

**Minutes of the 126<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 28<sup>th</sup> August, 2018**

Minutes of the 126<sup>th</sup> meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held under the Chairmanship of Principal Secretary, Environment on 28<sup>th</sup> August, 2018 in Conference Hall, Sachivalay Gymkhana, near Mantralaya, Mumbai. List of the members present in the meeting is enclosed as Annexure-I.

**Item No.1:** Proposed redevelopment of office building of Director General of Shipping Known as 'Jahaj Bhavan' on plot bearing CS No. 1190 of Fort Division in A Ward, W. H. Marg, Mumbai by Director General of Shipping

Officials from the Director General of Shipping presented the proposal before the Authority. The proposal is for redevelopment of office building of Director General of Shipping Known as 'Jahaj Bhavan' on plot bearing CS No. 1190 of Fort Division in A Ward, W. H. Marg, Mumbai. Existing structure was dilapidated and is now vacant. Proposed commercial office building comprises of 3 Basements + (Gr. + 9) floors building. The Authority noted that the PP during the meeting submitted that the existing structure was dilapidated.

The plot under reference falls in CRZ-II area and landward side of Walchand Hirachand Road. The plot under reference falls in local commercial C (1) Zone & is not affected by any reservation as per DP of 1991 & 2034.

Officials presented that area of Plot is 705.32 sqm, Proposed FSI- 5.32, Permissible BUA-3752.30 sqm and Proposed BUA-3060.90 sqm.

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

1. Proposed redevelopment should be in accordance with provisions of CRZ Notification, 2011 (amended from time to time).
2. MCGM to ensure that the existing building was declared as dilapidated as on 6.1.2011.
3. MCGM to ensure that all the conditions of the para 8.v.c of the CRZ Notification, 2011 is adhered to.

  
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4. MCGM 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.

**Item No.2, 3 & 4:**

Proposed construction of boundary wall & landward side of Mangroves at 9 locations i.e. Kanjur, Salt Pan, Mandale, Mankhurd, Mahul, Turbhe, Ghatkoper, Airoli, Vashi by Mumbai Mangrove conservation unit.

The MCZMA in its 117<sup>th</sup> meeting held on 5<sup>th</sup> & 6<sup>th</sup> April, 2017 has already recommended the proposal to SEIAA. The Authority took on record the same.

**Item No.5:** Proposal for Mumbai - Ahmedabad high speed railway project by NHSRCL

The PP presented that the proposal is for Mumbai - Ahmedabad High Speed Railway project (MAHSR). Proposed alignment comprises of Chainage Km 0+000-BKC, Mumbai to km 508 + 170 - Sabarmati, Ahmedabad. MAHSR project consist of 4 stations in Maharashtra such as 1) BKC, 2) Thane, 3) Virar & 4) Boisar.

1. Total Length of MAHSR - 508.17 Km.
2. Alignment in Maharashtra - 155.642 km.
3. Length under CRZ in Maharashtra - 23.51621 km

The alignment is proposed on elevated viaduct and bridges and also has 26.915 Km of underground tunnels. There are a total 8 tunnels with the longest tunnel being 20.71 km under sea at the Thane creek. The length of bridges is 6.421 Km. The rest alignment, 474.834 km is on viaducts.

PP has submitted comprehensive EIA Report and Integrated mangrove Conservation & Management Plan for the project prepared by GPS technologies Pvt Ltd. PP has submitted report on Study on the faunal components & conservation plan for Thane Creek Flamingo Sanctuary prepared by Zoological Survey of India.

  
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**CRZ Locations-**

As per CRZ report dated May, 2018 prepared by NIO, Goa

Place	CRZ Category	Crossing length of Railway Line (mtr)
Thane Creek	CRZ IA & IVB	9299.6176
Mithi River	CRZ III & IVB	135.9451
Vaitarana River	CRZ IA & IVB	4258.9943
Ulhas River near Dombivali	CRZ IA & IVB	5423.607
Ulhas River near Vasai creek	CRZ IA & IVB	2795.6788

**Mangrove details:**

Sr. No.	Location	Length (m)	Area affected (Ha)	Nos. of mangroves to be cut	Structure
1	Thane Creek	2555	Nil	Nil	Tunnel
2	Koparkhairane, Thane	2041	Nil	Nil	Tunnel
3	Ulhas River (Bharodi), Thane	710	10.650	92653	Viaduct
4	Ulhas River (Bharodi), Thane	641	0.990	8613	Viaduct
5	Ulhas River (Kewani), Thane	968	1.307	7450	Viaduct
6	Ulhas River, Malodi, Bhamhangaon, Thane	2381	4.419	31375	Viaduct
7	Ghaskopari, Palghar	448	0.705	4794	Viaduct
8	Vaitarana River, Khadi, Palghar	261	0.454	3087	Viaduct

  
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9	Vaitarana River, Khadi, Palghar	131	0.179	1271	Viaduct
10	Jalsar, Palghar	164	0.222	1509	Viaduct
<b>Total area</b>			18.9258 Ha	150752 Nos. of mangroves to be cut	

A compensatory afforestation is required to be carried out in 1:5 ratios. Therefore, total mangroves to be planted are 753764 trees over an area on 94.629 Ha.

After deliberation, the Authority decided to direct the PP submit the followings:

1. Alignment of the project superimposed on the approved CZMP
2. Proposed activities in different categories in CRZ area (I, II, III and IV)
3. Details of piers such as nos. of piers, height, span etc proposed in coastal water bodies.
4. Environment Management Plan for the project.
5. Compensatory mangrove afforestation plan
6. Cost- benefit analysis of the project
7. Whether proposed alignment is passing through forest/ reserved forest situated in CRZ area.
8. Site restoration plan after completion of the work

After deliberation, the Authority decided to defer the project for submission of the above said information by the PP.

**Item No.6:** Proposal of pipeline of Ganpat Patil Nagar, Mumbai by MLA Manisha Choudhari

Hon'ble MLA, Manisha Chaudhari was present for the meeting. Municipal Corporation of Greater Mumbai (MCGM) vide letter dated 26.07.2018 forwarded an application for water pipeline at Ganpat Patil Nagar, Galli no. 01 to 14, R/E ward, Dahisar, Borivali, Mumbai. The proposal is for water pipeline at Ganpat Patil Nagar, Galli no. 01 to 14, R/E ward, Dahisar, Borivali, Mumbai. Proposed length of pipeline is 150 mm. As per the approved CZMP under CRZ Notification, 1991, the site of Ganapat Patil Nagar is in CRZ I (mangrove area).

  
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After deliberation, the Authority decided to recommend the proposal subject to following conditions:

- a. No mangroves shall be cut for laying of the water pipeline
- b. All other required permission from different statutory authorities should be obtained.

**Item No.7:** Proposed redevelopment of dilapidated structure to new residential building on plot bearing CTS No. 864A, 864B, 865, 866A/1 & 866A/2 of village Bandra, B.J. Road, Bandra (W), Mumbai\ by M/s. Sagar Resham CHSL

The Project proponent presented the proposal before the Authority. The Authority noted that the proposal is for proposed redevelopment of dilapidated structure to new residential building on plot bearing CTS No. 864A, 864B, 865, 866A/1 & 866A/2 of village Bandra, B.J. Road, Bandra (W), Mumbai under 8.V.C of CRZ otification, 2011. There is an existing building comprising of Ground Floor + 6<sup>th</sup> Upper Floors declared as dilapidated & is in dangerous condition. The notice has been issued by MCGM dated 16.09.2009 and the building is vacated for safety. Proposed building comprises of basement for stack parking with 2 nos. of car lift + Stilt for stack parking + intermediate floor for parking + 1<sup>st</sup> to 6<sup>th</sup> floors for car parking + 7<sup>th</sup> to 16<sup>th</sup> flors + 17<sup>th</sup> to 19<sup>th</sup> triplex floor for residential use in lieu of plot potentia + 0.50 FSI + 0.90 TDR + fungible FSI as per reg. 35 (4) and by claming the area of staircase, lift and lobby free of FSI.

The plot under reference falls in CRZ-II area and landward side of existing Byramji Jeejibhoy Road. The plot under reference falls in Residential Zone & is not reserved for any publci purpose except for eidening of road as per DP of 1991 & 2034. Area of the plot is 1141.60 Sqm and Proposed BUA-3698.44 sqm

The Authority, after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority\_subject strict compliance of following conditions:

1. Proposed redevelopment should be in accordance with provisions of CRZ Notification, 2011 (amended from time to time).
2. MCGM to ensure that the existing buildings are declared as dilapiated as on 6.1.2011.

  
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3. MCGM to ensure that all the conditions of the para 8.v.c of the CRZ Notification, 2011 is adhered to.
4. MCGM 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.
5. MCGM to ensure that issues raised in Public hearing of tenants are addressed.
6. PP to implement environment measures proposed in the project such as solar water heater, STP, organic waste converter, rainwater harvesting.
7. PP to obtain the Environment Clearance from competent Authority, if total construction area in the project exceeds 20,000 Sqm.
8. All other required permission from different statutory authorities should be obtained.

**Discussion items with consent of Chairman:**

**Item No. 1:** Proposed erection of Watch tower at Girgoan Chowpatty and Dadar Chowpatty, by the Municipal Corporation of Greater Mumbai

The MCGM vide letter dated 4.12.2017 has submitted an application for erection of Watch tower at Girgoan Chowpatty and Dadar Chowpatty, by the MCGM. The site of Girgoan and Dadar Chowpatty is situated in CRZ I area. Considering the safety of people on beaches per the High Court orders, the MCGM has proposed to construct wooden water tower with a ladder at Girgoan and Dadar chowpatty. Total area is 3 Sqm. The plan for watch tower was approved by High Power Committee in the meeting held on 1.9.2017. Locations of the both water towers are decided in the joint site visit with concern officials of the MCGM. The said lands belongs to District Collector office.

Considering the orders of the Hon'ble High Court and safety of the people visiting beaches, the Authority after discussion decided to grant the CRZ recommendation for the proposal.

**Item No. 2:** CRZ status of the property located at plot bearing C.S. No. 1787 of Mahim Division, G/N ward, Keluskar Rd, Shivaji Park, Mumbai- M/s Tathastu Builders LLP

  
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The Authority noted that M/s Tathastu Builders LLP vide application dated 8.11.2017 has sought the CRZ status of the property located at plot bearing C.S. No. 1787 of Mahim Division, G/N ward, Keluskar Rd, Shivaji Park, Mumbai. The PP has submitted the CRZ survey report dated November, 2017 prepared by the IRS, Chennai. The conclusion of the report mentions as follows:

The HTL demarcated by the IRS, Chennai for Mahim Bay corresponds to the HTL as per the approved CZMP in the vicinity of project site subject to the generalized error caused by the variation in map scale.

CRZ shall be applied for the land/ site within the 100 m buffer zone from HTL for Bay/ creek as per para (ii) of CRZ Notification 2011 of MoEF vide S.O> 19(E) dated 6.1.2011. The Project site in C.S. No. 1787 of TPS III, Mahim Division falls outside the 100 m buffer from the HTL for Mahim Bay as per GPS survey.

The proposed project site in C.S. No. 1787, TPS III of G/N ward, Mahim Division falls fully inside 500 m buffer from HTL of Mahim Bay as per approved CZXMP. However, the project site falls outside 100 m buffer from HTL for Mahim Bay as per approved CZMP.

In the light of above, the Authority after deliberation decided to confirm that the property located at plot bearing C.S. No. 1787 of Mahim Division, G/N ward, Keluskar Rd, Shivaji Park, Mumbai is situated outside of 100 m CRZ belt from the Mahim Bay, as per provisions of the CRZ Notification, 2011.

**Item No. 3:** Clarification regarding utilization / computation of BUA of the CRZ part of the plot for non CRZ part of the plot of single owner on plot bearing CS No. 2/739 of Malbar Hill Division, M. L. Dahanukar marg, D Ward, Mumbai by M/s. Hydra Trading Pvt Ltd.

The Authority noted that a representation dated 17.07.2018 was received from M/s. Hydra Trading Pvt Ltd seeking a clarification whether CRZ recommendation is required in the case under as no construction is proposed in

  
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CRZ affected portion of plot & only zonal FSI of 1.33 is claimed of the total plot including CRZ affected portion.

The Authority noted that the PP has submitted report of IRS Chennai and as per report of IRS Chennai dated June, 2015, Total area of the plot is 1387.97 sqm out of which 125.00 sqm plot area falls in CRZ-II. The HTL in approved CZMP and HTL demarcated by IRS does not have any deviation. MCGM has approved the proposal for redevelopment of existing non cess building by claiming FSI 1.33 + 35 % fungible and MCGM has granted IOD on 03.05.2018. Applicant has not proposed any construction in CRZ affected portion.

The Authority noted that the Ministry of Environment, Forest & Climate Change (MoEF&CC), Delhi vide letter dated 28.9.2015 and 1.10.2015 addressed to MCHI issued a clarification pertaining to utilization/ computation of BUA of the CRZ part of the plot for contraction on Non CRZ part of the single owner. The said clarifications of MoEF, New Delhi states as follows:

*"It is clear that the potential of plots in CRZ II has to be calculated on the basis of 1991 norms as amended from time to time, if the potential is being utilized on non CRZ contiguous portion of land. CRZ Notification does not prohibit any activity beyond the areas of CRZ".*

In the light of above said clarification by the MoEF&CC, New Delhi, the Authority after deliberatin decided to issue a clarification to PP with copy to MCGM stating that FSI potential of portion of plot falls in CRZ II area can be calculated on the basis of 1991 norms as amended from time to time, if the potential is being utilized on non CRZ contiguous portion of land. The CRZ Notification does not prohibit any activity beyond the areas of CRZ. PP and MCGM to ensure that construction is not proposed on CRZ portion of plot.

**Item No. 4:**      **Regarding proposed additions / alteration & change in activity / user on plot bearing C.S. No. 1/231 of Malbar Hill Division, situated at Narayan Dabholkar Mar, Off. Nepeansea road, Mumbai - 400 006**

The Authority noted that a representation dated 02.08.2018 was received from M/s. Architectural Consultant seeking a permission for proposed additions / alteration & change in activity / user on plot under reference.

  
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The Authority noted the representation which states that 02.08.2018, earlier the proposal of change of activity from Bank Training School to International School and modernization / internal alteration for the existing educational building on plot under reference has been considered in 113<sup>rd</sup> meeting MCZMA held on 8<sup>th</sup> to 11<sup>th</sup> August, 2016. The Authority noted from the remarks of MCGM that there exists one structure comprising of basement + Gr floor + 1<sup>st</sup> floor on plot bearing C.S. No. 1/231 of Malabar Hill Division. The said structure is constructed prior to 2002 for the purpose of Bank Training School for which occupation permissible was granted on 29.10.2002. The said plot falls in CRZ II. However, permission for addition and alteration without changing any activity is granted by MCGM on 5.8.2011. The said additions and alteration of Bank Training institute are nearing completion. Architect on behalf of D.Y. Patil Pranjali International School has submitted the amended plans on 26.6.2012 thereby proposing international IB School in the said premises. The Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of certain conditions.

Now, the applicant has proposed change of activity of the property and intends to carry out some internal additions & alteration with departmental store / bank / commercial use. Existing structure is proposed to retain as it is except internal additions, alteration & there will not be any change in FSI. Therefore, applicant seeking permission for proposed additions / alteration & change in activity / user on plot under reference.

The Authority observed from the representation that the application is not for reconstruction of existing building. It is a proposal of change of activity within the existing premises with addition / alterations without increase in FSI.

The Authority noted that the additional / alteration and user should be as per the provisions of the DCR, 1967. Concern planning Authority, MCGM need to verify whether the proposal is in accordance with DCR 1967. If the DCR 1967 allows, the Authority has no objection to permit the proposal of internal additional / alteration and user change on the site under reference. If, there is increase in FSI, then the MCGM need to submit a proposal to MCZMA.

.....Meeting ended with vote of thanks.....

  
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**Annexures I**

1. Mr. Jayramegauda, Divisional Forest Officer, Mangrove Cell, Mumbai
2. Mr. Chavan, Deputy Chief Engineer, Municipal Corporation of Greater Mumbai.
3. Dr. Khot Mahadev Satappa, Principal, Chh. Sambhaji Raje Sainik School, Ratnagiri.....Expert Member, MCZMA
4. Mr. Kudale, Ex director, CWPRS, Pune...Expert Member, MCZMA
5. Dr. B.N. Patil, Member Secretary, MCZMA

  
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