

**Minutes of the 162<sup>nd</sup> Meeting of Maharashtra Coastal Zone Management  
Authority (MCZMA) held on 7<sup>th</sup> December, 2022**

**MINUTES OF THE 162<sup>nd</sup> MEETING OF MAHARASHTRA COASTAL ZONE  
MANAGEMENT AUTHORITY (MCZMA) HELD ON 7<sup>th</sup> December, 2022**

The 162<sup>nd</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Secretary (Environment and Climate Change). In view of present pandemic situation of COVID-19, it was decided to appraise the proposals by using information technology facilities. Hence, the proposals were appraised through Videoconferencing technology on Cisco WebEx platform on 7<sup>th</sup> December, 2022. List of members present in the meeting is at Annexure-I.

**Item No.1:** Proposed construction of Bridge across Taloja River including approach roads and balancing culverts for providing connectivity from Kharghar to Pendhar, Navi Mumbai by CIDCO.

**Introduction:**

The project proponent presented the proposal before the Authority. The CIDCO has proposed construction of a connectivity link from Kharghar node to Pendhar, Navi Mumbai. A bridge is proposed across Taloja River including approach roads and balancing culverts for providing connectivity from Kharghar to Pendhar, Navi Mumbai.

The proposed connectivity will be between Sion - Panvel Express way through the Kharghar node and to PanchanandPendhar area leading to Taloja Industrial Belt Dombivali, Ambenath, and Badlapur areas. This connectivity will be more beneficial to 12.5% scheme of PanchanandPendhar which is for settlement of Project affected people as per the Govt. policy.

This connectivity will help to reduce the congestion of traffic at Kalamboli junction and Shilphata road leading to Dombivali & Kalyan Industrial & Housing area. The connectivity will save time, energy and money for the people to reach destination on developing area of Diva - Panvel and Taloja Industrial area by shortest distance from and through Kharghar node. This will support the nearby industrial belt with manpower and its connectivity for development. Project area of 70184 sq.m (Length of the bridge is not mentioned).

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As per the approved CZMP, proposed plot at Pendhar falls mainly in CRZ IA CRZ IB, CRZ II and IV area. The CRZ status of the project site is as follows:

CRZ Area Classification	Affected Areas (Sq. m)
CRZ I (A) / buffer zone	5646
CRZ IB	20130
CRZ II	33058
CRZ IV	11350
Non CRZ	4932

The said proposal was considered in the 158<sup>th</sup> meeting of MCZMA held on 25.05.2020. In the said meeting, the Authority directed pp to submit site specific EIA Report which shall cover alternate analysis matrix and impact of the proposed road on mangroves / creek biodiversity.

The CIDCO has submitted EIA report (prepared by Centre for Envotech & Management Consultancy Private Limited Nabet Accredited consultant and Tandon Urban Solution Pvt.Ltd). The Authority noted the mitigation measures and environment Management Plan stated in the EIA report.

As per submission of the CIDCO, as the proposed alignment passes through the forest area, CIDCO has approached the Alibag Forest Division for providing compensatory afforestation land for plantation. Alibag Forest Department has given compensatory afforestation land in village Turbhe, Taluka Panvel and District Raigad. The proposed land is degraded forest. CIDCO will pay the cost of compensatory afforestation given by Forest Department. The CIDCO has also obtained the "In principal" approval for Forest Clearance vide letter dated 14.7.2015 for diversion of 0.0754 Ha of mangroves land under the Forest Conservation Act 1980 for construction of bridge across Taloja River.

Sewage collection & treatment system shall be provided in the area and only treated sewage shall be discharged in the creek. Siltation of soil into water bodies viz., sea water shall be prevented as far as possible by adopting soil erosion control measures as per MORTH & H guidelines / or as per the directions of PMC.

  
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As per the submission, no residence will be affected by the project as there are no residential or commercial complexes in the project area. Hence no resettlement and rehabilitation study is required for the Project as well.

**Deliberation:**

Dr. Anish, Expert Member expressed that the bridge would cut down the significant travel distance, However, precaution need to be taken to minimize its impact on the river flow. The PP presented that the bridge is proposed on the stilt ensuring the free flow of the river is not affected. The PP further presented that there are total 20 numbers of piers for the bridge, out of which, only 2 numbers of piers are proposed in the river. The Authority suggested CIDCO that location / design of piers should be proposed taking into consideration the High Flood Line (HFL) of the river.

Dr. Kudale, Expert Member expressed that the CIDCO must have considered all the possible impacts including the HFL, while designing stage of the bridge.

Dr. Shindikar, Expert Member pointed out that at Kharghar side, there are mangroves and other ecological features which requires protection. He suggested that the CIDCO should implement all possible measures proactively so that local ecology at the kharghar end of the bridge is not impacted adversely.

ACS, UDD raised a concern about the impact of the bride on the mangroves and its replantation. The PP presented that minimum footprint of the bride on mangrove area is ensured and CIDCO is ready to carry out mangrove replantation and deposit the required amount with the Mangrove cell.

Dr. Khot, BNHS, Expert Member asked PP about the impact of the bridge on birds which are commonly found near the project site. The PP presented that the migratory birds visit in the vicinity of the project area and adequate measures/ care would be taken to lessen the impact of the bridge on the birds.

The Authority noted that as per para 8 of the CRZ Notification, 2011, construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water is permissible activity.



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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

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

1. The proposed activity 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. PP to ensure that proposed activities should be carried out with exercising extra caution with objective to have less impact on the surrounding mangroves and coastal ecology. PP to ensure that efforts should be made to lessen the footprint of the coastal road on the mangrove area.
3. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17<sup>th</sup> Sep, 2018 in PIL 87/2006, since the project involves cutting of mangroves.
4. NoC from the Mangrove Cell should be obtained by the PP. Compensatory mangrove plantation should be carried out in consultation with Mangrove Cell. Three times the number of mangroves destroyed or cut during the construction process shall be replanted
1. PP to obtain the prior Forest Clearance under Forest (Conservation) Act, 1980.
2. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project. NoC from the office of Commissioner, Fisheries should be obtained.
3. The PP to ensure that free flow of the creek water is not obstructed.
4. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
5. Excavated material should be used for onsite filling/ leveling etc.

  
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6. During the construction phase, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity. Necessary training / awareness should be imparted to contractors & workers so that adequate environmental safeguards could be implemented on site, during execution of the project activities
7. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project.
8. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected. It is also suggested to have a third-party monitoring/Audit of all such management initiatives by Govt agency during and after completion of project from time to time.
9. The PP should engage with expert organization like BNHS for suggesting the measures for mitigating the impact on avifauna and other the wildlife species
10. No labour camp are allowed in CRZ area & it should also be ensured that the waste water from these entities should not be released into sea. Mobile toilets with mobile STPs to be provided in work front area.
11. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project

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**Item No.2:** Proposed construction of deficient married accommodation Type V, Type II and family Welfare Centre at village Chikhale, Indian Coast Guard station (ICGS) Dahanu (phase III) by ICGS, Dahanu.

**Introduction:**

The officials from the Indian Coastal Guard (ICGS) presented the proposal before the Authority.

The Indian Coast Guard has been directed by Ministry of Old Home Affairs, GoI to set up Coast Guard Station at Dahanu in order to strengthen the coastal security under "Ops Swan".

In view of the above, there is urgent requirement for constructing an office cum OTM complex, which could suitably accommodate all requirement of the Ops facilities and Command post for the ICGS Dahanu. The construction of a modern complex will add to the functional efficiency of the ICGS Dahanu, improve working environmental also lead to better utilization of the human resources.

The MoEF&CC, New Delhi on 21.12.2015 has granted the CRZ clearance for the phase I of the project for administrative Building and Married Accommodation. The Phase II of the project is recommended to MoEF&CC, New Delhi by MCZMA vide its letter dated 21st August, 2020. Now, on the same parcel of land, the ICGS has proposed Phase III project on plot bearing 202/2 and 203/2 at Chikhale village, Dahanu, District Palghar.

Under the Phase - III development, following Works have been sanctioned.

No	Name of the Building	Strength for which required	Configuration	Total Area
(a)	Type - V	01	Duplex with servant quarter and parking	249.5 SqMtr

  
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(b)	Type - II	10	02 Blocks of G+2 (Each Block 05 Qtrs) with parking	790 SqMtr
(c)	Family Welfare Centre	60	Ground Floor	72 SqMtr
<b>Total</b>				<b>1111.5 SqMtr</b>

**Deliberation:**

As per approved CZMP of Dahanu, the plot under reference falls in CRZ - III area and situated on landward side of the existing state highway MSH - 1 and within 200-500 meters from HTL.

As per para 4(ii) (b) of the CRZ Notification, 2011, following requires clearance from MoEF, New Delhi, *construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006;*

The Expert Members opined that proposed activities are necessary component of the Dahanu Coast Guard station.

Dr, Mirashe, Expert Member suggested that sewage from the married accommodation complex should be treated with 10 BOD standard in the STP to prescribed standard parameters.

The Authority observed that it is a part of defense project which aim to strengthen the coastal security and requires prior CRZ clearance from MoEF.

**Decision:**

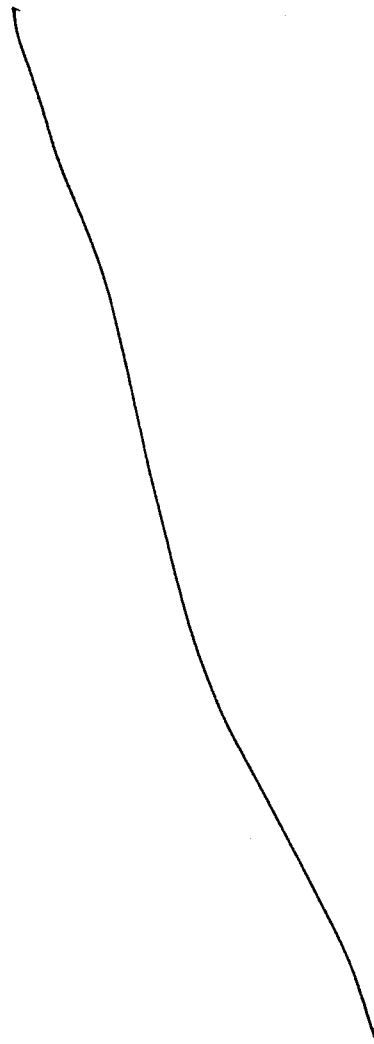
The Authority decided to recommend the project from CRZ point of view to MoEF&CC, New Delhi and subject to the compliance of following conditions:

  
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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. Project should confirm the local town and country planning regulations.
3. Prior clearance from the Maharashtra Pollution Control Board shall be obtained.
4. Rainwater harvesting measures should be undertaken in the project area by the project proponent
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.



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**Item No.3:** Proposed widening and training of RCC retaining wall on North and South side of NI Complex Nall at Dahisar (W) in R/N ward, Mumbai by Municipal Corporation of Greater Mumbai (MCGM)

**Introduction:**

The MCGM officials presented the proposal before the Authority. The MCGM has proposed the widening and training of RCC retaining wall on North and South side of NI Complex Nall at Dahisar (W) in R/N ward, Mumbai.

The NL complex nalla is a major nalla in Dahisar Region which originates from the catchment of Sanjay Gandhi National Park in Dahisar East and discharges in the Mira Bhayandar Creek. There are total of 5 tributaries namely Kajupada, Kokanipada, Dharkhadi, Yadav nagar and Dhasakwadinallas whose runoff is carried by the NL complex nalla. The Nalla system is completely trained in RCC retaining wall till the Ashish Complex building further nalla length of approx 200 mt on each side (retaining wall length of 400mt approx) is not constructed. Size of the project is 400 x 6m i.e. 2400sqm

As per the remarks 9.8.2021 of the MCGM, the project site is located in CRZ I (B) area. MCGM officials during the meeting stated that the site is situated in CRZ II area as per approved CZMP and CRZ I(B) wrongly mentioned. As stated during the meeting, the MCGM has submitted a letter dated 18.12.2022 clarifying that the site is in CRZ II area, as per approved CZMP.

As per report of the Mangrove cell, presently there are no mangroves on the site. However, part of the proposed alignment falls within 50 m mangrove buffer zone.

**Deliberation:**

Dr. Kudale, Expert Member observed that for certain stretch of the Nalla, retaining wall work is completed and for remaining stretch, work of retaining wall is necessary for clearing of Nalla. Nalla is choked due to dumping of debris. The Authority noted that widening and training of RCC retaining wall (Storm water drain) on west bank of Dahisar River is necessary public utility crucial for flood management.



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The Authority noted that as per para 7(iii) of the CRZ Notification, 2019:  
*"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"*

**Decision:**

In the light of above, the Authority after deliberation decided to grant the clearance under CRZ Notification, 2019 subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Prior High Court permission should be obtained, since part of proposed work is situated within 50 m mangrove buffer zone area.
3. All other required permission from different statutory authorities should be obtained prior to commencement of work.

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**Item No.4:**           **Proposed construction of School on land bearing plot no. 15 A, Sector 10 A, Airoli, Navi Mumbai by Navi Mumbai Municipal Corporation (NMMC)**

**Introduction:**

The officials from the Navi Mumbai Municipal Corporation presented the proposal before the Authority. The NMMC has proposed construction of School comprises of ground floor + 2 upper floors on land bearing plot no. 15 A, Sector 10 A, Airoli, Navi Mumbai.

The school will have 31 classrooms, library, laboratory, computer lab, staff room, principals cabin, 2 lift, girls & boys toilets, Varhanda, Parking, Multipurpose hall on 2<sup>nd</sup> floor etc. The total area of plot is 3500sqm and total proposed built up area is 3700sqm.

**Deliberation:**

The NMMC officials during the meeting presented that the site is situated in CRZ II area. The Authority noted that the as per the forms submitted by the NMMC, the site is situated in CRZ IA and CRZ IB area. Building construction is not permissible in CRZ IA and CRZ IB area.

The NMMC officials informed that the revise proposal will be submitted after verification of the CRZ status of the plot and other details.

**Decision:**

In the light of above, the Authority after deliberation decided to reject the proposal from CRZ Point of view. The NMMC may submit the revised proposal.

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**Item No.5:** Proposed construction of bridge on Sahanpalhe road MSH 04 in Tal. Alibag, Dist. Raigad by Public Works Department (PWD)

**Introduction:**

The Public Works Department (PWD) officials presented the proposal before the Authority. The PWD has proposed construction of new bridge on the same alignment by demolishing existing bridge on Sahanpale road MSH 04 in Tal. Alibag, Dist. Raigad. The location of bridge is 6 to 7 km to south of Alibaug on Alibaug Murud Road.

The PWD officials further presented that there is existing old bridge on Sahanpale road MSH 04 @ chainage 2/100. The existing old bridge of 5 span was constructed in the year 1970. Presently existing bridge is in dilapidated conditions and hence need construction of new bridge at the existing place to provide uninterrupted traffic to nearby villagers, tourist etc. The existing bridge is 40m in length and 6.0mt in width. The total length of proposed bridge is 40m & width is 12 m

As per PWD, Alibag remarks, the project site falls under CRZ IB area and partly situated within 50 m mangrove buffer zone area.

**Deliberation:**

Dr. Shindikar, Expert Member inquired whether the existing footprint would be increased for reconstruction of existing bridge. The PWD officials stated that footprint would be increased since, the width of the bridge is proposed to increase from 6 meter to 12 meter which is a requirement.

Dr. Mirashe stated that since, existing bride would be demolished for reconstruction, the PWD need to implement all possible environment measures while demolishing the bridge. No C & D waste should be disposed of in CRZ area.

**Decision:**

The Authority deliberated the project and noted that existing bridge is old & dilapidated and reconstruction is necessary. Bridge across the creek is

  
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important connectivity for the local villagers. The PWD shall implement all possible environmental measures for reconstruction of bridge.

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

1. Proposed activity should in accordance with provision of the CRZ Notification, 2019 ( amended from time to time
2. PWD to ensure that free flow of the creek water is maintained on either side of the bridge.
3. PWD to ensure that C&D waste management & Dredged material disposal is done in scientific manner.
4. Prior High Court permission should be obtained by the PP, since part of project site is situated within 50 m mangrove buffer zone area.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. All other required permission from different statutory authorities should be obtained

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**Item No.6:** Proposed construction of major bridge on Alibag-Revdanda road MSH 04 (NavedarBeli Bridge), Tal. Alibag, Dist. Raigad by Public Works Department (PWD)

**Introduction:**

The Public Works Department officials presented the proposal before the Authority. The PWD has proposed construction of new bridge on the same alignment by demolishing existing bridge on Alibag-Revdanda road MSH 04 (NavedarBeli Bridge) in km 0/600, Tal. Alibag, Dist. Raigad

There is existing old bridge on Alibag-Revdanda road MSH 04 (NavedarBeli Bridge) in km 0/600. The existing old bridge of 4 span was constructed in the year 1975. Presently existing bridge is in dilapidated conditions and hence need construction of new bridge at the existing place to provide uninterrupted traffic to nearby villagers, tourist etc. The total length of existing bridge is 40m & width is 5.0m.

The total length of proposed bridge is 40 m & width is 12 m. As per PWD, Alibag remarks, the project site falls under CRZ IA area.

**Deliberation:**

Dr. Shindikar, Expert Member observed that free flow of the creek water should be maintained on either side of the bridge. PWD officials informed that span of 3.00 meter is proposed which will ensure the free flow in the creek water.

Dr. Mirashe stated that since, existing bride would be demolished for reconstruction, the PWD need to implement all possible environment measures while demolishing the bridge. No C & D waste should be disposed of in CRZ area.

Dr. Kudale, Expert Member observed from the google image that there are approach bunds on the banks of creek which has narrowed the width of the creek. He suggested that PWD need to take into consideration the Hydrology of the creek while reconstruction of the bridge, so that free flow is ensured in the creek.

  
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**Decision:**

The Authority deliberated the project and noted that existing bridge is old & dilapidated and reconstruction is necessary. Bridge across the creek is important connectivity for the local villagers. The PWD shall implement all possible environmental measures for reconstruction of bridge.

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

1. Proposed activity should in accordance with provision of the CRZ Notification, 2019 ( amended from time to time
2. PWD to ensure that free flow of the creek water is maintained on either side of the bridge.
3. PWD to ensure that C&D waste management & Dredged material disposal is done in scientific manner.
4. Prior High Court permission should be obtained by the PP, project site is situated within 50 m mangrove buffer zone area.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. All other required permission from different statutory authorities should be obtained

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Item No.7:

Proposed beautification work at cleaveland jetty near to  
Indian Coast Guard at Golfadevi Road in beat no. 193 in  
G/N ward, Mumbai by Municipal Corporation of Greater  
Mumbai (MCGM)

The project proponent was absent for the meeting. Hence, the matter was  
deferred.

  
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**Item No.8:**            Proposal for planning, designing and construction of the work of Bird Watch Tower at Swatantraveer Vinayak Damodar Savarkar Udyan (Mindspace Garden), Malad (W), Mumbai by Municipal Corporation of Greater Mumbai (MCGM)

**Introduction:**

The officials from the Municipal Corporation of Greater Mumbai (MCGM) presented the proposal before the Authority.

The MCGM has proposed for planning, designing and construction of the work of Bird Watch Tower at Swatantraveer Vinayak Damodar Savarkar Udyan (Mindspace Garden), Malad (W), Mumbai. The Udyan (Mindspace Garden) is situated between Malad Creek & creek road (MDP road) which is a well-developed and popular area for recreation. There are many plants species as well as birds species which can be found in this garden may enthusiast and professional bird watcher's have reported rare bird species in this area especially "Flamingo Bird" near South west bank of creek which is very close to the said garden. Hence, it is proposed to create a new bird watch tower on south west corner of mindspace garden.

Two towers of size 20 x 20 are proposed. Total area of the project is 800sqft. People will get view of Malad creek and Flamingoes,

As per the MCGM remarks, the plot under reference falls in CRZ II area.

**Deliberation:**

The MCGM officials presented that there is no RCC work for the proposed bird water tower except at footing of the tower. Height of tower is 20 feet (ground to rooftop). The Authority suggested to install the solar panels on rooftop of bird water tower. The MCGM agreed for the same.

Dr. Khot, BNHS Expert suggested that use of LED lights should be judicially restricted so as to mitigate its impact on birds. At night, LED light should be switched off, so that it will not affect birds.

  
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Dr.Mirashe, Member asked about the solid waste management and sewage treatment facilities. The MCGM officials presented that solid waste and sewage treatment facility is provided by the MCGM. Once, there will be increment in number of visitors to garden, the Garden Department will be informed and suggested to augment the existing facilities of solid waste management and sewage treatment, toilets etc.

Dr. Kudale, Expert Member opined that the project need to be supported since it will enhance bird watching and create environmental awareness among local citizens.

The Authority observed that the MCGM has proposed the bird water tower within the existing garden and it a responsibility of Garden Department to augment the existing facilities of solid waste management and sewage treatment, toilets etc.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal to planning Authority under CRZ Notification, 2019 subject to following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. MCGM to ensure that existing facilities of solid waste management and sewage treatment, toilets etc is augmented.
3. MCGM should ensure that use of LED lights should be judicially restricted so as to mitigate its impact on birds.
4. MCGM to install the solar panels on rooftop of bird water towers
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

  
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**Item No.9:** Proposed construction of anti-sea erosion bund at Velas Agar, Tal. Shrivardhan, Dist. Raigad by Harbour Engineer, Public Works Department (PWD)

**Introduction:**

The Harbour Engineer, PWD presented the proposal before the Authority. The village being located near beach experiences flooding situation due to high sea waves during rough weather in monsoon. Therefore to protect the residential properties and farms in the village and to reduce the erosion of the beach it is necessary to provide a protective bund structure. Based on coastal hydrodynamics at Velas Agar the Central Water and Power Research Station (CWPRS), Pune has recommended a specific design of the bund structure. Length of bund is 510m, width of bund is 24m & the total area is 12240m

As per remarks of the Harbour Engineer, PWD, the site of locations falls under CRZ - IB area, as per approved CZMP 2011.

The PP has submitted the EIA/ EMP report prepared by MoEF Accredited consultant ( Pollution& Ecology Control Services). As per the EIA report, Velas Agar is a fishing village in Shrivardhantaluka in Raigad district of Maharashtra. The village has about 1.5 km long beach on West & creek on South-East. The Velas Agar beach experiences strong wave action during monsoon season. Also the bank of the creek shows loose soil and have tendency to erode during monsoon floods. Number of household and farms in the village are located along the sea shore which faces flooding situation during rough weather where sea water enters up to homes in the village.

The Central Water & Power Research Station (CWPRS), Pune has studied the project location to design the bund structure based on profile of the Velas Agar beach & creek, tides, currents & existing site conditions. The bund will be constructed adhering to the design recommendations provided by CWPRS. Proposed anti-sea erosion bund will be 510 m in length and 24m in width.

**Deliberation:**

Dr. Kudale, Expert Member observed the cross section of the proposed bund and noted that bund is proposed at High Water Level (HWL) and it is called

  
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dyke structure which good design from engineering point of view. However, there is a beach in front of proposed bund, hence, bund should be at level of HWL, without disturbing the beach.

Dr. Anish and Dr. Shindikar, Expert Member asked PWD whether the site of proposed bund is a turtle nesting site. PWD officials stated that proposed bund site is not a turtle nesting site. Velas village is approx. 10 km away from the proposed bund site.

The Authority asked PWD whether other alternatives are possible for arresting the erosion. PWD officials presented that in order to protect the residential properties and farms in the village and to reduce the erosion of the beach it is necessary to provide a protective bund structure along beach. Also the villagers have requested to provide protective bund structure as a safeguard from high sea waves.

PWD officials further presented that it is purely a rubble mound structure using all natural materials only.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time

  
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2. PWD to ensure that anti-sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. PWD to ensure that proposed rubble mound structure is constructed using natural materials only.
4. Natural geo-morphological features like sand dune, turtle breeding sites, if any should not be disturbed.
5. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
6. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
7. All other required permission from different statutory authorities should be obtained

  
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**Item No.10:** Proposed renovation of existing Mandir on plot bearing C. S. no. 1019 at Alibag, Dist. Raigad by Alibag Municipal Council (AMC)

**Introduction:**

The Alibag Municipal Council officials presented the proposal before the Authority. The proposal is for renovation of existing Mandir on plot bearing C. S. no. 1019 at Alibag, Dist. Raigad. As per the Development plan, the plot under reference is reserved for public & semi public zone. The total plot area is 113.70sqm.

As per the approved CZMP, 2011, the plot under reference is falls in CRZ II area.

**Deliberation:**

The Authority noted that the MCZMA vide letter dated 27<sup>th</sup> April, 2017 has issued a circular regarding minor addition/ alteration to existing authorized structure. The said circular mentions that CRZ Notification, 2011, does not stipulate the requirement of CRZ permission for proposals of alteration / repairs of existing authorized structure in CRZ area. The said circular mentions about the High Court order dated July 11, 2011 in WP No/ 1274/2006 ( HarakchandGada V/s State of Maharashtra). The said order states as follows:

*"For the purpose of repairs only, it is not necessary for BMC to now refer the cases to the Urban Development Department for clearance. The BMC can do the same at their own level as per rules and regulations applicable to CRZ areas. It is also set out that circular will be issued immediately. In other words, it is clear that for repairs, permission from the CRZ regulation authority is no longer required and that can be done by Respondent No.2"*

As per the said circular, all local planning Authorities and concern district authorities should take note of the order passed by the High Court cited supra and take necessary action. It is to be noted that the ratio of the order applies only to repairs to existing authorized structures and limited to the existing FSI.

The project proponent during the meeting stated that the existing temple is

  
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built in year 1925 and there would be no increment in footprint of the existing temple while renovation / repairs. However, Sabhamandap is proposed to be reconstructed.

**Decision:**

The Authority asked the Alibaug Municipal Council to submit the undertaking that there is no increase in footprint of the existing temple and submit the building plans of the temple.

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**Item No.11:** Proposed dredging to clear navigational channel in Dabhol creek (Vashishti River) at Tal. Guhagar and Chiplun, Dist. Ratnagiri by Maharashtra Maritime Board (MMB)

**Introduction:**

The Chief Executive Officer, Maharashtra Maritime Board (MMB) presented the proposal before the Authority. The MMB has proposed dredging work in a stretch of Dabhol Creek / Vashishti River in 4 villages namely:

1. Dabhol creek entrance to village Usgaon with length of dredging is 850m
2. Village Vaghivare to village Gangrai with length of dredging is 1.65km
3. Village Gangrai to village Karambawne with length of dredging is 500m
4. Village Karambawne to village Ghagwadi with length of dredging stretch is 4.5 km

This dredging operation will clear the navigational channel to boost transportation by waterway. The estimated quantity to be dredged is 11, 19,600 Cubic meters. MMB has submitted the EIA / EMP report for the project prepared by M/s Ecofoot forward (Nabet accredited consultant). As per the approved CZMP under CRZ Notification, 2011, the site is located in CRZ IV A & B area.

The CEO, MMB presented that the MCZMA in its 105<sup>th</sup> meeting held on 15<sup>th</sup> & 16<sup>th</sup> October, 2015 deliberated the proposal of maintenance dredging works to clear Navigational Waterways and channels of creeks and rivers of Ratnagiri District, including Dabhol creek. After deliberation, the MCZMA recommended the project to SEIAA subject to certain conditions. The SEIAA vide letter dated 18<sup>th</sup> March, 2016 granted the clearance for the proposal subject to certain conditions. The CEO, MMB requested to revalidate the said CRZ clearance granted for the proposal.

**Deliberation:**

The Authority noted that the MoEF&CC has issued a notification dated 6<sup>th</sup> March, 2018 read with CRZ Notification, 2011, as per which, in sub-paragraph 4.2, for clause (v), the following clause shall be substituted, namely:-

*"(v) The clearance accorded to the projects under this notification shall be valid for a period of seven years from the date of issue of such*

  
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*clearance:*

*Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance:*

*Provided further that the period of validity may be extended for a maximum period of three years in case an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State / Union Territory Coastal Zone Management Authority";*

The Authority noted that as per the above said amendment dated 6<sup>th</sup> March, 2018, the clearance is valid for a period of 7 years. Hence, the CRZ clearance granted by the SEIAA dated 18<sup>th</sup> March, 2016 is valid upto 17<sup>th</sup> March, 2023. The MMB during the meeting sought further extension of validity of CRZ clearance.

**Decision:**

In the light of above, as per CRZ Notification dated 6<sup>th</sup> March, 2018, the Authority after deliberation decided to recommend the proposal for extension of validity of the CRZ clearance for further 3 years from 17<sup>th</sup> March, 2023 i.e. upto 17<sup>th</sup> March, 2026 subject to following conditions:

1. The proposed activity should be undertaken 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. This CRZ recommendation is for maintenance dredging for clearance of navigational waterway of channels of creeks/ rivers only.
3. MMB will have to carry out strict monitoring of dredging activity to ensure that it is not sand mining driven activity and aims for clearing navigational channel by maintenance dredging only.
4. MMB to carry out Bathymetric studies for pre and post dredging activity.
5. The Environment Management Plan (EMP) & Environment Monitoring Plan should be implemented in letter and spirit and it should be in consonance with the surrounding ecosystem. Specific budget should be allocated for the implementation of EMP.
6. Port officer / MMB should monitor the disposal of mud and sludge

  
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7. No labour camp, machineries and material storage is allowed in CRZ area & it should also be ensured that the waste water from these entities/ machineries should not be released into the coastal water body.
8. During the maintenance dredging work all efforts should be made to maintain ecology of the area.
9. No destruction of mangroves is allowed.
10. No reclamation of water body is allowed.
11. MMB to ensure that Non sand/ coarse material should not be disposed off in CRZ area.
12. MMB should ensure that emergency oil spill response plan is ready with appropriate cleanup supplies
13. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

  
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**Item No.12:** Proposed construction of light houses at Uttan, Mira bhayandar, Dist. Thane by MMB

**Introduction:**

The Chief Executive Officer, Maharashtra Maritime Board (MMB) presented the proposal before the Authority. The MMB has proposed construction of light houses at Uttan, Mira Bhayandar, Dist. Thane. Construction of 3 nos. of light houses are proposed at 1) Saryachi Vat, 2) Katlyachi Vat and 3) VashiKhadak. Size of Deck is 3.5 x 2.5 m, Total 12 nos. of pile having diameter 600m

As per remarks of the MMB, the site under reference falls in CRZ IV area, as per approved CZMP.

**Deliberation:**

Dr. Kudale, Expert Member opined that the project is important in order to avoid the collision of boats of local fisherfolks to submerged rocks. The CEO, MMB presented that it is a light beacon and not lighthouse.

The Authority noted that as per para 4(ii) (c) of the CRZ Notification, 2011, construction, operation of lighthouses requires clearance from the MoEF&CC, New Delhi.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal to MoEF&CC, New Delhi subject to following conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
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

  
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**Item No.13:** Proposal for Improvement of road, drainage, pathway and construction box culvert from sector 23 to 30 in Ghansoli ward, Navi Mumbai by Navi Mumbai Municipal Corporation (NMMC)

**Introduction:**

The Navi Mumbai Municipal Corporation officials (NMMC) presented the proposal before the Authority. The NMMC has proposed improvement of road, drainage, pathway and construction box culvert from sector 23 to 30 in Ghansoli ward, Navi Mumbai. Technical and administrative approval has been granted by the NMMC.

Total length is 210m, proposed width is 20m with 14m carriage way +2.750 width and storm water drain, Box culvert of size 4 x 3mt, Type of pavement: Bituminous pavement with 60mm DBM and 40 mm BC. Total area requirement for the project is 4095 sqm.

As per the remarks of NMMC, the proposed project area falls under CRZ II area.

**Deliberation:**

The NMMC presented that proposed activities are not in mangroves or its 50 m buffer zone area and it is 1.5 km away from the Thane Flamingo Sanctuary. Expert Members observed that project involves improvement of public utilities which needs to be allowed.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. NMMC to ensure that activities are not proposed in mangroves or its 50 m buffer zone area.

  
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3. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
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

  
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**Item No.14:** Proposed construction of Coastal Road from Jalmarg, Sector 16, Kharghar to Sector 11 in CBD & Balance link between Sector 15 CBD to water transport Terminal Nerul, Navi Mumbai by CIDCO

**Introduction:**

The CIDCO officials presented the proposal before the Authority. CIDCO has prepared Navi Mumbai Development Plan (NMDP) covering 95 villages into 14 well planned and self-sustained nodes. In order to enhance the traffic connectivity, the CIDCO has proposed construction of Coastal Road from Jalmarg, Sector 16, Kharghar to Sector 11 in CBD & Balance link between Sector 15 CBD to water transport Terminal Nerul, Navi Mumbai.

The Coastal road is also aimed at keeping local intra-city traffic away from Sion Panvel Expressway and decongest traffic on the expressway

The proposed alignment starts from Jalmarg in Kharghar crosses Sion Panvel Expressway with interchange continue with existing bund between Sector 10, Kharghar and Sector 11, Belapur passes through existing 30 m wide roads in CBD Belapur further crosses Amra Marg ( NH348 A) with VUP and continue with at grade road along creek connects to elevated road at Water Transport Terminal, Nerul and joins Palm Beach Marg near Delhi Public School (DPS).

MTHL along with Sewri Nhava Connector will be the main corridor connecting Navi Mumbai and Mumbai. Creation of the Kharghar Coastal Road link will enable seamless and shortest connectivity from ICP business centre to NMIA and also South/ central Mumbai directly and further enable the growth of Navi Mumbai as alternative Business Centre to south Mumbai.

As per remarks from CIDCO, the project site falls under CRZ IA, CRZ IB, CRZ II and CRZ IVB area. The CIDCO showed the alignment on approved CZMP, 2011. As per presentation, the CRZ status of the proposed alignment of the road is as follows:

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CRZ Category	Area (m <sup>2</sup> )
CRZ IA (Mangrove)	62439
CRZ IA (50 m Mangrove Buffer Zone)	201857
CRZ IB	3710
CRZ II	68592
CRZ IVB	6290
Total CRZ Area	342888
Non-CRZ	41661
Total Area of Alignment	384549

The Consultant presented that the proposed alignment is of 9.679 km (38.4549 Ha area) out of which 2.986 km (10.21 Ha area) is existing road. Proposed road is a mix of both the options i.e. stilt on road and certain road is proposed at ground level i.e. by reclamation. It is part of Development Plan of Navi-Mumbai.

**Deliberation:**

The Authority noted that the CIDCO has submitted the EIA report prepared by M/s Aditya Environmental Services Pvt Ltd (MoEF accredited consultant). The Authority noted the observations of the EIA report and mitigation measures along with EMP proposed for the project. The Authority noted that as per the EIA report, mangroves near the site majorly comprised of avicenia marina on either bank of the creek. Number of man- made bunds and walkways were observed with local engaged in traditional fish catch activities. The EIA report further states that the site is surrounded by fishing villages and villagers are engaged positively in fish catch and allied activities such as Ulwa-Moha, Diwalegoan, Waghivali, Jui.

The Authority deliberated about the impact of the project on local fisheries / fisherfolks. The Consultant presented that there is no commercial fishing the

  
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project area. However, there is local fisherfolks who does fishing around the project area. The Authority suggested that CIDCO should proactively implement appropriate measures in order to lessen and mitigate the impact of the road on the local fishing. The CIDCO should obtain the NoC from fisheries point of view from the office of Commissioner, Fisheries.

Dr. Shindikar, Expert Member asked about the impact of the project on mangroves. The Consultant presented that there are 1182 matured mangroves spread over 8.22 Ha. in the alignment. The consultant presented that CIDCO is willing to replant the mangroves trees in consultation with the Mangrove Cell. Further, all necessary permission from various statutory authorities including Prior High Court permission will be obtained for the cutting of mangroves. CIDCO has applied for Forest Clearance to MoEF&CC, New Delhi. CIDCO has identified land for Compensatory Mangrove plantation at village Nhava, Tal Uran District Raigad over 126.08 Ha.

Dr. Mirashe inquired about the increment in air pollution due to proposed road. The consultant presented that PM<sub>2.5</sub>, PM<sub>10</sub> concentration levels and concentration of gaseous pollutants (SO<sub>2</sub>, NO<sub>x</sub>, MHC & CO) near project site are below the CPCB norms. Thus, it can be concluded that Ambient air quality in the area is not polluted. Expert Member suggested the monitoring the air quality during construction and phase of the project.

Dr. Khot, BNHS, Expert expressed that the area is having biodiversity and presence of avifauna. The Consultant presented that the status of vegetation is mix deciduous and open scrub type throughout the study area. Thane Creek Flamingo Sanctuary (TCFS) is present at distance of ~8 km and its ESZ ~7.32 Km from proposed coastal road. The avifauna observed during the survey were colonies of waders which includes Flamingo, Brown headed Gull in the Creek during low tide. Total 72 species of birds (48 migrants and 24 residents) were recorded from the wetlands near Training Ship Chanakya (TSC), Non-Residential Indian (NRI) complex (near DPS School) and Belpada mangrove and three mudflat sites (low tide feeding sites) -the East and West banks of Thane Creek, mudflats of Sewri and Nhava-Sheva as per BNHS study during October 19 to February 20. BNHS reported 120000 numbers of flamingo in the year 2018-19, 96400 in the year 2019-20 and 133000 in the year 2021-22 visiting to TCFS and nearby mud flats.

  
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Dr. Khot suggested that though the project is important public infrastructure project, utmost precautions / measures should be implemented by the CIDCO to lessen & mitigate the impact of road on surrounding biodiversity, avifauna and ecology. Noise barriers at strategic locations need to be installed to mitigate the Noise pollution.

The Authority deliberated the proposal at length and noted from the presentation of the PP that proposed road is part of the Development plan of the Navi Mumbai and proposed in mix manner partly on stilt and partly on ground level i.e. by way of reclamation. However, considering the impact of the project on the surrounding coastal environment, it is the responsibility of the CIDCO to take all possible measures and proactively implement the mitigation measures along with Environment Management plan in order to lessen the impact on local coastal ecology. It was noted that as per CRZ amendment Notification dated 30<sup>th</sup> Sep, 2015, the proposal requires clearance from MoEF&CC, Delhi

**Decision:**

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

1. The proposed activity 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. PP to ensure that proposed activities should be carried out with exercising extra caution with objective to have less impact on the surrounding mangroves and coastal ecology. PP to ensure that efforts should be made to lessen the footprint of the coastal road on the mangrove area.
3. Prior High Court permission should be obtained by the PP as per Hon'ble High Court order dated 17<sup>th</sup> Sep, 2018 in PIL 87/2006, since the project involves cutting of mangroves.
4. NoC from the Mangrove Cell should be obtained by the PP. Compensatory mangrove plantation should be carried out in consultation with Mangrove Cell. Three times the number of mangroves destroyed or cut during the construction process shall be replanted
5. PP to obtain the prior Forest Clearance under Forest (Conservation) Act, 1980.



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6. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project. NoC from the office of Commissioner, Fisheries should be obtained.
7. In certain stretch, where road is proposed on stilt, spacing between the pillars/ piers should be provided taking into consideration free flow of the tidal water is not obstructed.
8. The PP to ensure that free flow of the creek water is not obstructed.
9. The PP shall ensure that adequate noise barriers along the coastal road are provided.
10. The PP shall not undertake any blasting / construction activities during night hours. During the day time, noise level should be within the prescribed limits.
11. There shall be no disposal of solid or liquid waste in the coastal area. Solid waste management shall be as per Solid Wastes Management Rules, 2016.
12. Excavated material should be used for onsite filling/ leveling etc.
13. During the construction phase, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity. Necessary training / awareness should be imparted to contractors & workers so that adequate environmental safeguards could be implemented on site, during execution of the project activities
14. PP to ensure that noise and vibration level is within permissible limit during construction phase of the project.
15. PP to strictly ensure that activities of local fisherman communities should not be hampered due to the proposed project.
16. Project proponent should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected. It is also suggested to have a third-party monitoring/Audit of all such management initiatives by Govt agency during and after completion of project from time to time.
17. The PP shall set up a full-fledged inhouse Environment Management Cell for effective implementation of the Environment Management Plan including Mangrove replantation plan, monitoring, as well as Disaster Management Plan.
18. The PP should engage with expert organization like BNHS for suggesting the measures for mitigating the impact on avifauna and other the wildlife species



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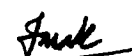
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19. No labour camp are allowed in CRZ area & it should also be ensured that the waste water from these entities should not be released into sea. Mobile toilets with mobile STPs to be provided in work front area.
20. All the other mandatory permission from different statutory authorities should be obtained prior to the commencement of work of project



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**Item No.15:**      Proposed reconstruction of bridge on Alibag Revas Road  
MSH 04, Tal. Alibag, Dist. Raigad by Public Works  
Department (PWD)

**Introduction:**

The Public Works Department officials presented the proposal before the Authority. The PWD has proposed construction of bridge on Alibag Revas Road MSH 04 at Km 18/400 Tal. Alibag, Dist. Raigad by demolishing existing old bridge. Presently, existing bridge is in dilapidated conditions and hence need construction of new bridge at the existing place to provide uninterrupted traffic to nearby villagers, tourist etc.

The existing old bridge of 3 span was constructed in the year 1975. The total length of existing bridge is 28 m & 5.5 m in width.

As per PWD, Alibag remarks, the project site falls under CRZ IB area.

**Deliberation:**

Dr. Shindikar, Expert Member inquired PWD whether the footprint of the bridge is proposed to increase. The PWD official responded stating that width of the bridge is proposed from 5.5 m to 12 meter. He further stated that approach roads will also be increased in future.

Dr. Shindikar, Expert member raised a concern that if approach road is not widened in line with increase in bridge width, there will be bottleneck. He opined that the PWD need to submit the integrated proposal of widening of bridge and approach road so that it will be of public utility. The PWD officials responded stating that in the first phase, PWD has proposed reconstruction / widening of bridge considering the urgency and need of the bridge. Proposal of the access road in line with bride would be submitted at the earliest.

The Authority observed that the proposal could be allowed, considering important connectivity for the local villagers.

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**Decision:**

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

1. Proposed activity should in accordance with provision of the CRZ Notification, 2019 ( amended from time to time
2. PWD to ensure that C&D waste management & Dredged material disposal is done in scientific manner.
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

  
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**Item No.16:** Proposal for riverbank protection work and beautification of promenade at Ulhas Creek, Cholegaon, Kalyan by Maharashtra Maritime Board (MMB)

**Introduction:**

The Chief Executive Officer, Maharashtra Maritime Board (MMB) presented the proposal before the Authority. The MMB has proposed riverbank protection work and beautification of promenade at Ulhas Creek, Cholegaon, Kalyan. Cholegaon is a small village situated along the Ulhas river creek, lies in Suburbs of Thakurli region, in Kalyan Taluka, Thane District. A major river Ulhas flows through Thakurli with few villages settled along the river/ creek.

MMB presented that the project involves construction of promenade at existing jetty as well as beautification of the promenade as measure to develop the surrounding area around the jetty to boost local tourism. Total length of the promenade is 135 m

As per remarks of the MMB, the site of locations falls in CRZ II area, as per approved CZMP.

**Deliberation:**

The PP has submitted the EIA/ EMP report prepared by MoEF Accredited consultant (M/s Ecofootforward). As per EIA report, the proposed project site is located near Ganesh Nagar jetty in Cholegaon village of Kalyan tehsil which is characterized by coastal land, agricultural land and human habitation. This assortment of habitats contributes to the biodiversity seen in study area. There will be various activities carried out during the construction of promenade which may affect environment. The proposed project is expected to have some impacts which are as follows:

During the construction stage there will be impact on surrounding vegetation due to dust pollution. Dust and gas emission will be released during the production and transportation of material will require for construction activities. These activities can lead to fugitive dust temporarily thereby covering the trees of surfaces of the leaves of plants by dust. Dust may affect the processes in the plants such as photosynthesis, respiration, transpiration

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and allow the penetration of phytotoxic gaseous pollutants.

The construction activity will involve machinery work and will generate the noise which thereby temporally disturb the birds perching present on trees and would frighten many of the mammals within the vicinity of the site. Construction waste which would be generated during the construction activity would pose a problem to the surrounding flora and fauna if not handled properly

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible: *construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;*

Dr. Shindikar, Expert Member suggested that free flow of the river water should be ensured by the MMB.

Dr. Kudale, Expert Member after taking note of cross section of the promenade, observed that work proposed by the MMB is a riverbank protection work along with construction of promenade and culverts. He further opined that MMB to carry out the monitoring through hydrology studies from the competent organization like CWPRS, IIT etc in order to understand the flow conditions of the river and impact of the structures on the flow the river. The MMB to implement the mitigation measures as recommended by the EIA report.

The MMB presented that the project aims to beautify the area along with arresting the erosion of the river bank.

The Authority further noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible, *construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;*

As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation

  
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**Decision:**

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

1. The proposed activity should be undertaken 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. MMB to ensure that riverbank protection works along with promenade beautification should be done with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. MMB to carry out the monitoring through hydrology studies from the competent organization like CWPRS, IIT etc in order to understand the flow conditions of the river and impact of the structures on the flow the river.
4. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
5. Mangrove if any should not be cut for the project activities. Dredging activity is not allowed in fish breeding sites.
6. The Environment Management Plan & Environment Monitoring Plan should be implemented in letter and spirit and it should be in consonance with the surrounding ecosystem. Specific budget should be allocated for the implementation of EMP.
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

  
Member Secretary

  
Chairman



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**Item No.17:** Proposed widening and training of RCC retaining wall on west bank of Dahisar River at upstream side of Hiranandani Bridge in Dahisar west in R/N ward, Mumbai by Municipal Corporation of Greater Mumbai (MCGM)

**Introduction:**

The Chief Engineer, Municipal Corporation of Greater Mumbai (CE, MCGM) officials presented the proposal before the Authority. The MCGM has proposed the widening and training of RCC retaining wall on west bank of Dahisar River at upstream side of Hiranandani Bridge in Dahisar west in R/N ward, Mumbai. Construction of RCC retaining wall is approx 150m of length.

Development in terms of training of water course is for supporting for fast and proper disposal of storm water from Catchment area no 203 of Dahisar River originating from SGNP and discharging the flow into the Manori creek in Dahisar (W), R/N ward, Mumbai.

MCGM vide letter dated 01.08.2022 stated that as per the Mangrove cell report dated 24.06.2022, currently there are no mangroves at the proposed construction site. However, part of the proposed alignment falls within 50 m mangrove buffer zone.

As per the remarks of the MCGM, the proposed stretch of Nalla falls under the CRZ II area. As stated during the meeting, the MCGM has submitted a letter dated 18.12.2022 clarifying that the site is in CRZ II area, as per approved CZMP.

**Deliberation:**

The CE, MCGM presented that out of total 12 km, around 4.2 km stretch falls under the jurisdiction of MCGM. At present, retaining wall is present in 90% of the stretch of Dahisar River and work of retaining wall is pending in 125 meter stretch of river only. He further presented that construction of retaining wall in remaining portion will help in providing the relief in flood management.

Dr. Mirashe, Member observed that proposed work will mitigate dumping in the Nalla. However, MCGM to adopt the suitable measures so that sea water does

  
Member Secretary

  
Chairman

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not enters into the river. Further, MCGM need to ensure the C&D waste management.

The Authority noted that proposed widening and training of RCC retaining wall will also help in checking the encroachment in the Nalla.

The Authority noted that widening and training of RCC retaining wall (storm water drain) on west bank of Dahisar River is a necessary public utility for flood management.

**Decision:**

In the light of above, the Authority after deliberation decided to grant the CRZ clearance for the proposal from CRZ point of view subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2019 ( amended from time to time
2. MCGM to ensure that C&D waste management & Dredged material disposal is done in scientific manner.
3. Prior High court permission shall be obtained since part of the proposed work fall in 50 m mangrove buffer zone area.
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



Member Secretary



Chairman

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**Item No.18:** Proposed repair & restoration of infrastructure facilities at Muslim Kabrastan, Bazar Peth, Murud, Tal. Murud, Dist. Raigad by Murud Janjira Municipal Council.

**Introduction:**

The Chief Officer, Murud Janjira Municipal Council (MJMC) presented the proposal before the Authority. The MJMC has proposed Repair and Restoration of Infrastructure facilities at Muslim Kabrasthan Bazar Peth, Murud. Area of Kabrasthan is 2,627 Sqm.

As per remarks of the Municipal Council, the land under reference falls within CRZ II area.

**Deliberation:**

The CO, Murud presented that there is no increase in footprint of kabrasthan. However, land need to be elevated from ground level to 2 to 3 foot, considering Covid-19 deaths. He further informed that murum quantity around 3000 cum will be sourced from Murud region.

The Authority from the google image observed that there may be mangrove near the site. NOC from the mangrove cell is required in the matter.

**Decision:**

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

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. Local body to ensure that there is no increase in footprint of the kabrasthan.
3. Prior NOC from the mangrove cell should be obtained.
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

  
Member Secretary

  
Chairman

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**Item No.19:** Proposed Suru Garden development at Murud Janjira Sea Shore, Murud, Tal. Murud, Dist. Raigad by Murud Janjira Municipal Council

**Introduction:**

The Chief Officer, MurudJanjira Municipal Council (MJMC) presented the proposal before the Authority. The MJMC has proposed to develop the Suru Garden at MurudJanjira Sea Shore, Murud, Tal. Murud, Dist. Raigad

Landscaping and tree plantation along with repairing of existing embankment is proposed in the project area. Area of the land is around 5250 Sqm.

The site of the Suru garden falls in CRZ II area (touching to High Tide Line)

**Deliberation:**

Dr. Shindikar, Expert Member expressed a concern that there is natural contour in the land which should not be disturbed or altered. No land levelling or modification to natural contour is required. He further suggested that instead of suru plantation, Municipal Council need to plant the local native vegetation. Existing trees should not be cut for development of garden.

Dr. Kudale also concurred with the opinion of the Dr. Shindikar about the conservation of the natural contours in the land.

**Decision:**

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

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. Local body to ensure that no land levelling or modification to natural contour should be carried out at the site. Existing trees should not be cut for development of garden. Plantation of Native trees should be done.
3. Local body to ensure that there is no increase in footprint of the kabrasthan.

  
Member Secretary

  
Chairman

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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

  
Member Secretary

  
Chairman

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**Item No.20:** Proposed restoration & repairing of existing road from Murud - Revdanda road to sea-shore at village Murud, Tal. Murud, Dist. Raigad by Murud Janjira Municipal Council

**Introduction:**

The Chief Officer, MurudJanjira Municipal Council (MJMC) presented the proposal before the Authority. The MJMC has proposed restoration & repairing of existing road from Murud - Revdanda road to sea-shore at village Murud, Tal. Murud, Dist. Raigad. Total area of the project is 420 sqm (Length 140 m x 3 m width). As per the remarks of MJMC, the project site falls under CRZ III area.

**Deliberation:**

The CO, MJMC further presented that restoration & repairing of the existing road is proposed using concrete.

Dr. Shindikar, Expert Member suggested that restoration of exiting road could be proposing using tar or paver blocks.

Dr. Khot, BNHS, Expert member suggested that the option of Chira stone (local material) could be explored by the MJMC for the restoration of road, considering the aesthetics of the local area and presence of dense tree cover along the road.

The CO reverted stating that since the road width is small, access of machinery is not possible on the road. Further, paver block may not be a long term solution. Hence, concrete option is proposed.

As per para CRZ III. III (iii) (j) of the CRZ Notification, 2011, construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;

  
Member Secretary

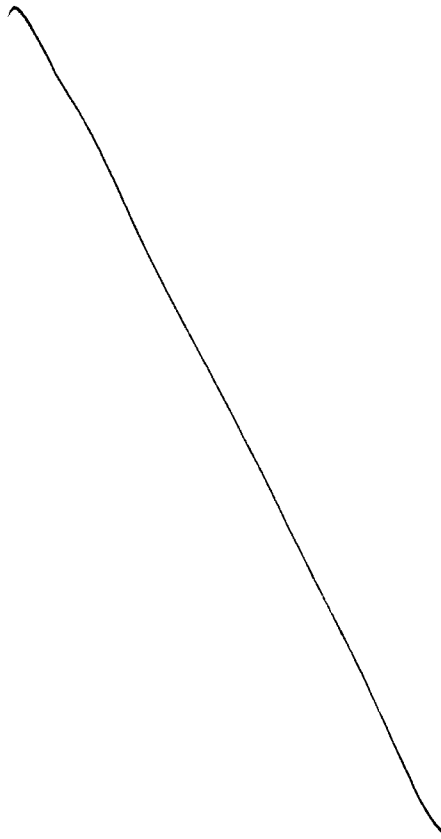
  
Chairman

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**Decision:**

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

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. Local body to explore the option of chira stone for restoration of the existing road
3. Local body to ensure that no trees should be cut for restoration of the existing road.
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.



Member Secretary

Chairman

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Item No.21: Proposed development of Shivrushti Durgaratna Fort  
Miniature & Maratha Maritime History Interactive Park  
and Theme Garden on plot bearing S. no. 62/1, 38/4,  
49/3 at maujeKilla, Tal. & Dist. Ratnagiri by Ratnagiri  
Municipal Council

The project proponent was absent for the meeting. Hence, the matter was  
deferred.



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**Item No.22:** Proposed coastal protection work with sea shore development at S. no. 1759, at village Murud, Tal. Murud, Dist. Raigad by Murud Janjira Municipal Council

**Introduction:**

The Chief Officer, MurudJanjira Municipal Council presented the proposal before the Authority. The MJMC has proposed coastal protection work (Anti sea erosion bund) with sea shore development at S. No. 1759 at village Murud, Taluka: Murud, District Raigad. Proposed project is coastal protections works under Maharashtra Coastal Protection & Management Investment Program (MSCRCPMIP) at Murud Beach. Length of the proposed anti-sea erosion is 340 meter.

The Authority noted that the proposal was earlier deliberated in 160<sup>th</sup> meeting of the MCZMA held on 5.8.2022 wherein the authority directed PP to resubmit the proposal with followings:

1. Site specific EIA report prepared by NABET Accredited Consultant
2. Soft measures as per guidelines of the MCZMA prepared in the instant meeting regarding coastal protection works read with Hon'ble NGT order dated 11.4.2022 in O.A. No. 04/2013 (SZ) with Appeal No. 18/2017 (SZ) S.H. Balamohan Versus Union of India and Ors

The Murud Nagar palika vide letter dated 26.9.2022 submitted its reply and requested MCZMA to reconsider the proposal. As per the submission:

1. Project falls in CRZ II area. There exists a narrow stretch of land between existing road and HTL, this narrow stretch has separate existence and survey no. as per land records dept i.e. survey no. 1759. Also there seems to be existed anti erosion stone work to protect this land stretch (Survey no. 1759) and State Highway road and structures adjoining to this road previously, which is still existing at actual site.
2. Soft solutions for protection of coastal parts include various options like Beach nourishment, sand dune, coastal vegetation etc. bull for all these soft solutions required considerable wide patch of land to create wider beaches by artificially increasing quantity of sediments, using natural dunes created by wind and coastal vegetation suitable for anti-sea erosion protection works.

  
Member Secretary

  
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3. The site for proposed coastal protection work has very narrow width (avg 10-15 m) in between existing State Highway Road and HTL (boundary of CRZ I). thus considerable wide patch of land suitable for soft solution is not available as per local side conditions and direction of the Hon'ble NGT order dated 11.4.022 in Balmohan versus Union of India. Also sea waves have direct impact and contact on structures to be protected, i.e. narrow land patch, adjacent State Highway Road and building along the road so soft solutions measures are relatively less feasible compare to hard solutions of coastal protection works.
4. Also in proposed project activity, we have proposed tree plantation of local suru, coconut etc species in narrow patch land, which will be planted on space available between existing road and proposed coastal protection works. So proposed activity is combination of partial soft solution and partial hard solution for costal protection work.
5. All activities like parking lot etc. proposed in the project is not permissible in CRZ Notification, 2011 will be omitted by the Municipal Council and only permissible activities permitted by MCZMA will be executed.

**Deliberation:**

The CO, MJMC presented that anti sea erosion bund is utmost necessary in order to protect the residential properties of the villagers and town roads which are situated abutting to the coastline and facing higher waves action during the monsoon. High Water line is about +4.5 meter and bund is proposed accordingly. The CO, Murud further presented that beach area would not be disturbed due to proposed bund. And activities like parking lot is omitted from the proposal.

Mr. Kudale, Expert Member observed the cross section and noted that the level of bund is at the level of high Water line. During cyclonic conditions, there is likely danger to road which is abutting to coastline. He further apprehended that proposed bund will occupy less beach area, hence, in order to protect the coastline and abutting road and residential settlements, proposed bund could be allowed.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible- construction and operation for ports and harbours, jetties,

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wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. MurudJanjira Municipal Council to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. Natural geo-morphological features like sand dune, turtle breeding sites, if any should not be disturbed.
4. No construction like parking lot and toilet etc is allowed in CRZ I area.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. All other required permission from different statutory authorities should be obtained

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**Item No.23:**      Proposal for Coastal Protection work under Maharashtra Sustainable climate resilient coastal protection and management investment program at Devbaug, Tal. Malvan by Maharashtra Maritime Board (MMB)

**Introduction:**

The Chief Executive Officer, Maharashtra Maritime Board (MMB) presented the proposal before the Authority. The MMB has proposed construction of river bank protection wall along a 1.3 km length using sheet piling. As per the remarks of MMB, the proposed project area falls under CRZ IA, III B & IVB.

The proposal was deliberated in 161<sup>st</sup> meeting held on 7<sup>th</sup> November, 2022, wherein the Authority discussed that the project is situated at the Karli Creek side of the village Devbaug which is Critically Vulnerable Coastal area (ecologically sensitive area). Along with coastal protection works, de-siltation of the Karli creek is also proposed. The Authority felt that MMB need to first explore the soft measures for Coastal Protection work. MCZMA in its 160<sup>th</sup> meeting 5<sup>th</sup> August, 2022 has prescribed guidelines pertaining to proposals of anti- sea erosion protections works. MMB need to go through the said guidelines.

In the light of above, the Authority decided that MMB should explore soft measures for Coastal Protection work program at Devbaug, Tal. Malvan, taking into consideration above said guidelines prescribed by the MCZMA in its 160<sup>th</sup> meeting regarding anti-sea erosion protection works. MMB should also clarify about the impact of the de-silting activity in karli creek on local fishing in Karli creek. Accordingly, the proposal was deferred.

**Deliberation:**

The Authority noted that the MMB on 28.11.2022 has submitted the revised proposal. MMB states in line with the programme objective of promoting sustainable climate resilient solutions for erosion protection works, the MMB has been advocating optimum use of all resources. However, in view of the fact that the project comprises river protection works, hard structures such as concrete embankments or steel sheet piles can be utilized at the site. Each of these materials comes with its own advantages and disadvantages.

  
Member Secretary

  
Chairman

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The concrete structures are long lasting, requires minimum maintenance and impact from such structures are limited to those during the construction period. And these impacts can be mitigated so that the environmental sensitivity of the area can be protected. The steel structures are long lasting; however, does require regular maintenance. Considering the above, the environmentally sustainable construction method shall be utilized that shall enable optimal use of resources.

Taking note of this observation by MCZMA, MMB will restrict activity to Restoration of River alignment using the desilted sand from the River creek which is required for clearing the Navigational channels. MMB has revised the proposal which is as follows:

Earlier proposal	Revised proposal
Backfilling area - 15 Ha	Backfilling area - 3 Ha
De-siltation - 1.5 million m <sup>3</sup>	De-siltation - 0.2 million m <sup>3</sup>
Required Depth - 5 m	Present - 1.5 m

CEO, MMB presented that the project is urgently required in order to save the livelihood and the property of the local residents at Devbaug. At proposed site there is no dunes between the beach and the backshore area so the coastal road, public and private properties are under serious erosion threat. The Karli creek bank protection work will widen the sand pit and stabilize the Karli river entrance. Local residents has demanded the said work and submitted there written requests to MMB.

Dr. Kudale, Expert Member opined that this is a river protection works. He raised a concern while construction stage of sheet pile, movement of heavy machinery & cranes to the site may damage the local trees/ vegetation. He suggested MMB that adequate measures / care should be implemented while maneuverings the machinery & cranes to the site in order to protect the local trees/ vegetation. MMB may impose strict conditions and impart awareness to contractors for protection of local trees/ vegetation while construction phase, especially while accessing the site through machinery & cranes.

CEO, MMB concurred with the views of the Expert Member and assured that MMB will take into consideration the concern raised by Expert Member.

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The Expert Members appreciated and supported the project and observed that the project is crucial to safeguard the landmass which is now in danger of submergence due to grave nature of erosion at the river bank

The Authority further noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible, construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF,

For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

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

1. The proposed activity should be undertaken 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. Dredging activity in the river/ creek should be carried out, considering the spawning and larval period of fishes.
3. MMB to adopt all possible measures / precautions while maneuverings the machinery & cranes to the site in order to protect the local trees/ vegetation. MMB to strictly ensure that the same is followed by monitoring the works of contractors.
4. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
5. Construction of coastal protection works should be done with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.

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6. Vehicles carrying excavated material will be properly covered with appropriate measures to minimize windblown fugitive dust emission during transport. The identified site of storage of excavated material should be fenced and the surface will be ensured to be impervious and the stored material will be covered appropriately. The storage area and storage of excavated material will be sprinkled with water to avoid fugitive dust generation.
7. During the work of excavation of depositions, all possible efforts/ measures should be taken to maintain the coastal ecology and biodiversity. Necessary training / awareness should be imparted to contractors & workers so that adequate environmental safeguards could be implemented on site, during execution of the project activities
8. Mangrove if any should not be cut for the project activities. Dredging activity is not allowed in fish breeding sites.
9. Compensatory plantation of local species should be carried out, in case of cutting of trees if any at the project site.
10. The Environment Management Plan & Environment Monitoring Plan should be implemented in letter and spirit and it should be in consonance with the surrounding ecosystem. Specific budget should be allocated for the implementation of EMP.
11. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

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**Item No.24:** Proposed development of security chowki & toilets blocks at Gateway of India Plaze on plot bearing CS no. Nil of Colaba Division, at junction of Adam Street & Rajkavi Bhushan Marg, A ward, Mumbai by Municipal Corporation of Greater Mumbai (MCGM)

**Introduction:**

The Municipal Corporation of Greater Mumbai | (MCGM) officials presented the matter before the Authority. The MCGM has proposed development of security chowki& toilets facility building comprising of Ground floors with total height 4.5m & 5.10 m respectively at Gateway of India Plaza on plot bearing CS no. Nil of Colaba Division, at junction of Adam Street & Rajkavi Bhushan Marg, A ward, Mumbai.

The existing structures (existing gateway security, ticketing & toilet structure, entry temporary canopy, security chowki, container, shop, police chowki, toilet, container of mumbai port trust, BPT cabin, MCGM cabin, Mumbai Police Chowki) will be demolished. Existing Gateway of India Monument, Chhatrapati Shivaji Maharaj statue, fountain, inauguration board, swami vivekanand statue and CIR structure will be retained.

Total site area is 11, 416.73sqm, Total built up area is 409.42sqm (existing CRI structure 74sqm + proposed BUA is 335.42sqm)

The remarks of the MCGM states that, the proposed project site falls under CRZ IA, CRZ II (NDZ area) & affected by Heritage Site, as per approved CZMP, 2019 of Greater Mumbai.

**Deliberation:**

During the deliberations, the MCGM officials presented that footprint of the proposed activities is small and proposed activities are in the interest of the public. NoC from the Mumbai Heritage Committee has been obtained for the proposal. It was deliberated whether it also required clearance from the Archeological front point of view.

The Authority asked MCGM about the height of the proposed toilet. Architect



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of the proposal explained that overhead tank is also proposed over the toilet, hence, overall height of purposed toilet is 5.10 meter.

The Authority noted that as per para 7(iii) of the CRZ Notification, 2019:  
*"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"*

The Authority noted that the proposal involves security chowki & toilets facility which are necessary public utilities. Considering the coastal security point of view, proposed works need to be permitted at the site. MCGM need to obtain all necessary approvals from various statutory authorities including archeological NoC, if applicable.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal to MoEF&CC, New Delhi subject to compliance of following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. MCGM to ensure proper treatment / disposal of waste water from the toilet.
3. MCGM to obtain NoC from Archeological point of view from competent Authority, if applicable.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

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**Item No.25:** Proposed construction of residential building on plot bearing S. No. 54/3 of mauje Warcha Pat at Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Vinayak Ramchandra Sohoni.

**Introduction:**

The project proponent presented the proposal before the Authority. The proposal is for construction of residential building comprises of Ground + 1 st floor on plot bearing S. No. 54/3 of mauje Warcha Pat at Guhagar, Tal. Guhagar, Dist. Ratnagiri.

The proposal was earlier deliberated in 133<sup>rd</sup> meeting held on 30.04.2019. The project proponent was absent for the meeting. Hence, the matter was deferred. The PP vide letter dated 13.06.2022 requested to consider the proposal in the meeting.

As per the remarks, Plot area is 1190.00 sqm. Proposed BUA is 160.30 sqm.

As per remarks of Guhagar Nagar Panchayat, the plot under reference falls in CRZ III area and situated within 200m - 500m from Sea front.

**Deliberation:**

The PP during the meeting stated that there is small shed on the site which will be demolished for construction of new residential structure of Ground + 1<sup>st</sup> floor.

The Authority noted that as per 8(i) III.B CRZ-III of CRZ Notification, 2011, (vii) 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);

  
Member Secretary

  
Chairman

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**Decision:**

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

1. The Local Body to ensure that 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);
2. Local body to ensure that the PP is local inhabitant.
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.



Member Secretary

  
Chairman

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**Item No.26:** Proposed construction on land bearing plot no. 52, Sec No. 23, GES, Ghansoli, Navi Mumbai by M/s. Triarch Design Studio

**Introduction:**

The Planner, Navi Mumbai Municipal Corporation presented the proposal before the Authority. The proposal is for construction of building (Gr + 4) on land bearing plot no. 52, Sec No. 23, GES, Ghansoli, Navi Mumbai. As per NMMC remarks, the plot under reference is situated in Residential zone. Plot area under consideration is 148.41 sqm.

The MCZMA in its 152<sup>nd</sup>, 154<sup>th</sup> & 159<sup>th</sup> meeting held on 18 & 22.02.2021, 20.4.2021 & 07.06.2022 deliberated the proposal respectively.

The Authority in its 159<sup>th</sup> meeting sought clarification from the NMMC about the 50 m mangrove buffer zone and FSI applicable for the proposal as per the existing local town and country planning regulations, existing as on 19.2.1991, under CRZ Notification, 2011.

**Deliberation:**

The Authority noted that the Municipal Commissioner, NMMC vide letter dated 24.06.2022 submitted report which states that the as per CZMP, 2011, Plot is situated in CRZ II area. It is situated on landward side of existing road. The site is affected by 50 m mangrove buffer zone area and situated at a distance of 44.40 m from the Mangroves and HTL. Plot area is 148.410 sqm, Permissible FSI is 1.5 and total construction area is 262.356 sqm. Presently, the plot is vacant.

During the meeting, Planner, NMMC stated that the plot is partly affected by 50 m mangrove buffer zone area. No construction is allowed in 50 m mangrove buffer zone area and FSI of the 50 m mangrove is also not permissible to be utilized. He further stated that if construction within 50 m buffer zone, prior High Court permission is required to obtain by the PP.

The Authority noted that the PP need to restrict the construction beyond 50 m mangrove buffer zone area. The NMMC need to ensure the same

  
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**Decision:**

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. Local body to strictly ensure that proposed construction is in CRZ II and situated on landward side of existing road or existing authorized structure.
3. Local body to ensure that no construction is allowed within 50 m mangrove buffer zone area.
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



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**Item No.27:** Proposed construction of residential building on land bearing plot no. 50, Sector no. 23, GES, Ghansoli, Navi Mumbai by M/s. Bhumidreams

**Introduction:**

The Planner, Navi Mumbai Municipal Corporation presented the proposal before the Authority. The proposal is for construction of residential building on land bearing plot no. 50, Sector no. 23, GES, Ghansoli, Navi Mumbai. As per NMMC remarks, the plot under reference is situated in Residential zone. Plot area is 597.87 sqm,

The NMMC mentioned that as per approved CZMP, the plot falls in CRZ II area and situated on landward side of existing road. The Mangrove cell vide letter dated 30.03.2021 submitted the report as per which, the plot under reference is situated within 50 m from Reserved Forest of Survey No. 38 of mouje Gothivali. However, mangrove not observed in 50 m from the plot under reference.

The MCZMA in its 159<sup>th</sup> meeting held on 07.06.2022 deliberated the proposal and sought clarification from the NMMC about the 50 m mangrove buffer zone and FSI applicable for the proposal as per the existing local town and country planning regulations, existing as on 19.2.1991, under CRZ Notification, 2011.

**Deliberation:**

Accordingly, the Municipal Commissioner, NMMC vide letter dated 24.06.2022 submitted report which states that the site falls in CRZ II area and situated on landward side of the existing road. The site is affected by 50 m mangrove buffer zone area and situated at a distance of 44.40 m from the Mangroves and HTL. The Plot area is 597.87 sqm, Permissible FSI is 1.5, Proposed BUA is 617.62 Sqm (FSI 1.033) and total construction area is 1119.805 sqm. Presently, the plot is vacant.

During the meeting, Planner, NMMC stated that the plot is partly affected by 50 m mangrove buffer zone area. No construction is allowed in 50 m mangrove buffer zone area and FSI of the 50 m mangrove is also not permissible to be utilized. He further stated that if construction within 50 m buffer zone, prior



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High Court permission is required to obtain by the PP.

The Authority noted that the PP need to restrict the construction beyond 50 m mangrove buffer zone area. The NMMC need to ensure the same.

**Decision:**

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. Local body to strictly ensure that proposed construction is in CRZ II and situated on landward side of existing road or existing authorized structure.
3. Local body to ensure that no construction is allowed within 50 m mangrove buffer zone area.
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

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**Item No.28:** Proposed construction of residential building on land bearing plot no.36/1, Sector no. 8A, GES, Airoli, Navi Mumbai by M/s. Mirza Homes Pvt. Ltd

**Introduction:**

The Planner, Navi Mumbai Municipal Corporation presented the proposal before the Authority.

Earlier, the proposal of residential building on land bearing plot no.36/1, Sector no. 8A, GES, Airoli, Navi Mumbai was considered in 86<sup>th</sup> & 92<sup>nd</sup> meeting of MCZMA held on 27.11.2013 & 19.07.2014 and recommended vide letter dated 19.09.2014 with FSI 1.00. Accordingly, NMMC has granted Commencement Certificate on 21.08.2018 for residential building comprises of ground + 3<sup>rd</sup> Floor for FSI 1, Plot area 249.55 sqm & BUA 248.47. As per Architect Certificate dated 24.09.2019, 90 % work has been done.

Further, the NNMC forwarded the proposal of residential building comprises of ground + 4<sup>th</sup> Floor for permissible FSI 1.5 on land under reference. The proposal was deliberated in 159<sup>th</sup> meeting of MCZMA 07.06.2022, wherein the Authority sought a clarification from NMMC about the FSI applicable to the project under consideration, as per town and country planning regulations existing as on 19.2.1991.

**Deliberation:**

Accordingly, the Municipal Commissioner, NNMC vide letter dated 24.06.2022 submitted report which states that the plot falls in CRZ II area and situated on landward side of existing road. Plot is not situated within 50 m mangrove buffer zone. Distance of plot from buffer zone is 100 m. The permissible FSI as per town & country planning regulations as on 19.2.1991 is 1.5. Plot area is 248.62 Sqm, Proposed BUA is 371.268 Sqm (FSI 1.493) and total construction area is 636.155 Sqm. The report further states that at present, construction of Gr + 3 upper floors is completed as per earlier CRZ clearance dated 21.8.2018 with FSI 1.00 granted in the proposal.

The Authority noted that construction of building is permissible in CRZ II area with FSI as per town and country planning regulation existing as on 19.2.1991,

  
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under CRZ Notification, 2011. Concern planning Authority should strictly ensure the proposed FSI for the proposal is within the permissible limit of town and country planning regulations existing as on 19.2.1991.

**Decision:**

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. Local body to ensure the stability of the structure for construction of additional floor.
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

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**Item No.29:** Proposed construction of residential building on land bearing plot no. 2, sector no. 16, Ghansoli, Navi Mumbai by M/s. Trimurti Enterprises

**Introduction:**

The Planner, Navi Mumbai Municipal Corporation officials presented the proposal before the Authority. The proposal is for residential building comprises of Ground + 4<sup>th</sup> floors on land bearing plot no. 2, sector no. 16, Ghansoli, Navi Mumbai. As per NMMC remarks, the plot under reference is situated in Residential zone. Plot area is 476.25 sqm.

The Authority in its 159<sup>th</sup> meeting sought clarification from the NMMC about the permissible FSI applicable to the project under consideration, as per town and country planning regulations existing as on 19.2.1991.

**Deliberation:**

Accordingly, the Municipal Commissioner, NMMC vide letter dated 24.06.2022 submitted report which states that Plot falls in CRZ II area and situated on landward side of existing road. Plot is not situated within 50 m mangrove buffer zone. Distance of plot from 50 m mangrove buffer zone is 14.54 m. The permissible FSI as per town & country planning regulations as on 19.2.1991 is 1.5. Plot area is 476.250 Sqm, Proposed BUA is 647.088 Sqm (FSI 1.357) and total construction area is 1028.976 Sqm.

The Authority noted that construction of building is permissible in CRZ II area with FSIs as per town and country planning regulation existing as on 19.2.1991, under CRZ Notification, 2011. Concern planning Authority should strictly ensure the proposed FSI for the proposal is within the permissible limit of town and country planning regulations existing as on 19.2.1991.

**Decision:**

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:



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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. Local body to strictly ensure that proposed construction is in CRZ II and situated on landward side of existing road or existing authorized structure.
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

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**Item No.30:** Proposed reconstruction of residential building on land bearing plot no. 414 & 415, sector no. 31, GES, Vashi, Navi Mumbai by Shri. Vijay Ranveer Mehra & Ajay Ranveer Mehra

**Introduction:**

The Planner, Navi Mumbai Municipal Corporation presented the proposal before the Authority. The proposal is for residential building comprises of Ground + 4<sup>th</sup> floors on land bearing plot no. 414 & 415, sector no. 31, GES, Vashi, Navi Mumbai by demolishing existing structure. As per NMMC remarks, the plot under reference is situated in Residential zone. Plot area is 300.00 sqm.

The Mangrove cell vide letter dated 30.03.2021 submitted report as per which existing Ground + 2 floor old building is present on plot under reference. The plot is situated beyond 50 m mangrove buffer zone.

The Authority in its 159<sup>th</sup> meeting held on 07.06.2022 deliberated the proposal and sought permissible FSI applicable to the project under consideration, as per town and country planning regulations existing as on 19.2.1991

**Deliberation:**

The Authority noted that the Municipal Commissioner, NMMC vide letter dated 24.06.2022 submitted report which states that Plot is situated in CRZ II area and landward side of exiting road. Plot is not situated within 50 m mangrove buffer zone. Distance of plot from 50 m mangrove buffer. The permissible FSI as per town & country planning regulations as on 19.2.1991 is 1.5. Plot area is 300.00 Sqm, Proposed BUA is 450.00 Sqm (FSI 1.299) and total construction area is 628.26 Sqm. zone is 132.00 m.

The Authority noted that reconstruction of authorized building is permissible in CRZ II area with FSI as per town and country planning regulation existing as on 19.2.1991, under CRZ Notification, 2011. Concern planning Authority should strictly ensure the proposed FSI for the proposal is within the permissible limit of town and country planning regulations existing as on 19.2.1991.

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**Decision:**

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 strictly ensure that proposed construction is in CRZ II and situated on landward side of existing road or existing authorized structure.
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

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**Item No.31:**      Proposed construction of resort building on plot bearing  
S. no. 8/7 at Dahanu, Tal. Dahanu, Dist. Palghar by  
Shri. Santosh Shetty

**Introduction and Deliberation:**

The project proponent could not present and show the details the matter before the Authority. Further, the Authority observed that the Dahanu Municipal Council should provide approved CZMP, 2011 showing the site with remarks whether the site is situated on landward side or seaward side of the existing road or existing authorized structure.

**Decision:**

In the light of above, the Authority after deliberation decided to defer the matter for want of above stated compliance.

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**Discussion item 1:**            Regarding Slum Redevelopment projects in CRZ area of Greater Mumbai, as per CRZ Notification, 2019 issued by MoEF&CC, New Delhi.

The Authority noted that the CRZ Notification, 2019 published by MoEF&CC, New Delhi is silent about the permissibility of the Slum Rehabilitation scheme projects in CRZ-II area. The para 5.2(iv) of CRZ Notification, 2019 stipulates as follows:

*"Reconstruction for authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette....."*

As per the above said para, reconstruction of the 'authorized buildings' are permitted. However, Slum Rehabilitation schemes may not fit into the definition of the authorized structures. Slum hutments in Slum Rehabilitation schemes are protected structures and State Government notifies such Schemes, in order to redevelop slum clusters. Thus, under para (iv) of the CRZ Notification, 2019 there is ambiguity about the permissibility of the SRA scheme in CRZ-II area. Hence along with authorized buildings, the protected structures under SRA be included. Alternatively, it may be clarified by MoEF&CC that authorized buildings include any structures protected under SRA. Further, there are slum clusters situated in open spaces, Garden, playground reservations of the Development plan in the Greater Mumbai. The para 10.3 of the CRZ Notification, 2019 states that,

*"In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible".*

In Greater Mumbai, there are slum structures on the open spaces, parks,

  
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gardens, playgrounds in CRZ II areas, which could not be redeveloped, due to above said provisions in the CRZ Notification, 2019. Slum structures are protected structures by the State Government and they are redeveloped by the Slum Redevelopment Authority. The Redevelopment of the said Slum Rehabilitation schemes needs to be permitted subject to prevailing town and country planning regulations, by issuing special dispensation to Greater Mumbai.

**Deliberation:**

The Hon'ble Chief Minister, GoM vide letter dated 8<sup>th</sup> February, 2019 sought the guidance / clarification from the MoEF&CC, New Delhi regarding the permissibility of the SRA schemes in CRZ areas of the State of Maharashtra. Further, Hon'ble Minister, Env&CC sent a communication dated 14<sup>th</sup> June, 2022 seeking guidance from the MoEF&CC, New Delhi regarding the permissibility of the SRA schemes in CRZ areas of the State of Maharashtra. In response, the Hon'ble Minister, MoEF&CC, New Delhi on 20<sup>th</sup> September, 2022 replied stating that the matter is under re-examination in the Ministry for necessary action.

Meanwhile, pertaining to SRA projects situated in Worli, Mumbai, the Hon'ble High Court has passed orders dated 20<sup>th</sup> October, 2022 in WP (L) No. 32454/2022 (Akshay Sthapatya Pvt Ltd V/s Union of India & Ors) and WP (L) No. 2621/2019 (Samudra Real Estate Ltd and Anr V/s Union of India & Ors). The Hon'ble High Court has directed the MCZMA to appraise slum rehabilitation project on the subject plot by applying Regulation 5.2 (ii) and (iii) of the CRZ 2019 Notification and applicable laws within a time bound manner and disregarding the clarification sought by the MCZMA in its letter dated 8<sup>th</sup> February 2019.

Further, the SRA vide letter dated 27.10.2022 sent a communication regarding SRA projects. SRA has stipulated the para 5.2. CRZ II of the CRZ Notification, 2019 and requested a clarification whether 'protected structure' can be considered as 'Authorized structure'. Further, SRA has also pointed out the para 10.3 of the CRZ Notification, 2019 and stated that as per the DCPR 2034, the SRA schemes are allowed on RG/ PG and open plots reservations in ratio 65/35 ( Redevelopment / Reservation). SRA has further stated that under DCPR 2034, the RG/PG can be developed on 35% of the plot and said facility can be available to public. SRA has requested for the amendment in the CRZ Notification, 2019.



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The Authority noted that recently, the MoEF&CC, New Delhi vide letter dated 7<sup>th</sup> November, 2022 requested to provide a detailed proposal on the matter along with recommendation of the SCZMA to take further necessary action.

**Decision:**

In the light of above, the Authority after detailed discussion and deliberation decided that a proposal of amendment to CRZ Notification, 2019 to be sent to MoEF&CC, New Delhi with a request to permit SRA schemes in CRZ II areas of Greater Mumbai. Accordingly, following proposal to be recommended to MoEF&CC, New Delhi.

Sr. No.	Provision of CRZ Notification, 2019	Clause/ Sub clause	Proposal of GoM
1	"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time....."	5.2(iv)	Clause 5.2(iv) required to be amended as follows:  <i>Reconstruction of authorized buildings / protected structures (for slum rehabilitation scheme only) shall be permitted, subject to the local town and country planning regulations as applicable from time to time....."</i>
2	In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone	10.3 (i)	Nil

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	and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible".		
3	Construction of sewage treatment plants in CRZ I area for the purpose of treating the sewage from the Municipal area shall be taken only by the Municipal Authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the Coastal Zone management Authority and approval by the Central Govt and in case construction of such plants is inhabitable in a mangrove area, a minimum 3 times the mangrove are affected	10.3(ii)	Nil

  
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	or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves		
3	Nil	Nil	<p>New Clause 10.3 (iii) shall be inserted as follows:</p> <p><i>Redevelopment of the Slum Rehabilitation Schemes in CRZ II areas of the Greater Mumbai and Slum Redevelopment schemes protected notified by the State Government on all open spaces, parks, gardens, playgrounds etc. indicated in development plans within CRZ-II i.e. No Development Zone area, shall be permitted subject to prevailing town and country planning Regulations as applicable from time to time.</i></p>

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**Discussion item no. 2:** Regarding applicability of Urban Development Department (UDD) Notification under CRZ Notification, 2019

**Introduction:**

The Authority noted that the para 5.2(iv) of the CRZ Notification, 2019 states that, project of reconstruction of buildings in CRZ II areas are permissible subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification i.e. 18<sup>th</sup> January, 2019. In the event that there is a need for amendment of the FSI, Urban Local Body or State Government through the concerned State Coastal Zone Management Authority (SCZMA) shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter. The Para 5.2(iii) reads as follows:

*"Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette and in the event that there is a need for amendment of the FSI after the said date of this notification, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the CZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters"*

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Currently, for regulation of developmental activities in Greater Mumbai, the Development Control Regulations (DCPR), 2034 is in force. In CRZ II areas, provisions of the DCPR, 2034 (till 18<sup>th</sup> January, 2019) is applicable.

**Deliberation:**

The Authority noted that the Urban Development Department, GoM has sent a proposal to Environment and Climate Change Dept, GoM to make applicable the Amendment dated 8.7.2021 in Regulations 33(7), 33(9) of DCPR, 2034 for Greater Mumbai to Redevelopment projects of dilapidated, Cess buildings. UDD has requested to make applicable amendment dated 8.7.2021 in Regulations 33(7), 33(9) of DCPR, 2034 for Greater Mumbai to Redevelopment projects of dilapidated, Cess buildings, under CRZ Notification, 2019

The Authority noted that the meeting was held on 10<sup>th</sup> November, 2022 under the Chairmanship of the Secretary, Environment & Climate Change Department, GoM with officials of the UDD and MCGM. In the said meeting, it was decided that the matter to be considered before the MCZMA for granting recommendation to the said proposal so that it would be sent to NCZMA, Delhi.

**Decision:**

In the light of above, the Authority after deliberation decided to send the proposal of Urban Development Department (UDD), GoM to make applicable amendment dated 8.7.2021 in Regulations 33(7), 33(9) of DCPR, 2034 for Greater Mumbai to Redevelopment projects of dilapidated, Cess buildings, under CRZ Notification, 2019, in view of the para 5.2(iv) of the CRZ Notification, 2019.

  
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**Discussion item no. 3:** Regarding SRA scheme 'Mariamma Nagar CHSL' on plot bearing CS no. 47 (pt) & 16/47 (pt) of Lower Parel Division situated at Dr. A. B. Road in G/S ward, Mumbai by M/s AkshatSthapatya Pvt. Ltd related to Hon'ble High Court order dated 20<sup>th</sup> Oct, 2022 passed in WP (L) No. 32454/2022 (AkshaySthapatyaPvt Ltd V/s Union of India &Ors)

**INTRODUCTION:**

The Authority noted the proposal of Amendment in CRZ Clearance for the SRA Project 'Mariamma Nagar CHS Ltd' at Worli, Mumbai. The project site falls in CRZ II area. The PP has applied for 3,28,932.89 m<sup>2</sup> of total covered built-up construction area. The Captive FSI of 4.00 is proposed. (1 Rehab Building having 2 Towers (Height: 119.95 m), One Sale Building having 2 Towers (Height: 273.95 m) and Nehru Centre Building (Height: 39.66 m)

The project was deferred in the 159<sup>th</sup> MCZMA meeting held on 07/06/2022 as the Authority needed clarification about the permissibility of the SRA scheme in CRZ-II areas and hence the matter was deferred.

Earlier, the Govt. of Maharashtra through Hon'ble Chief Minister vide letter dated 08/02/2019 had sought clarification from the MoEFCC regarding permissibility of the SRA scheme in CRZ-II areas under CRZ Notification, 2019. Further, Hon'ble Minister, Env&CC sent a communication dated 14<sup>th</sup> June, 2022 seeking guidance from the MoEF&CC, New Delhi regarding the permissibility of the SRA schemes in CRZ areas of the State of Maharashtra. In response, the Hon'ble Minister, MoEF&CC, New Delhi on 20<sup>th</sup> September, 2022 replied stating that the matter is under re-examination in the Ministry for necessary action.

The Authority noted that presently, Hon'ble High Court has passed orders dated 20<sup>th</sup> October, 2022 in WP (L) No. 32454/2022 (Akshay Sthapatya Pvt Ltd V/s Union of India & Ors). The Hon'ble High Court has directed the MCZMA to appraise slum rehabilitation project on the subject plot by applying Regulation 5.2 (ii) and (iii) of the CRZ 2019 Notification and applicable laws within a time bound manner and disregarding the clarification sought by the MCZMA in its letter dated 8th February 2019.

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**DELIBERATIONS:**

The Authority noted that in view of the order passed by the Hon'ble High Court of Bombay, the matter will have to be decided without waiting for the clarification from MoEFCC, as per CRZ Notification 2019 and applicable laws. As such, MCZMA is obliged to decide the matter considering the documents on record and the CRZ Notification 2019 in totality and as it is, disregarding the clarification sought by the State Government in its letter dated 08/02/2019.

The Authority noted that the plot was preoccupied by the slums. The Authority is of the opinion that the CRZ Notification 2019 Clauses 5.2(ii) and 5.3(iii) may not be applicable to this SRA project case with FSI 4.0.

The Authority from the para 5.2 of the CRZ Notification, 2019 noted that, in CRZ II areas, the development and redevelopment is permissible in accordance with the town and country planning regulations existed as on 18.1.2019. It is further noted that the FSI entitlement for the normal vacant plot as per town & Country planning regulations i.e. DCPR 2034 differs from the FSI entitlement claimed in case of SRA project.

The Authority observed that this is the case of reconstruction of the plot populated with slums. It could have been covered under the Clause 5.2(iv) if the slums would have been authorized structure, which they are not. The Clause 5.2(iv) is only for the reconstruction of authorized buildings. The Clause 5.2(iv) is reproduced as below:

*"Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette and in the event that there is a need for amendment of the FSI after the said date of this notification, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone*

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*Management Authority, as the case may be and the CZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities,.... "*

The Authority observed that it doesn't fit in 5.2(iv) as it is not the case of reconstruction of authorized structure.

The Authority noted that recently, the MoEF&CC, New Delhi vide letter dated 7<sup>th</sup> November, 2022 requested to provide a detailed proposal with respect to SRA projects along with recommendation of the SCZMA to take further necessary action. Taking into account the communication received from the MoEF&CD, the MCZMA need to send the detailed proposal in the matter.

However, as per the order of the Hon'ble High Court, MCZMA is required to proceed further disregarding the clarification sought.

Dr. Shindikar, Expert Member opined that a clarification need to be sought from the Hon'ble Supreme Court of India on legal interpretation of the above said order dated 20<sup>th</sup> Oct, 2022 passed by the Hon'ble High Court. Dr. Kudale, Expert Member also agreed with the same.

During the meeting, the ACS, UDD-1 suggested to obtain opinion from the Advocate General of Maharashtra on the said order before taking further action in the matter.

**DECISION:**

**Litigation Aspects:** Govt. of Maharashtra has asked the clarification from MoEFCC, which was not given. However, recently MoEFCC has asked to submit the proposal vide their letter 07/11/2022.

Hence, the Authority after deliberation decided to seek legal opinion from the Advocate General of Maharashtra on following points:

  
Member Secretary

  
Chairman



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- a. Whether the Authority can overlook the other provisions of the CRZ Notification 2019 and decide on the matter only considering Clauses 5.2 (ii) and (iii), neglecting other Clauses 5.2(iv) and 10.3?
- b. Whether the Authority has the power and source of authority to consider and recommend the proposal with a higher FSI 4.0 for the SRA Slum Redevelopment Development Scheme projects for in CRZ area?
- c. Whether MCZMA should go to Hon'ble Supreme Court by way of filing an appeal against the directions of the Hon'ble High Court.

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Member Secretary

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Chairman

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**Discussion item no. 4:** Regarding SRA scheme 'Sagarvihar Co-op housing society on plot bearing C. S. no. 881, plot no. 22, Worli Division, 58, G/S ward, Village Worli, Mumbai by M/s Samudra Real Estate Pvt. Ltd related to Hon'ble High Court order dated 20<sup>th</sup> Oct, 2022 passed in Interim Application No. 4590/2022 in WP (L) No. 2621/2019 (Samudra Real Estate Ltd and Anr V/s Union of India &Ors)

**INTRODUCTION:**

The Authority noted that the proposal is for CRZ clearance for SRA scheme 'Sagarvihar Co-op housing society on plot bearing C. S. no. 881, plot no. 22, Worli Division, 58, G/S ward, Village Worli, Mumbai. As per submission, previously, land was covered by existing slum dwellers which is demolished now for proposed redevelopment. The land under reference falls in CRZ II area. Total plot area is 1611.90 Sqm. Total Construction area is 19129.75 Sqm.

The project was deferred in the 159<sup>th</sup> MCZMA meeting held on 07/06/2022 as the Authority needed clarification about the permissibility of the SRA scheme in CRZ-II areas and hence the matter was deferred.

Earlier, the Govt. of Maharashtra through Hon'ble Chief Minister vide letter dated 08/02/2019 had sought clarification from the MoEF&CC regarding permissibility of the SRA scheme in CRZ-II areas under CRZ Notification, 2019. Further, Hon'ble Minister, Env&CC sent a communication dated 14<sup>th</sup> June, 2022 seeking guidance from the MoEF&CC, New Delhi regarding the permissibility of the SRA schemes in CRZ areas of the State of Maharashtra. In response, the Hon'ble Minister, MoEF&CC, New Delhi on 20<sup>th</sup> September, 2022 replied stating that the matter is under re-examination in the Ministry for necessary action.

The Authority noted that presently, Hon'ble High Court has passed an order dated 20.10.2022 in Writ Petition (L) No. 32454/2022. The Hon'ble High Court observed that the facts in the two cases are broadly similar. The present interim Application is on the same footing as the 2022 Akshay Sthapatya petition although the project is different and similarly disposed of the matter in line with earlier Akshay Sthapatya matter.

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**DELIBERATIONS:**

The Authority noted that in view of the order passed by the Hon'ble High Court of Bombay, the matter will have to be decided without waiting for the clarification from MoEFCC, as per CRZ Notification 2019 and applicable laws. As such, MCZMA is obliged to decide the matter considering the documents on record and the CRZ Notification 2019 in totality and as it is, disregarding the clarification sought by the State Government in its letter dated 08/02/2019.

The Authority noted that the plot was preoccupied by the slums. The Authority is of the opinion that the CRZ Notification 2019 Clauses 5.2(ii) and 5.3(iii) may not be applicable to this SRA project case with FSI 4.0.

The Authority from the para 5.2 of the CRZ Notification, 2019 noted that, in CRZ II areas, the development and redevelopment is permissible in accordance with the town and country planning regulations existed as on 18.1.2019. It is further noted that the FSI entitlement for the normal vacant plot as per town & Country planning regulations i.e. DCPR 2034 differs from the FSI entitlement claimed in case of SRA project.

The Authority observed that this is the case of reconstruction of the plot populated with slums. It could have been covered under the Clause 5.2(iv) if the slums would have been authorized structure, which they are not. The Clause 5.2(iv) is only for the reconstruction of authorized buildings.

*"Reconstruction of authorised buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette and in the event that there is a need for amendment of the FSI after the said date of this notification, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the CZMA shall forward*

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*the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities,.... "*

The Authority observed that it doesn't fit in 5.2(iv) as it is not the case of reconstruction of authorized structure.

The Authority noted that recently, the MoEF&CC, New Delhi vide letter dated 7<sup>th</sup> November, 2022 requested to provide a detailed proposal with respect to SRA projects along with recommendation of the SCZMA to take further necessary action. Taking into account the communication received from the MoEF&CD, the MCZMA need to send the detailed proposal in the matter.

However, as per the order of the Hon'ble High Court, MCZMA is required to proceed further disregarding the clarification sought.

Dr. Shindikar, Expert Member opined that a clarification need to be sought from the Hon'ble Supreme Court of India on legal interpretation of the above said order dated 20<sup>th</sup> Oct, 2022 passed by the Hon'ble High Court. Dr. Kudale, Expert Member also agreed with the same.

During the meeting, the ACS, UDD-1 suggested to obtain opinion from the Advocate General of Maharashtra on the said order before taking further action in the matter.

**DECISION:**

**Litigation Aspects:** Govt. of Maharashtra has asked the clarification from MoEFCC, which was not given. However, recently MoEFCC has asked to submit the proposal vide their letter 07/11/2022.

Hence, the Authority after deliberation decided to seek legal opinion from the Advocate General of Maharashtra on following points:

- a. Whether the Authority can overlook the other provisions of the CRZ Notification 2019 and decide on the matter only

  
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considering Clauses 5.2 (ii) and (iii), neglecting other Clauses 5.2(iv) and 10.3

- b. Whether the Authority has the power and source of authority to consider and recommend the proposal with a higher FSI 4.0 for the SRA Slum Redevelopment Development Scheme projects for in CRZ area?
- c. Whether MCZMA should go to Hon'ble Supreme Court by way of filing an appeal against the directions of the Hon'ble High Court.

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**Discussion item no. 5:** Proposal for additional permission to construct the temporary Gabion wall for access to Arm - 2 and temporary rock filling for access to Arm - 3 of Worli connector of Mumbai Coastal Road project by Municipal Corporation of Greater Mumbai (MCGM)

**Introduction:**

The MCGM official presented the matter before the Authority. The proposal of additional permission to construct the temporary Gabion wall for access to Arm - 2 and temporary rock filling for access to Arm - 3 of Worli connector of Mumbai Coastal Road project by MCGM was deliberated in 161<sup>st</sup> meeting of the MCZMA held on 10<sup>th</sup> November, 2022 wherein The Authority noted that the project site falls under CRZ I (B) and CRZ IV (A) area as per approved CZMP, 2019 of the Mumbai.

As per para 7(iii) of the original CRZ Notification, 2019:

*"For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority"*

Accordingly, the Authority after deliberation decided to recommend the proposal to MoEF&CC, New Delhi subject to certain conditions.

**Deliberation:**

The Authority noted that the MoEF&CC, New Delhi has published amendment dated 24.11.2022 to original CRZ Notification, 2019 as per which, in paragraph 7, for sub-paragraph (ii) the following sub-paragraph shall be substituted, namely: — "(ii) All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or Permissible as per this notification, shall be dealt with by the Central Government for Coastal Regulation Zone clearance, based on the recommendation of the concerned Coastal Zone Management Authority with the following exceptions, namely: —

  
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Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.)

Subsequently, the MoEF&CC, New Delhi has issued an OM dated 29.11.2022, as per which, project activities such as Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) require clearance by the CZMA.

The Authority noted that the MCZMA in its 161<sup>st</sup> meeting held on 10<sup>th</sup> November, 2022 recommended the project to MoEF&CC, as per jurisdiction stipulated in original CRZ Notification, 2019. Now, as per the OM dated 29.11.2022, activities like said Temporary structures and Erosion Control Measures can be cleared by the CZMA.

Dr. Kudale, Expert Member stated that project generally requires temporary structures for access. However, when project gets delayed, temporary structure gets permanent. If they remain for longer period, structure starts interfering with coastal processes and problem of sedimentation occurs, hence, it is necessary to remove temporary structures immediately. MCGM officials concurred with view of the Expert Member and assured that temporary structure will be removed immediately after the completion of the arms 2 & 3.

**Decision:**

In the light of above, the Authority after deliberation decided to grant clearance to proposal from CRZ point of view subject to following conditions:

1. This CRZ recommendation is only for temporary construction of gabion walls near Arm 2 and rock fill near Arm 3 of the Worli connector bridge
2. After the completion of the arm 2 and arm 3, the said temporary gabion wall should be removed immediately.
3. Activity of local fishermen should not be obstructed due to proposed activity.
4. All other required permission from different statutory authorities should be obtained

  
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**Table Items:**        Proposals of Anti- sea erosion bunds at Ratnagiri  
Districts by the Public Works Department

**Introduction:**

The Authority noted that the proposals of the Anti- sea erosion bund at various locations of the Ratnagiri were deliberated in 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 wherein the Authority observed that the PWD had submitted the 21 numbers of proposals of anti-sea erosion bunds in group-wise manner. The Authority after deliberation decided that PWD need to submit the separate proposal for each stretch along with separate EIA report and suggested soft measures for certain locations. The PWD has identified certain coastal stretches wherein hard solutions is a necessity in order to protect the vulnerable human settlement/ agricultural fields/ properties and livelihood of local people. Accordingly, the PWD has submitted the 9 separate proposals with EIA report and with justification of necessity of the coastal protection works in the form of hard solution at the site. For other sites, the PWD is in process of exploring the soft measures in consultation with experts in the field.

**Deliberation:**

Dr. Kudale, Expert Member elaborately explained the need of coastal protection works along the coast line where there is problem of erosion and there is danger of tidal water reaching to human settlement residing along the coastline. He explained at certain locations hard solution in the form of protection wall / stone pitching is crucial when there is high wave action and there is vulnerable human settlement or properties / agricultural fields are situated abutting the coastline. Soft solution in the form of sand dune creation / stabilization, plantation etc generally requires an open space in front of coastline which helps in absorbing wave energy naturally, without interfering with the natural coastal processes and sedimentation flow along the coastline. However, when there is directly impacted human settlement situated abutting the coastline then, in this scenario hard solution is a practical and sustainable way to protect the coastline and safeguard the human settlements. He further explained that in case of seafronts, tetrapods/ boulders could be placed in front of protection wall considering the design criteria and availability of the land. Tetrapods/ Boulders acts as a shock absorber and help in dissipating the tidal wave energy. Taking into consideration the strength of the high wave action and

  
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level of High water, engineered boulders/ tetrapods of suitable appropriate weights could be placed in front of protection wall to safeguard the anti- sea erosion bund which proves to be a long lasting solution against the coastal erosion and high wave action. He suggested that the PWD need to explore the option of putting boulders / tetrapods in front of protection wall/ stone pitching, if the appropriate space is available in case of seafront. However, He cautioned that, in case of creeks or estuarine zone, where generally wave action is moderate, use of bounders / tetrapods may not be a judicious measure from coastal environment point of view, as it may cause interference with the natural coastal processes of the creek which may further aggravate the problem of coastal erosion at the site.

In the light of above, the Authority deliberated the following 9 proposals of Anti sea erosion bunds in the Ratnagiri Districts.

  
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**Item No. 1:** Proposed construction of anti-sea erosion bund at Shitapewadi site in Ratnagiri District by Pubic Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The Public Works Department has proposed the construction of anti-sea erosion bund at Shitapewadi site in Ratnagiri District. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 deliberated the proposal and sought separate proposal with Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh separate proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd ( Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund (protection wall + stone pitching) of total length 300 meters. It involves protection wall and stone pitching with total height of 2.2 meter above the ground level.

**Deliberation:**

The PWD presented that there is directly impacted and vulnerable dense human settlement. The site is along the coastline to during monsoon water generally enters the household causing loss of valuables. Since, there is no protection, around 50 households are facing damages due to wave action and erosion. Soft solution at the site would not be sustainable because of land constraints. All coastal properties adjacent to the coastline are privately owned, hence issue of land acquisition would arise. There is high tidal action at the site, hence, soft solution will not withstand at the site. After detailed assessment, the CWPRS has suggested the hard solution for the site. The proposed stone pitching will protect households present along the coastline. The CWPRS suggested hard solution for protection as it sustains wave action and is more durable. Local Grampanchat, Purnagd has requested for constrution of anti-sea erosion bund that the site.

As per submission, the site of coastal protection works falls in CRZ I (B) area,

  
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as per approved CZMP.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. Natural geo-morphological features like sand dune, turtle breeding sites, if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained

  
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**Item No. 2:** Proposed construction of anti-sea erosion bund at Golap Mohalla site in Ratnagiri District by Public Works Department (PWD), Ratnagiri.

**Introduction:**

The project proponent presented the proposal before the Authority. The PWD has proposed construction of anti-sea erosion bund at Golap Mohalla site in Ratnagiri District. The MCZMA in its 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd (Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund (Protection wall + stone pitching) of total length 300 meters at Golap Mohalla site in Ratnagiri District. Height of the bund is 3.50 meter.

**Deliberation:**

The PWD presented that there is directly impacted and vulnerable human settlement along the coastline at the site. The fishermen households are situated along the creek, hence problem of wave action is faced every year especially during monsoon period as the water level increases. As the proposed site is very close to creek, water enters household causing damage to household leading to its collapse. Around 35 household face damage during high wave action. Proposed stone pitching will protect the households. The CWPRS has also suggested the hard solution.

As per the submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP, 2011.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

  
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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained

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**Item No. 3:**        Proposed construction of anti-sea erosion bund at Mandvi  
Part II site in Ratnagiri District by Public Works  
Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd ( Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund of length 325 meter at Mandvi Part II site in Ratnagiri District. It involves anti-sea erosion bund (stone pitching) with total height 1.9 meter above ground level.

**Deliberation:**

The PWD presented that vulnerable human settlement is present on the backside of the proposed bund. The proposed site is near to market area and having approx. 50 households which are facing damage due to high wave action. During monsoon, water directly reaches to household and proposed bund is required to security of properties and livelihood. soft solution at the site would not be sustainable at the site because of land constraints. Properties along the coastline are privately owned and there is a road adjacent to coastal one. Hence, issue of land acquisition may arise. CWPRS has suggested the hard solution which is long term solution at the site.

As per submissions, the site of coastal protection works is situated in CRZ I (B) area, as per approved CZMP, 2011.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible- construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;



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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level. Beach area should not be reduced due to the proposed bund.
3. At Mandvi- II site, small creeklet is seen near the proposed bund site which should not be disturbed.
4. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
5. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
6. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
7. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
8. All other required permission from different statutory authorities should be obtained

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**Item No. 4:** Proposed construction of anti-sea erosion bund at Jaygad Sakhar Mohalla site in Ratnagiri District by Public Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought separate proposal, Site specific EIA report prepared by NABET Accredited Consultant.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd ( Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund of total length 650 meter at Jaygad Sakhar Mohalla site in Ratnagiri District. It involves anti sea erosion bund (stone pitching) with total height of 5.1 meter retaining wall.

**Deliberation:**

The PWD further presented that there is directly impacted and vulnerable human settlement just behind the proposed bund. Soft solution at the site would not be sustainable because of land constraints. All coastal properties adjacent to the coastline are privately owned, hence issue of land acquisition would arise. There is high tidal action at the site, hence, soft solution will not withstand at the site. After detailed assessment, the CWPRS has suggested the hard solution for the sited. Around 80 houses are facing damages due to the wave action and erosion. The proposed stone pitching will protect these houses and prevent further damage. The CWPRS has suggested the hard structure at the site. Local Grampchanayat, Sakhar Mohalla has requested for construction of anti-sea erosion bund at the site.

As per submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP, 2011.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

  
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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained

  
Member Secretary

  
Chairman

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**Item No. 5:** Proposed construction of anti sea erosion bund at Murkar House Fadnaik House near Gherapurnagad site in Ratnagiri District by Public Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought Separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd (Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund of total length 190 meter (90 + 100 meters) at Murkar House Fadnaik House near Gherapurnagad site in Ratnagiri District.

**Deliberation:**

The PWD further presented that vulnerable human settlement is present on the backside of the proposed anti-sea erosion bund. Approx. 80 households are present in its alignment which are facing damages due to the wave action and erosion. During monsoon season, water directly enters to the properties and households. The proposed site is exposed to open sea and suffering erosion due to wave action during high tide which causes damage to agricultural land, private land and properties near the shoreline. Locals are in favour of project for security of properties and livelihood. Local Grampanchayat, Purnagad has requested for construction of anti sea erosion bund at the site.

As per submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP, 2011.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

  
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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. All other required permission from different statutory authorities should be obtained

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**Item No. 6:** Proposed construction of anti- sea erosion bund at Jaygad Akbar Mohalla site in Ratnagiri District by Public Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought Separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd ( Nabet accredited consultant)


Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report.

As per the presentation, the PWD has proposed construction of Anti-Sea Erosion bund of total length 485 meters at Jaygad Akbar Mohalla site in Ratnagiri District. It involves anti sea erosion bund (stone pitching) with total height of 3.0 meter above the ground level.

**Deliberation:**

The PWD further presented that there is directly impacted and vulnerable human settlement just behind the proposed bund. Soft solution at the site would not be sustainable because of land constraints. All coastal properties adjacent to the coastline are privately owned, hence issue of land acquisition would arise. There is high tidal action at the site, hence, soft solution will not withstand at the site. After detailed assessment, the CWPRS has suggested the hard solution for the sited. Around 80 houses are facing damages due to the wave action and erosion. The proposed stone pitching will protect these houses and prevent further damage. The CWPRS

As per submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP, 2011.

  
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The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, *For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.*

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained.

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**Item No.7:** Proposed construction of anti-sea erosion bund at Mandvi Part I site in Ratnagiri District by Public Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd (Nabet accredited consultant)

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report.

The PWD has proposed construction of Anti-Sea Erosion bund of total length 125 meters at Mandvi Part I site in Ratnagiri District. It involves stone pitching with total height of 1.9 meter above ground level.

**Deliberation:**

The PWD further presented that there is vulnerable human settlement on the backside of the proposed bund. Approx. 80 households are present in its alignment are facing damage due to wave action and erosion. During monsoon season, water directly enter to the properties and household nearby to coast. Local Grampanahayat, Mandvi has requested for construction of anti-sea erosion bund at the site.

As per submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP, 2011.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

  
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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level. Beach area should not be reduced due to the proposed bund.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained

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**Item No. 8:** Proposed construction of anti-sea erosion bund at Kalbadevi Part I site in Ratnagiri District by Public Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and Soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd (Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund of total length 135 meters at Kalbadevi Part I site in Ratnagiri District. It involves protection wall and stone pitching with total height of 3.50 meter above ground level.

**Deliberation:**

The PWD presented that soft solutions at the site is not sustainable due to high wave action and continuous nature of erosion. The CWPRS has suggested the hard structure at the site which is a long term solution at the site. It was further presented that there is danger of loss of properties due to high wave action and erosion. Local smashanbhoomit got submerged due to high wave action coupled with erosion. There is danger of loss of land at the site. Local Grampanchayat, Kalbadevi has requested for the anti-sea erosion bund at the site.

As per submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

  
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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at High Water level. Beach area should not be reduced due to the proposed bund.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained



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**Item No. 9:** Proposed construction of anti-sea erosion bund at Kalbadevi Part II site in Ratnagiri District by Public Works Department (PWD), Ratnagiri

**Introduction:**

The project proponent presented the proposal before the Authority. The MCZMA in its earlier 160<sup>th</sup> meeting held on 5<sup>th</sup> August, 2022 sought separate proposal, Site specific EIA report prepared by NABET Accredited Consultant and soft measures for the proposal.

Accordingly, Harbour Engineer (PWD), Ratnagiri vide letter dated 07.09.2022 submitted the fresh proposal along with site specific EIA Report prepared by M/s Terracon Ecotech Pvt Ltd (Nabet accredited consultant)

The PWD has proposed construction of Anti-Sea Erosion bund of total length 570 meter at Kalbadevi Part II site in Ratnagiri District. The bund involves protection wall and stone pitching at the site with total height of 3.50 meters above ground level.

**Deliberation:**

The PWD presented that soft solutions at the site is not sustainable due to high wave action and continuous nature of erosion. The CWPRS has suggested the hard structure at the site which is a long term solution at the site. It was further presented that there is danger of loss of properties due to high wave action and erosion. Local Grampanchayat, Kalbadevi has requested for the anti sea erosion bund at the site.

As per submission, the site of coastal protection works falls in CRZ I (B) area, as per approved CZMP.

The Authority noted that as per para 4(i) (f) of the CRZ, 2011, following is permissible - construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

  
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As per amended CRZ Notification dated 28<sup>th</sup> November, 2014 published by MoEF, For the projects specified under 4(i) (except with respect to item (d) thereof relating to building projects with less than 20,000 sqm of built up area ) and for the projects not attracting EIA Notification, 2006, clearance from SEIAA is required based on the recommendation from MCZMA. Therefore, proposal requires permission from SEIAA based on MCZMA recommendation.

**Decision:**

In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to SEIAA subject to certain conditions:

1. Proposed activity should in accordance with provision of the CRZ Notification, 2011 ( amended from time to time
2. PWD to ensure that anti sea erosion bund is proposed on landward side of the High Tide Line of the coastline and at the High Water level. Beach area should not be reduced due to the proposed bund.
3. Natural geo-morphological features like sand dune, turtle breeding sites, mangroves if any should not be disturbed.
4. Natural stream, creeklets and natural water bodies should not be disturbed and reclaimed while implementing the coastal protection works.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
6. PWD to implement recommendations of the EIA / EMP report for mitigation of environment impacts
7. All other required permission from different statutory authorities should be obtained

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**Item No. 10:**      Revalidation of CRZ clearance for proposed Golf Course at Sector 60, Nerul, Navi Mumbai by M/s Mistry Construction Co. Pvt Ltd

**Introduction:**

The project proponent (M/s Mistry Construction Co. Pvt Ltd) presented the matter of revalidation of CRZ clearance for proposed Golf Course at Sector 60, Nerul, Navi Mumbai. The PP vide letter dated 23.11.2022 requested revalidation in the matter. The CIDCO vide letter dated 6.12.2022 informed to M/ Mistry Construction Co. Pvt Ltd that revalidation of CRZ clearance is domain of MCZMA and advised to seek clearance from MCZMA.

The PP further presented that earlier, the proposal of development of Golf course and country club with Real Estate at Sector 60, Nerul, Navi Mumbai was deliberated in 117<sup>th</sup> and 118<sup>th</sup> meeting of the MCZMA held on 5<sup>th</sup> & 6<sup>th</sup> April, 2017 and 21<sup>st</sup> April, 2017 respectively. As per the deliberations in the said meetings, the MCZMA vide letter dated 11<sup>th</sup> January, 2018 recommended the proposal to concerned planning Authority from CRZ point of view subject to certain conditions. Further, MCZMA vide letter dated 12<sup>th</sup> March, 2018 issued a letter about the specific condition no. ii in the recommendation letter.

As per the condition of recommendation of MCZMA, the recommendations was valid for 5 years from the date of issue of recommendations for commencement of construction and operation.

The PP further presented that the said recommendation accorded to the said project is valid for the period of five years that is till 11<sup>th</sup> January, 2023. The PP has requested the revalidation of the CRZ recommendation till year 2025.

**Deliberation:**

The Authority noted that the MoEF&CC has issued a notification dated 6<sup>th</sup> March, 2018 read with CRZ Notification, 2011, as per which, in sub-paragraph 4.2, for clause (v), the following clause shall be substituted, namely:-

"(v) The clearance accorded to the projects under this notification shall be valid for a period of seven years from the date of issue of such clearance:

  
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Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance:

Provided further that the period of validity may be extended for a maximum period of three years in case an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State / Union Territory Coastal Zone Management Authority";

**Decision:**

The Authority noted that as per the above said amendment dated 6<sup>th</sup> March, 2018, the clearance is valid for a period of 7 years. Therefore, the Authority after deliberation decided to clarify that the CRZ recommendation dated 11<sup>th</sup> January, 2018 read with letter dated 12<sup>th</sup> March, 2018 is valid for 7 years i.e. upto 10<sup>th</sup> January, 2025 subject to strict compliance of following conditions:

- 1) Proposed golf course should be as per provisions of CRZ Notification, 2011.
- 2) Local body to ensure that only Golf Course is allowed in CRZ area and rest of the development is proposed in Non CRZ area i.e. beyond 100 m CRZ setback line from the HTL of the Coastal water body as per the provisions of the CRZ Notification, 2011
- 3) Local body to ensure that proposed activity in CRZ area is in accordance with local town and country planning regulations.
- 4) PP to ensure that indigenous species of Plants would be used for plantation purpose.
- 5) Golf Course design should be as per environmental and ecological settings of surrounding area.
- 6) PP to ensure that no chemical pesticide/ chemical fertilizers are used during the construction and operation of golf course.
- 7) PP to ensure the water management plan implemented properly.
- 8) PP to ensure that adequate access for local fisherman is provided.
- 9) PP, if applicable should obtain prior Environment clearance for the proposed activities in CRZ and Non CRZ area, if construction area exceeds 20,000 Sqm and above.
- 10) PP to note that if information furnished by the PP before the Authority found incorrect and false, the CRZ recommendation would be revoked.

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- 11) PP to ensure no activity is allowed in mangrove or its 50 m buffer zone, if any.
- 12) This CRZ recommendation is subject to outcome of the order/judgment of Hon'ble Supreme Court of India in SLP No. 16313-16314 / 2019.
- 13) The PP to ensure that there shall not be violation of the CRZ norms, CRZ recommendation and Hon'ble High Court orders in PIL 218/2014 and other court judgments, if any. In the event of any such violations, the CRZ recommendation shall stand cancelled.
- 14) All other required permission from different statutory authorities should be obtained.

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

**Annexure I**

List of members/officials present in the online meeting:

1. Mr. Nitin Karir, ACS, Revenue, Member, MCZMA
2. Mr. Bhushan Gagrani, ACS, UDD, Member, MCZMA
3. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
4. Mr. Mirashe, Representative from the Industry Dept, Member MCZMA
5. Dr. Anish Andheria, Expert Member, MCZMA
6. Mr. Maruti Kudale, Ex Director, CWPRS, Expert Member, MCZMA
7. Dr. Rahul Khot, BNHX, Expert Member, MCZMA
8. Mr. Sunil Bhat, Dyche. MCGM, Member MCZMA
9. Mr. Abhay Pimparkar, Director, Environment & CC and Member Secretary, MCZMA

  
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