

Minutes of the 76th meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held under Chairmanship of Secretary (Environment) on 30th July 2012 at Mantralaya, Mumbai.

The list of members present in the meeting is enclosed as Annexure-I

Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mumbai; The Additional Chief Secretary, Urban Development Department, Mantralaya, Mumbai; The Additional Chief Secretary, Revenue Department, Mantralaya, Mumbai; Principal Secretary Industries Department, Mantralaya, Mumbai; could not attend the meeting. The meeting was adjourned for 30 minutes for want of quorum.

Item No. 1: Confirmation of Minutes of the 75th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA)

The Authority confirmed the minutes of the 75th meeting of Maharashtra Coastal Zone Management authority (MCZMA) with following changes:

The word central to be replaced with 'state' from the line permission 'central ground water authority' in the minutes.

Item No. 2: ACE link- SRA scheme at Nariman Point on plot bearing C.S. No. 1980(t) of Fort Division and plot bearing C.S. No. 153A(pt), 150A (pt) of BBR scheme III, Nariman Point, Mumbai.

The Authority noted the detailed background of the case with respect to complaint filed by Ashwashakti Welfare Association in the matter. The matter was considered in the 69th, 70th, 72nd and 75th meeting of MCZMA held on 19.4.2011, 1.7.2011, 4.11.2011 and 15.5.2012.

The developer, complainant, slum dwellers and representatives of the district collector Mumbai City and CEO SRA were present during the meeting to submit their say on the allegations made by the complainant.

The complainant present in the meeting alleged FSI violation in the proposal stating the SRA scheme was not as per the DCR as on 19.2.1991 and stated that the construction was being undertaken on 150A (pt) plot. Further complainant raised questions on authenticity of reply given by concerned planning authorities i.e. SRA and Collector to MCZMA.

The SRA officials present in the meeting informed that the SRA scheme under reference is proposed on 153A (pt) and not on 150 A (pt). SRA officials also showed area map clearly indicating SRA scheme boundary, garden reservation etc., it was also stated that plot boundary and scheme boundary indicated by the Collector Mumbai City is similar



to the map with SRA . The Scheme is as per FSI existing as on 19.2.1991. He also submitted the letter of Urban Development Department dated 4th November, 1988 which indicated that additional FSI up to 25% of the normal FSI prescribed by development control rules was allowed for SRA schemes. Therefore the FSI proposed in the scheme is 1.66. He further stated that SRA would ascertain whether lift, lobby, staircase was required to be counted in total FSI for SRA schemes as this was a CRZ area. The SRA official also informed that the scheme was being undertaken as per approval given by the Ministry of Environment and Forest, New Delhi.

The Additional Collector Mumbai informed during the meeting that the measurement plan showing the boundaries of SRA scheme submitted to MCZMA is the plan at the time of approval of the scheme. However, he informed that he will submit fresh measurements of the plot boundaries of the approved SRA scheme and extent of construction to the Authority in light of allegations made in the complaint.

Slum dwellers representative requested that stop work order should be revoked immediately as they are suffering because of false complaints.

In light of the above, the Authority decided the following:

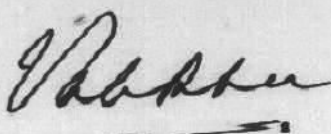
1. The decision taken in the 75th meeting of MCZMA will continue for the construction of rehab building.
2. However, SRA and collector, Mumbai to provide the details such as fresh measurements of the SRZ scheme boundaries to ascertain the extent of the scheme and deviation if any in the original approved scheme. SRA to provide the details of the FSI calculations as permissible as on 19.02.1991 and ascertain whether lift, lobby, staircase is required to be counted in total FSI for SRA schemes approved in CRZ areas.
3. SRA being planning and implementing authority to ensure that FSI in the scheme is as applicable in CRZ area i.e. as on 19.2.1991 and ensure that scheme is undertaken as per the conditions stipulated in MOEF approval.

Item No. 3: **Clarification on computation of FSI**

M/s L. Dweller Pvt Ltd had requested a clarification on computation of FSI of the CRZ area for construction in non CRZ area of single plot. The Authority noted that the matter was considered in the previous meeting i.e. 75th meeting of MCZMA held on 15th May, 2012. The decision of the Authority was as follows:

"The Authority noted the following:-

1. As per Annexure III (I)(h) of CRZ Notification, 2011, 'no construction is allowed in No Development Zone, however for the purpose of floor space index, the area of entire plot including the portion which falls within No Development Zone shall be taken into account'. As per the clarification issued by the Ministry of Environment



& Forests, Government of India vide letter dt. 23rd May 2001, it was clarified that the CRZ areas are to be demarcated, taking into consideration the actual width of the creek, nallah at different location on the plot in accordance with special condition No. 18 in the CZMP of Maharashtra State approved by Ministry on 27th September 1996. It was clarified that no constructions were permissible in the inter tidal area i.e. area between CTS plot boundary and the HTL demarcated by CESS Thiruvananthapuram, as well as in the No Development Zone of the CRZ area of the plot to be demarcated as per above. However, the CRZ area falling between the CTS boundary of the plot and HTL and the CRZ to be demarcated as above can be considered by Local Authority for the purpose of FSI computation for construction to be undertaken outside the CRZ area of the same plot.

2. As per the CRZ Notification, 2011, the redevelopment, construction and repairs of Koliwadas/fishermen settlement areas which were existing as per Development Plan of 1981 can be undertaken in accordance with the applicable Local Town & Country Planning Regulations. However, for new development/construction other than fishermen settlement, FSI existing as per the Local Town & Country Planning Regulations existing and in force as on 19-2-1991 will be applicable as per Para 8 of Notification.
3. In light of the above, the Authority after deliberation decided that, the area landward of the HTL and falling in CRZ III, No Development Zone of a plot can be used" for computing the FSI for construction on the non CRZ area of the same plot as per the existing regulations.

The project proponent requested to present the matter before the Authority pertaining to this decision taken in the meeting.

The Project proponent presented the following points:

1. The entire purpose of the CRZ regulations is to control and moderate the construction in CRZ areas - it does not restrict/control FSI of lands falling in CRZ areas, except when the construction is being done in CRZ areas. At no time does the regulation try to limit / control the construction / FSI when the said construction / FSI is to be done outside the CRZ areas.
2. The work "existing" used at all the places in CRZ 2011, either precedes/ follows the term "building to be permitted or "reconstruction of authorized building" or "reconstruction of existing authorized structure" in that relevant CRZ category.
3. In the instant case, as no construction of building or reconstruction is envisaged in CRZ area, the work "Existing" has no "Lineage" with the proposed use of FSI generated from CRZ area, to be utilized by construction of buildings on reminder portion beyond the CRZ area.

The Project proponent requested suitable clarification in the matter, that as long as no construction is proposed in the CRZ III areas, there is no bar / restriction whatsoever



in relation to the use of existing FSI of the single entire plot (including CRZ III areas) and the same could be used for constructions outside the CRZ areas, on the same plot.

The Project proponent produced several cases and documents substantiating their argument, the first being the opinion of the Attorney General Of India in the case of one Panchseel Co-operative Hsg Society in G(South) Ward of MCGM. . In another case, the Government of Maharashtra clarified, vide its letter dated 29th Dec, 2004, that "built up area calculated with FSI 3.00, worked out on lands from CS NO. 124 and 3/47(pt) would be available to the applicant, provided lands from CRZ area out of these CS No. would be loaded with FSI not exceeding 1.66 and the entire remaining built up area would be loaded on the land from these CS NO that area not affected by CRZ".

In the letter of clarification in the Usha Madhu Development Co-op Hsg Society, the MoEF has clarified that "no constructions are permissible in the inter-tidal area ie. The area between the CTS plot boundary and the HTL demarcated by the CESS, Kerala as well as in the no-development as per para (i) above. However, the CRZ area falling between the CTS boundary of your plot and the HTL and the CRZ to be demarcated as per para (i) above can be considered by the local authority for the purpose of FSI computation, for the constructions to be undertaken outside the CRZ area"

This being a legal interpretation of the Notification, the Authority decided to request the opinion of the Advocate General of State before issuing clarification in the matter as requested by the proponent.

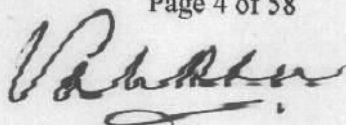
Item No. 4: **Clarifications on CRZ Notification, 2011**

The Authority noted that clarification on certain points / issues of CRZ Notification, 2011 was requested from MoEF in April 2011. However, the MoEF reply in the matter is still awaited. MCZMA has also received requests from Property Developers Associations to issue clarifications on certain issues such as applicability of Non FSI provisions of 1991 DCR in CRZ areas.

The Authority decided to send the comprehensive list of issues pertaining to CRZ Notification, 2011 to MoEF again for clarifications and to request for speedy action.

Item No. 5: **CZMP preparation as per CRZ Notification, 2011**

The Authority noted that pursuant to new CRZ Notification, 2011 published by MoEF, MCZMA / Environment Dept had appointed agencies authorized by the MoEF to prepare the district-wise CZMPs. It noted the current status of the preparation along with total cost of the work. The first installment as mobilization fund for CZMP preparation of Raigad district has been issued vide order dated 3.11.2011. The same for CESS and IRS Chennai for CZMP preparation for Thane, Ratnagiri and Sindhudurg districts is yet to be released. It further noted that Municipal corporations in Thane



district, except Thane Corporation have signed independent MoUs with CESS, Kerala. Therefore payment will be done by respective Municipal Corporations including Thane Corporations to CESS, Kerala directly as per the length of HTL in their areas.

The Authority decided to release 30% of the total cost of the project as first installment to appointed agencies immediately from MCZMA funds.

The Authority also decided to review of the work of district-wise preparation of CZMP. The appointed agencies will be invited before the MCZMA to present the current status of work and methodology being adopted by the agencies.

Item No. 6: Reclassification proposals methodology

The Authority reviewed its decision taken in the 74th meeting regarding the above. It discussed the present status of preparation of CZMP of Coastal areas which are in progress. It also noted the report of the cases verified by the agencies authorized by the MoEF i.e. IRS, Chennai, as per the MoEF clarification of July & August, 2011. The Authority after deliberation decided to send the site visit reports of IRS, Chennai to MoEF for information and further necessary action,

Item No. 7: CRZ Status of plots from Khardanda

The Authority noted the background of the case which as follows-

1. The National Coastal Zone Management Authority (NCZMA) in its 19th meeting held on 22.1.2010 took a decision regarding the reclassification proposals of Khardanda, Mumbai.
2. As per the decision taken in the said meeting, NCZMA, New Belhi decided to accept the proposal of reclassification of the area. As per the decision of the NCZMA, 500 m original setback line from HTL is retained without any change. Only setback line from HTL of creek area will now be 150 m in the area. Further NCZMA directed MCZMA to take decision accordingly for individual proposals as per the distance and report to MoEF.
3. MCZMA requested MCGM vide letter dated 25.5.2011 to submit list of the CTS No's affected by CRZ and beyond set back line along with the map as to enable authority to take decision on the CTS numbers affected by CRZ as well as non-CRZ as directed by NCZMA.
4. Accordingly, MCGM vide letter no. CHE / 1057 / DP WS / H&K dated 16.12.2011 has submitted the list of all CTS Nos. of the entire Khardanda area indicating the



CRZ status of all the CTS Nos. (As per the original and revised CZMP) i.e. CTS Nos. falling in CRZ, partly in CRZ and in non-CRZ areas.

The Authority took on record the said list submitted by MCGM and decided to communicate to MCGM the CRZ category as per the decision in the NCZMA. MCGM will continue to send proposals for development permission before the MCZMA for the plots which are partially or completely in CRZ as per the requirement of CRZ Notification, 2011. Applications pending before the Authority requesting for CRZ status will also be sent to MCGM for appropriate action in line of above decision of the MOEF and MCZMA.

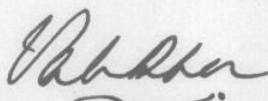
Item No. 8: Order passed by the Hon. High Court of Judicature at Bombay in W.P. (Lodging) No. 273 of 2012 dated 2nd March 2012

The Authority noted following:

The Hon. High Court Order vide its order dated 2nd March 2012, directed the Respondent No. 5 i.e. Maharashtra Coastal Zone Management Committee to constitute a team which must carry on regular inspection of the coastal areas and, if any, activity is being carried out which requires prior environment clearance then the team of Maharashtra Coastal Zone Management Committee must report the matter to the concerned authority and prevent repetition of such activity.

It is further directed that Maharashtra Coastal Zone Management Authority and Union of India through the Director of Ministry of Environment and Forests shall consider setting up an inspection team for inspecting the coastal lines. If any complaint is made about any construction activity without prior environment clearance. Such inspection team must personally visit the site and verify whether there is any truth in the complaint. It is also stipulated in the said order without such complaint being lodged it would be duty of Maharashtra Coastal Zone Management Committee, to send its inspection team for periodical inspection of the coastal lines on regular basis for the purpose of monitoring and enforcement of the Coastal Zone Regulations.

The Authority noted that Maharashtra Coastal Zone Management Authority (MCZMA) constituted district coastal zone monitoring committee under the chairmanship of district collectors to monitor violations and take action under section 5 of Environment Protection Act of 1986. This committee has representatives from all concerned departments and experts from the district. Violations in the district are reviewed on monthly basis. It was decided to direct all district collectors to comply with Hon. High Court directions and constitute subcommittees for regular vigilance of the coast line in the district. The Authority also decided to direct the Divisional Commissioner, Konkan to take quarterly review of the district monitoring committee and vigilance committee and report to the



MCZMA. MCZMA has also constituted District level task forces to identify violations of CRZ notifications.

Item No. 9: Proposal for amended CRZ clearance for MMRDA's proposed National Mass Transit Training & Research Institute (NAMTTTRI) Building situated on no. R-13, in E-block of BKC.

The MMRDA officials present in the meeting presented the proposal before the Authority. It noted that the Ministry of Environment and Forests (MoEF) has accorded clearance for the project which involves construction of residential staff quarters on plots No. R-13, R-14 & R-15. The Total area is 4320 Sq.mtr. under the provision of CRZ Notification, 1991 subject to specific and general conditions vide letter dated 15th January, 2009

The approved proposal was for one residential building on part portion of the land of plot area 4320 Sq.mtr. (i.e. as against allowable FSI of 1.5, only 1.176 FSI is utilized by residential building on plot R-14 & R-15 only and the plot no. R-13 was kept vacant).

Now, the MMRDA has proposed National Mass Transit Training & Research Institute (NAMTTTRI) on plot no. R-13, from the balance FSI available on the plot.

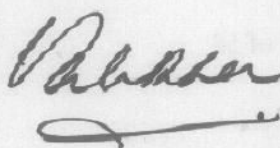
The MMRDA official informed the proposed activity is permissible as per DCR existing as on 19.2.1991. And the current proposal of construction of Mass Transit Training & Research Institute involves just utilization of balance FSI.

The Authority decided to direct MMRDA to submit following:

- 1) Whether the proposal is for amendment of the previous proposal to which MoEF has granted Environment Clearance.
- 2) Plot No. R 13, R 14 & 15 are part of single layout?
- 3) FSI potential/balance FSI of plot R 13. Kindly confirm that FSI of plot R 13 is only used for proposed construction on it and FSI from abutting plot is not uploaded.

Item No. 10: Proposed "Inland Water Transport (Passenger RO RO Service) on east coast of Mumbai. (Ferry Wharf to Nerul & Ferry Wharf to Mandwa)

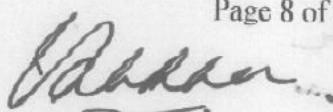
The MSRDC Officials present in the meeting requested the Authority to defer the matter for the next meeting, since MSRDC was not ready with the details of the proposal of the East coast. However with the permission of the Authority, MSRDC presented the proposal for proposed "Inland Water Transport (Passenger RO RO Service) on the west coast of Mumbai. Details of the proposal are as follows:



1. The GoM has appointed Maharashtra State Road development Corporation (MSRDC) as a nodal agency to implement the passenger water transport Project. The project was awarded Environment Clearance by MoEF in December, 2005.
2. As per CRZ map prepared by IRS, Chennai the project area falls in the CRZ I and CRZ II. The construction is also in the water front and extends upto CRZ IV.
3. Authority noted the area under proposal at each location which is as follows-

Description	Nariman Point	Bandra	Juhu	Versova	Marve	Borivali
Plot area	40,000	32,000	9,750	30,000	10,300	30,000
Min (BUA)	4000	3000	750	3000	3000	3000
Berthing facility	Catamaran 8 hoverport 2= total 10	Catamaran 8 hoverport 2= total 8	Catamaran 8 hoverport 2= total 6	Catamaran 8 hoverport 2= total 3	Catamaran 8 hoverport 2= total 3	Catamaran 8 hoverport 2= total 10
Peak hour boarding (estimated for 2035)	3040	2840	1200	2130	1020	2650
Terminal area on land		90 %	100 %	10 %	50 %	
Terminal area on water	100 %	10 %		90 %	50 %	100 %
Dredging Cu. M.	160,000	50,000	--	50,000	300,000	50,000

4. Terminal areas are based on the projected passenger traffic at each terminal. The proposed project aims to attract existing car users to use the project in lieu of their own cars. This will require that the terminal facilities are comfortable and spacious. MSRDC has considered all these aspects and have suggested the optimum terminal area at each location.
5. The terminal will house passenger related areas like ticketing, waiting, kiosks etc and operational areas like, storages, control rooms etc. There will not be commercial activities at the terminal like restaurants, hotels etc. It was also submitted that all the structures in the project are designed on stilts and there is sufficient provision for free movement of tidal waters.



6. An area of about 1000 sq. mtr. Under mangroves is likely to be affected mainly at Versova, Borivali, and Marve. MSRDC should suitably plant mangroves, five times of the mangrove area affected.
7. The CWPRS has conducted wave tranquility studies and have suggested the breakwater layout and design considering environmental aspects. The committee suggested that MSRDC could take up such study in parallel to assess impact of erosion in the surrounding costal area.
8. The informal interactions with local residents have been made and no serious concerns have been noted. The committee suggested MSRDC to record such interactions with the local community in this regard.

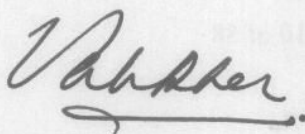
The Authority was informed that the Fisheries Department was also developing a jetty at Versova and some more jetties were also planned between Bandra and Marve. It suggested that MSRDC should interact with these agencies to examine the scenario and optimize the jetty development.

It noted that as per 4(ii) (a) of CRZ Notification, 2011; those activities not listed in EIA Notification, 2006 would require CRZ clearance from MoEF. Proposed activity also involves dredging. Therefore, the Authority decided to recommend the proposal to MoEF subject to following conditions-

1. MSRDC should suitably plant mangroves, five times of the mangrove area affected.
2. MSRDC should obtain Prior High Court permission for the mangrove cutting.
3. MSRDC should disseminate information about the project in the local community particularly in view of development of breakwaters and also use of existing jetties.
4. Activities proposed in CRZ I A and B should be on stilt.
5. No construction/reclamation in mangroves and its buffer zone will be allowed.
6. No commercial and residential construction will be allowed.
7. Opinion and suggestions of the local traditional dwellers shall be taken into account before implementation.
8. Expert opinion should be taken for breakwaters -for suitable location and its impact on erosion or accretion of the coastline/ sandy tidal flats etc.

Item No. 11: CRZ clearance for plot bearing CS No. 16(pt) of Mahim Division in G/S Ward for building known as 'Adarsh Nagar Beach Corner CHS' situated at Nariman Road, Worli

The Authority noted that the matter regarding "C.R.Z. clearance for plot bearing C.S. No. 16(pt) of Mahim Division in G/S/ Ward, Building known as Adarsh Nagar Beach Corner Co-



Op. Soc. Ltd., situated at Nariman Road, Worli, Mumbai. [Dilapidated Categories] was placed in 75th meeting of MCZMA held on 15th May 2012, wherein Authority after deliberation had decided that,

1. MHADA should submit details on number of dilapidated structures declared prior to 6.1.2011.
2. It should be justified by MHADA that how 33(5) is applicable in the instant matter.
3. It was also directed to submit details of FSI and non FSI area indicating appropriate provision. Submit the final building layout plan approved by the MHADA along with its NOC.

It noted that Project proponent vide letter dated 12th July, 2012 has submitted their reply providing the information. As per this the structure was dilapidated prior to 06.01.2011 and redevelopment is by MHADA.

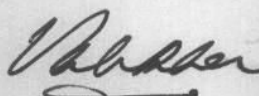
After deliberation the Authority decided to recommend the proposal under 33(5) since, development is by MHADA and on the plot belonging to MHADA. Subject to the following conditions:-

- 1) Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
- 2) Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the prevailing local town and country planning regulations including the 'prevailing' norms of Floor Space Index or Floor Area Ratio as on 6.1.2011: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
- 3) Permission of State Ground Water Board shall be obtained for basement construction, if any.
- 4) Benefit of dilapidated category under 8(V) of CRZ Notification, 2011 will be applicable to dilapidated structure prior to 06.01.2011 and MHADA has to ensure the same before issuing commencement certificate.

Item No. 12:

CRZ clearance for the alteration and additional construction in Silk & Art Silk Mills Research Institute at C.S. No. 972 Worli Division at Sasmira Dr. A.B. road, G/S ward, Mumbai by M/s Sasmira - the Synthetic & Art Silk Research Association

The matter was placed before the authority. Authority noted that MCZMA had recommended the case in its 58th meeting held on 4th December 2009 to the MoEF vide letter dated 19.12.2009. Further, in the 106th meeting of Expert Appraisal Committee (EAC) held on 17th - 18th October, 2011 at MoEF the same was cleared for CRZ and Environment subject to the recommendation of MCZMA as per the CRZ Notification 2011.



It noted that there exists a structure comprising of Central Block Wing 'B', wing 'C' and wing 'A'. Wing 'C' is on the south side of the plot and comprises of basement, ground and 2 floors with part 3rd floor. The central block is stilt + 4 floors. Wing 'A' which is the rear block as basement, ground + 1 floor.

The proposed construction involves construct of full 3rd, 4th, 5th, 6th and 7th floors on existing building wing 'C' together with staircase, lift lobby, extension from basement, ground, 1st, 2nd, 3rd, 4th, 5th, 6th, and 7th floors. Additionally, wing 'A' at the rear is to be demolished and reconstructed for basement, ground, 1st, 2nd and third floors.

Authority also noted the land under reference is in Residential zone. As per approved CZMP of Mumbai, the plot under reference falls in CRZ II and situated on seaward side of existing Dr. Annie Besant Road in existing prior to 19.2.1991 and landward side of the existing authorized structures. It was submitted that the plot under reference falls within vicinity of vital defense installation at Worli.

Authority noted that the proposed activity is permissible as per CRZ Notification, 2011 and jurisdiction to give final CRZ permission is with MoEF.

In light of above, Authority after deliberation, decided to recommend the proposal to MoEF subject to submission of NOC from the defense authorities.

Item No. 13: CRZ clearance for Eco-tourism Vasahat & Beach Resort at village Nagoan, Tal- Alibag, Dist- Raigad, Maharashtra by M/s Calcite Properties Development Pvt Ltd- Reg..

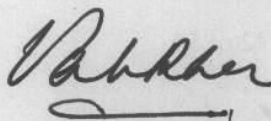
The matter was placed before the authority. Authority noted that the proposal was considered in the 62nd meeting of MCZMA held on 20.5.2010. As per the decision of the Authority, it was recommended to MOEF subject to certain conditions.

The MoEF letter dated 16th May, 2012 MoEF has informed that the project proponent had requested for incorporation of certain components namely, 1) 4 No's of Windmill of 1 MW each 2) 2 No's Swimming pool and 3) Club House. The same was examined by the EAC and Committee has considered only the components recommended by MCZMA.

The MoEF requested to examine whether the components were part of initial proposal and send the comments so as to consider the incorporation of the above components in the clearance.

After perusal of the said proposal, it is noted that the components namely, 1) 4 No's of Windmill with 32367.37 Sqmt area. 2) 2 No's of Swimming Pool of capacity 2% of 3000 cubic mt. 3) Club House were part of the presentation and original report submitted by project proponent before the MCZMA in its 62nd meeting held on 20.5.2010.

The Authority decided to inform MoEF that the components were the part of original proposal considered by MCZMA and recommended to MoEF.



Item No. 14: **Permission for Storage of Chemicals at JNPT by GBL in CRZ II area**

The matter was placed before the authority. Authority noted the followings-

Land Details:

1. As per the Rapid EIA report, M/s. Ganesh Benzoplast Limited has infrastructure project consist of a Bulk Liquid Petroleum & Chemical Storage terminal at Jawaharlal Nehru Port (JNPT).
2. The CZMP of JNPT approved by MoEF and CRZ map prepared as per CRZ Notification by the CESS, Thiruvananthpuram showing the plot area is partly affected by CRZ -II. However, as per approved CZMP of JNPT, setback line is 150 meters which is valid till date.
3. Total area of the plot = 60,000 Sq.mtr.

Proposal Details:

As per M/s. Ganesh Benzoplast Limited,

- Proposed construction of storage tanks on plot No. 7 at JNPT for storage of edible oils and other non hazardous cargoes.
- 2 tanks in CRZ II and 3 tanks in Non-CRZ

As per the Rapid EIA report, the company has proposed to store the chemical at the site of JNPT. These chemicals area transported through dock-lines from the jetty to the Liquid Storage Terminal and if required Storage Terminal to Jetty. Liquid chemicals arrived at the Jetty through ships will be pumped to specific tanks located at the Liquid storage terminal through dock-lines made of MS/SS.

MPCB Consent:

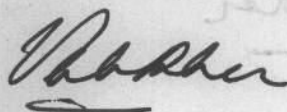
The Maharashtra Pollution Control Board has granted Consent to establish vide letter dated 7.6.2012.

As per the MPCB, consent is valid for installation of 5 nos. liquid storage tanks for Handling and storage of Materials, such as Edible Oil, Non-hazardous products of the capacity 36119 KL quantity

Description of Tanks:

Sr. No.	Tank No.	Capacity in KL (Tank wise)	Total Capacity at a time in KL
1	140 A	9741.088	36119 KL
2	140 B	8554.291	
3	140 C	7628.500	
4	140 D	4147.652	
5	140 E	6047.469	

CRZ Permissibility as per CRZ Notification, 2011:



As per para 8. (ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely:-

(f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;

As per 8. II. CRZ II

(vi) storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;

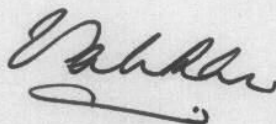
As per Annexure-II

List of petroleum and chemical products permitted for storage in [CRZ except CRZ I(A)]

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

The Authority after deliberation, decided to recommend the case subject to the following conditions:

1. Only approved CZMP of JNPT approved by MoEF should be used till the time new CRZ map as per 2011 for JNPT is approved by MoEF.
2. Tanks in CRZ as per approved CZMP should be used only to store chemicals which are allowed in CRZ area as per CRZ Notification, 2011. Even for non CRZ area of the same plot only permissible chemicals allowed in CRZ area should be stored till the final CRZ map as per CRZ Notification, 2011, is prepared.
3. All other permissions including of MPCB and Govt. authorities shall be obtained before tanks put in to operation.

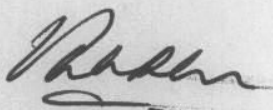


Item No. 15: **Permission for Storage of Chemicals at Mahul, MbPT area, Aegis Ltd. Court Case**

The Vice President and other officials of the company were present during the meeting to present the matter. The company has constructed 17 new storage tanks with the permission of MPCB and now requested permission for to all them to store chemicals as per the location of the tanks as per CZMP of the area. It was presented that out of 17 tanks 5 tanks are in CRZ area as per existing CZMP. The Authority also enquired about total number of storage tanks in the area and their locations as per the CZMP. After the presentation the matter was discussed in detail in background of full case.

It noted that the matter of violation of CRZ norms by M/s Aegis Logistics Ltd was placed in 50th, 63rd, 65th, 68th, 69th meeting of MCZMA and noted the detailed background of the matter as follows-

1. The MoEF had forwarded the complaint against the Aegies Logistics vide letter dated 3.2.2009 to MCZMA to examine the matter. The complainant stated that M/s. Ageis Logistics Ltd. and other companies have violated the CRZ norms and has constructed Chemical Storage Tanks in the CRZ area near Pir-Pau Jetty, Mahul-Chembur after the CRZ Notification, 1991.
2. Therefore MCZMA vide Letter dated 27/02/2009 requested M/s Aegis Logistics Ltd to submit the information of various tanks super imposed on approved CZMP of Mumbai and provide a copy of CRZ permission, if any, in case of applicability of CRZ Notification 1991 to their activity or submit demarcation survey carried out by agency authorized by MoEF.
3. M/s Aegis logistics Ltd had submitted their report vide their letter dated 27/02/2009.
4. Then matter was placed before MCZMA in its 50th meeting held on 25/03/2009 so as to send the decision to MoEF as requested by them vide their letter dated 3.2.2009. Violations were noted with the regard to the location of the tanks .It was decided to refer the case to MoEF, New Delhi for further guidance to decide next course of legal action in the matter. The Decision of MCZMA was communicated to MoEF in response to their letter dt. 21/08/2008, 01/08/2008 and 13/03/2009, with copy to Member Secretary, MPCB for further necessary action.
5. MoEF vide letter dated 02/06/2009 requested Chairman, MCZMA to examine the complaint received by MoEF and appropriate action to be taken in case of violation with intimation to this ministry.
6. Chairman MCZMA vide letter dated 01/08/2009 requested Member Secretary, MPCB to examine the allegations indicated in the above said letter and take an appropriate action in case of violation of provision of Environment (Protection) Act



- 1986, Water Act, Air Act as well as CRZ Notification 1991 and sent detailed action taken report to the Department.
7. Show-Cause Notice was issued under Section-5 of Environment (Protection) Act, 1986 to M/s. Aegis Logistics Ltd. by Chairman (MCZMA) on 11.05.2010
 8. With respect to this Notice, M/s. Aegis Logistics Ltd. has clarified various issues raised vide letter dated 7th June 2010.
 9. Considering the notice issued and the reply of the proponent, the matter was placed in the 63rd meeting of MCZMA held on 5.7.2010. The Authority directed M/s. Aegis Logistics Ltd. to apply for CRZ and Environmental Clearance before the Authority at the earliest.
 10. Accordingly, M/s. Aegis Logistics Ltd. submitted the required information and clarification vide letter dated 30th August 2010. As per the approved CZMP site under consideration is partly in CRZ-II. However, Agies Ltd did not agree with the demarcation of HTL indicted in the CZMP and requested to correct the map citing the location of the cooling pond of the Tata Power Company which is indicated in CRZ III.
 11. The application was placed before the 65th meeting of MCZMA held on 9.9.2010. Authority after deliberation, directed M/s. Aegis Logistics Ltd. to get the survey done and provide the map demarcating site under reference from any of the MoEF authorized agencies to MCZMA; to ascertain the actual CRZ status of the site under reference so as to determine the permissibility of the activities carried out by M/s. Aegis Logistics Ltd. and revert."
 12. In the meanwhile, Show Cause Notice had been issued to M/s. Aegis Logistics Ltd. vide letter dated 07.02.2011 under Section-5 of Environment (Protection) Act, 1986 for operating their facility without obtaining CRZ clearance from competent authority and for violating the provisions of CRZ Notification, 1991.
 13. M/s. Aegis Logistics Ltd. carried out the survey of the land under reference from Centre for Earth Science Studies (CESS), Kerala and submitted the survey report to MCZMA vide letter dated 28th February 2011.
 14. The matter was placed in 68th meeting of MCZMA held on 14.3.2011 in view of survey report submitted by M/s Ageis Ltd in which the Authority decided to direct MPCB again to implement the directions of the Authority to ensure that no violation of provisions of CRZ Notification, 1991 and 2011 are done by the company. It referred the matter of non-compliance to MoEF for further action along with all details on the case. MPCB was also directed to survey other storage areas/ companies in the MbPT areas to ensure the compliance of CRZ Notification, 2011 and 1991 and send the report to the Authority within a month.
 15. In the meanwhile, M/s. Aegis Logistics Ltd. vide letter dated 2^{1st} April 2011 has submitted the original copy of the revised survey report prepared by CESS, Kerala for their site. The survey report has been revised with respect to the CRZ demarcation of the site under reference including findings on South side boundary



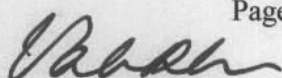
(without taking into account the discharge of hot saline water from Tata Thermal Power Plant.") as per the criteria of CRZ notification, 2011.

16. The matter was placed in the 69th meeting of MCZMA in view of revised survey report prepared by CESS for the site. Authority noted some of the important points as mentioned in the conclusion of this revised survey report are as follows:
- The revised survey report is as per the guidelines of CRZ Notification, 2011. Therefore, distance of 150 m is reduced to 100 m from the HTL of creek. As per the approved CZMP by MoEF, distance from HTL of creek is 150 m significantly large portion of the plot therefore was in CRZ-II.
 - Referred site and the surroundings have a few storage tank facilities belonging to different operators like Tata Power, Aegis and BPCL. Most of these have come up in the past in reclaimed tidal flats. Drainage channels and cooling water discharge channels and ponds also exist in the region.
 - Reclamation that has taken place during the last 20-30 years has modified the morphology and redefined the HTL and LTL of the area.
 - The HTL and LTL are identified from geomorphic signatures such as mangroves, tidal flats, embankments, bunds etc. as observed during field mapping carried out in December 2010- February 2011.
 - Distance from South boundary of Aegis property to the outer bund of the Tata Power cooling ponds (Municipal bund/ Tata bund) is 588 m.
 - Large tracts of mangroves are present on the banks, which are CRZ-IA. The inter-tidal zone without mangroves is CRZ-IB. the mangroves have coverage more than 1000 m³ and hence a buffer zone of 50 m.
 - Width of the creek is more than 100 m considering the distance from the HTL at the bank of the HTL on the opposite bank of the creek and accordingly the CRZ set back line on the banks is 100 m.
 - Mahul being within Mumbai Municipal Corporation, the developed area in the CRZ is CRZ-II as per the CZMP of Maharashtra.
 - Part of the existing storage tanks is within the 100 m CRZ on the banks of the creek.

The Representative during their presentation submitted the layout plan of storage tanks superimposed on the revised/ demarcated CZMP prepared by CESS as well as per the approved CZMP of Mumbai. The Authority noted the location of storage tanks with number as submitted by them.

M/s Aegis Logistics Ltd requested the Mczma to accept the CRZ map prepared by Centre for Earth Science & Studies (CESS), Kerala, as per the norms of CRZ Notification, 2011 and not as per approved CZMP. MCZMA had sought clarification from MoEF on the same since old CZMP of Mumbai approved by MoEF in January, 2000 is till valid for two years or till the time new CRZ map is prepared.

Therefore, M/s Aegis Logistics was directed to store only chemicals which are permissible in the tanks in CRZ area and MPCB was directed to implement the order. Accordingly, MPCB revised their consent to operate which was challenged in the Hon. High



Court before the bench of Hon. Chief Justice Shri Mohit Shah. The order of MPCB was stayed. However, proceedings between MCZMA and MoEF were not stayed.

Now NCZMA / MoEF in its 22nd meeting held on 30th May, 2011 had decided not to allow reclassification of individual plot except error evident on record. Further, CRZ map preparation as per new notification is also in progress. As per CZMP approved of Mumbai approved by MoEF in 2000, the plot of Aegis is partially affected by CRZ II area.

The matter W.P. No. 1542/2011 was on board before the Hon. Chief justice Shri Mohit Shah on 17.7.2012. The matter was adjourned to 23rd August.

During the meeting, project proponent put forward the proposal of setting of additional 17 storage tanks. As presented by the proponent, 5 tanks out of 17 tanks are in CRZ area as per approved CMZP of Mumbai and as per CESS, Kerala CRZ map.

The Authority also noted the clarification of MoEF dated 5.7.2011 in the matter, which is as follows-

1. At this stage the CZMP cannot be approved under CRZ Notification, 1991. The CRZ Notification, 2011 has to be taken into consideration for approving the CZMP.
2. There is no cutoff date for storage of non permissible POL/ chemicals. In the CRZ area only those which are permissible in the notification can be stored with approval.
3. Further MCZMA may take into consideration orders of Hon. High court of Bombay which has been furnished by the company along with written submission in response to the show cause notice issued on 1st March, 2011.

In light of detailed background of the case and above-mentioned MoEF's clarification, the Authority after deliberation decided as follows-

1. M/s Aegis Logistics limit is directed to follow the CZMP of Mumbai approved by MoEF in January, 2000, till new CZMP map of Mumbai as per CRZ Notification, 2011 is approved by MoEF.
2. The Company should store chemicals which are only permissible as per CRZ Notification 2011, in the tanks which are constructed in CRZ area after 19.2.1991 till date.
3. In the tanks, which are constructed, developed and put in use in CRZ area prior to the promulgation of CRZ Notification, company can store chemical which are permitted in Non-CRZ area with due permission of MPCB and other competent authorities.
4. Tanks which are located in non CRZ area as per approved CZMP, can be used to store chemicals permissible as per norms with due permissions from competent authorities including MPCB.
5. MPCB is directed to-
 - a) Take legal action on the company for the construction of storage tanks without its prior consent in CRZ area under Water Act, 1974 And Air Act, 1981; from 19.2.1991 till date.



- b) After taking legal action on violations, MPCB should revise their consent to operate clearly indicating that tanks which are constructed from 19.2.1991 to till date in CRZ area should be used to store chemicals which are permissible as per CRZ Notification, 2011 only, till the new CZMP is approved by MoEF.
 - c) For storage in non-CRZ area, M/s Aegis Logistics Ltd should obtain all the permissions from MPCB and other competent authorities before put in use.
 - d) Status as above should be submitted before Hon. High Court.
6. It was brought to the notice of the MCZMA that the company had accepted and requested for the CRZ clearance as per the approved CZMP of 2000, (as per CRZ 1991 notification) where the same company had represented in the Hon High Court against the same map and were arguing for clearance as per the yet to be approved CZMP on the basis of CRZ 2011 notification. This aspect should be brought to the notice of the Hon High Court.

Item No. 16: Complaint regarding Storage of Chemicals at Sea Lord Ltd.

The matter was placed before the authority. Authority noted the followings-

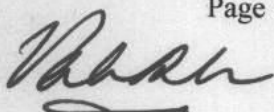
The matter regarding "Storage of Chemicals at Sea Lord Ltd" was considered in the 75th meeting of MCZMA held on 15.5.2012. As decided in the meeting notice was issued to M/s. Sea Lord Container Limited and the Maharashtra pollution Control Board on 18.7.2012 for submitting information and CRZ map. The office of the Commissioner of Customs (Import), Mumbai requested vide letter dated 12.7.2012 to inform them about the present status of the case from CRZ point of view.

M/s. Sea Lord Container Limited submitted its reply along with DP remarks of MCGM vide letter dated 18.6.2012 to Maharashtra Coastal Zone Management Authority. As per the reply: 1) the site bearing survey No. CTS No. 358, 359, and 338 is Mumbai Port Trust owned land and located in I-3 zone. 2) As per approved CZMP of Mumbai and DP remarks of the MCGM, the site under reference is in Non-CRZ area. Further, since the plot is in Non-CRZ area, the company obtained all other permission from MPCB, Directorate of Industrial Safety and Health (DISH), Petroleum and Explosives Safety Organization (PEPSO) for storing the chemicals.

On the basis of complaints, the MCZMA issued notice to M/s. Sea Lord Container Limited and MPCB directing them to store only chemicals which are allowed in the CRZ area till the CRZ status of the plot is decided by the Authority.

Project proponent presented detailed submission indicating CRZ map, other permissions etc., before the authority in its meeting.

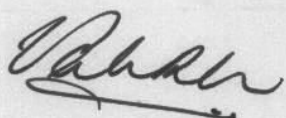
The Authority after deliberation decided that as per the documents submitted and the approved CZMP of Mumbai the site of M/s Sea Lord Ltd was outside the CRZ area. Hence, decided to inform the Maharashtra Pollution Control Board and Customs Department of the same.



Item No. 17: Proposed construction of temporary fiber shed using iron nut-bolts for queue formation of devotees at Ganpatipule Mandir Complex.

The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Details:	Construction of temporary fiber shed using iron nut-bolts.
2	Location of the Project:	Survey No. 1, Hissa. No. 1 of Mouje Ganpatipule, Taluka and District-Ratnagiri.
3	Proposal Category:	Temporary construction.
4	CRZ Category of the proposed site:	As per Ratnagiri Town Planner, The land under the reference falls under CRZ - I and located at seaward side of existing road. As per Collector's letter dt. 13.4.2012, The said area falls under CRZ - III and situated within 200mt from HTL.
5	Natural Disasters:	Cyclone <i>Fayan</i> was reported dt. 11.11.2009.
6	DP Remarks, a) Zone: b) Reservation: c) Existing Use: d) Proposed Use:	The land is included in the Ratnagiri Sindhudurg Regional plan approved by state Govt. in Urban Development Department. No specific zoning plan approved. No designated reservation approved in the Regional plan. At present the devotees stand in a queue under Tin Shed and Supportive Bamboo queue. Proposed structure (Open type enclosed shed) is for queue formation of devotees.



6	DCR Applicable:	DCR 19.02.1991
7	FSI Details, a) Permissible FSI: b) FSI proposed to be consumed:	1.00 as per DCR 1991 1.00
8	Area Details, a) Total area of the plot: b) Total Built up area:	As per Form-I submitted by Project proponent ; 449.19 sq.mt 449.19 sq.mt
9	Planning Authority comments:	The shed for protection from rain in monsoon and sun in summer is of open type enclosed shed proposed over open space between existing building of Ramaniwas & Pakshala & compound wall. The proposed use is of social nature may be recommended for approval vide norms of sub clause 8 III (iii) (j) under CRZ Notification, 2011.

Authority noted that proposed activity is in CRZ III and essential for local inhabitants. Since, activity is permissible as per the CRZ Notification, 2011; it was decided to recommend the case from CRZ point of view.

Item No. 18: Proposed residential building on plot bearing CTS No. 1301/24 of village Versova situated at J.P Road, Versova, Andheri (West).

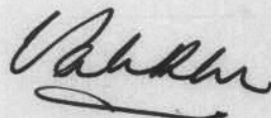
The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Details:	Proposed construction of residential building comprising of ground floor for stilt car parking + 3 upper floors for residential use.
2	Location of the Project:	Plot bearing CTS No. 1301/24 of village Versova situated at J.P Road, Versova, Andheri (West).
3	Proposal Category:	Development of residential building.

4	CRZ Category of the proposed site:	As per MCGM remarks, <ul style="list-style-type: none"> The land under reference falls within 500 mtr. of HTL of Arabian sea. The plot falls in CRZ- II area and is situated on landward side of existing road which is prior to 1991.
5	DP Remarks, e) Zone: f) Existing Use: g) Proposed Use:	As per MCGM remarks, The plot falls in Residential zone as per old DP as well as revised sanctioned DP (1993) and is not under any reservation as per both of these development plans. Existing unauthorized structure on plot under reference is already demolished. Proposed use is for residential purpose.
6	DCR Applicable:	DCR of 1967
7	FSI Details, a) Permissible FSI: b) FSI proposed to be consumed:	1.00 as per DCR of 1967 0.98
8	Area Details, a) Total area of the plot: b) Proposed area: c) Total Built up area:	As per lay out plan submitted by the proponent, 652.6sq.mt 642.72sq.mt 642.72sq.mt

The Authority noted that the proposed activity was permissible as per CRZ Notification, 2011. Hence it was decided to recommend the matter from CRZ point of view to the Municipal Corporation of Greater Mumbai. Subject to the submission of the following:

- 1) Distance from defense installation and NOC of the defense authorities for the proposed construction.

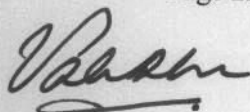


2) Status of the court case if any.

Item No. 19: Proposed redevelopment under the provision of D.C. Regn. 33(7) of 1991 to the existing building on plot bearing no. 105, C.S. No. 1815 of Shivaji Park Division situated at Shivaji Park road no. 3, Dadar (W), Mumbai 400 028 in G/N ward

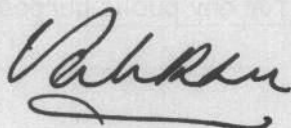
The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Category	: Redevelopment of existing cess building under the provision of D.C. Regn. 33(7) of 1991
2	Location of the Project	: Plot no. 105, C.S. No. 1815 of Shivaji Park Division situated at Shivaji Park road no. 3, Dadar (W), Mumbai 400 028
3	Proposal Details	: Proposed construction of residential building comprising of stilt + 10 upper floors by demolishing existing cess structure.
4	Details of the project site, a) CRZ Category b) Project site	: CRZ II : Landward side of 90' existing Cadell road (Swatantrya Veer Savarkar Marg).
5	DP Remarks, h) Zone i) Reservation j) Proposed Use	: Residential Zone : Not reserved for any public purpose : Residential
6	FSI Details, c) Permissible FSI as on DCR prior to 6.1.2011 d) FSI to be proposed	: 2.50 : : 2.499
7	Area Details, c) Total area of the plot d) Permissible floor area e) Proposed floor area f) Excess balcony area taken in to FSI	: 473.25Sq.mtr. : : 1183.125Sq.mtr. : : 1164.93Sq.mtr. : 18.14Sq.mtr.



	g) Total Built up area proposed		1183.07Sq.mtr.															
8	Areas claimed as Free of FSI	:	<div><div>a) Lift = 90.20Sq.mtr. b) Lobby = 98.45Sq.mtr. c) Staircase = 178.31Sq.mtr. d) Flower Bed = 266.26Sq.mtr. e) Balcony = 113.21Sq.mtr.</div><table><tr><th></th><th>Component</th><th>D.C.Reg.</th></tr><tr><td>1</td><td>Staircase, lift and lift lobby ara, etc.</td><td>Regn.. 35(2)</td></tr><tr><td>2</td><td>Balcony</td><td>D.C. Regn. 38(22) with 30(ii)(f)</td></tr><tr><td>3</td><td>Flower beds / ornamental projections</td><td>D.C. Regn. 30(ii)(e)</td></tr><tr><td>4</td><td>Parking spaces / area of stilt for parking</td><td>D.C. Regn. 36 with 35 (2)(f)</td></tr></table></div>		Component	D.C.Reg.	1	Staircase, lift and lift lobby ara, etc.	Regn.. 35(2)	2	Balcony	D.C. Regn. 38(22) with 30(ii)(f)	3	Flower beds / ornamental projections	D.C. Regn. 30(ii)(e)	4	Parking spaces / area of stilt for parking	D.C. Regn. 36 with 35 (2)(f)
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4	Parking spaces / area of stilt for parking	D.C. Regn. 36 with 35 (2)(f)																
9	Height of the proposed building	:	34.60mtrs.															
10	No Objection Certificates	:	<div><div>i. M.B.R. & R. Board has issued Letter of Intent to develop the property for FSI 2.5 dated 2.9.2011</div><div>ii. N.O.C. from Estate department, MCGM dated 22.6.2012</div></div>															
11	Public Consultation Report	:	MPCB Submitted the proceeding of Public Hearing conducted on 11.5.2012															

The Authority noted that the proposed activity is permissible as per CRZ Notification, 2011. It decided to recommend the matter from CRZ point of view to the Municipal Corporation of Greater Mumbai

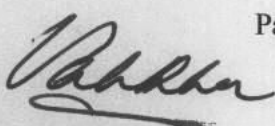


Item No. 20:

Proposed redevelopment under section 33/6 of D.C. Regn. 1991 on plot bearing F.P. No. 36, T.P.S. - II at Dr. Dilip Gupte Marg of Mahim Division, Mumbai

The matter was placed before the authority. Authority noted the followings-

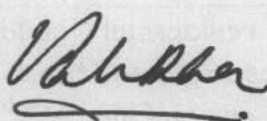
Sr.No.	Particulars	Details
1	Proposal Category	: Redevelopment of existing dilapidated building under the provision of D.C. Regn. 33(6) of 1991
2	Location of the Project	: F.P. No. 36, T.P.S. - II at Dr. Dilip Gupte Marg of Mahim Division, Mumbai
3	Proposal Details	: Proposed building comprising of basement + stilt with residential floors from 1 st to 5 th + 6 th (pt) floors by demolishing existing structure.
4	Existing Structure Details	: a) MCGM mentions vide letter dated 6.1.2010, the building on the premises 'on plot bearing F.P. No. 36, T.P.S. - II, at Dr. Dilip Gupte Marg of Mahim Division, Mumbai which is in a ruinous condition likely to fall and dangerous to any person occupying, resorting to or passing by the same. MCGM further mentions, it requires to pull down under sec. 354 of the Mumbai Municipal Corporation Act. b) As per MCGM letter dated 30.12.2009, existing building under reference comprises of Ground + 3 upper floors in front, stilt + 4 upper floors in rear side and ground + 1 upper floor on North side.
5	Details of the project site, CRZ Category Project site	: CRZ II : Landward side of the Dr. Dilip Gupte Road.
6	DP Remarks, a) Zone b) Reservation	: Residential Zone : Not reserved for any public purpose
7	FSI Details,	



	Permissible FSI	:	1.33
	FSI proposed as per 1967	:	1.30
8	Area Details, a) Total area of the plot b) Permissible floor area c) Proposed floor area	: : : :	557.70sq.mtr. 741.74sq.mtr. 729.00sq.mtr.
9	Areas claimed as Free of FSI	:	Staircase, lift, lift lobby, passage etc. as per provision of 35(2)(c) of D.C. Reg. 1991 is 203.52Sq.mtr. Balcony as per Reg. 38(22) & 35(2)(k) of D.C. Reg. 1991 is 26.82Sq.mtr. 2 level basement as per the provision of 35(2)(e) & 36(5)(a) of D.C.R. 1991 is 604.43Sq.mtr. Ornamental Projection (flower bed) / niches etc. as per provision of 35(2)(c) is 10.96Sq.mtr.
10	Height of the proposed building	:	23.95mtrs.
10	Public Consultation Report	:	Public Hearing conducted on 11.1.2012. Submitted the said report

The Authority noted that the proposed activity is permissible as per CRZ Notification, 2011. Therefore, it decided to recommend the matter from CRZ point of view to the Municipal Corporation of Greater Mumbai. Subject to the following conditions:

- 1) MCGM to ensure that no objection of Mumbai Heritage Committee is obtain prior to the commencement of the project.
- 2) Prior permission of State Ground Water Authority.
- 3) Prior permission of the High Rise Committee should be obtained.

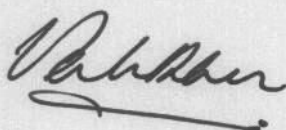


Item No. 21: Proposed redevelopment of the property to existing building on plot bearing C.S.No. 480 of Malabar Hill Division on the Jn. of Vachha Gandhi Road & Owen Dun Road & Nyaymoorthi Sitaram Patkar Marg in 'D' Ward

The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Category	: Redevelopment of existing cess building under the provision of D.C. Regn. 33(7) of 1991
2	Location of the Project	: Plot bearing C.S.No. 480 of Malabar Hill Division on the Jn. of Vachha Gandhi Road & Owen Dun Road & Nyaymoorthi Sitaram Patkar Marg in 'D' Ward, Mumbai
3	Details of the project site, a) CRZ Category b) Project site	: As per DP remarks of MCGM and the CZMP prepared by NIO, Goa the land under reference partly in CRZ II : As per the MCGM, the land under reference is landward side of 90'-0" wide Nyaymoorthi Sitaram Patkar Marg
4	DP Remarks, a) Zone b) Reservation c) Proposed Use	: Residential Zone : Not reserved for any public purpose : Residential
5	Existing Structure Details	: • As per the MCGM letter dated 15 th January, 2010, the property on land under reference is falls under Category 'A' (R). • As per layout plan submitted, existing structure comprising of Ground + 2 upper floor
6	Proposal Details	: The proposed residential building comprising of Basement + Stilt + 6 th Podium levels + Service Floor + 7 th to 45 th Upper Floors.
7	FSI Details,	As per MHADA vide letter dated 24.11.2011,

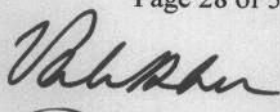
	a) Permissible FSI for Non-CRZ area	:	3.00
	b) Permissible FSI for CRZ area	:	2.50
	c) Total FSI to be proposed	:	2.54
8	Area Details, a) Total area of the plot b) CRZ affected area c) Non-CRZ area d) Permissible floor area (CRZ + Non CRZ) d) Proposed floor area e) Excess balcony area taken in to FSI f) Column Area g) Total Built up area proposed h) Total Construction area	: : : : : : : : :	As per layout plan submitted, 965.08 Sq.mtr. 862.79 Sq.mtr. 102.29 Sq.mtr. 2463.85 Sq.mtr. 2426.22Sq.mtr. 20.20 Sq.mtr. 2.16 Sq.mtr. 2448.58 Sq.mtr. 16380.99 Sq.mtr.
9	Areas claimed as Free of FSI a) Area of staircase, lift, lift lobby free of FSI permissible as per D.C. Regn. 35(2)(c) of 1991 b) Area of elevation features, basement, ground (stilt), podium, ramp, refuge floor, service floor and lift machine room free of FSI	: : :	3745.04 Sq.mtr 10186.85 Sq.mtr.
10	Height of the proposed building	:	149.10 mtrs..
11	No Objection Certificates	:	iii. M.B.R. & R. Board (A MHADA Unit) has issued No Objection Certificate for redevelopment of captioned property Partly with FSI 3.00 or FSI required for rehabilitation of existing



			<p>tenants plus 50% incentive FSI whichever is higher for Non-CRZ portion in accordance with the modified D.C. Regulation 33(7) & Appendix-III to this regulation 33(7) and as per notification No. TPB-4308/3224/CR-268/2008/A/UD-11 dated 21.5.2011 and partly with FSI 2.5 or rehab + 50% incentive FSI whichever is higher in accordance with the D.C. Regulation 33(7) & Appendix-III to this regulation 33(7) as per revised CRZ guidelines vide Govt. of India Notification issued under SO-19(E) dated 6.1.2011 for the part portion of property which falls under CRZ.</p> <p>iv. Provisional N.O.C. from Estate department, MCGM dated 22.9.2011 is submitted.</p> <p>v. The MCGM has issued letter dated 27.10.2009 mentioning No Objection of the M.H.C.C. is not required for the proposed development. Since the property under reference falls within Gamdevi Heritage Precinct.</p>
12	Public Consultation Report	:	The MPCB has Submitted the proceeding of Public Hearing conducted on 31.1.2012

The Authority noted that the proposed activity is permissible as per CRZ Notification, 2011. It decided to recommend the matter from CRZ point of view to the Municipal Corporation of Greater Mumbai. Subject to the following conditions:

- 1) MCGM to ensure that no objection of Mumbai Heritage Committee is obtain prior to the commencement of the project.
- 2) Prior permission of State Ground Water Authority.



- 3) Prior permission of the High Rise Committee should be obtained.

Item No. 22: The proposal for Santacruz Coastal Police Station on land bearing S.No. 72 & 78, CTS No. 1211 & 1213(pt), Village Juhu, Taluka Andheri, Mumbai.

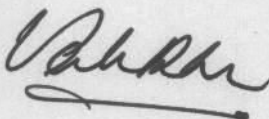
The Authority noted the proposal details which is as follows-

- 1) The Home Dept. proposed to construct Santacruz Coastal Police Station on land admeasuring 649.20sqmts and bearing S.No. 72 & 78, CTS No. 1211 & 1213(pt), Village Juhu, Taluka Andheri, Mumbai. Proposal is routed through Revenue Dept.
- 2) Revenue Dept. requested to issue NOC from CRZ point of view so as to enable transfer of land to the Home Dept. for construction of Coastal Police Station.
- 3) As per the sanctioned Development Plan for Mumbai, the land under reference falls in CRZ-II and the reservation for the land under reference is for 'Drying Ground'
- 4) The area admeasuring 9.69.98 Ha.r of land bearing S.No.72 & 78, CTS No.1213 was given to Juhu Tara Koli Jamat on leasehold since 14.04.1952 for 30 years for fish and net drying. The period of the same had been completed on 13.04.1982
- 5) The possession of the land under reference has been given to the Police Inspector, Mumbai Coastal Police Station, Mumbai on 07.08.2009 vide instructions of District Collector, Mumbai Suburban District dated 02.07.2009.
- 6) This matter was considered by MCZMA in its 59th meeting held on 14.01.2010 and it was recommended to MoEF on following grounds:
 - a) However, as per the MoEF letter No. 11.83/2005-IA-III dated 03.12.2008:
"The coastal police stations are required for defense, policing and vigilance purposes in coastal areas and the CRZ Notification in its various sections has brought out that clearance shall be given for any activity within CRZ, if it requires waterfront and foreshore facilities. Due to their nature of work, the police stations in coastal areas may be treated as an activity requiring foreshore facilities"
 - b) In case of the proposed construction, change of existing use or land reservation is not permissible as per the CRZ Notification, 1991. However, considering the importance of this case from defense and security point of view, the matter can be recommended to MoEF so as to obtain prior permission of MoEF for change in the reservation of 'Drying Ground'.

The Authority took note of the fact that the land under reference is reserved for 'Drying Ground'. Considering the interest of fisherman community in the surrounding area, it was decided to suggest to the Revenue Dept to

1. Take suggestions / objections/ consultation with local fisher folks/ traditional dwellers before taking final decision

OR



2. Look for alternative site for the construction of costal police station, if there any objections from local communities.

Item No. 23:

The proposal for Coastal Police Checkpost on land bearing S.No. 66, CTS No. 1203A, Villaga Madh, Taluka Andheri, Mumbai.

The Authority noted the proposal details which is as follows-

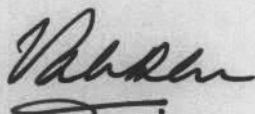
- 1) The Home Dept. proposed to construct Coastal Police Checkpost on land admeasuring 718 sqmts and bearing S. No. 66, CTS No. 1203A, Village Madh, Taluka Andheri, Mumbai. Proposal is routed through Revenue Dept.
- 2) Revenue Dept. requested to issue NOC from CRZ point of view so as to enable transfer of land to the Home Dept. for construction of Coastal Police Station.
- 3) As per the submitted map and sanctioned D P for Mumbai, the land under reference is classified as No Development Zone and falls in CRZ-I.
- 4) This matter was considered by MCZMA in its 60th meeting held on 25.02.2011 and it was recommended to MoEF on following grounds:
 - a) As per the CRZ Notification, 1991 (amended time to time), any construction or reclamation work is not allowed in CRZ-I area.
 - b) However, as per the MoEF letter No. 11.83/2005-IA-III dated 03.12.2008:
 - c) "The coastal police stations are required for defense, policing and vigilance purposes in coastal areas and the CRZ Notification in its various sections has brought out that clearance shall be given for any activity within CRZ, if it requires waterfront and foreshore facilities. Due to their nature of work, the police stations in coastal areas may be treated as an activity requiring foreshore facilities"
 - d) No mangroves shall be cut and no non-forest activity is allowed in areas under mangroves as per Hon. High Court Order dated 27.02.2010.

The Authority took note of the fact that the land under reference is in no development zone and used by fisherman. Considering the interest of fisherman community in the surrounding area, it decided to suggest the Revenue Dept to-

1. Take suggestions / objections/ consultation with local fisher folks/ traditional dwellers before taking final decision

OR

2. Look for alternative site for the construction of costal police station, if there any objections from local communities.



Item No. 24: Proposed construction of building on plot bearing survey No. 29A/1, MHADA plot No. 135 at Village Alibag, Tal: Alibag (by Mr. Prashant Gharat)

The Authority noted that the proposal was considered in the 75th meeting of MCZMA held on 15th May, 2012. As per the decision of the Authority, the proposal was rejected from CRZ point of view since, plot under reference was reserved for open space, garden and play ground. As per the CRZ Notification, 2011 residential or commercial construction is not allowed on the open space, garden and play ground.

However, project proponent has submitted the letter dated 5.7.2012 of Alibag Municipal Council which mentions that land under reference falls in Residential zone as per Government Resolution No. TRN / TPS / 1405 / CR 40 / 2784 / UD 1 dated 11th July, 1986. Project Proponent submitted the said order during the meeting.

The Authority took note the Urban Development Department's order dated 11th July, 1986 which mentions about the change of reservation of land under reference from open space, play ground to Residential Zone. It requested the project proponent to submit the attested copy of the said order.

In light of above, the Authority decided to recommend the proposal from CRZ point of view to concerned planning authority i.e. Alibag Municipal Council subject to following conditions- project proponent to submit the attested copy of the said order indicating land under reference is in residential zone.

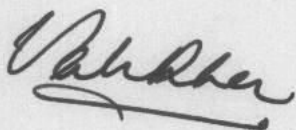
Item No. 25: Proposed construction of building on plot bearing survey No. 29A/1, MHADA plot No. 135 at Village Alibag, Tal: Alibag (by Mr. Pravin Waghdhare)

The Authority noted that the proposal was considered in the 75th meeting of MCZMA held on 15th May, 2012. As per the decision of the Authority, the proposal was rejected from CRZ point of view since, plot under reference are reserved for open space, garden and play ground. As per the CRZ Notification, 2011 residential or commercial construction is not allowed on the open space, garden and play ground.

However, project proponent has submitted the letter dated 5.7.2012 of Alibag Municipal Council which mentions that land under reference falls in Residential zone as per Government Resolution No. TRN / TPS / 1405 / CR 40 / 2784 / UD 1 dated 11th July, 1986. Project Proponent submitted the said order during the meeting.

The Authority took note of the Urban Development Department's order dated 11th July, 1986 which mentions about the change of reservation of land under reference from open space, play ground to Residential Zone. Authority requested project proponent to submit the attested copy of the said order.

In light of above it decided to recommend the proposal from CRZ point of view to the concerned planning authority i.e. Alibag Municipal Council subject to following



conditions- project proponent to submit the attested copy of the said order indicating that the land under reference was in residential zone.

Item No. 26: Proposed lift to the Existing Temple Building on plot no. 150, C.T.S. No. 1022, of village Pahadi Goregaon, at Bangur Nagar at Goregaon (W), Mumbai

Sr.No.	Particulars	Details
1	Proposal Category	: Proposed lift to existing temple building
2	Location of the Project	: Plot no. 150, C.T.S. No. 1022, of village Pahadi Goregaon, at Bangur Nagar at Goregaon (W), Mumbai
3	Proposal Details	: Addition & alteration by proposing Lift to the existing Temple Building.
4	Details of the project site, c) CRZ Category d) Project site	: CRZ II : Seaward side of the existing road as on 19.2.1991
5	DP Remarks, k) Zone l) Reservation	: Residential Zone : Not reserved for any public purpose
6	Existing Structure Details	: The existing Temple building comprising of Gr. + 1 st + 2 nd (part) upper floor for which plans were approved on 28.01.1976 & commencement certificate was granted on 12.9.1978 and part O.C.C. was granted on 3.11.1993 & entire O.C.C. was granted on 22.02.2010.
7	Area Details, a) Area of plot b) Permissible FSI c) Permissible floor d) Total built up area	: 688.90 sq.mtr. : 1 : 688.90 sq.mtr. : 679.73 sq.mtr
8	Areas claimed as Free of FSI	: The area of Lift, Lobby area will be claimed free and permissible as per DCR 1991 Regulation 32(2) (c)

The Authority after deliberation decided to recommend the matter from CRZ point of view to the Municipal Corporation of Greater Mumbai subject to condition that FSI of proposed lift is within the permissible limit of FSI as per DCR on 19.2.1991, involved in the total construction of temple.

Further, after deliberation, authority decided to direct the MCGM, to allow the proposals of installation of lift, if the FSI of lift is within the permissible limit as per DCR applicable for the proposals.

Item No. 27: Proposed redevelopment on plot bearing CTS No. 260, Malabar Hill Division, 100/100A, Walkeshwar Road, Mumbai

Sr.No.	Particulars	Details
1	Proposal Details:	Redevelopment of existing building
2	Location of the Project:	CTS No. 260, Malabar Hill Division, 100/100A, Walkeshwar Road, Mumbai
3	Proposal Category:	Reconstruction
4	CRZ Category of the proposed site:	CRZ II Landward side of existing Walkeshwar Road.
5	DP Remarks, a) Zone: b) Reservation: c) Proposed Use:	a) Residential b) Residential c) Commercial + Residential
6	DCR Applicable:	DCR 1967
7	FSI Details, a) Permissible FSI: b) FSI to be proposed:	a) 1.33 b) 1.33
8	Area Details, a) Total area of the plot: b) Permissible floor area: c) Net plot area: d) Proposed floor area: c) Total built up area:	a) 1582.80sqmts b) 2105.12sqmts c) 1347.60sqmts d) 2104.24sqmts e) 2104.40sqmts

9	Proposed height of the structure:	Wing A - 40.75mt Wing B - 23.35mt
10	Public Hearing Report:	Submitted. The public hearing was conducted on 20.10.2011.

The Authority noted that the proposed activity was permissible as per CRZ Notification, 2011. It was decided to recommend the matter from CRZ point of view to the Municipal Corporation of Greater Mumbai.

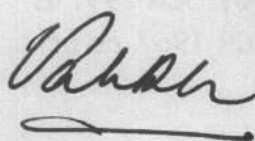
Item No. 28: Proposed redevelopment of building on plot bearing CTS No. 568/3 & 568 (pt) of village Juhu, Taluka Andheri, M.S.D. at Birla lane, Juhu, Andheri (W), Mumbai.

Sr.No.	Particulars	Details
1	Proposal Category	: Redevelopment of existing building
2	Location of the Project	: Plot bearing CTS No. 568/3 & 568 (pt) of village Juhu, Taluka Andheri, M.S.D. at Birla lane, Juhu, Andheri (W), Mumbai
3	Proposal Details	: 1. The proposal is for development residential building by demolishing existing bungalow building No. 3. The plot area on which there is existing structure - 471Sqmt 2. The proposed construction comprises of basement + Stilt + 1 st to 3 rd floor residential building by demolishing existing structure i.e. Bldg No. 3.
4	Details of the project site, a) CRZ Category b) Project site	: CRZ II : Seaward side of existing road
5	DP Remarks, a) Zone b) Reservation	: Residential Zone : Not reserved for any public purpose
6	Existing structures details	: There are 5 buildings on plot under reference. Out of those 5 buildings, reconstruction of building No. 3 (BUA - 292.45Sqmt) is proposed. As per assessment record, the bungalow

			on CTS No. 568/3 is prior to 19.2.1991.																																			
7	FSI Details, a) Permissible FSI b) FSI to be proposed	: 1 : 0.99																																				
8	Area Details, a) Total area of the plot b) Permissible floor area c) Proposed floor area	: 471Sq.mtr. : 471Sq.mtr. : 469.92Sq.mtr.																																				
9	Areas claimed as Free of FSI	:	<table><tr><th>Sr No.</th><th>Particulars</th><th>Provisions of DCR 1967</th><th>Area in Sqmt</th></tr><tr><td>1</td><td>Staircase, lift / lift lobby</td><td>51 (vi)(d)</td><td>141.12</td></tr><tr><td>2</td><td>Balcony</td><td>37(a)(i)</td><td>46.89</td></tr><tr><td>3</td><td>Stilt</td><td>51(vi)(a)</td><td>156.64</td></tr><tr><td>4</td><td>Meter Room</td><td>51(vi)(f)</td><td>6.64</td></tr><tr><td>5</td><td>Servant Toilet</td><td>51(vi)(e)</td><td>2.10</td></tr><tr><td>6</td><td>Basement</td><td>38(9)(iv)(d)</td><td>269.48</td></tr><tr><td colspan="3">Total</td><td>622.87 Sq.mtr</td></tr></table>				Sr No.	Particulars	Provisions of DCR 1967	Area in Sqmt	1	Staircase, lift / lift lobby	51 (vi)(d)	141.12	2	Balcony	37(a)(i)	46.89	3	Stilt	51(vi)(a)	156.64	4	Meter Room	51(vi)(f)	6.64	5	Servant Toilet	51(vi)(e)	2.10	6	Basement	38(9)(iv)(d)	269.48	Total			622.87 Sq.mtr
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6	Basement	38(9)(iv)(d)	269.48																																			
Total			622.87 Sq.mtr																																			

The Authority noted that the proposed activity was permissible as per provisions of CRZ Notification, 2011 and in accordance with town and country planning regulation existing as on 19.2.1991. After due deliberation, it decided to recommend the proposal to MoEF subject to following conditions-

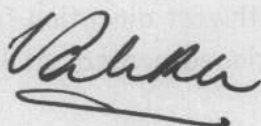
1. The proposed construction should be as the provisions of CRZ Notification, 2011. The FSI involved in the proposed activity should be as per DCR existing as on 19.2.1991
2. The proposed construction should be on landward side of the existing road or existing authorized structure.
3. Prior permission of the State Ground Water Authority should be obtained.



Item No. 29: Proposed redevelopment of existing residential hotel bldg. on plot bearing C.T.S. No. 564/1 of village Juhu, off. Juhu Tara Road, Vile Parle (W), Mumbai

Sr.No	Particulars	Details
1	Proposal Category	: Redevelopment of three starred residential hotel building
2	Location of the Project	: Plot bearing C.T.S. No. 564/1 of village Juhu, off. Juhu Tara Road, Vile Parle (W), Mumbai
3	Details of the project site, a) CRZ Category b) Project site	: CRZ II : Landward side of existing authorized building.
4	DP Remarks, Zone Reservation	: Residential Zone : Not reserved for any public purpose
5	Existing Structure Details	1. As per MCGM letter dt 15/09/2011, the said hotel is authorized building as well as authorized user in existence prior to 19.2.1991. 2. The existing structure comprising Gr. + 5 th floors residential hotel building. The plinth area of existing structure is 209.29 sqmt. 3. The Occupation Certificate has been issued by the MCGM on 14.2.1981 for the existing structure on land under reference.
6	Proposal Details	: 1. The proposal is for development of three starred residential hotel building by demolishing existing three starred category hotel building in lieu of plot potential and additional permissible 2.90 FSI under Reg. No.33(4) of DCR 1991 as well as DCR 10 (2) of DCR 1967 as per Government Notification. 2. Proposed three starred Residential hotel

			bldg. comprising of lower basement (for services) & upper basement (for parking) + Gr. Floor (partly for entrance lobby & stilts for parking), 1 st floor a restaurant and 2 nd & 3 rd fl. As podium for car parking, 4 th to 13 th fl. Levels (for guest rooms for residential use.) on plot bearing C.T.S. No. 564/1 of village Juhu, off. Juhu Tara Road, Vile Parle (W), Mumbai
7	FSI Details, h) Permissible FSI a) FSI to be proposed	: 1 : 3.90	A. The MCGM letter dated 15.9.2011 mentions that the user and FSI are admissible as per DCR prevailing as on 19.2.1991. Additional FSI is sanctioned by the State Govt UDD for total 3.90 FSI. Staircase & lift area is counted in FSI. B. The proponent has submitted the UDD letter dated 29 th January, 2011 regarding the additional FSI granted to proposed redevelopment. The letter indicates that additional FSI 2.90 over & above the permissible FSI of 1.00 is granted i.e. additional area of 3034 Sqmt including lift, staircase and lobby.
8	Area Details, a) Total area of the plot b) FSI Credit available allowable from U.D. Dept. as per Government Notification dt. 29.1.2011 c) Permissible floor area d) Proposed floor area e) Excess balcony area taken in FSI	: 1046 sq.mtr. : 3034 sq.mtr. : 4080sq.mtr. : 3841.06sq.mtr. : 234.48sq.mtr. : 4075.54sq.mtr. : 6887.31sq.mtr.	



	f) Total area proposed g) Total Construction area h) Built up area for FSI Purpose	:	4075.54sq.mtr.
9	Areas claimed as Free of FSI	:	2811.77sq.mtr. a. Basement: 1205.48sq.mtr. b. Podium: 1278.18sq.mtr. c. Refuse area: 118.43sq.mtr. d. Part stilt: 209.68sq.mtr.
10	Permissibility of podiums and basements		Basement and stilt floor is allowed free of FSI as per rule no. 51(vi)(a) provision below D.C. Rule. No. 36 of 1967. Stilt and higher parking floor (podium) is allowed free of FSI as per DCR/1079/1954/54/UD-5 dated 12 th July, 1979.
11	Height of the proposed building	:	Proposed height of the building is 51.85 mtr. As the building abuts internal layout road, height restrictions as envisaged in D.C.R.9(i) of D.C.R. 1967 are not applicable. Hence there are no height restrictions in the instant case, except as permitted by civil aviation authorities.

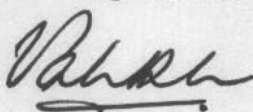
The Authority noted the additional FSI of 2.90 granted over & above the permissible FSI of 1.00 granted by UD vide letter dated 29th January, 2011 submitted by the proponent.

After due deliberation, it was decided to request the Urban Development Department to provide the speaking order pertaining to grant of additional FSI in the proposal. The Authority decided to take appropriate decision in the matter after the speaking order is submitted. Prior permission of the State Ground Water Authority should be obtained.

Item No. 30: Complaint- Revas Port and Dighi Port

The Authority noted that The Bombay Environmental Action Group has forwarded a complaint vide letter dated 7th December, 2011; alleging that

- MCZMA recommended a shift in the alignment towards Southwest direction for the ecological protection of the mangroves. In the above mentioned project at Rewas.



Citing this reason, in 2008, the project proponents have in fact increased their requirement of ITL (Transfer of inter tidal land) from 722 ha to 860 ha under a new alignment which is not the alignment for which MoEF permission had been acquired.

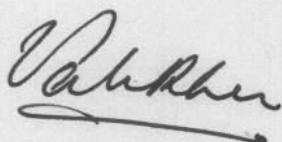
- New alignment, for which permission from MoEF is still to be obtained, increases the destruction of mangroves as it entails reclamation of 800 ha on west sea-face at the mouth of Mumbai harbour and which will block off all channels of sea water entering the 3,000 plus acres of mangroves wetland to the east of the reclaimed land.
- There has been no EIA for reclamation of 839 ha of ITL (actual transfer) at the mouth of Mumbai harbour.
- There has been no appraisal by the harbour / port authorities of such a large reclamation right on the mouth of Mumbai harbour, or its interaction with the channel leading to JNPT Port.

It also noted the background of the proposal which was placed in the 36th meeting of MCZMA held on 27.11.2006. The minutes of the meeting - " After due deliberations it was decided that the proposal will be recommended to the Ministry of Environment & Forest, GOI for grant of necessary CRZ clearance, subject to the following conditions-

- That no mangroves will be cut down
- A proper back up area will be provided to ensure that congestion is minimized
- All Environment aspects will be covered. Maharashtra Pollution Control Board (MPCB) will grant consent to operate after ensuring compliance of conditions imposed in the environment clearance..

The Authority discussed about the recurrent complaint received in the department regarding the Rewas and Dighi port. After deliberation, it was decided to constitute a sub-committee comprising of District Collector, Regional Officer, MPCB, Regional Officer, MMB, Dr. Baba, Dr. Ingole, Dr. Shindikar, Dr. Mrs. Deshmukh, along with the complainant; for joint inspection of site. The TOR for the committee will be as follows-

1. Whether the proposed activity is in accordance with the Environment clearance granted by MoEF.
2. Status of mangroves present in the surround area. Whether there is destruction / cutting of mangroves in the construction activity.
3. Whether any reclamation work is on in the site.
4. Grievances of the local people and surrounding fisherman community. Problems faced by them due to ongoing construction activity.
5. Environment safeguards measures implemented by the concerned agencies in ongoing construction work.
6. Violation of the provisions of Water Act, Air Act and Environment Protection Act 1986.

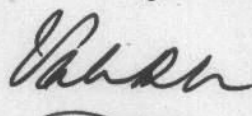


The committee shall visit the site and give a detailed report on points mentioned in TOR to the Authority. This may be submitted in one month's time. Based on the report, the Authority shall decide the further course of action in the matter.

Item No. 31: Proposed redevelopment of property bearing C.S.No. 1782, Plot No. 72 at Mahim Division, situated at Keluskar Road, Off Shivaji Park Scheme, Mumbai-400 028

The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Details:	The proposed construction is redevelopment of existing 'A' category cessed building comprising of Stilt + 1 st to 4 th Parking floors + 5 th to 17 th + 18 th (pt) upper floor
2	Location of the Project:	Plot bearing CS No. 1782. Plot No. 72 at Mahim Division, situated at Keluskar Road, Off Shivaji Park Scheme, Mumbai 400 028.
3	Proposal Category:	Redevelopment
4	CRZ Category of the proposed site:	CRZ-II Landward side of existing road
5	DP Remarks, a) Zone: b) Proposed Use:	As per the D P remarks of MCGM, the plot under reference is in residential zone and reserved for residential purpose Residential Use
6	FSI Details, b) Permissible FSI as per the prevailing GDCR as on 19.2.1991: c) FSI to be proposed: d) Existing Consumed FSI:	2.5 2.47 1.33
7	Area Details, a) Total area of the plot: b) Permissible floor area:	As per layout plan submitted by proponent a) 420.15sqmts



	c) Proposed built up area: d) Existing floor area: e) Total built up area:	b) 1050.37sqmts c) 1025.48sqmts d) 523.96sqmts e) 1039.85sqmts
8	Public Consultation Report	Conducted on 06.03.2012 as per the CRZ Notification, 2011 under item no. 08 V (D) (C) 4

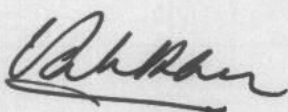
The Authority noted that the proposal was permissible as per the provisions of CRZ Notification, 2011 and with FSI as per the Town and Country planning regulations as on 6.1.2011. Therefore it decided to recommend the proposal to the concerned planning authority i.e. MCGM subject to following conditions-

- 1) The proposed construction should be as the provisions of CRZ Notification, 2011. The FSI involved in the proposed activity should be as per DCR existing as on 19.2.1991
- 2) The proposed construction should be on landward side of the existing road or existing authorized structure.
- 3) Prior permission of the State Ground Water Authority should be obtained.

Item No. 32: Four laning, improvement, O&M and toll collection of Bhiwandi-Kalyan-Shil Phata Highway on BOT basis (Phase-II) - Construction of Kalyan Bypass including bridge on Ulhas Creek, ROB on Central Railway.

It was noted that the matter was considered in 73rd meeting of MCZMA held on 30.12.2011. As decided in the meeting, MSRDC was requested vide letter dated 2.3.2012 to provide following information-

1. Details of the proposal (Construction of new Durgadi Bridge to replace the existing abandoned steel bridge) such as CRZ status, vegetation surrounding the project site, size, length, width etc of the bridge, excavation details etc.
2. Area, density, quantitative details of mangroves species among the existing vegetation affecting the project site along with detailed plan of compensatory mangroves plantation. MSRDC may take advice of Head of Botany Department, Institute of Science, Mumbai for conducting survey of the area in this regard.
3. Details of mudflats, wetland or other eco-sensitive area in the area, if any.
4. Road side compensatory afforestation plan in the area acquired by MSRDC for road development. Plan should indicate length of entire road, number and species of plants to be planted along both the side of the road, timeframe, cost, watering mechanism etc., name of the officer concerned for implementing the work along



with plantation. This officer will be held responsible and liable for action under Environment (Protection) Act, 1986 in case of failure in compliances.

The proposal details which were placed in 73rd meeting-

The project involves four laning & improvement of Bhiwandi-Kalyan-Shil Phata road and was approved by GoM vide GR dated 24.07.2006. The work was entrusted to MSRDC on BOT basis. The construction is proposed in 2 phases-

Phase	Description	Total estimated cost as per GR
I	Four laning and strengthening of 21.65 km road from Shil Phata to Bhiwandi, construction of Desai Creek Bridge, construction of Katai ROB including construction of slab drain & CD work	Rs. 127.334 crores
II	Construction of Kalyan Bypass Road along with Railway Over Bridge, major bridge on Ulhas Creek along with approaches and flyover bridge on Bhiwandi Bypass junction. Construction of new Durgadi Bridge to replace the existing abandoned steel bridge is also being taken up under this project.	Rs. 100.996 crores

Phase-I work has been completed by MSRDC and its operation and maintenance activities are in progress. MSRDC now proposes to take up the Phase-II work for which permission from MCZMA is requisitioned.

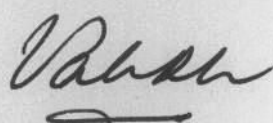
Land Details:

As mentioned in the submitted Form-I and as indicated on the CZMP submitted by Kalyan-Dombivali Municipal Corporation (KDMC) which is prepared by CESS, Kerala in the scale of 1:5000, the proposed bridge across Ulhas Creek is located in CRZ-I (non-mangrove inter-tidal area) i.e. CRZ-I(B) and CRZ-III (on landward side of HTL).

Proposal Details:

- As submitted in Form-I, the summary of the overall project is as follows:

Sr. No.	Section	Length
1	Existing road (Shil Phata-Kalyan) Tata Power House Chowk to MIDC Road Junction near Bus Depot	0.620 km
2	MIDC Road Junction to Viaduct Start	0.720 km
3	Viaduct, ROB and Creek Bridge	1.400 km
4	Creek Bridge/ Viaduct to Durgadi toll plaza (existing road Kalyan-Bhiwandi)	1.620 km



Total =	4.36 km
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- Total cost of the project is mentioned as Rs. 196 crores, out of which Rs. 12.65 crores is the cost of bridge proposed in the CRZ areas.
- The project in the CRZ areas involves construction of 1320 m (1.32 km) long viaduct/ ROB/ creek bridge across Ulhas Creek and Central Railway tracks with approach roads (3010 m) on either side.
- As per the submitted information, the area of bridge deck passing over CRZ is 480 sq. m. and 3600 sq. m. in CRZ-I(B) and CRZ-III respectively. The details of the proposed work is summarized as follows:

Sr. No.	Zone	Area of bridge in CRZ (in sq. m.)	No. of piers	Pier No. as per GAD	Diameter of pier (in m)	Total area of pier in CRZ (in sq. m.)	Cost
1	Non-mangrove inter-tidal zone [CRZ-I(B)]	80	2	15 & P16	1.5 m (12 Nos.)	1.2	Rs. 1.49 crores
2	CRZ landward of HTL [CRZ-III]	600	6	P12, P13 & P14	1 m (20 Nos.) 1.5 m (6 Nos.)	6.3	Rs. 11.16 crores
3	Total	080	8			7.5	Rs. 12.65 crores

- As per the submitted information, no tunneling is involved in the project and only quarrying for construction is involved.
- It is also mentioned that, there are neither mangroves vegetation nor mudflats near the proposed bridge location.
- Along with the submitted application in prescribed format, MSRDC has also submitted the information viz. environmental impacts & mitigation measures, Environmental Management Plan, Risk Analysis & Disaster Management Plan.

Based on the decision taken in the 73rd meeting, MSRDC forwarded the compliance vide letter dated 25.5.2012 which is as follows-

The proposed construction the Kalyan Bypass includes major bridge on Ulhas River and ROB on the Central Railway Line along with the approach roads. Proposed Kalyan Bypass project has been divided into four (4) sections. The brief description for each section is given below:



Project Road Sections:

Sr. No.	Sections	Description	Length
1	Existing Road (Shil Phata - Kalyan) Tata Power House Chowk to MIDC road Junction.	2 - Lane BT carriageway with paved shoulders	0.620 Km
2	MIDC Road Corner to Viaduct Start	Hilly, Paddy land and fields.	0.720 Km
3	Viaduct, ROB and Creek Bridge	Central railway line & Ulhas creek	1.400 Km
4	Creek Bridge / Viaduct to Durgadi toll plaza (Existing Road Kalyan - Bhivandi)	Bushes, Paddy field	1.620 Km
Total			4.36 Km

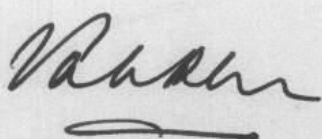
Area Statement as per approved CZMP of KDMC:

Sr. No.	Zone	Deck area of bridge	No. of Pier	Size of Pier	Total area of Pier	Cost in Cr.
1	CRZ-I (ii) Non Mangrove Intertidal-Zone	1100 Sq.m.	-	-	-	3.41 Cr.
2	CRZ -III Landward side of HTL	220 Sq.m.	A2	6.2 X 11	68.2 Sq.m.	6.82 Cr.
Total		1320 Sq.m.			68.2 Sq.m.	10.23 Cr.

Vegetation Study:

As surrounding areas are Coastal, vegetation is sparse on the Kalyan side. On the other side (Bhivandi side) of the creek some vegetation of trees and shrubs are found.

The Proposed alignment does not pass through any reserved forest/ park/ sanctuaries etc. There will be felling of 88 no's of existing trees within proposed Right of Way (ROW). List of existing trees is submitted.



Mangroves study:

The area is Non Mangrove Intertidal- Zone. No species of mangroves in the project affected area. Surrounding area is rocky in characteristic and there are no mudflats. There is no any mudflat, wetlands or any other eco-system on the both side of creek (Kalyan & Bhiwandi side) which could disturb due to proposed project activity in the area.

Compensatory Tree Plantation:

To compensate the loss of trees falling in the proposed ROW, trees will be planted within the project ROW. For the entire stretch of project excluding viaduct/ROB portion, about 88 trees will have to cut and to compensate the loss 1200 new plantation of trees would be done. In addition to this shrubs and flowering would be planted in the median verge.

List of species for tree plantation along the road portion of Kalyan bypass is submitted.

Road Cross Section and Project Row:

The proposed road project has 45 m ROW. The cross section shows about 1.5m wide median and space on either side of the road for tree plantation.

It is estimated that about 1200 can be planted within RoW. As the width of median is about 1.5m, it is not possible to plant trees. Hence, short and medium height shrubs and flowering plants will be planted within the median verge.

Coast Estimate:

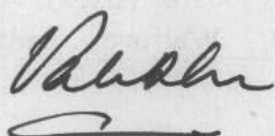
At least 1200 trees will be planted on both side of the road @ 5m spacing. The detail cost is work out as follows-

Item	Cost in Rs.
Cost inclusive of digging pits (1m X 1m X 1m) filling with earth and sand and manure @ Rs 300/- per plant	Rs. 3,60,000/-
Seedlings at varying prices averaged to Rs. 50/- each	Rs. 60,000/-
Cost of maintenance @ Rs. 100/- per plant, per annum for three years	Rs. 3,60,00/-
Lump sum cost shrubs 100% that trees	Rs. 7,80,000/-
Planting flowering shrubs in median (@ 500 shrubs / km) @ Rs.250/- per plant including 2 years of maintenance	Rs. 6,75,000/-
Total cost of roadside plantation	Rs. 22,35,000/-

Implementation Schedule:

Compensatory tree plantation within the project RoW and median verge landscaping can be taken only after construction of road.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to MSRDC as per the provision 5(X) of CRZ Notification, 2011.



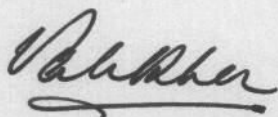
Item No. 33: Proposed redevelopment of transit camp with transit EWS & MIG type tenements at Kannamwar Nagar, Vikhroli (E), Mumbai.

Sr.No.	Particulars	Details
1	Proposal Category	: Proposed development of transit camp with transit EWS & MIG type tenements in non CRZ area.
2	Location of the Project	: Land bearing at S. No. 113(pt), C.T.S. No. 356, Kannamwar Nagar, Vikhroli (E), Mumbai
3	Proposal Details	: <p>a) The MHADA mentions that no construction activity is planned in CRZ area and CRZ area are not considered in calculating FSI and are deducted from total plot area.</p> <p>b) The proposed development involves:</p> <p>a. Pocket - I</p> <ul style="list-style-type: none"> • 7 Nos Transit Bldg of G + 7 • 2 Nos EWS Bldg of S + 24 • 2 Nos MIG Bldg of S + 7 • 18 Shops <p>b. Pocket - II</p> <ul style="list-style-type: none"> • 4 Nos Transit Bldg of G + 7 • 2 Nos EWS Bldg of S + 24 • 2 Nos EWS Bldg of S + 22 • 51 Shops
4	Details of the project site, c) CRZ Category	: partly affected by CRZ-II belt
5	DP Remarks, a) Zone b) Reservations affecting the land	: <p>Residential Zone</p> <p>land for Shops (4Nos), Garden (2Nos), Municipal Primary School (3Nos) Police Station (1Nos) Shopping Center (2Nos), Retail Market (1Nos), Play Ground (3Nos), Drama Theatre (1Nos), Kamgar Kalyan Bhavan (1Nos), Working Women Hostel (1Nos), Post Office (1Nos), Welfare Centre</p>

	<div>c) Reservations abutting the land</div> <div>d) Designations affecting the land</div> <div>e) Designations abutting the land</div>	<div>(1Nos), Combined Reservation of Shopping Centre & Public Housing</div> <div>: (1Nos), Women's Polytechnic (1Nos), Ext. to Sas (1Nos)</div> <div>: Play Ground</div> <div>: Garden (16Nos), Municipal Primary School (1Nos), Play Ground (3Nos) and Secondary School (1Nos)</div> <div>: Garden</div>																																					
6	FSI Details,																																						
	<table><tr><th>Sr. No.</th><th>Description</th><th>Pocket - I (Area in Sq.mtr)</th><th>Pocket - II (Area in Sq.mtr)</th></tr><tr><td>1</td><td>Plot area</td><td>57204.16</td><td>31824.50</td></tr><tr><td>2</td><td>Deduction for CRZ area</td><td>27124.70</td><td>7197.01</td></tr><tr><td>3</td><td>Balance plot area</td><td>30079.46</td><td>24627.49</td></tr><tr><td>4</td><td>FSI permissible</td><td>2.50</td><td>2.50</td></tr><tr><td>5</td><td>Permissible built up area</td><td>75196.65</td><td>61568.72</td></tr><tr><td>6</td><td>Add CRZ area @ 1 FSI</td><td>27124.70</td><td>7197.01</td></tr><tr><td>7</td><td>Net Permissible built up area under modified 33(5)</td><td>102323.35</td><td>68765.73</td></tr><tr><td>8</td><td>Proposed area</td><td>50812.87</td><td>67332.77</td></tr></table>	Sr. No.	Description	Pocket - I (Area in Sq.mtr)	Pocket - II (Area in Sq.mtr)	1	Plot area	57204.16	31824.50	2	Deduction for CRZ area	27124.70	7197.01	3	Balance plot area	30079.46	24627.49	4	FSI permissible	2.50	2.50	5	Permissible built up area	75196.65	61568.72	6	Add CRZ area @ 1 FSI	27124.70	7197.01	7	Net Permissible built up area under modified 33(5)	102323.35	68765.73	8	Proposed area	50812.87	67332.77		
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The Authority decided to recommend the proposal for NOC from the CRZ point of view subject to following conditions-


1. No construction should be undertaken in CRZ area.
2. No FSI should be used from the CRZ affected area for development in non CRZ area of the project since plots area not in contiguous.



Item No. 34:

Proposed construction for residential building on plot bearing CTS No. 1326, 1327, 1378(pt), 1379(pt), Village Versova, Taluka-Andheri, k/w ward, Mumbai.

Sr.No.	Particulars	Details
1	Proposal Details:	The proposed construction is development of residential building comprising of Stilt + 1 st to 10 th floor
2	Location of the Project:	CTS No. 1326, 1327, 1378(pt), 1379(pt), Village Versova, Taluka-Andheri, k/w ward, Mumbai.
3	Proposal Category:	New Construction
4	CRZ Category of the proposed site:	As per Approved CZMP the site falls in CRZ-II, Landward side of the Juhu Versova Link road known as Balasaheb Sawant Road
5	DP Remarks, a) Zone: b) Reservation: c) Proposed Use:	a) Residential Zone b) Partly Reserved for 'Municipal Primary School & Playground' (As per the letter PPC/110/0854/2012 dated 3 rd March, 2012) c) Residential Use
6	FSI Details, a) Permissible FSI b) FSI to be proposed:	a) 1.00 b) 1.00
7	Area Details, a) Total area of the plot: b) Permissible floor area: c) Net plot area: d) Total built up area: e) Construction built up area:	a) 13432.55 Sq.Mt b) 9157.52 Sq.Mt c) 9157.52 Sq.Mt d) 9154.62 Sq.Mt e) 14272.65 Sq.Mt



8	Permissible height of the structure:	62.67mt
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The Authority noted that the proposal was permissible as per the provisions of CRZ Notification, 2011 and with FSI as per town and country planning regulations as on 19.2.1991 i.e. DCR 1967. Therefore, it decided to recommend the proposal to the concerned planning authority i.e. MCGM subject to submission of following information-

1. MCGM to clarify that proposed construction is not on the land / plot reserved for school and play ground and area falls in residential zone as per the DP as on 19.2.1991.

Item No. 35: **Exemption requested of Kharland schemes from CRZ.**

The officials of kharland department presented the matter before the Authority. As per their presentation, it was noted that most of the bunds are in the areas where sparse or dense mangroves are present. It requested Supdt Engineer. Kharland department to provide the list of the bunds where there are no mangroves and the area with mangroves. The Authority after deliberation decided to refer the matter to MoEF subject to the submission of above information.

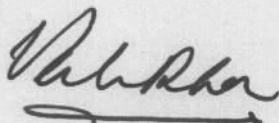
Item No. 36: **N.O.C. for Beautification of Gorai Jetty, Borivali (west) under Beautification scheme of Tourist places**

The Authority noted that Hon. MLA Shri Gopal Shetty has proposed the beautification of tourist place, Gorai jetty at Borivali (W), Mumbai through DPDC fund for beautification of tourist places. The Collector, Mumbai Suburban has approved the proposal. Mumbai Maritime Board has also approved the project.

The proposed work involves-

1. Reconstruction & shifting of existing toilet
2. Erection of shed for fish market
3. Watch tower & Erection of shed for police chowky.
4. Provision for drinking water.
5. Sitting arrangement with shed & Grill parapet.
6. Antiskid flooring along the jetty etc.

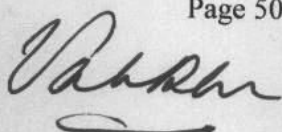
The Authority noted that as per CRZ Notification, 2011; the proposed works are permissible and essential for local inhabitants and fisherman community. Considering the



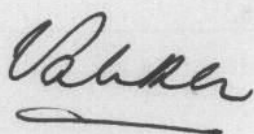
public interest involved in the proposal, the authority decided to recommend the proposal to MCGM and MHADA from CRZ point of view.

Item No. 37: Proposal for CRZ Clearance of proposed redevelopment of existing slum on land bearing CTS no. 9(pt), 11(pt), 12(pt), 13(pt) & 14 (pt), Tika No. 2 of village Chendani (New City Survey No. 13 A/1) in Municipal Corporation of Thane.

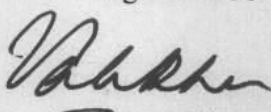
Sr.No.	Particulars	Details
1	Proposal Category	: Proposed redevelopment under Slum Rehabilitation Scheme
2	Location of the Project	: land bearing CTS no. 9(pt), 11(pt), 12(pt), 13(pt) & 14 (pt), Tika No. 2 of village Chendani (New City Survey No. 13 A/1) in Municipal Corporation of Thane
3	Proposal Details	: c) The proposal is submitted through Thane Municipal Corporation, for proposed redevelopment of existing slum on land bearing CTS no. 9(pt), 11(pt), 12(pt), 13(pt) & 14 (pt), Tika No. 2 of village Chendani (New City Survey No. 13 A/1) d) There were existing 384 slums on the plot under reference, which are now demolished. e) As per Thane Municipal Corporation, the proposal is for slum redevelopment on municipal land. The construction of building proposed on non CRZ area is in progress and the construction of part of building falling in CRZ area is not yet started. f) The Thane Municipal Corporation has issued commencement certificate vide letter dated 26.3.2009 to carryout development work on land bearing C.T.S. no. 9, 11, 12 & 13 (pt) and sector no.2 in village Chendani.



		<p>g) The proposed development involves,</p> <p>a. Slum Bldgs No. R1 to R4 - Ground + 8th upper floor</p> <p>b. Slum Bldg No. R5 - Ground + 13th upper floor</p> <p>c. Slum Bldgs No. R 6 & R7 - Ground + 8th upper floor</p> <p>d. Sale Bldgs No. S1 & S2 - Gr (pt) Stilt + 1st (pt) + Stilt + podium + 2nd (pt) + Stilt + podium + 3rd (pt) + Stilt + 4th to 9th upper floor</p> <p>e. Sale Bldg No. S3 - Gr (pt) + Stilt + 1st Stilt + podium + 2nd Stilt + podium + 3rd (pt) + Stilt + Podium + 4th to 17th floor</p> <p>h) Redevelopment of slum in non CRZ area is under taken as per the norms prescribed in Development Control Regulations utilizing 2.5 FSI. However the area included in CRZ -II the regulations as in enforce on 19.2.1991 utilizing 1.0 FSI.</p> <p>i) Project proponent has submitted Report on Geotechnical Investigation for proposed residential buildings at Khartan Road, Thane (W).</p>
4	<p>Details of the project site,</p> <p>d) CRZ Category</p> <p>e) Project site</p>	<p>: Partly affected by CRZ-II belt</p> <p>: landward side of the road existing prior to 19.2.1991</p>
5	<p>DP Remarks,</p> <p>f) Zone</p> <p>g) Reservations affecting the land</p>	<p>: Residential Zone</p> <p>: Children's Play Ground, Municipal Purpose, Municipal Housing & Municipal Workshop</p>
6	<p>Area Details:</p> <p>As per Thane Municipal Corporation,</p> <p>1. Total Plot area = 8232.78 sq.mtr.</p> <p>2. Plot area covered by slum = 8089.32 sq.mtr.</p>	



	<div>3. Area of reservations = 3448.20 sq.mtr.<div>a) Children's Play ground = 600.00 sq.mtr.<div>b) Municipal Purpose = 869.84 sq.mtr.<div>c) Existing Municipal Workshop = 1978.36 sq.mtr.</div></div></div></div> <div>4. Proposed parking reservation = 1600.00 sq.mtr.</div> <div>5. Area of residential zone = 3126.95 sq.mtr.<div>a) Affected by CRZ = 745.71 sq.mtr.<div>b) Non affected by CRZ = 2381.24 sq.mtr.</div></div></div> <div>6. Area under road = 57.63 sq.mtr.</div>
7	<div>FSI Details: As per Thane Municipal Corporation,<div>1. Area of the plot = 8232.78 sq.mtr.</div><div>2. Area of the plot considered = 8089.32 sq.mtr. for slum proposed</div><div>3. Plot area<div>In R- Zone = 7343.61 sq.mtr.<div>In CRZ - II = 745.71 sq.mtr.</div></div></div><div>4. Permissible FSI<div>2.5 = 1.00</div></div><div>5. Permissible area = 18359.02 sq.mtr. = 745.71 sq.mtr.</div><div>6. Total Permissible area = 19104.73 sq.mtr.</div><div>7. Proposed built up area as per LOI,<div>a. Rehab area = 12055.72 sq.mtr.<div>b. Sale area = 7049.01 sq.mtr.<div>c. Total area = 19104.73 sq.mtr</div></div></div></div><div>8. Approved built up area,<div>a. Rehab area = 12055.72 sq.mtr.<div>b. Sale area = 7049.01 sq.mtr.<div>c. Total area = 19104.73 sq.mtr</div></div></div></div><div>9. Proposed built up area as pre last sanction,<div>a. Rehab area = 10993.23 sq.mtr.<div>b. Sale area = 6932.74 sq.mtr.<div>c. Total area = 17925.97 sq.mtr.<div>d. Balance area = 1178.76 sq.mtr.</div></div></div></div></div></div>
8	<div>Tenements Details (Proposed): As per Thane Municipal Corporation,<div>1. Residential Tenements = 278 Nos.</div><div>2. Commercial Tenements = 17 Nos.</div><div>3. P.A.P Tenements,<div>a. P.A.P. = 14 Nos.<div>b. Non - Eligible (Additional P.A.P.) = 89 Nos.</div></div><div>c. Total P.A.P Tenements = 103 Nos.</div><div>d. Balwadi = 07 Nos.</div></div></div>



e. Society Office	= 07 Nos.
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The Authority noted that area admeasuring 775.71sqmts is in CRZ and same is also in the residential zone and not reserved for any other purpose as per DP as on 19.02.1991. It also noted that construction is in CRZ area only and as per the FSI as on 19.02.1991. FSI of CRZ area is not utilized on non CRZ area for construction. Considering the above the Authority decided to recommend the case from CRZ point of view to the Thane Municipal Corporation with the following conditions:

- 1) If the total construction in CRZ and non CRZ area is more than 20,000sqmts prior permission of SEIAA shall be obtain.
- 2) Corporation to ensure that land under reference in CRZ area is in residential zone as per the D P existing as on 19.02.1991.
- 3) Corporation to ensure that FSI in the proposed construction is as per the DCR existing as on 19.02.1991.

Item No. 38: Proposed development of plot bearing CTS No. C/1058, C/ 1062 & C/1063 of village Bandra, Off Carter Road, Bandra(W), Mumbai- 400 050

The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Category	: Redevelopment of existing building
2	Location of the Project	: Plot bearing CTS No. C/1058, C/ 1062 & C/ 1063 of village Bandra, Off Carter Road, Bandra(W), Mumbai- 400 050
3	Details of the project site, a) CRZ Category b) Project site	: CRZ II : Landward side of existing Carter Road (in existing prior to 19.2.1991).
4	DP Remarks, a) Zone b) Reservation c) Proposed Use	: Residential Zone : Not reserved for any public purpose : Residential
5	Existing Structure Details	1. As per MCGM, existing building is old, existing prior to 1961-62 and comprise of Ground + 1. 2. As per lay out plan, existing Building area = 492.70 Sq.mtr.
6	Proposal Details	: j) The proposal is for development of residential building by demolishing existing

			building comprising of Ground + 1 structure in lieu of plot potential of permissible 1.00 FSI. k)As per the MCGM, proposed residential building comprising of basement + stilt floor for car parking + 1 st to 4 th + 5 th (pt) + 6 th (pt) upper floor for flats/ rooms for residential use.																																							
7	FSI Details, e) Permissible FSI as on DCR prior to 19.2.1991 f) FSI proposed	: 1 : 0.99																																								
8	Area Details, e) Total area of the plot f) Deduction for Encroachment area g) Total area h) Permissible floor area g) Proposed floor area	: 1057.70 Sq.mtr. : 128.81 Sq.mtr. : 928.89 Sq.mtr. : 928.89 Sq.mtr. : 927.75 Sq.mtr.																																								
9	Areas claimed as Free of FSI	:	<table><tr><td></td><td>Particulars</td><td>Provision in DCR 1967</td><td>Area in Sq.mtr.</td></tr><tr><td>i]</td><td>Staircase/lift/lift lobby</td><td>51(vi)(d)</td><td>348.75</td></tr><tr><td>ii]</td><td>Balcony</td><td>37(a)(i)</td><td>92.09</td></tr><tr><td>iii]</td><td>Stilt</td><td>51(vi)(a)</td><td>141.28</td></tr><tr><td>iv]</td><td>Arch projection</td><td>51(vi)(c)</td><td>566.62</td></tr><tr><td>v]</td><td>Basement</td><td>51(vi)(a)</td><td>405.00</td></tr><tr><td>vi]</td><td>Meter Room</td><td>51(vi)(f)</td><td>7.26</td></tr><tr><td>vii]</td><td>Servant toilet</td><td>51(vi)(e)</td><td>11.25</td></tr><tr><td></td><td></td><td>Total</td><td>1572.25</td></tr></table> <p>The MCGM further mentions, Stilt and higher floor parking is allowed free of FSI as per DCR/1079/1954/UD-5 dated 12th July, 1979. Staircase and lift areas are allowed free of</p>					Particulars	Provision in DCR 1967	Area in Sq.mtr.	i]	Staircase/lift/lift lobby	51(vi)(d)	348.75	ii]	Balcony	37(a)(i)	92.09	iii]	Stilt	51(vi)(a)	141.28	iv]	Arch projection	51(vi)(c)	566.62	v]	Basement	51(vi)(a)	405.00	vi]	Meter Room	51(vi)(f)	7.26	vii]	Servant toilet	51(vi)(e)	11.25			Total	1572.25
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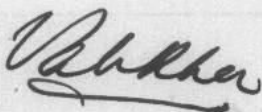
			FSI as per directives under section 154 of M.R. & T.P. Act vide TPB/4373/38736-WI dated 22.10.1972. Space required for location for Fire hydrant is allowed free of FSI as per clause 51 (vi)(b) of D.C.R. 1967. Refuge area was permitted free of FSI prior to 19.2.1991.		
10	Details of FSI / Free of FSI area as permissible as per DCR 1967	:	Building	Residential Building	
			Total Construction area	2500.00 Sq.mtr.	
			Built up area for FSI purpose	927.75 Sq.mtr	
			BUA claimed free of FSI for purpose like basement, stilt parking, staircase, lifts, balcony, etc.	1572.25 Sq.mtr.	
11	Height of the proposed building	:	23.46 mtr The permissible height as per clause 9(i) of DCR 1967.		

The Authority noted that the proposed activity was permissible as per provisions of CRZ Notification, 2011 and in accordance with the Town and Country planning regulation existing as on 19.2.1991. Hence the Authority after deliberation, decided to recommend the proposal to the concerned planning authority i.e. MCGM subject to following conditions-

1. The proposed construction should be as the provisions of CRZ Notification, 2011. The FSI involved in the proposed activity should be as per DCR existing as on 19.2.1991
2. The proposed construction should be on landward side of the existing road or existing authorized structure.
3. Prior permission of State Ground Water Authority should be obtained.

Item No. 39: Proposal for Development of plot bearing C.T.S No. 1318, 1319, 1320, 1321 & 1322 of Bandra F-Village, H/W Ward, Bandra, Mumbai

The matter was placed before the authority. Authority noted the followings-



Sr.No.	Particulars	Details
1	Proposal Details:	The proposed construction is development commercial cum residential building comprising of 2 basements for parking & D.G set room, meter room & store rooms + Ground (pt) for commercial (shops & Department Stores) + 1 st & 2 nd floor for Department Stores with society office and fitness centre + 3 rd to 8 th for residential use.
2	Location of the Project:	Plot bearing C.T.S No. 1318, 1319, 1320, 1321 & 1322 of Bandra F-Village, H/W Ward, Bandra, Mumbai.
3	Proposal Category:	Redevelopment
4	CRZ Category of the proposed site:	CRZ-II Landward side of existing road i.e. S.V. Road
5	DP Remarks, c) Zone: d) Reservation: e) Proposed Use:	As per the Old Development Plan (1967) as well as revised sanctioned DP (1993) a) Local commercial Zone b) Not under any reservation (as per both of these DP) c) Commercial cum Residential Development
6	FSI Details, a) Permissible FSI as per the prevailing GDCR as on 19.2.1991: b) FSI proposed:	a) FSI permissible for non CRZ affected area of the plot is 1.00 plus T.D.R, TDR to be restricted to 2.00 and additional 35% of fungible FSI under Reg. No. 35(4) of DCR as amended up to date. And FSI permissible for CRZ affected area of the plot is 1.00 as per DCR 10 of DCR of 1967. b) 2.35 (including both CRZ and Non CRZ affected portion of the plot)
7	Area Details,	

	a) Total area of the plot: b) (Non CRZ area + CRZ area) c) Permissible floor area: d) (Total area × Permissible FSI + CRZ area) e) Proposed floor area:	a) 1239.90Sq.Mt (1083.97sqmts + 155.93sqmts) b) 2323.87Sq.Mt (1083.97 × 2 + 155.93) c) 2323.87Sq.Mt
8	Proposed height of the structure:	29.35mts

The Authority noted that the proposed activity was permissible as per provisions of CRZ Notification, 2011 and in accordance with Town and Country planning regulation existing as on 19.2.1991. Hence after deliberation, it decided to recommend the proposal to the concerned planning authority i.e. MCGM subject to following conditions-

1. The proposed construction should be as the provisions of CRZ Notification, 2011. The FSI involved in the proposed activity should be as per DCR existing as on 19.2.1991
2. The proposed construction should be on landward side of the existing road or existing authorized structure.

Item No. 40: Proposed residential building on land bearing CTS No. 390, at village Dahanu, Tal. Dahanu, Dist. Thane.

The matter was placed before the authority. Authority noted the followings-

Sr.No.	Particulars	Details
1	Proposal Category	: Development of residential building by demolishing the existing structure.
2	Location of the Project	: CTS No. 390, at village Dahanu, Tal. Dahanu, Dist. Thane
3	Proposal Details	: Proposed residential building comprising of Ground floor + 2 floor and Stilt + 3 upper floor
4	Details of the project site, a) CRZ Category b) Project site	: CRZ II : Landward side of existing road
5	DP Remarks,	

	a) Zone	:	Residential Zone
	b) Proposed Use	:	Residential
6	FSI Details,		
	a) Permissible FSI as on 19.2.1991	:	1.50
	b) FSI to be proposed	:	1.37
7	Area Details,		
	a) Total area of the plot	:	374.60 Sq.mtr.
	b) Permissible floor area	:	561.90 Sq.mtr.
	c) Proposed floor area	:	515.48 Sq.mtr.
8	Proposed height of the structure	:	12m

The Authority noted that the proposed activity was permissible as per provisions of CRZ Notification, 2011 and in accordance with Town and Country planning regulation existing as on 19.2.1991. Hence after due deliberation, it decided to recommend the proposal to the concerned planning authority i.e. Dahanu Municipal Council subject to the condition that local authority to ensure that FSI is as per DCR existing as on 19.2.1991.

