

**MINUTES OF THE 42nd MEETING OF MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY HELD ON 30th January, 2008**

The following were present

The Secretary, Environment Department, Mantralaya, Mumbai-400 032	Chairman
The Addl. Chief Secretary, Urban Development Department Mantralaya, Mumbai 400 032.	Member
Municipal Commissioner, Municipal Corporation of Greater, Mumbai	Member
Secretary (Fisheries), Agriculture & ADF Department, Mantralaya, Mumbai 400 032.	Member
Shri Mohan Dharia President, Vanrai Pratistan, Pune	Member
Dr. S. B. Chaphekar, Laxmi Niketan, 1st floor, 14, Thus Wadi, Thakurdwar, Mumbai 400 002.	Member
Dr. Dilip Kumar Director, Central Institute of Fisheries Education, Mumbai	Member
Dy. Secretary (Tech.) Environment Department, Mantralaya, Mumbai 400 032.	Member Secretary

Addl. Chief Secretary (Rev.), Secretary (Industries), Dr. S. K. Gupta and Dr. Leela Bhosale Members of Maharashtra Coastal Zone Management Authority were absent.

Item No. 1 : Confirmation of the minutes of the 41st meeting held on 13th November, 2007.

No modifications or objections has come from any of the 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 actions in respect of decisions taken in the last meeting of the Authority were noted.

Item No 3 : K.Arch Architect, Mumbai regarding development of plot No. CTS No. G/341, F.P. No. 82/39, Santacruz TPS Scheme No. 2, Village Danda Khar, Mumbai

Chairman, Maharashtra Coastal Zone Management Authority explained the case in brief. The case was discussed earlier in the MCZMA meeting on 19/11/2006 when the Authority postponed the matter and now it is again placed in this meeting.

In short, the then Member Secretary, MCZMA reclassified the plot from CRZ to non-CRZ considering the sea as a creek and directed Chief Engineer (DP), Municipal Corporation of Greater Mumbai to grant necessary development permission for development of the said plot.

Hon. Member Shri. Mohan Dharia expressed his displeasure about the decision taken by the then Member Secretary, MCZMA on his own without the approval of the MCZMA. He further stated that the matter should be inquired into. Commissioner, MCGM and Secretary (fisheries) also agreed with the views of Shri Mohan Dharia.

It is suggested by Shri Dharia that, Satellite mapping should be carried out for entire coastal belt in order to locate exact locations. It will be suitable for the project proponents to identify the land for his activity which are permissible as per the CRZ Notification. Chairman informed that satellite images are being used for implementation of the CRZ Notification.

The Coastal Zone Management Plan of Mumbai was approved by MoEF on 19/01/2000 on basis of the demarcation made by Chief Hydrographer, Deharadun and as per the rule, any change or deviation in Coastal Zone Management Plan should be approved by MoEF. In this case, there is a change in the approved Coastal Zone Management Plan by considering sea as a creak near Khar Danda, Mumbai.

Therefore it is decided that the entire case should be referred to MoEF along with the site visit report of the MCZMA members for taking necessary decision in the matter and whether the development permission for other three cases may be granted on the similar lines as granted in the case of K Arch, plot no 82, CTS No. G/341, Santacruz Village Danda or otherwise.

Item No. 4 : Proposed S.R. Scheme on plot bearing C.T.S. Nos.7627, 7627/1 to 825, village Kole-Kalyan, Vakola, Shivaji Nagar, Santacruz (East) for Om Namó Sujalam Suflam Co-op. Hsg. Soc. Ltd.

Representative of Slum Rehabilitation Authority explained the case along with the maps. The Hon. High Court in WP No. 2269/2001, Notice of Motion No. 655/2006 filed by Om Namó Sujlam Suflam Co-op. Hsg. Soc. v/s SRA, directed the MCZMA to take decision regarding the construction of transit camp in the CRZ area and the area attracted by Mithi River Development.

The Authority discussed the issue and decided that tolerated structure should be treated as authorized structure for granting the permission for only temporary transit camp subject to the condition that the said transit camp structures shall be removed/demolished after the regular building is constructed as per the approved plan of MCGM and as per the approved CZMP of Mumbai. This approval of temporary transit camp can not taken as reference as a authorized structure for redevelopment / reconstruction before or after the demolition of the temporary transit camp structures.

Item No. 5 : **Letter from Dr. Leela Bhosale regarding comments on minutes of 41st meeting of MCZMA held on 13.11.2007.**

Dr. Leela Bhosale, member of the MCZMA submitted comments regarding mangroves plantation in CIDCO area. The Authority noted the comments and it is decided that CIDCO Authority should consider the comments of Dr Leela Bhosale while implementing the program of mangroves plantation. It is decided that the comments be sent to CIDCO for necessary action. It is further decided that the proposal for International Airport in New Mumbai should be recommended to MoEF with a condition that double the area be planted with mangroves against the area proposed for mangroves destruction. Also appropriate clearance of the Hon'ble Court be taken by CIDCO as per order dated 6/10/2005 in WP 3246/2004. .

Item No. 6 : **Application for approval under CRZ Regulations for Pedder Road Viaduct.**

The representative of MSRDC made a power point presentation of the project. The project proponent proposed to construct viaduct form Haji Ali to Vallabhai Pant

Chowk along the Pedder Road in order to relieve the existing road from frequent traffic congestion and to reduce air and noise pollution.

It is decided to give in principle approval with a condition that MSRDC should conduct a public consultation and then approach to the Authority along with report.

Item No. 7 : **Proposed residential sale building No. 1 on F.P. No. 1194 & 1197, TPS IV of Mahim Division situated at Kashinath Dhuru Road, Dadar (West), Mumbai 400 026.**

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 8 : **Proposed redevelopment of property bearing C.S. No. 1/680 of Malbar and Cumbala Hill Division.**

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 9 : **Proposal for reconstruction of the property situated at C.S.No. 4/593 and 3/593 of Malbar Hill Division, Nepean Sea Road, Mumbai.**

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 10 : Development permission on plot No. 1406 and 1409 and plot No. 9 &

10, Dahisar, Borivali.

This is a proposal referred by the Urban Development Department to the Authority for granting permission to the hospital as well as Math Mandir in CRZ area. As per the approved Coastal Zone Management Plan, the hospital building is on the landward side of HTL and the proposed D.P. Road as shown in the D.P. as on 19.02.1991. The representative of the proponent Shri Subramanian explained the case and submitted that the area is fully developed and MCGM approved the building plans in may 1996 and Nov. 1998 for hospital and math mandir respectively and construction started accordingly. However MCGM after receipt of the approved CZMP on 19/1/2000 informed to the developer that the area is affected by CRZ and necessary permission should be obtained as per the CRZ notification. Since the sites are on the land ward side of the proposed D.P. Road so it is decided to approve the construction of Hospital & Math Mandir.

Item No. 11 : CRZ clearance for proposed residential (staff quarters) Building for Indian Oil Corporation Ltd. on plot No. R-7 & R-8 in E block of Bandra-Kurla Complex.

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 12 : Complaint against change in survey while preparing CZMP of Thane District by CESS & Thane Municipal Corporation.

The representative of Thane Municipal Corporation (TMC) and Shri Ravi Rao, a Corporator of TMC who is the complainant in the matter were present. Shri Rao explained his grievances and complained regarding deletion of a large area from the survey carried by CESS Authority in 2002 and in the survey done in 2005. He pointed out that there is difference between the survey report of 2002 and 2005 conducted by the CESS and therefore approx. 90 hectares of land is excluded from CRZ area and has been classified as non-CRZ. He informed the Authority that Vidya Prasarak Mandal college has made extension in the present building by reclaiming the land under mangroves.

The Authority considered the issue and decided that -

1) Re-survey of the area under dispute should be carried out with reference to HTL and LTL by Chief Hydrographer, Dehradun. The cost of re-survey should be borne by Thane Municipal Corporation.

2) The Thane Municipal Corporation shall be directed not to grant permissions or refer the cases of new development permissions in controversial area (details survey numbers given in the complaint) to the Environment Department through Urban Development Department.

Item No. 13 : Proposed additions & alterations and change in activity i.e. shopping centre to I.T.user in existing building bearing C.S.No. 14/738 and 15/738 of Malbar Hill and Cumballa Hill Division at 28, Pt. Madanmohan Malviya Road, Tardeo, Mumbai.

The matter was discussed in details. Presently, the existing building is in commercial use and it is proposed to change it to I. T. Use. The plot is in the industrial

zone as per the D.P. of MCGM. The developer will not make any structural changes in the present building but only the interior will be changed according to I. T. Use.

The Authority decided to grant permission to change from Commercial use to I. T. Use subject to the condition that no structural changes will be made in the present building.

Item No. 14 : Proposed redevelopment of the existing building No.2 to 9, D.N.Nagar, on plot bearing C.T.S.No.195(Pt) of Village Andheri, D.N.Nagar, MHADA Layout, Andheri (West), Mumbai for New D.N.Nagar Housing Societies Union Ltd.

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 15 : Proposed building on plot bearing CTS Nos.924 & 924/I, Village Juhu, at Juhu Road, Vile Parle (West).

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 16 : Permission for development on property bearing CTS No.B/870b of Village Bandra at Kane Road, Bandra (West), Mumbai.

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend to the Ministry of Environment and Forest, Government of India.

Item No. 17 : Allocation of land for the proposed burial ground at Mumbra to M/s.Darul Uloom Ashrafiya Garib Navaz Trust, Bombay Colony, Ashraf Nagar, Mumbra, Dist. Thane.

The matter discussed in detail. This is a proposal for reclassification of CRZ I area to CRZ II. This land is required for burial ground to M/s.Darul Uloom Ashrafiya Garib Navaz Trust, Bombay Colony, Ashraf Nagar, Mumbra, Dist. Thane.

It is decided by the authority that Chairman should organise a visit to the site for the Committee Members.

Item No. 18 : Approval for carrying out development and beautification of Seaside Promenade at Haji Ali...

The proposal was discussed in the Authority meeting. The cost of the project is more than Rs. 5.00 Crores so it was decided to recommend the proposal to the Ministry of Environment and Forest, Government of India.

Misc. Item : The proposal for development of residential building on CTS 1072 and 1072/4 Village Versova, Taluka Andheri was discussed in the 49th meeting held on 22/10/2007. It was decided that Authority should visit the site and verify the authorised structure on both sides of the plot.

Accordingly Chairman MCZMA along with Dr. Chaphekar and Member Secretary visited the site and submitted the report. The team verified the facts that the proposed construction is on the landward side of the imaginary line drawn parallel to HTL joining the adjoining structures on plot No. 1072/6 and City Survey No. 1070. Both the Structure are constructed prior to 1991.

The team verified the above fact and the Authority decided to approve the case and send recommendation to Urban Development Department for grant of permission as the cost of the project is less than Rs. 5.00 Cr.

The meeting ended with a vote of thanks to the chair and all the members of the Authority present were thanked by the Chairman.
