

**Minutes of the 180th Meeting (Day-2) of Maharashtra Coastal Zone
Management Authority held on 11th December, 2024**

The 180th meeting (Day -2) of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment and Climate Change), through Videoconferencing technology on Cisco WebEx platform on 11th December, 2024. List of members present in the meeting is attached as Annexure-I.

Confirmation of minutes of 178th meeting of MCZMA:

The Authority decided to confirm the minutes of 179th meeting of the MCZMA held on 11th & 12th November, 2024 with following changes.

- 1) In the introduction of Item No. 12 in meeting held on 11th November, 2024, the, FSI area is replaced as 2643.452 sqm, Non FSI area is replaced as 411.737 Sqm, Total Construction area is replaced as 3085.189 Sqm
- 2) In the Deliberation of Item No. 21 in meeting held on 11th November, 2024, followings paragraph is incorporated.
"PP vide letter dated 11.12.2024 submitted that, as a mitigation measure to protect CRZ areas, PP intend to construct the compound wall along the boundary limit of the CRZ-II area & some of the portion in Non CRZ area. PP ensured that no construction of compound wall will be carried out in the CRZ area. The Authority noted the same. The concerned Planning Authority should strictly ensure that construction of said compound wall is proposed in non CRZ area only as per approved CZMP, 2019."
- 3) In the condition no. 2 of Item No. 23 in meeting held on 11th November, 2024, the word "plotting &" is deleted.

Item No. 1: Proposed redevelopment Under reg 33(11) of existing residential society known as "WEST COAST CHS Ltd" on plot Bearing CTS No.1176(B), of Village Versova at Jayprakash Road, Versova, Andheri (W), Mumbai by M/s Keystone Realtors Ltd.

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment Under reg 33(11) of existing residential society known as "WEST COAST CHS Ltd" on plot Bearing CTS No.1176(B), of Village Versova at Jayprakash Road, Versova, Andheri (W), Mumbai.

Consultant presented that, existing society building comprising of Ground + 14th upper floor constructed prior to 1970 on site under reference. PP has proposed redevelopment of said existing residential building under reg 33(11) of DCPR 2034.


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Proposed residential development comprises of 2 Towers 4 common Basement Floors + Ground Floor + 1st Floor (Parking + Residential + Commercial) + 2nd Floor (E-Deck level + Residential) + 3 to 27 Residential Floors). The total height of the Building is 90.75 m.

The plot is partially affected by buffer zone of mangrove area i.e. CRZ IA and partially affected by CRZ - II Zone partially out of CRZ area as per approved CZMP of 2019. No construction is proposed in CRZ IA and CRZ II area except provision of RG and open A.O.S.

As per D P Remarks 2034 the plot under reference is situated in Residential zone.

The Slum Rehabilitation Authority has issued approval vide letter dated 14.11.2024.

Plot area is 6070.00 Sqm, FSI area is 31188.17 sqm, Non FSI area is 26711.83 Sqm, Total Construction area is 57900.00 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-IA (50 m mangrove buffer zone) , CRZ-II area and Non CRZ area.

Consultant presented that, no construction is proposed in CRZ IA and CRZ II area except provision of RG and open A.O.S. The Authority noted that, concerned Planning Authority should strictly ensure that no construction is proposed in CRZ area as per approved CZMP, 2019.

The Authority noted that Activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.

As per Para 7(iv) of the CRZ Notification, 2019:

"Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14th September, 2006, shall be dealt with for a composite Environmental and CRZ



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clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) for category 'B' projects."

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed construction activities should be carried out strictly in non CRZ area as per the approved CZMP under the provisions of CRZ Notification, 2019
2. The concerned Planning Authority shall ensure that there shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
3. The concerned Planning Authority should strictly ensure that no construction is proposed in CRZ area as per approved CZMP, 2019
4. The concerned planning authority to strictly ensure that there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.
5. PP to ensure that Environment clearance under EIA Notification, 2006 should be obtained from competent Authority before commencement of project activities.
6. PP should implement all environment measures such as STP, rainwater harvesting, solar lighting, OWC etc and other measures as stipulated in EMP.
7. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
8. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
9. Safe disposal of the wastewater should be ensured.
10. All other required permission from different statutory authorities including Civil Aviation NoC, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 2: Proposed expansion of earlier obtained CRZ clearance for proposed slum rehabilitation scheme under reg. 33(11) on land bearing C.T.S no-593/1, 593/2 and 593/3 of village Bandra B, Gulnar Hill Road. Hill Road, Mumbai by M/s. Sky I Replete Ventures LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for expansion of earlier obtained CRZ clearance for proposed slum rehabilitation scheme under reg. 33(11) on land bearing C.T.S no-593/1, 593/2 and 593/3 of village Bandra B, Gulnar Hill Road. Hill Road, Mumbai.

Consultant presented that, there was existing dilapidated structure comprises of Ground + 2nd floor which is demolished on site under reference. Earlier the Project Proponent has obtained CRZ recommendation Letter No. CRZ2022/CR186/TC4 dated 23.03.2023 for redevelopment of existing building for Total Construction Area of 10,157.83 Sqm.

Now, PP has amended the building plans as per reg. 33(11) of DCPR 2034. Proposed Configuration 1st and 2nd Basement (Car Stack Parking and Services) + Ground Floor (Stilt Parking, Services) + 1st to 4th Podium Floor (Parking) + 5th Floor (Amenities) + 6th to 30th(pt.) Upper Residential Floors

As per D P Remarks 2034 the plot under reference is situated in Residential zone and not reserved for any public purpose.

The Slum Rehabilitation Authority has issued IOD Approval No. H-W/PVT/011/20240502/AP/C. DATED: 21.10.2024 and LOI Vide Letter No H-W/PVT/011/20240502/LOI : Dated- 05. 09. 2024.

Plot area is 1641.00 Sqm, FSI area is 8857.22 sqm, Non FSI area is 8587.52 Sqm, Total Construction area is 17444.74 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.


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Consultant presented the comparative statement:

Sr. No.	Project Details	Earlier CRZ Clearance CRZ2022/CR186/TC4 dated 23.03.2023	Amendment Proposal	Remarks
1	Plot Area	1,641.00Sq. Mt.	1,641.00 Sq.Mt.	No Change
2	FSI Area	4,654.88 Sq.Mt.	8,857.22 Sq.Mt.	The FSI Area is increased by 4,202.34 Sq. Mt.
3	Non FSIA rea	5,472.95Sq.Mt.	8,587.52 Sq.Mt.	Non FSI increased by 3,114.57Sq.Mt.
4	Total Construction Area	10,157.83Sq.Mt.	17,444.74 Sq.Mt.	Construction area 7,286.91 Sq.Mt.
5	No. Of Building & Configuration	1 Nos. of residential building	1 Nos. of residential building	No Change in total number of Buildings.
1 Basement (Car Parking) + Ground floor (Stilt parking)+1 st to3 rd Podium(Parking)+ 4 th Floor (Amenities) +5 th to19 th (pt.)Upper Residential Floors.		Proposed Configuration 1st and 2nd Basement (Car Stack Parking and Services) + Ground Floor (Stilt Parking, Services) + 1st to 4th Podium Floor (Parking) + 5 th Floor (Amenities) + 6th to 30th(pt.) Upper Residential Floors.	Increase in 1 Nos of basement for parking and services, 1 Nos of Podium floor for parking and 11Residential Floors from 20 th to 30 th Floor	
6	Height of the Building	65.55 Mt.	103.95Mt.	Height of the proposed building is increasedby38.40 m.

Consultant further presented that, no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification,


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2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed redevelopment should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed redevelopment is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 3: Proposed reconstruction on CTS No. 922/A, 922/B & 922K at Alibag, Dist Raigad by Shri. Dewang Haridas Thakkar & Other, M/s. Madhur Developers,

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction on CTS No. 922/A, 922/B & 922K at Alibag, Dist Raigad in Alibag Municipal Council area.

Consultant presented that, old residential building comprises of Ground + 1st Floor on site under reference will be demolished and new residential & commercial building is proposed.

Proposed residential & commercial building comprises of Ground + 4th upper floors on site under reference.

As per D P Remarks, the plot under reference is situated in Residential zone

Plot area is 1299.00 Sqm, FSI area is 2182.208 sqm, Non FSI area is 0.00 Sqm, Total Construction area is 2182.208 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential building is present and no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*



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The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 4: Proposed redevelopment of residential building on plot bearing C.T.S. No. 820 to 823 of village Bandra - C in H/W Ward. Mumbai by M/s. Crest Ventures Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of residential building on plot bearing C.T.S. No. 820 to 823 of village Bandra - C in H/W Ward. Mumbai

Consultant presented that, old residential building known as Blooming Heights CHSL comprises of Ground + 07th Floor on site under reference will be demolished and new residential building is proposed.

Proposed residential building comprises of Basement 2 (Services + Parking) + Basement 1 (Services + Parking) + Ground Floor + 1st to 2nd Podium Floor (Parking + Services) + 3rd Podium Floor (Parking + Amenities) + 1st to 12th Upper Residential Floors on site under reference.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

PP has obtained Civil Aviation NOC Vide Letter dated 23.09.2024 and CFO NOC dated 26.10.2024

Plot area is 1910.50 Sqm, FSI area is 5101.70 sqm, Non FSI area is 6888.30 Sqm, Total Construction area is 11900.00 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential building is present and no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) Reconstruction of authorized buildings shall be permitted, without



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change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 5: Proposed Redevelopment of Existing Building on plot bearing C.T.S. 336 of Village Bandra, H/W Ward, At Chimbai Road, At Bandra West, Mumbai by M/s. URL Two Developers LLP

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Redevelopment of Existing Building on plot bearing C.T.S. 336 of Village Bandra, H/W Ward, At Chimbai Road, At Bandra West, Mumbai.

Consultant presented that, old residential building comprises of Stilt + 1st To 6th Floor on site under reference will be demolished and new residential building is proposed.

Proposed residential building comprises of 3 Level Basement + Stilt + 1st To 4th (Parking) + Transfer Girder Level Floor + 6th To 19th Floor on site under reference.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

Plot area is 1442.30 Sqm, FSI area is 5732.44 sqm, Non FSI area is 11942.21 Sqm, Total Construction area is 17674.65 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential building is present and no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space*

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Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 6: Construction of Residential Building on plot 51, Sector 50, Dronagiri, Navi Mumbai by Shri. Kaushal Jadia

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Construction of Residential Building on plot 51, Sector 50, Dronagiri, Navi Mumbai.

Consultant presented that, CIDCO has issued Commencement Certificate dated 07.09.2015 for construction of residential building on site under reference. Accordingly, construction of residential building comprises of Ground + 4th floor having BUA of 283.478 sqm is completed on site. However, CIDCO vide letter dated 10.10.2019 has refused to grant Occupation Certificate and asked PP to submit clarification / clearance from MCZMA to grant Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP regarding ongoing projects which were not in CRZ as per old approved CZMP under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011.

The VC & MD, CIDCO vide letter dated 15.09.2023 submitted the proposal as per SOP :

Project details			Date of Commencement certificate issued by Planning Authority	CRZ status as per approved CZMP, as per CRZ Notification, 1991	CRZ status as per approved CZMP under CRZ Notification, 2011	Whether site is situated within 50 m mangrove buffer zone area
Node	Sector No.	Plot No.				
Dronagiri	50	51	07.09.2015	Not Affected	CRZ-II	No
Type of development			Residential (12.5 % Scheme)			


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Deliberations:

The Authority noted that MoEF&CC, New Delhi vide letter dated 14th March, 2022 sent a clarification to MCZMA, regarding ongoing projects which were not in CRZ as per old approved CZMP under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011

The clarification letter of MoEF&CC, New Delhi reads as follows:

"This has reference to your letter no. MCZMA-2020/CR-26/TC-4 dated 18th November, 2020 and meetings held with the Ministry on 13th January, 2021 and 26th November, 2021 respectively along with City Industrial Development Corporation (CIDCO) and Navi Mumbai Builders Development Association (NMBDA) regarding issues related to ongoing projects which were not in Coastal Regulation Zone (CRZ) as per old approved Coastal Zone Management Plan (CZMP) under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011.

2. As you are aware, the Ministry issued the CRZ Notification, 2011 vide S.O. No. 19(E), dated 6th January, 2011 in supersession of the CRZ Notification, 1991. As per the said notification, all the State Government and UT Coastal Zone Management Authority (CZMP) are required to prepare the CZMPs as per provisions of the CRZ Notification, 2011 and get approved by the MoEFCC.

Further, as per the Notification vide S.O. 621(E) dated 31st July, 2017, the validity of CZMPs approved under the CRZ Notification, 1991 was extended till 31st July, 2018 for consideration of the proposal for CRZ clearance under the CRZ Notification, 2011

3. In view of the above, it is to clarify that the CZMPs approved under the CRZ Notification, 1991 shall be considered valid till 31st July, 2018 and the same shall be taken into cognizance for approval of the projects. Thereafter, the projects shall be considered for CRZ clearance as per the CZMP prepared and approved in accordance with the CRZ Notification, 2011 or 2019, as the case may be.

4. It is to further clarify that for the projects not falling in the CRZ area as per the CZMPs approved under the CRZ Notification, 1991 but covered



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under CZMP prepared under the CRZ Notification, 2011 following procedure may be adopted:-

- i. The MCZMA shall certify that the proposal for which Commencement Certificate (CC) were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991, is as per the CZMPs approved under the said notification and shall forward its recommendation to the concerned authority for Occupation Certificate (OC), as applicable.*
- ii. The CIDCO/ concerned regulatory authority shall certify that the proposals for which Commencement Certificate were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991 as mentioned in Para 3 above, was as per extant building development norms in place, at that time for sanction for such projects.*
- iii. For all other projects, CZMPs approved in accordance with the CRZ Notification, 2011 or CRZ Notification 2019, as the case may be, shall be applicable.*
- iv. All the infrastructure projects shall be considered by the MCZMA as per the extant norms.*

The Authority noted that, concern planning authority granted the Commencement Certificate on 07.09.2015, at the relevant time, the plot was not situated in CRZ area, as per approved CZMP under CRZ Notification, 1991. As per approved CZMP, 2011, the site under reference is situated in CRZ-II area. Now, construction is completed on site as per CC and pending for Occupation Certificate.

The Authority noted that, the MoEF&CC, New Delhi has already clarified that the CZMPs approved under the CRZ Notification, 1991 shall be considered valid till 31st July, 2018 and the same shall be taken into cognizance for approval of the projects.

Decision:

In the light of above, the Authority after deliberation decided that Concerned Planning Authority can grant the Occupation Certificate to the building on plot under reference, as per clarification letter dated 14th March, 2022 by the MoEF&CC, New Delhi.



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Item No. 7: Proposed redevelopment of Residential Building on Plot bearing C.T.S. No. C/597 & C/598 At Village Bandra, At 2nd Monte Park Road, Bandra (W), Mumbai by Jivanam Developers Private Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of Residential Building on Plot bearing C.T.S. No. C/597 & C/598 at Village Bandra, At 2nd Monte Park Road, Bandra (W), Mumbai.

Consultant presented that, earlier M/s. Dheeraj Housing Pvt Ltd have obtained CRZ recommendation from MCZMA vide letter dated 20.12.2012 for redevelopment by demolishing existing structure on site under reference. Further, they have obtained revised CRZ recommendation from MCMA vide letter dated 12.08.2014 and accordingly construction of residential building comprises of 3 Level Basement (2 parking + 3rd Part Service) + Ground + 1 Pod with Girder + 1st to 13th Upper floors has been completed on site under reference. Further, MCGM has granted Occupation Certificate on 07.08.2017.

Now, M/s. Javanam Developers Pvt Ltd has submitted for proposal of redevelopment of existing building and proposed residential building comprise of Basement + Ground + 1st to 5th Podium + 6th to 17th upper floors.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

PP has obtained CFO NOC dated 21.10.2024.

Plot area is 1296.90 Sqm, FSI area is 7002.39 sqm, Non FSI area is 5297.92 Sqm, Total Construction area is 12300.31 Sqm

Deliberations:

During the meeting consultant presented that, the site under reference is falls in CRZ-II area and landward side of existing road as per approved CZMP under CRZ Notification, 2019. Further, CRZ map in 1:4000 scale and report for the project site is under preparation by the IRS Chennai. The Authority asked PP to submit the same.



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Accordingly, PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential building is present and no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, *(iv) Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.



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4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

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Item No. 8: Proposed Residential & Commercial Building on Plot bearing CTS No.422, 422 /1,421 /K, 421 /K/B, 421 /A +566b at Alibag, Dist. Raigad by Shri. Pravin Raghunath Raut

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of Residential & Commercial Building on Plot bearing CTS No.422, 422 /1,421 /K, 421 /K/B, 421 /A +566b at Alibag, Dist. Raigad in Alibag Municipal Council area.

Consultant presented that, Proposed Residential & Commercial building comprises of Ground + 4th upper floors on site under reference.

As per D P Remarks, the plot under reference is situated in Residential zone

Plot area is 827.63 Sqm, FSI area is 1647.36 sqm, Non FSI area is 0.00 Sqm, Total Construction area is 1647.36 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, no construction has been started on site under reference.

The Authority noted that as per para 5.2 (ii) & (iii) CRZ-II of the CRZ Notification, 2019,

"(ii) Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

(iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for



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the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification.."

The Authority noted that proposed construction of building in CRZ II area and on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed construction is on the landward side of the existing road and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Item No. 9: Proposed redevelopment of existing residential building on plot bearing C.T.S. no. 1110/5, of village Bandra-D, at Union Park Road, Bandra (West), H/West Ward, Mumbai by M/s. Kripa Oneness Private Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of existing residential building on plot bearing C.T.S. no. 1110/5, of village Bandra-D, at Union Park Road, Bandra (West), H/West Ward, Mumbai.

Consultant presented that, old residential building approved by MCGM in 1967 comprises of Stilt + 1st To 3rd Floor will be demolished on site under reference and new residential building is proposed.

Proposed residential building comprises of Basement + Stilt + 1st to 15th floors on site under reference.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

Plot area is 480.60 Sqm, FSI area is 2526.27 sqm, Non FSI area is 883.73 Sqm, Total Construction area is 3410.00 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential building is present and no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space*



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Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



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Chairman

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Item No. 10: Proposal for addition and alteration of existing residential building "Mannat" at CTS No. 859, 860, 861 & 862 of Bandra B H/W Ward, Mumbai by Mrs. Gauri Shahrukh Khan

Introduction:

The representative of project proponent along with Consultant presented the proposal before the Authority. The proposal is for addition and alteration of existing residential building "Mannat" at CTS No. 859, 860, 861 & 862 of Bandra B H/W Ward, Mumbai.

Consultant presented that, existing residential building having IOD dated 23.07.2002 and OC dated 22.09.2006 comprises of Ground + 6th upper floors. Further, PP also obtained CRZ NoC dated 23.06.2008 & OC dated 04.10.2016 for 02 Tier Basement & Swimming Pool.

Now, the project proponent has proposed to construct 02 additional floors i.e., the 7th & 8th Upper Residential floor having 01 No. of Duplex Residential Flats with the provision of an internal staircase above the existing 6th floor. Existing Low-rise building will now be comprised of 02 levels of basement + Ground floor + 1st to 8th upper Residential floors with a total height of 37.54 mtrs.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

PP has obtained Plan approval from MCGM dated 07.11.2024

Plot area is 2446.40 Sqm, FSI area is 2707.40 sqm (Existing 2091.38 sqm & proposed 616.02 sqm)

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, no construction of 02 additional floors has been started on site under reference.


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The Authority asked to submit structural stability Certificate. Consultant submitted the Consulting Structural Engineer letter dated 24.07.2024.

The Authority noted that as per para 5.2 (ii) & (iii) CRZ-II of the CRZ Notification, 2019,

"(ii) Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised fixed structures: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

(iii) Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification.."

The Authority noted that proposed construction of building in CRZ II area and on the landward side of the existing road, or on the landward side of existing authorised fixed structures is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed construction is on the landward side of the existing road and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.



Member Secretary



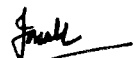
Chairman

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3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

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Item No. 11: Proposed redevelopment of residential building at CTS No. 1279, K/W Ward, Mumbai by M/s. Valuemart Real Estate Pvt. Ltd.

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of residential building known as Ratankunj Tower CHSL at CTS No. 1279, K/W Ward, Mumbai

Consultant presented that, existing residential building comprises of Ground + 10th upper floors will be demolished on site under reference and new residential building is proposed. The existing structure have received approved IOD vide dated. 31.01.1991 and CC vide dated 28.09.1989 & 24.09.2007

Proposed residential building comprises of 1st to 6th Basement Floor for Parking + Ground Floor + 1st floor to 28th Upper Residential Floor. The MCGM has approved the building plans on 25.11.2024.

As per D P Remarks 2034 the plot under reference is situated in Residential zone.

Plot area is 5136.40 Sqm, FSI area is 25785.56 sqm, Non FSI area is 20507 Sqm, Total Construction area is 46292.56 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-IA (50 m Mangrove Buffer Zone) and CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Area of project site in various CRZ:-

CRZ Classification	Area in Sqm
CRZ-IA (50 m Mangrove Buffer Zone)	1629.42
CRZ-II	3507.08
Total	5136.50

Consultant presented that construction is proposed in CRZ-II area only.



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The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette..*"

As per Para 7(iv) of the CRZ Notification, 2019:

"Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14th September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) for category 'B' projects."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019. The Authority noted that no construction is allowed in CRZ-IA (50 m Mangrove Buffer Zone) i.e. 1574.16 sqm

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed redevelopment should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed redevelopment is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.



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3. The concerned Planning Authority should strictly ensure that proposed construction of building in CRZ II area only.
4. The concerned Planning Authority should strictly ensure that no construction is allowed in CRZ-IA (50 m Mangrove Buffer Zone) i.e. 1629.42 sqm area.
5. The concerned Planning Authority should strictly ensure that there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.
6. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
7. PP to obtain the Environment clearance, since the total construction area exceeds 20,000 Sqm as per EIA Notification, 2006.
8. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
9. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
10. Safe disposal of the wastewater should be ensured.
11. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

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Item No. 12: Proposed reconstruction of existing demolished house on Gat. No. 2138, At Village- Nagaon, Tal- Alibaug, Dist- Raigad for Mr. Arjun Sheth, Mrs. NirajaSheth, Mr. Rahul Sheth

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction of existing demolished house on Gat. No. 2138, At Village- Nagaon, Tal- Alibaug, Dist- Raigad.

PP has proposed construction of house comprises of Ground floor for residential use on the site under reference. Plot area is 6740 Sqm, FSI area is 99.95 sqm, Non FSI area is 0.00 Sqm, Total Construction area is 99.95 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by NCSCM, Chennai as per approved CZMP 2019. As per NCSCM report, the project site falls in CRZ-III (No Development Zone).

The Authority noted that as per para 7 (vi) of CRZ Notification, 2019, *"Only for self-dwelling units up to a total built up area of 300 square meters, approval shall be accorded by the concerned local Authority, without the requirement of recommendations of concerned Coastal Zone Management Authority and such authorities shall, however, examine the proposal from the perspective of the Coastal Regulation Zone Notification before according approval."*

The Authority further noted that MCZMA vide circular dated 18th October, 2023 wherein the said provision has been informed to all coastal local bodies and authorities for implementation. All Planning Authorities / District Collectors / Local Bodies are already informed to implement above said para 7(vi) of CRZ Notification, 2019 and Office Memorandum dated 29.11.2022 issued by MoEF&CC, New Delhi, within the framework of CRZ Notification, 2019.

In view of above, the Authority observed that instant proposal of residential dwelling unit, having built up are less than 300 Sqm is within the ambit of concerned Planning Authority for decision within the framework of CRZ Notification, 2019.

Decision:

After deliberation, the Authority decided to return the proposal in light of para 7 (vi) of CRZ Notification, 2019.


Member Secretary


Chairman

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Item No. 13: Proposed construction of residential building Alliaance Siddhi on Plot No. 1A, Sector 20B, Airoli, Navi Mumbai by M/s. Siddhivinayak Enterprises

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for construction of residential building Alliaance Siddhi on Plot No. 1A, Sector 20B, Airoli, Navi Mumbai.

Consultant presented that, construction of residential building Alliaance Siddhi on Plot No. 1A, Sector 20B, Airoli, Navi Mumbai in Non CRZ area as per approved CZMp, 2019.

As per D P Remarks, the plot under reference is situated in Residential zone.

Plot area is 549.27 Sqm, FSI area is 2297.027 sqm, Non FSI area is 677.973 sqm and Total BUa is 2975.00 sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area & Non CRZ area.

Project Details falling in different CRZ :

Zonation	Area in sqm
CRZ-II	39.50
Outside CRZ	509.77
Total	549.27

Consultant further presented that, no construction will be carried out on CRZ area i.e 39.50 sqm as per approved CZMP under CRZ Notification, 2019. Proposed construction in non.CRZ area only.

The Authority noted that Activities proposed beyond CRZ areas as per approved CZMP, 2019 are outside the ambit of CRZ Notification, 2019. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.


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The Authority observed that the plot under reference is situated just beyond the 50 m mangrove buffer zone. The concerned planning authority to strictly ensure that there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed construction activities should be carried out strictly in non CRZ area as per the approved CZMP under the provisions of CRZ Notification, 2019
2. The concerned Planning Authority shall ensure that there shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
3. The concerned Planning Authority should strictly ensure that no construction is proposed in CRZ area as per approved CZMP, 2019
4. The concerned planning authority to strictly ensure that there will be no violation of Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006.
5. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
6. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
7. Safe disposal of the wastewater should be ensured.
8. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

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Item No. 14: Proposed redevelopment of existing residential building on plot bearing C.T.S. Nos. 1101B/11 & 1101B/12, Village Bandra - D, H/W Ward, Khar (W), Mumbai by M/s Sach Royale Homes L.L.P

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of existing residential building on plot bearing C.T.S. Nos. 1101B/11 & 1101B/12, Village Bandra - D, H/W Ward, Khar (W), Mumbai.

Consultant presented that, existing residential building comprises of Ground + 6th floors will be demolished on site under reference and new residential building is proposed.

Proposed residential building comprises of Stilt + 1st to 3rd Podium Parking + 4th Amenities floor + 5th to 15 Upper (pt) floors on site under reference.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

Plot area is 1338.00 Sqm, FSI area is 3612.60 sqm, Non FSI area is 5902.39 Sqm, Total Construction area is 9514.99 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential building is present and no construction has been started on site under reference.

The Authority asked PP to submit plots amalgamation permission. PP submitted letter dated 06.01.1996 issued by District Collector Mumbai.



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The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette..*"

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

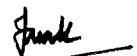
Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



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Item No. 15: Proposed redevelopment of property known as 77A on plot bearing CTS no. B/495, B/496, B/497 Waroda road Bandra (W) Mumbai by M/s. Gagangiri Builders & Developers

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for redevelopment of property known as 77A on plot bearing CTS no. B/495, B/496, B/497 Waroda road Bandra (W) Mumbai.

Consultant presented that, the existing building comprises of Ground + 1st floor was in dilapidated condition and same has been demolished as per pull down notice issued by MCGM. New residential cum commercial building is proposed on site under reference.

Proposed residential building comprises of construction of one residential cum commercial building comprising Ground + 1st to 9th upper residential height of 31.35 mtrs. on site under reference.

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

Plot area is 548.10 Sqm, FSI area is 1197.35 sqm, Non FSI area is 346.24 Sqm, Total Construction area is 1610.00 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."*



Member Secretary


Chairman


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The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.


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Item No. 16: Proposed development of resort building project at Gut. No. 22, Hissa No. 2 at Murud village, Tal. Dapoli, Dist. Ratnagiri, Maharashtra by Mrs. Purva Naresh Rajeshirke and Mr. Mahesh Suresh Rajeshirke (POA)

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for development of resort building project at Gut. No. 22, Hissa No. 2 at Murud village, Tal. Dapoli, Dist. Ratnagiri

Consultant presented that, resort buildings Type A & B comprises of Ground + 1st floor with 7 meter height are proposed between 200 m to 500 m from the HTL of seafront (Beyond NDZ).

PP also proposed 15 nos. of Temporary Structures/shacks between 0 m to 200 m from the HTL of seafront (Within NDZ)

Plot area is 3900.00 Sqm, FSI area is 1279.09 sqm, Non FSI area is 0.00 Sqm, Total Construction area is 1279.09 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-III area (Partly within 200 m and partly within 200 m to 500 m).

The Authority noted that as per para 5.3 CRZ-III of the CRZ Notification, 2019, (iii) Regulation of activities for CRZ-III areas beyond NDZ:

(a) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification.."

As per Annexure-III of the CRZ Notification, 2019:

"Construction of beach resorts and hotels in designated areas of CRZ- III for occupation of tourists or visitors shall be subject to the certain conditions"

The Authority noted that, resort buildings could be allowed between 200 m to 500 m from the HTL of seafront (beyond NDZ) as per CRZ Notification, 2019



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The Authority noted that as per para 5.3 CRZ-III of the CRZ Notification, 2019,

"(ii) Regulation of activities in NDZ:

(g) Temporary tourism facilities shall be permissible in the NDZ and beaches in the CRZ-III areas and such temporary facilities shall only include shacks, toilets or washrooms, change rooms, shower panels, walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements etc., and such facilities shall, however, be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification subject to maintaining a minimum distance of 10 meters from HTL for setting up of such facilities."

The Authority noted that Temporary Structures/shacks are proposed in NDZ of CRZ-III. In order to permit such activities, eco-tourism plan need to be feature in approved CZMP. Presently, CZMP does not feature such plan and work of featuring the tourism plan is under process through NCSCM and Tourism Dept.

Therefore, PP submitted the letter dated 12.12.2024 stated that the construction will be carried out strictly in accordance with the guidelines and regulations mentioned in the CRZ Notification, 2019. No construction will be carried out in the No Development Zone (NDZ).

The Authority asked about whether trees cutting involved in the project. Consultant presented that, 16 Nos. of coconut trees will be cut and compensatory plantation will be carried out.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that proposed construction in resort buildings are allowed between 200 m to 500 m from the HTL of seafront (beyond NDZ) as per CRZ Notification, 2019



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3. The concerned Planning Authority should strictly ensure that no construction is allowed within No Development Zone of CRZ-III as per CRZ Notification, 2019
4. PP to strictly ensure the compliance of guidelines stipulated in Annexure-III of the CRZ Notification, 2019.
5. PP to ensure the minimum Tree cutting and compensatory plantation will be carried out as per applicable norms.
6. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
7. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
8. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
9. Safe disposal of the wastewater should be ensured.
10. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by District Collector.



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Item No. 17: Proposed Residential cum commercial development on reservation plot Municipal Market , Community Centre & Play ground , having reservation No. 346 , 345 & 343 respectively under Accommodation Reservation Policy on land bearing (Old) Survey No. 235 (pt), 236(pt) ,238(pt), 258(pt), 239(pt), 240/2(pt), 257(pt),256(pt) (New) Survey No. 68(p), 71 (pt) ,74(pt), 75(pt), 76(pt), 64/2(pt), 70(pt), 69(pt), at Village- Penkarpada , Taluka & District -Thane by M/s. Eversmile Properties Pvt Ltd.

Introduction:

The representative of project proponent along with Consultant presented the proposal before the Authority. The proposal is for Residential cum commercial development on reservation plot Municipal Market , Community Centre & Play ground , having reservation No. 346 , 345 & 343 respectively under Accommodation Reservation Policy on land bearing (Old) Survey No. 235 (pt), 236(pt) ,238(pt), 258(pt), 239(pt), 240/2(pt), 257(pt),256(pt) (New) Survey No. 68(p), 71 (pt) ,74(pt), 75(pt), 76(pt), 64/2(pt), 70(pt), 69(pt), at Village- Penkarpada , Taluka & District -Thane.

Consultant presented the proposed construction in project as follows:

Sr. No.	Particular	Configuration	Height
1.	Residential cum commercial building	Tower 1- 1 Basement + Ground/Stilt /Commercial + P1 (Parking +Commercial) + P2-P6 (parking floor) + P7 (Eco-deck) + Recreational Floor + 1st to 32nd (pt) Residential Floor	Ht- 137.15 mt.
2.		Tower 2- 1 Basement + Ground/Stilt/Commercial + P1-P6 (parking floor) + P7 (Eco-deck)+ Recreational Floor +1st to 31st Residential Floor	Ht- 133.95 mt.
3.	Market Building	Basement + Ground(shops)+1st floor (shops)+2nd floor (community hall)+3 rd Floor Pt.(Store)	Ht- 11.70mt.
4.	Temple	Ground floor	Ht- 14.27mt
5.	Upashray	Basement+Ground+1st &2nd floor (Residential)	Ht- 12.90m


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Plot area is 13111.00 Sqm, FSI area is 64328.19 sqm, Non FSI area is 44994.49 sqm and Total Construction area is 109322.68 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-IA (50 m Mangrove Buffer Zone area), CRZ-II and Non CRZ area. Project site in various CRZ area:

Description	CRZ-Classification	Area (in sq.mt)	Total area (in sq.mt)
Community Hall	CRZ IA (50m Mangrove Buffer Zone)	1087.10	2200
	Out of CRZ	1004.50	
	CRZ II	108.40	
Municipal Market	CRZ IA (50m Mangrove Buffer Zone)	1530.73	1800
	Out of CRZ	201.12	
	CRZ II	68.15	
Play Ground	Out of CRZ	3700.00	3700
Sector IA	CRZ IA (50m Mangrove Buffer Zone)	2258.03	5411
	Out of CRZ	2816.97	
	CRZ II	336.00	

The Authority observed that proposed construction falls in CRZ-IA (50 m Mangrove Buffer Zone area), CRZ-II and Non CRZ area.

Consultant presented that, the plot is situated on landward side existing road. The plot is a vacant plot and does not have any mangroves on the site. Further, since the mangroves present at the adjoining plot which is a Private land and hence buffer zone for mangrove is not required. Therefore, PP requested for CRZ Clearance.



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The Authority noted that as per para 5.1 (ii) CRZ-IA of the CRZ Notification, 2019, "(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities."

The Authority also noted the provisions in Annexure 1 for Conservation, Protection and Management Framework for Ecologically Sensitive Areas as per the CRZ Notification, 2019.

The Authority observed that, construction of buildings in proposed project is not permissible in CRZ-IA (50 m Mangrove Buffer Zone area) as per 5.1 (ii) CRZ-IA of the CRZ Notification, 2019.

The Authority noted that since the project activities is falls in 50 m Mangrove Buffer Zone, Hon. High Court order dated 17th Sep, 2018 in PIL 87/2006 is applicable.

The Authority noted the Order dated 17th Sep, 2018 passed by the Hon. High Court in PIL 87/2006

"85. For the reasons recorded above, we dispose of the PIL by passing the following order:

(III) Regardless of ownership of the land having mangroves and the area of the land, all constructions taking place within 50 metres on all sides of all mangroves areas shall be forth with stopped. The area of 50 meters shall be kept free of construction except construction of a compound wall/fencing for its protection."

The Authority observed that, as per above mentioned Order of Hon. High Court, construction of buildings in proposed project is not allowed in 50 m Mangrove Buffer Zone area. Therefore, PP need to revise the proposal excluding CRZ-IA (50 m Mangrove Buffer Zone area). Accordingly, instant proposal on subject land could not be recommended from CRZ point of view, in accordance with the provisions of the CRZ Notification, 2019 & Order passed by Hon. High Court.

Decision:

Therefore, in view of above observations, the Authority after detailed discussion & deliberation decided to defer the proposal for want of above information.



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Item No. 18: Proposed laying of Nagothane Manufacturing Division (NMD) Effluent Disposal Pipeline-2, Dist-Raigad by M/s. Reliance Industries Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Laying of Effluent Disposal Pipeline - 2 from RIL NMD Division up to disposal location in Dharamtar Creek, Nagothane, Dist. Raigad.

Consultant presented that, Reliance Industries Limited has an existing manufacturing facility for variety of petrochemicals and downstream products - Ethylene / Propylene, Ethylene Glycol (EG), Ethylene Oxide (EO), Low Density Polyethylene (LDPE), Linear Low Density Polyethylene (LLDPE), Polypropylene (PP), Acetylene, Recycle Polyethylene Terephthalate (R-PET) and Hexene - 1 - Consented quantity of 13,64,000 MTPA at Nagothane. Reliance Chemicals & Materials Limited (RCML) proposes to setup new production units Poly Vinyl Chloride (PVC) and Vinyl Chloride Monomer (VCM) Plant at Nagothane Manufacturing Division, Nagothane, Maharashtra - 15,00,000 TPA and 15,00,000 TPA of VCM and PVC respectively. The new addition of VCM - PVC plant will also generate waste water which will be treated in new ETP set up. Treated waste waters from this new ETP as well as that from the existing ETP will be disposed of together via a new pipeline system laid of HDPE material and diameter of 28 inches OD (710 mm maximum) in parallel to the existing 22-inch diameter pipeline (560 mm). The new outfall location has also been identified based on the marine studies, dilution and diffusion by NIO for disposal of 20 MLD (monsoon flow) and 9 MLD (Dry Weather Flow (non-monsoon)) of treated waste water at location of 18°45'5.02"N, 72°59'1.60"E (OF 2).

The present treated waste water disposal arrangements to Dharamtar creek of Amba river for the treated waste water needs a change due to the following reasons:

- a) Carrying capacity of the old pipeline is 10 MLD and will not be adequate to dispose of the combined treated waters of existing as well as proposed new VCM - PVC Plant.
- b) Due to the aging of the current one, which is about 35 years old, RIL plans to install a new pipeline.



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Due to the above reasons, RIL (NMD) proposes to lay a new treated waste water (effluent) pipeline of higher diameter for enhanced disposal capacity (20 MLD) at a new disposal location, as identified by NIO, in the Dharamtar Creek in the vicinity of the existing disposal location

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. The area of project site in various CRZ zones:

S. No	CRZ Classification	Length (m)
1	CRZ-IA	70.23
2	CRZ-IA (50m Mangrove Buffer Zone)	1763.51
3	CRZ-IB	2016.71
4	CRZ-III (No development Zone)	2678.41
5	CRZ-IVB	45.18
6	Outside CRZ	21862.54
TOTAL		28436.58

PP has submitted Environmental Impact Assessment (EIA) Report prepared by M/s. Kadam Environmental Consultant (Nabet Accredited Consultant). Consultant presented the

Anticipated Impacts and Mitigation Measures as follows:-

1) Impacts on Land use and Land cover:

- Temporary change in land use along the pipeline route during laying activity and acquiring ROU / ROW for pipeline route. Once the line is laid and buried the existing land use will be restored in original condition all along the length of route of pipeline.
- Excavation of trenches will generate piles of mud for a short duration of laying pipeline along the pipeline route. This will be restored back to original position after laying of pipeline below ground.

Mitigation Measures:


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- The pipeline is laid in MIDC pipeline corridor having earmarked land use for transmission lines. So no change in land use is anticipated.
- The pipeline will be completely buried below ground level and hence the existing land use and land cover will be restored to original condition once the pipeline is laid all along the length of route.
- All excavated earth will be used for backfilling purpose once the pipeline is laid which will restore the original condition.
- All creek crossings along the pipeline will be laid through Horizontal Directional Drilling (HDD), not disturbing the existing land cover.

2) Impacts on Air Environment:

Point Source Emissions

- No additional DG sets are required for operation phase. Hence no additional point source of emission generation. During construction phase, emissions will primarily be from vehicles, construction equipment using diesel and similar fuels and in form of dust emissions. These emissions will be for short duration only.

Mitigation Measures

During Construction Phase

- Regular water sprinkling during excavation of trenches and on haul roads in order to minimize the dust generation.
- PUC certified vehicles will be allowed during construction phase in order to minimize vehicular emissions.
- Regular maintenance of equipment's and plants in order to reduce emissions.
- No impact on air emissions during operation phase since there is no process vents or flue gas stacks envisaged in the project.

3) Impacts on Noise Environment

- Noise from Machinery - During construction phase, operation of earth movers like hydra, JCB, trucks and dumpers etc. will emit noise during daytime.
- Noise from Vehicle /Traffic - Vehicle movement for transportation of materials and work force to the site during construction phase will cause noise generation.
- Noise from pump house - Noise will be generated from pumping station during operation phase.

Mitigation Measures



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- Provision of suitable personal protective equipment (PPE) such as earmuffs and earplugs to workers exposed to high noise generating operations/area.
- Equipment will be maintained in good working order so that they emit minimal noise.
- Implement good working practices (equipment selection) to minimize noise and reduce its impacts on human health (earmuffs, safe distances, and enclosures).
- Periodic Noise Monitoring will be carried out and effectiveness of noise control measures will be identified and additional noise control measures will be adopted, if required.

4) Impacts on Water Environment

- There is no direct impact on surface water resources as no surface water will be used, however Leakages from pipeline during operation phase, if any, may cause impact on surface water quality.
- No ground water utilization is proposed project and hence no impact to the ground water environment from the resources utilization point of view.
- However, the generated wastewater from various industrial /other processes discharge through pipeline may impact ground water environment in case of any leakage or spillage.

Mitigation Measures

- All waste waters will be conveyed to ETPs and treated sufficiently to meet the disposal standards for sea disposal. Treated water will be stored in Guard Pond and checked before disposal.
- All waste water will be conveyed through closed pipelines in order to avoid any contamination of waste water on land / surface / ground water sources.
- Hydro testing will be carried out to ensure that there is no leak in the HDPE pipeline before operation phase.
- Regular pumping and monitoring of flow and pressure in pipeline system in order to identify leakages if any.
- Action plan to repair the leakages in shortest possible time.

The Authority also noted the associated impacts and mitigation measures by NIO for Proposed diffuser installation and release of effluents.


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The Authority observed that, proposed laying of pipeline passing through Mangrove area. Expert members asked whether mangrove cutting involved in the project. Consultant presented that, Horizontal Directional Drilling (HDD) technique shall be used for laying the pipeline across the mangroves area. PP to ensure that No Mangroves will be disturbed all along the pipeline route during laying operations. There shall not be impact on mangrove area, from any activities proposed to be carried out on site under reference.

Expert Member asked whether existing pipeline will be replaced by new pipeline on same foot print. Consultant presented that, new pipeline laid along with the existing pipeline and new diffuser will be 100 m away from existing diffuser.

Expert Members suggested that Water quality of the outlet point should be monitored regularly to see the impact of treated effluent discharge. PP should strictly ensure disposal of treated effluent discharge into Sea water to the prescribed standards of CPCB /MPCB.

The Authority noted that as per para 5.1 (ii) CRZ-IA of the CRZ Notification, 2019, "(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities."

The Authority noted as per para 5.1.2 (CRZ-IB) of CRZ Notification, 2019, "Activities shall be regulated or permissible in the CRZ-I B areas as under:-

- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.
- (ix) Treatment facilities for waste and effluents and conveyance of treated effluents.
- (xv) Pipelines, conveying systems including transmission lines."

The Authority noted as per para 5.3 (CRZ-III) of CRZ Notification, 2019
"(i) Activities as permitted in CRZ-IB shall also be permissible in CRZ-III."

The Authority noted as per para 5.4 (CRZ-IV) of CRZ Notification, 2019
"Activities shall be permitted and regulated in the CRZ IV areas as under:-

- (iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion



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control measures, breakwaters, pipelines, navigational safety facilities and the like.

(vii) Facilities for discharging treated effluents into the water course.

(xiii) Pipelines, conveying systems including transmission lines."

The Authority noted as per para 7 of CRZ Notification, 2019,

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

The Authority noted the proposal of laying of pipelines for release of treated effluent can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed pipelines falls in mangroves & its 50 m buffer zone areas.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to MoEF&CC New Delhi subject to compliance of following conditions:

1. The proposed laying of pipeline should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed pipelines falls in mangroves & its 50 m buffer zone areas.
3. PP to ensure that there shall not be impact on mangrove area, from any activities proposed to be carried out on site under reference.
4. PP to ensure that no mangrove cutting involved in the project.
5. PP to ensure that free flow of tidal influence water should not be hampered.
6. PP to obtain Consent to establish from the Maharashtra Pollution Control Board for the project involving treated discharge of industrial effluents and sewage, and in case prior consent of Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by



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the proponent before the start of the construction activity of the project, following the clearance under this notification.

7. PP should strictly ensure disposal of treated effluent discharge into Sea water to the prescribed standards of CPCB /MPCB.
8. Water quality of the outlet point should be monitored regularly to see the impact of treated effluent discharge.
9. PP to ensure that no untreated sewage is discharged on to the coast or coastal waters.
10. Project proponent should implement Mitigation measures and Environment Management plan as stipulated in the EIA report & NIO Report, effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
11. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
12. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
13. Safe disposal of the wastewater should be ensured.
14. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Local Body.



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Item No. 19: Proposed laying of Ethylene Dichloride (EDC) Pipeline from JNPT Tank Farm to Nagothane Manufacturing Division (NMD), Raigad by M/s. Reliance Industries Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for laying of Ethylene Dichloride (EDC) Pipeline from JNPT Tank Farm to Nagothane Manufacturing Division (NMD), Raigad.

Consultant presented that, Reliance Industries Ltd. (RIL) is in the process of setting up a Poly Vinyl Chloride (PVC) manufacturing unit within their existing Petrochemical Plant at Nagothane, Maharashtra State (NMD). Ethylene Dichloride (EDC) is required as a raw material for manufacturing Vinyl Chloride Monomer (VCM), which is used for manufacturing PVC. EDC, which is currently manufactured at their Dahej Petrochemical Plant (DMD) is proposed to be transported by ships to Jawaharlal Nehru Port Trust Authority's JNPT Port at Nhava Sheva, Navi Mumbai and from there on through pipeline to NMD. The proposed EDC pipeline system is designed to transport EDC from JNPT's Liquid Cargo Jetty to Tank Farm within Port Area through a 24" dia 6.0 km long pipeline and from the Tank Farm to NMD through a 10" Nominal dia. 59 km long cross-country pipeline, out of which 12 km will be new and 47 km is existing along with setting up new 3 nos. 24 KT EDC tanks in RIL's Tank farm

Present proposal is for laying of 10" Nominal dia. Pipeline to transport Ethylene Dichloride from JNPT Tank farm to Nagothane (NMD). 15 km of new 10" nominal dia. pipeline starts from RIL tank farm covering NMSEZ and CIDCO area ends at ONGC Uran, where it is connected with 47 km exiting pipeline upto RIL NMD.

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. The details of project site in various CRZ zones:

Description	CRZ Classification	Length (m)	Total length (m)
	CRZ - IA	236.73	
	CRZ - IA (50m Mangrove)	1813.46	


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Proposed EDC Pipeline	Buffer Zone)		58492.50
	CRZ - IB	3163.72	
	CRZ - II	4907.84	
	CRZ - III (No Development Zone)	3430.88	
	CRZ - IIIB (200m to 500m from HTL)	330.13	
	CRZ - IVA	6015.59	
	Outside CRZ	38594.14	
Proposed Pipeline Re-route at Mandava	CRZ - III (No Development Zone)	148.23	148.23
Proposed Pipeline Re-route at Medekhar	CRZ - III (No Development Zone)	19.38	78.24
	Outside CRZ	58.86	
Description	CRZ Classification	Area (m ²)	Total Area (m ²)
Proposed Sectionalizing Valve Station (SV-04)	CRZ - II	6947.28	6947.28

PP has submitted Environmental Impact Assessment (EIA) Report prepared by M/s. Kadam Environmental Consultant (Nabet Accredited Consultant). Consultant presented the Anticipated Impacts and Mitigation Measures as follows:-

Waste Generation Solid Waste

- Soil, overburden wastes: As the pipeline will be laid underground, excavated soil will be reused for back filling. Top soil will be reinstated on top layer as near original.

Domestic Waste

- Construction Phase:** The primary source of solid wastes will be from construction camps. During construction, the solid waste generated will be mainly packaging and wrapping material, stubs of spent welding electrodes, used rags and housekeeping waste from the construction camps. Site contractors will be responsible for disposal/resale of these wastes, in an environmentally friendly and acceptable manner.
- Only a marginal amount of non-toxic / non-hazardous solid waste will be generated during the construction phase. Such waste would comprise of opened crates, packaging material and domestic waste from


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construction camps. The disposal shall be as per SPCB/CPCB guidelines or sold to local scrap dealers.

- Domestic waste generated during construction will be limited to construction camps and disposed off in septic tanks followed by soak pits and by composting. Other commercial waste will be disposed off to local scrap dealers.
- Since DGs are used during construction phase, used oil will be generated. This will be stored in a designated area in containers and disposed off to SPCB/CPCB approved recyclers.
- **Operation Phase:** Only domestic type solid waste like paper and cardboard waste may be generated at the Pump station. These will be sorted, sold for recycling or reused as possible. Canteen / food waste will be suitably managed

Consultant further presented that, no construction activity will be carried out in the CRZ area. Drilling mud and waste will be disposed off to nearest TSD facility. Construction camps will be located outside the CRZ areas. No domestic solid waste/liquid waste will be disposed off to CRZ water bodies. Construction labour will be provided with septic tanks and soak pits or portable sewage treatment plants. Treated sewage water will be used for dust suppression. All maintenance works of construction equipment will be undertaken at equipment yard within construction camps to eliminate soil contamination. All construction equipment will comply with the emission and noise standards. PUC will be mandatory for all vehicles. Construction equipment will be fitted with noise attenuation devices. No construction activities will be undertaken during night time.

The Authority observed that, proposed laying of pipeline passing through Mangrove area. Expert members asked whether mangrove cutting involved in the project. Consultant presented that, Horizontal Directional Drilling (HDD) technique shall be used for laying the pipeline across the mangroves area. PP to ensure that No Mangroves will be disturbed all along the pipeline route during laying operations. There shall not be impact on mangrove area, from any activities proposed to be carried out on site under reference.

Expert Member asked to implement leak detection system as the proposed pipeline is used for transportation of Ethylene Dichloride (EDC). Consultant presented that, Risk Prevention & Mitigation Measures will be implemented such as:



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- 1) Installation of SCADA, dedicated optical fibre cable based telecommunication system, leak detection system, Pipeline Application Software
- 2) Installation of Pipeline Intrusion Detection System (PIDS)
- 3) Periodic Monitoring, Patrolling and Integrity checking
- 4) Display of Pipeline markers, warning posts and marker posts through out the pipeline
- 5) Emergency Shutdown System shall be installed for tripping and isolating the problematic area immediately
- 6) The probability of domino effect of EDC pipelines leaks is much lower as its underground and the risk emanating from the various segments due to domino effects is estimated to be less significant.

The Authority noted that as per para 5.1 (ii) CRZ-IA of the CRZ Notification, 2019, *"(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities."*

The Authority noted as per para 5.1.2 (CRZ-IB) of CRZ Notification, 2019, *"Activities shall be regulated or permissible in the CRZ-I B areas as under:-*

- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.*
- (xv) Pipelines, conveying systems including transmission lines."*

The Authority noted as per para 5.3 (CRZ-III) of CRZ Notification, 2019 *"(i) Activities as permitted in CRZ-IB shall also be permissible in CRZ-III."*

The Authority noted as per para 5.4 (CRZ-IV) of CRZ Notification, 2019 *"Activities shall be permitted and regulated in the CRZ IV areas as under:-*

- (iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities and the like.*
- (xiii) Pipelines, conveying systems including transmission lines."*

The Authority noted as per para 7 of CRZ Notification, 2019, *"(iii) For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be*



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considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority."

The Authority noted the proposal of laying of pipelines for transportation of Ethylene Dichloride (EDC) can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed pipelines passing through mangroves & its 50 m buffer zone areas.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to MoEF&CC New Delhi subject to compliance of following conditions:

1. The proposed laying of pipeline should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed pipelines falls in mangroves & its 50 m buffer zone areas.
3. PP to strictly ensure that mangrove cutting is not involved in the project.
4. PP to ensure that there shall not be impact on mangrove area, from any activities proposed to be carried out on site under reference.
5. PP to ensure that free flow of tidal influence water should not be hampered.
6. PP to obtain Consent to establish from the Maharashtra Pollution Control Board for the project and in case prior consent of Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this notification.
7. PP to ensure that proposed project strictly conform to norms / regulations specified in Oil Industry Safety Directorate (OISD) as may be applicable.
8. An emergency Response and Disaster Management Plan shall be in place before commissioning of project.
9. Project proponent should implement Mitigation measures and Environment Management plan as stipulated in the EIA report, effectively and


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efficiently during construction and operational phase of the project to ensure that coastal environment is protected.

10. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
11. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
12. Safe disposal of the wastewater should be ensured.
13. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Local Body.



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Item No. 20: Proposed laying of Ethylene Dichloride (EDC) Dockline from JNPT Berth to Tank Farm, Raigad by M/s. Reliance Industries Limited

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for Ethylene Dichloride (EDC) Dockline from JNPT Berth to Tank Farm, Raigad

Consultant presented that, Reliance Industries Ltd. (RIL) is in the process of setting up a Poly Vinyl Chloride (PVC) manufacturing unit within their existing Petrochemical Plant at Nagothane, Maharashtra State (NMD). Ethylene Dichloride (EDC) is required as a raw material for manufacturing Vinyl Chloride Monomer (VCM), which is used for manufacturing PVC. EDC, which is currently manufactured at their Dahej Petrochemical Plant (DMD) is proposed to be transported by ships to Jawaharlal Nehru Port Trust Authority's JNPT Port at Nhava Sheva, Navi Mumbai and from there on through pipeline to NMD. The proposed EDC pipeline system is designed to transport EDC from JNPT's Liquid Cargo Jetty to Tank Farm within Port Area through a 24" Nominal dia. 6.0 km long pipeline and from the Tank Farm to NMD through a 10" dia. 62 km long cross-country pipeline, out of which 15 km will be new and 47 km is existing along with setting up new 3 nos. 21.6 KT EDC tanks in RIL's Tank farm.

Present proposal is for laying 24" Nominal dia. Pipeline from JNPT berth to Tank Farm to transport Ethylene Dichlorid (EDC). 6 km of 24" Nominal dia. pipeline starts from JNPT's Liquid Cargo Jetty and traverses inside JNPT area and ends at RIL Tank farm.

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. The details of project site in various CRZ zones:

Sr. No.	CRZ Classification	Length in Meters
1	CRZ-IA (50 m Mangrove Buffer Zone)	688.69
2	CRZ-II	582.56
3	CRZ-IVA	1006.74
4	Outside CRZ	3831.13
Total		6109.12


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PP has submitted Environmental Impact Assessment (EIA) Report prepared by M/s. Kadam Environmental Consultant (Nabet Accredited Consultant). Consultant presented the Anticipated Impacts and Mitigation Measures as follows:-

Waste Generation Solid Waste

- Soil, overburden wastes: As the pipeline will be laid underground, excavated soil will be reused for back filling. Top soil will be reinstated on top layer as near original.

Domestic Waste

- **Construction Phase:** The primary source of solid wastes will be from construction camps. During construction, the solid waste generated will be mainly packaging and wrapping material, stubs of spent welding electrodes, used rags and housekeeping waste from the construction camps. Site contractors will be responsible for disposal/resale of these wastes, in an environmentally friendly and acceptable manner.
- Only a marginal amount of non-toxic / non-hazardous solid waste will be generated during the construction phase. Such waste would comprise of opened crates, packaging material and domestic waste from construction camps. The disposal shall be as per SPCB/CPCB guidelines or sold to local scrap dealers.
- Domestic waste generated during construction will be limited to construction camps and disposed off in septic tanks followed by soak pits and by composting. Other commercial waste will be disposed off to local scrap dealers.
- Since DGs are used during construction phase, used oil will be generated. This will be stored in a designated area in containers and disposed off to SPCB/CPCB approved recyclers.
- **Operation Phase:** Only domestic type solid waste like paper and cardboard waste may be generated at the Pump station. These will be sorted, sold for recycling or reused as possible. Canteen / food waste will be suitably managed

Consultant further presented that, no construction activity will be carried out in the CRZ area. Drilling mud and waste will be disposed off to nearest TSDF facility. Construction camps will be located outside the CRZ areas. No domestic solid waste/liquid waste will be disposed off to CRZ water bodies. Construction labour will be provided with septic tanks and soak pits or portable sewage treatment plants. Treated sewage water will be used for dust suppression. All maintenance works of construction equipment will be undertaken at equipment



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yard within construction camps to eliminate soil contamination. All construction equipment will comply with the emission and noise standards. PUC will be mandatory for all vehicles. Construction equipment will be fitted with noise attenuation devices. No construction activities will be undertaken during night time.

The Authority observed that, proposed laying of pipeline passing through 50 m Mangrove buffer zone area. Expert members asked whether mangrove cutting involved in the project. Consultant presented that, no Mangroves will be disturbed all along the pipeline route during laying operations. PP to ensure that there shall not be impact on mangrove area, from any activities proposed to be carried out on site under reference.

Expert Member asked to implement leak detection system as the proposed pipeline is used for transportation of Ethylene Dichloride (EDC). Consultant presented that, Risk Prevention & Mitigation Measures will be implemented such as:

- 1) Installation of SCADA, dedicated optical fibre cable based telecommunication system, leak detection system, Pipeline Application Software
- 2) Installation of Pipeline Intrusion Detection System (PIDS)
- 3) Periodic Monitoring, Patrolling and Integrity checking
- 4) Display of Pipeline markers, warning posts and marker posts through out the pipeline
- 5) Emergency Shutdown System shall be installed for tripping and isolating the problematic area immediately
- 6) The probability of domino effect of EDC pipelines leaks is much lower as its underground and the risk emanating from the various segments due to domino effects is estimated to be less significant.

The Authority noted that as per para 5.1 (ii) CRZ-IA of the CRZ Notification, 2019, "(ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities."

The Authority noted as per para 5.1.2 (CRZ-IB) of CRZ Notification, 2019, "Activities shall be regulated or permissible in the CRZ-I B areas as under:-

- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion



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*control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.
(xv) Pipelines, conveying systems including transmission lines."*

The Authority noted as per para 5.2 (CRZ-II) of CRZ Notification, 2019
"(i) Activities as permitted in CRZ-IB shall also be permissible in CRZ-II."

The Authority noted as per para 5.4 (CRZ-IV) of CRZ Notification, 2019
"Activities shall be permitted and regulated in the CRZ IV areas as under:-
(iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities and the like.
(xiii) Pipelines, conveying systems including transmission lines."

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

The Authority noted the proposal of laying of pipelines for transportation of Ethylene Dichloride (EDC) can be allowed with prior CRZ clearance from MoEF&CC, New Delhi. Further, Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed pipelines passing through mangroves 50 m buffer zone areas.

Decision:

After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to MoEF&CC New Delhi subject to compliance of following conditions:

1. The proposed laying of pipeline should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.



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2. Prior High Court permission should be obtained by the PP as per order dated 17th Sep, 2018 in PIL 87/2006, since the proposed pipelines falls in mangroves 50 m buffer zone areas.
3. PP to strictly ensure that mangrove cutting is not involved in the project.
4. PP to ensure that there shall not be impact on mangrove area, from any activities proposed to be carried out on site under reference.
5. PP to ensure that free flow of tidal influence water should not be hampered.
6. PP to obtain Consent to establish from the Maharashtra Pollution Control Board for the project and in case prior consent of Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this notification.
7. PP to ensure that proposed project strictly conform to norms / regulations specified in Oil Industry Safety Directorate (OISD) as may be applicable.
8. An emergency Response and Disaster Management Plan shall be in place before commissioning of project.
9. Project proponent should implement Mitigation measures and Environment Management plan as stipulated in the EIA report, effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected.
10. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
11. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
12. Safe disposal of the wastewater should be ensured.
13. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Local Body.


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Item No. 21: Construction of Residential Building known as Amar CHS Ltd on Plot No. 7, Sector 58A, Nerul, Navi Mumbai by Mr. Singaravel Thiagarajan

Introduction:

Mr. Singaravel Thiagarajan along with Consultant presented the proposal before the Authority. The proposal is for Construction of Residential Building known as Amar CHS Ltd on Plot No. 7, Sector 58A, Nerul, Navi Mumbai

Consultant presented that, Navi Mumbai Municipal Corporation has issued Commencement Certificate dated 29.01.2008 and revised Commencement Certificate dated 11.02.2008 for construction of residential building on site under reference. Accordingly, construction of residential building comprises of Ground + 13th floor having BUA of 8355.30 sqm is completed on site. However, Navi Mumbai Municipal Corporation (NMMC) vide letter dated 06.07.2013 has refused to grant Occupation Certificate and asked PP to submit clarification / clearance from MCZMA to grant Occupation Certificate.

The MoEF&CC, New Delhi vide letter dated 14th March, 2022 issued SOP regarding ongoing projects which were not in CRZ as per old approved CZMP under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011.

The Municipal Commissioner, NMMC vide letter dated 19.06.2024 submitted the proposal as per SOP :

Sr. No.	Project details	Date of Commencement certificate issued by Planning Authority	CRZ status as per approved CZMP, as per CRZ Notification, 1991	CRZ status as per approved CZMP under CRZ Notification, 2011	Whether site is situated within 50 m mangrove buffer zone area
1	Plot No. 7, Sector 58A, Nerul,	29.01.2008 & 11.02.2008 amended	i) As per record available with this office, the land bearing	The land affected as per approved CZMP prepared as	Residential Building affected within 50 mtr


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	Navi Mumbai		Plot No. 7, Sector 58A, Nerul, Navi Mumbai was affected by CZMP 1991 ii) As per IRS report & map dated 05.07.2019, Plot No. 7, Sector 58A, Nerul, Navi Mumbai is not affected by approved CZMP of 1991.	per CRZ Notification 2011	Mangrove Buffer Zone.
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Deliberations:

The Authority noted the applicant has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 1991 & 2011. The report prepared by IRS Chennai states that, as per approved CZMP vide CRZ Notification, 1991, Plot No. 7 in Sector 58A, Nerul Navi Mumbai completely falls in Non CRZ area (i.e. the site falls outside CRZ area). As per approved CZMP vide CRZ Notification, 2011, out of total area of Plot No. 7 in Sector 58A, Nerul Navi Mumbai (which is 3749.07 sqm), 1464.32 sqm falls in CRZ-IA (in 50 m mangrove buffer), 2284.48 sqm falls in CRZ-II and 0.27 sqm falls in Non CRZ area.

The Authority noted that MoEF&CC, New Delhi vide letter dated 14th March, 2022 sent a clarification to MCZMA, regarding ongoing projects which were not in CRZ as per old approved CZMP under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011

The clarification letter of MoEF&CC, New Delhi reads as follows:

"This has reference to your letter no. MCZMA-2020/CR-26/TC-4 dated 18th November, 2020 and meetings held with the Ministry on 13th January, 2021


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and 26th November, 2021 respectively along with City Industrial Development Corporation (CIDCO) and Navi Mumbai Builders Development Association (NMBDA) regarding issues related to ongoing projects which were not in Coastal Regulation Zone (CRZ) as per old approved Coastal Zone Management Plan (CZMP) under the CRZ Notification, 1991 and now falling within the CRZ areas as per the approved CZMP under the CRZ Notification, 2011.

2. As you are aware, the Ministry issued the CRZ Notification, 2011 vide S.O. No. 19(E), dated 6th January, 2011 in supersession of the CRZ Notification, 1991. As per the said notification, all the State Government and UT Coastal Zone Management Authority (CZMP) are required to prepare the CZMPs as per provisions of the CRZ Notification, 2011 and get approved by the MoEFCC.

Further, as per the Notification vide S.O. 621(E) dated 31st July, 2017, the validity of CZMPs approved under the CRZ Notification, 1991 was extended till 31st July, 2018 for consideration of the proposal for CRZ clearance under the CRZ Notification, 2011

3. In view of the above, it is to clarify that the CZMPs approved under the CRZ Notification, 1991 shall be considered valid till 31st July, 2018 and the same shall be taken into cognizance for approval of the projects. Thereafter, the projects shall be considered for CRZ clearance as per the CZMP prepared and approved in accordance with the CRZ Notification, 2011 or 2019, as the case may be.

4. It is to further clarify that for the projects not falling in the CRZ area as per the CZMPs approved under the CRZ Notification, 1991 but covered under CZMP prepared under the CRZ Notification, 2011 following procedure may be adopted:-

- i. The MCZMA shall certify that the proposal for which Commencement Certificate (CC) were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification, 1991, is as per the CZMPs approved under the said notification and shall forward its recommendation to the concerned authority for Occupation Certificate (OC), as applicable.
- ii. The CIDCO/ concerned regulatory authority shall certify that the proposals for which Commencement Certificate were issued before the cut-off date of validity of CZMPs approved under the CRZ Notification,



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- 1991 as mentioned in Para 3 above, was as per extant building development norms in place, at that time for sanction for such projects.
- iii. For all other projects, CZMPs approved in accordance with the CRZ Notification, 2011 or CRZ Notification 2019, as the case may be, shall be applicable.
- iv. All the infrastructure projects shall be considered by the MCZMA as per the extant norms.

The Authority observed that, there is difference in CRZ status of plot under reference as per remarks of Municipal Commissioner, NMMC and IRS Chennai report. As per MoEF&CC, New Delhi vide letter dated 31.07.2018 states that concerned regulatory authority shall certify the CRZ Status as per CZMP 1991 and Commencement Certificates. The Authority asked applicant to submit certification / clarification on the exact CRZ Status as per CZMP 1991 from Municipal Commissioner, NMMC.

Expert Member observed that, instant application is submitted by Applicant who is executive committee member of society as per the submissions before the Authority. It was also observed that, earlier, the society applied on Parivesh portal which was withdrawn by the society. Hence, applicant was requested to submit authorization / consent of the society for pursuing the said application.

Decision:

In the light of above, the Authority after deliberation decided to defer the proposal for want of information.



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Item No. 22: Proposed reconstruction of residential building on plot bearing C.T.S. No. 977 of village -Juhu, on Juhu Tara Road, in 'K-West'- Ward, at Juhu, Mumbai by Shri. Nilesh Dholakia, M/s. Juhu Resorts & Development Pvt Ltd

Introduction:

The project proponent along with Consultant presented the proposal before the Authority. The proposal is for reconstruction of residential building on plot bearing C.T.S. No. 977 of village -Juhu, on Juhu Tara Road, in 'K-West'- Ward, at Juhu, Mumbai.

Consultant presented that, Building No. 1 comprising of Ground + 7th Upper Floors is retained and no changes are proposed in the said building no. 1. The existing Ground + 1 floor bungalow will be demolished and a new residential Building No. 2 is proposed.

Proposed residential building comprises of 3 levels of Basement + Stilt + 1st to 16th upper floors for residential use on site under reference,

As per D P Remarks of 2034, the plot under reference is situated in Residential zone and not reserved for any public purpose.

Plot area is 3050.10 Sqm, FSI area is 9429.43 sqm, Non FSI area is 4920.57 Sqm, Total Construction area is 14350.00 Sqm

Deliberations:

The Authority noted the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai as per approved CZMP 2019. As per IRS report, the project site falls in CRZ-II area. The site under reference is situated on landward side of existing road, as per CRZ map.

Consultant further presented that, existing residential buildings are present and no construction has been started on site under reference.

The Authority noted that as per para 5.2 (iv) CRZ-II of the CRZ Notification, 2019, (iv) *Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space*


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Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette.."

The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to without change in present land use and FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. The concerned planning authority should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18th January, 2019.

Decision:

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

1. The concerned Planning Authority shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/clarifications given by MoEF&CC from time to time.
2. The concerned Planning Authority should strictly ensure that the proposed reconstruction is without change in present land use and within the limit of permissible FSI as per Town and Country planning regulations existed as on 18th January, 2019 before issuing commencement certificate to the project.
3. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
4. Solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
5. Safe disposal of the wastewater should be ensured.
6. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.


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Item No. 23: Proposed S.R. Scheme on plot bearing CTS No. 8-908, 8-909, B-910, B-911(pt) of village - Bandra, Mount Mary Hills, Kadeshwari Mandir Marg, H/W Ward, Mumbai for Jaferbaba CHS Ltd; Shiv Mandir CHS (prop), Hill People CHS (prop) &Durga Mata CHS (prop) by M/s. Hubtown Ltd

Introduction:

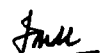
The project proponent and consultant presented the proposal before the Authority. The proposal is for SR scheme for Jaferbaba CHSL, Shiv Mandir CHS, Hill People CHS (prop) &Durga Mata CHS (prop) on plot bearing CTS no. B-908, B-909, B-910, B-911 of village - Bandra, Mount Mary Hills, Kadeshwari Mandir Marg, H/W ward, Mumbai as per CRZ Notification, 2019.

The PP presented the proposal as forwarded by SRA vide letter dated 20.04.2022 follows:-

- i. The S.R. Scheme was originally approved for 4 Nos of societies viz. Jaferbaba CHS Ltd; Shiv Mandir CHS (prop), Hill People CHS (prop) &Durga Mata CHS (prop) and LOI was issued on 29/12/1998 for 2.115 FSI and entire FSI was allowed for construction in-situ.
- ii. The parameters of S.R. Scheme under reference were revised by restricting in-situ FSI upto Zonal FSI with addition of 25% FSI over permissible zonal FSI as per Government directives u/no. TPB/4387/4350/UD-11 dated 04/11/1988, i.e. 1.25 FSI and accordingly revised LOI was granted on 30/10/2004.
- iii. Further, the plot area was increased as per demarcation and revised LOI was issued on 09/11/2016. Again, revised LOI was issued on dated 06/11/2020, by adoption of provisions of DCPR 2034 by restricting the CC beyond 1.25 FSI.
- iv. As per clause no. 10.3 of the said CRZ notification dated 18/01/2019 for CRZ areas falling within municipal limits of Greater Mumbai which states as "(i) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible".



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- v. As per DCPR 2034 Cl No. 17.3 (D)(a)(2)(ii) Where the area of site having non-buildable /open space reservation, is more than 500 Sq.m such sites may be allowed to be developed for slum redevelopment subject to condition that the ground area of the land so used shall not be more than 65% of the reservation and leaving 35% rendered clear thereafter for the reservation.
- vi. In this case, Architect has proposed 35% of the land which is reserved of ROS 1.5 shall be developed as Parks / Garden and no construction shall be proposed on this 35% plot.

The PP further presented that, latest LOI was issued on 25.4.2024 as per DCPR 2034 & CRZ notification 2019 restricting FSI in Situ to 1.25 till CRZ NOC is received.

The PP presented that Hon. National Green Tribunal passed an order dated 24.10.2024 which states that "OA is disposed of directing MCZMA to take steps on the proposal of the application within two months in accordance with the order of the Tribunal dated 17.10.2012 passed in Appeal No. 14/2012 and the observations made above and ignoring the contrary reflection about the subject property in CZMP 2019."

The MoEF&CC vide their letter no IA3-3/43/224-IA.III dt 28/11/2024 has now requested MCZMA to take necessary action in order to ensure compliances of this NGT order.

The PP presented the status of construction on site under reference:-

S.No.	Bldg. No.	No. of Floors	CC recd for BUA	Constructed FSI on site	Current Status
1	Rehab 2	G+20	3583.54 sqm	3583.54 sqm	OC received
2	Rehab 1A	G+22	6205.24 sqm	4277.96 sqm	G+22
3	Rehab 1B	G+10			Plinth
4	Rehab 1C	G+8			G+8
5	Sale	WING A-13th floor, WING B-C-2	7454.14 sqm	0	Podiums ongoing



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	Total Area	17242.92 sqm	7861.5 sqm	
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Plot area is 15205.60 Sqm, FSI area is 41997.05 sqm, Non FSI area is 50891.51 Sqm, Total Construction area is 92888.56 Sqm

Deliberations:

The Authority noted that the PP has submitted CRZ map in 1:4000 scale prepared by IRS Chennai as per approved CZMP 2019. Project site in various CRZ area:-

Sr. No.	CRZ Classification	Area in sqm
1	NDZ within CRZ-II Greater Mumbai	14035.55
2	CRZ-II	1170.05
3	Total Area	15205.60

The CRZ map shows the proposed buildings is situated within NDZ of the CRZ II area within Greater Mumbai, due to Garden reservation.

The PP further presented that the Plot Area of 15205.60 Sq.m is situated in Garden Reservation as per DP of 1991 & 2034. As per the DCPR 2034, the SRA schemes are allowed on RG/ PG and open plots reservations in ratio 65/35 (Redevelopment / Reservation). Accordingly, the SRA has sanctioned the SR scheme as per the provisions of the applicable DCPR, with limited to 35% Garden reservation i.e. 4681.90 Sq.m, which will be maintained as it is and no construction is proposed on the said area.

The PP presented that the SRA scheme on plot under reference was initially sanctioned in the year 1998 by the SRA (Planning Authority). Now, the PP has applied for the CRZ clearance under CRZ Notification, 2019.

The Authority noted that project of SRA is situated in NDZ of the CRZ II within Greater Mumbai, on virtue of Garden reservation, as per approved CZMP, 2019,

The Authority further noted that the para 10.3 (i) of the CRZ Notification, 2019, which states that, *In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised*



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as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible".

It was noted that the matter was earlier considered in 167th meeting of MCZMA held on 18.05.2023 and after referred the matter to MoEF& CC, New Delhi for guidance and necessary decision at NCZMA level.

Now, the Hon'ble National Green Tribunal (NGT), New Delhi passed an order dated order dated 24.10.2024 in OA No. 327/2024 (Hubtown Ltd V/s. MoEF&CC & Ors). The relevant operative paras of the said Hon'ble NGT order is reproduced as follows:

"48. Despite the fact that the land under consideration cannot be treated to be Garden due to slum inhabitation being concluded by the order of the NGT dated 17.10.2012 in Appeal No. 14/2012 and also the decision of the MCZMA daed 26.4.2023, in the subsequent draft CZMP published on 29.3.2017 and 6.1.2020 and the CZMP approved on 29.9.2021, the entire subject property was erroneously shown as reserved for Garden. The respondents are not justified in showing the subject property as Green in the CZMP ignoring the earlier of the NGT and the decision taken by the MCZMA in its 81st meeting held on 26.4.2023. The proposal forwarded by the SRA to MCZMA on 20.4.2022 in respect of revised LOI in terms of clause 5.2 of CZMP 2019 was required to be considered by the MCZMA, keeping in view the above finally concluded position but the MCZMA instead of taking decision on the proposal has merely referred the matter to MoEF&CC, New Delhi for guidance in its 167th meeting held on 18.5.2023. The MoEF&CC has rightly taken the stand in this OA that in terms of the CRZ Notification 2011/2019, the SCZMA is primarily responsible for enforcement and implementation of provision of CRZ Notification. Hence, the decision is required to be taken by the MCZMA. Learned counsel for MoEF&CC during the course of arguments had stated that the observations made in the order of the NGT dated 17.10.2012 in Appeal No. 14/2012 are correct and as per the MCZMA classification of the subject land dated 26.4.2013 which is based on CRZ Notification 1991. The subsequent CRZ Notification 2011/2019 will have no bearing on the classification agreed upon by the MCZMA under CRZ Notification 1991. The MCZMA can not repeatedly raise the same issue which is already concluded. The proposal



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of the applicant needs consideration under clause 5.2(i), (ii) and (iii) of CRZ Notification, 2019.

49. When the issue was decided between same parties in respect of same property qua the same slum scheme by the NGT on 17.10.2012 which has attained finality, ignoring the said order of the Tribunal, a contrary stand can not be taken by the respondents

50 Hence, the OA is disposed of directing the respondent No. 4, MCZMA to take steps on the proposal of the applicant within two months in accordance with the order of the Tribunal dated 17.10.2012 passed in Appeal No. 14/2012 and the observations made above and ignoring the contrary reflection about the subject property in CZMP 2019"

The Authority took note of the said order and also referred the order dated 17.10.2012 passed in Appeal No. 14/2012 in the matter.

On perusal and detailed deliberations on the above said orders of Hon'ble NGT dated 24.10.2024 in OA No. 327/2024 & earlier order dated 17.10.2012 passed in Appeal No. 14/2012, the Expert Members observed the followings:

- 1) The subject land under reference is under reservation of Garden as per the old DP existed as on 19.2.1991 and as per the current prevalent DP of the Municipal Corporation of Greater Mumbai sanctioned under the Maharashtra Regional Town Planning (MRTP) Act, 1966. Hence, by the virtue of the said reservation of Garden, the subject land falls in No Development Zone (NDZ) within CRZ II limit from the Arabian Sea, in accordance with the provisions of CRZ Notification, 2019.
- 2) Moreover, the CZMP of the Greater Mumbai has been approved by the MoEF&CC, New Delhi on 29.9.2021 wherein the subject land is shown as Garden, hence it falls within CRZ II (NDZ) area.
- 3) The Hon'ble NGT views that, the said indication of the land as Garden in CZMP is erroneous. However, the Authority observes that, the said view / position of the Hon'ble NGT is not in accordance with the provisions of the CRZ Notification, 2019. Indication of the Garden reservation on the approved CZMP is sourced from the approved DP of State Govt, in accordance with the para 10.3 (i) of the CRZ Notification, 2019.

The para 10.3(i) of the CRZ Notification, 2019 specifies as follows:



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

Following the above provision, the CZMP has been prepared and all open spaces, parks, gardens, playgrounds indicated in development plans approved by the State Govt within CRZ-II has been categorised as No Development Zone by the Central Govt Authorized agency. CZMP has depicted the gardens, playgrounds as shown in the DP of MCGM has been shown in the CZMP as NDZ area, irrespective of the present land use. The reservation of the NDZ in the CZMP is totally based on the reservations in the DP of the MCGM. The CZMP has followed what DP of the MCGM showed, in accordance with the para 10.3 of CRZ, 2019. Hence, showing the NDZ in the CZMP is completely in compliance with the above said provision of 10.3(i) of the CRZ Notification, 2019. The said para 10.3 is applicable irrespective of the fact where there is slum or not on the site. Only requirement under the said para is to follow & recognize the DP reservations which is Garden, in the instant case.

Hence, the view of Hon'ble NGT that land cannot be treated as Garden due to slums presence on the land, is in contravention to para 10.3 of the CRZ Notification, 2019 and thus, it is erroneous.

- 4) Furthermore, the Hon'ble NGT has directed to consider the subject SRA proposal under para 5.2(i), (ii) and (iii) of CRZ Notification, 2019. This observations / directions of the Hon'ble NGT is not in line with legal provisions of CRZ Notification, 2019, for the simple reason that, the said paras 5.2(i), (ii) & (iii) is not applicable to lands under Garden reservation.

Whereas, the para applicable to subject land/ proposal is above stated 10.3 of CRZ Notification, 2019, on account of Garden reservation, whereby, the residential and commercial development is not allowed. Considering the applicability of the para 10.3, the subject proposal of SRA scheme comprising residential development could not be permitted, on the subject land.


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- 5) The Authority is aware of the fact that there is existence of slum on the subject site; whereas, contrary to ground realities, in DP of the MCGM, there is reservation of Garden, which is merely a fictional existence on paper. Hence, the Authority observed that matter could be explored for modification in DP to bring it in consistence & sync with the ground reality by PP with MCGM. Till the time, there is modification in the DP and consequent revision in CZMP following due process, the said proposal of the SRA scheme on subject land could not be permitted under para 5.2(i), (ii) and (iii) of CRZ Notification, 2019 overlooking the para 10.3 (i) of the CRZ Notification, 2019.

Notwithstanding, the Authority also took note of the fact that, the State Government, on recognizing the ground realities of the SRA schemes on Garden reservations, has recommended a proposal to MoEF&CC, New Delhi, requesting for amendment in the CRZ Notification, 2019 for permitting the SRA schemes in land reserved for Garden/RG/PG as per DCPR 2034. The State Government is pursuing the said proposal with MoEF&CC, New Delhi. Presently, the said proposal of State Government is under siege and consideration of the MoEF&CC. If GoI, MoEF&CC is willing to modify the CRZ Notification, 2019 as per Order of Hon. NGT in OA No. 327/2024 dated 24.10.2024, the MCZMA Authority will consider the said proposal accordingly and permit the development as per DCPR 2024. Till the time, the said proposal receives modification in CRZ Notification, 2019 from MoEF&CC, the instant SRA proposal on subject land could not be recommended from CRZ point of view, in accordance with the provisions of the CRZ Notification, 2019.

Decision:

Therefore, in view of above observations, the Authority after detailed discussion & deliberation decided to recommend the subject proposal to SEIAA for rejection, in accordance with provisions of the CRZ Notification, 2019 and request BMC for modification in DP 2034 and GoI, MoEF&CC for amendment in CRZ Notification, 2019.



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Item No. 24: Proposed reconstruction of existing Hotel Building at plot bearing CTS No. B/1150 at Band Stand, Bandra, Mumbai, Maharashtra by M/s. ELEL Hotels & Investment Ltd.

Introduction:

The proposal is for reconstruction of existing Hotel Building at plot bearing CTS No. B/1150 at Band Stand, Bandra, Mumbai.

The Authority noted that, earlier the proposal of reconstruction of Hotel Building submitted under CRZ Notification, 2011 was considered in 122nd meeting of MCZMA held on 30.10.2017 and decided to recommend the proposal from CRZ point of view to MoEF&CC, New Delhi. However, Advocate Sonia Raj Sood has filed repeated complaints in the said proposal.

Meanwhile, the Coastal Zone Management Plan of Mumbai City & Mumbai Suburban approved on 16.08.2018 by MoEF&CC, New Delhi under CRZ Notification, 2011.

The matter was again considered in 127th meeting of MCZMA held on 2.11.2018 and decision taken in 122nd meeting has been cancelled. 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.

The Authority noted that, the PP has now submitted proposal as per para 5.2(iv) of CRZ Notification 2019 as well as approved CZMP under CRZ Notification 2019.

The Authority decided to hear the complainant Advocate Sonia Raj Sood. Accordingly, Advocate Sonia Raj Sood was present in person for the MCZMA meeting.

The project proponent along with Consultant presented the proposal before the Authority. Adv Sonia Raj Sood heard the presentation and given an opportunity to discuss and ask questions.

Consultant presented that, the existed old Hotel called "SEA-ROCK", which was badly affected by Bomb Blasts in 1993 and was closed since then. As this Hotel building with basements was authorised building having building completion certificate dated 18 August 1979, its redevelopment was permissible as per CRZ



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Notification 1991. The MoEF New Delhi has accorded CRZ and Environmental Clearance for reconstruction of hotel, on 17th March 2009 for building consuming 2.5 FSI, being existing consumed FSI.

Further, the Urban Development Department (UDD), GoM granted 3 additional FSI as per DCR 1967 by charging premium + FSI of 2.5 (Protected FSI of old building) i.e. 5.5 FSI on 22.07.2009.

Thereafter, in the year 2016, MCGM has submitted approved amended plans dated 21.07.2016, High Rise Star Category Residential Hotel Building comprising of three tier basement + Ground floor + 1st to 6th floor (Common Amenities) + 7th to 29th floor (Guest floors) + 30th floor Refuge floor / service floor + 31st floor swimming pool with 5.48 FSI. The said proposal was discussed in 122nd & 127th meetings of the MCZMA meetings held on 30th Oct, 2017 and 2nd Nov 2018 respectively, when MCZMA directed to submit revised proposal as per new CZMP.

Now, PP has submitted the proposal as per provisions of CRZ Notification 2019 as well as approved CZMP as per CRZ-2019.

Deliberations:

The Authority noted that presently, CRZ Notification, 2019 issued by the MoEF&CC, New Delhi on 18.01.2019. Further, the Coastal Zone Management Plan of Mumbai City & Mumbai Suburban approved on 29.09.2021 by MoEF&CC, New Delhi under CRZ Notification, 2019. Therefore, the CRZ Notification 2019 and approved CZMP under CRZ Notification 2019 are in force and implemented.

As per the submitted proposal under CRZ Notification, 2019, Proposed Hotel building comprises of Three Basement + Ground Floor + 1st Mezzanine Floor + 1st Floor + 2nd Mezzanine Floor + 2nd to 39th Upper Floors, with height of 157.20 m upto terrace level.

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale & report prepared by IRS, Chennai (MoEF&CC authorised agency) as per approved CZMP under CRZ Notification, 2019. Extent of project site in various CRZ:-



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CTS No.	CRZ Classification	Area in Sqm	Total area in sqm
B/1150	CRZ-II	9500	9500
B/1153	CRZ-IB	14863.43	17120
	CRZ-II	2060.07	
	CRZ-IVA	196.50	
B/1155	CRZ-III (NDZ within CRZ II - Greater Mumbai)	985.55	1050.50
	CRZ-IB	64.95	
B/1156	CRZ-II	729.50	729.50

PP & Consultant presented that, even though the subject site plot has four CTS No. B/1150, B/1153, B/1155, B/1156, however, reconstruction is proposed on plot bearing CTS No. B/1150 only, which is situated in CRZ II area. The said CTS No. B/1150 is situated in Residential zone and not reserved for any public purpose, as per D P Remarks 2034.

It was further presented that, the project site where building is proposed to be constructed and FSI is claimed is only CTS No. B/1150 and that CTS No. B/1150 is situated in CRZ-II as per approved CZMP 2019 as well as demarcation obtained from IRS Chennai. Remaining Plots are captured being contiguous in BMC layout

PP & Consultant further presented that, construction of new building at any floor / basement is not protruded in seaward side of this old Podium line/ basement line on Sea Side. The orientation of the building at higher levels is changed than that of old hotel building line, but at no point it protrudes old basement/podium line as limiting line for proposing construction in CRZ-II.

The PP & Consultant further presented that, as per DCPR 2034, Maximum permissible FSI for Residential Hotel building on independent plot with access road of 18.30m wide is 4.00 and additional 35% fungible FSI totalling to 5.40 FSI. However, in the instant case, FSI of 2.5 (Protected FSI of old building) + 3 additional FSI as per DCR 1967 by charging premium was allowed by Urban Development Department, on 22.07.2009. Thus total 5.5 FSI was allowed on the plot. Even Payment of premium for additional FSI was paid partly. This FSI of 5.50 (2.5 of existing authorized building +3 additional FSI by premium and the premium was paid partially) allowed in the year 2009, was allowed to be protected as a past commitment by Urban Development Department, while



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converting the said proposal as per DCPR 2034, subject to certain conditions on 07th August 2024.

Total Plot area (CTS No. B/1150, B/1153, B/1155, B/1156) is 28400.00 Sqm, Area of Plot Adopted (CTS NO. B/1150) is 9500.00 sqm, FSI area is 52203.12 sqm, Non FSI area is 35176.89 Sqm, Total Construction area is 87380.01 Sqm.

The Authority noted that the proposal also requires Environment Clearance under EIA Notification, 2006, since construction area is exceeding 20,000 Sqm. Further, the PP need to obtain all other statutory permissions as applicable for the project.

The Consultant & PP informed that a separate proposal has been submitted for obtaining EC under EIA Notification, 2006. The Provisional CFO NOC has been issued on 09.10.2024. The proposal has received various concessions form Hon. MC vide No. CE/2201 /WS/AH/ 337/4/ AMEND dated 22.10.2024. Further, amended plan is approved on 23.10.2024 by MCGM.

The Authority asked Advocate Sonia Raj Sood to submit their say in the matter. Accordingly, Advocate Sonia Raj Sood presented her say orally and submitted written submission vide letter dated 11.12.2024. Issues / concerns raised by her summarized as follows:-

- i. Grant of the FSI of 5.5 by the Urban Development Department (UDD) vide letter dated 7.8.2024 is illegal.
- ii. MCGM has unlawfully sanctioned the building plans on 23.10.2024.
- iii. Hon'ble NGT in its order dated 9.9.2020 (Sonia Raj Sood V/s Union of India) has cancelled the extra FSI.
- iv. There is matter bearing C.A. No.3973/2020 before Hon'ble Supreme Court which is still sub-judiced.
- v. Recently, interim application no. IA 37585 / 2024 in PIL No. 49/2012 has been filed on 10th December, 2024 in Mumbai High Court.

The Authority took note of all concerns / issues raised by Adv Sonia Raj Sood and also considered the detailed background of the matter and status of the various court cases including order of the Hon'ble NGT. . The Authority noted the followings:



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- i. The Urban Development Department, GoM is competent Authority with respect to town planning rules and matter connected thereof including FSI. As per submission before the Authority, the UDD has granted & protected the FSI 5.5 in the matter vide letter dated 22.07.2009 & 7.8.2024 respectively subject to certain conditions.

The Authority observed that, as per the para 5.2(iv) of the CRZ Notification, 2019, in CRZ II area, reconstruction of authorized buildings is allowed subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on 18.01.2019. Therefore, grant of the FSI as per the prevailing local town and country planning regulations prevailing as on 18.1.2019 are subject matter of concerned Planning Authority i.e. MCGM and the UDD, GoM. UDD & MCGM need to ensure that FSI in the proposal is in accordance with above said provision of the CRZ Notification, 2019.

- ii. The Authority re-iterated that, it is the Planning Authority who is responsible and need to ensure that the sanctioned plans are in accordance with provisions of the CRZ Notification, 2019.
- iii. The Authority noted the matter of Original Application No. 151/2020 (Earlier OA No. 89/2018) and order dated that 09.09.2020 passed by the Hon'ble NGT, New Delhi. The Authority noted that the said NGT matter dealt with various issues, mainly concern with the CZMP of the subject site. In the said matter, a joint committee comprising members from MoEF&CC, CPCB, NCZMA, MCZMA and IRS, Chennai (MoEF&CC authorized agency) submitted a detailed comprehensive report in the Hon'ble NGT. Hon'ble NGT order dated 9.9.2020 passed final order whereby the matter had been disposed of.

The Authority noted the excerpt of the said Order of Hon'ble NGT, New Delhi is reproduced as follows:

"We find that the joint Committee has visited the site and duly verified the factual position exhaustively. There is no justification to cast aspersions on the Committee of experts who are public servants. The factual position with respect to all the three objections of the applicant - location of the hotel in CRZ II, the FSI and the mangroves has been clearly explained, as mentioned and quoted earlier. We have considered the objections


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of the applicant and heard her at length. We do not find any ground to quash the final Coastal Zone Management Plan in question. We, however, direct the MCZMA to maintain strict vigil against any violation of the Coastal Zone Management Plan. The application is disposed of accordingly. In view of order in the main application, all I.A.s will also stand disposed of, with-out any separate order."

The Authority perused the order and noted that, Hon'ble NGT matter was mainly pertaining to alleged erroneous CZMP of the subject site. Hon'ble NGT did not find any ground to quash the final Coastal Zone Management Plan and disposed of the matter. It was further observed that while disposing the matter, the Hon'ble NGT did not order cancellation of FSI in the matter.

- iv. The Authority noted that, Advocate Sonia Raj Sood has filed Civil Appeal No. 3973 of 2020 before Hon Supreme Court against Order dated 09.09.2020 passed the Hon. NGT. The Authority noted the orders of Apex court dated 16.03.2021, 05.07.2021, 04.08.2021, 14.03.2022, 24.08.2022, 27.02.2023, 11.04.2023, 10.07.2023 & 11.12.2023. It was observed that there is no stay order / status- quo order passed by the Hon'ble Supreme Court in the matter. Hence, the Authority noted that there is nothing that prohibits the Authority from deciding the instant proposal as per provisions of CRZ Notification, 2019 & CZMP approved under it.
- v. The Authority further noted that, Advocate Sonia Raj Sood has also filed PIL No. 49 of 2012 in the matter before Hon. High Court. It was noted that Legal Department of MCGM has provided Legal Opinion dated 01.10.2024 on the PIL 49/2012.

Excerpt of the Legal Opinion as follows:

"In view of above, there is no restraining order passed by the Hon'ble High Court, however, in view of order dated 18.02.2013, before granting the CC upon receipt of the clearance from the MOEF, at least 3 weeks notice will have to be given to the Petitioner in person as per the directions of Hon'ble High Court. Further, as directed by the Hon'ble High Court in event of MOEF permission being granted, the concerned respondents shall forthwith serve a copy thereof upon the Petitioner in person at the address mentioned in the title. The construction activities if any,



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shall even in that case not commence for period of 4 weeks after the service of the order upon the Petitioner as aforesaid. Therefore, the department may consider the proposal of the Applicant in accordance with law as per the prevailing policy, DC Regulations and compliance of directions of Hon'ble High Court."

The Authority noted that as per the above, there is no restraining order from the High Court in PIL 49/2012. Recently, interim application no. IA 37585 / 2024 in PIL No. 49/2012 has been filed by Adv Sonia Raj Sood on 10th December, 2024 in Mumbai High Court. The recent matter is yet to come on board for hearing, hence, it is noted that there is no order which bars the process of deciding the proposal as per CRZ Notification, 2019.

The Authority noted that there is no restraining or prohibitory order from any court of law for deciding the proposal in accordance with CRZ Notification, 2019 and approved CZMP, 2019 (as amended from time to time).

As per para 5.2 (iv) & (v) CRZ-II of the CRZ Notification, 2019,

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

(v) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification."

As per Annexure-III of the CRZ Notification, 2019:

"Construction of beach resorts or hotels in designated areas of CRZ-II for occupation of tourist or visitors shall be subject to the certain conditions"

As per Para 7(iv) of the CRZ Notification, 2019:

"Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14th September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management



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Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) for category 'B' projects."

The Authority noted that, as per para 7(iv) of the CRZ Notification, 2019, which is in force presently, Project attracting EIA notification, 2006 under category 'B' need to be considered by State Environmental Impact Assessment Authority (SEIAA) based on recommendations of the MCZMA.

The Authority noted that Reconstruction of authorized buildings in CRZ II shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on date of the CRZ Notification, 2019 i.e. 18th January, 2019

The concerned planning authority i.e. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI prevailing as on date of the CRZ Notification, 2019 i.e. 18th January, 2019. Further, reconstruction is permitted only on CTS No. B/1150 in CRZ II only. No construction is allowed in CRZ-I, NDZ within CRZ-II area and CRZ-IVA.

The PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.

Decision:

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

1. The concerned Planning Authority i.e. MCGM shall ensure that the proposed reconstruction should be carried out strictly as per the provisions of CRZ Notification, 2019 (as amended from time to time) and guidelines/ clarifications given by MoEF&CC from time to time.
2. PP to strictly ensure the compliance of guidelines stipulated in Annexure-III of the CRZ Notification, 2019.
3. The concerned Planning Authority i.e. MCGM should strictly ensure that proposed reconstruction of authorized building in CRZ II shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on



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date of the CRZ Notification, 2019 i.e. 18th January, 2019, before issuing commencement certificate to the project.

4. The concerned Planning Authority i.e. MCGM should strictly ensure that proposed reconstruction of building on plot bearing CTS No. B/1150 in CRZ II area only.
5. The concerned Planning Authority i.e. MCGM should not grant any construction permission on CRZ-I, NDZ within CRZ-II area and CRZ-IVA, as per provisions of CRZ Notification, 2019.
6. The concerned Planning Authority i.e. MCGM to ensure that there shall not be any reconstruction proposed on seaward side beyond the existing approved plinth of old building.
7. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
8. PP to obtain the Environment clearance, since the total construction area exceeds 20,000 Sqm as per EIA Notification, 2006.
9. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place, as per MSW Rules, 2016.
10. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
11. Safe disposal of the wastewater should be ensured.
12. This CRZ recommendation is subject to final outcome of Hon. Supreme Court & Hon. High Court matters & any other matters in court of law.
13. All other required permission from different statutory authorities including Civil Aviation NOC or CCZM certificate, Fire NoC should be obtained before starting construction at the site shall be ensured by Urban Local Body.



Member Secretary



Chairman

***Minutes of the 180th Meeting (Day-2) of Maharashtra Coastal Zone
Management Authority held on 11th December, 2024***

Annexure I

List of members/officials present in the online meeting:

1. Principal Secretary, Urban Development Dept-1, Member, MCZMA
2. Dy. Ch.E. DP MCGM, Member, MCZMA
3. Mr. M. K. Mirashe, Representative of Industries, Member, MCZMA
4. Dr. A. K. Choubey, Expert Member, MCZMA
5. Mr. Maruti Kudale, Expert Member, MCZMA
6. Dr. Mahesh Shindikar, Expert Member, MCZMA
7. Smt. Reshma Pitale, BNHS, Expert Member MCZMA
8. Mr. Abhay Pimparkar, Director, Environment & CC and Member Secretary, MCZMA