

**MINUTES OF THE 33RD MEETING OF MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY (MCZMA) HELD ON 24TH MARCH, 2006**

The following were present

The Principal Secretary, Environment Department, Mantralaya, Mumbai-400 032	Chairman
The Principal Secretary, Revenue Department, Mantralaya, Mumbai-400 032	Member,
The Principal Secretary, Urban Development Department Mantralaya, Mumbai-400 032.	Member
Municipal Commissioner Municipal Corporation of Greater Mumbai Mahanagarpalika Marg Fort, Mumbai.	Member
Dr. S. B. Chaphekar, Laxmi Niketan, 1st floor, 14, Thus Wadi, Thakurdwar, Mumbai 400 002.	Member
Dr. (Mrs.) Leela Bhosale, Department of Botany, Shivaji University, Kolhapur.	Member
Deputy Secretary, Environment Department, Government of Maharashtra Mantralaya, Mumbai	Member Secretary

Secretary (Fisheries), Secretary (Industries), Director, Central Institute of Fisheries Education, President, Vanrai Pratistan, Pune, and Dr. Gupta, IIT Members of Maharashtra Coastal Zone Management Authority were absent.

Item No. 1 : Confirmation of the minutes of the 32nd meeting held on 19th January, 2006

Minutes of the 32nd meeting of the Authority held on 19th January, 2006 were circulated during the meeting. No modification and objections were suggested by Members. Minutes of the meeting were therefore confirmed.

Item No. 2 : Statement of follow up actions taken in respect of the decisions taken in the last meeting of the Authority.

Follow up action in respect of decisions taken in the last meeting of the Authority were noted and approved.

Item No. 3 : Proposal of GAIL - laying of Gas Pipe Line.

M/s.GAIL (India) Ltd. approached the MCZMA in November, 2006 for permission to lay a pipeline through CRZ area for Dabhol-Panvel, Kothavade-Pune and Panvel-Usar Pipeline Project.

Ministry of Environment & Forests (MoEF), Govt. of India have already granted environment clearance for laying a 50 km. long underground pipeline Dahej to Uran for transportation of natural gas. The project is to cater to consumers in Pune, Patalganga, Khopoli, Thal, Nagothane and Dabhol. The total length of pipeline in Maharastra is 195.295 km, and it will pass through areas declared as CRZ. According to the CRZ notification 1991 as amended up to 2003, such a pipeline is permissible in the CRZ areas, including within CRZ-I limits. The Company has conducted an Environment Impact Assessment study through their Consultant, Engineers India Ltd., New Delhi, and the study reports that there is no significant impact on the environment due to the proposed pipeline.

Dr. Chaphekar and Dr. (Mrs.) Bhosale inquired about the impact of the pipeline on mangroves on the proposed route. Shri. Mudgal Chief Manager, GAIL (India) Ltd stated that as far as possible mangrove patches would be avoided and the pipeline route would be realigned if feasible. If it is not possible to do so, the

pipeline would be laid below the mangroves by horizontal directional drilling. The pipe line would thus be laid underground at a depth of approximately 2 meters, thereby allowing an unhindered growth of the mangroves. After due deliberation, the Authority decided to grant permission to lay a pipe line in CRZ area on condition that the company to submits an undertaking to the effect that the mangroves in the vicinity will not be disturbed while laying the pipeline.

Item No. 4 : Rutuchakra - Thane Municipal Corporation

The matter was discussed in the 29th meeting of the Authority held on 22nd June, 2005. The Authority had then decided to call an explanation from the Thane Municipal Corporation on the issue. As per the directions of the Authority the Thane Municipal Corporation submitted the explanation in Feb. 2006.

Deputy Chief Engineer, Thane, explained the various developments that had taken place in the area under reference. Specifically, he mentioned that solid waste was being dumped on the site under consideration in the past by the Thane Municipal Corporation. The Authority asked for specific proof to substantiate this statement as well as information of the period during which such dumping was done. The Deputy Chief Engineer said that dumping had started in 1981. However he was not able to produce any documentary evidence to support his statement.

After due deliberation & discussion, it is decided that the Thane Municipal Corporation should produce a documentary proof of dumping. After receipt of the information from Thane Municipal Corporation the matter will be placed again before Authority for orders.

Item No. 5: Proposed Salt Pan, Kanjurmarg - Proposal received from Urban Development Department

Urban Development Department had submitted this proposal on 13th December, 2002 to the Secretary, Govt. of India, Ministry of Environment & Forests for grant of permission to construct an approach road passing through

CRZ-I & CRZ-III areas as per Coastal Zone Management Plan (CZMP) approved by MoEF 19th January, 2000. A copy of the proposal was sent to the Chairman, Maharashtra Coastal Zone Management Authority with a request to forward proposal along with recommendation to Government of India.

Survey no 275.part i.e CTS no.657 part originally belonged to the Salt Commissioner. It has been granted by the Government of India to MCGM on the direction of the Hon Supreme Court for the disposal of Municipal Solid Waste. However there is no approach to the said piece of land except via a pathway which was used by salt manufacturers to transport salt.

Dr. Chaphekar and Dr (Mrs) Bhosale asked whether the proposed road would affect any mangroves in the vicinity. If there are mangroves, how would it be ensured that they would not be disturbed during construction? Shri Chiplunkar, Executive Engineer (DP), Municipal Corporation of Greater Mumbai explained that there is already a small pathway existing on the site where there are no mangroves. The same will be developed and strengthened without disturbing the mangroves. The approach road passes through CRZ III according to the Coastal Zone Management Plan approved by Ministry of Environment & Forests, Govt. of India vide letter dated 19.1.2000. The cost of the project is Rs. 2.562 cr (i.e below Rs.5 cr)

After due deliberation & discussion, the Authority has decided to grant permission for strengthening of existing road without disturbing the mangroves. However the Urban Development Department's request is to forward the recommendation to the MoEF and after ascertaining if that request still stands, permission will be accorded.

The authority further directed Municipal Corporation of Greater Mumbai to give undertaking that no mangroves in the area will be disturbed in the process of strengthening.

Item No. 6 : Construction of 20m wide Proposed Road in Zone-I as per Sanctioned Development Plan of Thane Municipal Corporation, Thane on land bearing C.T.S No.1913 (Pt) of Kopri, Thane (East).

The City Engineer, Thane Municipal Corporation has applied to the Urban Development Dept., Govt. of Maharashtra by letter dt.25/02/2005 for grant of permission to construct 20m wide proposed road in Zone-I as per sanctioned Development Plan of the Thane Municipal Corporation, Thane on the land bearing C.T.S. No.1913 (Pt) of Kopri, Thane (East).

The total cost of the project is below Rs.5 crores. As per the CZMP the said area falls in salt pan area. The land under reference as per CRZ notification is classified as CRZ -I (ii) category.

The details of the above proposed road are as follows:

- 1) As per the sanctioned Development Plan for TMC, the subject land is reserved for proposed 20 meter wide DP road.
- 2) The CZMP for Maharashtra is approved by Ministry of Environment & Forests, Govt. of India vide letter dated 27th September 1996 conditionally. The land falls in salt pan area and therefore the land is shown as CRZ-I (ii) area.

The Chief Engineer, Shri Bhivapkar showed the Coastal Zone Management Plan prepared by CESS on scale 1:4000 and the Authority observed that the proposed road passes through CRZ-I(ii) area on the seaward side of the creek.

After due deliberation, the Authority rejected the proposal since construction of road in CRZ-I (ii) (salt pan) area is not permissible.

Item No. 7: Proposed Vehicular Bridge along 36.6 m. wide D.P. Road, Millat Nagar, Andheri - Municipal Corporation of Greater Mumbai

The proposal was discussed in the Maharashtra Coastal Zone Management Authority (MCZMA) meeting dated 5th April, 2005 (27th meeting) and 21st April, 2005 (28th meeting).

The 27th Meeting had decided that since the proposed bridge would effect the mangroves in the Millatnagar, Andheri (W), Mumbai, Dr.Samant along with Dr.Gupta would inspect the site in question and submit their report to the Authority for taking an appropriate decision in the matter.

The case was again discussed in 28th meeting. As per the minutes of the meeting, it is decided that Executive Engineer of MCGM may consider the views expressed by Dr.Samant & Dr.Gupta who had opined that the bridge portion is "not so far affected by the mangroves, however, on the Northern side, there has to be curved, having some mangroves at the end of the road. If it is maintained properly, there may not have any problem from the CRZ point of view." Dr. Samant was also of the view that, if the width of road is decreased suitably, the proposal can be recommended subject to the condition that there should not be any destruction of mangroves.

Executive Engineer, Municipal Corporation of Greater Mumbai explained the proposal, and accordingly the cost of the project is being reduced from Rs.7 crores to Rs.4.70 crores. As per the CZMP approved by 19th January, 2000 the area classified as a CRZ-I since the cost of the project is less than Rs.5 crores the Authority decided to grant a permission for the proposed bridge.

The Municipal Corporation of Greater Mumbai has been directed to submit undertaking that there will be no mangroves destroyed due to the construction of bridge.

Item No. 8 : Construction of Court Building at Dahanu - Public Works Department, (PWD), Dahanu

The Executive Engineer, Special Project, P W D Thane, Government of Maharashtra has submitted a proposal for construction of building in Court premises at Dahanu, Dist. Thane. The proposal is to construct building on the land where existing premises of the Court exist. The total built up area for the proposed building is 2752 sq.mtr. (approximately 27,520 sq.feet) with 2 floors. (Ground + 2). The Executive Engineer, PWD, approached the Dahanu Taluka Environment Protection Authority (DTEPA) and as per their advice, the PWD approached the MCZMA.

According to the approved CZMP for the Dahanu Municipal Council, the land under reference is in CRZ.II. Therefore construction is permissible as per CRZ Notification, 1991 as amended, if they are allowed under the D.C.Rules that existed on 19th February, 1991.

Executive Engineer. Public Works Department explained the project. The land under reference falls in CRZ.II as per the CZMP prepared for the District of Thane. There already exists a court building on the land build much before 1991. Since the cost of the project is Rs.2.18 crores (i.e. less than Rs.5 crores), and the project is permissible according to the notification, the Authority, after due deliberation, decided to grant the permission for the said project.

Item No.9: Permission for construction of cemetery for Janntula Baki Bhataki Jamat on land bearing Survey No. 13 (pt), Village Atali, Tal. Kalyan - Proposal of Kalyan-Dombivali Municipal Corporation

The Commissioner, Kalyan Dombivali Municipal Corporation (KDMC) submitted a proposal in October, 2005 to Maharashtra Coastal Zone Management Authority (MCZMA) for granting a permission in CRZ area to construct cemetery (कब्रस्तान) for जन्नतुल बकी भटकी जमात.

The land under reference, viz, survey No.13, admeasuring 8000 sq.mtr. is reserved for a cemetery in the D.P.Plan. In the CZMP for the corporation the land under reference falls partly under the CRZ-I inter-tidal category and CRZ-III category. As per CRZ Notification, 1991 as amended upto 2003, cemeteries are not permissible in CRZ-I areas.

The representative of Kalyan-Dombivali Municipal Corporation (KDMC) explained the project and pleaded that the proposed cemetery is meant to cater to the needs of a very small and poor community called 'Jannatulla Baki Jamat', who had no cemetery available nearby. Other cemeteries were not available for this community who have to travel to Nasik for burying their dead. Dr.(Mrs) Bhosale & Dr.Chaphekar informed the Authority, that after burial, there would be gaseous emission as well as contamination of the waters of the creek.

Construction of cemeteries is not permissible in a CRZ-I area and therefore, the Authority decided to reject the proposal. However, the Authority agreed to write a letter to Divisional Commissioner, Konkan and the MMRDA, to help the Kalyan-Dombivali Municipal Corporation to find a suitable alternative site where a cemetery could be located in a non-CRZ area.

Item No.10 : Repairs and reconstruction of existing foot bridge at Malvani, Malad - Proposal from Municipal Corporation of Greater Mumbai.

The Municipal Corporation of Greater Mumbai (MCGM) approached MCZMA for a clearance to a proposal to repair and reconstruct an existing foot over bridge at Malavani, Malad, Mumbai.

The existing foot over bridge is on the creek and was constructed in March, 1993. The bridge is consisting of R.C. pile foundation and mild steel superstructure in the form of trusses. The foot over bridge is 3 mtrs wide and 35 mtrs. Long. The existing bridge is used by residents of Malvani to commute to Malad station through Oshiwara - Marve Link Road.

As per the report of MCGM, the existing bridge is in dilapidated condition. The steel trusses are rusted, pitted and corroded and it is beyond repair. Therefore, it is necessary to repair bridge immediately.

There are mangroves existing on both sides of the existing bridge and affected by provisions of CRZ notification. The area near the bridge falls in CRZ-I as per the approved CZMP by MoEF, Govt. of India. The cost of the project is Rs.15.75 lakhs.

Executive Engineer, Municipal Corporation of Greater Mumbai explained that the basic foundation of the structure is not proposed to be changed, only steel trusses which are rusted and corroded will be repaired.

After due deliberation it is decided by the Authority to grant permission for repair and reconstruction of the foot bridge after obtaining an undertaking from the MCGM that they would reconstruct the bridge without disturbing mangroves.

**Item No.11 : Proposed Development of Refique Nagar Cemetery at Deonar -
Municipal Corporation of Greater Mumbai.**

The MCGM has approached the Authority in February, 2006 for a clearance under the CRZ Notification for a proposed development of a cemetery at Deonar, Mumbai.

As per report of MCGM, the land under reference: CTS No.1(part) & Survey No.93 (part) of village Deonar, is reserved in the development plan for the purpose of development of a composite cemetery for the Hindu & Muslim communities. The plot under reference is surrounded by municipal solid wastes treatment activities, water treatment plant & dumping grounds. The said land is reclaimed by the dumping of solid waste. As per approved Coastal Zone Management Plan (CZMP) of Mumbai, the land is affected by CRZ Notification and the High Tide Line (HTL) passes through it. A substantial portion of the plot under reference is affected by CRZ-I and CRZ-II.

The members of the Authority inquired of the feasibility of the project as the actual location is only 150 m. from the HTL of the Thane Creek. Dr.Chaphekar and Dr.Bhosale informed the Authority that it would not be an environmentally sound practice to situate a cemetery at 150 mtrs. from the HTL. The Ex..Eng.MCGM assured the Authority that due diligence and care will be taken while construction the cemetery by adding a layer of good soil and constructing a compound wall. It is further informed that though the land under reference is 150 m. from HTL on the map, the area is completely surrounded by hutments. Adequate storm water drains network would be provided inside the plot to ensure that rain water percolating inside the plot does not interfere with tidal waters or any underground currents. After due deliberation, the Authority decided to grant the permission for cemetery.

Item No.12 :Permission for construction of additional bridge across Desai creek in Bhiwandi, Kalyan - Proposal From Maharashtra State Road Development Corporation.

As the representative failed to appeared before the Authority. The case is deferred for the next meeting

Item No. 13. a) Proposal regarding deletion of land bearing CTS No.82/39 of Santacruz No. II of Village Danda from Coastal Regulation Zone - K Arch.

The case is deferred for the next meeting

Item No. 13.b) Request for deletion of land bearing CTS No. G/624/3 of village Bandra H (West) ward from the purview of Coastal Regulation Zone.

The case deferred for the next meeting

Item No. 14. Delineation of high tide and mangroves on plot bearing revenue survey No.275 part, CTS No.657A & 1295 (part) at Village Kanjur, Tal: Mulund, Dist: Mumbai Suburban. - M/s.Metro Infrastructure & Project Solutions India (P) Ltd

The case is deferred for the next meeting

Item No.15 :Mira-Bhayander Municipal Corporation - Proposal for reclassification of the land under Survey No. 3349/2 of City Survey No. 1514, Village Bhayander, Dist. Thane.

Mira-Bhayander Municipal Corporation submitted a proposal for reclassification of the land under reference Survey No.349/2 of City Survey No.1514, Village Bhayander, Dist.Thane. As per the CZMP prepared for the Mira-Bhayander Municipal Corporation, the land under reference is classified as CRZ-III. The Urban Development Department has requested that the said land be reclassification as from CRZ-II from CRZ-III.

Shri Ghevare, Engineer, from Mira-Bhayander Municipal Corporation explained the proposal. As per Coastal Zone Management Plan, the land under reference is on the land ward side of the existing road existed prior to 1991. The Authority asked the representative of MBMC to produce the proof that the road was in existence prior to 19th Feb.1991 and that the surrounding area is substantially developed as per the records of the Municipal Corporation along with dates. After receipt of the submission from MBMC the case will be again placed before the Authority for the decision of the matter.

Item No. 16: Complaint received from Bandra Residence Association regarding illegal Book Stall in C.R.Z. area near Otters Club, Bandra.

The case is deferred for the next meeting.

Item No. 17: Development of the plot C.S.No. 1977 for construction of Government Rest House and Transit Accommodation.

The Urban Development Department submitted a proposal to Maharashtra Coastal Zone Management Authority (MCZMA) for development of parking plot and construction of Government Rest House and transit accommodation at plot C.T.S. No 1977.

The plot under reference is owned by the Government of Maharashtra. As per revised D.P. sanctioned by the Government, the land is reserved for public purpose, viz. in part for Government Staff Quarters and in another part for a parking lot. The portion of land under reservation for Govt. staff quarters is already developed and the present proposal is for development of land under reservation for parking lot. The land is in residential zone and entirely falls within the CRZ-II area as per the Coastal Zone Management Plan approved by Ministry of Environment and Forest Department vide letter dated 19th January, 2000. Development in CRZ-II is permissible as per the Development Control Rules existing on 19th Feb., 1991 as per the CRZ Notification, 1991 as amended from time to time.

The Development Control Rules, 1989 (Draft) regulation 9(iv) (i) allows the owner to develop parking spaces according to designs/ specification and conditions prescribed by Municipal Commissioner. The plot under reference is in CRZ-II and permitted to develop as per existing D.C.Rules as on 1991 (FSI 1.33) as per CRZ Notification 1991 as amended from time to time. The cost of the project is more than five crores. (Rs. 11.656 crores)

Shri Chiplunkar, Executive Engineer (DP), Municipal Corporation of Greater Mumbai explain the case to the Authority. After due deliberation, it was decided to recommend the proposal to Ministry of Environment & Forests, Govt. of India.

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