

Minutes of the 86th meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held under the Chairmanship of Principal Secretary (Environment), GoM on 27th November, 2013 at 11.00 am at Sachivalay Gymkhana, 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; Principal Secretary Industries Department; Principal Secretary, Urban Development Department, Commissioner Fisheries; Dr. M. C. Deo, and Dr. Baban Ingole could not attend the meeting.

Item No 1: Confirmation of Minutes of the 85th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA)

The draft minutes of the 85th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 12th & 13th September 2013 were circulated to all members of MCZMA through email for confirmation. The members were requested to provide suggestions/ objections, if any, on draft minutes.

While confirming the said minutes, the Authority noted that following 2 representations were received before the Authority-

1. Representation made by Complainant Mr. Santosh Daundkar vide his letter dated 16th November, 2013 alleging CRZ violation in the proposal discussed at Item No. 7
2. Representation made by M/s. Tata Power at Item No. **13 & 14**

The Authority deliberated the above representations and accordingly finalized / confirmed the draft minutes of 85th meeting with minor modifications.

Govt. Proposals

Item No 2: Demolition and reconstruction of Toilet block at 1) at Jai Durga Bhavani Chawl, S.B.Patil Marg, Near Gajdharbandh Nalla in H/W ward, 2) at Ram Lakhan Chawl, S.B.Patil Marg, Near Gajdharbandh Nalla in H/W Ward, 3) at Omkar Sudhar Samiti Galli, S.B. Patil Marg, Near Gajdharbandh nalla in H/W ward, Mumbai, 4) at Jai Hanuman Chawl and Adarsh Chawl in Bhim Nagar in R/Central Ward.

The project proponent presented the proposal before the Authority. The Authority noted the followings-

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1. The proposal was considered in the 85th meeting of the MCZMA held on 12th and 13th September, 2013 and decided to direct the MCGM to come up with revised proposal of adequate treatment arrangement with adequate number of toilet blocks that would handle the quantum of sewage generation of the concerned area. The treated sewage should be connected to MCGM sewer line. A revised proposal may be submitted.
2. Accordingly, the MCGM has forwarded the reply / proposal vide letter dated 26.9.2013 for Demolition and reconstruction of Toilet block at **Jai Hanuman Chawl and Adarsh Chawl** in Bhim Nagar in R/Central Ward, Mumbai. It is mentioned that, the site was again visited to explore the possibility of connecting these two toilet blocks to the nearest sewer line, the above two proposals within the jurisdiction of R/C ward are resubmitted in prescribed format. The Authority noted that reconstruction of toilet blocks at 5 locations was considered in the 85th meeting of MCZMA held on 12th and 13th September, 2013, However, MCGM has now submitted a revised proposal of reconstruction of toilet blocks only for 2 locations at Jai Hanuman Chawl and Adarsh Chawl in Bhim Nagar in R/C ward, Mumbai. MCGM represented that the effluent will be discharged into the Municipal sewer line leading to Gorai Pumping station.
3. The MCGM has proposed to construct 20 seats G + 1 and part 2nd floor RCC toilet blocks (approx. BUA 117 Sq.mtr) (suction tank, overhead tank, caretaker room) by demolishing existing 10 seated Toilet blocks through the Slum Sanitation programme at Adarsh Chawl in Bhim Nagar in R/ Central Ward, Mumbai. The effluent will be discharged into the Municipal Sewer line leading to Gorai Pumping Station.
4. The MCGM has proposed to construct 12 seats G + 1 and part 2nd floor RCC toilet blocks (approx. BUA 78 Sq.mtr) (suction tank, overhead tank, caretaker room) by demolishing existing 6 seated Toilet blocks through the Slum Sanitation programme at Jai Hanuman in Bhim Nagar in R/ Central Ward, Mumbai. The effluent will be discharged into the Municipal Sewer line leading to Gorai Pumping Station.
5. As per the CZMP of Mumbai the sites under reference falls in CRZ-II.

During the meeting, MCGM submitted a proposal for toilet blocks proposed at Omkar Sudhar Samittee, S.B. Patil Marg, Near Gazdar Bandh Nalla, Santacruz (w) in H/W ward, Mumbai. The proposal involves demolition of existing 18 seated toilet blocks and reconstruction of the same with 40 seats, RCC Gr + 1 + 2nd part structure (Approx built up area- 260 Sqm), electric connection, water connection (suction tank, overhead water tank, caretaker room). Drainage line would be connected to Municipal sewer line on S.B.Patil Road.

The Authority suggested that size of the sewer carrying sewage should be of appropriate size and technical approval from the competent Authority should be obtained for the same, before commissioning of the sewer line.



After detailed discussion and deliberations, the Authority decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of the following conditions-

1. This recommendation is only for demolition and reconstruction of toilet blocks at 3 locations- Jai Hanuman Chawl, Adarsh Chawl in Bhim Nagar in R/Central Ward and Omkar Sudhar Samittee, S.B. Patil Marg, Santacruz, Mumbai.
2. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
3. Reconstruction of authorized building to be permitted subject to the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
4. The concerned Planning authority should ensure that FSI, lay out plan, height involved in the proposal is as per town and country planning regulations existing as on 19.2.1991
5. Size of the sewer carrying sewage should be of appropriate size and technical approval from competent Authority should be obtained for the same, before commissioning of the sewer line.
6. MCGM should ensure the periodic maintenance of sewer line and treated sewage should be discharged into MCGM sewer line.
7. All other required permission from different statutory authorities should be obtained prior to commencement of work

Item No.3: Regarding CRZ clearance for proposed construction of Coast Guard Station on plot bearing S. No. 18/1 of Mouje Agardanda, Tal-Murud.
(Permission as per clause 20 of Maharashtra Regional Town Planning Act)

The proponent presented the proposal before the Authority. The Authority noted the followings-

1. The proposal regarding "Proposed construction of Coast Guard Station on plot bearing S. No. 18/1 of Mouje Agardanda, Tal-Murud" was deliberated in the 78th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 3.11.2012. As per the decision taken in the said meeting, the subject proposal was recommended from CRZ points of view vide letter dated 19.1.2013 to MoEF subject to compliance of certain conditions.
2. Further, the matter was considered and discussed in the 3rd meeting of EAC held on 18.3.2013. As decided in the said meeting a letter dated 16.5.2013 was issued to the Project Proponent with a request to submit certain information. In that Sr. No. 5, the Details regarding permissibility of construction in port area with respect to clause 20 of Maharashtra Regional Town Planning Act was sought.

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3. Accordingly, a meeting was held on 20.6.2013 by District Collector Raigad with respect to request letter dated 24.6.2013 of the Project Proponent. In the said meeting Assistant Director of Town Planning, Raigad- Alibag was directed to initiate the action for change of use under clause 20 of Maharashtra Regional Town Planning Act.
4. Assistant Director of Town Planning, Raigad- Alibag forwarded its remarks to the Urban Development Department vide letter dated 5.9.2013.
5. Urban Development Dept sent a file to Environment Dept / MCZMA with following remarks-
 - As per draft & sanctioned Regional Plan of Raigad District dated 18.5.1989, the land under reference is partly in Fishing Port and Agriculture use. The use of 'Coast Guard Station' and related activities are not permissible at Fishing Port and Agriculture zone of Regional Plan of Raigad District.
 - To allow use of 'Coast Guard Station' and related activities in Fishing Port and Agriculture zone, the land use in the Regional Plan need to changed as per clause 20 of Maharashtra Regional Town Planning Act as the 'Coast Guard Station' and related activities are important from Coastal security point of view.
6. As per provision 5 (vi) of DCR of Regional Plan, with the prior approval of the State Government, construction of building including residential quarters for essential staff for public utility concern such as electric sub-stations, receiving station, power generation plants, S.T. Bus stands and Depots, Chilling Plants, Water works, sewerage disposal works are permissible.
7. However, as per CRZ Notification, in port area, Coast Guard Station is not permissible at present, therefore as per regional plan, construction in port area will be permissible with changes in clause 20 of Maharashtra Regional Town Planning Act.
8. Urban Development Dept has mentioned that project of Coast Guard will not be permissible unless, CRZ Notification, 2011 is amended. On amendment in CRZ Notification, 2011; action will be initiated under clause 20 of MRTP. Act, 1966 to accommodate the proposal. UDD has requested the Environment Dept / MCZMA to take appropriate action in the matter.

Pertaining to permissibility of the proposal in town and country planning regulations, the Authority took note of UDD' remarks that as per draft & sanctioned Regional Plan of Raigad District dated 18.5.1989, the land under reference is partly in Fishing Port and Agriculture use. As per UDD the use of 'Coast Guard Station' and related activities are not permissible at Fishing Port and Agriculture zone as per the Regional Plan of Raigad District. During the discussion on the issue, the representative of UDD corrected the remarks of the UDD that use of 'Coast Guard Station' and related activities are not mentioned in the Regional plan of Raigad district.



The Authority deliberated the matter in detail and noted that proposed activities are permissible as per the provisions of CRZ Notification, 2011. The Authority decided to forward this matter to UDD and MoEF with above remarks.

Item No 4: Reconstruction of Buildings for proposed Planning Bhavan in the premises of District Collector Alibag – Raigad on plot bearing S.No. 1017 to 1021 at Alibag, District – Raigad

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Town Planning and Valuation Department, Raigad- Alibag has proposed for reconstruction of existing buildings.
2. Planning Bhavan Building is proposed by demolishing the existing buildings in the premises of District Collector Alibag – Raigad on plot bearing S.No. 1017 to 1021 at Alibag, District – Raigad. Proposed Planning Bhavan Building comprises of Ground + 2 upper floors.
3. The Town Planning and Valuation Department, Raigad- Alibag vide letter dated 22.2.2013 mentions, as per sanctioned development plan on 1984, the plot under reference falls in Public and Semipublic Zone.
4. As per the CZMP of Alibaug Municipal Council area, the plot under reference falls in CRZ-II. The site under reference is landward side of the existing structures.

5. Area details-

As per layout plan submitted by project proponent,

Sr. No.	CTS No.	Area in Sq.m.
1	1017	5973.30
2	1018	3934.68
3	1019	113.70
4	1020	6228.52
5	1021	1006.70
Total		17256.90

6. Existing Structure details-

Sr. No.	Existing Structure	Area in Sq.m.	Proposed to be
1	Additional Collector Office (Gr.Fl.)	700	Retained
2	Record Collector Office (Gr.Fl.)	424	Retained

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3	Record Room Office (Gr.Fl.)	232.75	Retained
4	T.I.L.R. Office (Gr.Fl.)	139.50	Retained
5	Structure (Gr.Fl.)	348.75	Retained
6	Structure (Gr.Fl.)	297.30	Already demolished
7	Collector Office(Gr.Fl. + 1st + 2nd)	4592.25	Retained
8	Structure (Gr.Fl.)	209	demolished
9	Structure (Gr.Fl.)	56.25	demolished
10	Structure (Gr.Fl.)	124	Retained
Total Existing Area		7123.80	

7. FSI details-

As per layout plan submitted by project proponent,

Sr. No.	Particulars	Area in Sq.m.
1	Total Area	17256.90
2	S. No. 1019 temple Area & Area enclosed under temple & required Set Back Area of CTS No. 1018 + 1020	360
3	Part Area of CTS 1020 handed over To Forests Dept.	597.87
4	Part Area of CTS 1021 not in possession + Area of Darga	565.70
5	Balance Area	15733.33
6	Area Under DP road 15m Road / 18m Road	501.62 / 1034.45
7	Net Available Area	14698.88
8	Permissible Area as per FSI = 1	14698.88
9	Already Demolish Structure No. 6 & Structure to be demolished 8 & 9 BUA (297.30 + 209 + 56.25)	562.55
10	Balance existing structures BUA (700 + 424 + 232.75 + 139.50 + 348.75 + 4592.25 + 124)	6561.25
11	Proposed DP Bhavan Area	1751.85
12	Total area	8313.10

Project proponent informed that the existing structure on land under reference has been demolished, due to its dilapidated condition. The use of existing structure was for 'Office Building'.

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.

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2. 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.
3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991.
4. Concerned planning Authority should ensure that the FSI of proposed construction should not exceed the total potential of the plot and norms of green building be adhered, if possible.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 5: Proposed building for installation of advanced X-ray Inspection System for container scanner on plot bearing C.S. No. 1(pt) of Princess Dock Division, B Ward, Muzawar Pakhadi Road, Mumbai Port trust, Mumbai

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. MCGM has forwarded a proposal of "proposed construction of building for establishing advance X Ray Inspection System (AXIS) at C.S. No. 1(pt), Princess Dock Division on Mumbai Port, Mujawar Pakhadi Road, Wadi Bunder, Mumbai"
2. As per MCGM letter dated 10.10.2013; the plot under reference is in special industrial zone and is not reserved for any reservation / The plot is abutting 24.40 m wide existing DP road known as Muzawar Pakhadi Road. Plot is in possession of Govt of India, Customs Dept MbPT
3. The plot under reference falls in CRZ II and is situated on seaward side of existing P. D'Mello Road (Freeway road) in existence prior to 19.2.1991. Plot area - 13692.96 Sqm
4. As per MCGM letter dated 10.10.2013; the proposal involves construction of Ground + one upper floor structure for X- Ray Scanning of the entire container, with allied activities. The proposed development is on vacant plot. The proposed height of the new operational building is 11.80 m.
5. Proposed ground + 1 upper floor structure will be used for the installation of a non-intrusive inspection system for scanning truck-mounted standard cargo containers. The cargo container scanner system addresses security and economic concerns with use of imaging technology.
6. FSI details:
As per information submitted by proponent-
 - Area of plot- 13692.96 Sqm
 - Permissible FSI- 1.33
 - FSI proposed to be consumed- 0.096
 - Built up area proposed- 13111.50 Sqm
 - Total construction area - 1500 Sqm
7. MCGM has issued IOD for the proposal vide their letter dated 30.8.2013.

Proponent represented that the project covers under port related activities, which is permissible as per CRZ Notification, 2011. And proposed building will only be used to install X ray inspection system for container scanner.

The Authority deliberated the proposal and observed that proposed installation of advanced X-ray Inspection System for container scanner would be instrumental in mitigating the challenges of coastal security. It is a vital project towards strengthening of the National security.

In the light of above, the Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Proposed building will only be used for installation of X ray inspection system for container scanner.
3. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
4. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Discussion Items / Policy Decisions

Item No.6: Review of District Coastal Zone Monitoring Committee- Raigad District

Since, Collector, Raigad was absent for the meeting, the Authority decided to defer the matter for the next meeting.

Item No 7: Review of item No. 10 of 84th MCZMA meeting - (Proposed redevelopment of building under the provision of DC Regulation 33(6) of the existing building on plot bearing C.S.No. 63, colaba Division, situated at Shahid Bhagatsingh marg, A ward, Mumbai.

The Authority noted that the subject proposal was deliberated at item No. 10 in 84th meeting of the MCZMA held on 30th and 31st August, 2013 and decided to recommend the project from CRZ point of view to concerned planning Authority subject to certain conditions.

The Authority observed that there was earlier NoC from CRZ point of view from UDD (TPB-2007/3148/CR-273/07/UD-11 dated 2nd February, 2008) for proposed building comprising of Ground + 1 podium + 15 upper floors with height 58.08 Sqm The IOD



for the same was granted on 22.7.2008 and CC upto plinth was also granted on 21.7.2009. Thereafter the plans were amended, reducing the floor plate of the building from fire safety point of view and increase the height of the building upto 158.58 sqm. As per amended plans, the building comprises of basement + ground + 9 podium + girder level + stilt + service + 29 upper floors, accordingly CC upto 46.04m was endorsed on 27.8.2010.

The Authority noted the clause (Viii) of S.O. 18(E) dated 4.1.2002 vide which, MoEF reconstituted MCZMA Authority. As per the said clause-

The Authority shall examine all projects proposed in Coastal Regulation Zone areas and give their recommendations before the project proposals are referred to the Central Government or the agencies who have been entrusted to clear such projects under the notification, of the Government of India in the Ministry of Environment and Forests vide number S.O. 144 (E) dated 19th February, 1991

The Authority observed that as per clause (Viii) of S.O. 18(E) dated 4.1.2002, Prior CRZ recommendation from MCZMA was mandatory in the subject proposal, when UDD issued the CRZ clearance dated 2nd February, 2008 to the project and based on which CC upto 46.04 m. was granted to the project.

It was further noted that the MCZMA took a stand that prior CRZ recommendation was necessary for post 4.1.2002 CRZ proposals, in Writ Petition No. 369/2011.

The Authority, further noted that, as per the ongoing redevelopment project policy taken by the MCZMA in its 82nd meeting wherein it was decided that ongoing redevelopment projects governed by para 8.v. (c) of CRZ Notification, 2011 regarding redevelopment of Cessed / Dilapidated / Unsafe categories which are at various stages of constructions wherein, the CRZ recommendation has been received from the MCZMA but full occupation certificate is yet to be granted by the MCGM; can be allowed by the MCGM.

In the light of above, the Authority after detailed discussion and deliberation decided the followings-

1. This is a case of violation of CRZ Notification, 1991 & 2011 and matter be referred to Environment Department for further proceeding in accordance with Office Memorandum dated 12.12.2012 & 27.6.2013 issued by the MoEF, New Delhi.
2. Decision of CRZ recommendation to the project as taken in 84th meeting of the Authority is modified accordingly.

Item No 8: Appraisal of Road / Bridge projects – MCGM letter to MCZMA.

The Authority noted the matter, which is as follows-

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1. MCGM vide telephonic discussion with MCZMA requested to appraise the projects of road / bridge, namely "Mithi River bridge widening/ reconstruction at 4 places namely, Mahim Causeway, Dharavi, Vaiterna and Tansa pipeline." at State Level / MCZMA only.
2. MCGM gave example of "Anik-Panjarpole Link Road (APLR)" project" which was appraised at MCZMA level; when MoEF returned the proposal to MCZMA. "Anik-Panjarpole Link Road (APLR) project by MMRDA - permission to cross Mahul Creek and mangroves near Bhakti Park and BPT pipeline, village Saltpan - Reg" was considered in the 67th and 70th meeting of MCZMA held on 22.12.2010 and 1.7.2011 respectively. Since; as per Para 4(ii)(a) of CRZ Notification, 2011, the activities which are not listed in EIA Notification, 2006 require clearance from MoEF, the Authority vide letter No. CRZ-2010/ CR-180/ TC-3 decided to recommend the matter to MoEF
3. The MoEF vide letter dated 23.11.2011, returned the proposal to MCZMA mentioning that as per Clause 5(x) of CRZ Notification, 2011, "All development activities listed in this notification shall be regulated by the State Govt., Union territory Administration, the authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this Notification".
4. Accordingly; Authority in its 73rd meeting decided to recommend the proposal to MMRDA subject to certain conditions.
5. MCZMA in its 82nd meeting has recommended the Road projects "Mithi River bridge widening / reconstruction at 4 places namely, Mahim Causeway, Dharavi, Vaiterna and Tansa pipeline." To MoEF.
6. Further, MCZMA in its 84th meeting, recommended Sion Panvel High way (Road Project) to MoEF.

The Authority decided that till the decision is received on the latest proposal submitted to MoEF, the MCZMA shall continue to send such proposals to MoEF, New Delhi.

Item No 9: Release of payment to IRS and CESS for work of CZMP preparation

The Authority noted the followings-

1. As per CRZ Notification 2011, Coastal Zone Management Plan in the scale of 1:4000 scale is mandatory and it is required to be prepared as per the guidelines given in the Annexure -I of the said notification. In compliance of above conditions, State Govt invited willingness of all 7 MoEF authorized agencies to prepare Coastal Zone Management Plan of all coastal districts in Maharashtra. Accordingly IRS and CESS authorized agencies have been appointed by MCZMA/ Environment Dept for the task of preparation of district coastal zone management plan. Further MOU have also been signed with the agencies.

FIRST INSTALLMENT payment to agencies

District	Appointed agency	First installment	Cost of proposal as mentioned in MoU	Payment Released
Raigad	IRS Chennai	50 % of total cost	152 lakh	76 Lakhs
Ratnagiri	IRS Chennai	30% of total cost	Rs. 674.16 lakh	83 lakhs
Sindhudurg	CESS Kerala	30% of total Cost	Rs. 1000 lakh (For thane & Sindhudurg)	83 lakhs
Thane	CESS Kerala	30% of total cost		83 lakhs

2. Total cost of the project will be determined upon completion of the work as per cost criteria decided by authority ie. Rs. 50,000 per Km. length of HTL; as per decision taken in the meeting dated 26.7.2011 and as mentioned in MoUs.
3. Total Cost of the work needs to be determined based on length of HTL as indicated in CZMP. IRS, Chennai has submitted draft CZMP of Raigad district (excluding CIDCO and Navi Mumbai area) and Ratnagiri district, who may be requested to provide the total length of HTL demarcated in draft CZMP of Raigad district. So that further payment would be made to agency.
4. Further, CESS may also be requested to submit the draft CZMPs and length of HTL demarcated in it, so that total cost of the work would be calculated and further payment may be released, accordingly.

The Authority after discussion and deliberation decided to release .Rs. 40 lakh each to both the agencies.

Item No 10: Discussion on Draft CZMP of JNPT

JNPT officials presented the matter before the Authority. The Authority noted the followings-

1. Work of preparation of CZMP of JNPT area allotted to IRS, Chennai was reviewed in 83rd meeting of the MCZMA, wherein, Director, IRS, was called for the meeting in order to present the draft CZMP of JNPT before the Authority. IRS, presented the draft CZMP of JNPT before the Authority. The Authority suggested that following shall be incorporated in draft CZMP of JNPT.
 - 50 m Buffer zone line along the mangroves area as per provisions of CRZ Notification, 2011.
 - Old CZMP of JNPT area shows CRZ II area whereas new draft CZMP shows CRZ III in place of earlier CRZ II area. Justification for the same be provided.



- Comparison between old CZMP viz New Draft CZMP with respect to HTL, CRZ area classification be given.
 - Area designated as mangroves should be categorized as CRZ I(A).
 - Classification of CRZ I (A) and CRZ I (B) in the draft be reviewed.
2. The IRS, Chennai submitted Draft CZMP of JNPT, taking cognizance of suggestions made by MCZMA. Old CZMP has CRZ II areas, whereas; new CZMP has CRZ III areas.

The Authority discussed the draft CZMP of JNPT and suggested that mangroves buffer should be shown in the map.

After detailed discussion and deliberation, the Authority decided the followings-

- JNPT shall submit the corrected draft CZMP showing mangroves buffer zone from outer side of mangroves vegetation boundary to MCZMA.
- MCZMA will take necessary steps in coordination with JNPT for public consultation in accordance with EIA Notification, 2006 after receipt of Draft CZMP, executive summary and detailed report from JNPT

Item No 11: Error evident on record- Dhokawade village

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

1. Based on the request of the Grampanchayat Dhokawade, Taluka Alibag, District Raigad; Deputy Director, Town Planning had submitted a report (vide letter dated 08.08.2008) to Urban Development Department, Govt. of Maharashtra to do the necessary correction in HTL and reclassification of the agriculture land through Space Application Centre (SAC), Ahmedabad.
2. As per the MoEF approved CZMP of Maharashtra, the survey numbers under consideration are in CRZ-I and CRZ-III. Since some portion of the village land on the landward side of the Mandva, Alibag Road is demarcated as CRZ-I and described as mudflats, the farmers of this land are not allowed to carry out activities related to agriculture. As per the report of Town Planning, the Kharland Department has done repairing work of Tidal Shutters/ Gates recently to minimize ingress of sea water into Paddy fields.
3. To enable agriculture related activities in the said area, Sarpanch of Village Dhokawade requested for a resurvey of the area through Space Application Centre, Ahmedabad. However, list of the survey numbers to be resurveyed was supposed to be confirmed with Collector, Raigad by District, Town Planning Department, if resurvey is allowed.
4. The matter as above was considered in the 49th meeting of MCZMA held on 24th February 2009. As per the minutes of the 49th meeting, Authority decided to



allow resurvey of the proposed area through one of the agencies authorized by MoEF (vide letter dated 17.03.2009), subject to the conditions that:

- List of the survey numbers to be resurveyed should be obtained from District Collector.
 - Image showing existence of bund on the site, prior to 1991.
5. Accordingly, the Group Grampanchayat, Dhokawade (vide letter dated 16th June 2010) and the Project Consultant appointed (vide letter dated 25th June 2010), have submitted the CRZ survey report from NIO, Goa. The conclusions drawn as per the NIO report are as follows:
- Ground truth survey for mapping was carried out in the area, proposed for the resurvey, as per the submitted 7/12 extracts of Dhokawade Village, during the period 24.11.09, 25.11.09 and 22.01.2010.
 - The whole area on the eastern side of the existing water channel appears to be as wetland in monsoon and in the immediate post monsoon season, mainly due to agricultural activity, and as dry land in other seasons.
 - As per the satellite image of 13th April 2010, the project site is generally a low lying plain area and presently almost completely dried out except along some part of the two main water channels.
 - During a visit to the site on 22.01.2010, it was observed that agricultural practices for the next season, such as tilling, etc. are being carried out on that land in the eastern side of the bigger storm water channel.
 - It was also observed that the Kharland Department of Government of Maharashtra has erected tidal shutters to prevent tidal water from entering the above said lands. They are still under control and proper maintenance by the Kharland Department.
 - The above land under resurvey was being utilized for agricultural purposes.
6. With respect to the NIO report, the matter was sent to Urban Development Department, Govt. of Maharashtra for their remarks. Urban Development Department, in the remarks, has emphasized on the conclusion points of NIO report. As per the remarks of Urban Development Department, the matter was placed in the 65th meeting of MCZMA held on 9th September 2010 for appropriate decision with respect to the NIO report.
7. In the meeting, MCZMA noted that, as per the approved CZMP, the land is in CRZ-I (i), CRZ-I (ii) and CRZ-III. The officials of Town Planning, Konkan presented the case before the Authority along with village maps. They informed that, old 7/12 extract shows the said area as "Agriculture Land." However due to improper maintenance of bund and tidal shutters, the said area came under the ambit of CRZ as a consequence of seepage of sea water (i.e. salinity ingress) in the agricultural land. Authority discussed at length about the CRZ status of the said area. Authority mainly emphasized on the conclusions of NIO report and photographs showing the current scenario of the land. As per the NIO

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- survey, land is in CRZ-I (i), CRZ-I (ii), CRZ-III and non-CRZ. Authority has not visited the site.
8. As per the decision taken in the 65th MCZMA meeting, the matter was recommended to NCZMA (vide letter dated 25th November 2010) along with NIO report for further necessary action in the matter.
 9. In the light of MoEF's office memorandum dated 8.8.2011, site was visited by a multidisciplinary sub- committee appointed by the MCZMA. The committee also comprised of a third party expert agency, IRS, Chennai.
 10. Further, IRS, Chennai submitted the report to MCZMA and it was placed before 74th MCZMA meeting held on 23.4.2012. As per the IRS, Chennai report 'the land under reference falls in CRZ I as per approved CZMP. Google image of 2003 show much of the low lying plains of the study area as water logged as in the coastal land use map. However, google image of 2011 and during field visit it was observed that some stretches of the land are being used for agriculture. Leaving the mangroves along the small channels running from the creek and after excluding the necessary buffer zone, the exact area to be reclassified into CRZ III , may kindly be ascertained based on the CRZ report submitted by NIO, Goa in June 2010'.
 11. The State Authority decided to send the report of IRS, Chennai along with its observations related to above cases to MoEF / NCZMA, New Delhi for further appropriate decision on merit.
 12. Now, the MoEF has written a letter No. D.O. J-17011/18/96-A.III dated 23rd August, 2013 to SAC, requesting SAC, to provide time series maps for the period between 1991 to 1996 for the Error Evident Proposals.
 13. MoEF vide letter dated July 31, 2013 mentions that MCZMA shall examine the cases and submit the proposal to NCZMA based on maps using the same basic imagery which was used for the preparation of CZMPs in the year 1996, as per Office Memorandum dated 8.8.2011.
 14. The MCZMA vide letter dated 15.10.2013 again requested SAC, Ahmedabad to handover the data and Satellite imageries of the proposal, based on which the old CZMP of the area was prepared. Accordingly, the SAC handed over Dhokawade village coastal land use map in 1:25,000 scale based on the data source (satellite imagery) of the year 1989-1991.

The Authority deliberated and discussed the Dhokawade village coastal land use map in 1:25,000 scale prepared based on the data source of the year 1989-1991 by SAC

and noted that it is a large scale map and apparently, the area under reference is categorized as a "mudflat" in it.

In the light of above, the Authority after detailed discussion and deliberations recommended to forward the above matter to National Coastal Zone Management Authority along with the coastal land use map for further appropriate decision in the matter.

Item No 12: Site visit reports- Kanjurmarg MSW site AND Chaityabhoomi, Dadar.

Kanjur Marg MSW Site

The Authority noted that the Hon'ble High Court of Mumbai has passed an order on 7th August, 2013 in PIL No. 1/2013 that Maharashtra Coastal Zone Management Authority (MCZMA) shall periodically visit Kanjurmarg MSW site of MCGM for the purpose of monitoring of the mangroves within premises so that they continue to regenerate and are not destroyed

Accordingly, in compliance to the decision of the Hon'ble High Court and decision taken in 85th meeting of MCZMA held on 12th and 13th Sep, 2013, a team of members visited MSW site of MCGM at Kanjur marg on 13.9.2013 and carried out the inspection of mangroves at the site. Site visit report was

The Site visit report was sent to MCGM on 21.11.2013 with directions to comply with the recommendation made in site visit report.

The Authority approved and took on record the site visit report of team of MCZMA members who visited the site

Proposal of Chaityabhoomi, Dadar.

The Authority noted that proposal for "Development & Beautification of Chaityabhoomi Phase III" at Dadar in G/ North Ward by Municipal Corporation of Greater Mumbai (MCGM) was deliberated in the 84th meeting of the Maharashtra Coastal Zone Management Authority held on 30th and 31st August, 2013 wherein the Authority decided to make a site visit to the Chaityabhoomi spot.

Accordingly, MCZMA members visited the spot on 31st August, 2013 and submitted a site visit report. Authority approved and took on record the said site visit report.

Since, Municipal Commissioner, MCGM who is a member of the Authority was not present for the meeting, the Authority decided to defer the matter.

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Item No 13: Discussion on Draft DP of Bhiwandi Surrounding notified areas of 51 villages

The Authority decided to defer the matter.

Item No 14: NGT order in Ramdas Janardan Koli Vs State of Maharashtra
(Application no. 19/2013)

The Authority noted that the Ramdas Janardan Koli has filed Application No. 19/2013 before the NGT, Western Zone Bench, Pune. In the said application the National Green Tribunal issued the order dated 12.11.2013, wherein NGT has directed the Authority shall carry out the investigation and verify the information submitted by the Applicants accompanying with the Applicants, as well as the officers of JNPT and also the authorized officers of other respondents, if they so desired.

Accordingly, in compliance of the Hon'ble tribunal order, the MCZMA members visited various sites of JNPT, CICO, ONGC, BPCL and NMSEZ area in the company of the Applicants as well as officers of JNPT, ONGC, CIDCO and fisheries on 16th November, 2013. Minutes of the site visit were prepared in presence of applicants and representative of the various agencies at site.

Authority took on record the minutes of the site visit.

Item No 15: Application of Development Plan (DP) in CRZ areas.

The Authority felt that the issue requires presence of Principal Secretary, Urban Development Department and Municipal Commissioner, Municipal Commissioner, MCGM, who are the members of the MCZMA for deliberation. As they were not present, the Authority decided to defer the matter.

Complaints / Court Matters

Item No 16: Construction activities being undertaken with destruction of mangroves on plot No. 124, bearing CTS No. 1/48/1A/2, Oshiwara, Andheri (W), Mumbai

The Authority noted the Background of the matter

1. The subject matter was deliberated in 83rd meeting of the MCZMA held on 8th August, 2013 wherein the Authority noted that the complaint was received before the MCZMA which alleged that the said plot No. 124, bearing CTS No. 1/48/1A/2 falls in CRZ I and not CRZ II. Construction activities are being

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undertaken with destruction of mangroves. The MCZMA vide letter dated 29th June, 2013 issued directions that work be suspended till CRZ status is finalized in the Next MCZMA meeting.

2. The Authority noted that the WP No. 1579/2012 with Chamber summons No. 232 /2012 with Notice of Motion No. 306/2012 with Chambers summons (L) No. 130/2013 is being heard before the Hon'ble High Court of Mumbai. The High Court of Mumbai vide an order dated 5th June, 2013 adjourned the hearing of the proceedings to 5th Sep, 2013, Since the MCZMA is in the process of evaluating the CRZ status of the land in dispute and a direction for suspension of work has been issued until the CRZ status is finalized.
3. In the 83rd meeting held on 6th August, 2013. The Authority heard both the parties i.e complainant as well as project proponent and decided to direct the project proponent to submit the DP remarks of the Plot No. 124, bearing CTS No. 1/48/1A/2, Oshiwara, Andheri (W), Mumbai and superimposition of said plot on CZMP of Mumbai. On submission of the said information by the proponent, the matter will be decided and till then work will remain suspended as mentioned in the MCZMA's letter dated 29th June, 2013 issued to the proponent.
4. Based on the decision taken by the Authority in its 83rd meeting; the Samrath Development Corporation vide letter dated 9.10.2013 has forwarded their reply in the matter.
5. As per the said reply,
 - DP remarks of C. T. S. No. 1/48/1A/2 of MCGM along with DP sheet has submitted. As per the said DP sheet, the plot falls in CRZ II.
 - The copy of plan showing location of subject plot on the SAC map no. 47A16NW prepared by SAC, Ahmadabad indicates that plot No. 124 is identified as "OPEN LAND" and "HABITATION - WITH VEG"
 - Each of these lands, i.e. Plot No. 123, 124 and Plot No. G-5 is earmarked in DP as CRZ II.
 - At the time when application dated 9th June 2009 was made, the DP remarks for CTS No. 1/48/1A/2 was not available and therefore, the applicant annexed DP remarks for CTS No.1/48/1A showing only the relevant area is covered by Plot No. 124.

Project proponent submitted their representation vide their letter dated 26th November, 2013 during the meeting.

After deliberation, the Authority directed project proponent to submit the Superimposition of Plot No. 124, bearing CTS No. 1/48/1A/2, Oshiwara, Andheri (W), Mumbai on CZMP of Mumbai.



Navi Mumbai area

Item No 17: Seeking N.O.C. for the proposal in CRZ having plot No.40, Sector-20, Koparkhairne, Navi Mumbai

The project proponent presented the proposal before the Authority. The Authority noted that proposal was earlier deliberated in 84th meeting of the MCZMA held on 30th and 31st August, 2013. The proposal details as discussed in 84th meeting were as follows-

1. As per the Navi Mumbai Municipal Corporation letter dated 16.05.2013-
 - The proposal for residential building on Plot No. 40, Sector - 20, Koperkhairne, Navi Mumbai, comprises of Stilt + Podium (1st floor) + 26th floor for residential purpose.
 - As per the Development Plan of Navi Mumbai, the plot under reference is in residential zone.
 - As per the approved CZMP of Navi Mumbai, the plot falls in CRZ II and situated on landward side of existing bund road.
 - The total area of plot is 1933.76sqm
2. The project proponent has submitted the CRZ map indicating 100m & 150m CRZ line from HTL of creek prepared by Institute of Remote Sensing, Chennai in 1: 4000 scale. As per the said map the plot under reference falls within 100m CRZ line from the HTL of creek & it is beyond 50m mangroves buffer zone.
3. FSI Details:

As per the layout plan submitted by the project proponent,

 - Total Area of Plot - 1933.76sqm
 - Permissible FSI - 1.5
 - Total permissible BUA - 2900.646sqm
 - Area of the stilt at ground floor - 504.668sqm
 - Area of the podium at 1st floor - 434.073sqm
 - Total Proposed BUA - 2898.330sqm
 - FSI proposed to be consumed - 1.49
4. During the 84th meeting, the Authority decided to direct the project proponent to submit the information through Navi Mumbai Municipal Corporation as to whether the proposed construction is situated on the landward side of the existing road constructed prior to 19.02.1991 or on landward side of existing authorized structure

The Authority noted and took on record the reply dated 05.09.2013 of Navi Mumbai Municipal Corporation, which stated that the plot no. 40, sector no. 20, Koparkhairne, Navi Mumbai is situated on the landward side of the existing road and also submitted

the Koparkharine Nodal Plan indicating site under reference as per the approved CZMP of CIDCO.

In the light of above, the Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. Planning authority shall ensure that there is no violation of CRZ Notification, 2011.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 18: Seeking NOC for the proposal in Coastal Regulation Zone having Plot No. 10, Sector 21, Ghansoli, Navi Mumbai

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The proposal is for Residential cum Commercial building comprises of Ground + 4 floors (under 12.5 % G.E. Scheme) on Plot No. 10, Sector 21, Ghansoli, Navi Mumbai
2. As per Development Plan for Navi Mumbai Municipal Corporation as modified up to October 1993, the land under consideration is in Residential Zone.
3. The Coastal Landuse Map indicates the land under reference falls in CRZ II and as per the NMMC vide letter dated 22.5.2005 the land under reference situated on landward side of existing bund road.
4. As per the layout plan submitted by Project Proponent,
 - Total area of the plot = 349.350 Sq.m.
 - Permissible FSI = 1.5
 - Permissible BUA = 524.025 Sq.m.



- Net BUA = 522.094 Sqm
 - Proposed Commercial Area = 54.914 Sqm
 - Proposed Residential Area = 467.180 Sq.
 - Stilt Area = 125.110 Sqm
5. As decided in the meeting the MCZMA letter dated 14.8.2013 has issued to Project Proponent for obtaining certain information
6. Accordingly, Project Proponent submitted its reply vide letter dated 1.10.2013. Point wise reply as follows-

- The CRZ map with superimposing project layout in 1:4000 scale prepared by MoEF authorized agency

CRZ map in 1:4000 scale with superimposing project layout prepared by IRS, Chennai for the project site in plot under reference has submitted. As per the said CRZ map, the plot under reference falls in CRZ-II (Within 150 m from HTL of creek)

- Total BUA proposed = Area counted in FSI + Area free of FSI

Plot Area = 349.350 Sq.m.

FSI = 1.5

Permissible BUA = 524.025 Sq.m.

Proposed Commercial Area = 57.397 Sq.m.

Proposed Residential Area = 464.898 Sq.m.

Stilt Area = 115.503

Total BUA Proposed = 637.798 Sq.m.

Area counted in FSI = 522.295 Sq.m.

Area free of FSI = 115.503 Sq.m.

- Permissible FSI & free of FSI component with provisions of DCR as on 19.2.1991.

As per CIDCO letter dated 12.9.2003, 12.5 % plots are permitted 1.5 FSI and 15 % commercial use and are taking to residential cum commercial plots.

- Zoning and reservation of the plot under reference as on 19.2.1991.

NMMC mentions vide letter dated 22.5.2013, as per sanctioned Development Plan, the plot under reference falls in Residential Zone

- Current Status of the proposed building / plot.

As per google image submitted by Project proponent, the plot under reference is vacant

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In the light of above, the Authority after deliberations decided to recommend the proposal from the CRZ point of view to the concerned planning authority subject to strict compliance of the following conditions-

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. Planning authority shall ensure that there is no violation of CRZ Notification, 2011.
6. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 19: NOC for CRZ having Plot No. 36/1, Sector No. 08-A, Airoli, Navi Mumbai

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Navi Mumbai Municipal Corporation has forwarded the proposal for the new development of residential building on plot no. 36/1, sector 08/A, Airoli, Navi Mumbai comprises of Ground + 4 upper floors.
2. As per the sanction Development Plan of Navi Mumbai Municipal Corporation, the plot under reference is in residential zone.
3. As per the approved CZMP of Navi Mumbai Municipal Corporation, the plot falls in CRZ II and situated on landward side of existing bund road.
4. The total area of plot is 249.55sqm
5. As per the layout plan,
 - Total area of plot – 249.55sqm
 - Permissible FSI – 1.50
 - Proposed BUA of first floor – 106.405sqm
 - Proposed BUA of second floor – 106.405sqm
 - Proposed BUA of third floor – 106.405sqm

- Proposed BUA of forth floor – 53.387sqm
 - Total proposed built up floor – 372.602sqm
 - Consumed FSI – 1.49
6. With reference to the above information, the MCZMA vide its letter dated 23.07.2013 sought information on certain points from the Assistant Director of Town Planning, Navi Mumbai Municipal Corporation in the subject matter. Accordingly, the Assistant Director of Town Planning, Navi Mumbai Municipal Corporation, forwarded their reply vide letter dated 09.10.2013 on points raised by MCZMA.
7. Point wise reply of the Assistant Director of Town Planning, Navi Mumbai Municipal Corporation letter dated 09.10.2013 to MCZMA is follows:
- Planning authority need to verify zoning reservations as per DCR existing as on 19.02.1991 for land under reference.-
As per Planning Authority, Zoning / reservation for land under reference as per DCR existing as on 19.02.1991 is Residential.
 - 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.-
CRZ map indicating 100m CRZ line from HTL of creek prepared by Institute of Remote Sensing, Chennai in 1: 4000 scale. As per the said map the plot under reference falls within 100m CRZ line from the HTL of creek & it is beyond 50m mangroves buffer zone.
 - Google map showing site under reference (colored map)-
Google map showing site under reference is submitted.
 - Whether the bund road is an authorized road prior to 19.02.1991.-
As per the remarks in Part B submitted by the Navi Mumbai Municipal Council, the bund road is an authorized road prior to 19.02.1991

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

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.

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

Item No 20: CRZ clearance for the proposed Residential Building, Service Apartment and Guest House at Gothivali village S.Nos.17,22/2, 22/4,4/1, 28/1, 29, 30, 31, 32, 33, 34, 35, 45, 49, 98, 99, 100,112,131 & Talavali village S.No.49, Navi Mumbai- Reliance Corporate IT Park Limited

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. M/s. Reliance Corporate IT Park Ltd (RCIPL) proposes development at Gothivali village Survey Nos.17, 22/2, 22/4, 28/1, 29, 30, 31, 32, 33, 34, 35, 45, 48, 49, 98, 99, 100, 112, 131 & Talavali village S.No.49, Navi Mumbai.
2. Project Proponent has submitted CRZ map prepared by IRS, Chennai in the 1:4000 scale. As per the said CRZ map the project site under reference partly falls in CRZ-II (150m from HTL) and partly in Non CRZ area.
3. The proposal was considered in the 79th, 81st, 82nd and 84th meeting of the Maharashtra Coastal Zone Management Authority held on 5.1.2013, 26.4.2013 & 10.6.2013 and 30.8.2013 respectively.
4. In the 84th meeting, the Authority examined the CRZ map showing 150 m CRZ line from the Creek, which shows that proposed Hotel activity is within 150m from HTL. It was concluded that since the proposal of hotel activity amounts to change of present use while redevelopment of existing residential / guest house structures, which is not permissible, as per the provisions of CRZ Notification, 2011. The Authority directed project proponent to submit the proposal of redevelopment in conformity with the provisions of CRZ Notification, 2011 through Navi Mumbai Municipal Corporation.
5. Accordingly, Navi Mumbai Municipal Corporation has forwarded the revised proposal vide letter dated 28.10.2013. As per the said letter dated 28.10.2013 of Navi Mumbai Municipal Corporation-
 - CIDCO has granted Occupancy Certificates for aforesaid plot in Nov. 1993, October 1994 and April 1996 for Residential Colony, Guest House & Staff Quarters use in the name NOCIL (National Organic Chemical Industries Ltd) which has been transferred to RCIPL.
 - NMMC has issued Development permission on 4.6.2012 for Hotel Building falling Outside CRZ-II (150m) area vide Commencement

Certificate. Rest of the existing residential development approved by CIDCO is falling in CRZ- II (150m).

- Proposed Guest House / residential Tower are falling mainly in CRZ-II 150 meter area and landward side of the existing bund road.
- The details of proposed residential colony & guest house is as under-
 - i. Plot area = 87323.00 Sqm
 - ii. Permissible FSI = 1.00
 - iii. Permissible FSI = 87323.00 Sqm
 - iv. BUA Proposed = 87101.071 Sqm

6. FSI details -

As per layout plan submitted by Project proponent

- a. Plot area = 87323.00 Sqm
- b. CRZ area = 60945.644 Sqm
- c. Non CRZ area = 26377.356 Sqm
- d. Permissible FSI = 1.00
- e. BUA Proposed = 87101.071 Sq.m.
- f. Proposed Staircase Area = 702.156 Sq.m.
- g. Total Gross area = 88463.441 Sq.m
- h. Proposed Stilt / podium area = 39993.620 Sq.m.

7. Area Statement-

As per layout plan submitted by Project proponent

Sr. No.	Building	Description	Proposed BUA
1	Guest House	Ground + 4th floor	22827.161
2	Tower 1	Ground + 12th floor	34220.129
3	Tower 2	Ground + 12th floor	11392.968
4	Tower 3	Ground + 11th floor	10338.224
5	Tower 4	Ground + 11th floor	10338.224
6	Tower 5	Ground + 9th floor	8197.560
7	Tower 6	Ground + 6th floor	4416.406
	Tower 7	Ground + 9th floor	8197.560
		Total BUA	87101.071

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.



2. 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.
3. There should be no construction of Hotel
4. Guest house should be used only for captive use,
5. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
6. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by NMMC.
7. Project proponent should obtain prior environment clearance from the competent authority before commencement of the work, since total built up area in the project exceeds 20,000sqm and attracts provisions of EIA Notification, 2006
8. All other required permission from different statutory authorities should be obtained prior to commencement of work

Item No 21: CRZ clearance for construction of residential building in bhumapan No.97/12 at village Malyaan, Dahanu, Dist. Thane

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council letter dated 7th December, 2013
 - The Dahanu Municipal Council has forwarded the Proposal for new construction of residential building on plot bearing S. No. 97/12, Village Malyaan, Tal. Dahanu, Dist. Thane comprising of Stilt + 3 upper floors.
 - As per the part plan of Development Plan of Dahanu, the plot under reference is in residential zone and is reserved for residential purpose.
 - As per the approved CZMP of Dahanu, the plot under reference falls in CRZ II and situated on landward side of existing road.
 - The total area of plot is 613.00sqm.

2. FSI Details:

- Total area of plot – 613.00sqm.
- Permissible FSI – 1.00
- Proposed built up area of 1st floor – 203.73 sqm
- Proposed built up area of 2nd floor – 203.73 sqm
- Proposed built up area of 3rd floor – 203.73 sqm
- Total built up area – 611.19 sqm

The Authority observed the site under reference is situated on seawards side of creek from one of the side of plot. However, Google image show that the site under reference is situated on landward side of existing structures.

The Authority after deliberation decided to direct the project proponent to submit the information through Dahanu Municipal Council as to whether Proposed construction is situated on the landward side of the existing road constructed prior to 19.2.1991 or on landward side of existing authorized structure.

Item No 22: Proposed access road in CRZ area and utilization of FSI potential of CRZ -III area on the Non CRZ area of plot bearing S. no. 74, Hissa No. 1/1 & 1/4, CTS No. 4477A /10 to 4477A/ 19, maouje Ayare, Tal- Kalyan, Dist.- Thane

Project proponent presented the proposal before the Authority. The Authority observed that the proposal needs more clear and comprehensible presentation from the proponent. Hence, it was decided to defer the proposal.

Item No 23: Proposed construction of residential building on CTS. No. 652 of village Dahanu, Tal- Dahanu, Dist- Thane

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council vide letter dated 14.6.2013

- The proposal is for proposed construction of residential building comprising partly (Ground + 2 floors) & partly (stilt + 3 floors) on CTS. No. 652 of village Dahanu, Tal- Dahanu, Dist- Thane.
- As per layout plan submitted by Project proponent, two structures are existing on the plot under reference. One is to be demolished and other one is to be retained and proposed building on vacant land of the plot under reference.
- The Dahanu Municipal Council vide letter dated 14.6.2013 mentions, as per sanctioned development plan the plot under reference falls in congested residential zone.
- As per the CZMP of Dahanu Municipal Council area, the plot under reference falls in CRZ-II.
- The Dahanu Municipal Council vide letter dated 14.6.2013, the plot under reference is landward side of the existing road.

2. FSI details-

As per layout plan submitted by project proponent,

- Plot area – 946.59 Sq.m.

- Net plot area – 806.73 Sq.m.
- Permissible FSI – 1.8
- Existing BUA- 344.23 Sq.m.
- Proposed BUA – 832.35 Sq.m.
- Total BUA (Existing + Proposed) – 1176.58 Sq.m.

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

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 24: Construction of Residential & commercial building in S.No. 2,3,4 at Malyan, Tq.Dahanu, Dist. Thane

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council, vide letter dated 26th June, 2013,
 - The Dahanu Municipal Council has forwarded the Proposal for new construction of residential cum commercial building on plot bearing S. No. 2+3+4, Plot No. 1+2, Village Malyaan, Tal. Dahanu, Dist. Thane comprises of Ground + first floor + second floor.
 - As per the layout plan submitted by the proponent, Ground + 1st floor is for commercial use and 2nd floor for residential use.
 - As per the sanctioned Development Plan of Dahanu, the plot under reference is in residential zone and is reserved for residential purpose.

- As per the approved CZMP of Dahanu, the plot under reference falls in CRZ II and situated on landward side of existing road.
- The total area of plot is 893.04sqm

2. FSI Details:

As per the layout submitted by the project proponent,

- Total area of land – 1003.34sqm
- Area under road widening – 132.50sqm
- Net plot area – 8701.84sqm
- Permissible FSI – 1.00
- Allowable BUA – 870.84sqm
- FSI for road widening 5% - 66.25sqm
- Total allowable BUA 937.09sqm
- Allowable plinth area – 312.36sqm
- Proposed plinth area – 297.68sqm
- Area open to sky – 639.41sqm
- Total proposed BUA – 893.04sqm
- Carpet area of ground floor – 259.10sqm
- Carpet area of 1st floor – 192.98sqm
- Carpet area of 2nd floor – 232.97sqm
- Total carpet area – 685.05sqm
- FSI proposed to be consumed – 0.89

The Authority after detailed discussion and deliberations decided to direct project proponent to submit the following information –

- Superimposition of the site under reference on full CZMP.
- Development Plan showing site under reference having signature of concern planning authority.
- Remarks of Permissibility of the commercial use from the Concerned planning Authority.

Item No 25: Construction of residential building in C.S.No. 538B, 538-2B, 539 village Dahanu, Tal. Dahanu, Dist. Thane

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council, vide letter dated 10th July, 2013

- The Dahanu Municipal Council has forwarded the Proposal for redevelopment of residential building on plot bearing S. No. 538 B, 538 B 2, 539 at Dahanu Gaon, Tal. Dahanu, Dist. Thane comprises of Stilt + 3 upper floors for residential use.

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- As per the sanctioned Development Plan under section 3130 of MRTP act of Dahanu, the plot under reference is in residential zone and is reserved for residential purpose.
- As per the approved CZMP of Dahanu, the plot under reference falls in CRZ II and situated on landward side of existing road.
- The total area of plot is 469.00sqm

2. FSI Details:

As per the layout submitted by the project proponent,

- Total area of land – 469.00sqm
- Permissible FSI – 1.80
- Allowable plinth area – 281.37sqm
- Proposed plinth area – 262.37sqm
- Proposed BUA in first floor – 262.37sqm
- Proposed BUA in second floor – 262.37sqm
- Proposed BUA in raised second floor – 262.37sqm
- Proposed BUA of stair case & lift in stilt – 26.49sqm
- Total proposed BUA – 813.60sqm
- FSI proposed to be consumed – 1.74

The Authority after detailed discussion and deliberations decided to direct the project proponent to submit the following information –

- Superimposition of the site under reference on full CZMP.
- Development Plan showing site under reference having signature of concern planning authority.
- Whether the proposed construction is new construction on vacant plot or reconstruction of existing structure.
- Authorization details of existing structure on land under reference and its present status.

Item No 26: Construction of hotel & resort (commercial) building in Sr. No. 8/18/1/1 at Dahanu- Dahanu

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Dahanu Municipal Council, vide letter dated 26th June, 2013
 - The Dahanu Municipal Council has forwarded the Proposal for development of commercial building on plot bearing S. No. 8/18/1/1 at Dahanu Gaon, Tal. Dahanu, Dist. Thane comprises of Ground & Stilt + 1 upper floor for commercial use.
 - As per the sanctioned Development Plan under section 3130 of MRTP act of Dahanu, the plot under reference is in residential zone.

- As per the approved CZMP of Dahanu, the plot under reference falls in CRZ II and situated on landward side of existing road prior to 19.02.1991.
- The total area of plot is 1075.00sqmt

2. FSI Details:

As per the layout submitted by the project proponent,

- Total area of land – 1075.00sqm
- Permissible FSI – 0.50
- Allowable BUA – 537.50sqm
- Proposed plinth area – 354.25sqm
- Proposed BUA in ground floor – 175.78sqm
- Proposed BUA in first floor – 354.25sqm
- Area open to sky – 720.75sqm
- Total proposed BUA – 530.03sqm
- FSI proposed to be consumed – 0.49

The Authority after detailed discussion and deliberations decided to direct project proponent to submit the following information –

- Superimposition of the site under reference on full CZMP.
- Development Plan showing site under reference having signature of concern planning authority.
- Permissibility of the commercial use is needs to be ascertained.
- Distance of site from HTL.

Item No 27: Proposed residential building on CTS No. 350, 16, 16/a & 16K area 1738.17 sq.m. Gr. Floor +3 floors at Alibag, District Raigad

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Alibag Municipal Council vide letter dated 29th December, 2012

- As per the Alibag Municipal Council, the proposed construction is for new residential building comprises of Ground + upper 3 floors.
- As per the approved CZMP of Alibag, the plot falls under CRZ-II and situated on landward side of existing road prior to 1991
- As per the part plan of Development Plan, the plot under reference is partly in Residential Zone & partly in wadi zone.

2. FSI Details

- Total area of the plot - 2938.17sqm
- Permissible FSI – 1.00 for residential zone

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- 0.5 for wadi zone
- Total plot area in residential zone – 1738.17sqm
- Total plot area in wadi zone – 1200.00sqm
- Permissible area (100% of 1738.17 + 50% of 1200.00) – 2338.17sqm
- Proposed built up area for ground floor – 44.16sqm
- Proposed built up area for first floor – 565.19sqm
- Proposed built up area for second floor – 565.19sqm
- Proposed built up area for third floor – 565.19sqm
- Total proposed built up area – 1739.73sqm

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

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 28: NOC for construction of residential building on MHADA Plot No. 118, MHADA Colony, Alibag, Tal. Alibag, Dist. Raigad

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. As per the Alibag Municipal Council letter dated 20.05.2013,
 - The Alibag Municipal Council vide letter dated 20th May, 2013 has forwarded the proposal for residential building on plot bearing plot no. 118, Survey No. 29

A/1, Mhada Colony, Town Alibag, Tal. Alibag, Dist. Raigad comprises of Stilt + ground floor + 1st floor.

- The Development Plan of Alibag Municipal Council was sanctioned by UDD vide Notification No. TPS/1483/3366/CR 707//93/UD 5 dated 20.8.1984. As per the said DP, land under reference is reserved for Stadium. However, in 1986 the land under reference is incorporated in Residential Zone, as per Section 50 of MRTP Act, 1966.
- As per the approved CZMP of Alibag, the plot falls in CRZ II & situated on the landward side to the existing road.
- The total area of plot is 72.00sqm

2. FSI Details:

As per the layout plan submitted by the project proponent,

- Total area of Plot – 72.00sqm
- Permissible FSI – 1.00
- Permissible built up area per floor – 36.00sqm
- Proposed built up area per floor – 36.00sqm
- Proposed built up area on ground floor – 36.00sqm
- Proposed built up area on first floor – 36.00sqm
- Total proposed built up area – 72.00sqm

The Authority after deliberations decided to recommend the proposal from CRZ point of view to concerned planning authority subject to confirmation from concerned planning authority that existing road is prior to 19.2.1991, on landward side of which construction is proposed. Following conditions should be complied with.

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 29: CRZ permission for construction of residential building in residential zone of Development Plan Ratnagiri on S.No.400A, H.No.1A, CTS No.401, village Killa, Dist. Ratnagiri

The proposal is forwarded by the Ratnagiri Municipal Council vide letter dated 13th February, 2013.

As per the submitted information:

Proposal Details:	The proposed construction is redevelopment of residential building comprises of Ground floor + 1 st floor
Location of the Project:	Survey No. 64, Hiss No. 1A, CTS No. 401, at Mirkarwada, Tal. & Dist. Ratnagiri.
Proposal Category:	Redevelopment
CRZ Category of the proposed site:	As per the approved CZMP of Ratnagiri, CRZ-II Landward side of existing road prior to 1991
DP Remarks, Zone: Proposed Use:	As per the part plan of the Development Plan, a) Residential Zone b) Residential Development
FSI Details, FSI proposed to be consumed:	a) 0.90
Area Details, a) Total area of the plot: b) Proposed built up area of ground floor: c) Proposed built up area of first floor: d) Total built up area	As per the layout plan submitted by PP, a) 73.10sqm b) 46.80sqm c) 19.50sqm d) 66.30sqm

The Authority observed that the proposal is of Redevelopment of existing structure and the present use of the existing structure is Residential

The Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. 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.

3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by concerned planning authority
5. All other required permission from different statutory authorities should be obtained prior to commencement of work

Item No 30: CRZ permission for construction of building bearing S.No.355A1, H.No.11, CTS No. 3382, 3379 at Mouje Pethshivapur, Tal. & Dist. Ratnagiri

Project proponent presented the proposal before the Authority. The Authority noted the followings-

Proposal Details:	The proposed construction is redevelopment of residential building comprises of Ground floor + 2 upper floors
Location of the Project:	Survey No. 355 A 1, Hissa No. 11, CTS No. 3382, 3379, Village Peth Shivapur, Tal. & Dist. Ratnagiri.
Proposal Category:	Redevelopment
CRZ Category of the proposed site:	As per the approved CZMP of Ratnagiri, CRZ-II Landward side of existing road prior to 1991
DP Remarks, a) Zone: b) Proposed Use:	As per the part plan of the Development Plan, a) Residential Zone in densely populated area b) Residential Development
FSI Details, a) Permissible FSI b) FSI proposed to be consumed:	a) 1.80 b) 1.575
Area Details, a) Total area of the plot: b) Deduction for road acquisition area: c) Net gross area of plot:	As per the layout plan submitted by PP, a) 326.520sqm (as per P R card) 340.00sqm (as per 7/12) b) 30.00sqm c) 296.50sqm

d) Addition of area for road acquisition:	d) 54.00sqm
e) Total area (Net plot area + addition of area):	e) 350.50sqm
f) Permissible built up area:	f) 195.90sqm
g) Existing BUA of ground floor:	g) 70.00sqm
h) Proposed built up area of ground floor:	h) 171.24sqm
i) Proposed built up area of first floor:	i) 171.24sqm
j) Proposed built up area of second floor:	j) 171.24sqm
k) Total proposed built up area:	k) 513.72sqm

Authority observed that proposal is of reconstruction of existing structure and use of the existing structure is Residential.

Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to submission of confirmation of preset use of the existing structure by proponent and strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. 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.
3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by concerned planning authority.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 31: CRZ permission for construction of building bearing S. No. 89, Hissa No. 4B pt. S.No.89, Hissa No.5B pt. CTS No. 2026/3 (new CTS No. 2026A) at Rahatghar, Tal. & Dist. Ratnagiri



The proposal has forwarded by the Ratnagiri Municipal Council vide letter dated 17th July, 2013.

As per the submitted information:

Proposal Details:	The proposed construction of residential building comprises of Ground floor + 1 st floor
Location of the Project:	Survey No. 355 A 1, Hissa No. 11, CTS No. 3382, 3379, Village Peth Shivapur, Tal. & Dist. Ratnagiri.
Proposal Category:	New development
CRZ Category of the proposed site:	As per the approved CZMP of Ratnagiri, CRZ-II Landward side of existing road prior to 1991
DP Remarks, a) Zone: b) Proposed Use:	As per the part plan of the Development Plan, a) Residential Zone in densely populated area b) Residential Development
FSI Details, a) Permissible FSI b) FSI proposed to be consumed:	a) 1.00 b) 0.93
Area Details, a) Total area of the plot: b) Permissible built up area: c) Proposed built up area of ground floor: d) Proposed built up area of first floor: e) Total proposed built up area:	As per the layout plan submitted by PP, a) 110.00sqm b) 110.00sqm c) 51.13sqm d) 51.13sqm e) 102.26sqm

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

6. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
7. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.

8. 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.
9. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
10. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 32: CRZ permission for residential/commercial building on land bearing S.No.36/1A to 36/1G, 37/3A to 37/3D, 37/5A to 37/5P, 37/7, 29/13B, 29/11C, 29/14A to 29/14C C.T.S.No. 974/1 to 974/7, 975/1 to 975/12, 1040A/2 to 1040A/6 at Rahatghar, Tal. & Dist. Ratnagiri

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Municipal Council of Ratnagiri has forwarded the proposal for "Residential cum Commercial" building on plot bearing Survey No. 36/1 A to 36/1G, 37/3 A to 37/3 D, 37/5A to 37/5 P, 37/7, 29/13 B, 29/11 K, 29/14 A to 29/14 K, C. S. No. 974/1 to 974/7, 975/1 to 975/12, 1040 A/2 to 1040 A/6 of Mouje Rahatghar, Tal. & Dist. Ratnagiri.
2. The proposed construction of residential building comprises of Ground Floor + 4 upper floors. Shops are proposed at Ground floor and upper 4 floors proposed for residential purpose.
3. As per the part plan of revised Development Plan of Ratnagiri, the plot under reference is in residential zone.
4. As per the approved CZMP of Ratnagiri, the plot falls in CRZ II and situated on landward side of existing road prior to 1991.
5. The total area of plot is 16120.00sqm
6. Area Details:

As per the layout plan submitted by the project proponent;

Sr. No.	Survey No.	Hissa No.	C.T.S No.	Area in Sqm
1	29	13A	1040A/1	683
2		13B	1040A/2	480
3		13C	1040A/3	1427
4		14A	1040A/4	115

5	37	14B	1040A/5	134	
6		14C	1040A/6	381	
7		7	975/12	510	
8		3A	975/6	2290	
9		3B	975/7	1086	
10		3C	975/8	374	
11		3D	975/10	800	
12		5A	975/1	330	
13		5B	975/2	105	
14		5C	975/3	1319	
15		5D	975/4	460	
16		5E	975/5	897	
17		5F	975/9	499	
18		5P	975/11	60	
19		36	1A	974/1	131
20			1B	974/2	106
21			1C	974/3	355
22			1D	974/5	997
23	1E		974/6	931	
24	1F		974/7	740	
25	1P		974/4	180	
26	1G			730	
Total				16120.00	

7. FSI Details:

As per the layout plan submitted by the project proponent;

- Total Area of Plot – 16120.00sqm
- Less area under internal road – 1715.00sqm
- Less area under D.P Road – 2996.00sqm
- Net plot area – 11409.00sqm
- Permissible FSI – 1.00 (for more than one building)
- Permissible FSI – 0.75 (for group housing project)
- Consumed FSI – 0.81
- Total proposed BUA - 13200.73sqm

8. Details of proposed construction:

Sr. No.	Plot Type	Plot area in sqm	Total proposed construction BUA in sqm (As per layout submitted by proponent)
974/1 + 975/1	A	461	627.56
974/3 + 975/3	B	3964	5354.94

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+ 975/6			
974/5 + 975/5	C	1894	2649.93
974/7 975/10 975/11 975/12 + 1040 A/6	D1	2491	657.78
	D2		202.50
	+ Bunglow		202.50
	+ D3		
	+ Bunglow		1279.07
1040 A/3	E	1427	1708.85
975/8 + 1040 A/4	F	489	517.60
1040 A/1	Area under reservation	683	
Total		11409	13200.73

9. With reference to the above information, the MCZMA vide its letter dated 01.10.2013 sought information on certain points from the Chief Officer, Ratnagiri Municipal Council in the subject matter. Accordingly, the Chief Officer, Ratnagiri Municipal Council, forwarded their reply vide letter dated 05.10.2013 on points raised by MCZMA.

10. Reply dated 05.10.2013 of the Chief Officer; Ratnagiri Municipal Council on point raised by MCZMA is follows:

- Zoning in Development Plan / regional plan existing & in force as on 19.02.1991

As per the Development Plan / regional plan existing on 19.02.1991, the plot under reference is falls in residential zone.

- Permissible FSI as on 19.02.1991

As per Applicable Town & Country Planning Regulation (T & CPR) existing on 1991, permissible FSI is 1.00 for the single building but for the group housing projects, permissible FSI is 0.75.

In the development plan, the total plot area of the subjected proposal is adjacent to the 6m, 18m and 24m D P road hence, the plot is divided as A, B, C, D, E & F. The subjected plot area is less than 40 Guntha and on plot A, B, C, E & F single building is proposed hence, the permissible FSI is 1.00. and on the plot D, four buildings are proposed such as D1, D2, D3 & D4 therefore, the permissible FSI is 0.75

- Permissibility of the commercial use is needs to be ascertained.

In the development plan, the total plot area of the subjected proposal is adjacent to the 6m, 18m and 24m D P road. As per appendix G (bye -

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law N/ 20.1) of B & C class regulations, the shops at ground floor are permissible where, the plots i.e. B C & D adjacent to road (width more than 12m)

- From the Ratnagiri Municipal Council's (RMC) letter dated 04.07.2013, it is noted that proposal involves consideration of additional FSI. The RMC should be verify and mention about it.

In the said proposal the total plot area is 16120sqm out of that 4711sqm area is affected by D P road.

As per clause no. 19.3.1 of applicable T & CPR on 1991, the Chief Officer has powers to allow to 40% of area affected from the DP road on remaining net plot area.

Limit of floors is up to stilt, ground + 2 upper floors for the height up to 12.00m. However, Dy. Director, Town Planning Konkan Bhavan have the power to relax norms by allowing stilt, ground + 3 upper floors with height up to 15m.

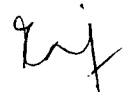
As per applicable Town & Country Planning Regulation (T & CPR) on 1991, permissible FSI is 1.00 for the single building but for the group housing projects, permissible FSI is 0.75.

Single building is proposed on plot A, B, C, E & F. wherein, permissible FSI is 1.00 and on the plot D, four buildings are proposed such as D1, D2, D3 & D4 wherein, the permissible FSI is 0.75. Permissible BUA is 10103.25sqm for net plot area.

Ground + 1st floor and Stilt + 4 upper floors with maximum height of 14.95m buildings are proposed at A, B, C, D1, D2, D3, D4, E & F by consuming 1791.73sqm area out of 47011sqm area of D P road.

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

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.



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

Item No 33: Construction of building bearing S. No. 112/6, CTS No. 899 area 591.53 at Murud Tal. Murud, Dist. Raigad

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Murud - Janjira Municipal Council has forwarded the Proposed redevelopment for "residential cum commercial" building of on plot bearing S. No. 112/6, C.S. No. 891, Village Murud, Tal. Murud. Dist. Raigad.
2. The proposed redevelopment of residential building comprising of Ground + 3 upper floors for residential cum commercial use.
3. As per the sanctioned Development Plan of Murud - Janjira, the plot under reference is in residential zone.
4. As per the approved CZMP of Murud - Janjira, the plot under reference falls in CRZ II and situated on landward side of existing road.
5. The total area of plot is 1050.00sqmt
6. FSI Details:

As per the layout submitted by the project proponent,

- Total area of land - 1050.00sqm
 - Permissible FSI - 1.00
 - Deduction for area in green zone - 455.00sqm
 - Net area of plot - 595.00sqm
 - Total permissible floor area - 595.00sqm
 - Proposed residential floor area - 521.25sqm
 - Proposed commercial floor area - 70.28sqm
 - Total floor area - 591.53sqm
 - FSI proposed to be consumed - 0.99
7. With reference to the above information, the MCZMA vide its letter dated 30.09.2013 sought information on certain points from the Chief Officer, the Murud - Janjira Municipal Council in the subject matter. Accordingly, the Chief Officer, the Murud - Janjira Municipal Council, forwarded their reply vide letter dated 03.10.2013 on points raised by MCZMA.
 8. Point wise reply of the Chief Officer, the Murud - Janjira Municipal Council letter dated 03.10.2013 to MCZMA is follows:



- Whether the proposed construction is new construction on vacant plot or reconstruction of existing structure. If yes, the present use of the existing structure.
The proposed construction is reconstruction of existing structure. The present use of the existing structure is residential use.
- Authorized details of existing structure & its present use on land under reference.
Built up area of the existing ground floor is 237.20sqm + existing first floor is 237.20sqm. The total BUA is 474.4sqm.
- Permissibility of the commercial use is needs to be ascertained.
The site under reference is in commercial & establishment zone adjacent to road hence, commercial use is permissible.
- Google Image showing site under reference (colored map)
Google Image showing site under reference is attached herewith.

The Authority enquired the proponent about the 'present use' of the existing structure on site under reference. Proponent informed that the 'present use' of the existing structure is Residential with a small 'shop' use in it.

The Authority after deliberation decided to direct the project proponent to submit a letter regarding the present use of the existing structure along with proof of documents on site under reference from Murud Janjira Municipal Council and revert.

Item No 34: CRZ permission for land bearing S.No.46/46A CTS No.27 area 96.00 sq.m. at Mouje Alibag Tal Alibag, Dist. Raigad

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The Alibag Municipal Council has forwarded the proposal for the Residential House plot bearing S. No. 46/46A of shreebaug No. 1, Village Alibag, Dist. Raigad
2. The proposed construction is development of residential building comprises of Ground + 1st floor.
3. As per the Alibag Municipal Council letter dated 05.07.2013,
 - As per the Development Plan of Alibag Municipal Council, the plot under reference is in residential zone.
 - As per the approved CZMP of Alibag, the plot falls in CRZ II and situated on landward side of existing road

- The total area of plot is 100.00sqm

4. FSI Details,

As per the layout plan,

Total area of plot – 100.00sqm

Permissible FSI – 1.00

Permissible BUA per floor – 50.00sqm

Proposed BUA of ground floor – 48.00sqm

Proposed BUA of first floor – 48.00sqm

Total proposed built up floor – 96.00sqm

Consumed FSI – 0.96

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

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures.
3. 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.
4. The concerned Planning authority should ensure that FSI, lay out plan, height, use involved in the proposal is as per town and country planning regulations existing as on 19.2.1991.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 35: CRZ permission for storage of material / goods at mud land having area 1-06-00 Ha adjacent to Gut no. 66 of Maouje Sanegaon, Tal- Roha, Dist- Raigad by M/s. Indo Energy International Ltd

Project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The MoEF has accorded Environmental clearance vide letter dated 20.10.2005 for construction of jetty for unloading storage and transportation of staem coal,



- coke, steel scrap, lime stone and sulphur at Gut No. 52 to 66 of of Maouje Sanegaon, Tal- Roha, Dist- Raigad.
2. As per MoEF clearance dated 20.10.2005, a jetty has been constructed and coal has stored (Open Storage) on the land having Gut No. 52 to 66 of of Maouje Sanegaon, Tal- Roha, Dist- Raigad.
 3. Now, the proposal is for CRZ permission for storage of material / goods at mud land having area 1-06-00 Ha adjacent to Gut no. 66 of Maouje Sonegaon, Tal- Roha, Dist- Raigad
 4. As per remarks of Town Planning and Valuation Department, Raigad – Alibag vide letter dated 4.9.2008-
 - As per Raigad Regional Plan the land under reference falls in Agriculture use.
Installation and allied construction for Harbour is permissible. For the plot under reference Jetty use is permissible.
 - As per CRZ map the land under reference falls in CRZ-I area.
 5. As per remarks of Town Planning and Valuation Department, Raigad – Alibag vide letter dated 24.6.2011, the land under reference has no Survey Number
 6. M/s. Indo Energy International Ltd has submitted undertaking mentioning that Edible oil, fertilizers and food grain will be stored at mud land having area 1-06-00 Ha adjacent to Gut no. 66 of Maouje Sanegaon, Tal- Roha, Dist- Raigad,
 7. As per letter dated 14.10.2013 submitted by Project proponent-
 - As per map of demarcation of HTL, LTL, CRZ on site as Sanegaon, Roha, Maharashtra prepared by CESS, Thiruvanthapuram in 1:2000 scale (May 2004), the land under reference falls in Inter Tidal Zone (CRZ-I (ii)).
 - Google Image showing the site under reference has submitted.
 - Layout plan for construction of jetty at site approved by Collector Raigad has submitted.

The Authority deliberated the proposal and decided that MCZMA subcommittee shall make a site visit and verify the following issues-

1. Location and present status of site
2. CRZ status of site
3. Compliance of earlier approval granted by MoEF on Gut no. 66 of Mauje Sanegoan, which is adjoining to proposed site.
4. Impact on Environmental/ ecology due to present activities at site and surrounding areas

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MCGM Proposals

Item No 36: Redevelopment on plot bearing F.P.No. 723 TPS III Mahim G/N Ward, Wanjewadi, Mumbai

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. The proposal is for Redevelopment of existing structure as per Para 8.II. CRZ II(iii) of CRZ Notification, 2011, under DCR 1967 on plot bearing F.P.No. 723 TPS III Mahim G/N Wad, Wanjewadi, Mumbai
2. As per CZMP of Mumbai, approved by MoEF, the plot under reference falls in CRZ II and situated on landward side of existing Veer Savarkar Marg in existence prior to 19.2.1991
3. The MCGM letter dated 30.5.2013 mentions that the plot is in Residential Zone and not reserved for any reservation as per DP of 1967.
4. As per MCGM letter dated 30.5.2013, there exists one old ground storey structure on the plot. There is no assessment bill or approved plans are available for this structure. Old structure is proposed to demolish the existing structure. Hence; the plot can be treated as vacant plot
5. As per MCGM letter dated 30.5.2013, Proposed residential building comprises of stilt floor + 5th + 6th (pt) upper floors for residential use.
6. Area of the plot area per PR card – 193.15 Sqm
7. In the 78th meeting of the MCZMA, it was decided that the proposals for CRZ recommendations should come before the MCZMA only after obtaining the Intimation of Disapproval (IOD) by the Project Proponent from the Municipal Corporation of Greater Mumbai. Further, in 82nd meeting of MCZMA held on 10.6.2013 it was decided that “proposals should come before the MCZMA for CRZ recommendation only after obtaining IOD from the MCGM. MCZMA is considering the proposals. Authority decided that if the Authority feels the requirement of UDD’s remarks, the proposal would be sent to UDD for their remarks”_Accordingly, MCGM vide letter No. EB / 3872 / GN / A dated 15.10.2013 has issued IOD for the project.
8. FSI details

As per the lay out plan submitted along with IOD

- Area of plot – 193.15 Sqm
 - Permissible FSI-1.33
 - Permissible floor area - 256.89 Sqm
 - Proposed floor area – 256.70 Sqm
9. As mentioned in MCGM letter dated 30.5.2013, Staircase and lift areas area counted in FSI. Open spaces, height and all other norms are as per DCR 1967, as amended upto 1.2.1991.

The Authority enquired Project proponent about the present use of the existing structure on site under reference. Project proponent informed that existing structure on site under reference is of "Residential Use". Authority directed proponent to submit the documentary details confirming the present use of the existing structure is "Residential"

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to submission of confirmation of present use of the existing structure by proponent and strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. 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.
3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 37: Redevelopment of Residential Building on plot bearing C.S.No. 207 & 208(pt) of Worli Dn. Sasmira Marg, G South Ward, Worli, Mumbai

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. Municipal Corporation of Greater Mumbai vide letter dated 26.7.2013 has submitted a proposal for "Proposed redevelopment of Residential Building on plot bearing C.S.NO. 207 & 208 (pt) of Worli Division, Sasmira Marg, G South Ward, Worli, Mumbai" to MCZMA
2. Urban Development Department has accorded approval for the redevelopment scheme on the plot under reference & has accorded NoC from 1.33 FSI dated 5.8.2008, as the cost of less than Rs 5 Cr. The work is started as per previous CRZ clearance, and as the work is still ongoing and not completed, revised proposal is submitted.
3. As per the CZMP of Mumbai, the plot under reference falls in CRZ II and situated on landward side of existing Worli Sea face road and Sir Pochkanwala Road.

4. As per MCGM letter dated 26.7.2013, the plot under reference is in Residential Zone and not reserved for any public purpose except for road widening as per 1967 DP as well as sanctioned revised 1993 DP.
5. As per MCGM letter dated 26.7.2013,
 - There are two Ground level Chawl, existing prior to 1940, having total twenty nine tenant / occupants of Residential and Commercial uses on the plot, which are proposed to be demolished.
 - These chawls are owned by MCGM and this is the redevelopment of Municipal tenanted property is proposed by treating at par with cessed structures.
 - Area of plot as per PR card is 2085.07 Sqm, out of this area, 438,21 Sqm area falls under road setback for C.S. No. 207 and 208(pt) of Worli Division.
 - The Architect has submitted the copy of inspection extract of 1934 showing that the chawl existed on C.S. NO. 207 issued by the MCGM for confirmation and authenticity of the old existing authorized structure, in existence prior to 19.2.1991, while the C.S.NO. 208 is the vacant plot.
6. IOD was issued by the MCGM letter No. EB / 3307 / GS / A dated 4.1.2010. The MCGM letter dated 16.1.2013 mentions that, as per approved plan, building comprising of 2 wings, Wing A and Wing B. Wing A i.e. Rehab wing consists of Ground floor + service floor + 2nd to 7th upper floor having total height 22.50 mt and wing B i.e. sale wing consists of Basement + part stilt + part ground + 1st to 5th parking floor + 6th upper stilt + 1st to 11th upper floor with height 69.99 mt. Further IOD was revalidated upto 0.7.2011 and subsequently CC upto plinth for wing B I.e, Sale Wing is also issued on 13.8.2012
7. FSI Details

As per MCGM letter dated 26.7.2013,

 - Area of plot – 2085.07 Sqm.
 - Proposed built up area – 3503.35 Sqm.
 - Total construction area – 8070.00 Sqm.
 - Free of FSI area – 4344.91 Sqm.
8. As per MCGM letter dated 26.7.2013, FSI of 2.5 is proposed on the plot bearing C.S.NO. 207 having Municipal Chawl existing prior to 1940 by treating at par with cessed structures and 1.33 for plot bearing C.S. No. 208(pt), which is a vacant plot as per DCR 33(7) as amended upto 6.1.2011.
9. As the project is planned on two plots wherein one plot is vacant and another plot contains a chawl prior to 1940, FSI as well as all other benefits of 6th

January, 2011 are considered only for C.S. No. 207 on which old chawls exist. For other C. S. No. 208(pt), FSI of 1.33 is claimed and staircase and lift area is counted in FSI proportionately.

10. Proposed construction

The MCGM letter dated 26.7.2013 mentions that -

Wing A - Ground + 6 upper floors (total height of 21.5 mt) – Residential and Commercial use

Wing B - 2 level basements for car parking + 1st to 5th podium floors + 6th floor for refuse area, lift machine room, fitness centre + 7th 19th floor for Residential purpose with part refuse on 13th floor (total height of 69.25 mt) – Residential use

The land under reference is adjacent to Naval installation and NoC from Naval Authority is submitted.

11. Public Consultation Report

MPCB vide letter dated 6.6.2013 has forwarded a public hearing report. Public hearing was conducted on 2.7.2013. Proposed Environment measure area as follows-

- a. Roof rainwater harvesting system and solar water heating system is proposed
- b. Permeable paver blocks are proposed along with 1 recharge pits to increase the percolation of rain water into the soil rather than flowing to the drain.
- c. The domestic effluent generated in construction phase will be disposed off in existing MCGM sewer. Grey water generated during operation phase will be treated in the Grey water treatment plant. The treated water will be for non domestic purposes such as gardening, flushing etc.
- d. Storm water drains will be constructed for proposed facility as per the norms. The recharge pits and Rain water recharge pits will help to reduce runoff and reduce the load on external storm water drain.
- e. Noise / dust nuisance prevention by barricading site up to 5.0 meter height by GI sheets.

The Authority noted that the proposal has earlier CRZ NoC from the Urban Development Department in the year 2008. The work is started as per previous CRZ clearance, and as the work has started on site, the Authority observed that prior CRZ recommendation from MCZMA was mandatory as per MCZMA reconstitution order dated 4.1.2002, when UDD issued the CRZ NoC dated 5.8.2008.

After detailed discussion and deliberations, the Authority decided that this is a case of violation of CRZ Notification, 2011 and matter be referred to Environment Department



for further proceeding in accordance with Office Memorandum dated 12.12.2012 & 27.6.2013 issued by the MoEF, New Delhi.

Item No 38: Proposed residential building on plot bearing CTS No. 967 of village Juhu at Juhu Tara Road, Vile parle (W), Mumbai (Redevelopment proposal)

The project proponent presented the proposal before the Authority. The Authority noted the followings-

1. MCGM vide letter dated 27th August, 2013 has forwarded a proposal for "Proposed residential building on plot bearing CTS No. 967 of village Juhu at Juhu Tara Road, Vile Parle(W), Mumbai" to MCZMA. Reconstruction of existing structure as per para 8.II. CRZ II of CRZ Notification, 2011, under DCR 1967 by demolishing existing authorized structure.
2. Proposal for residential building comprising basement + stilt + 7 upper floors by demolishing the existing authorized structure on plot under reference. The proposal was recommended by MCZMA to MoEF on 19.12.2009. The Expert Appraisal Committee (EAC), New Delhi had recommended the proposal in their meeting on 29.1.2010. The clarification about authenticity of existing structure as per the discussion in committee meeting of MCZMA held on 29.4.2011 was also submitted. However, NoC from CRZ point of view has not yet been received so far. Now, the architect has submitted revised building plans on plot under reference.
3. As per MCGM letter dated 28.8.2013; the plot under reference is situated in Residential Zone and is not reserved for any public purpose as per DP of 1967 and sanctioned revised DP.
4. As per CZMP of Mumbai, the plot under reference falls in CRZ II. The plot is abutting 27.45 m wide Juhu Tara Road and is situated on seaward side of road.
5. MCGM vide letter dated 27th August, 2011 has mentioned that existing structure proposed to be demolished in plot under reference is assessed for Municipal taxes prior to 1961-62 which shows that structure is existing for more than 47 years. The copy of the approved plans and occupation certificate is not available with MCGM. The existing authorized structure was for residential user as per the N.A. order.
6. Residential building comprising of lower basement + upper basement + stilt +9 + 10 (pt) upper floors for residential use by demolishing the existing authorized structure. Height of the building is 44.80 Sqm above ground level.
7. MCGM vide letter dated No. CE / 9084 / WS / AK dated 1st August, 2013 has issued IOD for the project.
8. FSI details
As per lay out plan submitted by proponent-
 - Area of plot- 2247.40 Sqm.
 - Road Set back area- 47.13sqm.
 - Balance area of plot- 2200.27 Sqm.
 - Deduction of 15 % RG- (Balance area for FSI purpose)- 2132.00Sqm.

- Addition for setback area- 47.13
- Total area of plot- 2179.13 Sqm.
- FSI permissible & permissible floor area- 1.00 & 2179.13 Sqm.
- Total proposed built up area – 2176.35 Sqm.
- FSI consumed – 0.99

As per MCGM letter dated 27th August, 2013; Total construction area (FSI- 2176.35 Sqm + Non FSI- 3938.55 Sqm) = 6114.90 Sqm.

The Authority deliberated on the present use of the existing structure on site under reference. The Authority took note of letter dated 12th March, 1991 of Housing & Special assistance Dept which mentions that the property in question had a mixed use as 'Training cum residential' by the erstwhile owner Bharat Petroleum Corporation Limited. The property was there for the captive use of the BPCL, for its administrative officers and executives.

The Authority observed that planning Authority should ensure that there is no change of present use of the existing structure at the time of its reconstruction and accordingly, the MCGM should approve the building plans.

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Reconstruction of authorized building to be permitted subject with the existing Floor Space Index Norms and without change in present use.
3. The concerned Planning authority should ensure that the FSI, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No 39: Development of Multi Storied Public Parking lot on plot bearing C.S. No. 12 / 738 of Plot No. 14 of Malbar Hill Division, Tardeo, Main Road, 'D' Ward, Mumbai – Provision of D.C. Regulation 33 (24)

The Authority noted that the matter pertains to redevelopment of the existing building declared dilapidated prior to 6.1.2011 in accordance with DCR 33(24) which came into force on 20.10.2008. The Authority deliberated on the Applicability of DC reg No. 33(24) of DCR 1991 for Redevelopment projects located in CRZ II areas in Mumbai.

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It was noted that the matter pertains to applicability of provisions of DC Reg. No. 33(24) of DCR 1991, in redevelopment of the existing building declared 'dilapidated' prior to 6.1.2011

The Authority after deliberation decided to seek the opinion of Law and judiciary Department on the issue, as to whether combination of regulation 33(24) with regulation 33(6) & 33(7) in DCR 1991 can be permissible for projects falling under para 8.V.(C) of CRZ Notification, 2011(as amended time to time).

Item No. 40: Redevelopment of property on plot bearing CSA NO. 1557 of Girgoan Division building No. 67D, Harishchandra Goregoankar Marg, Gamdevi, Mumbai.

The Authority noted that the proposal has earlier CRZ NoC from the Urban Development Department in the year 2008. The work is started as per previous CRZ clearance, and as the work is still ongoing and not completed. The Authority observed that prior CRZ recommendation from MCZMA was mandatory as per MCZMA reconstitution order dated 4.1.2002, when UDD issued the CRZ NoC dated 5.8.2008 to the project.

After detailed discussion and deliberations, the Authority decided that this is a case of violation of CRZ Notification, 2011 and matter be referred to Environment Department for further proceeding in accordance with Office Memorandum dated 12.12.2012 & 27.6.2013 issued by the MoEF, New Delhi.

Item No. 41: WP No. 327 of 2013 Deepak Rao Vs The State of Maharashtra

The Authority noted that the Hon'ble High Court of Mumbai has passed an order dated 3rd November, 2012 in WP No. 327 of 2013 in Deepak Rao Vs The State of Maharashtra matter. The Hon'ble Court has directed the Maharashtra Coastal Zone Management Authority (MCZMA) to take decision expeditiously in accordance with law. The Writ petition is adjourned for 12 weeks.

The Authority deliberated the said court order and took it on record. After deliberation, the Authority decided that proponent should submit the CRZ map in 1:4000 scale demarcating HTL, LTL and CRZ areas prepared by one of the agencies authorized by MoEF, New Delhi. Further, it is decided that the issue of 'Bay' will be addressed on case to case basis as per the certification of MoEF authorized agency.

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