

Minutes of the 79th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held under the Chairmanship of Chairman MCZMA on 5th January, 2013 at Mantralaya, Mumbai.

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

Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mumbai; The Additional Chief Secretary, Revenue Department, Mantralaya, Mumbai; Principal Secretary Industries Department, Mantralaya, Mumbai; Principal Secretary, Urban Development Department, Commissioner Fisheries; Dr. M. C. Deo, Director, Veermata Jijabai Technological Institute (VJTI), Matunga, Mumbai could not attend the meeting. The meeting was adjourned for 30 minutes for want of quorum.

Item No A: Confirmation of minutes of the 78th meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 3.11.2012

The draft minutes of the 78th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 3.11.2012 were circulated to all members of MCZMA through email for confirmation. The members were requested to provide suggestions/ objections, if any, on draft minutes. Accordingly, the minutes were confirmed with some changes-

1. On page 32, item No. 23, the word "before the Authority" is deleted from the line- "The Authority after deliberations decided to recommend the proposal before the Authority from CRZ point of view to concerned planning authority subject to compliance of the following conditions"
2. On page 32, item No. 24, the word "before the Authority" is deleted from the line- "The Authority after deliberations decided to recommend the proposal before the Authority from CRZ point of view to concerned planning authority subject to compliance of the following conditions"
3. On page 40, item No. 32, the line - Hiss No. 3, CTS No. 2707 B/8 is replaced with Hiss No. 3 C, Plot No. 6, CTS 2707 B/8.
4. On page 45, item No. 36, the word "76th" and "9.10.2011" is replaced with "77th" and "9.10.2012" in the line - "The Authority noted that the matter was considered in 76th meeting of MCZMA held on 9.10.2011"
5. On page 47, item No. 38, the word "76th" is replaced with "77th" in the line - "The Authority noted that the matter was considered in 76th meeting of MCZMA held on 9.10.2012"

DISCUSSION ITEMS / POLICY DECISION

Item No 1: Review of District Coastal Zone Monitoring Committee- Raigad & Ratnagiri.

The Authority noted that in exercise of powers conferred under the provision 6 (C) of CRZ Notification, 2011; the Environment Dept, Govt of Maharashtra had constituted the District Coastal Zone Monitoring Committee (DCZMC) vide order dated 23.3.2011. The Collector of the concerned district is the Chairperson of the Committee.

The Functions of the committee includes the protection and conservation of coastal stretches of the district, identification of violation of CRZ Notification, taking action against the violations, identifying the ecological sensitive areas and formulating plans for its conservation.

The District Collectors being the chairperson of DCZMC, Raigad and Ratnagiri were requested to apprise the MCZMA about the functioning of DCZMC. Accordingly, the District Collectors of Raigad and Ratnagiri attended the meeting and apprised the MCZMA about the constitution of the DCZMC and its



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

functioning, complaints of CRZ violations received, action taken on them, ground survey being done towards the preparation of CZMP by IRS, Chennai and Mangroves mapping and other local issues..

On hearing the issues raised by the District Collectors, the Authority discussed and decided to issue the following directions to the DCZMC, Raigad and Ratnagiri-

1. Start immediate action on violations of the CRZ Notification, 1991 as well as 2011. The apparent violations such as construction in CRZ I area/ mangroves area should be acted upon immediately by booking the violators. Construction undertaken without CRZ permission in CRZ II and III area should also be listed and action taken on the same should be submitted. The dwelling units of traditional coastal communities including fisherfolks, tribals as were permissible under the provision of the CRZ Notification, 1991, but which have not obtained formal approval from concerned authorities under the CRZ Notification, 1991 should be exempted from such action as per Para 6(d) of CRZ Notification, 2011.
2. Provide the concrete information on identification of CRZ violations and action taken on them to the Authority within 2 months.
3. Provide all the necessary information and data to the IRS, Chennai for the preparation of CZMP of Raigad and Ratnagiri district. The Chairperson may constitute a committee to facilitate the same.
4. Regarding mangroves mapping, area / land under wetland and mangroves should be declared as "forest" and "protected forest" as specified in Hon. High Court order dated 6.10.2005 and 27.1.2010 in WP 3246/2004 as well as PIL 87/2006.
5. T.A / D.A. for members of the DCZMC to be paid from MCZMA on demand.

The Authority decided to take the review of the DCZMC, Raigad and Ratnagiri within 2 months, in the light of the information submitted by the DCZMC.

Item No 2: Applicability of Stringent of DCR 1967 and DCR 1991 for 8.II CRZ II projects.

The Authority noted that the matter was discussed in 77th and 78th meeting of MCZMA held on 9.10.2012 and 3.11.2012. The Authority discussed that-

The DCR 1967 is applicable for the development / developmental projects in CRZ area of Mumbai and Suburban area (for projects listed in Para 8.II. CRZ II). The members of the Authority had often expressed the view that DCR 1967 is more liberal than DCR 1991 for certain category of proposals. This goes against the spirit of the CRZ Notification, where the focus is on curtailing the congestion in coastal areas and to monitor protection and conservation of the coasts. It was felt that in such cases, the more stringent of the DCR between 1967 and 1991 should be applicable and not DCR 1967. There comments were also made during the draft stage of the CRZ Notification 2011.

The CRZ Notification, 2011 makes provision for the application of DCR 1991 in certain categories like SRA schemes, redevelopment of cessed, dilapidated and unsafe buildings in Greater Mumbai (Para 8.V) The DCR amendment of 6.1.2012 is not applicable to such projects, thereby making the fungible FSI and the 35% cap free of FSI outside the units of CRZ. The members of the Authority felt that all projects listed in Para 8.V of the CRZ Notification i.e. SRA, redevelopment of old, cessed and dilapidated buildings should also be brought under the ambit of the DCR amendment of 6.1.2012.

It being appropriate to record the views of the Urban development Department before a final decision was taken, the matter was deferred. Comments from the Dept of UD was awaited.



The Authority once again decided to request the Urban Development Department to provide the comments in the matter to the Authority at the earliest, so that the matter could be forwarded to MoEF.

MCZMA Audit

The Authority decided to get the audit of the MCZMA for the years 2008-2009 to 2011-2012 done by the authorized Government Auditor / Auditor empanelled by the Comptroller and Auditor General of India.

COURT MATTERS

Item No. 1: Chambers Summons No. 292 & 335 / 2011 in PIL 87/2006 (Kavya Beach CHS and Viral CHS, Charkop)

The High Court had passed the order dated 6th September, 2012 regarding the 2 no of Co-operative Housing Societies of Charkop, Mumbai areas namely, The VIRAL CHS (Plot No. 13) and KAVYA BEACH CHS (Plot No. 20).

As per the Hon. court order, the MCZMA was directed to determine *whether the plot under reference falls in CRZ I or II, whether proposed development would be within 50mt mangroves buffer zone area.*

Accordingly, the matter was placed in 77th meeting of MCZMA held on 3.10.2012 wherein the Authority heard the representative of the society. The Authority discussed the location and CRZ status of the plot under reference, in light of CZMP of Mumbai dated 19.1.2000 approved by MoEF. It also took note of the CRZ clearance in 2003 issued to the MHADA layout in Charkop-Kandiwali (IV), by MoEF, of which the said plots area is a unit. After detailed discussion and deliberation, the Authority passed the order that the subject plots falls in CRZ II and situated at landward side of existing road. The subject plots are affected by 50 mt mangroves buffer zone.

Subsequently, the hearing took place in the matter before the Hon. High Court. The Bombay Environment Action Group (BEAG) represented that the MCZMA should have given them a hearing before the order was passed. The Authority decided to recall its previous order and give hearing to both the parties. Accordingly, the Hon. High Court passed the order stating that both the parties may appear in the office of Secretary, Environment Dept. on 29.11.2012 at 11.00 a.m. on which date the Secretary may indicate the date of hearing before the MCZMA. The MCZMA would pass appropriate order expeditiously.

Both the parties appeared for the meeting on 29.11.2012 in the office of Secretary, Environment and Chairperson (MCZMA). It was informed that both the parties would be called for hearing in the next MCZMA meeting which was scheduled to be held on 5.1.2012.

Both the parties were communicated the date subsequently and requested vide letter dated 29.12.2012 to appear before the MCZMA meeting which was scheduled to be held on 5.1.2013.

Accordingly, both the parties appeared before the MCZMA meeting held on 5.1.2013 and presented their say in the matter. The Authority heard both the parties and also took on record the MCGM site visit report dated 2.1.2012.

In light of representation made by both the parties and various documents such as site visit report of MCGM, approved CZMP of Mumbai, CRZ clearance for the MHADA layout at Charkop, google image etc; the Authority discussed in detail and subsequently passed the following order in the matter-



Determination of CRZ statues of Plots under reference (Whether CRZ I or CRZ II):

The Ministry of Environment and Forest, New Delhi published the CRZ Notification on 19.2.1991. As per the provisions of CRZ Notification, 1991; the CZMP of Mumbai was prepared by one of the agencies approved by MoEF, in the year 1998. The MoEF vide letter no. J. 17011/8/95-IA.III dated 19th January, 2000 approved the CZMP of Mumbai, according approval to proposed categorisation to coastal stretches in Greater Mumbai.

As per the CZMP of Mumbai dated 19.1.2000 approved by MoEF, the plots under reference falls in CRZ II and is situated on landward side of existing road.

The MoEF published new CRZ Notification on 6.1.2011 superseding the old CRZ Notification, 1991. The para 5(xii) of CRZ Notification, 2011 stipulates;
"The CZMPs already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific Notification subject to such terms and conditions as may be specified therein."

Therefore, as on 5.1.2013; the CZMP of Mumbai dated 19.1.2000 already approved under CRZ Notification, 1991 is in implementation, as per which; the plots under reference fall in CRZ II and are situated on landward side of existing road.

Regarding 50 mt mangroves buffer zone.

The condition No.(vi) of MoEF letter No. J. 17011/8/95-IA.III dated 19th January, 2000 vide which MoEF approved CZMP of Mumbai, which is in implementation, as on today, stipulates -
"The 50 meter buffer zone around mangroves of area 1000 Sqmt and above will not be required on the landward side provided the road abutting such mangroves was constructed prior to February, 1991"

The approved CZMP of Mumbai of year 2000 shows the existence of 27.45 mt wide road between plots under reference and mangrove area. This existing road is abutting the mangroves area. Therefore, in the light of para 5(xii) of CRZ Notification, 2011 and MoEF letter dated 19.1.2000; mangroves buffer zone of 50 mt will not be required in case of plots under reference.

However, as per the then High Court order dated 6.10.2005 in WP 3246/2004 and 27.1.2012 in PIL 87/2006, the proposed development of plots is affected partly by 50 mt mangroves buffer zone area, for which Hon. High Court approval is mandatory.

Item No. 2: Construction of Hotel at Plot bearing F.P.No. 1211 on TPS IV, Mahim Division, Prabhadevi, Mumbai by M/s Chaitra Realty Ltd

The Authority noted the detailed background of the matter which is as follows-

The subject proposal was considered in 52nd meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 14th May, 2009, wherein it was noted that the plot under reference is in CRZ II and is situated on the landward side of the authorized structure prior to 19.2.1991. As per the DP remarks and town planning, the plot is reserved for special Industrial Zone and partly reserved for recreational ground. Further, the Authority noted that as per DC regulation 1967 which was in existence on 19.2.1991 change in land use / zoning was not allowed and hotel activity was allowed only in the



residential zone, Further as per the CRZ Notification, land use change is not permissible. With these observations, the Authority recommended the proposal to MoEF for further necessary action.

The proposal was considered in 18th meeting of National Coastal Zone Management Authority (NCZMA) held on 15th September, 2009 and it was decided not to take up the proposal of change of land use as it is not a proposal for reclassification.

The Expert Appraisal Committee in its 89th meeting dated 21st- 23rd July, 2010 recommended the proposal for grant of Environment and CRZ clearance subject to condition that – the development shall conform to the local regulation of land use.

The Ministry of Environment and Forest, New Delhi accorded the Environment and CRZ clearance vide letter dated 29th September, 2012 subject to strict compliance of the specific condition as stipulated above.

The existing land use in the instant matter was special industrial zone and partly recreational ground wherein the construction of Five Star Hotel was not allowed without change of land use as per the DCR 1967 which is applicable in CRZ II areas of Mumbai. Therefore, the Urban Development Department and Municipal Corporation of Greater Mumbai may be requested to confirm that the condition stipulated by MoEF while according Environment and CRZ clearance to the project under consideration was complied or not.

Accordingly, a letter was issued to the Urban Development Department (UDD) and the Municipal Corporation of Greater Mumbai (MCGM) **to confirm whether the condition stipulated by MoEF while according Environment and CRZ clearance to the project under consideration, has been complied or not.**

However, the reply from UDD and MCGM is still awaited.

It was decided to once again request the UDD and MCGM to provide the status of the project and confirm the above at the earliest and to inform the same to the MOEF.

Item No. 3: Redevelopment of property bearing CS No. 280 of Malabar Hill Division - M/s Earth Builders. (M/s Earth Builders)

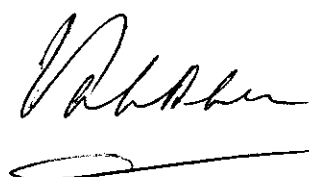
The minutes of this item will be discussed and confirmed in MCZMA's meeting on 11th Feb, 2013.

CRZ PROPOSALS

Item No. 1: Erection of temporary casting yard at Turbhe Mandale for constructing tenements of Mill workers under Central Government aided JN-NURM Scheme, for M.H. & A.D. Board

The Authority noted that the proposal was considered in 77th meeting of MCZMA held on 9.10.2012 wherein the Authority noted the proposal details as follows-

1. As per DP remarks of MCGM for the land bearing CTS No. 6(pt) of village Mandale vide letter dated 17.3.2008, the land under reference is partly situated in a residential zone and is partly in No Development Zone (NDZ).
2. As per MCGM, the land under reference is partly in CRZ II and partly in CRZ III.
3. Area as per land record: 973953.85 Sq.mtr. (for entire C.S.No. 6/1) & 186893.80 Sq.mtr. for entire C.S. No. 10)
4. Area under proposal: 9.25 ha.



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

5. The proposal is for establishing Temporary Casting Yard for Housing project undertaking by MHADA & Govt. of Maharashtra, aided by Central Govt's JNNURM project at CTS No. 6/1 9P, village Mandale & CTS 10(P) Village Turbhe, off Sion - Panvel Highway, Mankhurd, Mumbai.
6. The proposed activities involves types of structures erected are site office, cement godown and Material Testing laboratory, machinery maintenance units, R.M.C. plants, E.O.T, Cranes, equipment storage rooms and temporary labors huts / camp.
7. All structures will be removed after completion of projects and the land will be reinstated in the original form i.e. vacant. There will be neither waste water generation nor any fugitive air emissions anticipated during the process of precasting.

During the 77th meeting, the Authority sought certain information from MHADA. Accordingly, the MHADA submitted the necessary information.

As per the submitted information, the MHADA has proposed to set up the temporary casting yard for pre-casting RCC components only for various MHADA projects located in and around Mumbai City.

This land under reference was allotted on a temporary basis for a limited period / till the completion of various MHADA projects hence "No permanent structures" were being constructed at the above location. There was therefore no industrial activity on the said premises as mixing of cement, sand and metal with water (Batching plant) and pouring the mixture into mould for curing (casting) building components was a purely construction activity. The total area allotted is 92600 Sqmt. Duration of the temporary casting yard on site under reference is 3 years i.e. up to 31.12.2015.

The MHADA was trying to find out another better location for setting up Batching plant & precast yard for MHADA works and as soon as it was arranged then this precast yard would be shifted form the above location.

In the light of detailed reply submitted by the MHADA, the Authority after detailed discussion and deliberation, decided to recommend the proposal from CRZ point of view to the concerned Planning Authority subject to compliance of the following conditions:-

1. The CRZ recommendation was only for setting up of a temporary casting yard for 3 years i.e. upto 31.12.2015.
2. No permanent structure allowed to erect on site under reference.
3. No chemical manufacturing processing / treatment shall be allowed.
4. Proper effluent treatment measures should be undertaken by MHADA. Only treated effluent should be discharged into the sea.
5. Noise level during operation phase should not exceed the permissible limit.
6. Hazardous and toxic waste generated due to casting yard related activities should not be released into the sea.
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No. 2: CRZ clearance to proposed construction of Storm water Pumping Station on S.N.D.T. / P. & T. / South, Main and North Avenue Nalla along with construction of access road and training of nalla walls in R.C.C at Gazadar Band, Khar Danda in H/West Ward, Mumbai

The MCGM officials presented the matter before the Authority. The Authority noted that the MCGM has proposed to construct a Storm Water Pumping Station on S.N.D.T. Nalla along with construction of access road and R.C.C. retaining walls of the nalla at Gazadhar Band, Khar Danda in H/West Ward.



The Construction of storm water pumping station along with access road and R.C.C. retaining walls of nallas could be undertaken to abate flooding in the locality during high intensity rains at high tides. Proposed area is 6000 Sqmt for storm water pumping station and 3210 Sqmt for access road with permissible FSI 1.00.

As per sanctioned revised Development plan, plot under reference is not reserved for any public purpose and it is partly situated in I-2 zone (fishing industries), partly in No Development Zone and it is shown as part of 'creek' as per tikka sheet. As per CZMP, the site under reference falls in CRZ-I and situated on seaward side of existing road.

The MCGM officials voiced the need the project stating that the project would help in avoiding/ minimizing the flooding as well as water lodging in Khar Danda and surrounding area. The functioning of the Storm Water Pumping station is as follows:-

Operation of flood gates:-

During low tide the gates would be opened to drain out storm water into sea by gravity.

During high tide the tidal control gates would be closed when the nalla water stops discharging by gravity into the sea. This will prevent back entry of sea water into the drain.

Gravity discharge:-

During low tide the tidal control gates will be kept open to discharge the storm water into sea by gravity.

Operation of Pumps for Pumping of storm water:-

During high tide, when the tidal control gates were closed and when it was raining, the pumps would be operated. Water level in the inlet channel would be maintained at 25.5m THD, by operating the pumps from one no. to six nos. as may required. The aim was to ensure that the inlet channel could continuously receive storm water and discharge by pumping when there was high tide and tidal control gates were closed.

The Authority discussed about the rate of the suction and discharge of the drainage water. MCGM officials expressed that while designing/ selecting pumps; amount of drainage, high tides in the sea, average monsoon and other technical aspects would be taken into account, so that during high tide, sea water would not enter onto the land.

The Authority noted that as per 3 (iv) (d) of CRZ Notification, 2011: Land reclamation, bunding or disturbing the natural course of sea water is prohibited except those: Measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and fresh water recharge based on carried out by any agency to be specified by MoEF.

Further, as per 3 (v) (b) of CRZ Notification, 2011: Setting up and expansion of units or mechanism for disposal of wastes and effluents is prohibited except facilities required for:- storm water drains and ancillary structures for pumping.

Taking into account all the details of the proposal, the Authority after deliberations, decided to recommend the proposal to MCGM subject to compliance of the following conditions:-

1. Construction should be in accordance with the provisions of CRZ Notification, 2011 (as amended from time to time).
2. FSI should be in accordance with Town and country planning rules existing as on 19.02.1991 i.e. DCR 1967.



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

3. No non-forest activities are allowed on land affected by mangroves, as per the Hon. High Court Order dated 27th January 2010. Hence, prior permission for the proposed activity under Forest Conservation Act, 1980 and prior permission of Hon. High Court of Mumbai should be obtained, if the land under reference is affected by mangroves.
4. MCGM to ensure that, drainage water containing hazardous and toxic waste should not be released into the sea.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 3: Improvement of water supply for slum in MbPT area situated at New Tank Bunder Road, Coal Bunder, Lakhri Bunder and Darukhana, Mazgaon in 'E' ward.

The MCGM official presented the proposal before the Authority. The Authority noted the proposal details which are as follows:-

The MCGM has proposed to lay a underground water pipeline of 300 mm & 150 mm in existing network of water distribution system in MbPT area for existing slum.

The land under reference is situated in **Special Industrial Zone (I-3)**. It appears from the documents submitted by the MCGM that the site under reference falls in CRZ II area and situated on seaward side of existing road.

The Authority noted that **as per Para 4(ii)** lying of pipeline requires prior permission from MoEF.

The Authority after deliberation decided to recommend the proposal to MoEF subject to submission of the following information-

- The pipeline layout superimposed on CZMP of Mumbai in the scale of 1:4000.
- Detailed Lay out plan of pipeline with specification.
- Whether there area any mangrove vegetation around the site.
- Google image showing site under reference.

Item No. 4: Seeking CRZ Clearance for developmental works in Mira Bhaindar Municipal Corporation Area by Mira Bhaindar Municipal Corporation (10 proposals)

The Mira Bhayander Municipal Commissioner along with other officials presented the 10 Nos. of proposals before the Authority. The authority noted the followings-

1. Proposal for CRZ Clearance for the project of Repair & Renovation of 'Vidhi Shade' on MBMC area.

Proposal Details	Repair & Renovation of Vidhi Shade
Project Location	Old Survey No. 209, Village Navghar
CRZ Details	As per information submitted, the land under reference falls in CRZ – III and landward side of existing 6mtr DP Road, However as per CRZ map submitted the land under reference falls partly in 50 meter buffer zone of mangroves and partly in CRZ –III.



Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic however as per Development Plan submitted, the land under reference falls in No Development Zone (NDZ)
Area Details	Area as per land records = 373700. Sq.mtr. Area under proposal = 194.98 Sq.mtr.

2. Proposal for CRZ Clearance for the project of Repair & renovation of 'Visarjan Ghat' at Bhaindar East Chowpatty on MBMC Area.

Proposal Details	Repair & renovation of Visarjan Ghat at Bhaindar East Chowpatty
Project Location	Old Survey No. 209, Village Navghar
CRZ Details	As per information submitted, the land under reference falls in CRZ – III however as per CRZ map submitted the land under reference falls in 50 meter buffer zone of mangroves
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic however as per Development Plan submitted, the land under reference falls in No Development Zone (NDZ)
Area Details	Area as per land records = 373700. Sq.mtr. Area under proposal = 256 Sq.mtr.

3. Proposal for CRZ Clearance for the project of repair & renovation of 'Nana Nani Park' at Bhaindar East Chowpatty in MBMC Area.

Proposal Details	Repair & renovation of 'Nana Nani Park' at Bhaindar East Chowpatty
Project Location	Old Survey No. 209, Village Navghar
CRZ Details	As per information submitted, the land under reference falls in CRZ – III however as per CRZ map submitted the land under reference falls in 50 meter buffer zone of mangroves
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic however as per Development Plan submitted, the land under reference falls in No Development Zone (NDZ)
Area Details	Area as per land records = 373700. Sq.mtr. Area under proposal = 3150.00 Sq.mtr.



4. Proposal for CRZ Clearance for the project of repair and renovation of 'Dafan Bhoomi' at reservation no. 122D in mouje Navgar in MBMC area.

Proposal Details	Repair and renovation of 'Dafan Bhoomi' at reservation no. 122D in mouje Navgar
Project Location	Survey No. 209, Village Navghar
CRZ Details	As per CRZ map and information submitted, the land under reference falls in CRZ – I(ii) seaward side of existing 6mtr DP Road.
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic. However as per Development Plan submitted, the land under reference falls in No Development Zone (NDZ) and reserved for Burial ground (reservation no. 122D)
Area Details	Area as per land records = 373700. Sq.mtr. Area under proposal = 10200 Sq.mtr.

5. Proposal for CRZ Clearance for the project of improvement / construction of 18 / 30m wide DP road from Jesal Park to Ghod Bunder Bhayander (E) in MBMC area.

Proposal Details	Improvement / construction of 18 / 30m wide DP road from Jesal park to Ghod Bunder Bhayander (E) in MBMC area
Project Location	Village Navghar Bhayander Choupaty New Survey No. 209(Old), 60, 61, 57, 228, 51, 230, 74, 75, 76, 77, 81, 82, 83, 84, 66, 67, 52, 53, 41, 48, 39, 36, 35, 32, 24, 25, 26, 20, 17, 18, 11, 12, 9.80, 79, 15, 69, 70, 38 (Total area – 855102.465 Sq.mtr.) part Mauje Navghar
CRZ Details	As per information submitted the land under reference falls in CRZ – III and partly falls in mangroves buffer zone.
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic
Area Details	Area under proposal = 111657.04 Sq.mtr.

6. Proposal for CRZ Clearance for the project of construction of 18/30m wide DP road passing behind Subhashchandra Bose maidan up to Morwa, Bhaindar (W) in MBMC area.

Proposal Details	Construction of 18/30m wide DP road passing behind Subhashchandra Bose maidan up to Morwa, Bhaindar (W) in MBMC area
Project Location	757(230), 337(755), 17(170), 18(171), 722A(1B), 116(3), 115(264), 103(240), 1(1), 2(2), 99(238), 95(267), 10(228), 9(225), 127(226), 8(224), 128(227), 96(209), 31(215), 7(205), 99(207), 100(192), 101(194), 6(193), 9(185), 86(103), 105, 106(259), 106(187), 59(278)
CRZ Details	As per information submitted, the land under reference falls in CRZ – III
Zoning	As per information submitted, the land under reference falls in Public / Semipublic



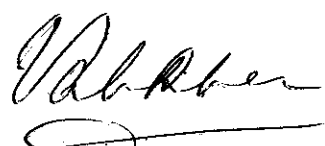
Remarks	
Area Details	Area under proposal = 75600 Sq.mtr.

7. Proposal for CRZ Clearance for the project of 30m wide Dahisar link road in MBMC area.

Particulars	Details		
Proposal Details	Construction of 30m wide Dahisar link road in MBMC area		
Project Location	166, 167(602), 163(604), 162(605), 161(606), 144(607), 142(609B), 138, 23(262), 21(141)		
CRZ Details	CRZ area classification	Area in each CRZ classification	
	CRZ I(i) / Buffer zone	82 M / 332 M	
	CRZ I(ii)	1513 M	
	CRZ II	274 M	
	CRZ III	187 M	
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic		
Area Details	Area under proposal = 75900 Sq.mtr.		

8. Proposal for CRZ Clearance for the project of 30m wide DP road from Bhaindar (W) Rly. Station to Subhashchandra Bose Maidan in MBMC area.

Proposal Details	Reconstruction of 30m wide DP road from Bhaindar (W) Rly. Station to Subhashchandra Bose Maidan			
Project Location	Survey Nos. 753(340), 754(338), 764(378), 755(337), 773, 573(340)			
CRZ Details	CRZ area classification	Area in each CRZ classification	Distance of the plot from HTL if it is in CRZ III	If CRZ(i) mangrove area / buffer zone affected (sq.mtr)
	CRZ I(i) / Buffer zone	765 M / 126 M	8.41 M	2074.5
	CRZ I(ii)	1189 M	Buffer zone	5149
	CRZ II	--		
	CRZ III	173 M		
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic			
Area Details	Area under proposal = 61200 Sq.mtr.			



9. Proposal for CRZ Clearance for the project of remaining 30m wide road parallel to railway line towards Naya Nagar Mira Rd. (E).

Proposal Details	30m wide road parallel to railway line towards Naya Nagar Mira Rd. (E)		
Project Location	Survey Nos. 48 (522), 55(521), 57(520), 58(519), 59(518), 76(515)		
CRZ Details	CRZ area classification	Area in each CRZ classification	Distance of the plot from HTL if it is in CRZ III
	CRZ I(i) / Buffer zone	--	
	CRZ I(ii)	--	
	CRZ II	257 M	
	CRZ III	309 M	71.05 M
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic		
Area Details	Area under proposal = 13038 Sq.mtr.		

10. Proposal for CRZ Clearance for the project of development of stadium at reservation no. 91, Bhaindar (W) in MBMC area.

Proposal Details	Development of stadium at reservation no. 91, Bhaindar (W) in MBMC area		
Project Location	Survey Nos. 229(758), 757(230)		
CRZ Details	CRZ area classification	Area in each CRZ classification	Distance of the plot from HTL if it is in CRZ III
	CRZ I(i) / Buffer zone	--	
	CRZ I(ii)	124655 M	143.01 M
	CRZ II	--	
	CRZ III	15344 M	
Zoning Remarks	As per information submitted, the land under reference falls in Public / Semipublic		
Area Details	Area under proposal = 140000.00 Sq.mtr.		

The Authority opined that all the proposals are essential infrastructural activities / public utilities and public interest is involved in it. The Authority after detailed discussion and deliberation decided to recommend the proposals at Sr No. 1, 2, 3, 4 and 10 to the concerned Planning Authority i.e. Mira Bhaindar Municipal Corporation subject to strict compliance of the following conditions:-

1. The CRZ recommendation is only for Repair and Renovation of Vidhi Shed, Visarjan Ghat, Nana Nani Park and Dafan Bhoomi. No extension or new development of these activities is allowed.



2. No permanent concrete fencing around Dafan Bhoomi is allowed.
3. If the development of Stadium involves destruction of mangroves or it is within 50 mt mangroves buffer zone, prior High Court permission will be necessary. Stadium should be open stadium.
4. No mangroves shall be cut during the repair and renovation works and 50 mt buffer zone should be strictly kept around mangroves area.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

The Proposals at Sr No. 5,6,7,8 & 9 are recommended to MoEF subject to compliance of the following conditions:-

1. Mira Bhandar Municipal Corporation should obtain prior permission of the Hon. High Court for cutting / destruction of mangroves as well as construction proposed in 50mt mangroves buffer zone area.
2. Detailed plan for compensatory mangrove plantation should be submitted to MoEF and MCZMA.
3. Proposed construction of DP roads should be on stilt wherever mangroves are present to allow free flow of sea water to protect mangroves.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 5: Proposed residential bungalow on plot bearing CTS No. 856 of Village Juhu, situated at the junction of V. M. Road and Juhu Road, JVPD Scheme, Vile Parle (West), Mumbai.

The project proponent presented the proposal before the Authority. The Authority noted the detailed background of the proposal which is as follows-

The matter was placed in the 70th meeting of MCZMA held on 01.07.2011 with respect to the complaint received in this matter. As per the major allegations in the complaint, the permission (dt. 31.08.2009) from CRZ point of view in the instant case was obtained from MCZMA for the construction of G + 3 upper floors; while CC (dt. 16.03.2011) was granted by MCGM for construction of Basement + Stilt + Podium + 11 upper floors. As per the decision taken in the 70th meeting, the Authority asked the MCGM officials as to why the MCZMA approval was not sought for amended plans.

The proposal was considered in the 75th meeting of MCZMA held on 15.5.2012 wherein the Authority noted the detailed background of the proposals which is as follows-

The MCGM officials reported that only work up to plinth level has been completed as per the permission given by MCGM. The Authority after detailed discussion and deliberation, decided that Stop work order would be continued and project owner should not construct further till fresh appraisal of the project as per CRZ Notification, 2011 and verify the actual plot size, approved plinth, FSI permissible on the plot as per DCR, 1967, consumed FSI in the 'existing' structure and FSI proposed in redevelopment, user as per DP of DCR, 1967, building layout plan as per DCR, 1967 etc. The Municipal Commissioner, MCGM be directed to get explanation from concerned officer as to why the amended plan was not sent to MCZMA for approval. This explanation to be placed in next MCZMA

The decision taken in the 70th meeting of MCZMA was communicated to the concerned officials as well as the developer vide letters dated 20.09.2011

Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

The MCGM forwarded the application for proposed construction of residential bungalow on plot bearing CTS No. 856 of Village Juhu, situated at the junction of V. M. Road and Juhu Road, JVPD Scheme, Vile Parle (West), Mumbai vide letter dated 11.10.2011

As per the remarks of MCGM-

- i) The land under reference falls in Residential Zone (in K/West ward) and not reserved for any public purpose. As mentioned in the executive summary, the reservation of garden on the plot under reference had lapsed in view of purchase notice and further as confirmed by Hon. High Court & Supreme Court in SLP 1527 of 2006.
- ii) As mentioned in the DP remarks of MCGM (dt. 24.02.2009), the plot under reference falls in Residential Zone and reserved for Garden. It is further mentioned that, "the acquisition proceedings was initiated since, the purchase notice under section 127 of MR & TP Act, 1966 was served. However, the reservation of Garden on land bearing CTS No. 856(pt) of Village Juhu (excluding the portion of land falling in existing roads and their junction) in K/West ward got lapsed as per the Hon'ble High Court & Supreme Court orders in Writ Petition No. 442 of 2007 & special leave petition No. 1527 of 2008.
- iii) The plot under reference is abutting 27.45 m wide V. M. Road and 36.60 m wide Juhu Road.
- iv) The plot falls within 500 m from HTL i.e. CRZ-II and situated on landward side of existing road. The plot under reference is on the landward side of existing 27.45 m wide V. M. Road and 36.60 m wide Juhu Road.
- v) As per the PR card, the total area of plot is 626.00 sq. m. which is the also the net plot area (after deducting setback). As per the information submitted in Form-I, total plot area (inclusive of setback area) is mentioned as 1176 sq. m. (in basic information) and the same is mentioned as 1176.06 sq. m. in enclosed Appendix-1.9.
- vi) There is no existing building on the plot under reference. The plot is vacant on site. There is no structure on site as per CTS plan.

As per the remarks of MCGM, the proposal was submitted for construction of residential building comprising of Basement for parking + Stilt for parking + Podium for parking + 1st to 9th upper floors in lieu of plot potential + setback area advantage and benefit of staircase, lift, lift lobby and internal staircase area free of FSI. As per the executive summary submitted by the proponent, the project of proposed residential building comprises of basement + stilt for parking + 1st to 10th floors for residence. Total height proposed is 41.65 m.

FSI details-

- As per the MCGM remarks, FSI proposed to be used in the instant case is 1.39 and as per the submission of the proponent, the proposed FSI is 1.40.
- As per the Appendix-1.9 submitted by the project proponent:
 1. Plot area = 1176.06 sq. m.
 2. Total built-up area = 1176.06 sq. m.
 3. Basement area = 510.87 sq. m.
- As per the Appendix-1.21, 2.6 & 5.1 and layout plan submitted by the project proponent:
 1. Plot area = 1176.00 sq. m.
 2. Permissible built-up area = 1176.00 sq. m.
 3. Proposed built-up area = 1171.73 sq. m.
 4. Total construction built-up area = 3500 sq. m.
 5. Permissible FSI = 1.00
 6. FSI proposed to be consumed = 0.996
- As per the submission of the proponent, the proposal submitted in prescribed format maintaining FSI as per DCR of 1967, amended up to 19.02.1991, for onward submission of MCZMA. Setback FSI



advantage has been claimed up to 40% on net plot area as on 19.02.1991, as per regulations existing on 19.02.1991.

Remarks of UDD:

In the instant case, remarks of Urban Development Department (UDD) were taken with respect to details of plot area and proposed built-up area, permissible FSI, land-use, height, user, proposed amenities and land reservation etc. In their remarks, UDD felt the necessity of getting detailed clarification/ remarks from MCGM on following points:

- (i) Project proponent has submitted the application in which setback FSI advantage has been claimed up to 40% on net plot area as on 19.02.1991.
- (ii) Comments on the lapse of Garden reservation on the plot under reference as per the orders of Hon. High Court & Supreme Court and as per the provisions of MR & TP Act, 1966.
- (iii) As mentioned in Sr. No. 1(f)(ii) of Part-B of the checklist submitted by MCGM, the plot under reference is situated on the landward side of the road existing before 19.02.1991. However, the same road should be specified.
- (iv) Information regarding proposed built-up area with area details considered as free of FSI.
- (v) Remarks regarding permissible and proposed height with respect to DCR existing and in force as on 19.02.1991.
- (vi) MCGM has submitted approved CZMP of Mumbai (scale 1:25000) showing site under reference. However CZMP in the scale 1:4000 (prepared by one of the MoEF authorized agencies) as well as colored & certified Google map showing the proposed site has not been submitted.
- (vii) As per the remarks of MCGM in Sr. No. 2(xi)(c) of Part-B of the checklist, the area of the lift, lift lobby, staircase is permissible with respect to Regulation 35(2)(c) of DCR 1991. However, the same should be scrutinized and explained in light of the DCR 1967.

MCZMA vide letter dated 17.12.2011 requested MCGM to provide information on above mentioned points. Accordingly, the MCGM vide letter dated 11.4.2012 has sent their reply in the matter-

As per the MCGM reply dated 11.4.2012

a) Clarification on setback FSI advantage that has been claimed up to 40 % by the project proponent on net plot area as on 19.2.1991

Initially, the proposal was submitted to MCZMA on 12.6.2009 seeking NOC from CRZ point of view for the construction of Gr + 3(pt) upper floors for commercial user. Subsequently, the IOD was issued on 13.01/2010 for the proposed commercial building comprising of 2 level basements + 2nd + 3rd (pt) floors for the proposed built up area of 1176 Sqmt which includes total setback advantage. Later, the amended plans for residential use by changing it from Commercial use were approved on 31/12/2010 for basement + stilt + 1st level parking + 1st to 11th upper floors in lieu of plot potential and total road setback benefit after sanctioning the various concessions approved by the competent authority. The NOC from MCZMA was not insisted during amendments as it was only the change of use from commercial to residential without change in BUA of the same. Accordingly, full CC was issued. After complaints from Advocate M.P.Vashi and also in re- scrutiny, it was revealed that the plans needed to be amended by restricting setback to 40 % as per regulation 10(2) of 1967 DCRs.

So the present proposal is as permissible 1.00 FSI under regulation No. 32 of DCR 1991 as well as DCR 10 of DCR of 1967, And by availing setback FSI advantage up to 40 % of Net plot area as per regulation 10(2) of DCRs 1967. Hence in the instant case,

1. Net plot area after setback – 626.00 Sqmt
2. setback area – 550.00 Sqmt
3. Setback advantage restricted to 40 % of net plot area – 250.40 sqmt



4. BU area permissible – 1 + 3 – 876.40 Sqmt
Even though plans were approved in past by granting full setback FSI advantage of 550.00 Sqmt, now the same is restricted to 250.40 Sqmt (40 % of NP)

b) Comments on the lapse of Garden reservation on the plot under reference as per the orders of Hon. High Court and Supreme Court as per the provisions of MRTP Act, 1966.

The Government of Maharashtra vide its notification dated 19th March, 1993, while sanctioning Draft Development Plan of K-West Ward notified that a part of the said land admeasuring 626 sqmt was reserved for a Garden and the remaining part of the said land being 550 Sqmt for road set back or development road. The MCGM did not taken any steps for acquiring the portion of the land reserved by it and hence the original owner issued a notice to them under section 127 of MRTP act, 1966 on or about 31st March, 2004, requesting them to take necessary steps to acquire the said land within 6 month from the date of notice and the said land remained reserved for about 10 years. The original owner and the owner jointly filed as Writ petition No. 442 of 2007, before the Hon. Bombay High Court under Article 226 of the constitution of India praying for Writ of Mandamus directing the MCGM to iner alia withdraw, cancel and /or delete the reservation of their land forthwith and consider and sanction the plans for development of their land and for directions to allow the original owner and the owner M/s Dattani Development to utilize the FSI or TDR of the portion of the said land admeasuring 550 Sqmt. However, in view of the fact that no acquisition proceedings as contemplated under the Land Acquisition Act, 1894 were initiated, the Hon Bombay high Court ordered the portion of the said land be released from the said reservation and also directed the MCGM to process the plan submitted for the development of the said land. Further, the MCGM was directed to consider the claim for FSI or TDR in respect of the setback area admeasuring 550 Sqmt as per rules expeditiously.

The state of Maharashtra filed as special leave petition being S.L.P. (Civil) No. 773 of 2008 at page C /177 against the order of Hon. High Court of Bombay dated 27/28 November, 2007 was in the Writ Petition No. 442 of 2007 at page C/127 to C/175.

The Municipal Corporation of Greater Mumbai also filed a special Leave petition being S.L.P. (Civil) No. 1527 of 2008 C/177 against the order of the Hon. High Court of Bombay dated 27/28 November, 2007 in Writ Petition No. 442 of 2007 at page C/127 to C/175.

That both the abovementioned special leave petitions being S.L.P. (Civil) No. 773 of 2008 and S.L.P. (Civil) No. 1527 of 2008 were dismissed by a common order dated 18th July, 2008 passed by Hon. Supreme Court of India at page C/177 to C/183.

Thereafter the MCGM filed a review petition in the Hon. Supreme court bearing No. 2143 of 2009 at page C/181 and during the pendency M/s Dattani Developments filed an contempt petition No. 99 of 2009 against the Corporation and Municipal Commissioner alleging non compliance of the order dated 27/28 November, 2007, the corporation defended the contempt petition by filling a Affidavit that the Review Petition is pending in the Apex Court, the process of the plan was temporarily suspended, However, in the meanwhile the Review petition bearing No. 2143 of 2009 was dismissed on 9th December, 2009 at page 181 to 183.

In view of dismissal of review petition, the MCGM issued IOD on 13.01.2010 and Commencement Certificate on 28.01.2010 for Commercial Building.

The Copies of the Judgment of Hon'ble High Court of Bombay in Writ petition No. 442 of 2007, Common order of Supreme Court of India dismissing S.L.P. (Civil) No. 773 of 2008 filed by State Government of Maharashtra and S.L.P. (Civil) No. 1527 of 2008 filed by Municipal Corporation of Greater Mumbai and also Order of Supreme Court dismissing the Review Petition No. 2143 of 2009 filed by the Municipal Corporation of Greater Mumbai are enclosed herewith.

It may be further mentioned that the Judgment passed by Hon Supreme Court in Appeal (Civil) No. 5948 of 2007 dated 14/12/2007, in the case of M/S Suresh Estates Pvt Ltd. V/S MCGM and others, it has been upheld that "The CRZ Notification has only frozen the FSI/FAR Norms but not the operation of section



127 of MRTP Act, 1966". Copy of the said order is enclosed for ready reference. In view of the same, the lapsing of reservation and approval of building plans is in order at page C/185 to C/201.

c) Details specification of the road, on the landward side of which the plot under reference is situated.

The plot is on the land ward side of existing Juhu Tara Road, which is in existence much prior to 19.02.91. This road is reflected in approved CZMP as existing road. The 1967 D.P. of BMC also reflects this road as existing road. Hence the project site is conclusively situated on landward side of the road existing prior to 19.02.1991.

d) Detail information regarding total plot area, permissible and proposed built up area with area details considered as free of FSI

DC regulation 1967 is applicable in this case as per clause 10, R -10 of DC regulation 1967. The permissible FSI in suburbs and extended suburbs as on 19/2/1991 is 1.00 as per DCR 10 of DCRs of 1967. Further, staircase and lift area as well as balcony area exemption was permissible as per DCRs of 1967 on suburbs as per the modification to 1967 DCRs in 1972, as per directives u/s 154 of MRTP dated 22/10/1972, for allowing staircase and lift area free of FSI in suburbs and extended suburbs. Also setback FSI advantage up to 40% of Net plot area is permissible as per Regulation 10(2) of DCRs of 1967. FSI proposed to be consumed in 1.00 for Net plot area and 40% advantage of setback area.

Basement and stilt is allowed free of FSI as per clause 51(vi)(a) of DCR 1967 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 FSI as per directives under section 154 of MRTP act vide TPB/4373/38736-WI dated 22nd October-1972.

Balcony is allowed free of FSI as per clause 37(a) (i) of DCR 1967

Space required for location for Fire Hydrant is allowed free of FSI as per clause 51(vi)(b) of DCR 1967. On the same analogy, Refuge area was permitted free of FSI prior to 19/2/1991.

e) Remarks regarding permissible and proposed height with respect to DCR existing and in force as on 19.02.1991 i.e. DCR 1967

In view of provisions contained in clause 8 (v) (iii) (a) of CRZ notification dated 6/1/2011, D C rules and FSI norms as on 1967, the will apply for the height norms in this case. As per clause 9 (i) of DCRs of 1967, the permissible height will depend upon the road width and front open space as per norms. In this particular case, the plot is abutting directly to two no.s of roads, viz. 27.45 mtr wide Juhu Road and 36.00 mtr. wide V.M Road. The height calculations are done as follows;

Front open space from the 27.45 mtr wide Juhu Road is kept equal to 3.01 mtr.(min) Thus the permissible height as per clause 9(i) of DCRs of 1967 (Copy is attached), will be $(1.5 \times 27.45\text{mtr. (Width of the road)} + 3.01 \text{ mtr. (Front Open Space)}) = 45.69 \text{ mtr.}$

Similarly, front open space from the 36.00 mtr wide V M Road is kept equal to 3.04 mtr.(min.) Thus the permissible height as per clause 9(i) of DCRs of 1967 (Copy is attached), will be $(1.5 \times 36.00\text{mtr. (Width of the road)} + 3.04 \text{ mtr. (Front Open Space)}) = 58.56 \text{ mtr.}$

Adequate marginal open spaces are provided as per clause 11 of DCRs of 1967. Thus the proposed height of 41.65 mtr is less than of permissible 45.69 & 58.56 mtr. height considering Juhu Tara Road V.M. Road respectively.



F) CZMP in the scale 1:4000 (prepared by one of the MoEF authorized agencies) as well as colored and certified Google map site under reference.

Map of 1:4000 scales is not attached, but Map of the scale of 1:25000 is enclosed. The approved CZMP is to the scale of 1:25000 and is valid for a period of 2 years from 6/1/2011 and hence the same is accepted & being submitted herewith.

The certified Google map showing site under reference is also attached at page detailed remarks on permissibility of the proposed area of the life, life lobby, staircase in light of the DCR 1967.

Staircase, lift and lift area as well as balcony area is claimed free of FSI as per the modification to 1967 DCRs in 1972, as per directives u/s 154 of MRTP dated 22/10/1972, for allowing staircase and lift area free of FSI in suburbs and extended suburbs.

In Past, various concessions / exemptions were granted by Municipal commissioner using powers under section 64 of DCRs 1991. As the proposal needs to be as per clause 48 of DCRs 1967, the same discretionary powers were available with MC as per clause 48 of DCRs 1967. Hence, all the concessions granted by MC, will be continued in the present proposal.

g) Current Complaints and Litigations of Advocates M P Vashi

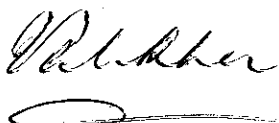
Mr. Rajoo Bbharot filed a Suit (Lodging) No.970 of 2011 in the Hon'ble High Court of Bombay through their Advocate M.P. Vashi by making several allegations for violation of norms. That during the pendency of said suit in the Hon'ble High Court, the MCGM served a notice on the said owner under Section 354A of the Mumbai Municipal Corporation Act, 1888 based on the stop work notice issued by the MCZMA on 28th April 2011, directing the owner to immediately stop work on the said plot. Further, the notice also stated that in the event the work was still carried on, the MCGM would direct that the owner would be removed from the said premises by a police officer.

The Notice of Motion came up for hearing before Hon,ble Justice Dr. D.Y. Chandrachud on 02nd may 2011 and the said Notice of Motion was disposed off and the following Order was passed:

1. Leave under Rule 146 of High Court (Original Side) Rules 1980 granted to the Plaintiffs to take out Notice of Motion in terms of draft Notice of Motion handed in.
2. The learned senior counsel appearing on behalf of the Eighth Defendant states that the Maharashtra Coastal Zone Management Authority has issued an order on 28th April 2011 on the complaint of the plaintiff b which the Eighth Defendant has been directed to stop the work of development on the plot bearing No. CGS 856 until further orders. In view of the fact that the Eighth Defendant has been directed to cease and desist from carrying out any development work which order, the Eighth Defendant states that it will abide by, counsel appearing on behalf of the plaintiff does not seek any ad interim relief at this stage. However, it has been agreed that should the order of 28 April 2011 be vacated or in the event that the Eighth Defendant seeks to carry out further development thereafter, the plaintiff shall be furnished notice of at least two weeks to enable the plaintiff to apply for further relief. In the circumstances, and since no further directions are sought at this stage, the Motion is disposed of with liberty reserved to the plaintiff to adopt fresh proceedings when the occasion arises.
3. The statement which has been made on behalf of the Eighth Defendant would be without prejudice to the rights and contentions of the Eighth Defendant in the present proceedings and without prejudice to the entitlement of the Eighth Defendant to adopt suitable proceedings.

Order passed by the Hon'ble Court of Bombay in Notice of Motion in Suit (Lodging) No.970 of 2011 is enclosed herewith.

The Authority after deliberation decided to get details of the order passed by Hon. High Court in the matter of notice of motion No.970 of 2011. It was also decided to get details of the construction stage. Further Authority directed the project proponent to submit detailed layout plan, FSI calculations, details



on setback area, road reservation, and RG area as per the provisions of DCR of 1967. Further authority decided to hear the complainant before taking final decision in the matter.

With reference to the minutes of the 75th Meeting submitted, the letter of MCZMA dt. 24.8.2012 was issued to MCGM for obtaining required information. Accordingly, MCGM forwarded the reply vide letter dt 2.11.2012.

Point wise reply of MCGM to MCZMA is follows-

Details of the order passed by Hon. High Court in the matter of Notice of motion No. 970 of 2011.
The order passed by Hon. High Court in the matter of Notice of motion No. 970 of 2011 has submitted.

Details of the construction stage

Proposed residential building comprising of basement + stilt + podium + 1st to 9th upper floor. The work is completed upto stilt portion.

Detail layout plan FSI calculation

As per submitted Layout plan,

- a) Area of the plot = 1176 Sq.mtr.
- b) Deduction for set back area = 550.00 Sq.mtr.
- c) Net area of Plot = 626.00 Sq.mtr.
- d) Addition for FSI purpose (40% benefit of Setback) = 250.40 Sq.mtr.
- e) Total area = 876.40 Sq.mtr.
- f) FSI permissible = 1
- g) Permissible floor area = 876.40 Sq.mtr.
- h) Proposed area = 872.09 Sq.mtr.
- i) Excess balcony area taken in = 1.19 Sq.mtr.
- j) Total BUA proposed = 873.28 Sq.mtr.

Details of Setback area, road reservation and RG area as per the provisions of DCR of 1967

As per DCR of 1967, Clause No. 10(2)

Based on the decision taken in the 75th meeting of the MCZMA held on 15th May, 2012; the Authority heard the complainant. During the hearing, the complainant requested the copy of latest amended building plans of the project submitted by the project proponent to the Authority.

Project proponent ensured that the latest amended proposal involves construction of Residential building comprises of basement + stilt + Podium for parking + 1st to 11th upper floors. The building plan and FSI details are as per the provisions of DCR 1967.

After details discussion and deliberation decided to revoke the Stop Work Notice issued to the Developer by the MCZMA and recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

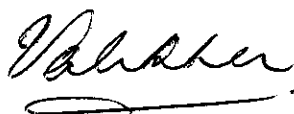
- are constructed on the seaward side of an existing road:the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The MCGM should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991 i.e. DCR 1967.
 4. The MCGM should strictly ensure the FSI, Non FSI component and FSI concessions, if any, of the proposal is as per the provisions of DCR 1967.
 5. The MCGM should ensure that Podium for parking is not allowed as per the provisions of DCR 1967. Parking Provision should be as per DCR 1967.
 6. There should not be violation of provisions of the CRZ Notification, 2011. Project proponent should ensure the same.
 7. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Further, it was decided to direct the project proponent to provide a copy of latest amended building plans to the complainant.

Item No. 6: Proposed Gymkhana and Club House on plot bearing C. S. No. 1948 Fort Division, Mumbai.

The Authority noted that the Proponent vide letter dated 23.7.2012 resubmitted the proposal for CRZ clearance to MCZMA (The original file got burned in the unfortunate fire incident at Mantralaya.)

Proposal Details:	As per the MCGM remarks, proposal is for construction of Gymkhana and Club house comprising of Ground + 1 st upper floor. As per the layout plan submitted by proponent, proposal is for construction of Gymkhana and Club house comprising of stilt + ground floor + 1 st floor.
Location of the Project:	Plot bearing C. S. No. 1948 Fort Division, Mumbai.
CRZ Category of the proposed site:	CZMP not submitted, hence can't categorize CRZ area of proposed site.
DP Remarks, a) Zone:	As per MCGM letter dated 19.4.2011, The plot under reference falls in residential zone. As per clause (7)(viii) of DCR 1967, the construction of club house is permissible in residential zone.
b) Proposed Use:	Gymkhana and Club House.
Area details :	
1. Total area of plot =-	1094.45 Sq.mtr.
2. Area of Ground floor -	108.33 Sq.mtr.
3. Area of First floor -	54.93 Sq.mtr.
4. Total Built up area -	163.26 Sq.mtr.
5. Permissible FSI -	0.15
6. Proposed area-	163.35 Sq.mtr.



The project proponent represented that the proposal involves construction of Swimming pool and changing room (2 Nos.) within the premises of Gymkhana and club house. The proposed construction is within the permissible FSI as per DCR 1967.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning authority i.e. MCGM subject to compliance of the following conditions:-

1. The CRZ recommendation is only for proposed construction of swimming pool and 2 nos. of changing rooms.
2. The MCGM should ensure that FSI, lay out plan, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991 i.e. DCR 1967.
3. The MCGM should ensure that the FSI of proposed construction should not exceed the total plot potential as per the provisions of DCR 1967.
4. The FSI and Non FSI component involved in the proposal should be strictly as per the provisions of DCR 1967.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No. 7: Proposed development on plot bearing C.T.S.No.507, S.No.44 of village Malwani at Malad(W), (P/N) Ward, Mumbai.

The project proponent presented the proposal before the Authority. The project details are as follows-

1. The proposal is for development of residential building (seventeen wings + one bungalow) on plot bearing C.T.S. No. 507, S. No. 44 of village Malwani, at Malad (West) (P/N) ward, Mumbai – 400 064.
2. The DP remark of MCGM mentions that as per vide Govt. notification TBP U/No.432000/557/CR-51/2000/UD-11, the major portion of plot is demarcated as 'R' zone and remaining portion demarcated as CRZ-III.
3. As per the approved CZMP, the small portion of the land under reference falls in CRZ – III (CRZ belt from Manori Cree Arm) and situated on seaward side of existing Malad Creek.
4. Plot Area details-
 - Total area of plot- 42474.00 sq.mtr
 - Area affected by CRZ III - 7319.02 sq. mtrs.
 - Balance area beyond CRZ area – 35154.18 Sqmt
5. The proposed residential building comprising of Wing A to P of Basement + 1st to 2nd (pt) Podium & (pt) Residential + 3rd to 23rd upper floors, wing Q comprising of Basement + Stilt + 1st to 2nd (pt) Podium & (pt) Residential + 3rd to 16th upper floors and one bungalow comprising of Ground + 1st upper floor. The proposed height of the building is 69.75 mts.
6. Details of proposed FSI and Non FSI are tabulated as follows:

Building No.	Wings	Built-up area + 35% Fungible area.	Staircase area (Sq.mtr)	Refuge area	Total Construction area.
1	Wing A to Wing Q + Bungalow	90158.01	14127.68	2338.75	106624.44
Basement + Stilt + Podium including Staircase			51426.65		
5% Area of kindergarden school free of FSI as per DCR – 12 Appx.			2109.66		
Construction of 5% amenity space			2109.66		



Total Construction area	162270.41
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The Authority noted the FSI Details which is as follows-
As per the layout plan submitted by proponent -

1. Area of plot = 42474.00 sq.mtr.
2. deductions for =
 - a. Road set back area = 280.80 sq.mtr
 - b. 5% amenity space = 2109.66 sq.mtr
3. Balance area of the plot = 40083.54 sq.mtr
4. Deduction for 15% RG = 6012.54 sq.mtr
5. Permissible FSI = 1.00
6. Permissible floor area = 66835.52 sq.mtr.
7. Total proposed built up area = 66834.52 sq.mtr.
8. Purely residential built up area = 66834.52 sq.mtr.
9. FSI consumed = 1.66
10. Proposed floor area = 32381.08 sq.mt

The Authority noted that the proposed construction of Residential buildings is in Non CRZ area. The Sewerage Treatment Plant and Receiving station along with layout RG was proposed in CRZ III area. The normal captive FSI of CRZ affected portion is proposed to be utilized in the Non CRZ portion.

The Authority after deliberation, decided to recommend the proposal from CRZ point of view to SEIAA / MCGM subject to following conditions:-

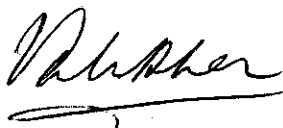
1. No construction of Residential buildings should be undertaken in CRZ portion of land.
2. The FSI of CRZ portion of plot as per DCR existing as 19.2.1991 is allowed to be utilized on the Non CRZ portion of the same plot.
3. No untreated sewage and garbage should be dumped / disposed of in the CRZ area.
4. Continuous monitoring and periodic maintenance of STP is mandatory. Development of RG should be in sych. with landscape present in CRZ area.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No. 8: Proposed Fire station and BEST collection Centre on plot bearing F.P.No. 95(pt), 96A(pt), 96B(pt) & 97 of TPS II, Mahim Dn. Known as Padrewadi S.R.Scheme at Lt.Dilip Gupte Marg, Mahim, Mumbai Gan Siddhivinayak – SRA.

The project proponent presented the proposal before the Authority.

1. As per D. P. Remarks of MCGM dated 19th May, 2012, the plot under reference is in residential zone.
2. As per CZMP of Mumbai, and as per MCGM letter dated 4th September, 2012, the site under reference falls in CRZ-II and situated on landward side of the existing road.
3. Total area of the plot is 5528.77sqmt.
4. The proposal is for construction of build-able amenities of Fire station and BEST collection centre at Lt. Dilip Gupte Marg, Mahim, G/North Ward, Mumbai – 400 016. These amenities would be handed over to SRA.

The project proponent ensured that the proposal involves the construction of build-able amenities of Fire Station and BEST Collection Centre so that these amenities could be handed over by SRA.



The Authority after detailed discussion and deliberation decided to recommend the proposal of construction of build able amenities of fire station and BEST collection centre which could be handed over to MCGM by SRA.

1. The CRZ recommendation is only for the construction of build-able reservations- Fire Station and BEST Collection Centre and not for other SRA components. The build able reservations shall be handed over to MCGM.
2. FSI involved in the proposed construction is as per the DCR existing and enforce as on 19.2.1991. The SRA should ensure that the FSI of proposed construction should not exceed the total potential of the plot.
3. The SRA should ensure that there should not be any violation of CRZ Notification, 2011.
4. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No. 9: CRZ clearance for proposed jetty in Varsava (Vasai) creek at survey No. 28/29 Tal: Thane, Maharashtra.

The project proponent presented the proposal before the Authority. The project details are as follows-

1. The proposal involves construction of a passenger jetty and a boat repair facility near Mauje Versave (survey No. 28/29), Tal. Vasai, Dist. Thane, Maharashtra by Hotel Beano Resort.
2. As per the Mira Bhayandar Municipal Corporation vide letter dated 1.2.2011, the land under reference is falls in No Development Zone and permissible FSI is 0.20. Permissible floor area is 1170 Sq.mtr. proposed construction area is 342.37 sq.mtr

Mauje	Survey No.	Area (Sq.mtr)	Owner	Proposed area
Versave	28 (part)	21500.00	National Highway	1450.00
Versave	29	10520.00	Govt. of Maharashtra	4400.00
	Total	32020.00		5850.00

3. The CRZ map of Mira Bhayandar Municipal Council area and Mira Bhayandar Municipal Corporation vide letter dated 1.2.2011, the land under reference is partly falls in CRZ 1(i) and Mangrove Buffer Zone and partly in CRZ -III.
4. Maharashtra Maritime Board has issued Letter Of Intent for setting up Boat repair yard, water tourism, water sport and floating resort project near Ghodbander in Varsova creek, Tal. Vasai, Dist. Thane vide letter dated 11.11.2009
5. As per the layout plan submitted by the proponent:
 - Area of the plot = 5850.00 Sq.mtr.
 - Permissible FSI = 0.20
 - Permissible floor area = 1170.00 Sq.mtr.
 - Proposed area = 342.37 Sq.mtr.
 - FSI to be consumed = 0.06

The Authority after deliberation, decided to direct the project proponent to submit the detailed project report comprising the following information:-

1. Total area of the plot and plot area falls in CRZ.
2. Complete lay out plan of the project.
3. Detailed drawing and layout of proposed jetty.
4. Details of the boat repair yards. No. of boats per day to be repaired.
5. Details of waste generation due to repair yard and waste management plan.
6. Water sport activities details.
7. Any other activities proposed in the proposal.



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

Item No. 10: CRZ clearance for project of Natural Gas Transmission pipeline passing from Fountain Hotel to Chena River Bridge, Ghodbandar road, Thane Mira Road looping.

The project proponent presented the proposal before the Authority. The Authority noted the project details which are as follows-

Proposal Details:	Mahanagar Gas Ltd. has proposed to set up new Natural Gas Transmission pipeline from Fountain Hotel to Chena River Bridge (Thane Mira Road Looping). The total area of project is 2 km pipeline through CRZ III area
Location of the Project:	Passing from Fountain Hotel to Chena River Bridge, Ghodbandar road, Thane Mira Road Looping.
CRZ Category:	As per the approved CZMP of the Mira Bhayandar CRZ-III
DP Remarks, Zone:	As per the sanction Development Plan, 30.00mt. Wide existing Thane - Ghodbundar road

As represented by the project proponent, the Authority noted that proposed Natural Gas transmission pipeline project (Thane Mira Road Looping) is 22 km in length, out of which, approximately 2 km length of pipeline falls in CRZ area. It would start from Fountain hotel Junction to near Chena River Bridge in Ghodbunder Road. The pipeline laying would be executed by open cut method ie. to dig an open trench, place the pipeline and then bury it.

Chena River is dry up during the summer and proposed to cross the river by open cut method with all provisions for water management in case of Hide tide.

It was noted that as per Para 4(ii)(d); the laying of pipeline shall require clearance from MoEF.

The Authority deliberated the impact of proposed pipeline project on river-water, land as well as safety measures with latest technology. Taking into account the overall benefits of Natural Gas in terms of meeting increasing fuel demand, energy security, eco-friendly fuel with reduction in pollution leading to increased health/safety conditions.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to MoEF subject to compliance of the following conditions:-

1. Site preparation, installing pipeline and site restoration in CRZ area should be undertaken without damaging the coastal-geomorphological features, vegetation present in CRZ area.
2. Natural course of River water should not be hampered due to proposed activities. Proper measures should be undertaken in order to avoid contamination of creek water.
3. Prior High Court approval is necessary if there is damage to the mangroves due to proposed lying of pipeline.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work.



Item No. 11: CRZ permission for the proposed project of Natural Gas Transmission pipeline passing through Bhivandi Creek, Kalyan.

The project proponent presented the proposal before the Authority. The Authority noted the project details which are as follows:-

Proposal Details:	Mahanagar Gas Ltd. proposed to set up new Natural Gas Transmission pipeline from Kalyan to Bhivandi, passing through Bhivandi creek parallel to the existing bridge Durgadipul in Kalyan. The length of the pipeline shall be 1 km in CRZ area Appx. 400 meter creek crossing by HDD method with pipeline diameter 08" NB, 8.2 mm thick.
Location of the Project:	Survey No. 173/2, Murud, Tal. Murud, Dist. Raigad.
CRZ Category of the proposed site:	CRZ-I Passing through the Bhivandi Creek
DP Remarks, Zone: Proposed Use:	As per the Development Plan Commercial Zone Commercial Development

As presented by the project proponent, the Authority noted that Approx 1 km. length of pipeline is passing through CRZ I(ii) and CRZ III area. The Horizontal Directional Drilling (HDD) would be used for pipeline passing through Bhivandi Creek and open cut method for remaining portion of pipeline.

In HDD method, pipeline designed to transmit natural gas would be laid at a depth more than 2.5m from the water bed, without harming the flora / fauna present in the creek and no contamination of water would occur.

It was noted that as per Para 4(ii)(d); the laying of pipeline shall require clearance from MoEF.

The Authority deliberated the impact of proposed pipeline project on river-water, land as well as safety measures with latest technology. Taking into account the overall benefits of CNG in terms of meeting increasing fuel demand, energy security, eco-friendly fuel with reduction in pollution leading to increased health/safety conditions; the Authority after deliberation decided to recommend the proposal from CRZ point of view to MoEF subject to compliance of the following conditions-

1. Site preparation, pilot hole drilling, installing pipeline and site restoration in CRZ area should be undertaken without damaging the coastal-geomorphological features, vegetation present in CRZ area.
5. Natural course of creek water should not be hampered due to proposed activities. Proper measures should be undertaken in order to avoid contamination of creek water.
2. Prior High Court approval is necessary if there is damage to the mangroves due to proposed lying of pipeline.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work.



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

Item No. 12: CRZ clearance for the proposed project of Natural Gas Transmission pipeline passing through Kharghar Creek, Navi Mumbai.

The project proponent presented the proposal before the Authority. The Authority noted the project details which are as follows-

Proposal Details:	Proposed project is of laying the pipeline for natural gas transmission beneath the bed of the Kharghar Creek.
Location of the Project:	Kharghar Creek, Navi Mumbai, parallel to Sion - Panvel Highway.
Proposal Category:	New pipeline project for transmission of Natural Gas.
CRZ Category of the proposed site:	As per Maharashtra Maritime Board, vide letter dt. 23.8.2012, The project site falls in CRZ – I and CRZ – II. Proposed pipeline passing through Kharghar creek (CRZ area) is 2 Kms, which is parallel to Sion – Panvel Highway.
CRZ permissibility as per CRZ Notification, 2011 :	As per Para 4(ii) Laying of pipeline requires permission from MoEF
Planning Authority Remarks :	The proposed project of Natural Gas Transmission through Kharghar creek falls in CRZ-I and CRZ-II area. NOC of Maharashtra Pollution Control Board/ CRZ clearance needs to be obtained by applicant.

As presented by the proponent, the Authority noted that Proposed Natural Gas transmission pipeline of length 2 km would be passed through CRZ area (CRZ I and II) of Kharghar creek and it is parallel to Sion Panvel Highway. Out of 2 kms, 700 meters pipeline would be crossing Kharghar creek by Horizontal Directional Drilling (HDD) method and remaining 1.3 kms pipeline would be lying by open cut method.

In HDD method, the pipeline designed to transmit natural gas would be laid at a depth more than 2.5m from the water bed, without harming the flora/fauna present in the creek and no contamination of water would occur.

It was noted that as per Para 4(ii)(d); the laying of pipeline shall require clearance from MoEF.

The Authority deliberated the overall impact of proposed pipeline project on river-water, land as well as safety measures with latest technology. Taking into account the overall benefits of CNG in terms of meeting increasing fuel demand, energy security, eco-friendly fuel with reduction in pollution leading to increased health/safety conditions; the Authority after deliberation decided to recommend the proposal from CRZ point of view to MoEF subject to compliance of the following conditions-

1. Site preparation, pilot hole drilling, installing pipeline and site restoration in CRZ area should be undertaken without damaging the coastal-geomorphological features, vegetation present in CRZ area.
2. Natural course of creek water should not be hampered due to proposed activities. Proper measures should be undertaken in order to avoid contamination of creek water.



3. Prior High Court approval is necessary if there is damage to the mangroves due to proposed lying of pipeline.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No. 13: The proposed project admeasuring about 38920.00 sq.mt. plot area located on plot no bearing Old S.No. 73/17 (pt), 73/17 (pt), 73/17 (pt), 73/17 (pt), 75/5, 75/6, 75/7, 75/8, 80/1, 82, 81/3, 83/1/1, 83/1/2, 83/1/3(pt), 83/1/3(pt), 83/2, 83/3(pt), 83/3(pt). New S.No. 150/17A, 150/17B, 150/17C, 150/17D, 152/5, 152/6, 152/7, 152/8, 157/1, 159, 158/3, 160/1A, 160/1B, 160/1C, 160/1D, 160/2, 160/3B, 160/3C. At Village Balkum, Tal & District Thane by M/s. Siddhi Krish Developers.

The proposal has forwarded by the Navi Mumbai Municipal Corporation vide letter dated 5th July, 2012.

Sr. No.	Description	Details
1	Type of project	Residential Cum Commercial Project
2	Location of project site	Village – Balkum, Taluka & Dist. Thane.
3	Total plot area	38920 sq.mt
4	RG provided	11551sq.mt.
5	Building details	Total 8 buildings, out of which 2 buildings have configuration (Gr+st+pod+20 flrs) and 5 buildings have configuration of (st+pod+19 flrs). And 1 bldg have configuration of (st+pod+18 flrs).

FSI & Non FSI


S.N	FSI & Non FSI	Area (Sq.mt)
	FSI Area	32813.49
1	Excess Balcony	77.42
2	Built Up Area	31972.23
3	Commercial Area	451.04
4	15% Club House Area	312.80
	Non FSI	
5	Stilt	1505.19
6	Staircase & Passage	10982.06
7	Lift	767.65
8	10% Balcony	3197.29
9	C.B Area	882.09
10	Refuge Area	1250.70
11	Club House	650.32
12	Podium	13496.21
13	Temporary Structure	600
14	Total	33331.51
15	Total Construction Area	66145.00



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

Area Statement

	A	Area Statement	Sq.mt.
		Area of Plot (As per 7/12 Extract)	38920.00
		Area of Plot (As per Triangulation Method)	39618.39
1		Area of Plot Consider for FSI	38895.51
2		Deductions For	
	a	15.00 m wide D.P Road (North+South)	905.24
	b	20.00 m wide D.P Road (East+West)	1178.35
	c	20.00 m wide D.P Road (North+South)	1115.26
	d	15.00 m wide D.P Road (North+South)	2490.90
	e	20.00 m wide D.P Road (North+South)	2115.87
	f	Area under MH Reservation	2358.02
	g	Area under Garden Reservation	1402.38
	h	Area under Shopping Center	4.54
	i	Area under M.R.T.S	2121.92
	j	Area under CRZ-II (Under R- Zone)	4935.66
	k	Plot B (24.32 sq.mt.)+ (328.90 sq.mt)	353.22
	l	Area under subplot – C (V.P.No. S05/0054/12)	1310.81
3		Net Gross Area of Plot(1-2)	18603.34
4		Recreation Ground As Per Regulation 58	2790.50
5		Balance Area of Plot (3-4)	15812.84
6		Addition for FAR (Total Built Up Area) Purpose	
	a	Area under CRZ II	3701.74
7		Addition For	
	a	15.00 m wide DP road (under R-Zone)	905.24
	b	20.00 m wide DP road (under R-Zone)	1178.35
	c	20.00 m wide DP road (under CRZ)	1115.26
	d	15.00 m wide DP road (under CRZ)	2490.90
	e	20.00 m wide DP road	2115.87
	f	Area under MH Reservation	2358.02
	g	Area under Garden Reservation	1402.38
	h	Area under Shopping Center	4.54
	i	Area under MRTS	2121.92



j	Permissible 80% TDR of Net Plot Area Total TDR Generated in own plot = 13692.48 sq.mt. Balance TDR = 1190.19 sq.mt.	
	Total (a to j)	13692.48
8	Total Area (5+6c+7j)	33207.06
9	FAR Permissible as per Appendix B Total Built Up Area+ Area permissible Max. Ground Coverage x max no of storages	1.00
10	Permissible Total Floor Area	33207.06
11	Proposed Area	32813.49
12	Total Built Up Area Consumed (B/7)	0.988

The Authority after detailed discussion and deliberation decided to direct the project proponent to submit the following information to the Authority -

- Details of designated reservations, as per development plan/ regional plan as on 19.02.1991 and as per current prevailing development plan of the area.
- Details of construction of Old S.No.80/2, & New S. No. 150/16A, 150/17B, 150/17C, 150/17D, 152/5, 6, 7, 8, 157/1, 2, 3, 159
- Verification of exact total plot area and plot area falls in CRZ (survey No wise).
- Zoning, reservation on CRZ land as per DCR as on 19.02.1991.
- Details of proposed construction in CRZ.
- Permissibility of the Height as per DCR enforce as on 19.02.1991 and as per current prevailing DCR.
- Permissible FSI in CRZ as per DCR as on 19.02.1991.

Item No. 14: Proposed Fire Fighting Station building in Malvan Municipal Council premises bearing CTS No. 2217A/1, Malvan Kasal Road, Tal.-Malvan, Dist- Sindhudurg by Malvan Municipal Council.

The Malvan Municipal Council (MMC) officials presented the proposal before the Authority. The project details area as follows-

Proposal Category	Construction Fire Fighting Station building in CRZ II and in CVCA area
Location of the Project	Malvan Municipal Council premises bearing CTS No. 2217A/1, Malvan Kasal Road, Tal.-Malvan, Dist- Sindhudurg
Proposal Details	The proposal is for the proposed Fire Fighting Station building is G + 2 having Fire Fighter Vehicle Parking, General Parking, Store Room, Office Room, Work Shop, Toilet Block & Firemen Rest Room at Ground floor, hall, 3, 1 BHK with Triple toilet block / quarter and 3 1 BHK & 1 3 BHK quarters at second floor. The proposed construction of Fire Fighting Station building by demolishing existing shade.
CRZ Category	As per Draft CRZ map of Malvan prepared by CESS, Kerala the land under reference is located in CRZ II and landward side of the existing road.

Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

	The Malvan Municipal Council (MMC) mentioned vide letter dt. 10.7.2012, the land under reference is falls in Critically Vulnerable Coastal Area (CVCA) .		
DP Remarks,	The Malvan Municipal Council (MMC) mentioned vide letter dt. 10.7.2012 that as per Govt. Order TPS-1580/4449/UD-5 dated 14.5.1981 the said plot falls under Public & Semipublic Zone.		
FSI Detail	Sr. No.	Description	Area (Sq.mtr.)
	1	Area of Plot	4400.50
	2	Permissible BUA 50% X 4400.50	2200.25
	3	Existing BUA	638.00
	4	Area to be demolished	235.82
	5	Existing BUA after demolition	402.18
	6	Proposed BUA (Ground Coverage)	457.71
	7	Proposed First Floor BUA	457.71
	8	Proposed Second Floor BUA	457.71
	9	Total Proposed BUA	1373.13
	10	Total BUA (Existing + Proposed)	1775.31
	11	Permissible FSI	1
	12	Total FSI Consumed	0.80

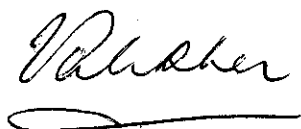
Being an essential facility for the local people, the Authority decided to recommend the proposal to the Malvan Municipal Council subject to compliance of the following conditions-

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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 15: CRZ clearance for proposed construction of Sewage treatment plant and pumping station, Alibag, Dist- Raigad.

The officials from the Alibag Town Planning officer presented the proposal before the Authority. The Authority noted the following proposal details-

1. The Alibag Municipal Council proposed to set up Sewage treatment plant and pumping station on the reservation no. 34 as per Section 28(4) of Development Plan.
2. Proposed construction of STP and Pumping station building is under the Urban Infrastructure Development scheme for small and medium towns, undertaken by Govt of India.



3. As per section 26 of Maharashtra Regional and Town Planning, 1966, C.T.S. No. 1303, area – 3-76-61 (S. No. 7A), Alibag was allotted for Sewage treatment plant and pumping station under the underground sewerage scheme in revised Development Plan of Alibag.
4. As per the CZMP of Alibag, the land falls in CRZ I and is situated on landward side of existing road and Dense Mangroves as per Planning Authorities remarks on revised Development plan of Alibag.

The Authority noted that the Construction of dispensaries, schools, public rain-shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.

Considering the public interest involved in the proposal, the Authority after detailed discussion and deliberation decided to recommend the proposal to concerned Planning Authority subject to compliance of the following conditions-

1. The Alibag Municipal Council should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
2. The Alibag Municipal Council should ensure the continuous monitoring and periodic maintenance of the STP. Specific budget should be allotted for the same.
3. No untreated waste / effluent should be disposed of in the sea water.
4. Prior permission of Hon. High Court of Mumbai should be obtained, since the project would be implemented in 50mt mangroves buffer zone area.
5. Detailed plan for compensatory mangrove plantation should be submitted to the MCZMA.
6. Prior permission from Maharashtra Pollution Control Board (MPCB) should be obtained.
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No. 16: CRZ clearance for proposed construction of Sewage treatment plant and pumping station building under for Vengurla Municipal Council.

The project proponent presented the matter before the Authority.

1. The Vengurla Municipal Council proposed Sewerage Treatment Plant on plot bearing Survey No. 594, Hissa No. 1, Vengurla, Sindhudurg.
2. Proposed construction of STP and Pumping station building is under the Urban Infrastructure Development scheme for small and medium towns, undertaken by Government of India.
3. As per Vengurla Municipal Council's letter dt. 4.9.2012, the land under the reference falls in CRZ-I and CRZ – II area.
4. The proposed Administrative building comprises of G + 1, having office and Laboratory at Ground Floor and PLC room at First Floor. The Proposed Sludge Pump Room contains sludge pump blower room and trolley parking at ground floor and lifting monorail room at first floor.
5. Total area of plot is- 11600 Sqmt
6. Permissible built up area- 25% of 11600 = 2200 Sqmt and proposed built up area is 204.908 Sqmt.

The authority noted that Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.

The Authority after detailed discussion and deliberation decided to recommend the proposal from CRZ point of view subject to compliance of the following conditions-



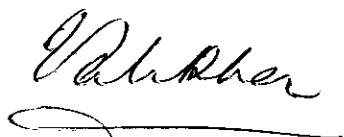
1. The Vengurla Municipal Council should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
2. The Vengurla Municipal Council should ensure the continuous monitoring and periodic maintenance of the STP. Specific budget should be allotted for the same.
3. No untreated waste / effluent should be disposed of in sea water.
4. Prior permission of Hon. High Court of Mumbai should be obtained, if the proposal involves destruction of mangroves or construction in 50mt mangroves buffer zone area.
5. Detailed plan for compensatory mangrove plantation should be submitted to the MCZMA.
6. Prior permission from Maharashtra Pollution Control Board (MPCB) should be obtained.
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 17: Regarding permission from CRZ point of view for the non-agricultural activity on land admeasuring 3800.00 sq. m. & bearing S.No. 439A1, A1, A1, A1, A1, A1, A1 H.No. 1/1A2, C1 & S.No. 439 1/1, A2 C2 at Village Jamsande, Taluka Devgad, District Sindhudurg

The matter was considered in the 75th meeting of the Maharashtra Coastal Zone Management Authority held on 15th May, 2012, wherein the Authority noted the following proposal details-

1. The remarks of Town planner, Sindhudurg vide dated 19.11.2011 mentions that as per the sanctioned tourism plan on 15.10.2004, plot under reference comes under Existing Urban Centre. But there is no Existing Urban Centre for Devgad, though the plot under reference is considered in T-2.and residential use of this land is allowed.
2. As per the remarks of Town Planner, Sindhudurg, the land under reference falls in CRZ-III as per the CZMP of Maharashtra approved on 27.09.1996. However, as per the coastal land-use map prepared by MRSAC, the land under reference falls in non-CRZ area. The same map has also been enclosed along with the application.
3. As per the remarks of the Town planner, Sindhudurg, the area of the plot – 3800 sq. m.
4. The land under reference is situated in the 'Critical Vulnerable Coastal Areas (CVCA)' of Maharashtra, as declared in the CRZ Notification, 2011.
5. The proposal is for the construction of residential building on plot bearing S.No. 439A1, A1, A1, A1, A1, A1 H.No. 1/1A2, C1 & S.No. 439 1/1, , A2 C2 at Village Jamsande, Taluka Devgad, District- Sindhudurg
6. Proposed Construction comprises of Ground +1st Floor residential building in CRZ III area and on landward side of existing road, within the limit of Sindhudurg Municipal council.
7. The cost of the proposed project is mentioned as Rs. 4,50,00,000/-.
8. **FSI Details:**
 - Area of the plot : 4609.00 Sq.mt
 - Plot allowed to B.S.N.L. Tower: 610.00 Sq.mt
 - Net area of the plot: 3999.00 Sq.mt
 - Permissible FSI – 0.50 (i.e. Permissible built up area – 1999.50 Sq.mt)
 - Total built up area- 1670.698 Sq.mt (i.e. The built up area is within the limit of permissible FSI)
 - FSI Consumed: 0.4177

With reference to the decision taken in the 75th Meeting, the letter of MCZMA dt. 12.9.2012 was issued to the District Collector, Sindhudurg & marked copy to the Town Planner, Sindhudurg for Clarification,



whether the area falls under CVCA area as notified in CRZ Notification, 2011. Accordingly, the Town Planner, Sindhudurg forwarded the remarks vide letter dt 5.11.2012.

The Authority took note of the remarks of the Town Planner, Sindhudurg which stipulates that **village - Jamsande, Tal – Devgad does not falls in CVCA**, hence the provisions of CVCA is not applicable to the land in the subjected proposal.

The Authority after discussion decided to direct the project proponent to submit the building plan / lay out plan of proposed construction with FSI details and revert.

Item No. 18: Proposed residential construction on plot bearing survey No. 29A/1, MHADA plot No. 213, MHADA Colony, Alibag, Tal.- Alibag, Dist.- Raigad.

The project proponent presented the proposal before the Authority. The details of the proposal is as follows-

Proposal Details:	Residential construction
Location of the Project:	Plot bearing survey No. 29A/1, MHADA plot No. 213, MHADA Colony, Alibag, Tal.- Alibag, Dist.- Raigad.
Proposal Category:	New Construction
CRZ Category:	As per CZMP of Alibag, the plot under reference falls in CRZ II and situated on landward side of existing road.
DP Remarks, Zone:	As per Alibag Municipal Council, The land under reference falls in Residential zone as per section 50 of Maharashtra Regional and Town Planning, 1966 dated 11 th July, 1986.
Existing Use:	Vacant plot
Proposed Use:	Residential use.
DCR Applicable:	DCR 19.02.1991
FSI Details, Permissible FSI:	1.00 as per DCR 1991
FSI proposed:	1.00
Area Details, Total area of the plot:	As per layout plan submitted by Project proponent 72.00Sq.mtr
Permissible built up Area:	72.00 Sq.mtr
Proposed built up area:	Per floor -36.00 Sq.mtr
Proposed built up area of Gr. Floor :	29.10 Sq.mtr
Proposed built up area of 1st Floor	29.10 Sq.mtr
Total area consumed :	58.20 Sq.mtr

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of the following conditions-

Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 19: Proposed construction on land bearing plot No. 28, S. No. 103, H. No. 1A, Chendhare village, Tal- Alibag, Dist-Raigad

The project proponent presented the proposal before the Authority. The project details are as follows-

Proposal Category	Construction of building in CRZ -II
Location of the Project	land bearing plot No. 28, S. No. 103, H. No. 1A, Chendhare village, Tal-Alibag, Dist-Raigad
Proposal Details	The proposal is for development of building comprises of partly ground + 2 upper floors and Stilt + 3 upper floors. Shops are proposed at ground floor and basement is proposed below ground floor, however first & second floors proposed for residential use.
CRZ Category	The CZMP of Alibag Municipal Council area indicates the land under reference in CRZ II and landward side of existing road.
DP Remarks- Zone	Alibag Municipal Council mentions, as per sanctioned Development Plan the land under consideration in residential zone.
FSI Details	As per the layout plan, Total area of the plot = 576.00 Sq.mtr. Permissible FSI = 1 Permissible built up area = 576.00 Sq.mtr. Total proposed built up area = 575.97 Sq.mtr.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned Planning Authority subject to compliance of 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 existing local town and country planning regulations



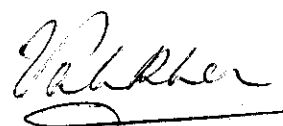
including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.

3. The concerned Planning authority should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 20: Proposed development on plot bearing CTS No. 667B, Mouje Alibag, Tal. Alibag, Dist. Raigad.

The project proponent presented the proposal before the Authority. The project details are as follows-

Proposal Details:	<ol style="list-style-type: none"> 1. As per Alibag Municipal Council letter dt. 6.12.2012, proposed construction is for residential purpose comprising of Stilt + Raised Ground + Raised 1st floor + Raised 2nd floor. 2. As per Town Planning letter dt. 20.11.2012, out of 446.00 Sq.mtr, 314.15 Sq.mtr is permissible for residential construction and rest i.e. 131.85 Sq.mtr is being utilized by the School and road for extension.
Location of the Project:	Plot bearing C.T.S. No. – 667B, Mouje Alibag, Tal. Alibag, Dist. Raigad – 402 201.
Proposal Category:	New Construction.
CRZ Category:	As per sanctioned CZMP of Alibag, plot under the reference falls in CRZ – II and situated on landward side of existing road which is prior to 19.2.1991.
DP Remarks, Zone:	<ol style="list-style-type: none"> 1. As per sanctioned Development Plan of Alibag, Northern part of C.T.S. No. 667B has been reserved for extension of school building (Urdu School) and remaining part falls in residential zone. 2. The Maharashtra Regional and Town Planning, 1966 amended on 31.10.2000 and as per section 37 of M.R & T.P,1966 the said reservation remains the same.
Proposed Use:	Residential purpose.
Area details :	



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

1. Total area of plot -	446.00 Sq.mtr.
2. Area under proposed D.P. Road -	39.66 Sq.mtr.
3. Area under reservation of Urdu School -	92.19 Sq.mtr
4. Net plot area -	314.15 Sq.mtr.
5. Permissible Built up area-	314.15 Sq.mtr.
6. Proposed Built up area -	
Ground floor =-	104.71 Sq.mtr
First floor -	104.71 Sq.mtr
Second floor -	104.71 Sq.mtr.
7. Total Consumed area =-	314.13 Sq.mtr.
8. Permissible FSI -	1.00

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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:the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 21: Proposed development on plot bearing CTS No. – 402, 402/ 1 to 3, Mouje Alibag, Tal. Alibag, Dist. Raigad.

The project proponent presented the proposal before the Authority. The project details are as follows:-

Proposal Details:	Proposed development is for residential purpose comprises of Ground + 1 st floor.
Location of the Project:	Plot bearing C.T.S No. – 402, 402/ 1 to 3, Mouje Alibag, Tal. Alibag, Dist. Raigad.
CRZ Category	As per sanctioned CZMP of Alibag, plot under the reference falls in CRZ – II and landward side of existing road.
DP Remarks- Zone:	As per sanctioned Development Plan of Alibag, land under the reference falls in residential zone.
Proposed Use:	Residential purpose on vacant plot.



Area details :	
Total area of plot -	145.40 Sq.mtr.
Road widening -	44.00 Sq.mtr.
Permissible Built up area	101.40 Sq.mtr
Proposed Built up area:	
Ground floor -	27.12 Sq.mtr
First floor -	27.12 Sq.mtr
Permissible FSI -	1.00

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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; the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 22: CRZ clearance for the construction of building on plot bearing survey no. 93/1, 96/8, C.S.No. 1752, 1755 at village Murud, Tal. Murud, Dist. Raigad

The project proponent presented the proposal before the Authority. The project details are as follows-

Proposal Details:	Proposed construction is for development of residential building. As per lay out plan submitted by the proponent, proposed structure comprising of Ground floor + 2 Upper floors.
Location:	Plot bearing survey no. 93/1, 96/8, C.S.No. 1752, 1755 at village Murud, Tal. Murud, Dist. Raigad.
Proposal Category:	New Construction.
CRZ Category	As per CZMP of Murud - Janjira, the plot under reference falls in CRZ - II and situated on landward side of existing road named as Murud Rajpuri Road (Dr. Rajendra Prasad Road).
DP Remarks, Zone:	As per Murud - Janjira Municipal Council letter dt. 25.9.2012, the said land is not reserved for any other purpose in revised Development Plan of Murud - Janjira.

Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

Proposed Use:	Residential purpose.
Area details :	As per lay out plan,
1. Total area of plot -	5860.70 Sq.mtr.
2. Permissible floor area -	5860.70 Sq.mtr.
3. Proposed Built up area -	2271.45 Sq.mtr.
i. Ground floor -	708.45 Sq.mtr.
ii. First floor	781.50 Sq.mtr.
-	0.75 (as per M.J.M.C. letter dt. 25.9.2012)
iii. Second floor -	0.38
4. Permissible FSI -	
5. FSI proposed-	

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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:the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 23: CRZ clearance for the construction of building on plot bearing survey no. 93/1, 96/8, C.S.No. 1752, 1755 at village Murud, Tal. Murud, Dist. Raigad

The project proponent presented the proposal before the Authority. The project details are as follows-

Proposal Details:	As per lay out plan, proposed residential building comprising of Ground + 2 upper floors.
Location of the Project:	Plot bearing S. No.(1)76, Hissa No. 13B/1A1 and 12A1 C.T.S. No. 2337 at Murud, Tal.- Murud, Dist.- Raigad.
Proposal Category:	1. As per Form – I, proposed construction is for residential cum



	commercial use by demolishing existing house. 2. As per lay out plan, proposed building is for residential purpose.
CRZ Category	Murud Janjira Municipal Council mentions that, as per CZMP of Murud city, the land under reference falls in CRZ II and situated on landward side of existing road which is prior to 19.2.1991.
DP Remarks, Zone:	As per approved and revised Development Plan, the said plot falls in residential zone.
Existing Use:	House for residential purpose.
Proposed Use:	As per Form – I, proposed use is for residential cum commercial purpose.
FSI Details, 1. Permissible FSI: 2. FSI proposed to be consumed:	1.00 as per DCR 1991 1.00
Area Details, • Total area of the plot: • Permissible floor area: • Total proposed area : • Total Built up area : Gr. Floor : 1st Floor : 2nd Floor : Permissible FSI :	As per layout plan submitted by Project proponent ; 440.93 Sq.mtr (as per triangulation) 440.93 Sq.mtr 418.17 Sq.mtr 418.70 Sq.mtr 139.48 Sq.mtr 139.61 Sq.mtr 139.61 Sq.mtr 1.00

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of the following conditions-

1. The concerned planning Authority should ensure that reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
2. The concerned Planning authority should ensure that FSI, lay out plan, height, zoning involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
3. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work



Item No. 24: proposed crop storage on plot bearing No. 34/1, 34/3, 34/2C1/ 36/1, 37/1, 37/1B, 37/4, 37/5A,+ 7B, 37/5B, 37/6, 38/1A, 38/2A, 38/3, 39/1B1, 39/1B2, 39/1B3, 39/1B4, 40/1A, 40/1B, 109A/4A, 109A/4C, 109A/4B, 109A/4E, 110/3, 111/5 at Kanthawali – Dighode Tal- Uran, Dist- Raigad – M/s. Surveshwar Logistic

The Authority noted that the project was for development of cargo storage facility on plot bearing No. 34/1, 34/3, 34/2C1/ 36/1, 37/1, 37/1B, 37/4, 37/5A,+ 7B, 37/5B, 37/6, 38/1A, 38/2A, 38/3, 39/1B1, 39/1B2, 39/1B3, 39/1B4, 40/1A, 40/1B, 109A/4A, 109A/4C, 109A/4B, 109A/4E, 110/3, 111/5 at Kanthawali – Dighode.

The propose structure would consist of office building, canteen, workshop building warehouse, DG and Electricity building and crop storage area. The land under reference was open land and situated in G-2 zone as per DP existing as on 19.2.1991. The total area of the plot is 63540 Sqmt.

As per the approved CZMP prepared by SAC, Ahemadabad, the site falls entirely falls within 500 mt CRZ area from HTL of creek.

The project proponent submitted the CRZ map prepared by IRS, Chennai in the scale of 1:4000; which demarcates 100 mt CRZ area from the HTL of creek. As per the said CRZ map, the site partly falls in CRZ area. And the construction is proposed entirely on Non CRZ portion of the plot. Further, No FSI of CRZ portion of land is proposed to be utilized on Non- CRZ portion of land.

The Authority discussed that the approved CZMP of the area prepared as per the guidelines of CRZ 1991 differs from this map and hence it was decided to get the issue clarified from the MOEF.

The Authority after detailed discussion and deliberation decided to forward the proposal to MoEF with a request to issue a clarification whether 100mt CRZ criteria from the HTL of the tidally influenced water bodies could be made applicable, if the proponent submits the 1:4000 CRZ map prepared by one of the agency authorized by the MoEF.

Item No. 25: Re-strengthening/ Restructuring of captive Jetty at village Umroli Sr. No. 1A of village Umroli, Tal- Mandangad, Dist: Ratnagiri.

The project proponent presented the proposal before the Authority. The Authority noted that the proposal was discussed in 75th meeting of MCZMA held on 15th May, 2012.

- 1) The Maharashtra Maritime Board (MMB, GoM) has forwarded the proposal for "Proposed captive Jetty at village Umroli Sr. No. 1A of village Umroli, Tal- Mandangad Dist: Ratnagiri" vide letter dated 22.8.2011.
- 2) The land bearing Survey No. 1A, Umrili village within Mandangad Taluka, Dist Ratnagiri, has existing Umroli jetty. The said jetty is on the banks of Savitri River and is approachable by wide, black topped tarred road. It is situated within a distance of 6 km from the mining lease allotted to M/s Logistic Infrastructure.
- 3) The project site is approachable by state Highway between Mandangad and Bankot.
- 4) The project proponent has submitted the CZMP map showing site under reference in the scale of 1:4000, prepared by IRS, Chennai. The said map indicates the land under reference falls in CRZ I. (B).
- 5) As per the information submitted by the proponent, total area under proposal – around 10,237 Sq. m. (admeasuring 237 Sq. m. of jetty area owned by MMB, GOM and 10000 Sq. m. as backup space)



- 6) The proposal is for re-strengthening and restructuring of the existing jetty for captive purpose. It is proposed to construct 7 m wide and 27 m in length conventional loading jetty on existing structure.
- 7) The proposed activities involves-
 - Restrengthening and restructuring of the existing jetty using RCC and MS.
 - Stocking of approximately 15,000 to 20,000 tons of Bauxite is available adjoining the jetty. The total backup space available near the jetty is around 10,000 Sq m.
 - Repair of existing available approachable road and additional road of about 1 km with 10 m width for ore transportation.
- 8) The equipment used for loading shall be self powered diesel driven engines. All the barges will be diesel powered hence the use of electricity is restricted to provide only illumination during operations after day light hours.
- 9) The conventional wheel loader and trucks will be used to load the cargo from the stock created within 200 mt from the jetty. The tipping trucks will bring cargo and unload into the barges of 500 to 700 tones carrying capacity. Barges would sail towards midstream for unloading this cargo to the mother vessel through self grab facility provided on the mother vessel. The distance between Umroli Jetty and the midstream loading vessel is within 6 nautical miles.
- 10) The jetty is proposed to be a captive jetty for marine transport of Buxite from the company's (M/s Infrastructure logistics) mines in the area the capacity of the jetty will be matched with schedule of production from the mines.
- 11) In the first phase, the jetty would handle about 0.3 million tons of Bauxite in a year. Subsequently, it may be equipped to handle around 1 million tons of Bauxite ore.
- 12) The Authority after discussion and deliberation decided to direct to the proponent to submit the following:
 - Get certification/clarification whether the proposed work falls in category of minor port from Ports department/ Maharashtra Maritime Board.
 - Details of the area under dredging and reclamation.
 - Distance of the proposed activity from the Mangroves and impacts thereon.
 - Details on the proposed use of the Jetty.
 - Pollution control measures and Environmental management Plan.

In the 75th meeting, it was decided to have a site inspection by a team constituting Dr. Ingole, Dr. Deshmukh, Dr. Shindikar and Dr. Baba. The MCZMA would discuss after the site visit report was submitted.

Accordingly, the subcommittee of MCZMA comprising of Dr. M. Baba, Dr. Baban Ingole, Dr. Mahesh Sindhikar and Shri S.S.Doke of MPCB visited the proposed jetty site at Umrolli village on 1st November, 2012.

The Site Visit Report-

The subcommittee of MCZMA comprising of Dr. M. Baba, Dr. Baban Ingole, Dr. Mahesh Sindhikar and Shri S.S.Doke of MPCB visited the proposed jetty site at Umrolli village, Mandangad Taluka, Ratnagiri Dt. on the 1st November 2012. The existing jetty of MMB is being improved by M/S Infrastructure Logistics Ltd., Goa as it is leased to them by the former for bauxite export. The jetty being improved is on the banks of Savithri River. The allotted bauxite mine is in the close proximity of the jetty. The jetty improvement project has an area of 237 sqm with a stocking backup of 10000 sqm with a stocking capacity of 15000-20000 tons of bauxite. The plan is to strengthen the existing structure of the jetty by increasing the present length of 20m to 27m and by raising the platform level by about 5m. The new 7m wide platform is proposed on four piles around the existing jetty. The total cost of the proposed development is 1.85 crore and expected to be completed in 6 months period. The proponents expect that

this will help them to take the trucks directly upto the barges and will help in directly transferring the material.

The subcommittee found that the project proponent has prepared an EIA/EMP report and demarcated the CRZ. As per the report the jetty and the stocking yard are in the CRZ. The activities proposed are permitted as per the CRZ Notification. The EIA has taken elaborate stock of the general environment in and around the jetty including the estuary. The impacts of the jetty construction and operation also have been studied. In general it was found that the project will not have any major impacts on the environment including on the sparse population in the locality. There can be minor impacts during the construction and further during the transportation and loading operations. Necessary precautionary measures also have been suggested in the EMP.

The subcommittee, however, observed that the mangrove growth on both sides of the jetty is thick except for the immediate neighboring plots. The adjoining intertidal areas are favorable for the growth of mangroves. Hence it is suggested that the project proponent shall not disturb the existing mangroves and shall plant new ones on both sides of the jetty which are fertile grounds for their growth. The proponent may take necessary help of specialized agencies (Eg. College of fisheries, Ratnagiri/ NIO Goa/ Dept. Of Forest (Marine Wing), Govt. of Maharashtra) for mangrove plantation.

Neither the EMP nor the proponent during the discussions indicated the actual plan, budget and the administrative / laboratory structure for the continued monitoring of the environment or for the mitigation of the predicted adverse impacts. All the required details shall be provided by the proponent. In any case to ensure the healthy condition of marine biodiversity in the Savithri River, estuarine and freshwater zone (~5 km on either side) around the project may be monitored on an yearly basis. Such monitoring shall be done by a MoEF accredited institution. Proponent shall provide such monitoring plan to the Authority.

The subcommittee found that there will be sizable dust pollution during the transportation of the bauxite along the road, while stocking near the jetty and during the loading operations into the barges. Though the river at this stretch is more than 500m wide some impact during the construction and barge operations is expected as indicated in the EIA report. Hence there shall be comprehensive and clear cut plans for controlling dust pollution on the road, stocking yard, jetty and the river. The proponent shall elaborate the plan to the Authority.

The proponent submitted the Environment Management Plan (EMP). The Authority suggested that there should be plan for controlling of dust pollution on the road, stocking yard, jetty and river.

The Authority noted that the proposal involves Re-strengthening/ restructuring of existing captive Jetty. It does not involve the construction / development of new Jetty. The Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning authority subject to compliance of the following conditions-

1. The CRZ recommendation is only for Re-strengthening/ restructuring of existing captive Jetty.
2. Proper Environment plan should be implemented for controlling of dust pollution on the road, stocking yard, jetty and river.
3. The project proponent should not disturb the Existing mangroves and should plant new one on both sides of the jetty which are fertile grounds for their growth, as suggested by the committee who visited the site.
4. No construction is allowed in 50 mt buffer zone area around the mangroves area.
5. Noise level during the operation phase should be within the permissible limit.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work.



Item No. 26: proposed reconstruction of residential building Plot situated in survey No. 24 A-1 A-2, 24 A-1 A-1 A-1, 24 A-1 A-1/B, 24 A-1 A-1 A-1 A Hissa No. Non Agriculture 1 A, 2 Non Agriculture C.T.S. No. 1074/1 1074 of 1076, 1076/1 to 11, 1077, 1077/1 to 3, 1078, 1078/1 to 4 of mouje Rahataghar, Tal. Dist. Ratnagiri.

The project proponent presented the proposal before the Authority. The Authority noted that the proposal was discussed in the 78th meeting of MCZMA wherein the Authority noted the following proposal details-

Proposal Details:	Reconstruction of Residential complex by demolishing existing structure comprising of 7 buildings i.e. building type- A to G.
Location of the Project:	Plot situated in survey No. 24 A-1 A-2, 24 A-1 A-1 A-1, 24 A-1 A-1/B, 24 A-1 A-1 A-1 A Hissa No. Non Agriculture 1 A, 2 Non Agriculture C.T.S. No. 1074/1 1074 of 1076, 1076/1 to 11, 1077, 1077/1 to 3, 1078, 1078/1 to 4 of mouje Rahataghar, Tal. Dist. Ratnagiri.
Proposal Category:	Redevelopment by demolishing existing structure.
CRZ Category	The Ratnagiri Municipal Council letter dt. 4.4.2012 mentions that, the land under the reference falls in CRZ II and is situated on landward side of existing road which is prior to 19.02.1991.
DP Remarks, Zone:	As per Ratnagiri Development Plan dt. 27.4.2000, the plot under reference is located in residential zone.
Proposed Use:	Proposed structure is for residential use.
DCR Applicable:	DCR existing as on 19.02.1991
Area Details, Total area of plot - Total area of plot - Area under road widening	As per lay out plan, 5199.00 Sq.mtr. (as per 7/12) 6313.62 Sq.mtr. (as per property card) 115 Sq.mtr.
Built Up Area : Building Type – B: Parking - Stilt upper - First floor - Second floor - Total built up area -	 303.20 Sq.mtr 303.20 Sq.mtr 303.20 Sq.mtr 303.20 Sq.mtr 909.60 Sq.mtr
Building Type – C, D, & E Total Ground and stilt parking - Residential - Total area - First and stilt upper-	 394.84 Sq.mtr 154.61 Sq.mtr 549.45 Sq.mtr 549.45 Sq.mtr

Second and stilt upper first -	549.45 Sq.mtr
Stilt upper second -	394.84 Sq.mtr
Total built up area -	1648.35 Sq.mtr
Building Type – F	
Proposed built up area	
Ground floor -	179.55 Sq.mtr
First floor -	95.17 Sq.mtr
Total built up area -	274.72 Sq.mtr
Building Type – G	
Proposed built up area	111.69 Sq.mtr
Ground floor -	111.69 Sq.mtr
First floor -	59.30 Sq.mtr
Second floor -	282.68 Sq.mtr
Total built up area -	
Total ground coverage -	1143.89 Sq.mtr
Total area -	3115.35 Sq.mtr
Open area -	3940.11 Sq.mtr

During the 78th meeting, the project proponent was directed to submit the information on certain points raised by the Authority. Accordingly, the project proponent replied vide letter dated 18.12.2012 with following information which is as follows-

1. Reservation on the site and zoning

The land for development is coming under Residential Zone. There is no reservation on the land. (Part plan of Development Plan of Ratnagiri Nagar Parishad submitted)

2. Total Plot area, Permissible FSI, Proposed FSI, Floor area, built up area.

Following is detail tabulation of proposed construction with FSI provisions.

Plot Area as per 7/12	: 5199.00sqmt
Permissible FSI	: 1(One)
Proposed FSI	: 0.835
Balance FSI	: 0.165
Ground Floor Area	: 1350.39sqmt
First Floor Area	: 1154.32sqmt
Second Floor Area	: 1059.24sqmt
Third Floor Area	: 781.82sqmt
Total Built up Area	: 4345.77sqmt

3. Any Commercial use proposed:

No commercial use of any area is proposed. The built up area proposed is for residential purpose only.

4. Details of Existing Structure Vis-à-vis proposed Structure with respect to no. of Structure, use built up area.



- a) Existing structure – 5 numbers – as per Ratnagiri Nagar Parished tax assessment (attached for your reference). Old structures will be demolished. The proposed 5 apartment building and 2 owners' bungalows will be built.
- b) Existing built up area: 656.92sqmt as per property card (attached for your reference)
Proposed Total built up area including Owners Bungalows: 4345.77sqmt

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of the following conditions-

1. The concerned Planning Authority should ensure that the Reconstruction of authorized building are permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
2. The concerned Planning Authority should ensure that the FSI, lay out plan, height, zoning, land use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 27: Proposed construction of residential building on plot bearing survey No. 182 A, Hissa. No. 3 H, CTS No. 2707 B / 7, Plot No. 7 of Mouje Zadgaon, Tal. & Dist. Ratnagiri

The project proponent presented the proposal before the Authority. The details of the proposal is as follows-

Proposal Category	Construction of Residential Building
Location of the Project	Plot bearing survey No. 182 A, Hissa. No. 3 H, CTS No. 2707 B / 7, Plot No. 7 of Mouje Zadgaon, Tal. & Dist. Ratnagiri
Proposal Details	construction of residential building comprising of Ground + 1 floor
CRZ Category	As per the CZMP of Ratnagiri Municipal Council area, the land under reference in CRZ II. As per the Ratnagiri Municipal Council vide letter dated 6.6.2012, the land under reference is situated landward side of the existing road.
DP Remarks, Zone	The Ratnagiri Municipal Council mentions, as per Development Plan the land under consideration in residential zone.
Proposed Use	Residential
FSI Detail	As per the layout plan, <ul style="list-style-type: none"> • Area of plot = 178.00 Sq.mtr. • Permissible built up area = $178.00 / 2 = 89.00$ Sq.mtr • Proposed built up ground floor area = 74.43 Sq.mtr. • Proposed built up first floor area = 74.43 Sq.mtr. • Total Built up area in plot = 148.86 • FSI consumed = 0.836



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 28: NOC for CRZ having Plot No.03-C, Sector 30-A, Vashi, Navi Mumbai by M/s. Zoeb Bootwala & Associates, Uttarakhand.

The project proponent presented the proposal before the Authority. The Authority noted the The proposal was considered in 73rd meeting of MCZMA held on 30.12.2011 wherein the Authority noted the following project details-

1. The Navi Mumbai Municipal corporation's remarks dated 19.11.2011,
 - As per sanctioned development plan & G.D.C.R.(CIDCO), 1973, plot NO. 3C, Sector 30A, Vashi is situated in Residential Zone.
 - As per approved CZMP, the land falls in CRZ II and situated on landward side of existing bund road.
2. The project report submitted by the proponent mentions that currently the plot is vacant. The Uttarakhand State Infrastructure Development Corporation Ltd is the lease holder of the plot under reference.
3. As per documents submitted by the proponent, the plot area – 3968.70 Sqmt
4. The proposal is for construction of Guest House cum Emporium Building on plot No. 3C, Sector 30A, Vashi, Navi Mumbai for Uttarakhand State Infrastructure Development Corporation Ltd
5. The proposed structure comprises of Basement + Ground floor + 1st to 4th upper floors.
6. The proposed building incorporates high quality spaces like Multipurpose Halls, Exhibition Hall, Emporium, Executive & presidential Suits for VVIP's of the State, Common facilities, Dormitories with kitchen facility, Gym, recreation area, Administration office, conference room etc.
7. As per the decision taken in 73rd meeting of MCZMA; the proposal was recommended to the concerned planning Authority ie. Navi Mumbai Municipal Corporation subject to submission of following information-
 - CRZ map (of scale 1:4000) prepared by MoEF authorized agency as indicated in the para 4.2 of CRZ Notification, 2011
 - General site location map indicating authorized road, distance from HTL, year of construction of existing authorized road with documental evidence.



- Copy of the existing development plan of the area as on 19.02.1991 indicating existing road referred in the proposal.

The project proponent submitted the 1:4000 CRZ map prepared by IRS, Chennai which shows the site falls in CRZ II.

The Authority noted that in the subject matter, the meeting was held on 30.11.2012 with the secretary, Environment and Chairperson, MCZMA. The project proponents as well as officers from NMMC were present. During the meeting, it was decided that site should be visited by the MCZMA officials.

Accordingly, the site was visited on 27.12.2012 by MS, MCZMA, Project Officer, MCZMA along with officials from CIDCO, NMMC and project proponent.

The site visit report

The plot No. 3C, Sector 30A, Vashi, Navi Mumbai is near Vashi Railway Station. The Plot is abutting the road on eastern and southern side. Just behind the plot, there is vacant land to which one narrow kaccha approach road resembling "PayVat" is connecting from the west side. The mangroves vegetation is seen behind the plot at around the distance of 50 mt, which means the plot is partially affected by the mangroves 50mt buffer zone. The CIDCO and NMMC officials need to submit the documents / map regarding the existing of road prior to 19.2.1991 behind the plot.

The Authority after deliberation decided to direct the CIDCO and NMMC to submit the documents / map showing the existing of road prior to 19.2.1991 behind the plot.

Item No. 29: Proposal Residential cum Commercial building on plot no. 01, sector -12, Airoli, Navi Mumbai

The proposal was considered in the 77th meeting of the Maharashtra Coastal Zone Management Authority held on 9th October, 2012.

Proposal Category	Construction of Residential cum Commercial Building
Location of the Project	Plot no. 01, sector -12, Airoli, Navi Mumbai
Proposal Details	As per NMMC vide its letter dated 23.8.2012, <ul style="list-style-type: none"> • No. of Residential floors: 28 nos. • No. of Commercial floors: Ground floors and 1st floor (podium floor) consist of part commercial and part parking area.
CRZ Category	Airoli Nodal plan prepared by CIDCO and the Coastal land use map indicates the land under reference is located partly in CRZ II. <ul style="list-style-type: none"> • Situated on the landward side of the existing 20m wide road constructed prior to 19.2.1991. The said road is a connecting road to Airoli Mulund Link Road. Landward side of the existing bund road.
DP Remarks,	



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

Zone	•The Navi Mumbai Municipal Corporation mentioned vide letter dt. 20/01/2012 that the land under reference is situated in residential zone.
Proposed Use	•Residential + Commercial As per Government Notification no 4384/1079/CR-282/84/UD-5, dated 16th September 1985 it is permissible activity in this zone.
FSI Details (As per submitted info)	
Permissible FSI as per DCR prior to 19.2.1991	1.5
Proposed FSI	1.479
Area Details,	
Total area of the plot	8321.940 Sq.mtr.
Permissible floor area	12482.910 Sq.mtr.
Proposed floor area	12314.882 Sq.mtr.
Total proposed residential area	11133.066 Sq.mtr.
Total proposed commercial area	1181.816 Sq.mtr.
Built up area Counted in FSI	12,314.882 Sq.mtr.
Built up area free of FSI	22,383.368 Sq.mtr.
Total construction area (FSI + Non FSI)	34698.25 Sq.mtr.
Height of the proposed building	92 m There is no upper limit prescribed for the building height under DCR of CIDCO.

In the 77th meeting, the Authority directed the project proponent to submit the CRZ map (1:4000) showing site reference to know the exact CRZ status of subject plot, prepared from one of the agencies authorized by the MoEF.

The project proponent submitted the CRZ map (1:4000) prepared by IRS, Chennai vide letter dated 5.12.2012. As per the said map the land under consideration is partly affected by CRZ –II (within 150 mtr setback line from HTL) and landward side of the 20 mtr wide road.

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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:the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.

3. The concerned Planning authority should ensure that FSI, building / lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned planning authority should verify the permissibility of height as per DCR existing and in force as on 19.2.1991
5. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 30: CRZ NOC for proposed residential development on plot no.23, sector 01, Ghansoli, Navi Mumbai.

The proposal was considered in the 77th meeting of the Maharashtra Coastal Zone Management Authority held on 9th October, 2012, wherein the Authority noted the following project details-

Proposal Details:	The proposed construction is development of residential building comprising of Ground + 1 st & 2 nd floor in first layout plan and Ground + 1 st to 3 th floor in second layout plan
Location:	Plot no.23, sector 01, Ghansoli, Navi Mumbai.
Proposal Category:	New Construction
CRZ Category:	The coastal landuse plan and Ghansoli Nodal Plan indicates the land under reference falls in CRZ-II. As per NMMC vide letter dated 1.3.2012, the land under reference is landward side of existing bund road
DP Remarks, Zone:	As per approved development plan of Navi Mumbai, the land under reference is in residential zone.
Proposed Use:	Residential Use
Area Details,	
Total area of the plot:	100.00Sq.Mt
Permissible FSI	1
Permissible floor area:	100.00Sq.Mt
Proposed built up area:	100.00 Sq.Mt

The Authority deliberated on the coastal land-use plan showing site under reference, Ghansoli Nodal Plan, Google image and site photographs. Based on these documents and NMMC remarks in the matter, the Authority noted that the site under reference falls in CRZ II area.

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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.



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

2. Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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: the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning authority should ensure that FSI, lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
5. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 31: Seeking NOC for the proposal affected by coastal Regulation Zone having Gotovali Village Survey No. 17, 22/2, 22/4, 24/1, 28/1, 29, 30, 31, 32, 33, 34, 35, 45, 49, 98, 99, 100, 112, 131 & Talavali Village, Survey No. 49, Talavali Ghansoli Node, Navi Mumbai

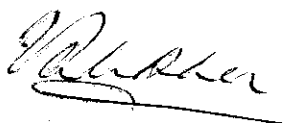
The project proponent presented the proposal before the Authority. The project details area as follows-

1. As per the sanction Development Plan of Navi Mumbai Municipal Corporation, the plot under reference is in residential zone.
2. The NMMC vide their letter dated 05.12.2012 mentioned that as per the approved CZMP of Navi Mumbai Municipal Corporation, the plot falls partly in CRZ II and situated on landward side of existing bund road.
3. The total area of plot is 87,323.00sqmt
4. The proposal has got earlier C.C dated 04.06.2012 by NMMC for the plot area which is outside the CRZ-II limit. Now, the development is proposed on CRZ-II portion of plot, hence, now amended development permission is proposed.
5. In the Form I, submitted by the project proponent mentioned that, the proposal is for the development of Hotel, Service Apartments and Residential building by demolishing existing structure.
6. The proposed construction is development of residential building consists of Hotel, Service Apartments and Residential Building.

	No. of Podia	No. of Building	Configuration of the Building
Hotel	2	1	Ground + 3 upper floor
Service Apartments	1	1	Ground + 8 upper floor
Residential Buildings	1	5	Ground + 28 upper floor

Area Statement:

	FSI area	Non FSI area	Total Built up Area
Hotel	10952.00	7500.00	18452.00
Service Apartment	13811.00	3622.00	17433.00



Residential Buildings	92484.00	48535.00	141019.00
Total built up area	117247.00	59657.00	176904.00

The Authority noted the FSI details as follows-

- a. Total area of plot – 87,323.00sqmt
- b. Permissible FSI – 1.00
- c. Permissible built up area – 87,323.00sqmt
- d. Total Proposed Hotel BUA – 14675.526sqmt
- e. Total proposed Residential BUA – 57896.940sqmt
- f. Total Built up area – 72572.466sqmt
- g. FSI proposed to be consumed – 0.99
- h. Balance Built up area – 14750.534sqmt
- i. Proposed staircase area – 9150.260sqmt
- j. Total gross area – 76887.690sqmt
- k. Proposed stilt area – 6680.262sqmt

The Authority after detailed discussion and deliberation decided to direct the project to submit the following information to the Authority and revert-

- a) The total built up area is different as per the area statement and as per the layout plan submitted by project proponent, please verify and mentioned the exact Total Built up area.
- b) NMMC needs to submit DP prior to 19.2.1991.
- c) Zoning of land under reference.
- d) Designated reservations, if any, as per development plan, Regional plan as on 19.2.1991 and as per current prevailing development plan of the area.
- e) Land use change, if any, in the project.
- f) Exact total built up area in CRZ.
- g) Area of plot falls in CRZ
- h) Whether the current construction falls in CRZ area.
- i) CRZ map indicating HTL & LTL demarcated by one of the Authorized agency in 1:4000 scale or on the approved CZMP of the area showing the site under consideration.

Item No. 32: CRZ NOC for proposed shop No. 10 & 11 on Plot No. 133A, Sector-8, Vashi, Navi Mumbai.

The project proponent presented the proposal before the Authority. The project details area as follows-

Proposal Details:	As per the project proponent (Bijal Builders Pvt. Ltd.), the proposed construction is for renovation by doing alteration of 1 st floor of the restaurant.
Location:	Shop no. 10 & 11, Plot no. 133A, sector 8, Vashi, Navi Mumbai.
Proposal Category:	As per the NMMC letter dated 15.10.2012, Reconstruction
CRZ Category:	The NMMC vide their letter dt. 15.10.2012 mentioned that as per the approved CZMP

Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

	CRZ-II Landward side of existing road.
DP Remarks, Zone: Reservation: Proposed Use:	As per the Development Plan Commercial Zone Commercial use Commercial Development (for Restaurant)
FSI Details, Permissible FSI	1.00
Area Details, Total area of the plot: Ground floor (existing) Proposed 1st floor Total built up area:	As per the layout plan 380.00sqmt 162.735sqmt 130.720sqmt 162.240sqmt

On inquiry by the Authority, the project proponent ensured that the proposal involves only renovation and alternation of existing restaurant at first floor of Gr + 1 existing structure on land under reference, which got burnt in unfortunate fire accident. There would be no complete demolition and reconstruction of existing restaurant structure.

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of the following conditions-

1. The CRZ recommendation is for renovation and alteration of existing restaurant which is at first floor of existing Gr + 1 structure on land under reference. There should not be change in present use.
2. The concerned Planning authority should ensure that FSI, lay out plan, height, zoning, involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
3. The planning Authority should ensure that proposed alteration / renovation of existing restaurant structure should not exceed the total plot potential as per DCR existing and in force as on 19.2.1991.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 33: CRZ NoC for the proposed Veer Savarkar Garden, sector – 8, Vashi, Navi Mumbai

The project proponent presented the proposal before the Authority. The project details are as follows-

Proposal Details:	As per Navi Mumbai Municipal Corporation, vide letter dt. 8.6.2012, the proposed work is repair of existing garden. Proposed structure would provide facilities to children, youngsters, adults, and senior citizens. <ul style="list-style-type: none"> • For Children – Free play lawn, play equipments, sandpit, skating ring, jumping jack. • For youngsters – Badminton court, amphitheatre, discussion deck, water feature. • For adults – Mound, pathway, trellis lawn. • For senior citizens – Yoga lawn, music deck, strolling lawn, pathway, seating.
Location:	Sector – 8, Vashi, Navi Mumbai.



Proposal Category:	Repair of existing garden.
CRZ Category	As per CZMP, the said plot falls in CRZ – II and also within 50 mtr buffer zone of mangroves.
DP Remarks, Zone:	Plot under the reference falls in No Development Zone (NDZ).
Reservation:	Development Plan mentions that, the plot under reference is reserved for garden.
Existing Use:	Garden.
Proposed Use:	Garden.
Area details :	The total area of the project site = 13,256 Sq.mtr.

It was noted that the proposal involves repair / beautification / augmentation of existing garden on land under reference and development of "Garden" is a permissible activity in CRZ III (NDZ). The Authority after detailed discussion decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of the following conditions-

1. No mangroves / Trees should be cut / destroyed during the development of Garden. 50 mt mangroves buffer zone should be maintained.
2. Waste / garbage generated in the Garden should not be dumped in mangroves area or disposed in CRZ area.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 34: CRZ NOC for proposed development on plot no. 8, sector 21, Gansoli, Navi Mumbai

The project proponent presented the proposal before the Authority. The project details area as follows-

Proposal Details:	The proposed construction is development of residential building comprising of Stilt + 4 upper floors
Location of the Project:	Plot no. 8, sector 21, Gansoli, Navi Mumbai.
CRZ Category of the proposed site:	The NMMC vide their letter dt. 25.7.2012 mentioned that as per the approved CZMP CRZ-II Landward side of existing road prior to 1991
DP Remarks, Zone: Proposed Use:	As per the Development Plan Residential Zone Residential Development
FSI Details, Permissible FSI FSI proposed	1.50 1.49
Area Details,	As per the layout plan



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

Total area of the plot:	349.60sqmt
Permissible built up area:	524.40sqmt
Proposed built up area:	523.54sqmt

The Authority after deliberation decided to recommend the proposal from CRZ point of view subject to compliance of 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 existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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:the proposed construction should be on landward side of the existing road built prior to 19.2.1991 or landward side of existing authorized structure.
3. The concerned Planning Authority should verify the permissible FSI for the proposed construction as per DCR existing and in force as on 19.2.1991.
4. The concerned Planning Authority should ensure that FSI, building plan/lay out plan, height, zoning, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. The concerned Planning Authority should ensure that the proposed commercial use involved in the proposal should be in conformity with the town and country planning regulations existing as on 19.2.1991.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work

Item No. 35: Seeking N.O.C. for the proposal affected by CRZ having Plot No.R-3-A, Sector 14, Nerul, Navi Mumbai

The project proponent presented the proposal before the Authority. The project details are as follows-

Proposal Details:	Residential cum commercial purpose on plot no. R-3-A, Sector – 14, Nerul, Navi Mumbai. 2 lay out plans have been submitted by proponent- <u>1st lay out plan</u> Proposed residential cum commercial building comprising of Ground + 24 upper floors. <u>2nd lay out plan</u> Proposed construction comprises of Ground + 30 th upper floors.
Location:	Plot no. R-3-A, Sector – 14, Nerul, Navi Mumbai.
CRZ Category:	As per Coastal land use plan of Navi Mumbai, the said land falls in CRZ – II and situated on landward side of existing road which is prior to 19.2.1991.
DP Remarks,	NMMC mentions the following;



Zone:	Sanctioned Development Plan mentions that, plot under the reference falls in residential zone.
Proposed Use:	Residential cum Commercial use.
Area details : <u>As per 1st layout plan-</u>	
Total area of plot -	16,776.90 Sq.mtr.
Permissible Built up area -	25165.350 Sq.mtr.
Permissible FSI -	1.5
FSI proposed -	1.130
Total Built up Area (Ground + 24 upper floors) -	18958.901 Sq.mtr.
Total Residential area -	16442.401 Sq.mtr.
Total Commercial area -	2516.500 Sq.mtr.
<u>As per 2nd layout plan</u>	
1. Total area of plot -	16,776.90 Sq.mtr.
2. Permissible FSI -	1.5
3. Permissible BUA -	25165.350 Sq.mtr.
4. FSI proposed to be consumed -	1.496
5. Total Built up Area (Ground + 30th upper floors) -	25152.736 Sq.mtr.
6. Total Residential area -	213470.53 Sq.mtr.
7. Total Commercial area -	3372.925 Sq.mtr.
8. No. of residential unit -	58 NOS
9. No. commercial unit -	25 NOS

It was noted that the proposal was for amended Commencement Certificate and attracts the Office Memorandum dated 12.12.2012 issued by MoEF. The Authority after deliberations directed the project proponent to follow the procedure laid down in Office Memorandum dated 12.12.2012 issued by MoEF and revert.

Item No. 36: Erection / installation of Hoarding/ Advertising boards in CRZ areas

The Authority had taken a policy decision regarding CRZ clearance for erection of Hoardings in CRZ areas in the 72nd meeting of MCZMA held on 4th November, 2011. The said policy is amended as follows-

1. Erection or installation of hoardings/ boards in CRZ areas or structures in CRZ areas to be allowed only in CRZ II areas or landward of 200 meter setback line in CRZ III areas.



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

2. The hoarding in CRZ II area should be allowed only on landward side of existing road OR existing authorized structure OR within the periphery/ terrace/wall of existing authorized structure.
3. Project proponent should apply for CRZ recommendations with duly filled Form I, CZMP plan showing site under reference, DP remarks/sheet, Google image showing site under reference, site photographs and other supporting documents, if any.
4. No such activity to be allowed in CRZ I area and in No Development Zone areas of CRZ III.
5. No hoarding shall be installed in mangroves or the 50 mt buffer zone areas.
6. No trees should be cut / destroyed during the installation of Hoardings.
7. Every hoarding to be installed in CRZ area will have to display messages/ slogans/ quotes related to environmental and coastal conservation, education either given by the environment department/planning authority or developed by the hoarding owner in consultation with the Department. Appropriate place and area for the same shall be earmarked as per the size on the hoarding.
8. Hoarding owner/advertiser will have to pay Rs. 1 Lakh per hoarding as the Scrutiny fees.

The MCZMA has received many proposals of New Hoardings as well for Existing Hoardings which were in existence prior to 1991.

The MCGM has issued Show Cause Notices to the existing hoardings situated in CRZ area with a direction to the hoarding owners to obtain the CRZ NOC from the MCZMA. These Show Cause Notices to the existing hoardings are based on the Hon. High Court order dated 30.7.2012 in PIL 1132 / 2002.

Following is the list of applications for new hoardings as well as existing hoardings-

Sr. No.	No. and size of Hoarding	Location	CRZ Status	Project Proponent
1	1 No. (New)	In plot no. 17/ part-1, near Vashi gaon , Vashi, Navi Mumbai	As per Project Proponent, The land under reference falls in CRZ =II, however as per 7/12 the land under reference falls in Mangroves area	M/s. Tirupati Advertising & Marketing
2	2 No. (New)	In plot no. 17/ part-1, near Vashi gaon , Vashi, Navi Mumbai	As per Project Proponent, The land under reference falls in CRZ =II, however as per 7/12 the land under reference falls in Mangroves area	M/s. Shri Swami Samarth Advertising & Marketing
3	1 No. (New)	In a property card Survey No. 378, Hissa No. 1 part, in a CTS no. 7627 / 853, 854, 855, 856 situated at Kole - Kalyan Taluka Andheri, Shivaji Maharaj Road, Shivaji Nagar, Santacruz (E), Mumbai -	The land under reference falls in CRZ -II and seaward side of the Road / structure	M/s. Sunrise Publicity
4	4 No. (Existing)- 40'X 20' (Proposed)-30' X 20'	a. MUKTA- Northwest corner of private road & property of sir Mohamed Yusuf trust, Opp. Samumdar Point, near Shivsagar Estate, outside	• As per arkays Advertisers, the land under reference falls in CRZ -II	M/s. Arkays Advertisers

		<p>Eden Hall, Dr. A.B. Road, Worli, Mumbai</p> <p>b. H B S- Private Road, openspace on north-middle side of approach land & Trust Property of sir Mohmed Yusuf trust, Opp. Samumdar Point, near Shivsagar Estate, outside Eden Hall, Dr. A.B. Road, Worli, Mumbai</p> <p>c. L I C – Private Road & property compound of Mama Hajiani Dargah Mosques, Sr. Md. Husani Sanitorium Trust, Dr. A.B. Road, Worli, Mumbai</p> <p>d. B O I- on / at Jahaj Mahal terrace, near Mama Hajiani Dargah, Dr. A.B. Road, Worli, Mumbai</p>	<ul style="list-style-type: none"> As per Photographs submitted, MUKTA & H B S hoardings are landward side of Road and LIC & BOI hoarding are seaward side of the road) 	
5	1 No. (New) 20' X 20' back to back	In the property of 'Hindu Burning and Burial Grounds' at C.S. no. 432, Bhuleshwar Division, Maharshi Karve road, Marine lines, Mumbai	<ul style="list-style-type: none"> As per DP remarks of MCGM, the land under reference falls in CRZ -II As per google map the land under reference is on the landward side of the existing road 	M/s. Fine Touch Outdoor Publicity
6	4 No. (Existing) 40' X 20'	In the premises of Maharashtra Maritime Board, Home Dept. on the coast of Mahim Couseway Samudra at Mahim Couseway, Bandra (W), Mumbai	<ul style="list-style-type: none"> As per remarks of MCGM, the land under reference falls in CRZ -II As per google map the land under reference is on the seaward side of the existing road 	M/s. Shree Publicity
7	1 No. (New)	On the terrace of 'Cliff Tower	As per CZMP and DP	M/s. Vikalp



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

	60' X 20'	Co-operative Housing Society' at Mount Mary Road, Bandra (W), Mumbai	remarks of MCGM, the land under reference falls in CRZ -II and on the landward side of the existing road	Advertising
8	7 No. (Existing) 20' X 20'	6 no. at Balbhavan at Charni road, Mumbai and 1 no. at in the compound of Taraporewala Aquarium, Marine Drive, N.S.B. road	As per CZMP and DP remarks of MCGM, the land under reference falls in CRZ -II and on the landward side of the existing road	M/s. image
9	1 No. (New) 60' X 20'	On the terrace of the building known as Jai Bharat CHS situated at Bazar Road, Near Jain Mandir, Bandra (W), Mumbai	As per CZMP and DP remarks of MCGM, the land under reference falls in CRZ -II and on the landward side of the existing road	M/s Blitz Kraft Media & Entertainment
10	2 No. (Existing) 90' X 8' and 80' X 8'	On Foot Over Bridge (FOB) across Mahim Couseway, Mahim, Mumbai	As per remarks of MCGM, the land under reference falls in CRZ -II and is on the landward side of the existing structures.	M/s. De Zens Products
11	1 No. (Existing)	In the compound of Indira Building situated at Plot No. 19, S.V.S. Marg, Shivaji Park, Dadar (W), Mumbai	<ul style="list-style-type: none"> • As per remarks of MCGM, the land under reference falls in CRZ -II. • As per google map the land under reference is on the landward side of the existing road 	M/s. De Zens Products
12	2 No. (Existing) 20' X 20'	On the terrace of Khau Mansion, Kemp's Corner, Mumbai	As per CZMP and DP remarks of MCGM, the land under reference falls in CRZ -II and on the landward side of the existing road	M/s. Yoag Advertiser
13	2 No. (Existing) 30' X 20' back to back and 40' X 20' back to back	At Western railway land, diagonally opposite Indian Oil Building and next to railway tracks	As per CZMP and DP remarks of MCGM, the land under reference falls in CRZ -II and on the landward side of the existing road	M/s. Magna Sites Out Door Advertising
14	1 No. (Existing) 20' X 20' back	At CS No. 1/434 of Malbar Division, 32, N.S. Patakar Marg, Mumbai	As per DP remarks of MCGM, the land under reference falls in CRZ -II	Mr. Cavas R. Majai

	to back		and on the landward side of the existing road	
15	3 No. (Existing) 30' X 20'	On the land bearing plot no. 840 TPS IV (Mahim area) CS no. 116, Lower Parel Division, Veer Savarkar Marg, Dadar (West), Mumbai	As per DP remarks of MCGM, the land under reference falls in CRZ -II and on the landward side of the existing road	M/s. Ranjana Advertising Bureau
16	1 No. (Existing) 20' X 20'	In the compound of (south side) Marques Villa, 187, Swatantra Veer Savarkar Road, Mahim, Mumbai	<ul style="list-style-type: none"> As per CRZ map the land under reference falls in CRZ -II As per google map the land under reference is on the landward side of the existing road 	M/s. Outdoor Plus (India) Pvt. Ltd.
17	7 No. (Existing) 20' X 20'	In the premises Tirupati Apartments at Bhulabhai Desai Road, Mumbai and Arihant Premises at Dr. Gopalrao Deshmukh Road, Mumbai	<p>As per CRZ map the land under reference falls in CRZ -II</p> <p>As per google map the land under reference is on the landward side of the existing road</p>	M/s. Gowani Builders Pvt. Ltd.
18	3 No. (Existing)	2 nos. installed on the Dead walls and 1 no. on the terrace of 'New sterling Centre Commercial premises Co-operative Society Ltd' Situated at Dr. Annie Besant Road, Worli, Mumbai	<ul style="list-style-type: none"> As per remarks of MCGM, the land under reference falls in CRZ -II As per google map the land under reference is on the landward side of the existing building 	M/s. De Zens Products
19	1 No. (Existing)	On the terrace of 'Lotus Court Co-operative Housing Society Ltd.' Situated at Dr. Annie Besant Road, Worli, Mumbai	<ul style="list-style-type: none"> As per remarks of MCGM, the land under reference falls in CRZ -II As per google map the land under reference is on the landward side of the 	M/s. De Zens Products



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

			existing road		
20	1 (Existing) 60' X 20'	No.	In the compound of Haji ali Juice Centre at Lala Lajpatrai Marg, Haji Ali, Mumbai	As per CRZ map the land under reference falls in CRZ -II • As per google map, the land under reference is on the seaward side of the existing road	M/s. S.D. Mittle & Co.
21	1 (Existing) 20' X 20'	No.	In the compound of Arihant premises at Dr. Gopalrao Deshmukh Road, Mumbai	As per CRZ map the land under reference falls in CRZ -II As per google map the land under reference is on the landward side of the existing road	M/s. City Advertise
22	1 (Existing)	No.	Within the compound of commercial premises at Juhu Beach , Bombay	As per CRZ map the land under reference falls in CRZ -II As per google map the land under reference is on the landward side of the existing road	M/s. Hotel Beach Garden
	43 (Existing)	No.	On the Terrace -13, On the wall-2 In the compound- 28	Landward side of the existing road / structure	M/s. Selvel Publicity &
24	1 (Existing)	No.	At parking lot, near Palm Grove Hotel, Juhu Tara Road, Juhu, Mumbai	CRZ II. However the landward / seaward status need to be checked.	M/s. Palm Grove Beach Hotels Pvt. Ltd.
25	2 (Existing)	No.	on the connecting bridge of Hinduja Hospital, V.S. Road, Mahim (W), Mumbai.	CRZ II. However, the landward / seaward status to be needed to checked.	M/s. National Health and Education Society

The Authority decided to recommend the proposals except at Sr No. 1 & 2 from the CRZ point of view subject to strict compliance of the following conditions-

1. The concerned planning authority should ensure that the proposed installation of Hoardings / Advisement structure are on landward side of existing road (ie prior to 19.2.1991) or existing authorized structure or within the periphery/terrace/wall of existing authorized structure.
2. No hoarding shall be installed in mangroves areas and its 50 mt buffer zone area.
3. No trees should be cut / destroyed during the installation of Hoardings.



4. Every hoarding to be installed in CRZ area will have to display message/ slogan/ quote related to environmental and coastal conservation, education.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Table Item : Proposed additions & alterations (renovation) of the existing Mantralaya Main and Annex Building on plot bearing C.S. No. 1577 to 1590 of Fort Division, at Madama Cama Road, umbai - 400 0032

The Municipal Corporation of Greater Mumbai submitted the proposal for addition / alteration of existing Mantralaya Building vide letter dated 2nd January 2013.

The Authority noted the proposal details which is as following-


1. The plot under reference is situated in Local Commercial Zone (C-1) and entirely designated as existing Mantralaya (Sachivalaya) as per DP of 19677 and DP of 1991.
2. The plot under reference is partly affected by CRZ -II and landward side of the existing 30 M wide Madam Cama Road.
3. Total area of plot is 27438.94 Sq.mtr.
4. The development is proposed in non CRZ portion of plot. In CRZ area, 3 level basements for parking and essential services are proposed.
5. The layout R.G. and proposed three level basements below, along with Janata Kaksh on the top of basement and physical R.G. are proposed on top of basement. Architect has proposed basement for utility services i.e. U.G. tank, fire water tank, STP plant, Disaster Management Equipment store and parking spaces.

FSI Details:

As per MCGM vide letter dated 2.1.2013,

Sr. No.	Description	Plot area in CRZ in Sq.mtr.	Plot area in Non CRZ in Sq.mtr.	Total in Sq.mtr.
1	Plot area	7018.84	20420.10	27438.94
2	Deduct 15 % R.G.	1052.83	3063.01	4115.84
3	Net Plot area	5966.01	17357.09	23323.10
4	Existing built up area	7934.79	50145.68	58080.47
5	Existing FSI consumed	1.33	2.889	2.49
6	Proposed built up area	NIL	9268.28	9268.28
7	Total Built up area	7934.79	59413.96	67348.75
8	FSI consumed / proposed	1.33	3.42	2.887

1. The components in CRZ area as per the provisions D.C. Rule 1967. As per D.C. Rule 1967, Rule 10(2), additional FSI was permissible for Govt. building in CRZ area with prior approval of UD Dept. Govt. of Maharashtra. Also, as per Regn. 33(3) of DC Regn. 1991, additional FSI to the extent of 300% is allowable for the Govt. Building with prior approval of Govt. in non CRZ areas.
2. As per DC Rules 1967, the permissible FSI in zone was 2.45. As the Mantralaya Building is reflected in survey sheet, 4th edition 1957, it may be concluded that the building would have been



Minutes of the 79th Meeting of the Maharashtra Coastal Zone Management Authority held on 5th January, 2013

- constructed prior to 1957 for permissible FSI of 2.45. Now the passage and other structures are considered in FSI, therefore, existing built up area is marginally exceeding 2.45 i.e. 0.04.
3. In absence of approved drawings, existing consumed FSI could not be confirmed. However, from built up plan submitted by Architect, it is seen that overall FSI consumed on plot was 2.49. The existing built up area exceeds 2.45, as the portion of floors having height more than 2.45 is counted 1.5 times in FSI.
 4. Thus, it may be seen from the above table for the sake of approval, now, if the permissible FSI on plot falling in CRZ portion is retained upto zonal permissible limit of 1.33; and that of in non CRZ portion of plot is allowed to enhance upto 3.42 (by loading the additional proposed built up area in non CRZ portion only), the overall FSI on entire plot consumed will be 2.887
 5. As per Clause No. 51 (VI)(a) of DC Rules 1967, the user proposed in basement are allowable free of FSI. NOC / approval from Govt. in UD Department for additional FSI and NOC from MHCC is awaited.

The Authority decided to recommend the proposal from CRZ point of view to concerned planning authority subject to compliance of the following conditions-

1. CRZ recommendation is for 3 level basement and essential services in CRZ portion of plot.
2. MCGM should ensure the proposed construction of 3 level basement and essential services such as U.G. tank, fire water tank, STP plant, Disaster Management Equipment store and parking spaces should not exceed the total plot potential as per the provisions of DCR 1967.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work

----- Meeting ended with vote of thanks -----

Annexure I

List of the members present in the meeting-

1. Valsa R Nair Singh, Secretary, Environment and Chairperson, MCZMA
2. Mr. S.N. Bagul, Member Secretary, MCZMA
3. Dr. M. Baba, Expert Member, MCZMA
4. Dr. Baban Ingole, Expert Member, MCZMA
5. Mrs Deshmukhe, Expert Member, MCZMA
6. Dr. Mahesh Shindikar, Expert Member, MCZMA.

