Authority in its next meeting.

**ITEM NO. 10 :      Liquid Cargo by BPCL at JNPT, Raigad district  
Maharashtra – Environmental Clearance for handling  
additional products.**

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The issue is about handling of hazardous substances/Chemicals in CRZ area, which requires detail scrutiny. It was decided to postpone the matter and should be considered in due course after proper scrutiny.

**ITEM NO. 11 :      Proposal received from Shri Bihari Lund Architect  
seeking NOC for proposed construction of commercial  
building No. 1,2 & 3 for I. T. Park on plot bearing CTS  
No. 1406-A/30 of village Malad at Goregaon (W), Mumbai.**

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Shri Bihari Lund Consulting Architect has approached MCZMA on behalf of M/s. Ivory Properties and Hotels Pvt. Ltd., Mumbai seeking NOC for development/construction of commercial buildings for I. T. Park on Plot bearing CTS No. 1406-A/30 at village Malad, Goregaon (W), Mumbai. As per the provisions of CRZ, 1991 Part-2(i) non polluting industries and units of information technology are permitted provided the same are located in Special Economic Zone (SEZ). Authority inquired whether the area in question has been declared as Special Economic Zone by concerned department of the State Govt. It was also opined that the proposed constructions falls in CRZ-II area and it is a permissible activity. Member Secretary expressed that Annexure-I of the CRZ Notification dated 19.2.1991 stipulates coastal area classification and development regulations. He read out the relevant part for the benefit of the members contained in Para 6 (2) (i) titled as CRZ-II. He was of the opinion that buildings are permitted on the landward side of the existing road subject to local Town Planning Regulations including FSI available as on 19.2.1991. Scale and authenticity of the map produced and provided by the project proponent was discussed.



After due deliberation, it was decided that though the proposed activity is permissible in CRZ-II area, the project proponent may be asked to submit a map on 1: 4000 scale from any approved agency indicating HTL & LTL. On receipt of the same the matter will be considered by the Authority.

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

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The Draft Minutes of the 25th Meeting of the MCZMA held on dated 5th October, 2004 received from Law Officer, MPCB vide letter dated 20th October, 2004 for comments, suggestions / modifications if any, in the minutes.

The minutes are in the order except on page 2, the procedure mentioned in disposal of the applications received to Chairman, MCZMA needs little modification in the minutes. Accordingly, the minutes needs to be modified.

The minutes on page 2 may be modified as below :-

"The Chairman welcomed the Members. At the outset, he informed that there is a need to streamline the procedure to scrutinize the applications / complaints received to the Authority. He suggested that henceforth all applications / complaints shall be forwarded to Chairman, MCZMA. The Office of the Chairman, MCZMA {Prin.Secy.(ENV)} will forward the complaints to the Environment Department. The Environment Department call the comments of Urban Development Department / Maharashtra Pollution Control Board / Bombay Municipal Corpn. as the case may be. On receipt of the comments, the case will be examined and sent to Chairman, MCZMA for approval. After the approval of the Chairman, MCZMA, necessary Agenda Item will be prepared by Member Secretary, MCZMA for placing the matter before MCZMA meeting. The Chairman further clarified that this procedure should adopt in future for all the matters and ensure total transparency in the process. Members can also peruse the file, if so desire."

instead of " The Chairman welcomed the .....if so desire."

Prin.Secy.(UDD)  
Chairman, MCZMA.

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21/10/04  
JG XI