

MINUTES OF THE 26th MEETING OF THE MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY HELD ON 03-01-2005 AT COMMITTEE ROOM 6TH FLOOR, MANTRALAYA, MUMBAI : 400 032.

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. Leela Bhosale, Department of Botany, Shivaji University, Kolhapur. Member
- 6) Dr. D.B.Boralkar Member Secretary, MPCB. Member Secretary

Other Members namely 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 matters placed before the Authority were considered. Following is the record of the discussions and decisions taken thereon.

ITEM NO. 1 : Confirmation of the minutes of the Meeting (25th) of the Authority held on 05/10/2004.

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The minutes of the 25th meeting of the Maharashtra Coastal Zone Management Authority held on 05.10.2004 were circulated for comments vide letter No. MCZMA/130, dated 20.10.2004. The office of the Chairman forwarded comments with regard to discussions took place and appeared at page 2 of the minutes. The modifications suggested were received by fax from Environment Department on 5th of Jan. 2005 at 12.35 p.m. The office of the Chairman has suggested that the minutes are in order except part of page 2 wherein the procedure for disposal of applications/cases received by MCZMA needed modifications. The views expressed by the Chairman with regard to first para of page 2 of the minutes are reproduced as under.

" 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 by 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 the urban development Department/Maharashtra Pollution Control Board / Bombay Municipal Corporation as the case may be. On receipt of the comments, the case will be examined and sent to the 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 the procedure should ^{be} adopted in future for all the matters and ensure total transparency in the process. Members can also peruse the files, if so desire"

The office of the Chairman has suggested that, the above modified paragraph shall be replaced with the first paragraph at page 2 of the minutes.

The Member Secretary, MCZMA also expressed his views and suggested that, the following procedure shall be followed while dealing with applications /complaints/petitions received by MCZMA in future ;

- All applications/complaints/petitions shall be received by Chairman, and / or Member Secretary, MCZMA.
- Member Secretary, will ask MCZMA cell to take necessary entry in the register and carry out preliminary scrutiny. In case certain documents / clarifications are required, the same shall be obtained from the applicants.
- The Member Secretary shall examine the matter and put up to the Chairman.
- The Chairman, depending upon merit of each case send file/proposals to Environment Dept., Urban Development Dept., or any other department as the case may be.
- On receipt of comments comments/views the file will be forwarded to the Member Secretary who will prepare draft Agenda Item and put up to the Chairman.
- After approval of draft Agenda Items by the Chairman, the same will be placed before the MCZMA for consideration.

The Member Secretary opined that the aforesaid procedure can be further discussed in the next meeting.

With these observations the minutes were approved and confirmed.

ITEM NO. 2:

Statement of follow up actions taken in respect of decisions taken in the last meeting (25th) of the Authority.

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The information regarding follow up action taken arising out of the decisions taken in the last meeting was noted.

ITEM NO. 3:

**Writ Petition No. 1151/1995 filed by
Ashoka Apts. Co-Op. Hsg. Soc. & Ors.
V/s.
Municipal Corporation of Greater Mumbai.**

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The representatives of the Petitioners and their Advocates were present. The representatives of Jaiprakash Nagar Zopadpatti Sangh were also present. During the discussions, the Members pointed out that, the Respondent i.e. Jaiprakash Nagar Zopadpatti Sangh did not submit documents on which they wanted to rely upon despite giving adequate opportunity by the Authority. The Members further observed that, the said respondent are delaying the matter on pretext or the other. The matter is pending before the Authority for about 3 years.

Considering the approach of the Respondent, it was decided to disposed of the matter with directions to all concern to comply with the orders passed by the Hon'ble High Court, Mumbai from time to time. With these observations, the matter was disposed of.

ITEM NO. 5:

**Application for grant of permission to demolish
Old bridge & construction of new bridge at Taloja &
Kasardi.**

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The matter was discussed. M/s. MSRDC submitted proper plan/map showing the actual locations of the old bridges and the proposed bridges to be constructed at Taloja & Kasardi. The proposal was considered by the Authority and it was decided to allow MSRDC to construct new bridges at Taloja and Kasardi.

ITEM NO. 6: Conversion of Vikrant into Maritime Museum.

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The representative of M/s. TCE Consulting Engineers Ltd., Mumbai who were representing MMRDA made a presentation with particular focus on Environmental Impact of the project and the mitigating measures proposed in the report. It was informed that, there will not be adverse impact on the environment except during the stage of execution for which adequate measures will be taken.

The item was discussed and it was decided to recommend the proposal to the Ministry of Environment & Forests, GOI for grant of necessary clearance.

ITEM NO. 8 : Application received from Western India Football Association, Mumbai for proposed re-construction of existing Football Stadium on land bearing C.S. No. 4 (pt.) of Fort Division, Mumbai.

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The Member Secretary explained the item in brief. He informed that the Western Indian Football Association intends to re-developed Cooperage Football Stadium/Club House and other ancillaries at Cooperage ground, Maharshi Karve Road, Mumbai. He informed that the plot is situated within 500 m. from HTL and falls in CRZ-II category and is on landward side of existing road. He further informed that, development/reconstruction is a permissible activity subject the development control regulations prevailing as on 19th Feb. 1991.

It was informed that the Urban Development Deptt., Govt., of Maharashtra has examined the proposal and has already forwarded then same to MoEF, GOI. He further informed that, the project cost is Rs, 47.18 crores and therefore will require clearance from MoEF, GOI.

The matter was discussed and it was decided to recommend the proposal to MoEF, GOI for grant of clearance.

ITEM NO. 9;

Application received from M/s. Yogayatan Ports Pvt. Ltd., seeking NOC for development of marine facilities at Mankhurd, Mumbai

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The proposal was discussed. It was decided to allow the project proponents to use the old jetty which was constructed prior to 1991 with certain repairs/modifications. Since the project cost is below 5 crores and is a permissible activity within the meaning of para 2(viii) read with para 3 (2) (ii) of the CRZ Notification of 1991, it was decided to grant permission to the project proponents with necessary conditions regarding environment protection and pollution control.

The remaining items 4, 7 and 10 to 17 could not be discussed for want of time and it was decided to discuss the same in the next meeting of the Authority. The Members were requested to bring the Agenda notes in the next meeting for discussions.

The meeting terminated with vote of thanks to the Chair.
