

**Minutes of the 59<sup>th</sup> Meeting of Maharashtra Coastal Zone Management Authority  
(MCZMA) held under Chairmanship of Secretary (Environment) on  
14<sup>th</sup> January 2010 at Mantralaya, Mumbai**

List of the members present at the meeting is enclosed as **Annexure-I**.

Principal Secretary, Urban Development Department, Mantralaya; Principal Secretary (Fisheries), Agriculture & ADF Department, Mantralaya; Additional Chief Secretary (Revenue), Mantralaya; Municipal Commissioner, Municipal Corporation of Greater Mumbai; President (Vanarai Pratishthan); Dr. (Mrs.) Leela J. Bhosale (Botanist), Dr. S. B. Chaphekar (Botanist) and Dr. S. K. Gupta, Department of CESE, IIT, Powai, Mumbai could not attend the meeting. The meeting was adjourned for 30 minutes for quorum.

**Item No. 1: Confirmation of the minutes of the 58<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority held on 4<sup>th</sup> December 2009**

The minutes of the 58<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority were confirmed by the Authority without any modifications. It was unanimously agreed to introduce 'Coastal Conservation Fund' and all the applications placed before this meeting of the Authority and onwards shall be charged as below:

Investment cost	Charges
Upto Rs. 1 crore:	Rs. 50,000/-
Rs. 1 to 5 crores:	Rs. 1 Lakh
Rs. 5 to 50 crores:	Rs. 2 Lakh
Rs. 50 crores onwards:	Rs. 5 Lakh

Necessary office orders will be issued by the Chairman of the Authority separately, in this regard.

**Item No. 2: Action taken on the decision taken in the 58<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority held on 4<sup>th</sup> December 2009**

Follow-up actions in respect of decisions taken in the previous meeting of the Authority were noted.



**Item No. 3(a):** Regarding considered reclassification proposals in Khardanda Region, Mumbai (forwarded by MCZMA) in 18<sup>th</sup> meeting of NCZMA held on 15<sup>th</sup> September 2009

**Item No. 3(b):** Regarding considered proposal for 'deletion of plot bearing CTS No. 195(pt) of Village Andheri, Mumbai for M/s. Vaidehi Akash Housing Pvt. Ltd. in K/West Ward' (forwarded by MCZMA) in 18<sup>th</sup> meeting of NCZMA held on 15<sup>th</sup> September 2009

The matters (a) and (b) were placed before the Authority for consideration as per the directions of NCZMA. Authority noted that, as NCZMA agreed to consider the setback line of 150 meters for the creek earlier and the same is mentioned in the reports of NIO, Goa, MCZMA directed MCGM to draw CRZ boundary setback line of 150 meters from HTL of creek, as approved by NCZMA, for the area abutting the creek as per the limits of the survey carried out by authorized agency. However, retaining the original 500 meter setback line of HTL of sea, MCGM prepared and submitted CRZ setback line around the creek depicting CTS No. falling in 500 meter setback line of sea, 150 meter setback line of creek, CTS No. partially affected by CRZ set back line etc. MCZMA also noted the presence of sparse mangroves at the mouth of creek. Considering the sensitivity of the area, MCZMA decided to consider stringent setback line of 150 meters around the creek area.

The status of the survey numbers from the area on which redevelopment proposed and recommended by MCZMA to MoEF and NCZMA considering the 150 meter setback line is as given below:

CTS No./ Plot No.	In CRZ-II (150 m setback line): Partly/ Completely	In non-CRZ
G/626, G/164A(pt) & G/164B	G/164A (pt)	G/626 & G/164B
G/624/3	-	G/624/3
E/12	-	E/12
G/617	-	G/617
C/86-18	-	C/86-18
G/406(pt) & G/628	-	G/406(pt) & G/628
G/616	-	G/616

Authority also noted that almost all CTS No. under the area beyond 150 meters setback line of creek are developed. MCZMA also felt that, plots other than above and as shown in the CRZ of creek area setback line, partially affected by CRZ of creeklet



setback line and originally affected by 500 meter CRZ setback line of sea should be verified by MCZMA on case to case basis as per the decision given by NCZMA/ MoEF in earlier case in the year 2003 and should be regulated by CRZ Notification, 1991 appropriately subject to the approval of MoEF. All CTS Nos. are shown on the attached Development Plan.

Authority after discussion decided to recommend the matter to MoEF/ NCZMA for further appropriate decision and acceptance as above.

**Item No. 3(b):** Authority noted that MoEF and NCZMA on the basis of court directions considered the proposal of deletion of the CTS No. 195(pt) of Village Andheri from CRZ area in its 18<sup>th</sup> meeting held on 15.09.2009 and directed MCZMA that "since demarcation by both authorized agencies viz. NIO and CESS apparently confirms that the plot falls beyond 500 m from HTL, MCZMA may consider the above HTL demarcation for the entire area in light of other relevant maps and documents and if so concluded proposal, to delete the plot from the purview of CRZ and send a comprehensive plan and proposal for the area to NCZMA". As per these directions, MCZMA directed Municipal Corporation of Greater Mumbai to compare the surveys carried out by CESS, Thiruvananthapuram and NIO, Goa for Plot No. 195(pt) and inform the status of the plot with regards to CRZ as per setback line shown by CESS/ NIO surveyed for the said plot areas. Authority noted that corporation vide letter dated 12.01.2010 sent a report along with Development Plan superimposed on setback line shown by CESS and NIO with conclusion that said plot now can be deleted from CRZ point of view. Authority also noted that Corporation has also shown CTS No./ Plot No. on the Development Plan indicating their status i.e. affected by CRZ, partially affected by CRZ and beyond the setback line of CESS and NIO from the area.

After deliberation and discussions authority decided to accept and recommend deletion of the plot number 195(pt) of Village Andheri for M/s. Vaidehi Akash Housing Pvt. Ltd. from CRZ point of view as directed by NCZMA and shown by MCGM on Development Plan sheet as per CESS/ NIO survey and communicate the same.

Authority decided to recommend the Development Plan sheets with superimposed CESS/ NIO setback lines and HTL indicating CTS No. from the area surveyed to NCZMA for further necessary action. Authority also noted that, survey carried out by NIO and CESS is limited to the area of plots surveyed i.e. for M/s. Ruchita Developers and M/s. Vaidehi Akash Housing Pvt. Ltd. HTL in the area is not linear and uniform along the surveyed area. It is also noted that mangroves along the backwater/ creek and Irla nalla is not reflected in the map submitted by Corporation. Hence, area



resurveyed by CESS and NIO can only be recommended to NCZMA for acceptance and necessary change. However, authority also decided that considering the sensitivity of the area other plots affected by CRZ, partially affected by CRZ/ Non-CRZ be verified by authorized agency and MCZMA at the time of development from CRZ point of view, on case to case basis, if approved by MoEF.

**Item No. 4:** Regarding the development in CRZ-III areas of Alibag District- Raigad.

Authority considered the issue and after discussion noted the following.

- 1) There are complaints of violation of CRZ norms while developing the plots in Rural & Urban areas.
- 2) Authority noted that most of the Municipal councils are having Coastal Zone Management Plan in the scale of 1:5000 showing all the CTS numbers on it along with land use indications.
- 3) Authority noted that there are court cases in the Raigad District for alleged violations of CRZ norms. In one case court has directed District Collector to carry out survey of Alibag area. Collector survey reported violations of CRZ norms.

Authority after deliberation decided to direct all Municipal Councils/ Corporations, Collector & Town Planning authorities as follows:

1. The area upto 200 m from the HTL is "No Development Zone", hence no construction shall be permitted within this zone except for repairs in authorized structures and activities such as agriculture, horticultures, Gardens, Pastures, Parks, Playfield and forestry.
2. The activities may be permitted such as Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads. Facilities for water supply, drainage, sewerage; which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State. Construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of the notification.
3. With prior approval of MoEF, New Delhi, Development of vacant plots can be permitted between 200 to 500 m from HTL in CRZ-III areas for Construction of hotel/ beach resort for temporary occupation of tourists/ visitors subject to the conditions as stipulated in the guidelines at Annexure-II.



4. Construction/ reconstruction of dwelling units between 200 to 500 m from HTL can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and Gaothons.
5. Permission for the said construction/ reconstruction between 200 to 500 m from HTL will be subject to the condition that the total no. of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33% of the plot size, the overall height of construction shall not exceed 9 meters and construction shall not be more than 2 floors ground floor plus one floor.
6. Construction is also allowed for the permissible activities under the notifications including facilities essential for agriculture and allied operations such as agriculture research, agricultural education, dairy farms, cattle raising, nurseries, forestry etc. and horticultures, Gardens, Pastures, Parks, Playfield, forestry and other such activities.
7. Permission can also be given for construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The construction of schools and dispensaries, for local inhabitants of the area may be permitted for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.
8. Reconstruction / alterations of an existing authorized building permitted subject to (i) to (iii) of Notification.
9. As per the CRZ Notification, 1991 (amended time to time) the proposals having cost more than Rs. 5 Crores will be sent to MoEF for prior permission, and the proposals with investment less than Rs. 5 crores should required permission of MCZMA.
10. To make the process people friendly, transparent, fast and for speedy disposal of cases Municipal Councils & Corporations having CZMP in the scale of 1:5000 should submit the proposal before State Government for permission to reconstruct/ redevelopment and alterations and new constructions directly.
11. Municipal Councils can send applications through email also.
12. Assistant Director Town Planning or Collector of the concerned area can send proposals from rural areas (other than municipal Councils and Corporations) to State Government / Authority for processing the proposals from CRZ point of view.

A handwritten signature in black ink, appearing to be 'R. R. R.', is written over a horizontal line. The signature is cursive and somewhat stylized.



13. Permission for Repair and strengthen of the existing authorized structures of prior to 19.2.1991 can be permitted by municipal Commissioner or Chief Officer for Urban local bodies since notifications is silent on the issue.
14. As per the approval condition to CZMP of Maharashtra No Development Zones in CRZ areas of Municipal Council or rural areas shall be considered as CRZ-III. However, activities permissible in no development Zone as per DCR existing in implementation on 19.2.1991 will be permissible.
15. As per the powers delegated to District Collector under Environment (Protection) Act, 1986 for taking cognizance, District Collector is empowered to act upon all violations of provisions of CRZ Notification of 19.02.1991 notified under Environment (Protection) Act and can take necessary measures to remove encroachment, if any, in CRZ areas and mangroves including matters related to the restoration.

**Item No. 5:** Regarding CRZ clearance for proposed establishment of car depots at Charkop and Mankhurd along with alignment of 32 km through Mahim Creek, Mithi River and Vakola Nalla, Mumbai under Mumbai Metro Rail Project by MMRDA

Officer of the MMRDA requested to recommend the proposal to MoEF again considering the benefits of implementing the Metro Project; the necessity of the project for public at large in reducing the burden of traffic and minimize the pollution. Authority after discussion noted that project was already recommended to MoEF for clearance in the 56<sup>th</sup> meeting of MCZMA. It was also noted that MoEF Expert team visited the proposed site.

He informed that the Charkop-Bandra-Mankhurd Corridor is second corridor providing North-South and West-East connectivity in Greater Mumbai covering length of 31.871 km. Government of Maharashtra has accorded approval for the projects vide GR No. MRD-3306/ 2294 /CR-72 /UD-7 dated 14<sup>th</sup> November 2006. Mumbai Metropolitan Region Development Authority is the implementing agency for the project. It consists of 27 stations. As per the traffic forecast, daily boarding will be 12.75 Lakhs, 18.77 Lakhs and 22.16 Lakhs in the years 2011, 2021 and 2031 respectively. This project is being implemented on BOT/ PPP basis. Govt. of India has already accorded approval for Rs. 1532 crores as viability gap funding for this project. Two maintenance depots are proposed at Charkop and Mankhurd with area requirement of 19.69 Ha and 24 Ha partly in CRZ-I, II, III and No CRZ areas. These depots are crucial for the operation and



maintenance of rakes which include stabling lines, inspection shed, heavy repair & maintenance workshop, minor repairs, cleaning of rolling stock, operational & functional safety requirements, ancillary buildings, operational control center, power supply, distribution, water supplies drainage, sewerage etc. Authority noted the vast benefits of the project to decongest heavily crowded roads of Mumbai and also noted the non-feasibility of 8 No. of alternate locations analyzed by MMRDA and deliberated in Maharashtra Coastal Zone Management Authority in its 49<sup>th</sup> Meeting held on 24.02.2009, 51<sup>st</sup> meeting held on 24.04.2009, 56<sup>th</sup> meeting on 24.08.09. MCZMA also noted the minutes of 78<sup>th</sup> and 82<sup>nd</sup> meeting of EAC, MoEF, GoI, New Delhi.

The Additional Metropolitan Commissioner, MMRDA further informed that on 22.12.2009 EAC members visited the Charkop Car Depot site and officials of MMRDA explained the site constraints, which were appreciated by them. MMRDA has agreed to the following suggestions of EAC members:

1. Depot layout to be designed on stilt keeping sufficient clearance below the tracks for mangroves growth.
2. Pier locations/ spacing to be adjusted such that either Nil or minimum destruction of mangroves will be effected. Compensatory afforestation proposal to be submitted. Mangrove area to be clearly marked in the depot layout.
3. Effluent generations activities workshops etc. will be relocated in Non CRZ area.
4. Adequate care to be taken for natural flow of water in nallas considering high tide to avoid flooding in near by areas during monsoon.

He also informed that, copy of Depot layout plan, Google map and mangrove map were given to EAC members during the site visit.

Considering the vast benefits of implementing the Metro Project, the necessity of the project for public at large in reducing the burden on traffic and minimizing the pollution and technical difficulties explained by Project Authority to relocate the depot to other locations, MCZMA after deliberations decided to once again recommend the project strongly and clearly to MoEF for CRZ clearance with the following conditions:

1. Authority suggested that feasibility of developing proposed car depots on stilts may be carried out to minimize the damage to the mangroves and effluent generation activities and workshop activities, etc., should be relocated in non-CRZ areas to avoid coastal pollution.



2. Authority also noted that mangroves area of the proposed activity is affected by order of Hon. High Court of Mumbai in case of W.P. No. 3246/ 2004 and 87/ 2006 and hence, permission of the same should be obtained through Notice of Motion prior to the commencement of the work on ground.
3. Proposed site also appears to be affected by declared mangroves forest and permission of Forest Department will be needed.
4. Compensatory mangroves plantation, if approved by MoEF, should be carried out as per proposed ecological and conservation zone developed by MMRDA at Manori, Gorai, Uttan region before implementation of the project.
5. MMRDA should not carry out any reclamation of land for the proposed activity since it is prohibited activity as per CRZ Notification, 1991 and all activities in the proposed project should be as per the provisions of CRZ Notification, 1991 amended time to time.
6. Proper rehabilitation of the project affected people should be done as per approved policy of Govt. of Maharashtra.

**Item No. 6: Construction of proposed Dombivali-Mumbra Road**

Matter was considered by the authority and directed officer of the MMRDA to submit details additional information, as it was not available with him before the next meeting. List of the required information was given to him. Authority decided to defer the matter.

**Item No. 7: Regarding application for permission to set up an Agricultural Research and Education Centre at Vengurla, submitted through Chief Officer, Vengurla Municipal Council, Vengurla**

Proposal was considered by the Authority and after discussion Authority noted the following:

1. As per the proposal submitted by Chief Officer, Vengurla Municipal Council, the owners of the land Mr. Prashantkumar G. Tewari and Ms. Leena Gandhi Tewari proposed to set up an Agricultural Research Centre at Vengurla on CTS No. 72. The proposed area under consideration is 67330 sq. mtrs. and it is in the Municipal Limits of Vengurla Town. Presently as per 7/12 extract land is used for agriculture. As per the report of Chief Officer, Vengurla Municipal Council this area is underdeveloped and relatively undisturbed except for one Light House of





- Government of India. Further, it does not have infrastructure facilities, such as water supply, road, drainage and sewage mains.
2. As per the Development Plan of Vengurla sanctioned in the year 1976, i.e. in force on or prior to 19.02.1991 the proposed area falls under No Development Zone. The activities proposed to be carried out on the CTS under consideration falls within the permitted activities in No Development Zone.
  3. Mainly following agriculture related activities are proposed:
    - (a) Plantation of mango, coconut, cashew and other fruit bearing plants ornamental garden, Green house, nursery on the whole agricultural land along with residence and guest house for scientists.
    - (b) Rooms for workers and storage room for agricultural products and tools
  4. Permissibility as per D.C. Rules existing and in implementation on 19.2.1991: The activities proposed under the Agricultural Research and Education Center falls within the permitted activities under Development Control Rules applicable to 'B' class Municipal Councils and which was existing prior to 19.2.1991. The permitted activities in No Development Zone as per DCR are as under: "Any use or development of land connected with the carrying out of agricultural and allied operations including horticulture, poultry keeping, dairy farms, cattle raising, piggeries, agricultural research and agricultural education."
  5. Government of India vide letter dated 27.09.1996 and 19<sup>th</sup> January, 2000 approved the Coastal Zone Management Plan of Maharashtra. As per the condition No. 13 of the same, "the area within the Municipal Limits which have been classified under No Development Zone/ Green Zone are classified as CRZ-III." Therefore, as per the report of Chief Officer, Vengurla, Survey Nos. under consideration is in No Development Zone and hence falls in CRZ-III as per the Coastal Zone Management Plan of Maharashtra approved by Government of India.
  6. As per the Annexure-I of CRZ Notification of MoEF dated 19.02.1991, "Areas that are relatively undisturbed and those which do not belong to either Category-I or II as defined in the Notification, these will include coastal zone in the rural area (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up are considered as CRZ-III." As per the above survey numbers under consideration are in CRZ-III, and not in CRZ-II.



7. Proposed survey nos. under consideration are in between 200 to 500 m of CRZ-III area. As per the Rule (iii) of Annexure-I for CRZ-III areas of the CRZ Notification, 1991, construction is allowed for permissible activities for traditional rights such as agriculture and allied activities. Proposed activities in the instant case involve plantation of coconut, mango, cashew and other fruits with irrigation system. The Agricultural Research Centre involves construction of laboratories, storage facility for agricultural products and tools, greenhouse and nursery, guesthouse for agricultural scientists and horticulturists.
8. Since all proposed activities are traditional rights of the local farmers and also permissible in DCR which was existing on 19.2.1991 and also allowed as per the No Development Zone as per the Development Plan prior to 19.2.1991. These activities are also allowed in between 200 meter to 500 meter of CRZ-III areas as per CRZ Notification.
9. Proposal involves investment less than Rs. 5.00 Crores. As per the Rule 3(2)(v) of CRZ Notification activities involving investment of less than five crore rupees shall be regulated by the concerned authorities at the State.

Considering the above, Authority after deliberation decided to accord clearance from CRZ point of view for the proposed agricultural and allied activities subject to the following conditions:

- (1) Agriculture land use will only be allowed and no change in land use allowed.
- (2) All agriculture related activities viz. plantation of horticulture plants, Green house, Nursery and infrastructure for agriculture research centre should be carried out as per Development Plan and D.C. Rules which were existing and in implementation as on 19.2.1991.
- (3) FS. of 0.33 will only be allowed for construction of infrastructure and Guest house, rooms etc. related to and essential for agricultural research and allied activities permissible as per Development Control Rules in the area in between 200 m to 500 m of CRZ.
- (4) No other commercial and industrial use will be permitted on the survey number under considerations.
- (5) No Development will be allowed in between HTL to 200 meter of CRZ area. Owner should not develop or use this area for any purpose without permission of MCZMA. Change in natural landscape will not be allowed.



- (6) The clearance granted shall be valid for a period of five years for the commencement of the construction or operation.

**Item No. 9:** Regarding CRZ clearance for proposed Ship Building and Ship Repair Project at Village Kurul, Taluka Alibag, District Raigad by M/s. Konkan Barge Builders Pvt. Ltd.

Authority considered the project and as per the presentation Authority noted the following:

1. The proposed project consisting of Ship Repair and Ship Building facility will comprise of following:
  - Wet berth/ jetty of size 160 m X 12 m berthing facilities for ships visiting the base for repairs.
  - A slipway of length 195 m X 20 m with declivity of 1 in 15 is considered for the ships envisaged for repairs.
  - Workshops to support the ship repair works.
2. Ships of < 100 m length shall berth for repairing. There will be provision of suitable storage space for ship repair stores and warehousing for materials. POL storage will be undertaken in underground cylindrical steel tanks. The ship repair facility will have ship repair slipway and wet berth. The wet berth will have following facilities: pipe shop, fitting & machine shop, electrical shop, painting store, facility for maintenance and fire safety, office block.
3. The ship building facility will be comprised of following: steel stock yard, steel preparation bay, plate forming, shed of fabrication, unit assembly area, ship building slipway, wet berth, store blocks, amenity block, office block, QA & outfit control office.
4. Following mechanical handling equipments will be used for the proposed project: Gantry crane, tyre mounted crane, mobile crane, forklift trucks etc.
5. As per the submitted application, total investment cost for the proposed project is Rs. 56 crores.
6. The proposed project site admeasuring about 8.5 acres is located at Village Kurul, Taluka Alibag, District Raigad; which is located 1.5-2 km from the open sea. M/s. Konkan Barge Builders Pvt. Ltd. has planned to set up a Ship Repair and Ship Building facility at the said location. This is an expansion and modernization of existing similar facility. The site was established as Shipyard in the year 1975 along the Nagaon Creek at Kurul Village near Alibag. Few



buildings have been constructed along the creek in the first phase and there is also a slipway. Nine barges were constructed and commissioned here for Mazgaon Shipyard Pvt. Ltd. Later due to some problems the yard was inactive for a while. Now it is proposed to revive and expand this Shipyard. Maharashtra Maritime Board (MMB) has given permission for the revival of the yard.

7. The available plot area needs to be augmented by reclaiming about 8200 sq. m. on the waterfront in order to accommodate the proposed facilities. There will be 2.5 m dredging adjacent to the extended waterfront.
8. As per the survey report of NIO, Goa for the proposed project site, the proposed land facilities area is bounded by compound wall with some permanent structures. Very sparse mangroves are noticed between HTL and LTL in proposed area. On either side of the proposed area, mangroves of about 30 cm height were noticed over most of the area. The area proposed for Shipyard in the creek is not having any mangrove patches.
9. As per the CRZ Notification, 1991 (amended from time to time), expansion of port harbors, construction of jetty, wharves, quays, slipways are permissible in CRZ areas except in CRZ-I (i) area.
10. The activities directly related to waterfront or directly needing foreshore facilities are permissible as per the CRZ Notification, 1991. As per the clause No. 3 (1) of the CRZ Notification: "Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires waterfront and foreshore facilities".

As the investment cost is more than Rs. 5 crores, prior permission of MoEF will be required for the proposed project. After deliberations, Authority decided to recommend the proposal to MoEF for further necessary action subject to the following condition:

- (a) No mangroves shall be cut during construction and operation phase of the proposed project. It should not violate order of Hon. High Court of Mumbai given in case of W.P. 3246/ 2004.

**Item No. 9:** Regarding CRZ permission for the proposed reconstruction of existing "A" category cessed building on plot bearing CS No. 8/593, Malabar Hill Division, Laxmibai Jagmohan Marg

The matter was placed before the Authority. Authority noted that, NOC from CRZ point of view had been granted for this proposal (comprising of building with Stilt + 8 upper floors for residential purpose) earlier as the investment cost was less than Rs. 5



crores. However, as per the revised plan, the proposed residential building is proposed with Ground + 30 upper floors including parking and refuge floors. Authority also noted that the revised investment cost for the new proposal is more than Rs. 5 crores.

As the cost of the proposed construction is more than Rs. 5 crores, Authority decided to recommend the case to MoEF subject to the following conditions:

1. Construction should be carried out strictly as per the Development Control Rules, 1967, provisions of CRZ Notification, 19.02.1991 (Amended time to time) and guidelines/ clarifications given by MoEF time to time.
2. The permissibility of FSI should be as per the provisions of Development Control Rules, 1967.
3. FSI permissibility for the amenities like car parking, staircase, refuge floors lift, lift lobby, swimming pool etc. should be strictly as per provisions of DCR 1967 only.
4. Project Proponent should obtain prior permission of Heritage Conservation Committee for the proposed reconstruction.
5. Project Proponent should obtain prior permission of the High Rise Committee for the proposed reconstruction.

Item No. 10: Regarding CRZ permission for the proposed reconstruction of existing building on land bearing CTS No. C/571, Plot No. 160, Village Bandra, Perry Road, Bandra (West)

The matter was placed before the Authority. Authority noted that, as per the submitted application, the investment cost of the proposed project was shown as less than Rs. 5 crores. However, on the verification of submitted Development Agreement by Urban Development Department, it was observed that the investment cost of the proposed project is more than Rs. 5 crores. Authority also noted that, as per the verification report given by MCGM, the investment cost of the proposed reconstruction is more than Rs. 5 crores.

As the cost of the proposed construction is more than Rs. 5 crores, Authority decided to recommend the case to MoEF subject to the following conditions:

1. Construction should be carried out strictly as per the Development Control Rules, 1967, provisions of CRZ Notification, 19.02.1991 (Amended time to time) and guidelines/ clarifications given by MoEF time to time.





2. The permissibility of FSI should be as per the provisions of Development Control Rules, 1967.
3. The amenities like lift, staircase, balcony etc. should not be free of FSI as per DCR 1967.

Item No. 11: Construction of Temporary Transit Camp for the SRA project approved by MoEF on land bearing CTS No. A/791 (Part) of Mahim-Bandra Reclamation Area, Bandra (W)

The matter was placed before the Authority. Authority noted that:

1. M/s. Om Metals Consortium has submitted proposal for construction of temporary transit camp for the project approved by MoEF and recommended by MCZMA namely regarding Slum Rehabilitation scheme on land bearing CTS No. A/791(Pt.) of Mahim-Bandra Reclamation Area, Bandra (W), Mumbai.
2. MoEF has issued CRZ clearance for said SRA scheme and MHADA transit camp at CS No. A/791 (pt) at Bandra Reclamation Area, Bandra (W), Mumbai, by M/s. Om Metals Consortium, vide letter no. 11-102/2008-IA-III, dated 23<sup>rd</sup> July 2009.
3. As per the letter submitted by SRA, MHADA is implementing the Slum Rehabilitation Scheme and M/s. Om Metals has been awarded the tender for the same.
4. In the letter SRA also mentioned that in order to implement the scheme it is necessary to give temporary transit accommodation in the location near the scheme site. Therefore, MHADA has allotted the land opposite to the project side for the construction of temporary transit camp.
5. The allotted land for the construction of the temporary transit camp falls under CRZ-I area as per the approved CZMP and by submitted maps it is found that the land is situated on the seaward side of the existing road.
6. As per the letter of SRA and MHADA the cost of construction of this temporary transit camp is less than Rs. 5 crores.
7. Proponent also mentioned that the said temporary construction will be removed at their cost and the land will be brought in original form and handed over to MHADA after completion of SR scheme.

After discussion, Authority decided to allow the temporary construction of transit camp subject to the following conditions:

1. No RCC work to be carried out for temporary transit camp.



2. Proponent shall remove all temporary transit camp structures after completion of the rehab component and shall deposit Rs. 1 Lakh towards guarantee for the same to the MCZMA. If Project Proponent fails to remove the structures after two years, deposit with MCZMA will be forfeited and action will be taken as per Environment (Protection) Act, 1986.
3. Unless rehab is completed and temporary transit camp is removed, commencement certificate for sale component should not be given by Planning Authority.

Item No. 12: Reconstruction of building on plot bearing CTS No. 897, Plot No. A/2, Juhu Tara Road, Village Juhu, Vile-Parle (West), Mumbai with increase in the cost of the project

The matter was placed before the Authority. Authority noted that, as per the approved CZMP, the land under reference is in CRZ-II area and is situated on the seaward side of the sanctioned DP road and on the landward side of authorized existing structure prior to 1991. Authority also noted that, as per the MCGM report the existing building is constructed before 1991 and the structures present between the sea and the existing building are also authorized & prior to 1991. Authority further noted that, considering the earlier cost which was less than Rs. 5 crores, the permission to the project was given by MCZMA as per powers delegated to it, subject to condition that, the investment of the project should be reexamined by MCGM and Urban Development Department. On the reexamination by MCGM, it was found that the investment cost of the proposed project is more than Rs. 5 crores.

As the cost of the proposed construction is more than Rs. 5 crores, Authority decided to recommend the case to MoEF subject to the following conditions:

1. Construction should be carried out strictly as per the Development Control Rules, 1967, provisions of CRZ Notification, 19.02.1991 (Amended time to time) and guidelines/ clarifications given by MoEF time to time.
2. The permissibility of FSI should be as per the provisions of Development Control Rules, 1967.
3. The provision of proposed lift should be as per the Development Control Rules, 1967 and policy decision taken by MCZMA for the same.



**Item No. 13:** Regarding NOC for erection of two hoarding structures in Plot No. 629, near Skywalk, Next to Nandadeep Garden, Kalanagar, Bandra (East), Mumba - 400 051

The matter was placed before the Authority. After consideration, Authority noted the following:

1. Proprietor M/s. P.B. Enterprise has applied for CRZ Permission to erect two hoarding structures in plot No.629, near Skywalk, next to Nandadeep Garden, Kalanagar, Bandra East, Mumbai-400051.
2. The Municipal Corporation of Greater Mumbai vide letter dated 8.12.2009 has already given No Objection to erect and display of illuminated advertisement hoardings as per data is given below :

Subject matter of Advertisement : Cine or Commercial  
Site : In the Open Plot No.629, Near Skywalk, next to Nandadeep Garden, Kala Nagar, Bandra (East), Mumbai-400051.  
Facing : Facing Traffic coming from Dharavi to Santacruz & Santacruz to Mahim respectively, m  
Measurement : admg, 40' X 40' each ("V" shape)  
Mature of Advertisement : Illuminated Advt. Hoardings

3. As per the report of Mumbai Metropolitan Region Development Authority vide letter dated 15<sup>th</sup> December, 2009, the said area is abutting the Nandadeep Garden and at the vacant plot No. 629 near Skywalk. Around 6 sq.ft. area is required to erect the hoarding. The proposed site is towards the landward side of the existing P.W.D. Quarters on the same plot. As per the MMRDA, which is Planning Authority, the area of the plot under consideration is in CRZ-II abutting the area of open space of Nandadeep Garden.
4. Total investment in the proposed activity is Rs. 12,06,000/-. The hoarding will be erected temporary for the period of 3 years. After expiry of this period Project Proponent has to remove these hoardings as per the special conditions of No Objection Certificate of the Municipal Corporation of Greater Mumbai.

Since the cost of the proposed activity is less than Rs. 5 crores and the activity is not in mangroves and mangroves buffer zone, Authority decided to accord CRZ clearance for the proposed activity for the period of 3 years only.



Item No. 14: Proposal for the construction of Sewage Treatment Plant & Pumping Station by the Mira-Bhayander Municipal Corporation

City Engineer of Mira-Bhayander Municipal Corporation presented the proposal before the Authority and Authority noted the following:

1. Mira-Bhayander Municipal Corporation has proposed to construct STP & pumping station at Survey No. 233, Ghodbandar on area admeasuring 8295 sq. m.
2. Capacity of the proposed STP is mentioned as 9 MLD. The land under reference falls under Residential Zone and not reserved for any purpose & situated at the land ward side of the DP road according to Development Plan of Mirabhayendar Municipal Corporation which was approved in 1997.
3. As per the approved CZMP, Most of the area falls in CRZ-III and it abutts CRZ-I (i) area. As per the Valuation report submitted with application the cost of the project is Rs. 3,61,82,370 and mentioned that the land cost is not included because the land is in possession of the State Govt., which is being transferred for the proposed construction.
4. As per the CRZ Notification 1991 (amended time to time) CRZ-III:
  - (ia) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State/Union Territory.  
Provided that construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification. **(amended on 21<sup>st</sup> May 2002)**
5. As the DCR 1967 is also applicable to Mira-Bhayander Municipal Corporation, hence according to DCR 1967 clause 7 (xv) permissible activities are:  
"Police Station, Telephone Exchanges, Government & Municipal Sub Offices, Postal & Telegraph Offices, Branch offices of Banks, Electric Sub-stations, Fire Stations, Pumping Stations & Sewage disposal Works & Water Supply installations including its ancillary structures."

After deliberations, considering the land cost, the investment of the proposed project is less than Rs. 5 crores, Authority decided to accord CRZ clearance to the proposed activity.



Item No. 15: Proposal for construction of Entrance Arch at S. No. 1, Hissa No. 1, Area 8-25-0 Ha.r, Ganapati Pule, Taluka Ratnagiri by Sarpanch Sansthan Shree Dev Ganapati Pule

The matter was placed before the Authority. Authority noted that, Ganapati Pule Sansthan exists prior to 1991 and it is well known religious place, hence for the proper identification and to distinguish the path to Sansthan it is necessary to construct the proposed Entrance Arch. Authority also noted that, as per the approved CZMP the land under reference falls under CRZ-III area and situated within 200 m (160 m) from HTL (No Development Zone) and the land under reference is situated on the seaward side of the DP road at distance of 18 ft.

Authority also noted that, Maharashtra Tourism Development Corporation (MTDC) has already issued the NOC to the proposed construction of entrance arch subject to the condition that it should not create any hurdle to the local transportation and should be similar to surrounding spiritual architect. Authority also noted that Town Planners and Urban Development Department has recommended the proposal indicating that this is the need of the local inhabitants and such activities are also allowed in CRZ - III area as a basis requirement of the local people living there and for management of pilgrims.

After deliberations, Authority decided to grant permission for the proposed construction of Entrance Arch subject to the condition mentioned by MTDC and cost of the project is less than Rs. 5 crores.

Item No. 16: CRZ Permission for construction of proposed 'Resort' on Plot bearing CS No. 1917, 1923, 1925 & 1940, Village Gorai, Taluka Borivali

The proponent presented the case before the Authority. The Authority noted the following:

1. M/s. Esse Infraprojects Limited has proposed to develop a 'Resort' on the plot No. 1917 which is affected by CRZ-III. However, the proposed activity is planned on the portion which is in non-CRZ area.
2. The matter was considered in the 53<sup>rd</sup> meeting of MCZMA. During the discussion in the meeting, Authority noted that the Project Proponent also has an old STP in Gaothar area which falls in CRZ area. Authority directed the Project Proponent to submit an undertaking to shift this STP in the non-CRZ region. Authority also directed the Project Proponent to submit the details of water consumption/ water balance details of generation and management of wastes during construction





phase (e.g. debris construction waste material etc.) as well as operational phase (e.g. Municipal Solid Waste, plastic waste etc.) along with plant design details of unit operations/ processes with details of non-treated and treated water quality (according to prescribed discharge standards) for the old as well as new Sewage Treatment Plant (STP).

3. After deliberations Authority decided to consider the case in the next Meeting of MCZMA subject to the condition that Project Proponent submits all above information and commitments on non-judicial stamp papers.
4. Earlier the proposed Sewage Treatment Plant (STP) to treat the sewage generated from proposed activity is located in CRZ-III area with the capacity of STP is about 480 m<sup>3</sup>/day. Now as per the directions of the Authority proponent has submitted an undertaking, mentioning that the both STP i.e. proposed & existing will be shifted on Non-CRZ area. (Enclosed)
5. Around 180 tonnes of biodegradable waste is expected to be generated from the proposed activity, hence proponent also submitted the Waste Management Plan for the proper disposal of the waste, to be generated during construction and operational phase. Total built-up area for the proposed Resort is 15024.76 sq. m. comprising Basement + Ground Floor + 6 Floors. Parking as well as AC plant is proposed in the Basement. Parking is proposed on Ground and 1<sup>st</sup> floor. Total investment cost of the proposed project is Rs. 116.76 crores.
6. As per the directions of MCZMA in 53<sup>rd</sup> meeting, proponent has submitted the following details:
  - a. An undertaking on non-judicial stamp ensuring the relocation of existing and proposed STP on the Non-CRZ area. (Enclosed)
  - b. Details of various processes and operations of both the STP.
  - c. The Waste Management Plan for the waste to be generated during construction phase and in the operation phase.
  - d. Water balance and plan for the reuse of wastewater for Gardening and other purposes.
  - e. Location Map showing the relocated locations for STPs on Non CRZ area.

Authority after deliberations decided to clear the project from CRZ point of view subject to the condition that:



1. Project Proponent should demolish the STP in CRZ area when construction of STP in non-CRZ area is completed. Planning Authority should not give OC until the old STP in CRZ area is demolished.
2. No sewage should be discharged in to the CRZ area/ water body and treated sewage should be reused in the Resort.

**Item No. 17: Proposed residential building on plot bearing CTS E/40 of Village Bandra at 17<sup>th</sup> Road, Khar (W)**

The matter was placed before the Authority. Authority noted that, total area of the plot under reference is 607.90 sq. m. and the area under proposal is 606.12 sq. m. and as per the approved CZMP land under reference falls in CRZ II area and situated on landward side of the existing road. Authority noted that, proposed construction includes basement + dispensary at ground floor + part stilt + 1<sup>st</sup> floor residence + 2<sup>nd</sup> floor Podium parking + 3<sup>rd</sup> floor library and 4<sup>th</sup> art floor rooms.

Authority noted that, as per Development Control Rules, 1967, the users like clinic, art gallery and public library are permissible in residential zone vide Clause No. 7 (i) and 7(vii) (a) respectively of the DCR 1967. However the podium parking will not be permissible as the height of the building after reconstruction is less than 21.0 m. Authority also noted that, art gallery is permissible as per the 7 (vii) (b) only with the special written permission of the commissioner after consideration of side, size, access etc.

As the cost of the proposed construction is more than Rs. 5 crores, Authority decided to recommend the case to MoEF subject to the following conditions:

1. Construction should be carried out strictly as per the Development Control Rules, 1967, provisions of CRZ Notification, 19.02.1991 (Amended time to time) and guidelines/ clarifications given by MoEF time to time.
2. The permissibility of FSI should be as per the provisions of Development Control Rules, 1967.

**Item No. 18: Regarding CRZ permission for proposed Santacruz Coastal Police Station on land bearing S. No. 72 & 78, CTS No. 1211 & 1213 (pt), Village Juhu, Taluka Andheri**

The matter was placed before the Authority. Authority noted that, as per the approved CZMP, the land under reference falls in CRZ-II and as per the sanctioned



Development Plan for Mumbai, the reservation for the land under reference is for 'Drying Ground'. Authority also noted that, in case of the proposed construction, change of existing use is not permissible as per the CRZ Notification, 1991.

Authority noted that, setting up of Coastal Police Station is permissible activity requiring foreshore facilities as per the MoEF letter No. 11-83/ 2005-IA-III dated 03.12.2008. Hence, considering the importance of this case from defense and security point of view, Authority decided to recommend the case to MoEF for further necessary decision in the matter.

**Item No. 19: Permission for repair to compound wall around Property at Gut No.411/2 & 411.3 at Village- Nandgaon, Murud, Dist. Raigad**

The matter was placed before the Authority. Authority noted that, the Grampanchayat of Nandgaon had issued permission for the construction of a compound wall around the said property on 6<sup>th</sup> March 1990. Authority also noted that, as the compound wall was in dilapidated condition, the proponent urgently started the repair of the same in 2008 but the Grampanchayat objected and advised the proponent to take permission for repair from the Collectors Office in Alibaug. Authority also noted that, The SDO, Sub division Alibaug has issued permission to the said repair work on 21<sup>st</sup> October 2008. However, the said permission was given only for the repairs in the compound wall falling in CRZ-II area only.

Authority noted that, as per the approved CZMP land under reference partly in CRZ-II and CRZ-I area. After deliberations, Authority decided to grant permission for the proposed repair to compound wall only subject to following conditions:

1. Construction should be only for the protection of the property and along the existing plinth of the compound wall permitted in the year 1990.
2. For the construction / repairing deep digging should not be done.
3. During the repairing as well as after the repairing of wall the care should be taken that it will not disturb or create any obstacle on the surrounding pathways.
4. Any kind of debris / waste generated during the repairing of the said wall should not be dumped in CRZ area.
5. S. D. O. Alibag should ensure that repair work of the compound wall is as per the existing plinth and limits of the compound wall approved in 1990. It should also be ensured that public pathway or entrance to beach / sea



should not be obstructed. This permission is only for compound wall repairing existing prior to 19.02.1991.

**Item No. 20: Application for approval under CRZ regulations for Pedder Road Viaduct by MSRDC**

Vice President, MSRDC presented the proposal before the Authority. Authority noted the following:

1. Application was submitted by Maharashtra State Road Development Corporation Ltd. (MSRDC) for approval for Pedder Road Viaduct. As per the submitted application, this project involves construction of four lanes viaduct from Haji Ali to G. B. Pant Chowk along Pedder Road in order to relieve existing road from frequent traffic congestion. The Viaduct will provide full capacity "tidal flow" link between Marine Drive and the Western Freeway Sea Link.
2. The matter was considered in the 36<sup>th</sup> meeting of MCZMA held on 27.11.2006. In the meeting, it was noted that the details of the loop at Tambe Chowk go over Chowpatty Beach, which requires laying of piers on sand. The proponents assured the Authority that utmost precaution has been taken to ensure that highest point of HTL does not reach the proposed loop that is above 1.8 m from water. MSRDC mentioned that, necessary NOC have been obtained from Traffic Police, VMRDA and MCGM. However, in this meeting, it was unanimously decided that the proponent might work out an alternate proposal so that intrusion on beach area is minimized.
3. The matter was placed before the Authority in its 41<sup>st</sup>, 42<sup>nd</sup>, 44<sup>th</sup> and 45<sup>th</sup> meeting. However, representatives of Pedder Road Residents Association expressed their environmental concerns and informed that alternatives may be considered by MSRDC since proposed activity has adverse impacts on the environment. MSRDC was asked to reply on the issues expressed by Association.
4. Hence, the matter was considered in the 46<sup>th</sup> meeting held on 09.07.2008 and in the meeting, it was suggested that MSRDC should make further efforts to relocate the piers of flying loop outside the CRZ area considering strategic location of Tambe Chowk and the prominence of the Chowpatty area and beach. Representatives of MSRDC agreed to change the flying loop pattern on the proposed road so as to avoid activity in CRZ at Chowpatty and revert to Authority.



5. Now, MSRDC has submitted the revised proposal, wherein the entire Pedder Road Viaduct will be based exactly vertically above the existing road from Rajni Pate Chowk to landing ramp beyond G. B. Pant Chowk on Marine Drive passing through CRZ-II area. There is no flying loop in this revised proposal going into the sandy beaches. However, it is observed that, the CRZ clearance will be required even for the vertical expansion above the existing road, which exists even before 1991 since area falls in CRZ-II. As per the submitted information, the project cost of the Pedder Road Viaduct is approximately Rs. 173.0 crores.
6. Pedder Road Residents Association and Hon. Member of Legislative Assembly were also present during the hearing and presentation. Hon. MLA Shri Lodha requested that people of the area should know the details of the proposed project and also details of Environment Impact Assessment of the proposed viaduct before clearing the project.

Vice President, MSRDC agreed to the suggestions of the Hon. MLA. Authority decided to consider the proposal in the next meeting of MCZMA incorporating all above compliance.

Item No. 21: Application for CRZ clearance for construction of Thane Creek Bridge-III on Sion-Panvel Highway

Vice President, MSRDC presented the proposal before the Authority. Authority noted the following:

1. Maharashtra State Road Development Corporation Ltd. (MSRDC) has proposed to construct the Thane Creek Bridge-III, widening of existing road bridge and construction of approach roads on Sion-Panvel Highway so as to avoid the traffic congestion in the region and to cater to Mumbai-Pune Express Way. As per the application, the abutment pier and approach construction area on Mumbai side of the bridge have sparse mangroves. The location of the proposed project falls in CRZ-II, CRZ-I (i) and CRZ-I (ii) area.
2. MSRDC has proposed to construct additional 6-lane bridge across Thane Creek on Sion-Panvel Highway so as to ensure proper connectivity and utilization of Mumbai-Pune Express Way, ease congestion and serve traffic needs. The proposed bridge is an improvement and widening of the existing Thane Creek Bridge-I. The proposal includes constructing parallel 3-lanes bridge on either side of existing Thane Creek Bridge-II to ease the flow of traffic and reduce idling/ acceleration of vehicles. The length of the proposed bridge is 1837 m. The





length of the approach road from Panvel side is proposed as 190 m, whereas that of Mumbai side approach road is 83 m. For the pier construction, piles and cofferdams will be used. As per the submitted application, there will be provision of footpaths and landscaping on the proposed bridge. The proposed bridge construction will also incorporate tree plantation.

3. For the proposed project, longitudinal drains, median drains and drains below footpath on either side will be provided.
4. As per the submitted application, the existing mangroves in the construction area will not be affected by the proposed project. However, if it is felt that the proposed project will endanger any mangroves during construction, MSRDC can supplement the mangrove regeneration efforts at Yusuf Rehman Trust at Nhava. Investment cost of the proposed project is Rs. 400 crores.
5. Construction of bridges is the permissible activity in CRZ-II and CRZ-I (ii) area as per the CRZ Notification, 1991 (amended from time to time), however, this activity is not permissible in CRZ-I (i) area i.e. mangroves. Further, activity as such needs clearance from MoEF.

As the investment cost is more than Rs. 5 crores, Authority decided to recommend the proposal subject to the following conditions:

1. No mangroves shall be cut during construction.
2. Proponent should obtain prior permission of Hon. High Court as per the directions given in the case of W.P. No. 3246/ 2004.
3. Proponent should submit the plan for mangrove re-plantation along with all the necessary details.

**Item No. 22: Permission for repairs of the MSRDC office building at Nepean Sea Road  
Premises falling in CRZ-II area**

Vice President, MSRDC presented the proposal before the Authority. Authority noted that the proposal is for repairs in the MSRDC office building at Nepean Sea Road Premises and said premises is in very dilapidated condition and specially Board Room and the chambers gets water leakage during monsoon season. Authority also noted that, as per the approved CZMP the land under reference falls in CRZ-II area and situated on the seaward side of the existing road and the existing structure is prior to 1991.

Authority noted that, the proposal is for the repairs in the existing structure by way of installation of structural steel vertical support and arch rafter, bracings etc. and covering of roof by suitable roofing material and it also includes the refurbishing of



interiors with appropriate mechanism to prevent the entry of rain water during monsoon. Authority also noted that, for the repairing the steel stanchion will be connected to the foundation at 1.5 m below ground by nut bolt system which is of semi permanent nature and the cost of the said repairs is mentioned as Rs. 35.00 lakhs.

Considering the above, Authority decided to grant permission for the proposed activity from CRZ point of view subject to the condition that any kind of wastes generated during the repairs should not be disposed in the water body/ CRZ area.

**Item No. 23: Regarding CRZ clearance for proposed Inland Passenger Water Transport (IPWT) East Coast Project by MSRDC**

The matter was placed before the Authority. Authority noted that, earlier the matter was considered in the 53<sup>rd</sup> meeting of MCZMA held on 22<sup>nd</sup> June 2009. After discussion and as per the decisions, the matter was referred to MoEF vide letter dated 03.07.2009 for further necessary action subject to the permission of Hon. High Court. However, the permission was not granted for construction at one of the two sites proposed by Port Authority. The details of the same and alternative site proposed, if any, are not submitted by MSRDC. Hence, after discussion, Authority decided to defer the case.

**Item No. 24: Establishment of connectivity link from Kharghar to Taloja at Pendhar in Nav Mumbai by CIDCO.**

CIDCO officers presented the case before authority. Authority noted the following:

1. CIDCO has proposed construction of a connectivity link from Kharghar Node to Pendhar area at Taloja. This link will establish connectivity from Sector-26 of Kharghar Node leading to Road Over Bridge (ROB) on Diva-Panvel Railway line and connecting areas like Panchanand, Pendhar in Taloja. The proposed connectivity will be between Sion-Panvel Express Highway through the Kharghar Node and to Panchanand, Pendhar area leading to Taloja Industrial Belt, Dombivali, Ambarnath and Badlapur. Total area of the CIDCO land (including holding pond, diversion channel and Taloja River) is 61.57 Ha and the area under proposal is 60000 sq. m.
2. As per the approved CZMP of Navi Mumbai, the proposed activity falls in CRZ-I (i), CRZ- (ii), CRZ-II and in area affected by Hon. High Court order in the case of W.P. No. 3246 / 2004.



- 3 The project is mainly divided into 3 parts:
- Part-I: Construction of approach road from chain age 0.00 to chainage 450.00 as per design parameters.
- Part-II: Construction of bridge over diversion channel / holding pond and Taloja River between chainage 450.00 to chainage 1075.00. (This area falls under CRZ-I (i), CRZ-I (ii) and CRZ-II).
- Part-III: (a) Construction of approach road to ROB from chainage 1075.00 to chainage 1205.416.
- (b) Construction of bridge over National Highway (NH-4) and Diva-Panvel Railway lines from chainage 1205.416 to chainage 1562.12.
- (c) Approach road from chainage 1562.12 to chainage 1920.621 towards 12.5% Project affected Housing Scheme of Panchanand, Pendhar area of Navi Mumbai

Entire cost of the above connectivity is Rs. 84,78,20,461.40 and it can go up to Rs. 100 crores including contingencies.

4. As per the submitted information, the proposed ROB passes along/ adjacent to/ over water bodies – Taloja River, holding pond and a diversion channel. All these water bodies are shallow and 30 m in width. The holding pond is a man-made structure. Bunds forming the diversion channel and holding ponds are covered by refuse and solid waste from local villages and their activities. The bunds and their slopes are covered by species like *Amaranthus spinosus*, *Alternaria sessilis*, *Aegiratum sp.*, *Vernonia sp.*, stretches of grass etc. Stretches of riverbanks are occupied by *Acanthus ilicifolius* with a few patches of *Clerodendrum inerme* and some individual plants of *Derris trifoliata* and *Calotropis gigantea*. As per the submitted information, mangroves will be affected by the proposed project.
5. As per the CRZ Notification, 1991 (amended time to time), construction of bridges is not allowed in CRZ-I (i) area i.e. on the area covered with mangroves.
6. As per the Hon. High Court Order given in case of W. P. No. 3246/ 2004 and 87/ 2006, cutting of mangroves is not allowed as well as 50 m buffer zone as No Development Zone (NDZ) should be kept for mangroves protection.
7. Construction of bridges is permissible activity in CRZ-I (ii), CRZ-II & CRZ-III areas. Hence, the proposed activity is not permissible in CRZ-I (i) area.
8. Earlier the matter was considered in the 55<sup>th</sup> meeting of MCZMA held on 4<sup>th</sup> August 2009. After discussion and as per the decisions, CIDCO was directed to



submit following details vide letter dated 25.09.2009 to facilitate the further processing:

1. A. the required details with the detailed study of impacts on the areas covered by mangroves due to the proposed activity.
2. To obtain prior permission of Hon. High Court for the said construction in area covered by mangroves.
3. To take initiatives towards the conservation and cultivation of mangroves in surrounding areas as a part of compensatory plantation/ re-plantation of mangroves to be affected.

Authority after deliberation decided to recommend the proposal to MoEF for further necessary action from CRZ point of view subject to the following conditions:

1. CIDCO should obtain prior permission of Hon. High Court for the cutting of Mangroves.
2. Detail plan for compensatory mangrove plantation should be submitted to MoEF and MCZMA.

Item No. 25: Regarding clearance as per notification for Integrated Infrastructure project in Sector 10-A at Airoli, Navi Mumbai - CIDCO

CIDCO officers presented the case before the Authority. Authority noted the following:

1. CIDCO has applied for CRZ permission for developing Integrated Infrastructure work in Sector 10-A at Airoli, Navi Mumbai for development of International Diplomatic Enclave (IDE). Details of S. No. of village Dive of Sector 10-A of Airoli is enclosed. The main activity of the proposal is to Develop Integrated Infrastructure Project for International Diplomatic Enclave and other International Institutional Centre at Airoli node in Sector 10-A to boost to economic activity in the nearby Airoli node of Navi Mumbai.
2. As per the documents submitted by CIDCO proposed activity falls in CRZ-I(i), CRZ-I(ii) and CRZ-II mangroves buffer zone.
3. Development of Project was stopped because of Court Order in the case of 3246/2006. However, CIDCO moved Notice of Motion, in the Hon'ble High Court where as it is reported that proposed activity is approved by Hon'ble High Court. However details of the Court Order has not been provided. It appears from the documents that proposed activity is in the Seaward side and in CRZ-II, CRZ-I(i) and CRZ-I(ii). Therefore, development of proposed Centre in the said area is



prohibited activity. Further on the same time reclamation of land in CRZ area is also prohibited activity.

After deliberation authority decided to confirm that the road passing through the proposal under consideration is CZMP road and approved road as per development plan approved by Government through Urban Development Department.

The Meeting ended with vote of thanks to all members.

  
Chairperson,  
MCZMA



**Annexure-I**

**List of the Members present for the 59<sup>th</sup> Meeting of MCZMA is as follows:**

1. Mrs. Valsa R. Nair-Singh, Chairperson, MCZMA and The Secretary, Environment Department, Mantralaya, Mumbai
2. Mr. A. M. Khan, Principal Secretary, Industries Department, Mantralaya, Mumbai
3. Dr. S. K. Chakraborty, Director-In-Charge, Central Institute of Fisheries Education, Mumbai
4. Chief Engineer (Development Plan), Municipal Corporation of Greater Mumbai
5. Dr. B. N. Patil, Member Secretary, MCZMA