

MINUTES OF THE 34<sup>th</sup> MEETING OF MAHARASHTRA COASTAL ZONE  
MANAGEMENT AUTHORITY (MCZMA) HELD ON AUGUST 1, 2006 AT  
COMMITTEE ROOM, 5<sup>TH</sup> FLOOR, MANTRALAYA, MUMBAI-400 032.

The following were present –

Ms. Sharwaree Gokhale, Principal Secretary, Environment Department,	Chairperson
Mr. Shazad Hussain, Principal Secretary, Revenue Department,	Member,
Mr. V.K. Jairath, Principal Secretary, Industries Department,	Member
Dr. S. B. Chaphekar	Member
Dr. S.K. Gupta Head of Department of CESE, Indian Institute of Technology	Member
Mr. Dilipkumar, Director, Central Institute of Fisheries Education	Member
Dr. D. B. Boralkar, Member Secretary, Maharashtra Pollution Control Board,	Member Secretary

Principal Secretary, Urban Development Department, Secretary, Fisheries, Municipal Commissioner, MCGM, President, Vanrai Pratistan, Pune and Dr. (Mrs) Leela Bhosale, Dept. of Botany, Shivaji University, Kolhapur, were not present.

In her opening remarks, the Chairperson, MCZMA welcomed the Members. She introduced Dr. D. B. Boralkar, who had been appointed as the Member Secretary of the Authority vide notification dated March 7, 2006

**Item No. 1: Confirmation of the minutes of the 33<sup>rd</sup> meeting held on 24<sup>th</sup> March 2006.**

The minutes of the 33<sup>rd</sup> meeting of MCZMA held on 24<sup>th</sup> March 2006 were sent to the Members for their comments. Since no modifications and objections were communicated by the Members, the minutes were confirmed.

Dr. Boralkar, although he had not been present in the last meeting, sought attention of the members on the decisions regarding refusal of permission for construction of a cemetery in CRZ-I area at village Atali, Tal. Kalyan. (Item No. 9) vis-a-vis the granting of permission for a similar project in CRZ-I area to the MCGM (Item No. 11). The Chairman told him that the matter had been discussed and a decision had been taken in the last meeting. The minutes only recorded the proceedings faithfully. However, he could present a note for the consideration of the Authority, which could be taken up for discussion. With these observations, the minutes were confirmed.

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

The information was noted.

**Item No. 3: Proposal of M/s Metro Infrastructure & Project Solutions Ind (P) Ltd- Delineation of high tide & mangroves on plot bearing revenue survey no. 275 part, CTS No. 657A & 1295 (part) at Village Kanjur, Ta: Mulund, Dist: Mumbai Suburban.**

M/s.Metro Infrastructure & Project Solutions India (P) Ltd., had sought permission to re-delineate HTL and mangroves on plot bearing survey No.275 (part) CTS 1295 of village Kanjur, Tal: Mulund, Dist: Mumbai Suburban. The property in



question is shown in CRZ-I(i) as per the existing CZMP. The applicants contend that the HTL demarcated by Chief Hydrographer does not properly reflect the actual physical attributes on site. Accordingly, it approached National Institute of Oceanography, (NIO) Goa for delineation of HTL and CRZ boundary along the land referred above.

The NIO, Goa carried out fresh survey of the plot and has concluded that the plot in question fulfills the criteria required for classifying the same as CRZ-II.

The project proponent was given an opportunity to present the case. The project proponent pointed out that the plot in question, which bears revenue survey No.275(part), CTS No.675(A) and 1295 (part) at village: Kanjur, Tal: Mulund, Dist: Mumbai Suburban fully touches the developed Eastern Express Highway on the East side and Jogeshwari-Vikhroli link road on the West. Both roads existed prior to 1990 and are shown in the Development Plan (DP) of 1981. The plot is surrounded by well developed roads on all four sides. The level of the plot is higher than that of the nakllas on the outskirts of the plot. Project Proponent further stated that the plot covered by grass and has no back water on the plot area.

The project proponent requested the Authority to recommend their case for making appropriate changes in CZMP to re-demarcate the HTL as per the delineation suggested by National Institute of Oceanography, Goa and also re-classify the category of aforesaid site as CRZ-II. The Chairperson, MCZMA asked the project proponent to show the site in question with reference to the Mapping of Mangroves done by Maharashtra Remote Sensing Application Centre, Nagpur. The same was shown on the map to the Members.

Authority examined the proposal forwarded by the Urban Development Department proposing that the classification of the site in question (i.e. plot bearing Revenue Survey No.275 Part, CTS Nos.657-A & 1295(Part) at Village Kanjur, Tal: Mulund, Dist: Mumbai Suburban) be modified as is not within the actual High Tide line. The HTL demarcated by the Chief Hydrographer, needs to be modified based on site conditions. After due deliberations, it was decided to recommend the case to the MoEF for making appropriate changes in CZMP to re-



demarcate the HTL with reference to the report of the National Institute of Oceanography at Goa.

**Item No. 4:**

- (a) Proposal regarding deletion of land bearing CTS No. 82/39 of Santacruz No. II of Village Danda from Coastal Zone Regulation - K Arch.
- (b) Request for deletion of I and bearing CTS No. G/624/3 of Village Bandra, H (West) Ward from the purview of Coastal Regulation Zone.
- (c) Application received from M/s. Narli Agri Pada Co-Op. Hsg. Society Ltd., regarding deletion of land bearing No. G/626 of village Bandra.
- d) Pooja Properties – CTS No. G/12 of village Bandra being situated at Road No. 19, Khar.

The Chairperson gave a brief background of Item No. 4 (a). M/s. K. Arch, an Architect Firm on behalf of their clients had made an application on 31.8.2002, requesting the Authority to delete their land bearing CTS No. 82/39 of village Danda, Santacruz, Mumbai from the purview of CRZ because their plot is located near a creek and not near the sea. The approved CZMP however shows the water body near the plot as 'sea' and not as a 'creek'. Therefore, the plot in question is shown as being included in CRZ.

Three other proposals received by the Authority have the same issue, with the same water body, and have therefore been placed for consideration in the same item.

The Chairman stated that she had tried to examine the issue, but was hampered by not being able to procure the definition for the term "Creek", and the difference between a "Creek" and a "Bay". At what point exactly does an indentation in the sea shore cease being a Bay and become a Creek? What geomorphic features had the Chief Hydrographer taken into account, while preparing the CZMP, when he had identified this particular stretch of water as a "Creek"? She therefore suggested that the Chief Hydrographer be consulted before taking any decision on the matter. Further more, the mandate of this Authority was to ensure the proper



implementation of the CZMP, not to redraft it; which is what it would amount to, if the water body were treated as a "Creek" in place of "Sea".

The Member Secretary pointed out that the Authority had discussed the issue thoroughly in its meetings held in the past. Besides the then Member Secretary, along with two expert members viz. Dr. S. K. Gupta and Dr. Hrishikesh Samant, an expert in Geology, had visited the site on May 7, 2003, and came to the conclusion that, the water body in question is a creek. The matter was discussed in the MCZMA meeting held on May 23, 2003 and it was unanimously decided to refer the matter to NCZMA, which the Member Secretary said was a competent authority to examine such proposals and guide the State Authorities. He further informed that, the matter was discussed in NCZMA and the views expressed by MCZMA were confirmed by NCZMA. The distance of the plot was got measured from MCGM and it was informed that, the site in question is 290 mtrs from HTL. The Member Secretary, MCZMA communicated this to the applicant, with a copy to Chairman, MCZMA, Member Secretary, NCZMA and Chief Engineer, MCGM, Mumbai.

Dr. S. K. Gupta, informed that, he had visited the site earlier along with the then Member Secretary and Dr. Hrishikesh Samant, Member but <sup>when they had opined that water body was</sup> agreed that the matter be referred to the Chief Hydrographer for his confirmation of the status of the water body. - C. R.

The matter was discussed and it was decided to refer the matter to the Chief Hydrographer, Dehradun for opinion.

The applicants were informed about the decision. The applicant requested that, till the opinion is received from NHO, Dehradun, they may be allowed to proceed with FSI as applicable as on 19<sup>th</sup> of Feb. 1991. The applicants were informed to approach Urban Development Dept. in this regard.

**Item No. 5: Permission for construction of additional bridge across Desai Creek in Bhiwandi, Kalyan - Proposal from MSRDC.**

No one appeared on behalf of MSRDC. It was noted that, the project proponent did not appear during the last meeting also. It was decided to place the matter before the next meeting as a last chance and the same be informed to the project proponents.

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**Item No.6: 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 bearing 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 proposed that the said land be reclassified as CRZ-II as the same falls in a fully developed area.

The item was discussed in the last meeting and the representative of MBMC was asked to produce/ submit proof of the road being in existence prior to 19th Feb.1991, and that the surrounding area were developed before that date as per the records of the Municipal Corporation. It was decided that after receipt of the submission from MBMC the case would be again placed before the Authority for further consideration. The representative of MBMC showed village map of 1985, as a proof of existence of the road prior to 19th February, 1991.

The Members were of the view that MBMC should submit additional proof in support of their contention. The representative of the Mira Bhayander Municipal Corporation informed that the Tar-road has been developed in 1981, Nagarpalika established in 1985 and converted into Corporation thereafter. Except plot under reference, all lands around it have been developed. Chairman asked for proof such as tax receipts prior to 1991, with building details, water line, sewerage line or any other documentary evidence to show that the said area is substantially developed.

After due deliberation, it was decided to recommend the case to NCZMA for reclassification from CRZ-III to CRZ -II on receipt of proof from MBMC indicating substantial development.

**Item No.7: Complaint received from Bandra Residence Association regarding illegal Bookstall in C.R.Z. area near Otters Club, Bandra.**

The complainants were absent. Member Secretary, MCZMA opined that since the owner of the Book Stall remained absent in spite of specific communication, the Authority may issue appropriate directions under section 5 of the Environment



(Protection) Act, 1986 to the Book Stall owner to submit required information.

This was agreed to.

**Item No. 8: Proposed Pratikshalay and Bhaktiniwas Bldg. on F.P. No. 901, 903 (B) & 904 of TPS IV Mahim Division, Prabhadevi Mumbai**

The Municipal Corporation of Greater Mumbai (MCGM) forwarded a proposal of Proposed Development of Pratikshalay and Bhaktaniwas on F.P. No. 901, 903 (B) & 904 of TPS IV Mahim Division, Prabhadevi Mumbai.

As per approved CZMP of Mumbai, the land under reference is in CRZ-II and towards the landward side of the existing road. The total area is 1927 sq. m. and it is proposed to construct Pratikshalay and Bhaktaniwas. The construction is permissible as per CRZ Notification, 1991 and as per the D.C.Rules existing on 19th February, 1991. The total cost of the project is Rs. 4.32 Crores i.e. below Rs. 5.00 crores.

In the present case, the development of the proposed Pratikshalay & Bhaktiniwas on the plot under reference is for the purpose of worship and covered under the clause-iv 'Public Use' of the EIA Notification, 1991, as amended on 22/4/2003. Therefore, the proposal may be sent with recommendations to the Ministry of Environment & Forests, Govt. of India for further necessary consideration.

After due deliberation, it was decided to recommend the proposal to Ministry of Environment & Forests, Govt. of India for issuance of CRZ clearance.

**Item No. 9 : Proposed storm water pumping station in greater Mumbai, CRZ clearance.**

CGM proposed to provide storm water disposal pumping stations at following four locations in Mumbai.

Station	Capacity	Cost
1. Haji Ali Floodgates, Mahalaxmi	- 40 CuM/Sec	Rs.32.1 Crs
2. Love Grove Floodgates Worli	- 60 CuM/Sec	Rs.46.38 Crs.
3. Cleveland Bunder Floodgates Worli Koliwada-	40 CuM/Sec	Rs.30.18 Crs.
4. Irla Nalla Outfalls Andheri (W)	- 50 CuM/Sec	Rs. 43.65Crs.



As per the Coastal Zone Management plan approved by MoEF, GOI dtd 19/1/2000, first 3 sites are classified as CRZ II, being situated on the land ward side of existing road. The fourth, namely Irla Nalla is proposed to be built on 2 sites. As per the map demarked by CESS, one site falls under CRZ- II and is on seaward side of existing road & another site falls under CRZ-I. Therefore they would change the site falling under CRZ I and ensure the entire project would be constructed in areas falling within CRZ II

Dr. S.K.Gupta, Member asked the representative that how much of the existing gardens at Haji Ali will be utilized for the pumping stations? MCGM representatives explained that about half of the garden would be utilized for the above purposes. He further informed that the location of the site at Irla Nalla is now changed because some part of the site was falling in CRZ-I. Now, all the sites are situate in CRZ-II. It is also pointed out that as per the Chitale Committee report, MCGM had to provide necessary storm water disposal pumping stations at the above four locations. All the four proposals are of urgent public necessity for the safety & health of the citizens and to prevent the kind of situation that arose in July 2005.

Authority asked the representative of the MCGM to submit the survey Nos. & details of these sites including CRZ classification, CTS Nos. with location map to MCZMA and thereafter, the Authority will forward the proposal to Ministry of Environment & Forests, Govt. of India with recommendations for further consideration.

**Item No. 10: M/s Rewas-Aware Port project-Approval under CRZ Notification.**

M/s Rewas Ports Ltd, Mumbai made an application for establishing Rewas-Aware Port on the banks of Dharamtar & Karanja creek, near Mumbai, with a request to forward their proposal with necessary recommendations to the Ministry of Environment & Forests, Govt. of India for necessary environmental clearance.

M/s Amma Lines Ltd. A private sector partner of the Maharashtra Maritime Board is developing the port. The project proponent obtained NOC from the Maharashtra Pollution Control Board and also completed the process of public hearing on 20/05/2005.



The project proponent informed that port complex is proposed to be developed in Rewas and Aware situated on the South & North banks of Dharamtar & Karanja creek respectively. Aware site extends further to the North bank of Patalganga / Apta river. CESS, was appointed has made the CZMP of the area and identified the HTL & LTL which are demarcated on a base map of 1:5000/1:10000. The proposed port area being on the banks of the creek with a width of more than 300 m, the CRZ is 150 m landward of HTL in addition to the area between the LTL & HTL.

The project proponent also informed the EIA studies were done over 4 seasons. The report of CESS on HTL and CRZ for the proposed development of port at Rewas-Aware and the executive summery, questionnaire for environmental appraisal has been submitted.

Dr. Papa Rao gave a brief outline of the project with reference to the land area, cargo to be handled and development of the project. Dr.Tarapore, a renowned expert in the field dealt with technical assessment of the project and emphasized that Rewas-Aware Port's width is of 18 mtrs duly planned, one of the leading port as far as containers is concerned. Considering the increased growth in the containers in the next 5 years, it will not be possible for Mumbai Port Trust and JNPT to handle future growth in the traffic, as these ports are already crowded. Rewas-Aware Port is going to be one of the important containers port and will able to handle future cargo traffic.

Dr.Chaphekar, Member of the Authority asked the project proponent how far the areas of mangroves and inter tidal zones are situated from the proposed site. The representative informed the members that the mangroves are not being disturbed and necessary steps will be taken to protect it. Chairperson, MCZMA suggested that a team of the members of the Authority visits the site and assures itself regarding the absence /presence of mangroves on areas proposed to be developed. After due deliberations it was decided that a site visit be arranged.

**Item No. 11: Laying of 600 mm Pipe line in C.R.Z. -III area at Kopri,**

**Thane (East)**

The City Engineer, Thane Municipal Corporation made an application to the Urban Development Deptt, Govt.of Maharashtra by letter dt. 09/12/2005 seeking



permission for laying 600 m.m. Pipe line in C.R.Z. - III area at Kopri, Thane (East). The Urban Development Deptt., Govt. of Maharashtra forwarded the proposal to Maharashtra Coastal Zone Management Authority for approval.

The representative of Thane Municipal Corporation explained their proposal and informed that the proposed pipe line will pass through CRZ - III area and the total cost of the project is Rs.15,70,900/- i.e. below Rs.5.00 crores. It was pointed out by the representative of the project proponent that the provision of facilities for water supply, drainage, sewerage, which are required for the local inhabitants are permissible activities under CRZ-III area. The details of the pipeline passing through CRZ-III area and cost were submitted to the Authority with proposal.

Member Secretary, pointed out that the present activity should have been regulated by the Urban Development Deptt., Govt. of Maharashtra as the project cost is below Rs. 5 crores. He referred an earlier decisions taken by the MCZMA in this regard. Chairperson, MCZMA asked the representative of the Urban Development Deptt., Govt. of Maharashtra present in the meeting, 'what stopped them from processing the proposal?' The representative of UDD, GOM informed that earlier also such proposals were submitted to the Authority. Hence, the proposal is submitted to the Authority.

The Authority unanimously decided that since the cost of project is less than Rs.5.00 crores, and is a permissible activity, it shall be regulated by the State Authority in accordance with the provisions of sub paragraph (2) of paragraph 6 of Annexure-I of the CRZ Notification. It was decided to recommend the proposal to the Urban Development Deptt., Govt. of Maharashtra for grant of necessary permission.

**Item No.12: Proposed 4000MW Power project and other Industrial Economic Infrastructure Development – Request for No Objection under CRZ.**

M/s Reliance Energy Generation Ltd. (REGL) proposed 4000 MW power project and other Industrial Economic Infrastructural Development at Shahapur, Alibaug, Raigad District. The proposed power project is planned as a combination of 2800 MW natural gas (NG) based combined cycle power plant (CCPP) and 1200 MW coal based power plant.



M/s REGL submitted the Executive summary of Rapid EIA and Risk Assessment study of the project prepared by the NEERI, Nagpur. The representative of the project proponent also assured to undertake a comprehensive EIA later. CRZ maps received from the SAC, Ahmedabad with the superimposed HTL/LTL on GIS site location maps also submitted to the Authority.

The representative of REGL presented their case before the Authority. He informed the Authority that the project development will be made beyond a distance of 100 mtrs. from HTL towards landward side.

On being asked the project proponent stated that there were no mangroves on the place where the proposed project is to be erected, but are nearby, along the creek, and not more than 10 mtrs deep. Dr.Gupta, asked that the mangroves be demarcated exactly a copy of the Rapid EIA report be made available to the members of the Authority. The project proponent agreed to do so. Dr.Chaphekar, asked for the details of survey numbers of the project site. There were further discussions regarding safety measures that the proponent would be providing. It was explained that the project would need and take the necessary consents in all such matters before establishing the project from MPCB. Dr.Chaphekar wanted to know the manner mangroves would be protected ?

He further requested to the Authority to issue NOC under CRZ and to recommend their case to Ministry of Environment & Forests, GOI for grant of necessary environmental clearance. It, it was decided to grant NOC, in principle, subject to the protection of coastal eco-system and compliance of the provisions of the CRZ Notification.

The Authority decided to issue preliminary NOC and to recommend the proposal on the above broad principles only to enable the applicants to acquire the land. The project proponent, after acquiring the land will have to go through the process of environmental clearance as per EIA/CRZ Notifications. The members asked the project proponent to acquire additional land, if possible for mangrove plantation & also protect the existing mangroves.

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**Item No. 13: Environmental Clearance of Jawahar Deep, Trombay Pipeline Project – ONGC.**

M/s ONGC Ltd. submitted the Rapid EIA of the project prepared by NEERI, Nagpur and requested MCZMA to issue NOC under CRZ and also requested to forward their proposal to the Ministry of Environment & Forests, Govt. of India with recommendations to grant Environmental Clearance. The cost of the proposed project is about Rs.400 crores.

The proposed oil pipeline shall be utilized for transporting crude oil from Uran to Trombay to Jawahardeep. The existing Uran-Trombay-Jawahardeep pipeline has completed its designed life of 25 years and unless replaced, may create an environmental hazard.

A new 30" pipeline from Sheva South to JNPT of about 3.40 Kms is also proposed to be being laid in the land belonging to JNPT. The Authority asked the project proponent about the need for the additional pipeline. It was informed that this was envisaged as an alternate arrangement, in case of emergency as the oil security for the area. The Authority asked the project proponent to submit the map of the alignment of the proposed pipeline to MCZMA.

The Authority made it clear that the above work has to be in harmony with CRZ clearance of the JNPT; only then it can be undertaken. After due deliberation, it was agreed that the NOC for replacement of existing pipeline would be recommended to the Ministry of Environment & Forests, GOI for consideration.

**Item No. 14: Development of fishing harbour at Anandwadi, Dist.Sindhudurg**

A proposal for the development of Fishery Harbor at Anandwadi (Deogad), Dist: Sindhudurg was submitted by the Commissioner of Fisheries, Maharashtra State, Mumbai. A Rapid Environmental Impact Assessment Report has already been submitted.

The project proponent informed that the proposed fishery harbour would cater to is for a fishing fleet of 330 Mechanised Fishing Vessels, including 180 - 14.8 m trawler and 150 - 8 m FRP Gill netters.

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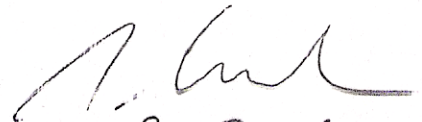
It is also pointed out that the proposed project is a minor harbour with capacity of 11,410.08 metric tonnes/year. The harbour is proposed to be located in an area categorized as CRZ-II. The total investment is stated to be Rs.25.84 crores.

The project proponent briefed the meeting regarding the need for the project. He reported that there are no mangroves in and around the proposed site. Member Secretary, MCZMA asked the project proponent to make an application for Consent to Establish for disposal of effluent at a point to be decided by the NIO. As the proposal is minor fishing harbour, which is regulated under clause 3 (2)(ii) of the CRZ notification, the Authority decided to recommend the proposal to the Ministry of Environment & Forests, GOI for grant of environmental clearance.

Chairperson, MCZMA requested the Members to take policy decision as to when Rapid E.I.A. to be done and when a comprehensive EIA should be carried out. Member Secretary, MCZMA was asked to prepare a short note and to circulate to all Members for further deliberations. It was also decided that the final clearance can be given after compliance of the above broad principles. The meeting ended with a vote of thanks to the chair.

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Approved .

  
2.9.06