

**MINUTES OF THE 90TH MEETING OF MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY (MCZMA) ON 19TH APRIL, 2014**

Nineteenth meeting of the MCZMA was held under the Chairmanship of Principal Secretary (Environment), GoM on 19th April, 2014 at 11.00 am at Mantralaya, Mumbai. List of Members present in the meeting is enclosed as Annexure-I

Item No. 1: Confirmation of Minutes of the 89th Meeting of Maharashtra Coastal Zone Management Authority (MCZMA)

The 89th meeting of the MCZMA was held under the Chairmanship of Principal Secretary (Environment), GoM on 14th March, 2014 at 11.00 am at Mantralaya, Mumbai. As per the discussion held in the meeting, draft minutes were prepared and circulated to the members of MCZMA through email with a request to provide suggestions/ objections, if any. Expert member suggested some changes in draft minutes which were incorporated in the draft minutes appropriately. Amended draft minutes were confirmed with minor changes.

Item No.2: Review of District Coastal Zone Monitoring Committee- Mumbai Suburban District

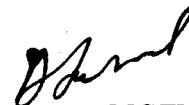
The matter was deferred, since the representative of DCZMC, Mumbai Suburban District was absent.

Item No. 3: Progress of preparation of CZMP as per CRZ Notification, 2011 (IRS, Chennai & CESS, Kerala)

Authority noted that, the State of Maharashtra has allocated the work of preparation of draft CZMPs in 1:4000 & 1:25000 scale as per CRZ Notification, 2011 to MoEF authorized agencies namely, Institute of Remote Sensing, Chennai and Centre for Earth Science & Studies, Kerala in the year 2011 & 2012.



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Member Secretary, MCZMA

IRS Chennai has submitted draft CZMPs in 1:4000 scale plans for Raigad and Ratnagiri Districts. CESS Kerala has submitted draft CZMPs in 1:4000 scale for Thane and Sindhudurg Districts & in 1:25000 scale for Mira-Bhayander Municipal Corporation. Both the MoEF authorized agencies informed that process of transferring draft CZMP 1:4000 scale to 1:25000 scale is in progress and once ready by appointed agencies has to be subjected for public consultation.


Authority after detailed discussion and deliberation decided as follows:

MCZMA will write to both the appointed agencies informing them that there is difference in colour coding indicated in draft CZMPs. Both the agencies shall ensure the uniformity in colour coding in draft CZMPs.

1. Finally MCZMA will ensure uniformity in color coding in draft CZMPs before sending them to MoEF for approval.
2. The draft CZMP of Mira Bhayander Municipal Corporation submitted by CESS, Kerala in 1:25000 scale to MCZMA was discussed. The authority decided that MCZMA will inform to the Municipal Commissioner, MBMC, who has given responsibility of preparing draft CZMP of MBMC to CESS, to first carry out consultation with concerned stake holders on draft CZMP, get them modified if there are evident errors and there after submit them along with their recommendations to the Environment Department (GoM). Then MCZMA will initiate steps through MPCB for public consultation in accordance with EIA Notification 2006. Then MCZMA after incorporation of corrections evident, if any, through the concerned Department / Body and the authorized agency, will submit the CZMPs to MoEF with recommendations for approval.

Item No.4: Honorarium of Expert Members of MCZMA

Authority noted that, the MoEF was requested to provide clarification on Honorarium to be paid for Expert Members of MCZMA as decided in the 84th meeting of MCZMA. MoEF vide letter dated 7th April, 2014 informed that-


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"It is informed that a sitting fee of Rs. 1000/- per day is provided to non-official members for attending meeting of NCZMA. Whereas an honorarium of Rs.3000/- per day is provided to non-official members for attending meeting of Expert Appraisal Committee which are normally of longer duration and runs for 2-3 days. MCZMA can decide the honorarium / sitting fee bases on the above."

Authority after deliberation decided that, sitting/visit fees of Rs. 3000/- per day will be provided to non official members of MCZMA henceforth.

Item No.5: Clarification on CRZ NOC for Occupancy Certificate for residential cum Commercial Development completed on Plot No. - 28, Sector - 15, CBD Belapur, Navi Mumbai for M/s. Sudradh Construction Pvt. Ltd

Applicant (M/s. Shivaji Patil & Associates) presented the matter mentioning that the CIDCO being the Planning Authority in 1994, has approved the Building Plan & Granted the Commencement Certificate for development on Plot No. - 28, Sector - 15, CBD Belapur, Navi Mumbai on 9.6.1994 and immediately construction was commenced at site. Urban Development Department (UDD) has informed vide letter dated 9.4.1997 to Navi Mumbai Municipal Corporation to Grant Commencement Certificate and Occupancy Certificate for developments on plots in Sector - 11 & Sector - 15 of CBD Belapur, Navi Mumbai. The CIDCO vide letter dated 23.12.2003 requested to Navi Mumbai Municipal Corporation (NMMC) to grant Commencement Certificate and Occupancy Certificate for developments on plots in Sector - 11 & Sector - 15 of CBD Belapur, Navi Mumbai in view of UDD letter dated 9.4.1997. The CIDCO vide letter dated 10.11.2005, granted the extension of time period upto 31.12.2006 to complete the construction work. The Construction has been completed as per plan approved by CIDCO vide Commencement Certificate dated 9.6.1994. Project Proponent has requested to NMMC vide letter dated 21.12.2006 for Occupancy Certificate. The Plot under reference falls in CRZ-II and landward side of the existing road.

Application for Occupancy Certificate is pending with NMMC for want of CRZ NOC. Project Proponent has requested clarification on CRZ NOC from MCZMA, since the


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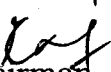
said project is completed as per Commencement Certificate issued by CIDCO on 9.6.1994 (i.e. Prior to 4.1.2002)

Authority noted that MoEF vide letter dated 27.9.1996 approved CZMP of Maharashtra. Further, MoEF vide its order dated 4.1.2002 empowered the MCZMA to examine the project proposed in CRZ area. NMMC mentions vide letter dated 28.6.2013 that, Construction on Plot No. - 28, Sector - 15, CBD Belapur, Navi Mumbai falls in CRZ-II and landward side of the existing road and CC issued on 9.6.1994. Urban Development Department (UDD) vide letter dated 9.4.1997 informed to Navi Mumbai Municipal Corporation to Grant Commencement Certificate and Occupancy Certificate for developments on plots in Sector - 11 & Sector - 15 of CBD Belapur, Navi Mumbai.

The Authority during the deliberations noted that commencement certificate (CC) was provided to the subject project by the concerned planning Authority on 9.6.1994 which predates the date of approval of CZMP of Maharashtra in 1996 as well as MCZMA's constitution order dated 4.1.2002, which empowered the MCZMA to examine the project in CRZ area. The Authority after detailed discussion and deliberations observed that CRZ Notification, 1991 was in force when the CC was granted in 9.6.1994 to the project and the concerned authorities at the State level were empowered to regulate the activities from CRZ point of view in CRZ areas as per provisions of CRZ Notification, 1991. In view of this the Authority after detailed discussion and deliberation decided that the matter need to be dealt by concerned planning Authority appropriately at their level.

Item No.6: Clarification on redevelopment of C.S. No. 579 at 29A, Nepean Sea Road, Malabar Hill Division, Mumbai

Applicant (M/s Group Satellite, Satellite Developers Ltd) presented the matter before Authority. Applicant mentioned that the subject plot is part of the National Textile Corporation's Integrated Development Scheme sanctioned under Regulation on 27th October 2004. The project has been accorded municipal approvals under


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Regulation 58 and other by laws of the 1991 DC Regulations from time to time. The project has received CRZ Clearance from MCZMA dated 7.7.2012 under the CRZ Notification of 6.1.2011 which clarified that under section 8(v)(c) of the said Notification the project fell within one of the exceptional categories for Greater Mumbai and therefore all provisions of DCR 1991 as amended till 6.1.2011 are applicable. The project proponent therefore proposes to acquire RG FSI from NTC under the relevant provisions of Regulation 58 since the project is a member of the NTC's Integrated Development Scheme.

Authority observed that Principal Secretary, UDD and Municipal Commissioner, MCGM who are the members of the Authority were not present for the meeting due to which the Authority could not get benefit of their expertise in the subject matter. Authority, therefore after detailed discussion and deliberation decided to write to UDD and MCGM with a request to provide clarification on applicability of DCR reg No. 58 of DCR 1991 to the subject proposal. If DCR reg No. 58 of DCR 1991 as on 06.1.2011 is applicable, Authority feels that max FSI cap can be made applicable as applicable in the case of 33(6), 33(7) DCR 1991 in CRZ area considering the general concept of the CRZ that, there should be reasonable cap on FSI in CRZ area. This regulated development will be advantageous to the overall integrity of the coast.

Item No.7: Clarification pertaining to reclassification matters of Dr. Rizvi

1. CTS No. 178 to 190 in village Bandra, Mumbai, Maharashtra.
2. CTS No. 220 to 229 in village Bandra, Mumbai, Maharashtra.
3. CTS Nos. A.449, A/350, A/351 in village Bandra, Mumbai, Maharashtra
4. CTS No. 1096 and 1097 in village Bandra, Mumbai, Maharashtra

The Authority noted that the subject proposals were deliberated in 73rd meeting of the MCZMA held on 30.12.2011 wherein, after deliberations decided that new reclassification proposals would not be considered henceforth, since the preparation of new CZMP is under process. However, the proposals which are already been


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discussed and in process at NCZMA/MoEF level, could be considered for further appropriate proceedings, in light of MoEF's letter dated 8th August, 2011. Authority decided not to accept the request of the proponent for reclassification of referred area.

Further, as already decided in the 84th meeting of the MCZMA, the Authority confirmed that reclassification proposals would be considered /addressed at the stage of public consultation to be carried out on draft CZMPs prepared under CRZ Notification, 2011.

-----Meeting ended with vote of thanks to the Chair-----

Annexure I

1. Dr. M.Baba, Expert Member, MCZMA
2. Dr. M. Shindikar, Expert Member, MCZMA
3. Dr. Baban Ingole, Expert Member, MCZMA
4. A.T.Fulmali, Member Secretary, MCZMA


Chairman, MCZMA


Member Secretary, MCZMA