

Minutes of the 113th meeting of Maharashtra Coastal Zone Management
Authority held on 8th to 11th August, 2016

expenditure for the development of the website and online application portal software and make a payment to NIC for the same, as per the norms decided by the NIC. MCZMA further decided to intimate NIC to start the work of development of online web portal to enable online submission of files at the earliest.

Item no. 22: Revised professional charges claimed by Ms. Sharmila Deshmukh Advocate in respect of WP No. 369/2011, WP No. 2407/2010 & Chamber summons matter (Adarsh CHS Ltd, Colaba matter)

The Authority noted that in the matters of Adarsh CHS before Hon. High Court (WP No. 369/2011, WP No. 2407/2010 & Chamber summons), the MCZMA had appointed Sr. Counsel, Shri Darius Khambata to argue the matter before the Hon. High Court on behalf of MCZMA. Adv Khambata claimed Rs. 1 Lakh on each date of hearing (exclusive of conference charges). Accordingly, the MCZMA has made payment in his favor.

Now, Ms. Advocate Sharmila Deshmukh vide letter dated 12.10.2015 and 6.5.2016 has requested Rs. 20,000 per date of hearing x 25 hearing = Rs. 5,00,000 (Rs. 5 Lakhs) for appearance before the Hon. High Court of Mumbai. Advocate Sharmila Deshmukh has mentioned that in the year 2011, the said Writ Petitions were heard for number of days consecutively but judgment was not delivered. Hence, no Memo of fees was raised by Adv Sharmila Deshmukh. She further stated that considering the fact that this matter is not a regular Writ Petition but involves hearing on day to day basis and requested MCZMA to consider the revised professional charges in the respect of Adarsh matter.

The Authority decided to release professional charges claimed by the Adv Sharmila Deshmukh in Adarsh matters for appearance before the Hon. High Court of Mumbai.

Item no. 23: Clarification on utilization / computation of BUA of the CRZ part of the plot for construction on contiguous non CRZ part of the plot of single owner by MCGM

The Authority noted that the Municipal Corporation of Greater Mumbai (MCGM) has sent a representation dated 31.3.2016 requested a clarification



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from MCZMA about the MoEF letters dated 28.9.2015 & 1.10.2015 addressed to CEO, MCHI regarding utilization / computation of BUA of the CRZ part of the plot for construction on contiguous non CRZ part of the plot of single owner. MCGM requested MCZMA whether above said MoEF letters can be implemented.

The MCZMA vide letter dated 7.6.2016 requested MoEF & CC, New Delhi to provide a confirmation to MCZMA whether the above said letters dated 28.9.2015 & 1.10.2015 are issued by MoEF & CC, New Delhi and also marked to MCZMA and MCGM for further implementation.

In response to MCZMA letter dated 7.6.2016, the MoEF & CC, New Delhi sent a letter dated 28.6.2016 whereby MoEF has forwarded attested copies of the letters dated 28.9.2015 and 1.10.2015 issued by MoEF to MCHI. The MoEF in its letter further stated that:

"The limited issue conveyed in the said explanatory communications is that CRZ Notification, 2011 restricts applicability of TCP Rules in CRZ areas and doesn't prohibit any activity beyond the CRZ areas"

Thereafter, the MCZMA vide letter dated 19.7.2016 has communicated the above said reply of the MoEF dated 28.6.2016 to MCGM and requested to follow the stipulations given by MoEF&CC, New Delhi.

The Authority noted the above.

Item no. 24: Proposed construction of building for Residential cum commercial purpose on plot bearing C. S. No. 3250 of S. No. 210, Hissa no. 3B & 3A + 4 Khed of Ratnagiri by Mr. Bhaskar S Kudalkar

The official from Khed Municipal Council & PP was present for the meeting and presented the matter before the Authority. The Authority noted that the proposal is for construction of building for Residential cum commercial purpose on plot bearing C. S. No. 3250 of S. No. 210, Hissa no. 3B & 3A +4 Khed of Ratnagiri. The proposed construction comprises of Ground + 4 floors on plot under reference. The plot under reference is partly falls within 100m from HTL of river and partly beyond 100m from HTL of river. The plot under reference


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Chairman