

Minutes of the 159th (Day 5) meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 22nd July, 2022

MINUTES OF THE 159th MEETING (Day 5) OF MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY HELD ON 22nd July, 2022

The 159th meeting (Day 5) of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment). In view of pandemic situation of COVID-19, it was decided to appraise the proposals by using information technology facilities. Hence, the matters were appraised through VC technology on Cisco WebEx platform on 22nd July, 2022. List of members present in the meeting is at **Annexure-I**.

Item No.1: Proposed reconstruction of existing residential building on plot bearing S. No. 21/4/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Ashok Parshuram Padval

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal of reconstruction of existing residential building on survey No. 21/4/2, village Guhagar, Tal: Guhagar, District Ratnagiri.

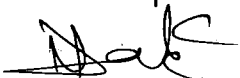
As per the report of the Guhagar Nagarpanchayat, there exist a ground + 1st floor structure for commercial purpose, constructed in the year 1999.

As per the approved CZMP showing the site submitted by the PP, the site falls in CRZ III area and situated within 0 to 200 m from the HTL of the seafront i.e. NDZ area.


The CO, Guhagar informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (18/2020) under Environment (Protection) Act, 1986 in Guhagar Court. Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (30/2020) in Guhagar Court.

The Authority noted that the plot is situated in NDZ area of the CRZ III and the matter is subjudiced in the Guhagar Court.

The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhagar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA.


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Item No.2: Proposed renovation of existing residential cum commercial building on plot bearing S. No. 17/3 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Madhav Raghunath Oak.

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for renovation / repairs of existing residential cum commercial building on survey No. 17/3, village Guhagar, Tal: Guhagar, District Ratnagiri

As per the approved CZMP showing the site submitted by the PP, the site falls in CRZ III area and situated partly within 0 to 200 m and partly within 200 m to 500 m from the HTL of the seafront.

The CO, Guhagar presented that there existed a ground floor residential structure prior to 1991 as per grampanchayat assessment record. At present, Gr + 1st floor structure constructed in the year 2002 for residential & commercial purpose exists on the site.

The Authority noted that the proposal is not clear whether the proposal is for reconstruction or repair. The MCZMA in its 159 (Day 4) meeting held on 28th June, 2022 has stipulated guidelines for submitting the proposals. The Guhagar Nagarpanchar may re-submit the proposal, taking into consideration the said guidelines. Accordingly, the matter is delisted from the records of the MCZMA.

Item No.3: Proposed renovation of existing residential cum commercial building on plot bearing S. No. 166/6 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Smt. Sunita Narayan Gadre & Ors

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal of renovation of existing residential construction and commercial building on Survey No. 166, village Guhagar, Tal: Guhagar, District Ratnagiri. The report also states that construction of Gr + 2nd floor on the site constructed in the year 2009.


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As per the approved CZMP showing the site submitted by the PP, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. beyond NDZ area.

The CO, Guhagar informed that construction of Gr + 2nd floor on the site constructed in the year 2009. Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (31/2020) in Guhagar Court.

The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhagar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA.

Item No. 4: Proposed reconstruction of residential building on plot bearing S. no. 52, H. no. 2, Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Ashutosh Arving Arekar

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is of reconstruction of existing structure on survey No. 52/2, village Guhagar, Tal: Guhagar, District Ratnagiri

As per the report of the Guhagar Nagarpanchayat, there existed a ground floor residential construction prior to 1991, as per grampanchayat assessment record. Reconstruction has been carried out in the year 2017. As per the Form I, it is residential (lodge) building.

As per the approved CZMP showing the site submitted by the PP, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. beyond NDZ area.

The CO, Guhagar informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (2/2021) under Environment (Protection) Act, 1986 in Guhagar Court. Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (23/2020) in Guhagar Court.


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The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhaghar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA.

Item No. 5: Proposed reconstruction of library building on plot bearing Gut No. 201, CTS no. 122, 123 at village Guhaghar, Tal. Guhagar, Dist. Ratnagiri by Dyansashmi Vachnalay

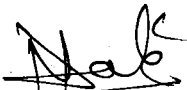
The Chief Officer, Guhaghar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhaghar Nagarpanchayat, the proposal is for reconstruction of existing structure for Library purpose on survey No. 201 village Guhaghar, Tal: Guhaghar, District Ratnagiri

As per the report of Guhaghar, the site falls in CRZ III area and situated partly within 0 to 200 m and partly within 200 to 500 m from the HTL of the seafront.

As per the report of the Guhaghar Nagarpanchayat, there existed a ground floor residential house prior to 1991. At present, on the site Ground + 1st floor structure as Library building has been constructed in the year 2019-2020.

The CO, Guhaghar informed that Ground + 1st floor structure as Library building has been constructed in the year 2019-2020 on the site.

The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stayed by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined. Accordingly, the Authority after deliberation decided to delist the current proposal from the records of MCZMA.



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Item No.6: Proposed renovation of existing commercial building on plot bearing S. no. 89/A, H. no. 13/4 at Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Shamkant Shantaram Khatu

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is of reconstruction of existing structure on survey No. 89/A/13/4 village Guhagar, Tal: Guhagar, District Ratnagiri

As per the approved CZMP showing the site submitted by the PP, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. NDZ area.

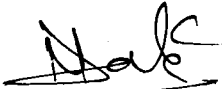
As per the report of the Guhagar Nagarpanchayat, there existed ground floor residential structure constructed in the year 1991, as per grampanchayat assessment record. At present, on the site, there is Ground + 2 floor commercial structure constructed in the year 2010.

The CO, Guhagar informed that, there is Ground + 2 floor commercial structure constructed in the year 2010. Pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (17/2020) under Environment (Protection) Act, 1986 in Guhagar Court. Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (12/2020) in Khed Court.

The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhagar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA.

Item No.7: Proposed construction of residential house on plot bearing 40/14/1 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Dasharath Krishnaji Arekar.

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of the existing residential house on survey no. 40/14/1, village Guhagar, Tal: Guhagar, District Ratnagiri


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As per Guahgar Nagarpanchayat, the site falls in CRZ III area and situated within 200 m from the HTL of the seafront i.e. NDZ area.

As per the report of the Guahghar Nagarpanchayat and submission of CO, Guahghar during the meeting, ground floor residential construction is carried out in the year 2016.

The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stayed by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined. Accordingly, the Authority after deliberation decided to delist the current proposal from the records of MCZMA.

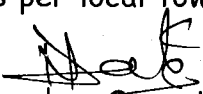
Item No.8: Proposed new construction of residential building on plot bearing S. no. 46 A, H. no. 6/6, C. S. no. 873 A at mauje Rahatghar, Tal. & Dist. Ratnagiri by Shri. Bipin Vishnu Shivalkar

The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority. The proposal is for construction of residential building (Stilt + Ground + 2 floors) on plot bearing S. no. 46 A, H. no. 6/6, C. S. no. 873 A at mauje Rahatghar, Tal. & Dist. Ratnagiri

The Authority noted that the plot falls in CRZ II area and situated on landward side of the existing road. Plot area is 284 Sqm, permissible FSI is 1.00.

The RMC has submitted its report dated 14.7.2022 in the matter as per which, the site falls in CRZ II and situated on landward side of existing road. Permissible FSI 1.00 is permissible as per DCR as on 1991. The report further states that site inspection was carried out and land is observed vacant.

The Authority noted that as per para 8.II. CRZ II. (ii) of the CRZ Notification, 2011, construction of building is permitted in CRZ II area on landward side and subject to FSI as per local town & Country planning regulations existing as on 19.2.1991. The Local body


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should strictly ensure that FSI of the proposed construction is within the limit of the local town & Country planning regulations existing as on 19.2.1991.

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

1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained.

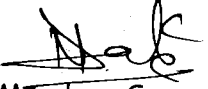
Item No.9: Proposed reconstruction on plot bearing S. no. 26/6, CTS no. 1144 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Sunil Khare.

The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat the proposal is for reconstruction of Residential building (Ground + 1st floor) on Survey No. 26/6, village Guhagar, Tal Guhagar, District Ratnagiri

As per the approved CZMP showing the site submitted by the PP, the site of construction falls in CRZ III area and situated within 0 to 200 m from the HTL of the seafront i.e. NDZ area.

The CO, Guhagar during the meeting stated that there existed a ground floor residential house prior to 1991, however, reconstruction of existing structure has been constructed (Ground +1st floor) in the year 2019.

The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities.


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The Authority further noted that at present, the said OM has been stated by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined. Accordingly, the Authority after deliberation decided to delist the current proposal from the records of MCZMA.

Item No.10: Proposed reconstruction of the existing residential and commercial building on plot bearing S. no. 209, CTS no. 353, 354, 355C at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Jaskaran Ghashiram Marda

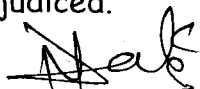
The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, reconstruction of existing residential and commercial structure on survey No. 209 village Guhagar, Tal: Guhagar, District Ratnagiri.

As per the report of the Guhagar Nagarpanchayat, there existed a ground floor residential house prior to 1991. At present, on the site Ground + 1st floor commercial structure has been constructed in the year 2020. Guhagar Nagarpanchayat has issued a Notice under MRTP Act, 1966 against the construction.

The Authority noted that as per the approved CZMP showing the site submitted by the PP, the site falls in CRZ III area and situated partly within 0 to 200 m from the HTL of the seafront i.e NDZ area and partly within 200 m to 500 m from HTL of seafront which is buildable area.

The CO, Guhagar during the meeting stated that commercial structure (Ground + 1st floor) has been constructed in the year 2020 and Guhagar Nagarpanchayat has issued a Notice under MRTP Act, 1966 against the construction.

The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stated by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced.


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If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined. Accordingly, the Authority after deliberation decided to delist the current proposal from the records of MCZMA.

Item No.11: Proposed extension of ground floor under Pantpradhan Awas Yojna on plot bearing S. no. 32 A, H. no. 9, CTS no. 917, village Rahatghar, Tal. & Dist. Ratnagiri by Shri. Nandkumar Shankar More & Other

The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority. The proposal is for extension of existing ground floor for Residential purpose under Pantpradhan Awas Yojna on plot bearing S. no. 32 A, H. no. 9, CTS no. 917, village Rahatghar, Tal. & Dist. Ratnagiri.

As per the buildings plans, plot area is 393sqm, existing BUA is 85.69 sqm and proposed built up area is 42.14 sqm, FSI consumed is 0.325

The RMC has submitted its report dated 14.7.2022 along with photographs in the matter as per which, the site falls in CRZ II and situated on landward side of existing road. It further states that existing structure exists since 1981 as per tax assessment survey of council. Proposed construction involves extension of ground floor. Permissible FSI 1.00 is permissible as per DCR as on 1991. During site visit, it is observed that proposed construction of extension is not started on the site.

The Authority noted that as per para 8.II. CRZ II. (ii) of the CRZ Notification, 2011, construction of building is permitted in CRZ II area on landward side and subject to FSI as per local town & Country planning regulations existing as on 19.2.1991. The Local body should strictly ensure that FSI of the proposed construction of extension of ground is within the limit of the local town & Country planning regulations existing as on 19.2.1991.

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

1. The Local Body to ensure that FSI for the proposed extension construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.


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3. All other required permission from different statutory authorities should be obtained

Item No.12: Proposed reconstruction of existing residential house under Pantpradhan Awas Yojna on plot bearing S. no. 65, H. no. 1, CTS no. 708 at village Killa, Tal. & Dist. Ratnagiri by Shri. Anant Nathuram Nagvekar

The project proponent could not connect for the meeting. Hence, the matter was deferred.

Item No.13: Proposed reconstruction of residential house under Pantpradhan Awas Yojna on plot bearing S. no. 20, H. no. 7, CTS no. 1828 A, 1828 B & 1828 C at village Rahatghar, Tal. & Dist. Ratnagiri by Shri. Ashok Sahadev Shivalkar.

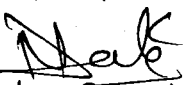
The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority.

The proposal is for reconstruction of residential house under Pantpradhan Awas Yojna on plot bearing S. no. 20, H. no. 7, CTS no. 1828 A, 1828 B & 1828 C at village Rahatghar, Tal. & Dist. Ratnagiri by demolishing existing old structure.

As per the remarks of the RMC, proposed residential construction involves Ground floor structure on the site under reference. As per the buildings plans, plot area is 880 sqm, proposed built up area is 80.92 sqm (FSI 0.145)

The RMC has submitted its report dated 14.7.2022 along with photographs in the matter as per which, the site falls in CRZ II and situated on landward side. The report further states that there is old existing structure on the site since 1947 as per tax assessment Survey extract of council. During site visit it is observed that proposed reconstruction is not started on the site.

The Authority noted that as per para 8.II. CRZ II. (iii) of the CRZ Notification, 2011, reconstruction of authorized building is permitted in CRZ II area on landward side and subject to FSI as per local town & Country planning regulations existing as on 19.2.1991. The Local body should strictly ensure that FSI of the proposed reconstruction is within the limit of the local town & Country planning regulations existing as on 19.2.1991.


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

1. The Local Body to ensure that FSI for the proposed reconstruction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained

Item No.14: Proposed reconstruction of residential house under Pantpradhan Awas Yojna on plot bearing S. no. 21, H. no. 5, CTS no. 1807/1, 1807 A & 1807 B at village Rahatghar, Tal. & Dist. Ratnagiri by Sou. Anita Arun Shivalkar.

The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority. The proposal is for reconstruction of residential building under Pantpradhan Awas Yojna on plot bearing S. no. 21, H. no. 5, CTS no. 1807/1, 1807 A & 1807 B at village Rahatghar, Tal. & Dist. Ratnagiri by demolishing part of existing structure. Proposed residential construction involves extension on existing part ground floor structure on the site under reference. As per the buildings plans, Plot area is 960 Sqm, proposed built up area is 105.00 Sqm (FSI 0.112)

The RMC has submitted its report dated 14.7.2022 along with photographs in the matter as per which, the site falls in CRZ II and situated on landward side. There is old existing structure on the site since 1947 as per tax assessment Survey extract of council. The report further states that during site visit it is observed that proposed extension work is not carried out on the site

The Authority noted that as per para 8.II. CRZ II. (ii) of the CRZ Notification, 2011, construction of building is permitted in CRZ II area on landward side and subject to FSI as per local town & Country planning regulations existing as on 19.2.1991. The Local body should strictly ensure that FSI of the proposed construction of extension of ground is within the limit of the local town & Country planning regulations existing as on 19.2.1991.


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

1. The Local Body to ensure that FSI for the proposed extension construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained

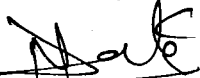
Item No.15: Proposed reconstruction of existing residential house under Pantpradhan Awas Yojna on plot bearing S. no. 21, H. no. 3, CTS no. 1801 A, 1801 B & 1801/1 at village Rahatghar, Tal. & Dist. Ratnagiri by Sou. Utkarsha Uday Patil & Others

The Chief Officer, Ratnagiri Municipal Council (RMC) and project proponent presented the proposal before the Authority. The proposal is for reconstruction of existing residential ground house under Pantpradhan Awas Yojna on plot bearing S. no. 21, H. no. 3, CTS no. 1801 A, 1801 B & 1801/1 at village Rahatghar, Tal. & Dist. Ratnagiri by demolishing the old structure.

Proposed residential construction involves Ground floor structure on the site under reference. As per the buildings plans, plot area is 2370 sqm, proposed built up area is 31.07 sqm (FSI 0.059)

The RMC has submitted its report dated 14.7.2022 along with photographs in the matter as per which, the site falls in CRZ II and situated on landward side. There is old existing structure on the site since 1947 as per tax assessment Survey extract of council. The report further states that during site visit it is observed that proposed reconstruction not carried on the site

The Authority noted that as per para 8.II. CRZ II. (iii) of the CRZ Notification, 2011, reconstruction of authorized building is permitted in CRZ II area on landward side and subject to FSI as per local town & Country planning regulations existing as on 19.2.1991. The Local body should strictly ensure that FSI of the proposed reconstruction is within the limit of the local town & Country planning regulations existing as on 19.2.1991.


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

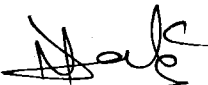
1. The Local Body to ensure that FSI for the proposed reconstruction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Local body to ensure that plinth of proposed structure should not exceed on seaward side.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
4. All other required permission from different statutory authorities should be obtained

Item No.16: Proposed reconstruction of old house for residential use on plot bearing S.No. 17B, Hissa No. 2+3+5+6B+7/2, Mauje Adi, Shirgaon, Tal & Dist. Ratnagiri by Smt. Ujwala Purushottam Bhatt

The project proponent presented the proposal before the Authority. The Sub Divisional Office, Ratnagiri forwarded the proposal for reconstruction of old Ground floor house on plot bearing S. No. 17B, Hissa No. 2+3+5+6B+7/2, Mauje Adi, Shirgaon, Tal & Dist. Ratnagiri, by demolishing old structure. Proposed residential structure comprises Ground + 1st floor on the site under reference.

As per the remarks of the Sub Divisional Office, the plot falls party within CRZ III 0-100m (NDZ) from the Creek. The Authority asked the authorization details from the project proponent. However, the PP could not submit the required details. The Authority noted that the report of the SDO, Ratnagiri is required in the matter about the authorization of the existing structure

Accordingly, the proposal was deferred for want of the report from the SDO, Ratnagiri pertaining to authorization of the existing structure


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Item No.17: Proposed construction of residential building on plot bearing S.No. 196/5, CTS No. 137, 138 & 139 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Mohan Vasant Bhawe

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential ground floor house on survey no. 196/5, CTS No. 137, 138 and 139, village Guhagar, Tal: Guhagar, District Ratnagiri.

As per the report of Guhagar Nagarpanchayat, there exists a ground floor house which is prior to 1991, as per assessment record of Grampanchayat. Reconstruction of the old existing structure is proposed by demolishing the same.

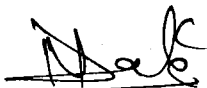
Proposed residential structure comprises of Ground + 1st floor on the site. As per plans submitted, plot area is 2500.00 Sqm, proposed built up area is 232.24 Sqm (FSI 0.05)

As per the remarks of Guhagar Nagarpanchayat, the site of construction falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. beyond NDZ area.

The CO, Guhagar during the meeting informed that the PP is local inhabitant and reconstruction of the existing structure (Gr floor existed prior to 1991) is proposed, within 200 m to 500 m from the seafront in CRZ III area. He further informed that structure is old and in dilapidated condition and reconstruction work on site is not started on the site. Proposed constructor comprises of Gr + 1st floor on the site. The Guhagar Nagarpanchayat submitted its report 29.7.2022 stating the same.

The Authority noted that as per para 8.III. CRZ III. B. vii) of the CRZ Notification, 2011:

construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);



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After deliberations, the Authority decided to recommend the proposal from CRZ point of view to Planning Authority with subject to following conditions:

1. PP should ensure that proposed reconstruction is as per provisions of CRZ Notification, 2011 (amended time to time).
2. Nagar Panchayat should ensure that the PP is local inhabitant
3. Local body to ensure that reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor) for residential purpose only.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
5. All other required permissions should be obtained before the commencement of the project.

Item No.18: Proposed expansion of existing residential building on plot bearing S. No. 162/A/1/59/1 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Dattatray Parshuram Gurav

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction and extension of the existing residential construction on survey No. 162A/1//59/1 village Guhagar, Tal: Guhagar, District Ratnagiri

As per the report of Guhagar Nagarpanchayat, there existed a ground + 1st floor residential construction prior to 1991, as per assessment record of Grampanchayat. Reconstruction and extension of the same is proposed. As per plans submitted, plot area is 468.00 Sqm, proposed built up area is 249.45 Sqm (0.70 FSI)

As per the remarks of Guhagar Nagarpanchayat, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. beyond NDZ area

As per the site photographs, ground + 1st floor structure exists on the site. The Authority asked the PP and CO, Guhagar whether the reconstruction of the said structure is proposed. The PP informed that there is open space in front of existing structure wherein construction is proposed.


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The Authority noted that the proposal is not clear, whether it involves reconstruction or new construction on vacant land. After deliberation, the Authority decided that the Guhagar Nagarpanchayat needs to submit the clear proposal in accordance with provisions of the CRZ Notification, 2011 read along with guidelines prescribed in the minutes of 158th meeting (Day 4) held on 18th June, 2022. Accordingly, the current proposal is delisted from the records of the MCZMA

Item No.19: Proposed construction of residential building on plot bearing S. no. 162/A/3/8 of Village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Gajanan Salvi

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for Residential house (Gr + 1st floor) on Survey no. 162/A/3/8, village Guhagar, Tal: Guhagar, District Ratnagiri. As per plans submitted, plot area is 287.00 Sqm, permissible FSI 1.00, proposed built up area is 158.983 Sqm

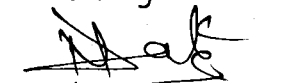
As per the remarks of Guhagar Nagarpanchayat, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. beyond NDZ area

The Authority noted that as per para 8.III. CRZ III. B. vii) of the CRZ Notification, 2011: Construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);

During the meeting, CO Guhagar stated that the PP is local inhabitant and new construction is proposed on vacant land which falls in CRZ III area and situated within 200 m to 500 m from the seafront. The Guhagar Nagarpanchayat submitted its report 29.7.2022 stating the same.

After deliberations, the Authority decided to recommend the proposal from CRZ point of view to Planning Authority with subject to following conditions:

1. PP should ensure that proposed construction is as per provisions of CRZ Notification, 2011 (amended time to time).
2. Nagar Panchayat should ensure that the PP is local inhabitant


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3. Local body to ensure that construction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor) for residential purpose only.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
5. All other required permissions should be obtained before the commencement of the project.

Item No.20: Proposed reconstruction of residential building on plot bearing S. no. 94/7 of mauje Varch Pat tarfe Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Milind Dikshit

The Chief Officer, Guhagar Nagarpanchayat and project proponent presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for Residential building (Gr + 1st floor) on Survey no. 94/7, village Guhagar, Tal: Guhagar, District Ratnagiri.

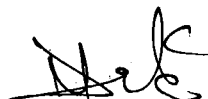
As per the report of Guhagar Nagarpanchayat, there exists a ground floor house which is prior to 1991, as per assessment record of Grampanchayat. Reconstruction of the old existing structure is proposed by demolishing the same.

As per plans submitted, plot area is 3570.00 Sqm, permissible FSI 1.00, proposed built up area is 731.89 Sqm (0.2 FSI)

As per the remarks of Guhagar Nagarpanchayat, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. just beyond NDZ area

The Authority noted that as per para 8.III. CRZ III. B. vii) of the CRZ Notification, 2011:

construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);


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The CO, Guhaghar during the meeting informed that the PP is local inhabitant and reconstruction of the existing structure (Gr floor existed prior to 1991) is proposed, within 200 m to 500 m from the seafront in CRZ III area. He further informed that reconstruction work on site is not started on the site. Proposed constructor comprises of Gr + 1st floor on the site. The Guhaghar Nagarpanchayat submitted its report 29.7.2022 stating the same.

After deliberations, the Authority decided to recommend the proposal from CRZ point of view to Planning Authority with subject to following conditions:

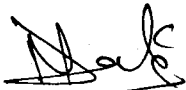
1. PP should ensure that proposed reconstruction is as per provisions of CRZ Notification, 2011 (amended time to time).
2. Nagar Panchayat should ensure that the PP is local inhabitant
3. Local body to ensure that reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor) for residential purpose only.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
5. All other required permissions should be obtained before the commencement of the project.

Item No.21: Proposed new residential construction on survey no. 89/2 village Guhaghar, Tal: Guhaghar, District Ratnagiri by Mr. Shankar Sohani

The Chief officer, Guhaghar Nagarpanchayat presented the proposal before the Authority. As per Guhaghar Nagarpanchayat, the proposal is for new residential construction (Ground floor) on survey no. 89/2 village Guhaghar, Tal: Guhaghar, District Ratnagir. As per plans submitted, plot area is 2480.00 Sqm, proposed built up area is 120.86 Sqm (FSI 0.126)

As per the remarks of Guhaghar Nagarpanchayat, the site falls in CRZ III area and situated within partly within 0 to 200 m and partly within 200 to 500 m from the HTL of the seafront.

The Authority asked the CO, Guhaghar whether the construction is also proposed within 0 to 200 m i.e. NDZ area. CO, Guhaghar stated that this need to be examined and verified and accordingly, a report would be submitted clarifying the same. Accordingly,



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the Authority after deliberation decided to defer the proposal for want of the above said report from the Guhaghar Nagarpanchayat

Item No.22: Proposed repairs / alteration of existing Masjid & Madrasa building at S. No. 81 (pt) mouje Bhatye Tal. & Dist Ratnagiri by Jumma Masjid Trust

The Project proponent and SDO, Ratnagiri were absent for the meeting. Hence, the matter was deferred.

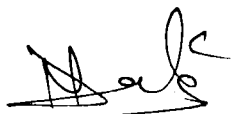
Item No.23: Proposed construction of polyclinic cum residential building at S. No. 147/16/2/B, Village Guhagar, Tal. Guhagar, Dist Ratnagiri by Smt Kavita D Kadam & Smt Sangita A Haldankar

The Chief Officer, Guhaghar presented that the proposal submitted by the Guhaghar Nagarpanchayat is for residential cum Polyclinic construction on Survey no. 147/16/2/B, village Guhaghar, Tal: Guhaghar, District Ratnagiri. As per plans submitted, plot area is 622.00 Sqm, proposed FSI 0.64, Built up area is 412.96 Sqm

As per the remarks of Guhaghar Nagarpanchayat, the site falls in CRZ III area and situated within 200 to 500 m from the HTL of the seafront i.e. beyond NDZ area

The Chief Officer, Guhaghar during the meeting informed that proposed construction does not involve construction of polyclinic and PP has proposed office of social work activities. The Authority observed that the proposal submitted is not clear with respect to proposed activities.

After deliberation, the Authority decided that Guhaghar Nagarpanchayat need to submit the revised proposal in accordance with provisions of the CRZ Notification, 2011 read along with guidelines prescribed in the minutes of 158th meeting (Day 4) held on 18th June, 2022. The CO, Guhaghar agreed for the same. Accordingly, the current proposal is delisted from the records of the MCZMA.



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Item No.24: Proposed construction of Temporary Pre-fabricate structure, Home Stay & zip line AV Adventures on plot bearing S. no. 268/2, 268/3 village Kotawade, Tal. & Dist. Ratnagiri by Shri. Dinesh Mohanlal Jain

The project proponent was absent for the meeting. The Authority noted that the proposal is for construction of temporary Pre-fabricate structure, Home Stay and Adventure Activities like Zip Line on plot bearing S. no. 268/2, 268/3 village Kotawade, Tal. & Dist. Ratnagiri. The plot is vacant. As per the remarks of the Sub Divisional Office, the plot falls party within CRZ III 0-100m (NDZ) from the Creek.

As per the remarks of the Sub Divisional Office, the plot falls party within CRZ III 0-100m (NDZ) from the Creek i.e. NDZ area. Proposed activities such as Home stay, restaurant & adventure activities) in NDZ area is not permissible as per the CRZ Notification, 2011. Accordingly, the proposal is rejected from CRZ point of view as per CRZ Notification, 2011.

Item No.25: Proposed reconstruction existing residential house on plot bearing Survey no. 4/7/2, C. S. No. 724, 724/1 at mauje Peth Killa, (Kuranwadi) Tal. & Dist. Ratnagiri by Shri. Dnyaneshwar Pandurang Kadav

The Chief Officer, Ratnagiri Municipal Council and Project proponent presented the proposal before the Authority. The proposal is for reconstruction old ground floor house on plot bearing Survey no. 4/7/2, C. S. No. 724, 724/1 at mauje Peth Killa, (Kuranwadi) Tal. & Dist. Ratnagiri by demolishing the same.

Proposed structure comprises of Ground Floor on the site under reference. As per the buildings plans, plot area is 800sqm, proposed built up area is 124.47sqm (FSI 0.17)

The RMC has submitted its report dated 14.7.2022 along with photographs in the matter as per which, the site falls in CRZ II and situated on landward side. There is old existing structure on the site prior to 1991 as per tax assessment Survey extract of council. The report further states that during site visit it is observed that proposed reconstruction work is not started on the site


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The Authority noted that as per para 8.II. CRZ II. (iii) of the CRZ Notification, 2011, reconstruction of authorized building is permitted in CRZ II area on landward side and subject to FSI as per local town & Country planning regulations existing as on 19.2.1991. The Local body should strictly ensure that FSI of the proposed reconstruction is within the limit of the local town & Country planning regulations existing as on 19.2.1991.

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

1. The Local Body to ensure that FSI for the proposed reconstruction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained

Item No.26: Proposed construction of ramp and development of port infrastructure facility at Sector 11, Belapur, Navi Mumbai by MMB

The Chief Engineer, Maharashtra Maritime Board (MMB) presented the proposal before the Authority. The project is for construction of Ramp and development of port infrastructure facility in Sector 11, Belapur, Navi Mumbai. Proposed activities involves Ramp, Parking space for hovercraft, waiting rooms & security cabin, Porta, Cabin, Whart, Compound wall.

As per approved CZMP of 2011, the proposed project location falls in CRZ IA (50 m mangrove buffer), CRZ II and CRZ IVB.

The CE, MMB during the meeting informed that the plan of the proposal is revised considering the existence of 50 m mangrove buffer zone area.

The Expert Member, MCZMA presented that site is adjacent to mangrove vegetation and there is small creeklet which has saline ingression. Expert Member raised a concern about the impact of the construction of wall near the creeklet. He suggested that MMB should take into consideration while revising the plan of the proposal.


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The Authority after deliberation decided that the MMB need to submit the revised proposal with revised EIA report. Accordingly, the present proposal is delisted from the records of the MCZMA.

Item No.27: Proposed reconstruction of dispensary & generic medicine pharmacy on plot bearing CTS No. 1163(pt) of Bandra C village located at Sherly Mala Road, Bandra (W) in H/W ward Mumbai by MCGM

The Municipal Architect, MCGM presented the proposal before the Authority. The proposal is for reconstruction of dispensary & generic medicine pharmacy on plot bearing CTS No. 1163(pt) of Bandra C village located at Sherly Mala Road, Bandra (W) in H/W ward Mumbai.

The Authority noted that the MCZMA in its 154th meeting held on 15th April, 2021 deliberated the proposal of redevelopment of Sherly Rajan Dispensary on plot under reference and decided to recommend the proposal under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to certain conditions. MCGM submitted a letter requesting cancellation of earlier proposal.

Now, the MCGM has submitted the proposal as per CRZ Notification, 2019. The proposal is for demolition and reconstruction of Sherly Rajan Dispensary. There existed a dilapidated dispensary building on the site which has been demolished. The work has not commented on the site as on date.

The proposed construction involves Building comprising of Ground + 2 floors with total height 11.85 meter upto terrace level as per DCPR 2034. As per DP-1991, plot is reserved for Municipal Dispensary. As per DP 2034, the plot under reference is reserved for Hospital as a part of larger reservation and situated in residential zone. Plot area under consideration is 167.55sqm, permissible Zonal FSI- 1.00 and additional FSI for Municipal Dispensary is 2.00, Total built up area is 130.60 sqm.

As per approved CZMP of 2019 the plot under reference falls in CRZ-II area and landward side of existing road.


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The Authority noted that considering the site as in CRZ II area, reconstruction of authorized building could be permissible subject to FSI of the town country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. MCGM should strictly ensure that the proposed reconstruction is within the limit of permissible FSI as per DCR as on 18th January, 2019.

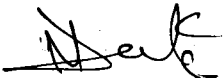
After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

1. Proposed redevelopment should be in accordance with provision of the CRZ Notification, 2019.
2. MCGM should strictly ensure that the proposed reconstruction is within the limit of permissible FSI as per DCR as on 18th January, 2019. before issuing commencement certificate to the project.
3. MCGM to ensure that the Solid Wastes are handled as per Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.
4. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
5. All other required permission from different statutory authorities should be obtained.

Item No.28: Proposed development of Shivrushti near Ghodbundar Fort in MBMC area, by MBMC

The project proponent presented the proposal before the Authority. The proposal is for development of Shivrusti near Ghodbunder Fort in Mira Bhayander Municipal Corporation (MBMC). The proposal involves construction of the Theme Park based on Shivaji Maharaj's life and it includes replica of Lohgad Fort, Panhala Fort, Shivneri Fort, Pratapgad fort, Sindhdurg fort, Vijaydurg and Entrance gate of typical Maratha Architecture.

The PP has submitted the CRZ map (1:4000 scale) superimposing the project site, as per which, the project site falls partly in CRZ IA (50 m mangrove buffer zone area), CRZ IA, CRZ IB, CRZ II, CRZ IV B with remaining area is situated outside CRZ area.


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The Authority noted that the EIA presented by the consultant is very generic in nature lacking crucial & obvious details such as impact of the proposed activities on mangroves and other biodiversity. The Expert Member observed that EIA presented is underestimated about the biodiversity and even the most obvious features such mangroves were not reported in the EIA represented by the PP. The Authority directed PP to submit the detailed project report along with detailed EIA report covering the details of the biodiversity present around the project site and impact of the proposed activities on the biodiversity along with mitigation measures & environment management plan. Accordingly, the matter was deferred for submission of the compliance by the PP as stated above

Item No.29: Proposed Storm Water Drain System at Balasaheb Thackeray Rashtriya Smarak on plot bearing C. S. No. 501, 502 (pt) and 1495 of Mahim Division, G/N ward, Mumbai by MCGM

The Officials from the Municipal Corporation of Greater Mumbai (MCGM) presented the proposal before the Authority. The proposal is for construction of Storm Water Drain System at Balasaheb Thackeray Rashtriya Smarak on plot bearing C.S. No. 501, 502(pt) and 1495 of Mahim Division, Mumbai in G/N Ward Mumbai. Earlier, the proposal of Balasaheb Thackeray Rashtriya Smarak has received CRZ recommendation from the MCZMA. Now, MCGM has proposed additional work of improvement of storm water drainage system by construction storm drain water tanks along with pumping arrangement and storm water drains along periphery of plot is proposed as this site is abutting to Arabian Sea. Part of this SWD arrangement is in CRZ-II (Within 50m) and remaining in Non CRZ area. This will act as flood mitigation/control measure and will act as holding pond in case of heavy precipitation and runoff and no flooding will occur on the plot and excess surface water will be stored in this tank temporarily and will be discharged to sea during low tide by gravity as well as by pumping if required.

The necessary arrangements for submersible pumps have been made within this tank (capacity 1,000 Lit/Min discharge). This tank is fitted with Non return valves, so that at no point sea water will ingress this tank.

The Authority noted that as per para 5 of the CRZ Notification, 2019 storm water is permissible activity and as per para 7 of the CRZ Notification, 2019, activities falling in CRZ II area shall be considered by the concerned CZMA.


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In the light of above, the Authority after deliberation decided to recommend the proposal to concern planning authority subject to compliance of following conditions:

1. Proposed activities should be in accordance with provision of the CRZ Notification, 2019.
2. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
3. All other required permission from different statutory authorities should be obtained.

Item No.30: Regarding calling attention no. 105 with respect to mangrove destruction and CRZ violations by construction of toilets in CRZ area at MBMC.

The Authority noted that in earlier 158th (Day 4) meeting of the MCZMA held on 25th May, 2022, matter of construction of public toilets in Mira Bhayander Municipal Corporation (MBMC) was deliberated, considering the report of the APCCF, mangroves and CRZ status as per approved CZMP, 2011. As per decision taken in the said meeting, the matter was forwarded to District Coastal Zone Monitoring Committee (DCMZC), Thane for further appropriate action by following due process of law.

The Authority noted that the District Collector, Thane vide letter dated 4.7.2022 submitted its report referring the matter with a request for guidance in the matter. From the report, it is noted that the matter was deliberated in the 7th meeting of the DCZMC, Thane held on 4.7.2022.

The issues mentioned in the said report of the District Collector, Thane are as follows:

1. The Nirmal MMR scheme was implemented in Mira Bhayander Municipal Corporation for construction of community toilet and urinals, reconstruction of existing dilapidated community toilets/ urinals and the low cost scheme of construction of personal toilets was implemented.
2. Under the Nirmal MMR scheme, the organization 'Yuvak Pratisthan' was appointed for the said work. The said organization has done the construction of toilets in Mira Bhayander area
3. As per Mahasabha resolution No. 28, the responsibility of land allotment, electric and water supply was fixed on Mira Bhayander Municipal Corporation. Accordingly, work order was issued to Yuvak Pratishan in the year 2008 for construction at 16 locations and the said organization has completed the work in December, 2009.


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4. CRZ Notification, 2011 has published on 6th January, 2011 and the said work has been completed in the year 2009 i.e. prior to CRZ Notification, 2011.

The Authority noted that the District Collector, Thane has sought guidance regarding the applicability of the CRZ Notification, 2011 for the said constructions carried out prior to 2011 and whether the above said organization could be held responsible for the said work. The Authority further noted that the MCZMA is in receipt of various representations from Dr. Kirit Somiyya in the matter.

The Authority noted that they are now in receipt of letter dated 4.7.2022 of District Collector, Thane (Chairman, DCZMC, Thane). The Authority further noted above mentioned points 1 to 4 of said letter of District Collector, Thane. It was brought to the notice of the Authority that the scheme of reconstruction of existing dilapidated community toilets/ urinals and the low cost scheme of construction of community toilets was implemented under the Nirmal MMR scheme. The responsibility of land allotment, electric and water supply was with Mira Bhayander Municipal Corporation. The said work of public toilets was completed in December, 2009.

The Authority noted that the District Collector, Thane has sought guidance regarding the applicability of the CRZ Notification, 2011 for the said constructions carried out prior to 2011. The Authority deliberated the applicability of the CRZ Notification, 2011 in the matter and noted that the provision of the CRZ Notification, 2011 would not apply in the matter, since work was carried out in the year 2009 i.e. prior to inception of the CRZ Notification, 2011.

The Authority further noted that as per report of District Collector, Thane (Chairman, DCZMC, Thane), that said work of community toilets was undertaken under Nirmal MMR scheme, considering their old dilapidated conditions under the responsibility of the Planning Authority i.e. Mira Bhayander Municipal Corporation (MBMC). The Authority is of the opinion that as work order was issued by Planning Authority i.e. MBMC, the necessary due diligence needed to be done by MBMC, prior to issuance of work order. The Authority felt that report to be called from the MBMC in the matter, seeking details of the matter such as year of original construction, various approvals obtained for the construction etc. Accordingly, the Authority after deliberation decided to defer the matter for want of above said report from the MBMC.


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Item No.31: Regarding illegal construction of resort and road in CRZ/ESZ at Sea shore of Murud, Tal. Dapoli, Dist. Ratnagiri

The Authority noted that the MoEF&CC, New Delhi on 31.1.2022 has issued Directions under Section 5 of the E(P) Act, 1986 directing Sai Resort and Sea conch Resort, as per which, "The Unauthorized structure built at Survey No. 446, sea shore of Murud, Tehsil Dapoli, District Ratnagiri, Maharashtra should be removed in its entirety and the area shall be restored to its original condition"

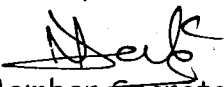
The above said direction further states that in case the above directions are not complied within three (3) months from the date of receipt of this order, the Ministry will be constrained to enforce this direction, and undertaken necessary action under the relevant provisions of the E(P) Act, 1986.

The MCZMA sent email dated 2.2.2022 to District Collector, Ratnagiri conveying the section 5 directions of MoEF&CC, New Delhi and requested to deliver the said directions to project proponents and ensure compliance of aforesaid directions by PPs. Action taken report be furnished to this office so that it could be communicated to MoEF, New Delhi. MCZMA wrote reminder dated 8.6.2022 to District Collector, Ratnagiri.

The District Collector vide letter dated 15.6.2022 replied to MCZMA about the status of action taken in the matter. The said reply concludes that section 5 Directions dated 31.1.2022 of MoEF, new Delhi has been delivered to Project proponents. Time period of 90 days is lapsed and still construction is not removed on the site by the project proponents. The reply further mentions that it would be appropriate that further action in the matter would be taken based on Directions of the MoEF, New Delhi in the matter.

The Authority noted that meanwhile, the Committee constituted by the MoEF, New Delhi visited the site and submitted its report on Environment Impact Assessment and Monetary value of Damaged caused on violation of CRZ norms in the matter.

The Authority after deliberation decided that the report dated 15.6.2022 of the District Collector, Ratanagiri to be sent to MoEF&CC, New Delhi. It was also further decided to seek guidance from MoEF&CC with respect to action to be taken in the matter, considering the above said Directions under section 5 dated 31.1.2022 issued by


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MoEF&CC, New Delhi which states that "in case the above directions are not complied within three (3) months from the date of receipt of this order, the Ministry will be constrained to enforce this direction, and undertake necessary action under the relevant provisions of the E (P) Act, 1986"

Item No.32: Request for correction in minutes of meeting of 158th MCZMA held on 11-12.04.2022 of proposed India Europe Xpress Submarine Cable System and India Asia Xpress Submarine Cable System at Mumbai by M/s Reliance Jio Infocomm Ltd.

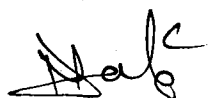
The Authority noted that M/s Jio submitted a representation dated 15.4.2022 seeking corrections in the minutes/ recommendation letter issued to proposals of 1) India Europe Xpress Submarine Cable System and 2) India Asia Xpress Submarine Cable System at Mumbai. The proposal were deliberated in 158 meeting of MCZMA held on 11 & 12th April, 2022. As per submission of the PP, geo-coordinates mentioned in the said minutes of the MCZMA and corrected geo-coordinates are tabulated as follows:

Proposal	Geo-coordinates mentioned in 158 th minutes of MCZMA	Corrected Geo-Coordinates
India Europe Xpress Submarine Cable System	19 6 44.40 N and 72 49 20.60 E	19 644. 46 N and 72 49 22.56 E
India Asia Xpress Submarine Cable System	19 7 49.04 N and 72 49 46.81 E	19 07.49.98 N and 72 48.48.06 E

The Authority after deliberation decided to rectify the geo-coordinate of the project site as mentioned in above table and accordingly, as per CRZ Notification, 2019, revised recommendation to be issued to MoEF&CC, New Delhi.

Item No.33: Draft CZMPs of District Thane, Palghar, Raigad, Ratnagiri & Sindhudurg, under CRZ Notification, 2019

The Authority noted that the Ministry of Environment, Forest and Climate Change, New Delhi has published new CRZ Notification on 18th January, 2019 superseding the earlier CRZ Notification, 2011. As per the provisions of the CRZ Notification, 2019, the Coastal Zone Management Plans (CZMPs) in the scale of 1:25000


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is required to be prepared by engaging any of the agencies authorized by the MoEF&CC, New Delhi.

The State Government engaged the National Centre for Sustainable Coastal Management (NCSCM), Chennai which is MoEF&CC authorized agency for the work of revision / updation of CZMPs vide agreement dated 3rd July, 2019.

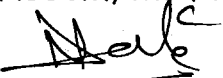
The NCSCM has completed the work of preparation of the Draft CZMP, 2019 in the scale of 1:25000 scale of other 5 districts, namely, Raigad, Ratnagiri, Sindhurg, Thane and Palghar as per provisions of the CRZ Notification, 2019. Draft CZMPs of 5 districts were published in Public domain on 22.1.2020 for inviting suggestions / objections. The District Wise Public Hearing on the draft CZMPs were conducted on 11.3.2020, 12.3.2020, 28-30.9.2020, 6.3.2020 and 30.9.2020 for Raigad, Ratnagiri, Sindhurg, Thane and Palghar respectively. Suggestions / objections received were compiled and were sent to NCSCM for examination. NCSCM took cognizance of the suggestions / objections and maps were placed before Technical scrutiny committee for appraisal.

The draft CZMPs were deliberated in technical scrutiny committee meeting at Chennai. Various suggestions / objections were deliberated in the said meeting and Technical scrutiny committee has recommended the CZMPs.

The NCSCM, Chennai vide email dated 1.4.2022 sent the draft CZMPs along with coastal land use maps. The Authority discussed the draft CZMPs, 2019 of the 5 districts and it was noted that map prepared by NCSCM features, HTL, LTL, CRZ limits along seafront & tidally influenced water bodies as prescribed in the CRZ Notification, 2019 along various classifications of the CRZ areas etc.

The Expert Members, MCZMA stated that that turtle breeding sites at certain locations of Raigad, Ratnagiri and Sindhurg need to be incorporated, by consulting the Mangrove Cell under Forest Department, GoM. It was noted that the information in the form of shape files of locations of the turtle breeding sites was sought from the Mangrove Cell.

The Authority after detailed discussion and deliberation decided that after incorporation of the said information of turtle breeding sites in draft CZMPs, 2019 by NCSCM, the final draft CZMPs (1:25000 scale) accompanying coastal land use map of the


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above said 5 districts prepared under CRZ Notification, 2019 to be recommended for final approval from the MoEF&CC, New Delhi through State Government, GoM, in accordance with provisions of the CRZ Notification, 2019, subject to compliance of following conditions:

1. Land use information such as fishing villages, fishing infrastructure facilities, Highway/ roads, tourism plan, other required information if any etc to be superimposed in local level CZMPs in 1:4000 scale to facilitate implementation of the CZMPs for local bodies
2. Whenever there is a doubt or a likely disparity notice in the CZMP, the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the MoEF&CC, New Delhi for modification/ rectification of the CZMP along with valid reason for the same. The MoEF&CC shall refer the matter to National Centre for Sustainable Coastal Management for verification based on latest satellite imagery and ground truthing for possible modification/ rectification in the CZMP, as per guidelines of MoEF&CC, New Delhi

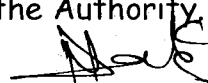
Item No.34: District Collector, Mumbai City letter dated 08.07.2022 regarding plot adjacent to plot no. 896 at Malabar Hill, Mumbai.

District Collector, Mumbai city sent a communication dated 23.6.2022 to MCZMA regarding measurement of land bearing CTS No. 942, situated at Malabar Hill, Mumbai and requested to offer remarks / map from CRZ point of view in the matter.

The Authority noted that the CRZ mapping in 1:4000 scale need to be carried out of the land under reference from one of authorized agencies of the MoEF&CC, New Delhi by District Authorities, in order to determine its exact location from the CRZ point of view. Accordingly, the same to be communicated to District Collector, Mumbai City.

Item No.35: Request for CRZ clarification / guidance for proposed construction of Hospital building at plot no. 126, Sector 23, Ulwe, Navi Mumbai by JSM Healthcare Pvt. Ltd.

The project proponent (M/s JSM Healthcare Private Ltd) presented the matter before the Authority. He presented that the CIDCO in the year 2015 allotted the plot no. 126,


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Sector 23, Ulwe, Navi Mumbai to PP for development of Hospital. However, now, the CIDCO has refused the building permission for construction of Hospital, on ground that plot being in CRZ area as per current CRZ norms. The PP stated that on perusal of the current CRZ map, the site is observed in CRZ area. The PP is seeking clarification / guidance as to whether the subject plot is developable from CRZ point of view.

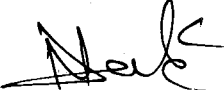
The Authority noted that the subject site bearing Plot No. 126, Sector 23, Ulwe, Navi Mumbai is situated in CRZ II area as per approved CZMP under CRZ Notification, 2011 and there is no road or existing authorized structure between the plot and coastal water body. The Authority noted that as per para 8.II of the CRZ Notification, 2011, construction of building in CRZ II area on seaward side is a prohibited activity. Hence, development on the subject plot is not allowed as per provisions of the CRZ Notification, 2011. The same clarification to be communicated to Project Proponent.

Discussion Item - 1: MoEF&CC reference - Regarding ongoing projects which were not in CRZ as per old approved CZMP under CRZ Notification 1991 and falling in approved CZMP under CRZ Notification, 2011

The matter was earlier deliberated in 158th meeting (Day 4) held on 25th May, 2022 wherein the Authority noted a clarification dated 14th March, 2022 issued by the MoEF&CC, New Delhi regarding ongoing projects which were not in CRZ as per old approved CZMP under CRZ Notification 1991 and falling in approved CZMP under CRZ Notification, 2011. The Authority in the said meeting decided that a standard operating procedure need to be prepared for submission of matters attracting above clarification from MoEF&CC. Accordingly, SOP was approved.

The Authority noted that the CIDCO has sent a list, however, it is with signature of Chief Planner, which is not in consonance with SOP issued.

The Authority noted that certain applicants have moved to Hon'ble High Court also. Considering this, the Authority after deliberation decided to clarify that Concern planning Authority shall submit individual applications with signature of Head of Organization such as Municipal Commissioner, Managing Director etc in following format:


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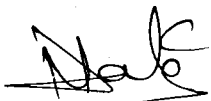
Project details	Date of Commencement certificate issued by Planning Authority	CRZ status as per approved CZMP, as per CRZ Notification, 1991 (map enclosed)	CRZ status as per approved CZMP under CRZ Notification, 2011 (map enclosed)	Whether site is situated within 50 m mangrove buffer zone area

Annexure I

List of members/officials present in the online meeting:

1. Mr. Reddy, DCF, Mangrove Cell, Member MCZMA
2. Mr. Mirashe, Representative from the Industry Dept, Member MCZMA
3. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
4. Dr. Anish Andheria, Expert Member, MCZMA
5. Dr. A. K. Chaubey, Ex Regional Director NIO, Expert Member, MCZMA
6. Mr. Maruti Kudale, Ex Director, CWPRS, Expert Member, MCZMA
7. Mr. Narendra Toke, Director, Environment & CC and Member Secretary, MCZMA.

-----Meeting ended with vote of thanks to chair-----



Member Secretary



Chairperson