

Item No.22: CRZ status for site bearing S. No. 3, H. No. 3 & 8, Village Shiroda, Tal. Vengurla, Dist. Sindhudurg by Mr. Faiyaz Gharade

Shri Faiyaz Gharade presented the proposal before the Authority in the meeting. Application is for seeking CRZ status to the project site bearing S. No. 3, H. No. 3 & 8, Village Shiroda, Tal. Vengurla, Dist. Sindhudurg. The PP has submitted the CRZ map dated 21.4.2015 in the scale of 1:4000 superimposing the project site under reference prepared by IRS, Chennai. As per report of IRS, Chennai, HTL demarcated by IRS, Chennai, for tidal influenced channel corresponds to the HTL in approved CZMP in the vicinity of site subjected to generalization error caused by variation in scale of mapping.

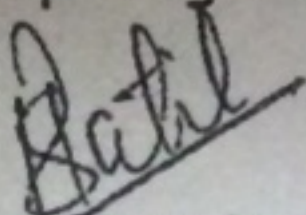
The Authority noted that as per the report of IRS, Chennai dated 21.4.2015, the plot is beyond 100 m CRZ setback line from the HTL of the River, as indicated in approved CZMP.

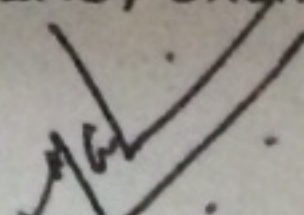
After deliberation, the Authority decided to confirm that plot bearing S. No. 3, H. No. 3 & 8, village Shiroda, Tal. Vengurla, Dist. Sindhudurg is beyond 100 m CRZ setback line from the HTL of river.

Item No.23: CRZ status for project site bearing F. P. No. 913 of TPS-IV, Mahim Division in G/South Ward, situated at Sayani Road, Prabhadevi, Mumbai by M/s Wairkar's Architects & engineers

The project proponent presented the proposal before the Authority in the meeting. Application is for seeking CRZ status of project site bearing F P no. 913, TPS IV, Mahim Division, in G/south ward, situated at Sayani Road, Prabhadevi, Mumbai.

The PP has submitted CRZ map dated May, 2015 in the scale of 1:4000 superimposing the project site under reference prepared by IRS, Chennai. As


Member Secretary


Chairperson

Notification dated 6.1.2011 in light of the Hon. High Court order dated 17th Feb, 2015. In the said order, Hon. High Court directed MoEF to modify CRZ Notification dated 6.1.2011 and set aside MoEF Notification dated 29th march, 2011.

The Authority noted the order of Hon. High Court dated 17th Feb, 2015. Further the Authority also noted the letters No. of MoEFCC, New Delhi F. No. 19-20-/2015-IA-III dated 10th March, 2015 and letter No. 11-702 dated 28.9.2015 and letter dated 29.9.2015 of MoEFCC, New Delhi. Vide these letters MoEFCC, New Delhi communicated that MoEFCC had issued an office memorandum dated 29th March, 2011 restricting the application of FSI / FAR for projects falling in 8.v.1.(c) category as on 6.1.2011. However, the said OM/ corrigendum has been quashed by High Court of Judicature, Bombay in WP 2305/2014. Therefore, MoEF vide above mentioned letters further clarified that applicable FSI/ FAR for such development projects in dilapidated, cessed and unsafe buildings will be as on date on which the project is granted approval by the concern competent Authority.

The Authority after deliberation decided to implement the directions given by MoEFCC, New Delhi vide above mentioned letters in light of High Court order and decided as follows. *Henceforth, FSI/ FAR norms for the project falling in category 8.v.1.(c) of CRZ Notification, 2011 i.e. projects of redevelopment of Cessed, dilapidated and unsafe buildings will be as on date on which the project is granted approval by the concern competent Authority.*

Item No. 31: Issue of Critical Vulnerable Area (CVCA)-Malvan, Dist-Sindhudurg

The Authority noted that as per para 8(V) 4. (a) of CRZ Notification, 2011, 'Malvan' and 'Achra' areas in Maharashtra have been notified as Critical Vulnerable Coastal Areas (CVCA) which shall be managed with the involvement of the local coastal communities including the fisher folk. For CVCA areas, the Integrated Management Plans (IMPs) has to be prepared based on the guidelines of MOEF. The MCZMA requested guidelines for preparation of

*Minutes of the 107th meeting of Maharashtra Coastal Zone Management Authority
held on 7th November, 2015*

1. MCGM should ensure that Erection or installation of hoardings/ boards or structures of Advertisement to be allowed only in CRZ II areas and only on landward side of existing road OR existing authorized structure OR within the periphery/ terrace/wall of existing authorized structure.
2. MCGM should ensure that No hoardings shall be installed in mangrove areas and its 50 m buffer zone.
3. No trees should be cut / destroyed during the installation of Hoardings.
4. All other necessary permissions from different competent authorities shall be obtained.

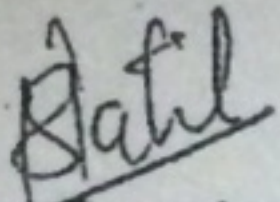
Item No.29: WP (L) No. 1770/2015 & 2003/2015 regarding Site visit to plots in MHADA layouts - Charkop & Malvani.

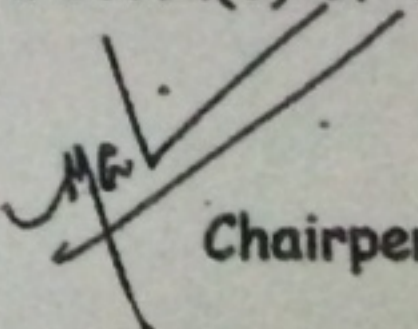
The MCZMA is in receipt of applications of Charkop Jyotirmay Sahakari Grihnirman Sanstha Maryadit & Malvani Radhakrishna Sahakari Grihnirman Sanstha Maryadit requesting site visit of MCZMA members. Applicants have pointed out the High Court order dated 22nd June, 2015 passed by the Hon'ble High Court of Mumbai in the subject petitions. The Hon'ble High Court has directed MCZMA to visit the site and submit a report about the approximate area of mangroves and distance of the plot from the mangroves.

After discussion, the Authority decided to make site visit to ascertain that the plot is on the landward side of the road and distance from the mangroves etc to the spots by constituting subcommittee comprising MCZMA members, MHADA and Mangrove Cell before 15th Dec, 2015 and submit the site visit report to the Hon. High Court.

Item No.30: Clarification regarding Para 8. V (c) of CRZ Notification, 2011

The Authority noted that the MCGM vide letter dated 15th Oct, 2015 requested MCZMA to issue clarification on applicability of DCR rules in cases of Cessed, dilapidated and unsafe buildings falling in the category of para 8.V.1.(c) of CRZ


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