

Minutes of the 127<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 02<sup>nd</sup> November, 2018

Minutes of the 127<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held under the Chairmanship of Principal Secretary, Environment on 02<sup>nd</sup> November, 2018 in conference Hall, 7<sup>th</sup> Floor, Mantralaya, Mumbai. List of the members present in the meeting is enclosed as Annexure-I.

**Item No.1:** Discussion on final Coastal Zone Management Plans (CZMP) of Mumbai City, Mumbai Suburban, Raigad, Ratnagiri & Sindhudurg Districts

The Authority noted that the MoEF, New Delhi vide letter dated 16<sup>th</sup> August, 2018 approved the CZMPs of Greater Mumbai, Raigad, Ratnagiri and Sindhudurg districts, under provisions of the CRZ Notification, 2011. The Authority took on record the said approved CZMPs. The Concern Planning Authorities / District Collector shall implement the said approved CZMPs in their jurisdiction. The Authority further noted that finalization of the draft CZMPs of Thane & Palghar, Navi Mumbai & Uran area is nearing completion.

**Item No.2:** Regarding MCZMA staff pattern

The MCZMA felt the necessity of the secretarial assistance and qualified, experienced technical staff to assist in providing technical inputs. There is no regular staff support available from the Environment Department for functioning of the MCZMA. There is a need to fix the staffing pattern for MCZMA at least on long term basis. The current contractual staff of MCZMA has satisfactorily assisted for the speedy functioning of the MCZMA. The payment for contractual staff has been paid from the MCZMA account. The Authority noted the decision of 117<sup>th</sup> meeting of the MCZMA.

Now, after deliberation, the Authority decided to make a pay of current working staff such as Law Officer, Coastal Officers & Project Analyst shall be Research Associates-C plus Rs. 10,000/- pm. Clerk cum Typist pay shall be Rs. 25,000/-, Office Boy/ driver pay shall be Rs. 20,000 pm.

  
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**Item No.3:** Regarding PIL No. 107/2009 Shambhuraje Yuvakranti of Akhil Bhartiya Seva Sangha versus Tehsildar, Alibag, Raigad before Hon'ble High Court, Mumbai.

The Authority noted that Shambhuraje Yuvakranti of Akhil Bhartiya Seva Sangha has filed PIL No. 107/2009 versus Tehsildar, Alibag, Raigad & Ors before the Hon'ble High Court of Mumbai. The matter pertains to illegal constructions in CRZ areas in Alibag, District Raigad. The MCZMA needs to file an affidavit in the matter.

The Authority noted that the Environment Department, Government of Maharashtra vide GR No. MCZMA 2011/CR 6/MCZMA dated 23<sup>rd</sup> March, 2011 constituted the District Coastal Zone Monitoring Committee (DCZMC) in exercise of powers conferred under paragraph 6(c) of the CRZ Notification, 2011 in order to monitor and enforce the CRZ norms at the local level. The DCZMC is constituted under the Chairmanship of the District Collector and members comprises of Superintendent of police / Dy. Commissioner of Police, District Forest Officer of the district, Representative from Divisional Commissioner, Sub Divisional Officer, District superintendent of land records, Commissioner or his representative Coastal Municipal Corporation, District Town planning officer, District Assistant Commissioner of Fisheries, Chief Officers of Municipal Council, Representative of Traditional Coastal communities or fisher folk, Regional officer/ sub regional officer of MPCB, two eminent experts in coastal areas and resident deputy collector as Member Secretary. Some of the powers of the DCZMC are reproduced as under:

1. The Committee shall identify violation in CRZ-I areas (i.e. encroachment on Mangroves, Chowpatty, Beach area, etc.), CRZ-II areas and CRZ-III areas, within their respective jurisdiction and initiate action under Section 19 of the Environment Protection Act 1986, under the powers delegated to District Collector and Sub Divisional Officer under Environment (Protection) Act, 1986 in their respective jurisdiction.
2. The Committee shall be responsible for removal of encroachments and unauthorized structures, coastal areas of CRZ-I, CRZ-II and CRZ-III, if necessary, the District Collector being the Chairman of the Committee is directed to use powers as vested in him to levy penalty or to recover cost from unauthorized constructions.
3. The Committee shall take time bound steps for identification of violations of the provisions of CRZ Notification and the approved CZMP there

  
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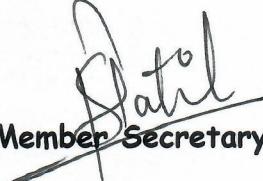
under, for initiation of action under the Environment Protection Act, 1986.

4. The Committee will also take on priority the issues/complaints of coastal communities including fishermen and if desires so, may recommend the matter to the concerned department in the State Government for appropriate action.
5. The Committee can take up cases suo-motu or on the basis of complaints made by an individual or representative body or through news paper report or through MCZMA or an organization or any member of the Committee. The Committee may refer cases to the concerned authorities/ departments in the district for appropriate legal action, if needed. Committee shall submit its action taken report on complaints to Department of Environment and Divisional Commissioner, Konkan on every month.
6. District Police authorities will assist this Committee to help in removing encroachment, unauthorized and illegal structures from coastal regulation zone areas.

Thus, the DCZMC is empowered to take action under E(P) Act, 1986 against the unauthorized structures which are in violation of the CRZ norms.

It was also noted by the Authority that meeting was held on 23.3.2015 under the Chairmanship of Hon'ble Minister, Environment with District Collector, Raigad and MPCB wherein it was directed to submit action taken report on alleged illegal constructions undertaken in violations of CRZ norms in coastal areas. In the same meeting, directions were also issued through MPCB to District Collector and Joint Director, Town Planning on 20.3.2015 to verify and take action on illegal constructions in coastal areas. On receipt of report dated 24.3.2015 of MPCB to MCZMA on 30.3.2015, directions vide letter dated 10.4.2015 were issued to District Collector, Raigad to initiate action on illegal constructions by undertaking a survey of dwelling units.

The issue of illegal construction in Alibaug and Murud was deliberated on the floor of Assembly wherein Hon'ble Minister appraised the action being taken by the District Collector on such illegal constructions and had given assurance to take action against the violators. As a follow up of this assurance, Hon'ble Minister, Environment on 14.5.2015 took a review with District Collector, Raigad and directed to remove such unauthorized structures within 2 months. Further, it was also noted that Hon'ble Minister has conducted regular follow up meetings with District Authorities to ensure legal action on

  
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unauthorized constructions undertaken in violations of CRZ Notification, 1991 and 2011. Latest follow up meeting under the Chairmanship of Hon'ble Minister, Environment was held on 21.8.2018 in the matter wherein District Collector, Raigad was also present. The Authority also noted that District Collector, Raigad had issued Notices to identified violators and cases have been filed in some of the matters before the appropriate Court of law under section 19 of the E (P) Act, 1986. Hon'ble Minister Environment directed District Collector Raigad to demolish illegal structures and submit report.


The Authority further noted that Sub Divisional officer, Alibag has sent representations dated 15.3.2018, 30.5.2018, 4.6.2018 & 29.6.2018 to MCZMA seeking clarification regarding applicability of para 6(d) of the CRZ Notification, 2011 and identification of the coastal water bodies. The Authority noted that para 6(d) is self-explanatory which is reproduced as below:

*"6.Enforcement of the CRZ, notification, 2011- (d) The 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 shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely- (i) these are not used for any commercial activity, (ii) these are not sold or transferred to non-traditional coastal community."*

The Authority noted that, the MoEF & CC, New Delhi has approved the CZMPs of Maharashtra on 27.9.1996 under CRZ Notification, 1991. Further, CZMPs of Raigad district was approved under CRZ Notification, 2011 by the MoEF & CC, New Delhi on 16.08.2018, which was available on MCZMA's Website i.e. mczma.gov.in.

The Authority decided to direct District Collector again to implement the earlier directions given in the matter as stipulated in aforesaid paragraphs and demolish the unauthorised structures and submit action taken report. The Authority decided that the Principal Secretary, Environment & Chairman, MCZMA will take regular review of the follow up actions being taken by District Collector, Raigad on illegal constructions undertaken in violation of CRZ norms.

The Authority after deliberation decided to file an affidavit before the Hon'ble High Court stating about status of the actions initiated as above in the matter.

  
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**Item No.4:** Complaint regarding Construction of buildings on plot bearing S. No. 65 (New) & S. No. 232 (old) of mauje Penkarpada, Mira Road (E), Dist. Thane carried out by M/s. Shrushti Developers & M/s. Eversmile Properties.

The Authority noted that the matter pertains to alleged CRZ violation in construction of buildings on plot bearing S. No. 65 (New) & S. No. 232 (old) of mauje Penkarpada, Mira Road (E), Dist. Thane carried out by M/s. Shrushti Developers & M/s. Eversmile Properties.

Shri Ashok Urf Bhai Jagtap, MLC has presented Calling Attention No. 1266 pertaining to construction of 16 buildings comprises of 14<sup>th</sup> floors in CRZ area of S. No. 65 (New) & S. No. 232 (old) of mauje Penkarpada, Mira Road (E), Dist Thane by M/s. Shrushti developers & M/s. Eversmile Properties.

The MCZMA in its 119<sup>th</sup> meeting on 28<sup>th</sup> to 30<sup>th</sup> June, 2017 deliberated the matter wherein it was noted the remarks dated 17.3.2017 of the Bhayarnder Municipal Corporation which is as follows:

- The MBMC has granted building permission for the entire project vide letter dated 2.7.1986 on plot bearing S. No. 65 (New) & S. No. 232 (old) along with S. No. 207, 2017 to 220, 228(pt) to 230(pt), 175, 187, 236, 238, 239, 244, 255 to 258, 231 to 235, 240/2 of mauje Penkarpada.
- MBMC has granted revised building permissions on 28.8.1989, 19.4.1995, 3.12.1996, 26.9.2001, 5.2.2004, 18.7.2006, 26.3.2007, 3.2.2009 & 22.12.2009.
- As per approved CZMP of 1996, the plots under reference does not fall in CRZ area.
- CRZ map prepared by CESS, Kerala received on 30.6.2005 sent by the UDD, the plot bearing S. No. 231, 232, 234 falls in CRZ-II area.
- MoEF, New Delhi has granted Environment Clearance vide letter dated 12.2.2007.

The Authority in its 119<sup>th</sup> meeting further noted the letter dated 13.2.2007 of the MoEF, New Delhi which clarified that any development activity which had been initiated between 18<sup>th</sup> August, 1994 and 18<sup>th</sup> April, 1996 after obtaining all requisite clearances from concerned agencies including from the town and country planning could be constructed as on-going project.

  
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The Authority, as presented by project developer, also noted that the project has received sanction in principle in the year 1989. Till the year 2005 wherein the CZMP of MBMC prepared by CESS, Kerala came, 144 buildings were completed and Occupation certificate was received. Further, building plans of 20 buildings were amended to 16 buildings in the year 2007 (post year 2005) to avoid construction in 50 m mangroves buffer zone. In such scenario, whether construction of 16 buildings can be construed as part of "ongoing project" as defined in the letter dated 13.2.2007 of the MoEF, New Delhi.

The Authority deliberated upon the issue. It was opined that MoEF has given EC to the project of these 16 buildings on 12.2.2007. Further, as per the letter of MoEF dated 13.02.2007, as referred by UDD through file, it was not clear whether project fits into the category of on-going project or not. This opinion was not given by UDD on file. In case, it is not part of on-going project then it appears to be a CRZ violation and appropriate legal action may be initiated against developer. However, before initiating the action, Authority decided to seek the opinion of the UDD, GoM that whether this part of the project was on-going project activity as per the MoEF letter dated 13.02.2007 or not. Project developer may also be given opportunity to submit his legal say in the matter again. Therefore, after deliberation, authority decided to defer the matter for want of above information from the UDD, GoM and legal say of project proponent.

As per request of the MCZMA, the Urban Development Department has submitted its remarks on 06.12.2017, as per which, Mira Bhayandar Municipal Corporation has granted permissions in year 2005 for construction on S. No. 65 (New) & 232 (Old) of mouje Penkarpada & while CZMP of Mira Bhayandar Area published, said construction is going on since 30.06.2005, as per MoEF letter dated 13.02.2007, said construction is on going project. Therefore, in the instant matter, violation of CRZ Regulation in the construction of Shrishti Housing Complex by M/s. Eversmile Properties Pvt Ltd has not observed. The UDD has requested to offer remarks of Environment Department on Points raised by Hon. Member of Legislative Assembly in light of report of Mira Bhayandar Municipal Corporation and Representation from M/s. Eversmile Properties Pvt Ltd.

The PP during the meeting presented that the project is ongoing and commenced the construction prior to 2005.

  
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Considering the opinion of the UDD and chronology of events, Authority decided to accept the opinion of UDD that there is no CRZ violation as explained in the note of UDD.


**Item No.5:** Complaint by Adv. Sonia Raj Sood regarding proposed redevelopment of existing five star category residential hotel building namely Sea Rock Hotel on plot bearing CTS No. B-1150, B-1153, B-1155 & B-1156 of village Bandra situated at B. J. Road, Bandra (W), Mumbai

The Authority noted that Advocate Sonia Raj Sood has filed repeated complaints regarding alleged CRZ violation in proposed redevelopment of existing five star category residential hotel building namely Sea Rock Hotel on plot under reference. The ongoing PIL bearing no. 49/2012 and Chamber Summons bearing 45/2018 has also been filed by Adv Sonia Raj Sood before the Hon'ble High Court alleging:

- Plot is in CRZ I area & CTS Na B/1153 is a foreshore land
- Building plans sanctioned by MCGM is not as per DCR 1967. DCR 1991 is also used. Concessions under DCR 1991 and DCR 1967. Grant of additional FSI is allowed. No speaking order for grant of additional FSI
- Parking in proposed by reclaiming the land and not as per DCR and other land revenue issues.

The Authority noted that the proposal of redevelopment of Hotel Sea Rock on plot under reference was deliberated in 122<sup>nd</sup> meeting dated 30.10.2017 of the MCZMA. In the said meeting, the Authority has decided to recommend the proposal to MoEF, New Delhi. However, due to subsequent repeated complaints of the Advocate Sonia Raj Sood, it was decided to give hearing to her before sending matter to MoEF for final decision. Hence, the recommendation to proposal was kept on hold. However, Advocate Sonia Raj Sood sent a mail expressing her inability to attend the meeting due to short notice and requested a further date for hearing.

The Authority further decided that, in view of allegations made by complainant and status of land as per new CZMP is being disputed. Further, decision of MCZMA was taken on the basis of approved CZMP, which was valid

  
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till the date of 122<sup>nd</sup> MCZMA meeting. However, since the decision was not finalised and now new CZMP is in place the decision taken in 122<sup>nd</sup> meeting but was not finalised stands cancelled. Further, MCGM to ascertain the allegations made by complainant on both i.e. application of DCR and dispute of CRZ status as per new CZMP and send revised proposals to MCZMA considering above for appraisal afresh. Further, it was also decided to extend hearing to complainant during appraisal of the proposal submitted by the MCGM afresh.

**Item No.6:** Complaint regarding project of repair and renovation of Dafan Bhumi at reservation no. 122 D in mauje Navghar, Mira Bhayandar, Dist. Thane by Shri. Rajan Vichare, MP

The MCZMA is in receipt of a complaint pertaining to repair and renovation of 'Dafan Bhoomi' at reservation no. 122D in mauje Navgar, MBMC. It is alleged that the land bearing Survey No. 15 (old 209) bearing Reservation No. 122D (Dafan Bhumi) adm. 55,616 sqm area situated in mangroves, Wetland & CRZ. The MBMC has carried out reclamation in the said land and submitted the proposal of repair & renovation of Dafan Bhoomi at site under reference, while there is no any Dafan Bhoomi on site under reference. The Complainant alleged that, the MCZMA committee has been misguided by MBMC officials.

Complainant was present for the meeting, who stated that there was no dafan bhoomi on site. MBMC has reclaimed the land which is in CRZ and mangroves were present on the site. He further alleged that there is violation of CRZ rules and orders of the Hon'ble High Court of Mumbai.

After deliberation, the Authority decided that report with time series google images from the MBMC and mangrove Cell be sought whether dafan bhoomi was newly built on mangrove land or other wise. The Authority decided to seek report from Divisional Commissioner, Konkan on the status of land as per revenue records to ascertain CRZ violations and contempt of Hon. High Court Order on mangroves.

**Item No.7:** Proposed construction of Minor Fishing Harbour at Navgaon - Thal, Tal. Alibag, Dist. Raigad by M/s Rashtriya Chemicals & Fertilizers Limited.

  
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The RCF officials presented the matter before the Authority. It was presented that proposal of construction of Minor Fishing Harbour at Navgaon - Thal, Tal. Alibag, Dist. Raigad by M/s Rashtriya Chemicals & Fertilisers Limited was deliberated in 113rd meeting on 8<sup>th</sup> to 11<sup>th</sup> August, 2016. The MCZMA in the said meeting, recommended the proposal to SEIAA with certain following conditions:

1. PP should ensure that proposed activities in CRZ areas are as per provisions of CRZ Notification, 2011 (amended time to time).
2. PP to ensure that activities such as Boat repairing, vehicle parking yard, Fishery Administration Office, Electrical Substation and General electricity are proposed outside CRZ I and NDZ area.
3. PP to ensure that minimum mangrove vegetation is affected due to proposed activities.
4. PP to undertaken the mangrove replantation and submit the plan.
5. PP to obtain prior High Court permission, since the project activities are partly in mangroves and its 50 m buffer zone area.
6. PP to ensure the tidal flow of coastal water body should not be hampered due to proposed activities.
7. PP to ensure the dredged material should not be disposed in CRZ area.
8. PP to implement the Environment Management Plan during the implementation and operation phase of the project.
9. PP to ensure the sound management of solid waste, toxic waste and waste water.
10. All other required permissions should be obtained before the commencement of the project.

The RCF officials submitted that condition no. 5- *"PP to obtain prior High Court permission, since the project activities are partly in mangroves and its 50 m buffer zone area"*

The RCF has revised the project of Minor fishing harbour and now proposed the entire project outside 50 m mangrove buffer zone. Accordingly, plan is revised and CRZ map is prepared. It was further presented that Boat parking was in 50 m mangrove buffer zone. The said activity was now deleted from the project so now entire project is now proposed beyond 50 m mangrove buffer zone.

  
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After deliberation, the Authority decided to replace the condition no. 5 as- "PP to ensure that no construction shall be allowed in mangrove or its 50 m buffer zone" Further authority noted that boat parking activity which was in 50 m buffer zone is dropped and omitted from project.

The Authority decided to recommend the proposal to SEIAA with above said condition no. 5. Rest of the conditions remains unchanged.

**Item No.8:** Proposed Beautification & Development of Gardens & surrounding Area of Bandra fort & promenade in H/West ward, Mumbai by MCGM.

The proposal is for Beautification & Development of Gardens & surrounding Area of Bandra fort & promenade in H/West ward, Mumbai. The proposed project falls in CRZ I area. Proposed activities involves Cycle track and pathway, Steps, Promenade, area to be landscaped.

The Authority noted that earlier the proposal was deliberated in the 119<sup>th</sup> meeting held on 28<sup>th</sup> to 30<sup>th</sup> June, 2017, wherein it was observed that proposed beautification is on landward side as well as seaward side of the Bandra Fort. MCZMA in the said meeting observed that MCGM may explore other options of beautification measures, instead of putting concrete structures along seaward side.

The PP presented the proposal, however, the Authority observed that PP need to comply with observations of the MCZMA in its 119<sup>th</sup> meeting and need to superimpose all activities on approved CZMP, 2011 of Mumbai. Hence, the Authority decided to defer the proposal for submission of the above said compliance to MCZMA.

**Item No.9:** Proposed construction of compound wall for dumping ground at CTS No. 1 (pt) village Deonar near Rafique Nagar Cemetery in M/E Ward, Mumbai by MCGM

The MCGM officials presented that The Deonar Disposal site with City survey no. 1A village Deonar is being used as Waste Disposal site by MCGM since 1927. Presently, DDG is receiving 3000-3500 garbage/ MSW and 800 MT debris covering coming from various municipal wards, refuse transport station

  
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and various departments. Total periphery of the dumping site is approx 6.5 km out of which 2.5 to 3 km area surrounded by slum/ best depot and remaining is surrounded by creek

The MCGM officials further presented that there is existing masonry compound wall from main gate to Rafique nagar cemetary. The compound wall along Refique nagar / baba nagar slum could be constructed due to CRZ restrictions. In this section, there is ingress of people due to nonexistence of compound wall. Hence, in this section, compound wall is essential. Proposed compound wall is situated in CRZ I and CRZ II area.

The Authority suggested to MCGM to come up with detail revised proposal considering that construction towards seaward side of High Tide Line of coastal water body and mangroves will not be allowed. The MCGM need to superimpose the layout of the compound wall on approved CZMP under CRZ Notification, 2011.

The Authority after deliberation decided to defer the matter for the submission of the revised proposal by the MCGM as stated above.

**Item No.10:** CRZ permission to capital dredging work related to reconstruction of dry dock and associated wharves at. Naval Dockyard, Mumbai

The Navy officials presented the proposal before the Authority. The Director General of Naval Projects, Naval Dockyard Mumbai has proposed the capital dredging (widening and deepening of already existing approach channels) of three approach channels to a depth of 13.5 m below CD to accommodate navigation of warships, particularly, the aircraft carrier ship with principal dimensions 300 m x 65 m with below keel water requirement of minimum 13.50 m CD.

- The quantity of the dredge material is estimated to be approximately 12 million cubic meter
- Three existing approaches to be dredged as follows:
  1. To and fro from the main Mumbai port Trust Channel outside the Naval Harbour to the New Naval Dry Dock in Outer Tidal Basin of Naval Harbour

  
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2. To and from the main Mumbai port Trust channel to outer side of South Breakwater (SBW) jetty of Naval Harbour


3. To and fro from South Breakwater jetty to the New Naval Dry Dock located between South Breakwater and Inner Breakwater jetties

- Proposed project is of capital dredging and will not generate waste water, oil or solid sludge. Waste water generated by the dredgers, if any during execution of capital dredging, the same would be suitably treated by the on-board STP before discharging to sea/ ashore side.
- No oily and solid sludge waste are envisaged in this project,
- Dredged materials- Dredged material i.e. 12 cum approx. will be discharged at designated disposal area designated by MbPT
- A comprehensive study has been undertaken to ascertain feasibility of capital dredging for existing channels without adversely affecting the stability or structural integrity of existing structures in the surrounding region namely the South Break water (SBW), new naval dock

As per the CZMP, the site of dredging is in CRZ IV area. The Rapid EIA / EMP has been submitted by the PP. Salient points of the EIA report is as follows:

**Impacts of the project is as follows:**

- During capital and maintenance dredging eventually suspends the fine sediments materials and increase the water turbidity which has adverse effects on marine flora and fauna by reducing light penetration into the water column and by physical distribution, which causes reduction in the population of phytoplankton, zooplankton and reduction in primary productivity in marine water. However, this elevation in turbidity during dredging activity often decreases quite quickly within a few hours particularly where currents are strong. Hence, turbidity is often temporary impact.
- Usually during the dredging, there is a possibility of release of harmful substances such as heavy metals, oil, pesticides etc., which might have locked into the seabed sediments in the past. During dredging these contaminants may get released into the water column and becomes available for animals and plants and ultimately move up the food chain. The possibility of release of harmful substances into the water column depends on degree of contamination.

  
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- Due to increased turbidity during dredging, may affect the fragile marine ecosystem particularly coral reefs.
- Dredging has negative impact on fishing due to suspended sediment, contaminated sediment and underwater noise. Besides, the high turbidity due to heavy suspended solid during dredging or disposal of dredged materials may results in clogging of fish gills and benthic organism. However, the dredging activity will be temporary and for a short duration of time and hence not anticipated to cause any irreversible change in the local marine ecology.
- The disposal of dredged material at designated site will create a blanketing and smothering effect on benthic organism immediate to the disposal site. This will reduce development of stable benthic organism and loss of benthic production. However, dredge disposal site is an existing site for disposal of maintenance dredge spoils and hence has little effect on the tolerant benthic communities.

**Some of the mitigation measures reported in the EIA report is as follows:**

- ✓ The dredging activity will not be carried out during breeding or spawning period.
- ✓ During dredging and disposal of dredged material, proper measures will be taken care such that it will reduce the disturbance and dispersion of sediments from the dredger and barges as far practically possible.
- ✓ Dredged material will be disposed of only at designated site (DS3) which is an existing site for disposal of maintenance dredged material. Hence has little impact on the tolerant benthic communities.
- ✓ Controlled method of dredging using appropriate cutter suction dredgers may be carried out confined to dock area to minimize destruction on sub-tidal benthic community.
- ✓ Proper care will be made to ensure that no spillage during the transportation of dredged material to the designated location (DS 3).
- ✓ The proposed dredging activity does not involve rock blasting.

The Authority after deliberation decided to recommend the proposal from CRZ point of view to MoEF subject to compliance of following conditions:

  
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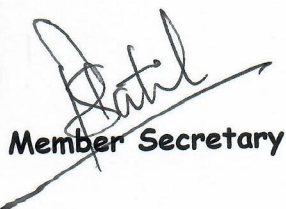
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1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. Bathymetric studies need to be carried out for pre and post dredging activity.
3. The Environment Management Plan (EMP) & Environment Monitoring Plan should be implemented in spirit and it should be in consonance with the surrounding ecosystem. Specific budget should be allocated for the implementation of EMP.
4. The dredging activity shall not be carried out during breeding or spawning period.
5. No blasting activity shall be allowed for dredging.
6. No labour camp, machineries and material storage is allowed in CRZ area & it should also be ensured that the waste water from these entities should not be released into the coastal water body. Effluent treatment plant should be located outside CRZ area.
7. No destruction of mangroves is allowed. Coral reefs, if any present in the area shall not be disturbed. No work should be carried out in 50 m buffer zone of mangroves.
8. No reclamation of water body is allowed.
9. Non sand/ coarse material should not be disposed in CRZ area.
10. Naval Dock should ensure that emergency oil spill response plan is ready with appropriate clean up supplies
11. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Item No.11:** Proposed construction of residential building on 'Land End House' C. S. No. 214, Malbar Hill, Mumbai by PWD, SPD, Mumbai

The Authority decided to defer the matter. Since the project proponent was absent.

**Item No.12:** Proposed construction of Kharland scheme of Uchel Virjoli, Tal. Roha, Dist. Raigad by Kharland Development Sub-Dv Murud

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

**Item No.13:** Proposed construction of ground water tank & pump room on plot bearing C. S. No. 658, Ambedkar Nagar behind helipad, Colaba, Mumbai by Executive Engineer, Mumbai Slum Development Board.


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

**Item No.14:** Proposed extension of navigational channel in the area between Mazgaon Dock & Mumbai Port by Mazagon Dock Shipbuilders Ltd.

Officials from the Mazagon Dock Shipbuilders Ltd (MDSL) presented the proposal before the Authority. The proposal is for extension of navigational channel in the area between Mazgaon Dock Offshore Container terminal (OCT) Mumbai Port, which includes the dredging in 2.5 km long channel. The dredged depth proposed in the channel will be - 5.5 m to -6.0 m below CD. The quantum of capital dredging will be about 3 Mm<sup>3</sup>. The quantity of maintenance dredging will be about 1.1 Mm<sup>3</sup> per Annum.

The proposal was deliberated in meeting of Expert Appraisal Committee (EAC) (Infra 2) held on 25<sup>th</sup> to 26<sup>th</sup> December, 2016. The ToR has been granted. Public hearing was conducted on 31<sup>st</sup> October, 2017 by MPCB. The CWPRS, Pune had conducted the requisite mathematical model studies for suitability of the said channel. WAPCOS has prepared EIA report. NIO, Goa has prepared Marine Ecology and Biodiversity Assessment and Biodiversity Management Plan.

The PP has carried out CRZ demarcation from IRS, Chennai for the site under reference. As per report & map dated Oct, 2016 of IRS, Chennai, the location of proposed project falls in CRZ-IV (A) as per CRZ Notification, 2011. Officials of MDSL further presented that no mangroves or any other eco sensitive entity is present at the proposed project site. The Authority noted that the project involves capital dredging for creating the navigational channel, which will have impact on marine ecology, hence the environment management plan needs to be implemented in spirit.

  
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The Authority after deliberation decided to recommend the proposal from CRZ point of view to MoEF subject to compliance of following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. PP should obtain special permission for blasting.
3. PP to implement the Environment Management Plan in the project.
4. PP to ensure that ecologically sensitive areas such as mangrove, corals if any should not be destroyed.
5. There shall be designated site for the disposal of the dredged material.
6. PP to obtain the Environment Clearance, if the project attract the EIA Notification, 2006 (amended from time to time)
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Item No.15:** Proposed training / widening / deepening and reconstruction of PMGP Nalla at Mandale, Mumbai by MCGM.

The MCGM officials presented the proposal before the Authority. The MCGM intend to execute the work of training/ widening/ deepening and reconstruction of PMGP Nalla system at Mandale, Mumbai. This will increase the water carrying capacity of storm water in monsoon to eliminate the flood like situation if occurs, which will help to save the life and financial losses of Mumbai. The PMGP nalla runs through Ambedkar Nagar / Chikuwadi / Mohite Patil Nagar, Maharashtra nagar, Mandale in MCGM M/East ward. The area under consideration is encroached upon and surrounded by illegal hutments and is being further encroached day by day. The hutments / scrap & storage yards on the edge of Nalla are proposed to be demolished for construction of Nalla protection wall and 6 m wide road for maintenance / cleaning of the Nalla system.

Length of the proposed protection wall is 545 m. Length of service road is 545 m and width is 6 m on either side of Nalla. The MCGM officials further presented that as per the approved CZMP, the site is partly in CRZ I and partly in CRZ II area. Few mangroves are proposed to be cut for the training of the Nalla. It was further presented there is possibility of encroachment of nalla by slums, which may lead to water logging in upstream side.

  
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The Authority noted that training / widening / deepening of the nalla is necessary to avoid nalls from encroachments of slums. However, considering the recent High Court order dated 17<sup>th</sup> Sep, 2018, there shall not be cutting of mangroves and activities should be beyond mangroves and its 50 m buffer zone.

After deliberation, the Authority decided to recommend the proposal of widening / deepening / Training of PMGP Nalla up to 1015 Ch. from CRZ point of view to SEIAA subject to following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. MCGM to ensure that no activities should be proposed in mangrove or 50 m buffer zone.
3. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Item No.16:** Proposed multimodal Corridor from Chirner (JNPT) to Balavali (NH17) by MMRDA

The MMRDA officials presented the proposal before the Authority. Proposal is for development of Multi Modal Corridor from Chirner (JNPT to Balavali (NH 17) of length 18 km with proposed Right of way 99 m. The section passes along the settlements such as Dighode, Vindhane, Dhakti Jui, Taki gaon, Korpoli, Kalambusare, Kelvane, Rave, Kopar, Govirle & Balavali.

The MPCB has conducted Public hearing for the project on 16.1.2018. EIA report prepared by Louis Berger is submitted. Proposed corridor situated in CRZ-I (A) & (B), CRZ-III & CRZ-IV (B).

The Authority instructed the MMRDA to submit the details of proposed activities in different CRZ classifications CRZ-I (A) & (B), CRZ-III & CRZ-IV (B) and revert. Further, MMRDA need to consider the order dated 17<sup>th</sup> September, 2018 in PIL 87/2006 passed by Hon'ble High Court of Mumbai, which prohibits the construction activity in mangrove area and its 50 m buffer zone.

  
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The Authority decided to defer the proposal for submission of the above said information to MCZMA.

**Item No.17:** Proposed erection of Wooden Watch Tower at Juhu, Versova & Aksa Beaches, Mumbai by MCGM

Chief Engineer from the Concern Dept were absent. Hence, the matter was deferred.

**Item No.18:** Proposed construction of toilet at open defecation spot in R/C ward, Borivali (W), Mumbai by MCGM

CRZ recommendation from MCZMA not required. The Project proponent was absent for the meeting. Hence, the matter was delisted.

**Item No.19:** Regarding reconstruction of part portion of existing building for hydrographic laboratory cum stores & storm warning signals building on plot bearing CTS No. D/1158 & D/452 of village Bandra D at Khardanda, Bandra (w), Mumbai by MMB.

The MCZMA in its 114<sup>th</sup> and 116<sup>th</sup> meeting held on 2<sup>nd</sup> & 3<sup>rd</sup> November, 2016 & 23.3.2017 deliberated the proposal of Regional Port Office Building at Khardanda, Bandra, Mumbai Suburban by MMB wherein the Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of certain conditions. As decided in the said meeting MCZMA recommendation letter dated 12.6.2017 has been issued to MMB.

The MMB officials presented that MCGM has submitted its letter dated 10.1.2018 and informed that, if the location as per CTS plan is considered, the plot under reference is partly situated in CRZ-I and CRZ-II and also major portion of proposed building under reconstruction falls in CRZ-I. Area of plot bearing CTS No. D/1158 is 1080 sqm and not 279.135 sqm and BUA proposed is 282.33 sqm.

The MCGM sought clarification whether, the plot under reference falls partly in CRZ-I or otherwise along alignment of HTL. The exact location of plot under reference i.e. plot bearing CTS No. 1158 of village Bandra - D as per CTS plan.

  
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The Authority observed that the MCZMA in its 116<sup>th</sup> meeting granted the CRZ recommendation for the reconstruction of the existing port office structure only on site which is in CRZ II as per the approved CZMP of 1991. The said structure is situated in CRZ II area as per the new approved CZMP under CRZ Notification, 2011. Status as above may be communicated to MCGM. No construction is allowed on seaward side of the existing plinth, local body to ensure the same.

**Item No.20:** Proposed construction of RCC protection wall on plot bearing plot no. 1/B, c. no. 1/B of mauje Kandivali, Tal. Borivali, Dist. Mumbai by PWD, North Mumbai

The PWD officials presented that the proposal is for construction of RCC protection wall on plot bearing plot no. 1/B, c. no. 1/B of mauje Kandivali, Tal. Borivali, Dist. Mumbai. Proposed construction of RCC protection wall is to stop encroachments on Govt. plot bearing plot no. 1/B, c. no. 1/B of mauje Kandivali, Tal. Borivali, Dist. Mumbai. The site under reference situated in mangroves area

The Authority noted the Hon'ble High Court order dated 17<sup>th</sup> September, 2018 in PIL 87/2006 passed by Hon'ble High Court of Mumbai. Since proposed activities are situated in 50 m mangrove buffer zone area, the Authority suggested that the PWD may approach Hon'ble High Court seeking relief from the above said order dated 17<sup>th</sup> Sep, 2018. Accordingly, the matter was deferred.

**Item No.21:** Proposed redevelopment of Bandra Town Municipal market on plot bearing CTS No. 353 to 357 & 791(pt) situated at Bandra (W) in H/W ward, Mumbai by MCGM

The MCGM officials presented that an application for redevelopment of Bandra Town Municipal market on plot bearing CTS No. 353 to 357 & 791(pt) situated at Bandra (W) in H/W ward, Mumbai by MCGM. The MCGM officials presented that as per the approved CZMP under CRZ Notification, 2011, the site under consideration is outside CRZ area.

The Authority noted the approved CZMP, 2011 of the Greater Mumbai and observed that the project site under reference is situated beyond CRZ

  
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area and not within the ambit of provisions of CRZ Notification, 2011. The Authority suggested that market should have plastic free policy.

**Item No.22:** Proposed construction of solid waste management project on plot bearing S. No. 7/1, C. S. No. 1303(pt) at Alibag, Dist. Raigad by Alibag Municipal Council.

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

**Item No.23:** Proposed widening / Deepening / Training of Gorai Nalla at Gorai Village, Borivali (W) in R/C Ward, Mumbai by MCGM.

The MCGM officials presented the proposal before the Authority. The proposal is for widening /Deepening/ Training of Gorai Nalla at Gorai Village, Borivali (W) in R/C Ward, Mumbai. The said nalla disposed storm water from nearby village area in to the Arabian Sea. The nalla is abutted by slums on both the banks and due to absence of the nalla retaining walls, the stability of the structures and the lives of the habitants are endangered.

The proposed waterway width is 6.00 m. Very small portion of nalla is affecting by Mangroves (approx. 50 m) and entire stretch from point A to B is affected by tidal variations. Total length of said portion to be widened and trained is 200 R.M. out of which 50 RM is affected by mangroves and area covered by dense growth of mangroves is 150sqmt.

The Authority observed that stretch of nalla starting from CH 00 to CH 60 has presence of mangroves. The MCGM may train nalla in the stretch between CH 100to CH 350.

After deliberation, the Authority decided to recommend the proposal of widening / deepening / Training of Gorai Nalla between CH 100 to CH 350 from CRZ point of view to SEIAA subject to following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. MCGM to ensure that no activities should be proposed in mangrove or 50 m buffer zone.

  
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3. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Item No.24:** Proposed Widening of existing DP road on Gorai Bank & over Bridge connecting Gorai Borivali Banks at Gorai Creek, Tal. Borivali, Dist. Mumbai by MMRDA

The MCGM officials presented the proposal before the Authority. The proposal is for widening of existing DP road on Gorai Bank and over bridge connecting Gorai - Borivali banks at Gorai Creek, Tal. Borivali, Dist. Mumbai. Total length of the proposed alignment is 3.9km which includes 1.7 km widening of existing DP road, 1.7km elevated road and 500m bridge over Gorai Creek. The site under reference is falls under CRZ I area. Area details:

CRZ Zone	Area under CRZ zone	Length
IA (mangroves)	2.839	1761.086
IA (buffer)	1.374	864.402
IA (mudflats)	0.242	117.500
II (urban)	0.156	74.882
III (rural)	0.169	81.000
IV B (Water body Creek)	0.468	223.914
Total	5.247	3122.784

The Authority suggested the MMRDA to obtain the High Court permission first for the cutting of the mangroves in the light of Hon'ble High Court order dated 17<sup>th</sup> Sep, 2018 in PIL 87/2006 in Hon'ble High Court of Mumbai. The Authority decided to defer the matter.

**Item No.25:** Modification in construction of geotextile offshore reef at Mirya Bay, Tal. & Dist. Ratnagiri of ADB project by MMB

The MMB officials presented the matter before the Authority. The State of Maharashtra in the year 2010 undertook the project of "Sustainable Coastal Protection & Management Investment Program (SCPMIP)" at Mirya Bay

  
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in District Ratnagiri with loan assistance from the Asian Development Bank (ADB). The MMB was the State Executing Agency of the project. The goal was to solve the severe coastal erosion within the embayment thereby providing security to property owners & business whilst protecting the fragile environment. The reef was proposed to construct using geotextile bags of 28 m long and 2.4 m width and beach nourishment of 1.25 km of the coast behind the reef using 450,000 cu m of sand.

The MMB officials further presented that the MoEF, New Delhi vide letter dated 26<sup>th</sup> May, 2010 had granted the Environment Clearance to the project. However, subsequently, the reef location was moved from the originally proposed headland reef at 260 m offshore to 100 offshore from the base of the existing seawall due to the concerns raised by ADB after noticing a damaged geotextile bag at Kovalam, Kerala. Based on the recommendations of the CWPRS, MMB has implemented a single layer Geotextile reef at Mirya at 1.6 m water depth, about 100 m offshore from the existing seawall and the construction was completed in February 2016 and Beach nourishment work in March 2017. The MMB officials informed to MCZMA that ADB is requesting a clarification whether revised CRZ clearance was required for shift in location from 260 m offshore to 100m from shoreline.

The MMB officials pointed out condition no. (vii) of the CRZ clearance dated 26<sup>th</sup> May, 2010 granted by the MoEF, New Delhi to the project, which mentions as- "*A study shall also be carried out to analyse the effectiveness of such coastal protection works and in case of failure appropriate measures shall be taken immediately. Quarterly monitoring report shall be maintained and submitted to Ministry*"

The MMB officials further presented that taking a lesson from the episode of damaged geotextile bag at Kovalam, Kerala; the CWPRS was engaged to study the effectiveness of the proposed coastal work. The CWPRS studied the matter and in order increase the effectiveness of coastal protection at Mirya Bay, recommended the location of the geotextile 100 m from the shoreline as against the 260 m offshore. Accordingly, the coastal protection work was completed.

The Authority discussed that objective of the project was to protect the shoreline at Mirya Bay. In order to achieve the objective, recommendations of

  
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the CWPRS were sought and accordingly, based on the CWPRS recommendations, the location of the geotextile bag was shifted near to shoreline.

The Authority after deliberation decided to take on record the compliance of the above said condition (vii) of CRZ clearance dated 26<sup>th</sup> May, 2010 of MoEF, New Delhi and send the matter to MoEF, New for comments/ opinion in the matter.

**Item No.26:** Proposed construction of jetties at Devbaug and Karli for RORO service in Sindhudurg District by MMB


The MMB officials presented the proposal before the Authority. The proposal is for construction of Devbaug and Karli for RORO service in Sindhudurg District by MMB:

- Plot area: 1242.98 Sqm
- Terminal Building: 85.45 Sqm
- Toilet Block: 87.78 Sqm
- Parking area
- Piled Jetty: proposed jetty is located next to existing jetty
- Total length of proposed piled jetty is 105.97 m and width is 10 m
- piled jetty ends with a ramp of slope 1:7

The MMB officials presented that, at Devbag, proposed project is situated in CRZ I and CRZ III area. At Karli, proposed project is in CRZ III area and 50 m mangrove buffer zone.

The Authority further noted that as per the CZMP of the Sindhudurg approved by the MoEF, new Delhi under CRZ Notification, 2011, the site under reference at Devbaug is classified as "Critical Vulnerable Coastal Area (CVCA)", Being environmentally vulnerable area and erosion issues of the Devbaug, impact of the jetty on stability of the surrounding coastal area needs to be studied.

The Authority noted that the Jetty at Karli is proposed within 50 m mangroves buffer zone. Construction in mangroves or 50 m buffer zone area is prohibited, as per the Hon'ble High Court order dated 17<sup>th</sup> Sep, 2018 in PIL 87/2006 in Hon'ble High Court of Mumbai.

  
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After details discussion and deliberation, the Authority decided the followings:

1. A site inspection to be carried out by Mangrove Cell and expert members of MCZMA for ascertaining the existence of mangrove at Devbaug and Karli. Whether the project activities are proposed in mangroves or its 50 m buffer zone area.
2. Shoreline at Devbaug and Karli is not stable and shows eroding nature. The MMB to get the Scientific report done by competent expert Govt agency (like NCSCM, Chennai) on erosion status of the Devbaug & Karli and Impact of the jetties during construction & operation phase on erosion of the coastline at Devbaug and Karli.
3. MMB to submit cost benefit analysis of the project.

The Authority decided to defer the proposal for compliance as stated above.

**Item No.27:** Proposed redevelopment of Worli Koliwada Municipal Primary School on plot bearing C. S. No. 2/224 of Worli division in G/s Ward, Mumbai by MCGM.


The MCGM officials during the meeting informed that revised proposal may be submitted by the MCGM pertaining to construction of primary school on vacant plot under reference. The Authority decided to delist the present proposal from records of MCZMA. The Authority shall consider the revised proposal.

**Item No.28:** Proposed construction of various bridges on Ulwe River diversion Channel for Navi Mumbai International Airport, Navi Mumbai.

The Authority noted that new CZMP of Navi Mumbai under CRZ Notification, 2011 is at finalization stage. Till that time, the proposal is deferred.

**Item No.29:** Proposed beautification of Aksa Beach at Madh, Mumbai Suburban by MMB

The MMB officials presented that the proposal is for construction of Anti Sea Erosion Measure at Aksa Beach. The project involves repairs of old bund, construction of pathway, construction of parapet wall, providing solar

  
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street light, length 300 m. The proposed project is situated in CRZ I area. As per the EIA report submitted, clearing, stripping and levelling of sites, construction of anti-sea erosion measures, earth filling and excavation for foundation, will lead to some disturbances to the habitat. The MCZMA in its 115<sup>th</sup> meeting held on 17<sup>th</sup> & 18<sup>th</sup> January, 2017 observed that solid construction on beach may erode the beach and discouraged the proposal. However, the MMB officials presented that considering the erosion problem of the Aksa Beach, Solid construction in the form of anti-sea erosion bund is required. The MMB further assured that Solid construction will be restricted to landward side of the High Tide Line and beach area will not be used for construction and no construction debris will be dumped on beach.


After deliberations, the Authority decided to recommend the proposals of anti-sea erosion bund to SEIAA with subject to following conditions:

1. MMB to ensure that no construction is allowed in intertidal or beach area i.e. CRZ area. Solid construction should be restricted to landward side of the High Tide Line.
2. MMB to ensure that construction debris is not dumped in the beach and CRZ area.
3. Mangroves, if any should not be destroyed/ cut.
4. All other required permission from different statutory authorities should be obtained.
5. In case of present of mangrove, no construction should be undertaken in mangroves & its 50 m buffer zone.

**Item No.30:** Proposed beautification of Gorai Beach Promenade at Gorai, Mumbai by MMB

The MMB officials presented the proposal is for construction of anti -sea erosion bund at Gorai in order to protect people, livestock and agricultural field from the Sea coast erosion. Project involves repairs of old bund, construction of pathway, construction of parapet wall, providing solar street light, length is around 530 m. The project site in CRZ I area. As per the EIA report submitted, clearing, stripping and levelling of sites, construction of anti-sea erosion measures, earth filling and excavation for foundation, will lead to some disturbances to the habitat.

  
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The MCZMA in its 115<sup>th</sup> meeting held on 17<sup>th</sup> & 18<sup>th</sup> January, 2017 suggested MMB to explore other options of beautification of beach. However, the MMB officials presented that repair & strengthening of the existing bund is a requirement at the site. MMB officials assured that no new bund is proposed.

After deliberations, the Authority decided to recommend the proposals of anti-sea erosion bund to SEIAA with subject to following conditions:

1. MMB to ensure that no construction is allowed in intertidal or beach area i.e. CRZ area. Solid construction should be restricted to landward side of the High Tide Line.
2. MMB to ensure that construction debris is not dumped in the beach and CRZ area.
3. Mangroves, if any should not be destroyed/ cut.
4. All other required permission from different statutory authorities should be obtained

**Item No.31:**

Proposed beautification and protection of Bandra Promenade near Kadeshwari Mandir at Bandstand, Mumbai Suburban by MMB.

The MMB officials presented that the proposal is for construction of Anti Sea Erosion Measure near Kadeshwari Mandir at Bandstand. The project involves repairs of old bund, construction of pathway, construction of parapet wall, providing solar street light, length 480 m. The proposed project is situated in CRZ I area. As per the EIA report submitted, clearing, stripping and levelling of sites, construction of anti-sea erosion measures, earth filling and excavation for foundation, will lead to some disturbances to the habitat.

The MCZMA in its 115<sup>th</sup> meeting held on 17<sup>th</sup> & 18<sup>th</sup> January, 2017 suggested the MMB to explore other options i.e. soft engineering solution or ecosystem based beautification. However, the MMB officials stressed the need for the project. The Authority discussed that MCGM has also proposed beautification near bandra bandstand. The Authority suggested that MMB should restrict its activities to protection measures i.e. anti-sea erosion bund.

After deliberations, the Authority decided to recommend the proposals of anti-sea erosion bund to SEIAA with subject to following conditions:



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1. MMB to ensure that no construction is allowed in intertidal or beach area i.e. CRZ area. Solid construction should be restricted to landward side of the High Tide Line.
2. MMB to ensure that construction debris is not dumped in the beach and CRZ area.
3. All other required permission from different statutory authorities should be obtained
4. No construction is allowed in mangroves & its 50 m buffer zone. Said work should be done in only CRZ-II area i.e. land ward side of HTL. MCGM to ensure the same.

**Item No.32:** Proposed construction of tourism jetty at Kashid, Tal. Alibag, Dist. Raigad by MMB

The MMB officials presented that the proposal is for construction of tourism jetty at Kashid. The project involves piled jetty having length 800m and width 10m. The proposed project is situated in CRZ I area.

The Authority observed that Rapid EIA report submitted outlining the impact of the project on coastal environment is generic in nature and not site specific. The Authority observed that beach at the Kashid is pristine beach and known for white sand beach. Impact of the tourism jetty with breakwater on surrounding coastal geomorphology and ecology needs to be studied with predictive mathematical modelling and elaborated in the Rapid EIA in site specific manner.

The Authority during the meeting observed the followings:

1. MMB to submit the Hydraulic study of the project area.
2. Sediment study model report to understand the accretion/ erosion pattern of the area of Kashid beach. MMB to get the sedimentation study done from expert Govt agency / institute like NCSCM, Chennai.
3. Site Specific EIA report along with Cost Benefit Analysis of the project.
4. EIA report should elaborate on impact of breakwater and jetty on erosion / accretion pattern of the Kashid beach & other nearby areas. MMB to explore other options for the design of the jetty and breakwater so that it occupies minimum footprint in intertidal areas & to minimize its impact on coastal ecology.

  
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After deliberation, the Authority decided to defer the proposal for want of the above said information to MCZMA.

**Item No.33:** Proposed construction of Jetty at Janjira Killa, Tal. Murud, Dist. Raigad by MMB

The MMB officials presented the proposal before the Authority. The MMB has proposed to construct passenger jetty at Janjira Killa. Janjira fort holds cultural heritage values and tourism needs to be preserved and developed in this place. There is no proper jetty for passenger. At present 3.80 lakhs tourists per annum visiting the fort. However due to such enhance facilities/capacity augmentation number of tourists will increase. Now, the MMB has proposed the foot over bridge and jetty on piles. The project involves piled jetty having length 71.45 m and width 4.6 m. Project activities are as follows:

- T-Type R.C.C Pile Jetty with links pan.
- Berthing Jetty: 50.00 m x 4.80 m
- Approach Jetty: 50.00 m x 4.80 m
- Aluminium Linkspan: 20.00 m x 4.00 m

The Jetty would help smooth disembarking of the passengers and tourists. The Authority noted that proposed project is situated in CRZ I (B) area. MMB has submitted Rapid EIA report which is general in nature. The MMB to undertake site specific Environment Management Plan for the project.

After deliberations, the Authority decided to recommend the proposal to SEIAA with subject to following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/clarifications given by MoEF from time to time.
2. There shall not be obstruction to free flow of the sea water.
3. The MMB to implement the Environment Management Plan during construction and operation phase.
4. The MMB to ensure that design of the jetties should be undertaken taking into account the Archaeological and heritage value of the Janjira Fort.
5. Construction debris should not be dumped in the sea.
6. MMB to put up signage and boards to jetty instructing tourists not to through plastic and other solid waste into the sea.

  
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7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Item No.34:** Proposed construction of tourism Jetty at Padmadurga, Dist. Raigad by MMB.

The MMB officials presented the proposal before the Authority. The MMB has proposed to construct tourism jetty at Padmadurga. Padmadurg fort being Island fort does not have any other means of navigation other than ferry service to come to main land. There was no provision or existing Jetty for ferry service. From Murudkhora upto Padmadurg Fort - Existing navigational channel is available. The existing ferry service is inconvenient and may lead to accidents owing to bigger number of tourists. Hence, a jetty needs to be constructed considering the tourism aspects.

The MMB official further presented that project involves piled jetty having length 50 m. and width 4.8 m. Details of the project activities are as follows:

- T- type R.C.C. Pile Jetty with Berthing Jetty, Approach and Linkspan
- Berthing Jetty: 50.00 m x 4.80 m
- Aluminum linkspan: 20.00 m x 4.00m
- Approach Jetty: 50.00 m x 4.80 m

The Authority noted that as per the approved CZMP under CRZ, 2011, the project activities are proposed in CRZ IV and CRZ I-B area. It was further noted that Rapid EIA submitted by the MMB should have be site specific. The MMB to undertake site specific Environment Management Plan for the project.

After deliberations, the Authority decided to recommend the proposals of anti-sea erosion bund to SEIAA with subject to following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. There shall not be obstruction to free flow of the sea water.
3. The MMB to implement the Environment Management Plan during construction and operation phase.

  
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4. The MMB to ensure that design of the jetties should be undertaken taking into account the Archaeological and heritage value of the Janjira Fort.
5. Construction debris should not be dumped in the sea.
6. MMB to put up signage and boards to jetty instructing tourists not to through plastic and other solid waste into the sea.
7. All other required permissions from different statutory authorities should be obtained prior to commencement of work.

**Item No.35:** Proposed project for temporary casting yard establishment at Juhu Koli Wada for Versova Bandra Sealink project by MSRDC

The MSRDC officials presented the proposal before the Authority. The MSRDC has conceptualised, plan, design and construct a new sea link that will serve as an extension of the existing Bandra- Worli Sea Link extending the same from Bandra towards Versova. The Versova Bandra Sea Link is of 9.60 km in length (4 + 4 lanes) which has got the CRZ clearance on 9<sup>th</sup> January, 2014 from the MoEF, New Delhi. As a requirement of the VBSL project, the casting yard of the area 5 Ha is proposed for undertaking civil works for the VBSL project.

A casting yard is a confined space where all the concrete structure like segments, parapets, I- girders/beams, boundary wall panels, cable troughs etc. Re-casted/ manufactured, shifted to their stack yard, cured for the specific period/days and then shifted to the working site/ viaduct after they gain their required strength. It will be around 1 km from the working site. The land belongs to Government. It is being transferred to MSRDC for casting yard which is temporary in nature. After construction of the Sea Link, the land will be restored to original condition and would be handed over to Government. Casting yard will have following activities:

- Site office and Labour rest room
- RMC plant and QC lab
- Reinforcement fabrication yard and Epoxy coating area
- Segment stacking yard
- Temporary jetty for feeding the material and segments
- Diesel dispensing tank

  
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As per the CZMP under CRZ Notification, 2011, the land under reference is situated partly in CRZ I (i) and partly in CRZ II area.

The Authority noted the complaint received in the matter regarding presence of mangrove on the site. The Authority decided to make a Site visit in the matter. Whether site is in mangroves or its 50 m buffer zone at present. Authority after deliberation decided to defer the matter for a site visit report from mangrove cell & expert member of MCZMA.

**Item No.36:** Proposed project for repair and maintenance of existing jetty at Bandra for Varsova Bandra Sea Link Project (VBSL) by MSRDCL

The MSRDCL officials presented the proposal before the Authority. The proposal is for repair and maintenance of existing jetty at Bandra for Versova Bandra Sea Link Project (VBCL). Total plot area is 0.25 Ha. The plot under reference is falling under CRZ II as per approved CZMP. The site under reference has no mangroves cover.

After deliberations, the Authority decided to recommend the proposals to concern planning Authority with subject to following conditions:

1. The proposed activity should be undertaken strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. This CRZ recommendation is only for repair and maintenance of existing jetty and not for extension of the jetty.
3. MSRDCL to ensure that construction debris is not dumped in the beach and CRZ area.
4. All other required permission from different statutory authorities should be obtained

**Item No.37:** Proposed construction of ramps along Rangsharda Road connecting Bandra Worli Sealink Road in H/W ward, Mumbai by MCGM

The MCGM officials presented the proposal before the Authority. The proposal is for construction of ramps along Rangsharda Road connecting Bandra Worli Sealink Road in H/W ward, Mumbai. Construction of ramp is necessary to

  
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reduce traffic congestion at the K. C. Road and Bandra - Worli Sea Link road junction and western express highway junction.

The proposal is to connect this road A-B to Sea Link so that additional link will be established which will be facility movement of traffic from Sea Link to the locality of Bandra (W). The plot under reference falls in CRZ - I area and landward side of DP Road and Size of the project is 7500sqm.

The MCZMA in its 120<sup>th</sup> meeting held on 28<sup>th</sup> July, 2017 deliberated the proposal wherein the Authority observed that proposed link may create traffic hazard and air pollution. Authority declined the proposal being in CRZ I area. However, the MCGM officials presented that proposed ramp is a necessity in the area in order to reduce the traffic congestion. It was further presented that the traffic survey study of the Lilawati junction and nearby locations has been carried out. Study shows that proposed ramp will help in reducing the traffic at Lilawati Junction and help improve connectivity to nearby colonies. The MCGM officials further presented that the ramp is proposed in CRZ II area, as per approved CZMP under CRZ Notification, 2011 and no construction is proposed in CRZ I area.

The Authority discussed that considering the need of the infrastructure planning in the area towards decongestion of the traffic at Lilawati Junction, proposed ramp in CRZ II portion can be allowed. MCGM need to ensure that proposed ramp should not traffic hazard and source of noise and air pollution at junction of KC road and Rangsharda exit.

After deliberations, the Authority decided to recommend the proposals to SEIAA with subject to following conditions:

1. Proposed project should be as per the provisions of CRZ Notification, 2011 (amended from time to time)
2. MCGM to ensure that construction is not allowed in CRZ I area.
3. PP should restore the site after completion of the proposed activities.
4. All other required permissions from different statutory authorities should be obtained.

**Item No.38:**

Proposal for erection of substation at Ganpat Patil Nagar in Galli no. 7 & 10, Dahisar, Mumbai by M/s. TATA Power

  
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The Authority after deliberation decided to defer the matter for want of information such as layout of the proposed activities superimposed on approved CZMP under CRZ Notification, 2011 and whether activities are proposed in mangrove area.

**Item No.39:** Regarding extension of validity of CRZ clearance of Versova - Bandra Sea Link Project (VBSLP) by MSRDC

The MSRDC officials presented the matter before the Authority. The MSRDC officials presented that MoEF, New Delhi vide letter dated 9<sup>th</sup> Jan, 2013 has granted the CRZ clearance to the project of VBSL. Now, MSRDC requested MCZMA to extend the validity of the said CRZ clearance.

The Authority noted the as per the Amendment dated 6<sup>th</sup> March, 2018 in CRZ Notification, 2011:

*"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 MSRDC officials presented that there is no change in project profile. It was further informed that around 2.9907 Ha of mangrove will be affected due to project, for which forest and High Court permission will be obtained.

After deliberations, the Authority decided to recommend the matter to MoEF for extending the validity of the CRZ clearance granted to the project.

  
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Item No. 40:

Proposal for development of Versova Beach at Versova, Andheri (W) under the program of beach development for Tourism by MHADA

The Authority noted that concern Executive Engineer from the MHADA was absent for the meeting. Hence, the Authority decided to defer the matter.

Item No. 41:

Proposal for providing chain link fencing and compound wall to Lokhandwala lake and providing chain link fencing / bio fencing for conservation of Mangroves under 164 Versova Assembly Constituency, Varsova, Andheri (W), Mumbai

The Authority noted that concern Executive Engineer was absent for the meeting. Hence, the Authority decided to defer the matter.

Item No. 42:

Proposal for the development of the Mangroves Park at Gorai by Mangroves Cell

The Mumbai Mangrove Conservation Unit has proposed development of Mangrove Park at Gorai. The mangrove Cell officials presented that Mumbai has dense mangrove patches spread along Mahim, Versova, Thane creek, Ghodbundar and Gorai. The location of the mangrove park at Gorai on CTS No. 101 and 883 is strategically selected keeping in mind the surrounding tourists places like essel world, Global Vipasana pagoda. The objective behind development of the Mangrove park at Gorai is to educate the citizens of the Mumbai about the value of mangrove ecosystem and create environment awareness among citizens. Taking advantage of the tourists coming in the area, mangrove park can attract tourists and citizens and help in spreading awareness about the importance of mangroves and coastal marine biodiversity. Activities proposed in the mangrove park would involve active participation of citizens in environmental issues.

Mangrove Cell officials further presented that the site under reference has very minimal ground coverage and more than 95% area is under wet land with increase in mangrove density. Hence the Design strategy is to minimize intervention of the built form with mudflats and retain the area under mangroves as much as possible, in the form of elevated walkways and structures

  
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with minimum supports piled in the wetland. The component / activities of the mangrove park is as follows:

1. Entrance structure with Nature Interpretation Centre and Mangrove Museum in non CRZ-I area
2. Board walk with pause points
3. Watch tower / Bird Observatory, Kayak Trail Boarding point
4. Water retention Ponds, Mangrove Nursery, Mud Crab Pane
5. Kayak trail connecting watch towers through mangrove trail

The Mangrove Cell officials further presented that, being mangrove area (CRZ I-A area), minimum foot print area has been proposed to occupy the Nature interpretation center. Road access is only provided at the boundary of the site along dumping ground also the Centre is designed as a single structure with minimal footprint in non CRZ-I area

After deliberations, the Authority decided to recommend the proposals to SEIAA with subject to following conditions:

1. Mangrove Cell officials should ensure that minimum footprint area is occupied in the mangrove area for setting up for the Nature Interpretation Centre, Board walk and watch tower. No construction should be done in mangroves / CRZ-I area.
2. Cafeteria proposed in the project is not allowed.
3. The Prior High Court permission should be obtained by the mangrove cell since the project is proposed in mangrove area.
4. All other required permission from different statutory authorities should be obtained

**Item No.43:** Proposed Storage & Fabrication activities to assemble the equipment's of system packages of 11A, 11B, 12, 14, 15, 16A and 16B of MMRCL at Wadala, Mumbai by MMRCL.

The MMRCL officials presented the proposal before the Authority. The proposal is for Storage & Fabrication activities to assemble the equipment's of system packages of 11A, 11B, 12, 14, 15, 16A and 16B of MRCL at Wadala, Mumbai.

The MMRCL is implementing Metro Line - 3 along Colaba - Bandra - SEEPZ corridor of 33.5 km length. As a part of this project, storage of equipment &

  
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fabrication activities to assemble the equipment are proposed at CTS No.  $\frac{3}{4}$  (pt) and CTS No. 5 (pt) at Wadala, in front of Anik Depot, Mumbai Suburban for system packages of 11A, 11B, 12, 14, 15, 16A and 16B of MRCL at Wadala, Mumbai. The activities are for temporary period. Total area of site under reference is 24,362.66 sqm

As per draft CZMP of Mumbai, the site under reference is situated partly in CRZ -II area (18428.66 sqm) & partly in non CRZ area (5934.00 sqm).

The MMRCL officials presented that temporary activities proposed for 3 years and then it will be dismantled and land will be restored to its original condition. After completion of the activities land will be reverted to Govt.


After deliberations, the Authority decided to recommend the proposal to concern planning Authority subject to following conditions:

1. The CRZ recommendation is period of 3 years. After the period, the MMRCL should restore the site to its original condition.
2. MMRCL to ensure that construction debris is not dumped in the beach and CRZ area.
3. All other required permission from different statutory authorities should be obtained

**Item No. 44:** Proposed 400 m Synthetic Athletic Olympic Track with width 10.40 m and Pole Vault and long jump side tracks and D area at Priyadarshini Park, Mumbai by M/s Malabar Hill Citizens Forum

Mr. B.A. Desai presented that the Malabar Hill Citizens Forum vide letter dated 19<sup>th</sup> October, 2018 submitted an application to MCZMA requesting CRZ NoC for proposed 8 lane 400 meters Synthetic Athletic Olympic Track with width 10.40 meters and pole vault and long jump side tracks, at Priyadarshini Park. As per the approved CZMP, the Priyadarshini park site is situated in CRZ III area. The existing track and the synthetic surface has outlived its utility and it not really usable. Its normal life is maximum 10 years.

After deliberation, the Authority decided to grant the CRZ NoC for the project. MCGM to ensure that no other construction is allowed at Priyadarshini Park other than track.

  
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**Item No.45:** Regarding construction on plot no. 52, sector 17, Kalamboli, Roadpali, Navi Mumbai by Pruthvi builders & developers.

The project proponent presented the proposal before the Authority. The Authority noted the detailed background of the matter. The proposal regarding construction on plot no. 52, sector 17, Kalamboli, Roadpali, Navi Mumbai was deliberated in the in the 98<sup>th</sup>, 102<sup>nd</sup> & 113<sup>th</sup> meeting of the MCZMA held on 31<sup>st</sup> January, 2015, 31<sup>st</sup> July to 1<sup>st</sup> August, 2015 & 8<sup>th</sup> to 11<sup>th</sup> August, 2016 respectively.

**1) 98<sup>th</sup> meeting of MCZMA:**

The Authority in its 98<sup>th</sup> meeting observed that as per clause (Viii) of S.O. 18(E) dated 4.1.2002, prior CRZ recommendation from MCZMA was mandatory in the subject proposal, when development permission & Commencement Certificate (CC) was granted for the project by the CIDCO. The Authority in its 98<sup>th</sup> meeting decided that this is a case of violation of CRZ Notification, 1991 & 2011 and matter be referred to Environment Department for further proceeding in accordance with Office Memorandum dated 12.12.2012 & 27.6.2013 & 24.7.2014 issued by the MoEF, New Delhi. Accordingly the matter was referred to Environment Department. The Environment Department initiated the necessary credible actions as per above said OMs of MoEF and issued proposed Directions u/s 5 of the Environment Protection Act, 1986 read with CRZ Notification dated 19.2.1991 & 6.1.2011 on 16.4.2015 to PP. Further, the MPCB has filed the R.C.C. No.; 399/2015 against the PP before the JMFC, Panvel. The Project Proponent vide letter dated 27.6.2016 informed that, the Court has disposed off the matter filed by MPCB with penalty.

**2) 113<sup>th</sup> meeting of MCZMA:**

The Authority in its 113<sup>th</sup> meeting, after deliberation decided to intervene by filing application before the Hon. Supreme Court seeking clarification as to whether MCZMA can apply OM dated 12.12.2012 and 27.6.2013 of MOEF in the matters of CRZ violations. MCZMA further decided to seek clarification from MoEF, New Delhi. Till the time it was decided to keep the matter in abeyance. Accordingly, Clarification was sought from MoEF on 28.10.2016

  
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**3) Amendment CRZ Notification dated 6.3.2018:**

It is to be noted that, there is no provision of grant of post facto CRZ clearance to the project in original CRZ Notification, 2011. However, the MoEF issued amended Notification dated 06.03.2018 allowing the grant of post facto CRZ clearance to the project, for the projects submitted for regularization to MoEF by 30<sup>th</sup> June, 2018. The para 4.3 of the said amendment Notification is as follows:

**4.3 Post facto clearance for permissible activities. -**

*(i) all activities, which are otherwise permissible under the provisions of this notification, but have commenced construction without prior clearance, would be considered for regularisation only in such cases wherein the project applied for regularization in the specified time and the projects which are in violation of CRZ norms would not be regularised;*

*(ii) the concerned Coastal Zone Management Authority shall give specific recommendations regarding regularisation of such proposals and shall certify that there have been no violations of the CRZ regulations, while making such recommendations;*

*(iii) such cases where the construction have been commenced before the date of this notification without the requisite CRZ clearance, shall be considered only by Ministry of Environment, Forest and Climate Change, provided that the request for such regularisation is received in the said Ministry by 30<sup>th</sup> June, 2018.*

**4) 125<sup>th</sup> meeting of MCZMA:**

The Authority in its 125<sup>th</sup> meeting held on 21<sup>st</sup> August, 2018 noted that the MCZMA has received several proposals for grant of post facto CRZ clearance. The Authority noted that the PP should have been submitted the proposal to MoEF&CC, New Delhi by 30<sup>th</sup> June, 2018. Further, the Authority decided that the PP who have submitted the proposal to MCZMA for grant of post facto CRZ clearance to MCZMA, shall submit a proof of the proposal submission before 30<sup>th</sup> June, 2018. Such proposals would be taken up in further MCZMA meetings for recommendations to MoEF in the light of CRZ

  
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Notification, 2011 and 6<sup>th</sup> March, 2018 Notification. After receipt of the information from local planning Authority covering the information as stipulated in the para 4.3 of the 6<sup>th</sup> March, 2018 CRZ Notification, 2018, the matter would be considered before the MCZMA to decide on recommendation to be sent to MoEF, New Delhi. The Planning Authority also to submit a report on court matter, if any and its status on the matters to be recommended for post facto recommendation.

The PP presented that based on the decision taken in 98<sup>th</sup> meeting of the MCZMA, criminal case for violation was filed in the court. Hon'ble Court had imposed monetary fine which has been paid and hence "Credible Action" as per EP Act is completed. Accordingly, proposal was discussed again in 102<sup>nd</sup> and 113<sup>th</sup> MCZMA meeting dated 1.8.2015 and 11.8.2016. However, OM of 12.12.2012 was set aside by NGT, New Delhi, the proposal was kept in abeyance and clarification was sought from MoEF in such matters. Now, the proposal is with MCZMA. The PP requested the MCZMA to consider the proposal for regularization in the light of amended CRZ Notification dated 6.3.2018 issued by the MoEF, New Delhi.

The Authority discussed the proposal and noted the followings:

1. The plot under reference falls in CRZ-II area as per remarks of the planning Authority.
2. CIDCO vide letter dated 8.6.2010 issued commencement certificate for residential building comprising Ground + 15 floors. Accordingly construction is completed.
3. Plot under reference is situated in CRZ II area, as per remarks of the CIDCO
4. The matter for regularization was discussed in various meetings MCZMA as per OM dated 12.12.2012, 27.6.2013 and 24.7.2014. Accordingly, actions were initiated against the PP and thereby MPCB has filed a case by filing the R.C.C. No.: 399/2015 against the PP before the JMFC, Panvel.

In view of the above, the Authority recommended to refer the matter to MoEF, New Delhi as per Notification dated 6<sup>th</sup> March, 2018 for further appropriate decision in the matter, subject to conditions of insisting eco-

  
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friendly measures like packaged STP, RWH measures, wet processing unit as OWC, Solar water heaters.

**Item No.46:** Proposed redevelopment on plot bearing CTS No. 799 of village Juhu, situated at road no. N. S. 11, JVPD, Juhu, Vile Parle (W), Mumbai by shri. Atul A. Rana

The project proponent presented the proposal before the Authority. The proposal is for construction of building comprising of Stilt (pt) + Ground (pt) + 1<sup>st</sup> to 3<sup>rd</sup> (pt) upper floor, as per DCR existing as on 19.2.1991 on plot bearing CTS No. 799 of village Juhu, Situated at Road No. N.S. 11, JVPD, Juhu, Vile Parle (W), Mumbai. There is earlier CRZ recommendation dated 11.1.2012 granted by the MCZMA for Stilt + ground + 1<sup>st</sup> to 2<sup>nd</sup> (pt) upper floor. MCGM has granted IOD on 18.2.2014 and CC upto top of stilt on 9.4.2012.

Now, the Architect has submitted the proposal for concessions by claiming the benefit of staircase, staircase lobby and lift by charging premium under DCR 1967. Area of the plot is 1252.20 Sqm and total construction area is 1949.58 Sqm (including area of Staircase, lifts, basement, parking, balcony, refuse as 698.70 Sqm). The plot under reference falls in CRZ II area and situated on landward side of existing road. Plot is situated in Residential zone and not under any reservation.

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

1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project
2. Local body to ensure that reconstruction is permitted without change in present use of the present structure.
3. MCGM to ensure that FSI should not exceed the permissible limit of DCR existing as on 1991
4. All other required permission from different statutory authorities should be obtained.

  
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**Item No.47:** Regarding land bearing S. No. 341/1 at mauje Bandra, Sant Dnyaneshwar nagar, Mumbai by M/s Shree Durga Bhavani Sevalal Trust.

The Project proponent was absent for the meeting. The Authority decided to defer the matter.


**Item No.48:** CRZ applicability of dwelling unit of fishermen on land near plot bearing S. No. 111, H. No. 2-8 of mouje Adur, Tal. Guhagar, Dist. Ratnagiri by Shri. Yashwant Shivram Adurkar & Shri. Narayan Shivram Adurkar

The Authority noted that the Revenue and Forest Department, GoM has sent a file pertaining to land allotment to Mr. Adurkar who belongs to fishermen community. The said land is situated in CRZ area and there exists 2 dwelling units of Mr. Adoorkar family existing since last 150 years even prior to establishment of grampanchayat of adur village. Since, the said structures are in CRZ area, the Revenue Department has sought remarks of the Environment Dept. Mr. Adurkar was present for the meeting who stated that his family belongs to fishermen community and dwelling units structure are in existence since many decades.

The Authority discussed the matter and noted the remarks of the revenue department as per which, dwelling units of Mr. Adurkar on land under reference is in existence since 150 year and family belongs to fishermen community. The Authority after deliberation decided that since, the said dwelling units structures are in existence i.e. prior to 1991 (i.e. inception of the CRZ Notification of 19.2.1991), CRZ regulation will not apply to the said structures. The same should be conveyed to Revenue Department.

**Item No.49:** Proposed amalgamation & development on plot bearing CTS No. 1917, 1923, 1930, 1925, 1939, 1932, 1935, 1919, 1920, 1922, 1926, 1929, 1934, 1936, 1937, 1938, 1940, 1942, 1912B of village Gorai, Borivali (W), Mumbai by M/s. Pan India Paryatan Pvt Ltd.

The Authority decided to defer the matter.

  
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**Item No.50:** Proposed redevelopment scheme of Municipal property bearing C. S. No. 777 (pt), 778(pt), 779(pt) and 780(pt), New C. S. No. 1004 of Worli Division G/S ward known as "New Municipal Camp" at Sasmira Marg, Worli, Mumbai by M/s Aakar Architects & Consultants

The project proponent presented the proposal before the Authority, which is as follows:

**1. MoEF & CC, New Delhi Clearance to old proposal:**

The proposal of redevelopment of Municipal tenanted property on the plot bearing C.S. NO. 777(pt) to 780(pt) of worli Division, Mumbai was discussed in 35<sup>th</sup> meeting of MCZMA held on 26<sup>th</sup> sep, 2006. After deliberations, the MCZMA recommended the proposal to MoEF for grant of CRZ clearance vide letter dated 16.10.2006. The MoEF vide letter No. 11-81/2006-IA-III dated 24th January, 2007 accorded CRZ Clearance under CRZ Notification, 1991 for redevelopment project of property "Prerna Co-op. Hsg. Soc." Situated at C. S. NO. 777(pt) to 780(pt) of Worli Division, Mumbai as per provisions of DC Regn prevailing as on 19.2.1991 with FSI 2.00 .

**2. Earlier Proposal:**

The MCGM vide letter dated 03.07.2013 had forwarded the proposal of redevelopment of "New Municipal Labour Camp" on plot bearing CS No. 777(pt), 778(pt), 779 (pt) & 780(pt), New C.S. No. 1004 of Worli Division, G/South Ward, Sasmira Marg, Worli, Mumbai for Prerna CHS under DC Reg. 33(7) of DCR 1991 with FSI 2.00.

While forwarding the proposal to MCZMA, the MCGM had mentioned that the proposal is submitted for clearance from CRZ point of view as per provision of Clause 8(v) of MOEF Notification dated 06.01.2011, considering the Municipal structures existing prior to 1940 at par with cessed structures for entire covered construction area. In this case, the plans are approved as per Regn. 33(7) of DC Regn 1991 on the basis of redevelopment of existing municipal structures existing prior to 1940.

**3. 84<sup>th</sup> MCZMA Meeting:**

  
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The above said proposal was deliberated by MCZMA in its 84<sup>th</sup> meeting held on 30<sup>th</sup> to 31<sup>st</sup> August, 2013. As per the decision taken in the said meeting, the MCZMA has granted CRZ recommendation letter dated 14.11.2013 to the project as per under para 8.v.(1)(ii)(c) of the CRZ Notification, 2011 (amended time to time).

**4. MCZMA Clarification letter dt.25.7.2018:**

In reply to representation of the PP seeking a clarification whether revised CRZ NoC for project is required for revised plans under para 8.v.c. of the CRZ Notification, 2011, the MCZMA gave a clarification letter dated 25.7.2018 that, a revised CRZ recommendation from the MCZMA for the above said project under para 8.v.(1)(ii)(c) of the CRZ Notification, 2011 (amended time to time), may not be required in light of clarification dated 30.06.2016 by the MoEF&CC, New Delhi.

**5. Current Proposal:**

Now, the MCGM vide letter dated 26.10.2018 has forwarded the amended proposal for redevelopment of Municipal property as par with cessed buildings with FSI 3.00 with Fungible by making up to date DCR /DCPR applicable in the light of amended CRZ Notification dated 06.01.2011 Clause 8(V)(C)(2) of the CRZ Notification, 2011.

Area of Plot	7872.14 sqm
FSI	3.00
Proposed BUA	31732.89 sqm (Construction Area - 78,735.55 sqm)
Building	Building No. 1 (Rehab)- Ground + 13 upper floors  Building No. 2 (Municipal Housing + School) - Ground Floor + 5 upper floor * Ground Floor + 6 upper floors)  Building No. 3 ( Sale Building) - Lower basement + Upper Basement + Ground Floor + 1 <sup>st</sup> to 9 <sup>th</sup> Podium Floors for parking spaces + 10 <sup>th</sup> Floors for Amenity + 11 <sup>th</sup> to 20 <sup>th</sup> Floors for Residential + 21 <sup>st</sup> floor for Fire Check Floor + 22 <sup>nd</sup> to 37 <sup>th</sup> Floors for residential Floors + 38 <sup>th</sup> Service Floor + 39 <sup>th</sup> to 40 <sup>th</sup>

  
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	Floors Residential + 41 <sup>st</sup> Fire Check Floor + 42 <sup>nd</sup> to 45 <sup>th</sup> upper floor for residential. Building No. 4: Temple
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**DP remarks:**

As per DP of 1991, the plot under reference partly designated for public purpose of Municipal Housing and partly reserved for Municipal Primary School and partly designated for existing garden. As per directives of Urban Development dept. Govt. of Maharashtra dated 27.04.2002, the reservation of existing garden has been deleted and the same is included in the residential zone. As per DP of 2034, the plot under reference is reserved partly for the public purpose Municipal Housing and partly reserved for Municipal Primary School. The Urban Development dept. Govt. of Maharashtra has issued Notification whereby the provisions of DCPR 2034 are to be made applicable from 13.11.2018.

**UDD Order dated 10.10.2001:**

The PP submitted a copy of the order dated 10.10.2001 of the Urban Development Department which states that, 'the provision contained in the Regulation 33(7) is already applicable to 'B' & 'C' class category cessed buildings. The provisions of Regulation No. 33 (7) shall also be made applicable to the old buildings owned by the said corporation and constructed during the period 1940 to 1950 and during 1950 to 1960 as the case may be.'

The Authority noted that as per approved CZMP of Mumbai the plot under reference is situated in CRZ-II area and situated on landward side of existing road. The MPCB has conducted public hearing for eligible tenants dated 20.6.2012.

The Authority noted the remarks of the MC, MCGM that the NOC from MCZMA appears to have been given on the assumption that this is Cess building. This is not as per the fact. Please bring fact to the notice of MCZMA and seek fresh NOC. Considering the remarks of the MC, MCGM, the MCZMA vide letter dated 22<sup>nd</sup> Oct, 2018 instructed the PP to submit the fresh proposal through MCGM. Accordingly, the MCGM has forwarded the proposal of redevelopment under para 8.V.C of the CRZ Notification, 2011, considering the structures on site as at par with Cess and taking into consideration the order dated

  
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10.10.2001 of the Urban Development Department, GoM. The Authority discussed the applicability of para 8.V.C of CRZ Notification, 2011 to the proposal.

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

1. Proposed redevelopment should be in accordance with provisions of CRZ Notification, 2011 (amended from time to time) & various guidelines/ circular issued by the MoEF, New Delhi.
2. Local body to ensure that redevelopment is allowed in CRZ II area only and all the conditions of the para 8.v.c of the CRZ Notification, 2011 is adhered to.
3. Local body to ensure that proposed construction is as per DCR prevailing as on the date on which the project is granted approval by the competent Authority.
4. Local body to ensure that issues raised in Public hearing of tenants.
5. PP to obtain the Environment Clearance, if the project attracts provisions of EIA Notification, 2006 (amended from time to time) prior to construction.
6. PP to ensure proper management of solid waste and waste water. Construction debris should not be disposed in CRZ area.
7. PP to also make provision for green belt for the project, no concrete paving on open spaces and gardens, adequate energy requirement should be made from renewable sources and install solar water heaters.
8. All other required permission from different statutory authorities should be obtained.

Table items were discussed with the consent of Chairman, MCZMA

**Table item 1:** Proposed reconstruction of cruise terminal building of Mumbai Port by MbPT

The MbPT officials presented the proposal before the Authority. The Authority noted that the proposal is for reconstruction of existing Cruise Terminal Building of Mumbai Port Trust at Ballard Pier Extension, Indira Dock, Mumbai. Proposed International Cruise Terminal is comprises of Ground + 3<sup>rd</sup>

  
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floors under plot under reference. The plot area under consideration is 9,64,297.02 sqm and built up area is 38600.50 Sqm.

- Ground Floor: Departure of Cruise Terminal/ Cargo Storage of the Terminal / commercial activities.
- First floor: Arrival of Cruise terminal / commercial activities.
- Second and Third Floor: Permissible port commercial activities.

As per the approved CZMP under CRZ Notification, 2011, the plot under reference is situated in the CRZ II area. MbPT officials further presented that appropriate environment measures will be implemented in the proposed building. All domestic sewers will be disposed into MCGM drainage system through septic tanks into MBPT's covered drainage network. The Sewage treatment plant of 100 KLD is proposed to treat the sewage. All non-biodegradable waste such as paper, glass, plastic bottles etc. will be collected separately and sold to MbPT authorized vendor for recycle and reuse. All biodegradable waste will be collected by MbPT authorized vendor for proper disposal. Solid waste and wastewater will not be discharged into the coastal environment. Consequently contractors will ensure that there shall be no misuse of the coastal area and water body by workforce employed during construction phase

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

1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project
2. Local body to ensure that reconstruction is permitted without change in present use of the present structure.
3. MCGM to ensure environment measure such as Sewage Treatment plant of adequate capacity, Organic waste convertor, green belt and energy efficient lighting system should be installed.
4. Local body to obtain Environment Clearance, if project attracts EIA Notification, 2006 ( amended from time to time)
5. All other required permission from different statutory authorities should be obtained.

**Table item no. 2:**

Proposed ropeway project between Sewree to Elephanta Island by BPT

  
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The MbPT officials presented the proposal before the Authority. The proposed Ropeway will start from the Sewree area in Mumbai city from Haji Bunder covering a distance of approx. 8kms. The project envisages ropeway connection between Sewree and Elephanta Island having two stations at either end. The ropeway cable will be proposed at the height of 15-150 m. will provide tourists excellent view of Mud flat, Mangroves and Flamingos in the season.

**At Sewree:**

- Terminal building at Haji Bunder, Sewree will be constructed on 10,000 sqm. land made available by MbPT.
- The PPP bidder will have the option to design, construct the terminal as per the FSI available in that area.
- The bidder has to exploit the commercial area in the Terminal building
- Necessary infrastructure required for the terminal will have to be developed by the bidder.

**At Elephanta Island:**

- The proposed terminal will be located in the sea near jetty in CRZ IV in the MbPT water area adjacent to the Elephanta Island.
- The terminal will have only the operational area for embarking/dis-embarking for the tourist along with minimum commercial area.
- The terminal will be connected to the main Elephanta Island through an environment friendly deck.

**Pillars in the Sea:**

- The bidder will have the option of constructing adequate no. of pillars in the sea which will be environment friendly with inbuilt recovery system in case of any disaster.

The Authority deliberated the proposal and decided to make a site visit in order ascertain the presence mangroves or other ecologically sensitive areas / mudflats in the project. The MbPT need to provide geo-coordinates of the towers and landing points to visiting members. Accordingly, the matter was deferred.

  
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**Table item no.3:** Proposed multipurpose Hall building and temple on plot bearing CTS No. 1A/173, 1A/173/1 of village Pahadi Goregoan, West, Mumbai by Shri Hari Aashram.

The project proponent presented the proposal before the Authority. The proposal is for construction of building on plot bearing CTS No. 1A/173, 1A/173/1 of village Pahadi Goregoan, West, Mumbai comprising:

- Wing A- Basement + ground (part) + Stilt (part) + 1<sup>st</sup> and 2<sup>nd</sup> + 3<sup>rd</sup> (part) upper floors for multipurpose Hall use and
- Wing B- one existing ground floor temple

The MCGM remarks mentions that as per old approved CZMP, the site is situated partly in CRZ I and partly in CRZ II area. The Authority noted that as per the new approved CZMP, the plot is substantially in CRZ II area and small portion of plot is in CRZ I area.

The MCGM remarks mentions that plot under reference has one single structure of temple which is shown in city survey plan of 1959 and therefore it is tolerated structure. The said structure is proposed to be retained and new building having two wings is proposed on vacant portion of the plot under reference. The building is proposed as per the DCR 1967.

The Authority also noted that City Survey Sheet indicated that's structures 78(1) / 05.05.1959 is authorised structures. The MCGM in its reports also states that structure is authorised one.

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

1. The Local Body to ensure that FSI for the proposed construction is as per the town and country planning regulation existing as on 19.2.1991 before issuing commencement certificate to the project
2. MCGM to strictly ensure that construction is proposed in CRZ-II area of plot only.
3. MCGM to strictly ensure that no construction shall be undertaken in seaward / creekward side from South and West side as per approved CZMP of Greater Mumbai dated 16.8.2018.

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

**Table Item no. 4: Regarding corrections in minutes of the MCZMA meetings - proposals of the Maharashtra Maritime Board**

The proposals of the MMB were deliberated in the 113<sup>rd</sup>, 115<sup>th</sup>, 116<sup>th</sup> and 117<sup>th</sup> meeting of the MCZMA and certain proposals were recommended from CRZ point of view subject to certain conditions. The MMB has requested MCZMA to amend the condition of High Court permission for mangrove destruction, since there is no mangrove on site. The Authority noted the approved CZMP & google images of the sites and decided the followings:

Sr No.	Proposal	MCZMA meeting & Decision	Request of MMB	Decision of the MCZMA
1	Proposed Ro-Ro jetty at village Marve, Malad, Mumbai	MCZMA in its 113 <sup>rd</sup> meeting on 8.8.2016 deliberated the proposal and recommended subject to condition that  "MMB to obtain prior High Court permission, since the project involves destruction of mangroves"	MMB represented that there is no mangroves within 400 to 500 distance from the site. Hence, the condition of High Court permission should be deleted.	The Authority observed that there are no mangrove on site. The Authority decided to delete the condition no. 5 about the obtaining the High Court permission.
2	Proposed Ro-Ro jetty at village Manori,	MCZMA in its 113 <sup>rd</sup> meeting on 8.8.2016	MMB represented that mangroves will not be affected	The Authority decided to replace the condition no. 4

  
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	Borivali, Mumbai	deliberated the proposal and recommended subject to condition that  "MMB to obtain prior High Court permission, since the project involves destruction of mangroves"	due to proposed jetty. Hence, the condition of High Court permission should be deleted.	as:  "MMB to ensure that mangrove, if any should not be cut for the project. However, High Court permission should be obtained since, the project is situated within 50 m buffer zone"
3	Proposed passenger jetty at village Ghodbundar, Mumbai	MCZMA in its 117 <sup>th</sup> meeting on 5 <sup>th</sup> & 6 <sup>th</sup> April, 2017 deliberated the proposal and recommended with following condition:  "Hon. High Court permission should be obtained, since the project involves destruction/ cutting of the mangroves"	MMB represented that, the site has no mangroves, however, it may come within 50 m mangrove buffer zone. Hence, the condition should be amended as follows:  "Hon. High Court permission should be obtained, since the project is within 50 m mangrove buffer zone"	The Authority decided to replace the condition no. 2 as:  "MMB to ensure that mangrove, if any should not be cut for the project. However, High Court permission should be obtained, since the project is situated within 50 m buffer zone"
4	Proposed reconstruction of Regional	MCZMA in its 115 <sup>th</sup> meeting held on 17 <sup>th</sup> &	MMB has requested to incorporate the survey nos. of the	The Authority decided to incorporate the

  
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Port office and beautification of office area at Vengurla Port, Tal: Vengurla, Sindhudurg.	18 <sup>th</sup> Jan, 2017 deliberated the proposal and vide letter dated 31.3.2017 recommended the proposal.	plot i.e. Survey no. 66 and Hissa no. 2/1 in the recommendation letter of the MCZMA.	survey nos. of the plot i.e. Survey no. 66 and Hissa no. 2/1 in the recommendation of the MCZMA.
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**Annexure- I:-**

1. Mr. Jayramegauda, Divisional Forest Officer, Mangrove Cell, Mumbai - Member MCZMA
2. Shri. Rajendra, Fisheries Department, Mumbai- Member MCZMA
3. Mr. Chavan, Deputy Chief Engineer, Municipal Corporation of Greater Mumbai - Member MCZMA
4. Dr. Mahesh Shindikar, Prof. College of Engineering, Pune - Expert Member MCZMA
5. Dr. Khot Mahadev Satappa, Principal, Chh. Sambhaji Raje Sainik School, Ratnagri-Expert Member MCZMA
6. Mr. Kudale, Ex director, CWPRS, Pune- Expert Member MCZMA
7. Mrs. Anulekshmi, Scientist In Charge, CMFRI, Mumbai - Expert Member MCZMA
8. Dr. B.N. Patil, Director, Environment - Member Secretary MCZMA

  
Member Secretary

  
Chairman