

**MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY**

Subject : Minutes of the 38th meeting of MCZMA
Date : March 6, 2007
Venue : Y.B. Chavan Pratishthan Centre, Mumbai - 400 021.

38th meeting of the Maharashtra Coastal Zone Management Authority was held as above under the Chairmanship of Ms. Sharwaree Gokhale, Chairperson, MCZMA and Principal Secretary, State Environment Department, Government of Maharashtra, Mumbai. Following members were present:

Ms. Sharwaree Gokhale Principal Secretary Environment Department Government of Maharashtra	Chairman
Shri Ramanand Tiwari Addl. Chief Secretary Urban Development Deptt, Government of Maharashtra	Member
Shri S.S. Hussain Principal Secretary Revenue Department Government of Maharashtra	Member
Smt. Leena Mehendale Principal Secretary (Fisheries) Agriculture & Dairy Development & Fisheries Department Government of Maharashtra	Member
Dr. Dilip Kumar Director Central Institute of Fisheries Education, Mumbai	Member
Professor S. K. Gupta CESE, IIT Powai, Mumbai	Member

Professor S. B. Chaphekar
Laxmi Niketan, Thakurdwar,
Mumbai

Member

Dr. Dilip Boralkar
Member Secretary
Maharashtra Pollution Control Board

Member Secretary

Leave of Absence was granted by the Chairman to the following Members:

- Shri Jairath, Secretary, Industries Department, Govt. of Maharashtra
- Shri Johny Joseph, Commissioner, MCGM Mumbai
- Shri Mohan Dharia, President, Vanrai Pratistan, Pune
- Dr. (Mrs) Leela Bhosale, Dept. of Botany, Shivaji Univ. Kolhapur,

Following is the record of discussion:

Item 1: Confirmation of the minutes of 37th Meeting

The Minutes of 37th meeting of the MCZMA held on 12-02-2007 were send to Shri. Tiwari , Principal Secretary, U.D. Dept for comments regarding item No. 7 and item No. 8 vide office note No. 36 dated 01/03/07. Comments from Shri Tiwari, regarding item 7 and item 8 were received on 6/3/2007 and accordingly corrected minutes were circulated to the members during the meeting. Dr. Chaphekar mentioned that in case of item regarding JSW Infrastructure, Jaigarh the distance mentioned is 2.5 meters instead of 2.5km. With these comments/observations, minutes were confirmed.

Item 2: Statement on follow up actions arising in respect of decisions taken in the last meeting (37th)

Dr. Boralkar mentioned that statement is laid on the table and follow up actions were taken in respect of all items except item number 7 and item number 8 where actions will be taken subsequent to the confirmation of the minutes keeping in view of the comments from the U.D. Department. He informed that members have completed site visits at:

- M/s ZEUS, SEZ project
- M/s. Metro Infrastructure & Project Solutions Ltd. at Kanjurmarg
- Temporary construction of site office by MSRDC at Nepeansea Road,
- Priyadarshani Park & Sports Complex at Nepeansea Road
- Amar Sons Park on Bhulabhai Desai Road.

Reports on the above mentioned visits were placed on the table. Chairman, MCZMA informed that discussion on the follow up action could be done in the next meeting (39th) along with follow up action pertaining to the issues dealt in 37th and 38th meeting of the Authority.

Minutes of the 38th meeting of MCZMA

Item 3: CRZ clearance for laying of LPG pipeline from BPCL Refinery at Mahul to LPG plant at Uran

Application of M/s. Bharat Petroleum Corporation Ltd. (BPCL), Mumbai for CRZ Clearance for laying down LPG pipeline from Mahul to Uran LPG Plant was considered. The representative of M/s. BPCL presented the case before the Authority. They stated that NIO Goa was appointed to prepare report for laying of LPG Pipeline from Refineries at Mahul to Uran LPG Plant from the CRZ point of view. The report clearly indicated the pathway of pipeline in the CRZ area of Mahul, Nhava & Sheva island and wetlands of Uran, Panja Village. Members asked whether mangrove areas are likely to be affected and what will be the impact of laying of pipeline in the mangrove areas.

The project proponent informed that wherever the pipeline would pass through mangrove areas they will carry out the work by horizontal directional drilling, without disturbing the mangroves. Mangroves will not be cut. The project proponent was asked to submit undertaking to this effect. Since, laying of pipelines is a permissible activity in the CRZ area including CRZ-I under the CRZ Notification, it was decided to recommend the proposal and forward the same to the MoEF, New Delhi. Total cost of the project was reported as Rs. 146.37 Cr.

Item 4: Finolex Captive Port at Pawas Bay, Ratnagiri- Modifications to the ODC jetty to handle coal for their Power Project.

M/s. Finolex Industries Ltd., Ratnagiri applied for modifications of existing Over Dimensional Cargo (ODC) Jetty at Pawas Bay so as to enable the unloading of coal for their upcoming captive power plant. The applicant obtained necessary No Objection Certificate from the Maharashtra Maritime Board and Consent to Establish from MPCB.

During the presentation the applicant informed the Authority about the progress of construction of the power plant and stated that no fishing or other activity that takes place at the site and therefore local residents have no complaints. Shri K.P. Chabriya representing the project proponent informed the Members that the present proposal consists of a small jetty with a capital cost for the modification being less than Rs. 5 crores (Rs. 4.68 Cr. only). The modifications to the jetty are being undertaken in order to avoid transportation of coal by road. He stated that about 60 trucks would be required to be brought every day if the present jetty is not modified for coal handling. Besides raising cost, truck movements would cause pollution.

M/s. Finolex Industries Ltd. is constructing a Thermal Captive Power Plant project of 43 MW capacity for meeting their energy needs in Ratnagiri. They intend to receive and unload coal from barges by modifying existing ODC Jetty. The power plant is likely to be commissioned by October, 2007. Member Secretary, MCZMA suggested that covered conveyor belts should be used to avoid spillage during transport and handling of coal. Since constructions and operation of ports and harbours, jetties etc. are permissible

activities under the CRZ Notification dtd.19/2/1991, the proposal of M/s FIL, Ratnagiri was approved by the MCZMA.

- Item 5: Proposed reconstruction of Community Hall/Trust Office Building on plot bearing C.T.S.No.215, 216 of Village Bandra Hajinoora Lane, Bandra (West).**

The proposal was received from the Municipal Corporation of Greater Mumbai in respect of reconstruction of Community Hall / Trust Building on the plot bearing CTS No.215, 216 of Village: Bandra, Hajinoora Lane, S.V. Road, Bandra (W), Mumbai and routed through the Urban Development Deptt., Govt. of Maharashtra. The plot under reference falls in CRZ-II category in residential area and the development is towards the landward side of the existing road. As per amendment in CRZ Regulations issued by the Ministry of Environment & Forests, Govt. of India vide S.O.460(E), dtd.22/4/2003, reconstruction of buildings of archeological or historical importance; heritage importance and building under **public use** will require environmental clearance from the MoEF. It was, therefore, decided to forward the proposal to MoEF.

- Item 6: Proposed building on property bearing CTS No. C/1154, C/1155 and others of Sherly Rajan Road, at Bandra (West).**

The application in respect of proposed construction of residential building comprising of two level basement + podium + stilts and 14 upper floors, routed through the MCGM & Urban Development Deptt., Govt. of Maharashtra. The cost of the project is reported as Rs.20.84 crores. The Urban Development Deptt., GoM stated that the plot under reference falls in CRZ-II and is on the landward side of existing road. Since, this type of construction is permissible activity and investment is more than Rs.5 crores, it was decided to forward the proposal to MoEF.

- Item 7: Proposed construction of bungalow on plot bearing C.T.S.No.997 and 997-A Village Juhu, Mumbai**

Municipal Corporation of Greater Mumbai submitted the proposal through the Urban Development, Govt. of Maharashtra in respect of proposed construction of a bungalow on the plot bearing CTS No.997 & 997-A of Village Juhu, Mumbai. The plot under reference falls in CRZ-II and stated to be on the seaward side of existing Juhu Tara Road. Therefore, an imaginary line will have to be drawn, connecting existing authorized buildings near to the proposed plot under reference. Members wanted to know the exact location of authorized structures in the said area. Total cost of the project is Rs. 14.58 Cr. Chairman, MCZMA pointed out that original footprint i.e. existing structure will have to be taken into consideration and footprint should not be extended on the seaward side. Shri Ramanand Tiwari, Addl Chief Secretary, Urban Development Deptt., GoM opined that the Authority should ensure that the proposed construction should not go beyond imaginary line drawn up from the

existing authorized structures and no extension should be allowed towards seaward side. MCGM is the appropriate Authority to ensure the compliance of the conditions being imposed in the CRZ clearance.

With above observations, the proposal was approved by the Authority for forwarding the same to the MoEF since the total cost of the project is exceeding Rs. 5 Cr.

Item 8: Proposed Re-Development of Property bearing C.S.No. 1/47, 2/47, 117, 118, 119, 120 & 121 of Lower Parel Division situated at 75, Dr. Annie Besant Road, G/South Ward, Worli, Mumbai.

The Proposal was considered in respect of redevelopment of property bearing C.S.No.1/47, 2/47, 117, 118, 119, 120 & 121 of Lower Parel Division situated at 75, Dr. Annie Besant Road, G/South Ward, Worli, Mumbai. MCGM submitted this proposal through the Urban Development Department and Environment Department, Govt. of Maharashtra. The estimated expenditure of the redevelopment is shown about Rs. 11 Cr. MHADA has given NOC for the proposed redevelopment of the property.

The plot under reference falls in the CRZ-II area and is located on the landward side of the existing road. It was decided to recommend and forward the proposal to MoEF since the project cost is more than 5 Crores.

Item 9: Proposed redevelopment of the property known as Palmera Co-Op.Hsg. Soc. Ltd. bearing C.S. No. 352 of Malabar Hill Division situated at 16, Narayan Dabholkar Road, D Ward, Mumbai.

MCGM submitted a proposal in respect of redevelopment of the property known as Palmera Co-Op.Hsg. Soc. Ltd. bearing C.S. No. 352 of Malabar Hill Division situated at 16, Narayan Dabholkar Road, D Ward, Mumbai. The proposal is scrutinized by the Urban Development Department and the Environment Department, Govt. of Maharashtra. The estimated cost of reconstruction is Rs. 9,26,83,400/- The land under reference is on the landward side of an existing road in CRZ-II area.

Authority considered the proposal and decided that the proposal can be forwarded to the MoEF for further consideration subject to the condition that the FSI existed as on 19/02/1991 will only be allowed. The proposal will be forwarded to MoEF only after receipt of documentary evidence from the project proponent regarding existence of road indicating that the property in question is located on the landward side of the said road.

Item 10: Request to realign the CRZ boundry from the property bearing CTS No. 7 of village Borivali being situated at Gorai Road, behind Gokhale Collage, Borivali.

M/s. M. M. Corporation, the builders and developers approached to the Authority, seeking permission to re-delineate HTL on the plot bearing CTS No. 7 of village Borivali being situated at Gorai Road, behind Gokhale College, Borivali. It is their contention that the HTL demarcated by the Chief Hydrographer was not proper as compared to the physical status of the site.

The applicant was allowed to approach National Institute of Oceanography, Goa for re- delineation of HTL. NIO submitted its report on the basis of a survey carried out in October, 2004, stating that 90% of the plot area is cultivated for vegetable and located within the periphery of approved developed roads on two sides. The plot under reference fulfills the criteria of CRZ-II classification and can be classified accordingly.

The Urban Development Department, Govt. of Maharashtra stated that as per existing CZMP approved by the MoEF, the said property falls partly in CRZ-I and partly in CRZ-II. MCGM informed the Authority that the land under reference is entirely reserved for public purpose of garden under the sanctioned revised development plan for 'R' Ward. The proposal is forwarded by the MoEF, Govt. of India vide letter dated 25/11/2005 to the Authority for necessary comments.

It was decided that a sub committee of Members (Dr. Chaphekar, Dr. S.K. Gupta and Dr. Boralkar) will visit the site and present the report before the Authority. In the meantime, the Project Proponent will make available superimposed location map on large scale to the Committee members.

Item 11: Priyadarshini Park and Sports Complex at Nepeansea Road, Mumbai: Providing protection to the coastal area.

Inspection report by sub committee was placed on the table. Dr. Chaphekar suggested that while providing protection to the Coastal area, the slop shall be given in such a fashion that blocks/boulders are properly stabilized. It was also made clear that the permission can be granted for providing protection to the existing reclaimed area by putting proper boulders, provided that boundary wall is constructed before the boulders are placed. Since the expenditure involved is less than Rs.5 Cr., it was decided to grant necessary permission under intimation to the District Collector, Mumbai.

Item 12: Development of children's garden adjoining Amar Sons Garden, Mumbai.

Inspection report by sub committee was placed on the table. It was informed that M/s. Bhulabhai Desai Citizens Forum proposed to develop the plot under reference as Children's Garden. The land is 2.5 acres facing sea. It is adjoining the existing Amar Sons Garden. Land belongs to the Forum. The Collector has already granted permission to develop the garden. During the visit, land was found well leveled with soil and no work was being done.

The proposal was considered and permission was granted to develop the Garden on the plot of 2.5 acres facing sea and adjoining Amar Sons Graden. Project Proponent will ensure that there will no reclamation and expenditure shall be less than Rs.5 Cr.

Meeting ended with vote of thanks to the Chair.

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