

**Minutes of the 159th (Day 4) meeting of Maharashtra Coastal Zone
Management Authority (MCZMA) held on 28th June, 2022**

**MINUTES OF THE 159th MEETING (Day 4) OF MAHARASHTRA COASTAL
ZONE MANAGEMENT AUTHORITY HELD ON 28th June, 2022**

The 159th meeting (Day 4) of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment). In view of pandemic situation of COVID-19, it was decided to appraise the proposals by using information technology facilities. Hence, the matters were appraised through VC technology on Cisco WebEx platform on 28th June, 2022. List of members present in the meeting is at Annexure-I.

Item No.1: Extension of validity of Environment and CRZ clearance for Multipurpose Terminal at Karanja Creek, Tal. Uran, Dist. Raigad by M/s Karanja Terminal & Logistics Pvt. Ltd.

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

Item No.2: Proposed construction of Multipurpose jetty Terminal at village Targhar in Panvel Creek by M/s Famous Dredging Corporation

The project proponent presented the proposal before the Authority. The proposal is for construction of Multipurpose Jetty at Panvel Creek, Targhar village, Raigad District. The proposed approach cum berthing jetty will be constructed perpendicular to the shore line. The size of the jetty in the initial stage is proposed as 25.00 m long and 15.00 wide which will be extended to 55.0 m perpendicular / parallel to the shore line in stages. The total area of storage yard in the initial stages will be about 2.5 acres which will be increased to about 4.0 acres in future. The storage yard will be used for stacking of cargo till it is transported to their destination or for outgoing cargo till it is loaded into barges for transporting to mother vessel.

Major activities that would be involved in the construction / operation stages of the proposed jetty are as follows:

- Piling for construction of jetty
- Levelling or filling for operational area
- construction of approach road
- stacking of materials
- Transportation of materials.


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| S. No. | Proposed facilities | Approximate area (m2) |
|--------|---------------------|------------------------------|
| 1 | Main Berth | 825.00 |
| 2 | Slipway | 2400.00 (partly under water) |
| 3 | Approach | 825.00 |
| 4 | Bulk Cargo | 639.91 |
| 5 | Break Bulk cargo | 787.80 |
| 6 | Other cargo | 645.65 |
| 7 | Working area | 1192.08 |
| 8 | Fabrication area | 1201.03 |
| 9 | General storage | 894.78 |
| 10 | Admin Block | 821.65 |
| 11 | Parking area | 557.95 |
| 12 | Road Area | 1917.13 |
| 13 | Green Belt area | 5015.36 |
| | Total area | 15000.00 |

The proposed multipurpose jetty is meant for handling domestic non-hazardous cargo such as bulk, break bulk, container and other cargo with projected throughout of 1.50 lacs TPA in the initial years to about 10 Lakhs TPA or more in the later years.

| Sr No. | Particulars | Quantity (In lakhs tons) |
|--------|-------------------------------------|--------------------------|
| 1 | Steel coils | 2.00 |
| 2 | Bulk Cement / Bagged cement | 3.00 |
| 3 | Silica Sand | 1.00 |
| 4 | Coarse Aggreggate / Fine Aggreggate | 3.00 |
| 5 | Other cargo | 1.00 |
| | Total | 10.00 |

The infrastructure plan consists of a main berth about 200 m away from shoreline connected by approach trestle connecting to the shoreline for cargo handling. It is proposed to provide storage area for bulk, container and general cargo along with area for administrative block and utility services for multipurpose jetty and workshop, repair/ building bay, stores and utility areas for jetty operations.


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The Authority noted that as per project layout superimposed on the approved CZMP, the project site is situated in CRZ IV B and CRZ II area. The PP has submitted the EIA / EMP report for the project, as per which, there are no mangroves within the project site and in the vicinity upto 0.3 km. No Mangroves will be cut during project implementation and utmost care will be taken to conserve them. The EIA report states that Nhava - Sheva mudflats, a designated important Bird Area of Maharashtra is present at the fringe of the study area boundary. It needs deliberation.

The Authority discussed the impact of the proposed activities on surrounding creek environment. Export Member expressed that the location of the proposed multipurpose terminal is situated at the mouth of the panvel creek, hence, reclamation at this location may hamper the tidal flow in the creek. The Authority noted that report of the CWPRS is required to be submitted by the PP in order to understand the impact of the project activities on flow of creek water. Further, PP need to provide detail area of reclamation for the proposed jetty and explore other possible alternatives in order to minimize its impact. The issue of impact of the proposed activities on local fisheries was also deliberated and it was felt that submission of the Report / Remarks from the Commissioner, Fisheries about the impact of the project activities on local fishing and local fisherfolks by the PP is necessary.

In the light of above, the Authority after deliberation decided to seek following information from the PP:

1. Study report of the CWPRS regarding impact of the project activities on flow of the creek water.
2. Report / Remarks from the Commissioner, Fisheries about the impact of the project activities on local fishing and local fisherfolks.
3. Total area of reclamation and explore other possible alternatives in order to minimize the reclamation in the creek water
4. EIA report states that Nhava - Sheva mudflats, a designated important Bird Area of Maharashtra is present at the fringe of the study area boundary. In view of this, impact of the project activities on mudflats and designated bird site.

Accordingly, the proposal was deferred for submission of stated compliance by the PP.


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Item No.3: Proposed development of Multipurpose jetty terminal in Panvel creek near village Targhat, Tal. Panvel, Dist. Raigad by M/s. Shree Saibaba Dredging Company Pvt Ltd

The project proponent presented the proposal before the Authority. The proposal is for development of a multipurpose jetty in phases, at village Targhar, Tal: Panvel, District Raigad to handle all types of cargo such as bulk, break bulk, container and liquid.

The proposed port is planned to handle cargo of about 1.00 lacs tonnes per year in the initial years which will get increased to about 2 to 3 lacs tonnes per year in future. Further expansion with additional cargo demand will be considered in future as per demand. The proposed berthing jetty will be constructed partly parallel and partly perpendicular to the shore line. The size of the berthing jetty in the initial stage is proposed as 35.00 m long and 15.00 m wide which will be extended to 100 meter parallel to the shore line in stages.

The total area of storage yard in the initial stages will be about 2.5 Acres that will be increased to about 6.0 Acres in future. Storage Yard will be used for stacking of cargo till it is transported to their destination or for outgoing cargo till it is loaded into barges for transporting to mother vessel. No Hazardous chemicals will be handed for proposed project.

As per the approved CZMP, the project site is situated in CRZ IVB, CRZ IA and CRZ II area. The PP has submitted the EIA / EMP report, as per which, Panvel creek is tidal influenced and flows into the Arabian Sea which is adjacent to the project site. Patch of mangrove Avicinia Marina area present abutting to the project site. No mangrove will be cut during project activity and utmost care will be taken to conserve them. The designated fishing grounds area located nearly 10 to 15 km away from proposed development. However, some local fishermen catch the fishes at Moha (Koliwada) which is 2 km from project site.

The Authority discussed the impact of the proposed activities on surrounding creek environment. The Authority noted that there mangrove vegetation abutting to the site. The PP need to clarify the area of mangrove vegetation affected due to project activities. Further, Export Member expressed that the location of the proposed multipurpose terminal is situated at the mouth of the Panvel creek, hence, reclamation at this location may hamper the tidal flow in the creek. The Authority noted that report of the CWPRS is required to be submitted by the PP in order to understand the impact of the project activities on flow of creek water. Further, PP need to provide


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detail area of reclamation for the proposed jetty and explore other possible alternatives in order to minimize its impact. The issue of impact of the proposed activities on local fisheries was also deliberated and it was felt that submission of the Report / Remarks from the Commissioner, Fisheries about the impact of the project activities on local fishing and local fisherfolks by the PP is necessary.

In the light of above, the Authority after deliberation decided to seek following information from the PP:

1. Study report of the CWPRS regarding impact of the project activities on flow of the creek water.
2. Report / Remarks from the Commissioner, Fisheries about the impact of the project activities on local fishing and local fisherfolks.
3. Total area of reclamation and explore other possible alternatives in order to minimize the reclamation in the creek water
4. Impact of the project activities on mudflats and designated bird site.
5. As per the EIA report, Panvel creek is tidal influenced and flows into the Arabian Sea which is adjacent to the project site. Patch of mangrove Avicina Marina area present abutting to the project site. Area of mangrove vegetation affected due to project activities.

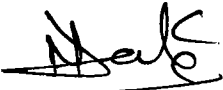
Accordingly, the proposal was deferred for submission of stated compliance by the PP.

Item No.4: Proposed construction of beach resort on plot bearing S. No. 313/6A/1 & 312 A1/2/2/2/3/2/4/3 at Malvan, Tal. Malvan, Dist. Sindhudurg by M/s. Kingsway Hospitality Pvt. Ltd

The Project Proponent could not connect for the online meeting due to network connectivity issue at their end. Hence, the matter was deferred.

Item No.5: Proposal for extension of CRZ clearance for construction of Resort on plot bearing S. no. 28, 31, 32, 34, 35 & 39 (pt), at Aarvli Tak, Tal. Vengurla, Dist. Sindhudurg by M/s Fomento Resorts & Hotels Ltd.

The project proponent presented the proposal before the Authority. As presented, the Ministry of Environment, New Delhi vide letter dated 3rd January, 2014 has granted the CRZ clearance for Resort at Aravali, Tal:


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Vengurla, District Raigad. The proposed construction is beyond 200 m from the HTL of the seafront i.e. CRZ III (beyond NDZ) area.

The PP stated that around 90% of the construction activity completed and only 10% interior works remaining in project. Now, the PP is seeking the extension of above said CRZ clearance granted by the MoEF, New Delhi for the Resort.

The Authority noted the amended CRZ Notification dated 6th March, 2018, as per which:

"(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:

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:

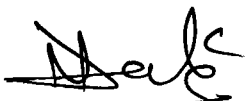
Provided further that the period of validity may be extended for a maximum period of three years in case an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State / Union Territory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

The Authority noted that an application of the PP seeking extension of CRZ clearance is received on 26.10.2020 which is within 7 years from CRZ clearance dated 3.1.2014 granted by the MoEF, New Delhi. Further, as per submission of the PP, 90% of the construction activity completed and only 10% interior works remaining in project.

In the light of above, the Authority after deliberation decided to recommend the matter under CRZ Notification, 2011 to MoEF&CC, New Delhi for extension of above CRZ clearance dated 3rd January, 2014 granted by the MoEF, New Delhi for the further 3 years.

Item No.6: Proposed Holiday Resort on plot bearing S. no. 2/2, 2/5, 2/3, 19/8, 19/9, 19/7 at mauje Kambaliwada, Tal. Vengurla, Dist. Sindhudurg by Shri. Neil Gogte

The project proponent presented the proposal before the Authority. The proposal is for construction of Resort on plot bearing S. no. 2/2, 2/5, 2/3, 19/8, 19/9, 19/7 at mauje Kambaliwada, Tal. Vengurla, Dist. Sindhudurg.



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Proposed construction involves resort structures comprising of Ground + 1st floors buildings namely, A, B, C, D, E, F, G, H (Clubhouse) and I. As per remarks of the Collector Sindhudurg, Plot area under consideration is 10340 sqm, FSI-0.326, proposed built up area is 4253.59sqm.

As per the remarks of the District Collector office, Sindhudurg, the plot falls in CRZ III area and situated within 200 m to 500 m from the HTL of the seafront i.e. beyond NDZ area.

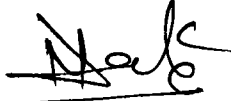
The Authority noted that the PP has submitted the CRZ map (1:4000 scale) and report prepared by the NCSCM, Chennai superimposing the project layout. As per the same, project site is situated within 200 m to 500 m from the HTL of the seafront. Only, minor portion of the plot (part of Building G) is situated within 200 m i.e. NDZ area. As per PP submission, portion of the plot falling in NDZ area is around 747 Sqm.

The Authority noted that the PP has submitted an undertaking dated 24th May, 2022 stating that PP will not construct the part structure 'G' which is in NDZ area. The PP has submitted the EIA/ EMP report prepared by M/s MITCON consultancy and engineering services Ltd (Nabet Accredited) for the proposal.

The Authority noted that the annexure III of CRZ Notification, 2011 (amended on 4.2.2015) mentions Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests. Prior approval of MoEF is required for the beach resort or hotel project.

In the light of above, after detailed discussion and deliberation, the Authority decided to recommend the proposal under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of the following conditions-

1. The proposed construction of resort 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 all conditions of the Annexure III of the CRZ Notification, 2011 pertaining to Guidelines for development of resorts shall be complied with
3. No construction is allowed within 200 m from the seafront i.e. within NDZ areas of the CRZ III. Concern local body should strictly ensure the same.


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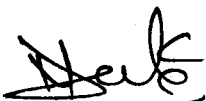
4. PP to ensure that the overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor);
5. PP to ensure that the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
6. Live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
7. PP to ensure necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
8. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.7: Proposed residential building on CTS No. 41B, 41 C at Medha Malvan, Tal. Malvan, Dist Sindhudurg by Shri. Chaitanya Kambali

The project proponent and Chief Officer, Malvan Municipal Council presented the proposal before the Authority. As per Malvan Council, the proposal is for construction of Residential building (Ground + 4 floors) on land bearing CTS No. 41B, 41C at Medha- Malvan, Tal: Malvan, District Sindhudurg. The land is situated in Residential Zone. As per the building plan submitted, plot area is 824.70 Sqm. As per the remarks of the MMC, the plot falls in CRZ II area and situated on landward side of the existing road.

The CO, Malvan presented that the proposal is submitted taking into consideration the prevailing town & Country planning regulations i.e. UDCPR, 2020, in the light of provisions of the CRZ Notification, 2019. The Authority informed CO, Malvan and Project proponent that at present, for Sindhudurg district, CRZ Notification, 2011 is applicable, as per which, town & Country planning regulations existing as on 19.2.1991 is applicable for the proposal.

The Authority informed the PP and CO, Malvan, the PP may submit the proposal, once the CRZ Notification, 2019 is applicable wherein FSI as per town & Country planning regulation existing as on 19.1.2019 is applicable. Accordingly, after deliberation, the Authority decided to delist the current proposal from the records of the MCZMA.



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Item No.8: Proposed construction on plot bearing S. No. 1355/4B, 1355/4C, 1358, 1359, 1317 (CS No. 2334A/2, 2334A/3, 2334C and 2638) Malvan Dist Sindhudurg by Shri. Nandkumar Jethe

The Project proponent and Chief Officer, Malvan presented the proposal before the Authority. As per Malvan Council, the proposal is for construction of residential building on land bearing CTS No. 2334A2, 2334A3, 2334C, 2638 at Malvan, District Sindhudurg. As per the remarks of the MMC, the plot falls in CRZ II area and situated on landward side of the existing road.

The CO, Malvan presented that the proposal is submitted taking into consideration the prevailing town & Country planning regulations i.e. UDCPR, 2020, in the light of provisions of the CRZ Notification, 2019. The Authority informed CO, Malvan and Project proponent that at present, for Sindhudurg district, CRZ Notification, 2011 is applicable, as per which, town & Country planning regulations existing as on 19.2.1991 is applicable for the proposal.

The Authority informed the PP and CO, Malvan, the PP may submit the proposal, once the CRZ Notification, 2019 is applicable wherein FSI as per town & Country planning regulation existing as on 19.1.2019 is applicable. Accordingly, after deliberation, the Authority decided to delist the current proposal from the records of the MCZMA.

Item No.9: CRZ status of the project site of residential cum commercial building on plot bearing S. No. 5, H. No. 5, 6, 2/2, 12 B, at mauje Shiroda, Tal. Vengurle, Dist. Sindhudurg by Shri. Rajesh Raghuvir Mantri.

The Authority noted that the proposal submitted is for construction of residential cum commercial building on land bearing S No. S. No. 5, H. No. 5,6, 2/2, 12 B of village Shiroda, Tal.Vengurla, Dist. Sindhudurg.

The Authority in its earlier 154th meeting of MCZMA dated 15.04.2021 deliberated the proposal and sought approved CZMP, 2011 superimposing the site under reference in 1:4000 scale. PP vide letter dated 21.04.2021 submitted approved CZMP indicating the site under reference as per which the site under reference is falls beyond 100 m from HTL of Creek i.e. in non CRZ area.



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The Authority noted that the District Collector, Sindhudurg mentions that the land under proposal is 430 m from the HTL of the creek.

After deliberation, the Authority decided to confirm that project site of residential cum commercial building on plot bearing S. No. 5, H. No. 5, 6, 2/2, 12 B, at mauje Shiroda, Tal. Vengurle, Dist. Sindhudurg is situated outside CRZ area, as per approved CZMP of the Sindhudurg District under CRZ Notification, 2011.

Item No.10: Proposed construction of residential and guest house building on plot bearing S. no. 252 (838A), H. no. 3 at Malvan, Tal. Malvan, Dist. Sindhudurg by Shri. Sachin Sadashiv Malvankar

The Project proponent and Chief Officer, Malvan presented the proposal before the Authority. As per Malvan Council, the proposal is for construction of residential and guest house (Ground + 1st floor) building at S. No. 252 (836A), H. No. 3, At Malvan, Dist- Sindhudurg. As per the sanctioned DP, the plot is situated in Residential zone. As per the remarks of the MMC, the plot falls in CRZ II area and situated on landward side of the existing road.

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

Item No.11: Proposed reconstruction of Vegetable Market & commercial building on plot bearing CS no. 1242 at Malvan, Tal. Malvan, Dist. Sindhudurg by Malvan Municipal Council

The Project proponent and Chief Officer, Malvan presented the proposal before the Authority.


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As per Malvan Council, the proposal is for construction of Vegetable Market and Commercial building (Ground + 2 floors) on land bearing CTS No. 1242, at Malvan, District Sindhurg. There is existing structure on the site which is proposed to be demolished.

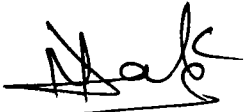
As per the remarks of the MMC, the plot falls in CRZ II and situated on landward side of the existing road.

The Authority asked the CO, Malvan about the present status of construction on the site. During the meeting, the CO, Malvan was unable to inform the present status of the construction on the site. Accordingly, the Authority after deliberation decided to defer the matter for submission of the report about the present status of the construction on the site by the Malvan Municipal Council.

Item No.12: Proposed redevelopment of residential building on plot bearing CTS no. 913 A 2, 944 at Somwar Peth, Malvan, Tal. Malvan, Dist. Sindhurg by Shri. Damodar Todankar

The Project proponent and Chief Officer, Malvan presented the proposal before the Authority. As per Malvan Council, the proposal is for reconstruction of the House No. 351, CS No. 913A2, 944, village Malvan, District Sindhurg. As per the remarks of the MMC, the plot falls in CRZ II area and situated on landward side of the existing road.

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


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Item No.13: Proposed extension of industrial building on plot bearing C S No. 2933A, 2933B, 2934 & 2935 at mauje Dhuriwada, Tal. Malvan, Dist. Sindhudurg by Shri. Suresh Narayan Prabhuzantye

The Project proponent and Chief Officer, Malvan presented the proposal before the Authority. As per Malvan Council, the proposal is for extension of Industrial building on land bearing S. No. 876, Hiss No. 1C/1 to 1S/5 on Dhuriwada, Malvan, District Sindhudurg. Plot area is 8130.40 Sqm,

As per the remarks of the MMC, plot under reference falls in CRZ II area and situated on landward side of existing authorized structure.

The Authority noted that the proposal is expansion of the industrial building. As per para 3(iii) of the CRZ Notification, 2011, Setting up of new industries and expansion of existing industries is prohibited. Therefore, in the light of this, the project is rejected from CRZ point of view, as per provisions of the CRZ Notification, 2011.

Item No.14: Proposed reconstruction at CS No. 495 and House No. 307 at Malvan, Dist Sindhudurg by Smt. Kanchan Chopdekar

The Project proponent and Chief Officer, Malvan presented the proposal before the Authority. As per Malvan Council, the proposal is for reconstruction existing house No. 307 on plot bearing CS No. 495 at Somwarpeth, Malvan, District Sindhudurg. Proposed construction comprises of Ground + 2 floors on the site under reference by demolishing existing old structure. As per the remarks of the MMC, the plot falls in CRZ II area and situated on landward side of the existing authorized structure.

During the meeting, the CO, Malvan informed that about 50 to 60% construction on the site has been carried out by the PP. The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been challenged and stayed by the Hon'ble High Court in PIL (L) No. 8540/2021 and the matter is sub-judiced.


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

Item No.15: Application for amendment in CRZ and EC of the LNG Terminal at JSW, Jaigad Port of M/s Western Concessions Pvt Ltd (Formerly H-Energy Gateway Pvt Ltd)

The project proponent presented the proposal before the Authority. The PP is seeking amendment in EC and CRZ granted on 12th June, 2018 by the MoEF, New Delhi for the expansion of JSW port at Jaigad, Ratanagiri. It mentions about the proposed project of LNG Terminal at JSQ, Jaigad Port.

The PP has proposed to incorporate a Truck loading Facilities with onshore based Liquefied Natural Gas (LNG) storage tanks on southern side of terminal building. The LNG supply for the proposed truck loading facility (TLF) shall be from the FSRU. Along with the truck loading facility, the PP has proposed to incorporate the loading arm and vaccum jacketed pipeline.

The Expert Members asked the PP about the location of the vaccum jacketed pipeline. The PP clarified that vacuum jacketed pipeline shall be laid over the existing trestle between the existing Jetty and the onshore based Truck Loading Facility (TLF).

From the submission, the Authority noted that the Truck Loading Facility (TLF) along with vacuum jacketed pipeline are both proposed to be built within the existing port area safeguarded by breakwater. Proposal will not alter the overall cargo handling capacity of the Terminal in any manner. Further, the PP during the meeting informed that the company name has changed from H- Energy Gateway Pvt Ltd to Western Concessions Pvt Ltd.

In the light of above, the Authority decided to recommend the matter under CRZ Notification, 2011 to MoEF&C, New Delhi subject to compliance of following conditions:

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


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2. PP to strictly ensure that mangrove should not be cut/ destroyed for the proposed activities. If activities are proposed within 50 m mangrove buffer zone, prior High Court permission should not obtained.
3. All safety measures should be implemented during construction and operation phase of the proposed activities.
4. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.16: Proposed construction of residential building on plot bearing S. no. 23, H. no. 2, Mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Mahesh Digambar Kanade & others.

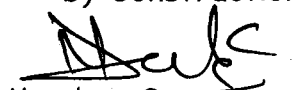
The Project proponent and Chief Officer, Guhagar Municipal Council presented the proposal before the Authority. The proposal for the construction of residential building on plot bearing S. no. 23, H. no. 2, Mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri

The Authority in its 150th and 154th meeting of MCZMA dated 21.12.2020 and 20.04.2020 respectively, wherein it was noted that the matter pertains to construction of residential building on plot under reference. It was further noted that construction of first floor has been carried out on the site. The Authority in the said meeting discussed that the matter needs to be verified as per para 6(d) of the CRZ Notification, 2011. Accordingly, the Authority sought certain information from District Administration:

- a) Whether the PP belongs to traditional coastal communities including fisherfolk, tribals.
- b) Whether the construction is started prior to 6.1.2011.
- c) Whether the construction on the site is for residential use and not for any commercial purpose.
- d) Whether residential dwelling unit is not sold or transferred to non-traditional coastal community

The Collector Office Ratnagiri vide letter dated 01.02.2022 submitted that the land under reference has been purchased by applicant's father Shri Digambar Sitaram Kanade vide date 02.02.1979. Reconstruction of residential building (Ground + 1st Floor) has been started by PP in November 2019 and completed in 2020 as old building was in dilapidated condition.

- a) Applicant is not a traditional fisherfolk or adivasi. However, he is resident from the year 1979.
- b) Construction of new house completed on site.


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- c) Construction on the site is used for residential use and not for any commercial purpose.
- d) Residential dwelling unit will not be sold to any one, as per applicant.

The Authority noted that the construction activity was started on the site in the year 2019 and completed in year 2020 i.e. post CRZ Notification, 2011.

In the light of above, the Authority noted that the proposal does not meet the criteria of the para 6(d) of the CRZ Notification, 2011. Hence, the proposal stands rejected as per provisions of the CRZ Notification, 2011.

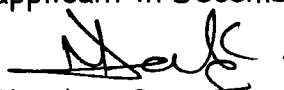
Item No.17: Proposed construction of residential building on plot bearing S. No. 162, H. No. A/1/58/2/19, CTS No. 228/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Virendra Vilas Choughule.

The Project proponent and Chief Officer, Guhagar Municipal Council presented the proposal before the Authority. The proposal for construction of residential building on plot bearing S. No. 162, H. No. A/1/58/2/19, CTS No. 228/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

The Authority in its 152nd and 154th meeting of MCZMA dated 18 & 22.02.2021 and 20.04.2021 respectively, wherein it was noted that the matter pertains to construction of residential building on plot under reference. It was further noted that construction has been carried out on the plot under reference. The Authority in the said meeting discussed that the matter needs to be verified as per para 6(d) of the CRZ Notification, 2011. Accordingly, the Authority sought certain information from District Administration:

- a) Whether the PP belongs to traditional coastal communities including fisherfolk, tribals.
- b) When the construction is started on the site.
- c) Whether the construction on the site is for residential use and not for any commercial purpose.
- d) Whether residential dwelling unit is not sold or transferred to non-traditional coastal community

The Collector Office Ratnagiri vide letter dated 01.02.2022 submitted that the land under reference has been sold by Smt. Mrudula Chintamani Vaze (Resident of Guhagar) to Shri Virendra Chougule. Construction of new house started by applicant in December 2018 and completed by April 2019.


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- e) Applicant is not traditional fisherfolk or Adivasi. However, he is resident from the year 2019.
- f) Construction of new house started by applicant in December 2018 and completed by April 2019.
- g) Construction on the site is used for residential use and not for any commercial purpose.
- h) Residential dwelling unit will not be sold to any one as per applicant.

The Authority noted that the construction activity was started on the site in the year 2018 and completed in 2019 i.e. post CRZ Notification, 2011.

In the light of above, the Authority noted that the proposal does not meet the criteria of the para 6(d) of the CRZ Notification, 2011. Hence, the proposal stands rejected as per provisions of the CRZ Notification, 2011.

Item No.18: Proposed reconstruction of residential lodging building (prefabricator) on plot bearing Gat no. 708/1, 709/1/1 at village Asgoli, Tal. Guhagar, Dist. Ratnagiri by Shri. Krushna Ganpat Mahadik

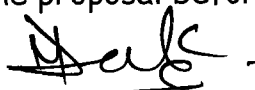
The project proponent and Sub-Divisional Office, Chiplun presented the proposal before the Authority. As per submission, the proposal is for reconstruction of residential lodging building (prefabricator) on plot bearing Gat no. 708/1, 709/1/1 at village Asgoli, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200 m from the HTL of the seafront i.e. NDZ area.

The Authority noted that District Collector, Ratnagiri need to clarify about the status of construction on the site and authorization of existing structures on the site. Accordingly, the matter was deferred for want of above said information.

Item No.19: Proposed extension of 1st floor on plot bearing S. No. 288A, Hissa No. 3, CS No. 3740A, 3740/10, 3729, S. No. 405, CS No. 3730 at muaje Zadgaon, Tal. & Dist. Ratnagiri by Shri. Umar Hussain Mulla

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


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As per submission, the proposal is for reconstruction of existing building on plot bearing Survey No. 288A, Hiss No. 3, CTS No. 3740A, 3740/10, 3729 and Survey no. 405, CTS No. 3730 at village Zadgoan, Tal: Ratnagiri, District Ratnagiri. Proposed residential construction involves Ground + 1st floor construction on the site under reference.

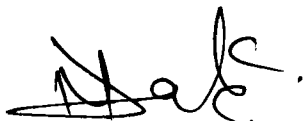
As per the sanctioned DP, the plot is situated on landward side of the existing road. As per the buildings plans, Plot area is 824.28 Sqm, proposed built up area is 486.45 Sqm

As per the remarks of the MMC, the plot falls in CRZ II area and situated on landward side of the existing road.

During the meeting, the CO, Ratnagiri informed that about 50 to 60% construction on the site has been carried out by the PP. The PP during the meeting presented that existing building on the site under reference was more than 100 years old which was in dilapidated condition, hence, reconstruction was started on the site. The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stayed by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined. Accordingly, the Authority after deliberation decided to delist the current proposal from the records of MCZMA.

Item No.20: Proposed construction of residential building (lodging) on plot bearing S. No. 107, H. No. 8B, village Malgund, Tal. & Dist. Ratnagiri by Shri. Anand Shirish Mayekar

The project proponent and Divisional Officer, Ratnagiri presented the proposal before the Authority. As per submission the proposal is for construction of Residential buildings (Lodging) A and B having Ground + 1st floor at survey No. 107, Hissa No. 8B, village Malgund, Tal & District Ratnagiri. Area of the plot is 1740 Sqm and total proposed built up area is 762.22 Sqm.


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As per the remarks of the SDO, Ratnagiri, the plot under reference falls in CRZ III area and situated within 200 m to 500 m from the HTL of the seafront i.e. beyond NDZ area.

The Authority noted that the annexure III of CRZ Notification, 2011 mentions Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests. Prior approval of MoEF is required for the beach resort or hotel project.

In the light of above, after detailed discussion and deliberation, the Authority decided to recommend the proposal under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of the following conditions-

1. The proposed construction of resort 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. No construction is allowed within 200 m from the seafront i.e. within NDZ areas of the CRZ III. Concern local body should strictly ensure the same.
3. PP to ensure that the overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor);
4. PP to ensure that the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
5. Live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
6. PP to ensure necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.21: Proposal for amendment in Environmental and CRZ clearance for expansion of JSW port at Jaigarh, Ratnagiri by M/s JSW Jaigarh Port Ltd.

The project proponent presented the proposal before the Authority. M/s JSW Jaigarh Port Ltd has submitted the proposal of amendment in Environmental and CRZ clearance for expansion of JSW port at Jaigarh, Ratnagiri.


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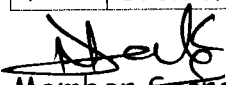
JSW Jaigarh Port Limited is an operational, all weather deep water port at Dhamankul Bay near village Jaigad, Ratnagiri. The MoEF, New Delhi vide letter dated 10.05.2007 has granted Environmental & CRZ Clearance for development of Jaigad Port (Phase-I) for Coal handling. The MoEF & CC, New Delhi vide letter dated 19.12.2013 has granted Environmental & CRZ Clearance for expansion of JSW Jaigad Port (Phase II) for construction of additional berths, cargoes like coal & coke, iron and steel, fertilizer, cement & clinker, LNG, POL, Chemicals etc for 80 MTPA.

The EC & CRZ Clearance was amended on 30.03.2015 for extension of breakwater by 200 m & reclamation of additional 42.5 ha land etc. Further, amendment in EC & CRZ Clearance granted on 01.01.2020 by MOEF & CC to handle 2.0 MTPA LPG within the approved capacity of 10 MTPA POL.

On account of subsequent national business scenarios and consumer behavior of the hinterland, whilst some of the cargoes permitted in the EC letter has become infructuous and some have grown significantly. In the above eventualities, the iron ore/ concentrate handling at Jaigarh Port would increase from existing 5 (8 including the Iron Pallet) MTPA to 17-18 MTPA, while the Coal handling would reduce from 20 MTPA to 12-13 MTPA, due to shelving of any further expansion in the thermal power plant capacity at Jaigarh and saturation of hinterland demands. The Bauxite will be reduced on environment concerns, Lime stone would remain unchanged to 1 MTPA required and the pallet handling of 3 MTPA in the Iron & Steel quantity of 4 MTPA earmarked for the Jaigarh hinterland will completely stop and would be sent to Dharamtar (Dolvi Steel Plant via Jaigarh) instead. The sub total of the bulk solid cargoes (Coal/Coke, Bauxite, Lime Stone, Iron & Steel, and Iron Ore) as permitted in the EC letter remains unchanged at 44.2 MTPA. The rest of the permitted cargoes unaltered.

The change in the cargo profile is proposed as below-

| S. No. | Cargo | As per existing EC (MTPA) | Proposed amendment |
|--------|--------------|---------------------------|--------------------|
| 1 | Thermal Coal | 20 | 13 |
| 2 | Fly Ash | 0.5 | 1.0 |
| 3 | Fertilizers | 1.5 | 1.5 |
| 4 | Sugar | 0.5 | 2.0 |
| 5 | Bauxite | 1.2 | 0.2 |
| 6 | Limestone | 1.0 | 1.0 |
| 7 | Iron & Steel | 4.0 | 1.0 |


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| | | | |
|-----|-------------------------|----------------------|------|
| 8 | Iron Ore | 5.0 | 17.0 |
| 9 | Automobiles | 1 million Units | 1.0 |
| 10 | Containers | 12 (1.0 million TEU) | 10.0 |
| 11 | Cement and Clinker | 1.0 Million | 1.0 |
| 12 | Molasses | 1.0 | 1.0 |
| 13 | POL (Crude+ Product) | 8.0 | 8.0 |
| 13a | LPG | 2.0 | 2.0 |
| 14 | Chemicals | 0.5 | 0.5 |
| 15 | Edible Oil | 0.5 | 0.5 |
| 16 | LNG | 8.0 | 8.0 |

As per submission by PP, this change in cargo profile neither changes the volume of total bulk solid to be handled nor the total cargo volume of 80 MTPA to be handled at the port. This modification does not require any additional berths, and dredging at the port. The port has adequate facilities to accommodate the handling of bulk cargoes proposed in the change in cargo profile. As per submission by PP, the port facility lies in the CRZ-IB, CRZ-III, CRZ-IVA & CRZ-IVB areas

After deliberation, the Authority decided to recommend the proposal under CRZ Notification, 2011 to MoEF&CC, New Delhi subject to compliance of following conditions:

1. This recommendation is only for amendment in CRZ clearance for change in cargo profile only, as proposed by PP. No additional construction is allowed.
2. All safety measures should be implemented during construction and operation phase of the proposed activities.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

Item No.22: Proposed reconstruction of residential house on plot bearing S. no. 53, H. no. 2/1 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Govind Vasant Khare

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. no. 53, H. no. 2/1 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.


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As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.

The CO, Guhaghar during the meeting informed that the PP is local resident and construction (9 units, ground floor) on the site under reference has been carried out in the year 2015. The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stayed by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined.

The CO, Guhaghar further informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (4/2021) under Environment (Protection) Act, 1986 in Guhaghar Court. It was further informed that the Guhaghar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (22/2020) in Guhaghar Court.

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

Item No.23: Proposed reconstruction of residential house on plot bearing S. No. 54, H. no. 7/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Govind Vasant Khare

The Project proponent and Chief Officer, Guhaghar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. No. 54, H. no. 7/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.


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During the meeting, CO, Guhaghar informed that there is existing ground floor construction on the site. However, He was unable to inform the further details like status of construction of site, action taken/ details of court cases, if any filed in the matter. Report submitted by the Guhaghar Nagarpanchayat is not clear in the matter. Hence, the Authority after deliberation decided that a clear proposal may be submitted afresh with necessary required details as stated above. Accordingly, the matter is delisted from records of the MCZMA.

Item No.24: Proposed reconstruction of residential house on plot bearing S. no. 90, H. no. 3 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri Akhilesh Ravindra Khare.

The Project proponent and Chief Officer, Guhaghar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. no. 90, H. no. 3 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.

During the meeting, the CO, Guhaghar informed that the PP is local resident and construction of Ground floor, 2 units on the plot under referenced has been carried out in the year 2019. The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stated by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined.

During the meeting, the CO, Guhaghar further informed that the Guhaghar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a civil case (25/2020) in Guhaghar Court.

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



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Item No.25: Proposed reconstruction of residential house on plot bearing S. No. 54, H. no. 6 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Govind Vasant Khare.

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. No. 54, H. no. 6 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.

During the meeting, the CO, Guhagar informed that the PP is local resident and construction of Ground floor on the plot under referenced has been carried out in the year 2015. The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stated by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined.

The CO, Guhagar further informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (4/2021) under Environment (Protection) Act, 1986 in Guhagar Court. It was further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (22/2020) in Guhagar Court.

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


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Item No.26: Proposed reconstruction of residential house on plot bearing S. no. 88, H. no. 2 at village, Guhagar, Tal. Guhagar, Dist. Ratnagiri by Smt. Madhavi Madhusudan Khare

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. no. 88, H. no. 2 at village, Guhagar, Tal. Guhagar, Dist. Ratnagiri.

During the meeting, CO, Guhagar presented that existing construction on the site under reference falls in CRZ III area and situated partly 0 to 200 m from the HTL of the seafront i.e. NDZ area and partly within 200 m to 500 m i.e. beyond NDZ area.

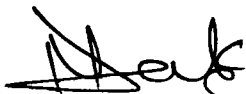
During the meeting, CO, Guhagar informed that there is existing ground floor construction on the site. However, He was unable to inform the further details like status of construction of site, action taken/ details of court cases, if any filed in the matter. The Authority noted that reports submitted by the Guhagar Nagarpanchayat is not clear in the matter. Hence, the Authority after deliberation decided that a clear proposal may be submitted afresh with necessary required details as stated above. Accordingly, the matter is delisted from records of the MCZMA.

Item No.27: Proposed reconstruction of residential house on plot bearing S. no. 56, H. no. 2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Smt. Madhavi Madhusudan Khare

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. no. 56, H. no. 8 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.

The CO, Guhagar during the meeting informed that the PP is local resident and construction of ground floor, 5 units on the site under reference has been carried out in the year 2010.



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

The CO, Guhagar further informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (16/2020) under Environment (Protection) Act, 1986 in Guhagar Court. It was further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (24/2020) in Guhagar Court.

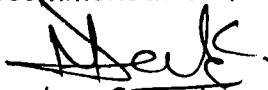
The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhagar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA

Item No.28: Proposed reconstruction of residential house on plot bearing S. no. 12, H. no. 5/2 & S. no. 12, H. no. 1/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Mahendra Sitaram Arekar & others

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. no. 12, H. no. 5/2 & S. no. 12, H. no. 1/2 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 0 -200 m from the HTL of the seafront i.e. NDZ area.

The CO, Guhagar during the meeting informed that the PP is local resident and construction of ground floor lodging, 4 units on the site under reference has been carried out in the year 2005. The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project.


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It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities. The Authority further noted that at present, the said OM has been stated by the Hon'ble High Court in PIL (L) No. 8540/2021. The matter is sub-judiced. If the proposal is received under the said OM, then subject to outcome of the above said sub-judiced matter, the proposal would be examined.

The CO, Guhaghar further informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (5/2021) under Environment (Protection) Act, 1986 in Guhaghar Court. It was further informed that the Guhaghar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (11/2020) in Khed Court.

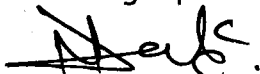
The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhaghar & Khed Court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA

Item No.29: Proposed reconstruction of existing residential cum commercial building on plot bearing S. no. 12 B at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Mahendra Sitaram Arekar

The Project proponent and Chief Officer, Guhaghar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of existing residential cum commercial building on plot bearing S. no. 12 B at village Guhagar, Tal. Guhagar, Dist. Ratnagiri.

During the meeting, CO, Guhaghar presented that construction on the site under reference is partly situated within 0 to 200 m (CRZ III, NDZ area) and partly within 200 to 500 m (CRZ III, beyond NDZ area). He further informed that presently, there is ground + 2 floor structure on the site which is for residential cum commercial purpose.

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


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

The CO, Guhagar informed that there Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a civil suit (11/2020) in Khed Court.

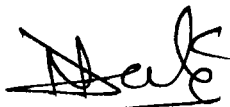
The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Khed Court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA

Item No.30: Proposed reconstruction of residential house on plot bearing S. no. 147, H. no. 14 at village Varch Pat Tarfe Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Ganesh Mahadev Bhide

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of residential house on plot bearing S. no. 147, H. no. 14 at village Varch Pat Tarfe Guhagar, Tal. Guhagar, Dist. Ratnagiri.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.

During the meeting, CO, Guhagar informed that at present, Ground floor structures, 3 units exists on the site. However, He was unable to inform the further details like status of construction of site, action taken/ details of court cases, if any filed in the matter. The Authority noted that reports submitted by the Guhagar Nagarpanchayat is not clear in the matter. Hence, the Authority after deliberation decided that a clear proposal may be submitted afresh with necessary required details as stated above. Accordingly, the matter is delisted from records of the MCZMA.



Member Secretary


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Item No.31: Proposed reconstruction of residential house on plot bearing S. no. 100, H. no. 1 at village Varch Pat Tarfe Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Vivek Mahadev Khare

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat proposal is for reconstruction of existing residential house on plot bearing S. no. 100, H. no. 1 at village Varch Pat Tarfe Guhagar, Tal. Guhagar, Dist. Ratnagiri. Proposed structure is ground floor on the site under reference.

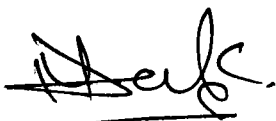
As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 0 -200 m from the HTL of the seafront i.e. NDZ area.

The CO, Guhagar during the meeting informed that the PP is local resident and construction residential ground floor on the site under reference has been carried out in the year 2019.

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

The CO, Guhagar further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (34/2020) in Guhagar Court.

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



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Item No.32: Proposed renovation of existing residential cum commercial building on plot bearing S. No. 56A, Hissa No. 5 & 6 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Rajesh Ramesh Shete & Ors

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for renovation of existing ground + 2 floors residential, commercial structure on plot bearing S. No. 56A, Hissa No. 5 & 6 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri. The Authority noted that proposal submitted is not clear.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200m -500 m from the HTL of the seafront i.e. beyond NDZ area.

During the meeting, CO, Guhagar informed that construction comprising ground + 2 floors residential, commercial structure was done on the site.

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

The CO, Guhagar further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter. Further, He informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case under Environment (Protection) Act, 1986 in local court.

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


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

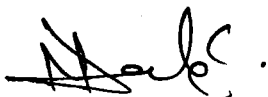
Item No.33: Proposed reconstruction of existing residential & commercial structure on plot bearing S. No. 86/5/1, 86/5/2, and 70/6/A at mauje Varcha Pat, Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Advait Keshav Joshi

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for reconstruction of existing residential & commercial structure on plot bearing S. No. 86/5/1, 86/5/2, 70/6/A at mauje Varcha Pat, Guhagar, Tal. Guhagar, Dist. Ratnagiri. Proposed construction comprises of Ground + 1st floor on the site.

During the meeting, CO, Guhagar presented that construction on the site under reference is partly situated within 0 to 200 m (CRZ III, NDZ area) and partly within 200 to 500 m (CRZ III, beyond NDZ area). The Authority asked CO to submit the written report confirming that the construction is not in NDZ area.

CO, Guhagar further presented that there was old residential house prior to 1991 on the site under reference and reconstruction of the same was done in the year 2001 and 2012.

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



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Item No.34: Proposed renovation of existing residential & commercial building on plot bearing S. No. 2 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Sanjay Gopal Savarkar

The Project proponent and Chief Officer, Guhagar Nagarpanchat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, proposal is for renovation of existing residential & commercial building on plot bearing S. No. 2 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri. The Authority noted that proposal submitted by the Guhagar is not clear, whether it involves renovation or reconstruction or regularization.

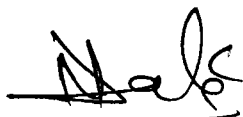
As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 200-500m from the HTL of the seafront i.e. beyond NDZ area.

During the meeting, CO, Guhagar presented that from the records it is observed that original ground floor construction for commercial purpose exists on the site prior to 1991. However, presently, construction of Gr + 2 floors residential, commercial construction exists on the site.

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

The CO, Guhagar further informed that Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a civil suit (21/2020) in Guhagar Court.

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



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Item No.35: Proposed renovation of existing residential & commercial building & prefabricated residential cottages on plot bearing S. No. 202/12, 202/18, 208, 210 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Prathamesh Pradeep Damle & Ors.

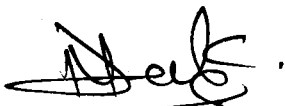
The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat, the proposal is for renovation of existing residential & commercial building & prefabricated residential cottages on plot bearing S. No. 202/12, 202/18, 208, 210 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri. The Authority noted that proposal submitted by the Guhagar is not clear, whether it involves renovation or reconstruction or regularization.

During the meeting, CO, Guhagar presented that construction on the site under reference is partly situated within 0 to 200 m (CRZ III, NDZ area) and partly within 200 to 500 m (CRZ III, beyond NDZ area). The Authority asked CO to submit the written report confirming that the construction is not in NDZ area.

During the meeting, CO, Guhagar informed that from the records it is observed that original construction of house was constructed prior to 1991. However, at present, there are Gr + 2 floor and ground floor constructions on the site.

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

The CO, Guhagar further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTTP in the matter, against which, the PP has filed a civil suit (27/2020) in Guhagar Court.



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The PP during the meeting presented that they are local residents of the Guhaghar and have valid permissions. He further presented that there is open land near the existing construction wherein new construction is proposed for which CRZ approval is required. The Authority asked the PP to submit the separate proposal for new construction on the vacant land, in the light of provisions of the CRZ Notification, 2011. If PP submits the separate proposal of construction on vacant land through Guhaghar Municipal Council then such proposal would be considered in the MCZMA meeting for further appropriate decision, in accordance with provisions of the CRZ Notification, 2011.

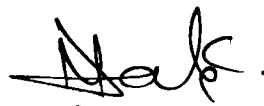
The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhaghar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA.

Item No.36: Proposed renovation of existing residential & commercial building on plot bearing S. No. 202/6 & 202/7 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Sudhanva Sharadchandra Bhawe & Ors

The Project proponent and Chief Officer, Guhaghar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat proposal is for renovation of existing residential & commercial building (2 structures) on plot bearing S. No. 202/6 & 202/7 at village Guhagar, Tal. Guhagar, Dist. Ratnagiri. The Authority noted that proposal submitted by the Guhaghar is not clear, whether it involves renovation or reconstruction or regularization.

During the meeting, CO, Guhaghar presented that construction on the site under reference is partly situated within 0 to 200 m (CRZ III, NDZ area) and partly within 200 to 500 m (CRZ III, beyond NDZ area). The Authority asked CO to submit the written report confirming that the construction is not in NDZ area

During the meeting, the CO, Guhaghar presented that original construction on the site under reference is prior to 1991. However, at present, there are ground + 1 residential cum commercial as well as Gr + 2 floor commercial construction exists on the site.



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

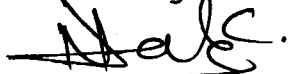
The CO, Guhagar further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a civil suit (29/2020) in Guhagar Court.

The PP during the meeting presented that they are local residents of the Guhagar. He further presented that along with other reconstructed structure, there is an old authorized structure existing prior to 1991 and reconstruction of the same is not yet started, for which CRZ approval is requested. The Authority asked the PP to submit the separate proposal for proposed reconstruction of old authorized structure in the light of provisions of the CRZ Notification, 2011. If PP submits the separate proposal of construction on vacant land through Guhagar Municipal Council then such proposal would be considered in the MCZMA meeting for further appropriate decision, in accordance with provisions of the CRZ Notification, 2011.

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

Item No.37: Proposed renovation of existing prefabricated residential house on plot bearing S. No. 86/1 at mauje Varcha Pat, Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Rajesh Ramesh Shete & Ors

The Project proponent and Chief Officer, Guhagar Nagarpanchat presented the proposal before the Authority. As per Guhagar Nagarpanchayat the proposal is for renovation of existing prefabricated residential (Ground floor) house on plot bearing S. No. 86/1 at mauje Varcha Pat, Guhagar, Tal. Guhagar, Dist. Ratnagiri.


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The Authority noted that proposal submitted by the Guhagar is not clear, whether it involves renovation or reconstruction or regularization.

During the meeting, CO, Guhagar presented that construction on the site under reference falls in CRZ III area and situated within 0 to 200 m from the HTL of the seafront i.e. NDZ area.

During the meeting, CO, Guhagar presented that the PP is local inhabitant and at present, 6 units of ground floor residential structures are constructed on the site.

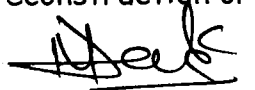
The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not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

The CO, Guhagar further informed that the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a civil suit (46/2020) in Guhagar Court.

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

Item No.38: Proposed renovation of existing residential building on plot bearing S. No. 20/9/2 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Anil Balkrushna Ghaisas

The Project proponent and Chief Officer, Guhagar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat proposal is renovation of existing residential building on plot bearing S. No. 20/9/2 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri. The Authority noted that proposal submitted by the Guhagar is not clear, whether it involves renovation or reconstruction or regularization.


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As per approved CZMP of Ratnagiri, site under reference falls in CRZ III area and situated within 0 to 200 m from the HTL of the seafront i.e. NDZ area and partly within 200 to 500 m (CRZ III, beyond NDZ area). The Authority asked CO to submit the written report confirming that the construction is not in NDZ area.

The CO, Guhaghar during the meeting informed that original construction of ground floor house was carried out prior to 1991 and reconstruction was done in the year 2007.

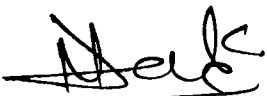
The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not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

The CO, Guhaghar further informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (19/2020) under Environment (Protection) Act, 1986 in Guhaghar Court. It was further informed that the Guhaghar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (40/2020) in Guhaghar Court.

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

Item No.39: Proposed renovation of existing residential lodging building on plot bearing S. No. 74/2/E at Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Jitendra Suhas Kher

The Project proponent and Chief Officer, Guhaghar Nagarpanchayat presented the proposal before the Authority. As per Guhagar Nagarpanchayat proposal is renovation of existing residential lodging building on plot bearing S. No. 74/2/E at Guhagar, Tal. Guhagar, Dist. Ratnagiri.



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The Authority noted that proposal submitted by the Guhaghar is not clear, whether it involves renovation or reconstruction or regularization.

As per approved CZMP of Ratnagiri District, 2011, the site under reference falls in CRZ-III area and situated within 0 -200 m from the HTL of the seafront i.e. NDZ area.

During the meeting, CO, Guhaghar presented that from the records it is indicated that original construction has permission on 16.2.1991 from the Grampanchat and reconstruction was done in the year 2012.

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

The CO, Guhaghar further informed that pursuant to Hon'ble NGT order, SDO, Chiplun has filed a case (3/2021) under Environment (Protection) Act, 1986 in Guhaghar Court. It was further informed that the Guhaghar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a case (37/2020) in Guhaghar Court.

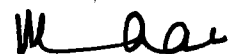
The Authority noted that considering the notice issued by concern local Authorities and matter being sub-judiced with Guhaghar court, the current proposal could not be decided at present. Accordingly, the matter is delisted from records of the MCZMA

Item No.40: Proposed renovation of existing residential & commercial building on plot bearing S. No. 205 & 207 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri by Shri. Sadanand Yashwant Musale

The Project proponent and Chief Officer, Guhaghar Nagarpanchayat presented the proposal before the Authority.



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As per Guhagar Nagarpanchayat proposal is renovation of existing residential & commercial building on plot bearing S. No. 205 & 207 at mauje Guhagar, Tal. Guhagar, Dist. Ratnagiri.

During the meeting, CO, Guhagar presented that construction on the site under reference is partly situated within 0 to 200 m (CRZ III, NDZ area) and partly within 200 to 500 m (CRZ III, beyond NDZ area). The Authority asked CO to submit the written report confirming that the construction is not in NDZ area.

During the meeting, CO, Guhagar presented that from the records it is indicated that original construction Ground + 1st floor was done in the year 1991. However, at present, Ground + 3 floor construction is carried out at the site.

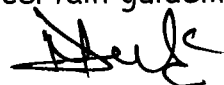
The Authority noted that as per CRZ Notification, 2011, there is no provision for grant of the post facto CRZ recommendation for the project. It was further noted that the MoEF&CC, New Delhi has issued an OM dated 19th Feb, 2021 stipulating the procedure for dealing with violations arising due to not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

The CO, Guhagar further informed the Guhagar Nagarpanchayat has issued a Notice under MRTP in the matter, against which, the PP has filed a civil suit (26/2020) in Guhagar Court.

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

Discussion:

The Authority deliberated proposals of Guhagar and Malvan area and observed that proposals received were not clear, whether PP is seeking CRZ approval for new construction on vacant land OR reconstruction OR renovation OR regularization of existing structures on the site. The Authority felt that certain guidelines could be laid, so that local body can submit a clear proposal.



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All concern local bodies of coastal districts while submitting the proposals shall take into consideration the following guidelines:

Guidelines:

- 1) Proposals wherein there is pure renovation /repair / minor addition & alteration of existing authorized structure which has necessary approvals from all competent authorities or existing old authorized structures existing prior to 19.02.1991, without increase in FSI, then local body can take decision as per MCZMA circular no. MCZMA/2017/CR 28/TC 4 dated 27.04.2017. No need of MCZMA recommendation for such miscellaneous proposals.
- 2) Proposals wherein new construction on vacant plot OR reconstruction of existing authorized structure is done without prior approval from the competent Authority such cases, will require examination as per Office Memorandum (OM) dated 19th Feb, 2021 issued by MoEF, New Delhi. However, applicability of said OM issued by MoEF, New Delhi is subject to outcome of ongoing High Court matter wherein said OM is challenged and currently stayed.
- 3) The para 6(d) of the CRZ Notification, 2011 stipulates the provision of regularization of dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification, subject to certain conditions stipulated therein.
- 4) Proposals wherein construction on vacant land or reconstruction of existing authorized structure is proposed, such matters will be examined as per current applicable CRZ Notification, 2011 and approved CZMP, 2011 thereunder. Once the CRZ Notification, 2019 come into effect, the proposals would be examined as per provisions of the CRZ Notification, 2019.

The Authority opined that the above guidelines to be communicated to local bodies of all 7 coastal districts.

Item No. 41: Proposed development of RCC Bridge from Ghansoli to Airoli by Navi Mumbai Municipal Corporation (NMMC).

The Authority noted that the proposal is for development of RCC Bridge from Ghansoli to Airoli by Navi Mumbai Municipal Corporation (NMMC). It involves construction of segmental bridge over length of 3.05 km with 6 lane divided carriageway. It further merges into proposed four Lane Bridge ending

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at chainage 3+050 connecting existing road near sector 14 of Airoli. The road on embankment continues into 6 lane bridge and ends at chainage 2+850 connecting Mulund-Airoli bridge with required interchanges. The project involves construction of bridge in mangrove area along east bank of Thane creek over length of 1.05 km.

As per approved CZMP, the project falls in CRZ -I (A) & II areas. The project involves construction of bridge in mangrove area along east bank of Thane creek over length of 1.05 km. As per approved CZMP, the project falls in CRZ -I (A) & II areas. The PP has submitted the Rapid EIA / EMP for the project. The PP presented that appropriate measure are planned in order to minimize the impact of the project on marine ecology, mangrove and flamingos in the airoli creek.

The proposal was earlier deliberated in 152nd, 154th and 158th meeting of MCZMA held on 16.02.2021, 15.04.2021 and 25.5.2022 respectively.

As per the decision of the MCZMA in the said meetings, reports were received from the NMMC and Mangroves Cell.

1) NMMC Report:-

The NMMC vide letter dated 17.2.2021 submitted its report. The report states as follows:

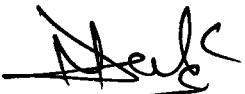
Temporary impact: The total 15 m of ROW will be required for construction purpose. Mangroves under this are will be affected temporarily. Permanent Impact: There will be 25 nos of piers for which the mangrove will be affected permanently.

| | Mangrove area (Sqm) | Nos of mangrove |
|------------------|------------------------|-----------------|
| Temporary impact | 10,125 | 2640 |
| Permanent Impact | 2025 | 810 |
| Total | 12150 | 3540 |

- a) The embankment was a part of CIDCO development for sector 10A of Airoli or peripheral road. It is understood that this was done 20 years back.

2) Mangrove Cell Report:

The Mangrove cell vide letter dated 26.03.2021 submitted its report. As per the report, the site visit was done at proposed site on 08.03.2021 & following observation was made during the site visit.


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- 1) The proposed bridge is constructed from Ghansoli sector 14 to sector 10 A and the GPS regarding are.
 - 19 07 32.63N 72 59 20.88E (Ghansoli)
 - 19 09 3.16N 72 59 11.93E (Airoli)
- 2) The proposed bridge is passing through Reserve Forest (Mangrove) villages Dive survey no. 150A, Talvali survey no. 195, Navi Mumbai survey no. 184 and Ghansoli survey no. 109. Approximately 4ha. forest area will be affected due to the proposed project.
 - Total number of mangroves affected will be approximately 5,500 to 6000 trees which fall in the alignment of the proposed bridge. However, approximately 1000 mangroves will be cut for the purpose of construction of piers (25 numbers).
 - Part of bridge and embankment is passing through 50m buffer zone of Reserve mangrove forest (Dive village S. N. 150A)
 - As the proposed project is an important public infra project to improve connectivity in Navi Mumbai region, it is recommended by the mangrove cell on the condition that PP has to obtain necessary permission under FCA 1980 and also from the Hon'ble High Court.

The Authority in the earlier meetings noted that as per the report of the mangrove cell, total number of mangroves affected will be approximately 5,500 to 6000 trees which fall in the alignment of the proposed bridge. However, approximately 1000 mangroves will be cut for the purpose of construction of piers. Taking into the order dated 18th Sep, 2018 in PIL 87/2006 by Hon'ble High Court, which bars the construction in mangroves area except in public interest project, the Authority after deliberation decided that NMMC need to submit the explicit note on the public interest involved in the project to the MCZMA. Accordingly, the matter was deferred for the want of above said information from the NMMC. Accordingly, the NMMC vide letter dated 15.04.2021 submitted a note. Further, following the decision of the MCZMA in its 158th meeting, the NMMC vide letter dated 13.6.2022 submitted the mangrove plantation plan.

The Authority discussed that the PP should make active efforts to minimize impact on mangroves in order to have lesser temporary loss of mangroves during construction phase of the activity. Mangroves cutting should be restricted to bare minimum. Spacing between pillars of bridge should be designed in such a way that it will have minimum footprint in the mangroves area. Adequate Culverts/ channels should be provided at appropriate locations while constructing approach road so as to ensure the free movement of the tidal water in the mangrove vegetation.

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The Authority noted that as per para 8.I. CRZ I (ii) (g) of the CRZ Notification, 2011, construction of roads on stilts or pillars without affecting the tidal flow of water is a permissible activity.

Further, as per amended CRZ Notification dated 28th 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.

In the light of above, the Authority after detailed discussion and deliberation decided to recommend the proposal to SEIAA subject to strict compliance of following conditions:

1. The proposed Ghansoli to Airoli Bridge should be carried out strictly as per the provisions of CRZ Notification, 2011 as amended from time to time and with a commitment of protection and conservation of coastal environment.
2. PP should strictly ensure that mangroves cutting should be restricted to bare minimum. Spacing between pillars of bridge should be designed in such a way that it will have minimum footprint in the mangroves area. Adequate Culverts/ channels should be provided at appropriate locations while constructing approach road so as to ensure the free movement of the tidal water in the mangrove vegetation
3. PP should make active efforts to minimize impact on mangroves in order to have lesser temporary loss of mangroves during construction phase of the activity.
4. PP to obtain the prior High Court permission since, the project involve cutting of the mangroves.
5. PP to obtain the Forest clearance under Forest (Conservation) Act, 1980.
6. PP to obtain the NoC from the mangrove cell. Compensatory afforestation of the mangroves should be carried out with the help of the Forest Department.
7. Construction debris and dredged material should not be disposed of in the mangrove area & creek water to avoid any adverse impact on mangroves and marine water quality.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
9. PP to ensure that best industrial practices should be followed for fire safety measures and for conservation of coastal environment


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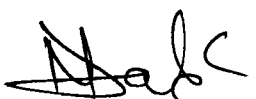
10. PP to install the Sewage Treatment plant (STP) for the treatment of the waste water treatment.
11. Project proponent should implement Mitigation measures and Environment Management plan as stipulated in the EIA report, effectively and efficiently in letter and spirit during construction and operational phase of the project to ensure that coastal environment is protected.
12. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

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

Annexure I

List of members/officials present in the online meeting:

1. Commissioner, Fisheries, Member, MCZMA
2. Mr. P. K. Mirashe, Representative from the Industry Dept, Member MCZMA
3. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
4. Dr. A. K. Chaubey, Ex Regional Director NIO, Expert Member, MCZMA
5. Mr. Sunil Bhat, DYChE, MCGM, Representative from the MCZMA, Member, MCZMA
6. Mr. Narendra Toke, Director, Environment &CC and Member Secretary, MCZMA.


Member Secretary


Chairperson