

**MINUTES OF THE 99th MEETING OF MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY (MCZMA) HELD ON 16TH MAY, 2015**

Ninety Ninth (99th) meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment), GoM on 16th May, 2015 at 10.30 am at Sachivalay Gymkhana, Mumbai.

List of Members present in the meeting is enclosed as **Annexure-I**.

Item No.1: Proposed re-concretization of the stairs & chequered tilling work near Visarjan Ghat on Bhayander (E), Jaisal Park Chowpaty by Mira Bhayander Municipal Corporation.

Mira Bhayander Municipal Corporation officials presented the matter before the Authority. The Authority noted the followings:

1. Mira Bhayander Municipal Corporation(MBMC) vide letter dated 19.11.2014 submitted the proposal for reconstruction and leveling work of cement concrete pathway chequered tiles on Jaisal Park Beach, Bhainder (East)-MBMC.
2. As per details submitted by MBMC, the said land falls in CRZ I(i). The site under reference is affected by Mangroves. The land under reference falls in Public/Semipublic zone.
3. As per Form I submitted by project proponent, Proposed Chowpaty Construction is in 122A reservation plot in Bhaindar (E). Proposal is for reconstruction work of chowpaty, as per DP reservation.
4. As per CRZ map prepared by CESS, Kerala; the site under reference falls in CRZ I(i) area. .

The Authority noted that the proposal was earlier deliberated in 95th meeting of the MCZMA held on 13th January, 2015 wherein the MBMC officials presented that the proposal is for reconstruction and leveling work of cement concrete pathway chequered tiles on Jaisal Park Beach, Bhainder (E), MBMC. MBMC officials further stated that concrete pathway on Jaisal park beach is in existence since around last 20 years and reconstruction is now proposed. Authority observed that MCZMA is in receipt of numerous complaints regarding CRZ violations & mangroves destruction at Jaisal Park Chowpaty area.

During 95th meeting, the Authority decided to direct the MBMC to submit the documentary proofs/records regarding the existence of cement concrete pathway on jaisal park beach since last 20 years to the Authority.

The Authority further noted that MBMC sent a reply dated 17.01.2015, which states that the Ganpati Visarjan Ghat (pier) on Bhayander (E) Jaisal park chowpaty and stairs was constructed in 1994 and concretization of the stairs near said Ghat is done in the year 2000-2001. Said stairs near Ghat has again got damaged and local people are facing problems while walking on it. Hence, re-concretization of the said stairs & chequered tilling work is proposed. MBMC also submitted the copy of permission letter dated 18.2.2001 from Chief Officer, MBMC and completion certificate of work from Deputy Engineer, MBMC.

The Authority further noted that above said existing work on site under reference predates the MCZMA's constitution order dated 4.1.2002, which empowered the MCZMA to examine the project in CRZ area. The Authority further observed that CRZ Notification, 1991 was in force when the above said work was done in the year 1994 & 2000-2001 and the concerned authorities at the State level were empowered to regulate the activities from CRZ point of view in CRZ areas as per provisions of CRZ Notification, 1991.


Chairman


Member Secretary

2. After completing the credible action on violation and also the action as per Sr No. 1, the proposal would be again placed before the MCZMA for appraisal in the light of above said OMs of MoEF.

Item No.21: Reconstruction of existing building on plot bearing CTS No. B/156 of village Bandra(W), Mumbai by Mr. Yusuf Noor Mohd.Khan.

The Project proponent (PP) presented the proposal before the Authority, which is as follows:

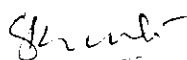
1. Proposal is for Proposed reconstruction on plot bearing CTS No. B/156 of village – Bandra, on Chapel Road, situated in ‘H-West’ ward, Bandra (W), Mumbai by Mr. Yusuf Noor Mohammad Khan. Proposed residential building comprising of Ground + 7 upper floor as per Regulation 33(6) of DCR 1991. MCGM vide letter dated 19.12.2014 forwarded the proposal to MCZMA.
2. Area of the plot as per PR card is 141.30 sqm and the existing area which admeasures 252.97 sqm is proposed to be demolished and the equivalent area is to be reconstructed and the same is permissible as per Regulation 33(6) of DCR 1991 for FSI purpose.
3. As per MCGM letter dated 19.12.2014, the plot under reference is situated in residential zone as per 1967 DP as well as in revised DP 1991 and is not under any reservation as per both of the development plans.
4. MCGM letter dated 19.12.2014 mentions that, as per approved CZMP of Mumbai the land under reference falls within 500m from HTL & in CRZ II. The plot under reference is on landward side on Chapel Road.
5. MCGM letter dated 19.12.2014 mentions that, the existing residential building comprising of Gr. + 2 upper floors is in dilapidated condition and needs to be pulled down and the same is declared unsafe by MCGM on 9.12.2010 & 29.4.2011.
6. FSI Details, as per MCGM letter dated 19.12.2014 and as per plans approved:.
 - Area of plot-141.30 sqm.
 - BUA of existing House-252.97 sqm.
 - FSI Permissible-1.00
 - Proposed BUA - 252.56 sqm.
 - BUA claimed Free of FSI (Balcony Area) – 22.12 sqm.
7. Municipal Commissioner, MCGM has approved various concessions for the proposed building on 6.7.2014. MCGM has issued IOD vide letter dated 19.8.2014 for the project.

The Project proponent presented that the plot is fronting to Mahim Bay. The Authority after discussion decided to direct the PP to submit the CRZ map in 1:4000 scale & report along with conclusion prepared by one of the agency authorized by MoEF and other related documents in order to seek the CRZ status of plot under reference which is fronting Mahim Bay as per provisions of CRZ Notification, 2011. Said CRZ map prepared by MoEF authorized agency should also indicate the HTL as per the approved CZMP of the Mumbai & 100 m CRZ area from approved HTL and the present ecosystem.

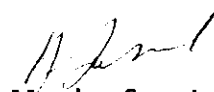
The Authority decided that the proposal could be discussed only after submission of above said CRZ map & the report by project proponent.

Item No.22: Note on MCZMA’s Office Memorandum dated 2.7.2011 about submission of IOD

The Authority noted that MCHI-CREDAI vide letter dated 23rd April, 2015 made a representation to Principal Secretary, (Env) and Chairman, MCZMA regarding simplification of the application procedure to seek MCZMA’s recommendation.



Chairman



Member Secretary

The Authority noted that as per the para 4.2 of the CRZ Notification, 2011, project proponent should submit the application along with necessary documents / information as mentioned in para 4.2 to MCZMA for obtaining the CRZ recommendation.

The Authority further observed that provisions of the CRZ Notification, 2011 are linked with town and country planning regulations, wherein FSI, zoning, reservations, height etc issues are involved. Hence, MCZMA issued OM dated 2.7.2011 and checklist was prepared, as per which, proponent should submit the proposal (Building proposals especially) to MCZMA through concerned planning authority with its remarks.

Further, the Authority noted that the MCZMA in its 78th meeting dated 3.11.2012 decided that Intimation of Disapproval (IOD) should also be submitted to MCZMA along with proposal through concerned planning authority.

The Authority deliberated the issue at length and felt that IOD condition may be waved off for submission of proposals to MCZMA through concerned planning authority for obtaining CRZ recommendation. Instead, proposal could be submitted with approval of conceptual plans without IOD by concerned planning authority. This would avoid delay in processing of proposals at concerned planning authority as well as MCZMA level. However, the Authority further observed that proposal will continue to be submitted to MCZMA through concerned planning authority, (Building Proposals especially) as per above said OM 2.7.2011 of MCZMA.

The Authority decided to communicate the above decision to concerned planning authority.

Item No.23: Salary Structure of technical staff in MCZMA

The Authority noted that MCZMA in its 56th & 67th meeting of MCZMA held on 24.8.2009 & 22.12.2010 noted that there is a need of technical staff considering the workload and time-bound compliance of processing of the proposals for CRZ recommendations, complaints, court cases and compliance of applications under RTI Act. Hence, Authority decided to approve and appoint the following technical posts i.e. Coastal Coordinator, Law Officer and Stenographer (English & Marathi), Coastal Officer, Coordinator and Data Manager immediately on the contractual basis as per the payment proposed before the Authority. Other posts like Assistant Coastal Officer/ Assistant Law Officer and Driver may be appointed on contractual basis as per the requirements with the approval of Chairperson, MCZMA.

In the 73rd meeting of MCZMA held on 30.12.2011, Authority noted that Government and Finance Department approved the staff as follows for MCZMA:

Sr. No.	Post	No. of posts	Fixed Payment Minimum-Maximum (Rs.)	Remarks
1	Coastal Officer	2	13000-25000	Depending upon qualification & experience
2	Project Analyst	2	12000-25000	Depending upon qualification & experience
3	Project Coordinator/ Coastal Coordinator	3	8000-15000	Depending upon qualification & experience
4	Law Officer	1	10000-20000	Depending upon qualification & experience