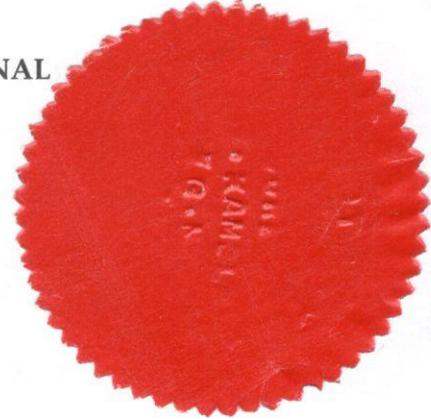


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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE AT PUNE

APPEAL NO. 13 OF 2024 (WS)



IN THE MATTER OF

Banda Nagaraj Kumar

..... APPLICANT

Versus

The City and Industrial Development Corporation

Of Maharashtra (CIDCO) & Ors.

..... RESPONDENTS

AFFIDAVIT IN REPLY OF RESPONDENT NO. 1 - CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LIMITED (CIDCO)

I, Raja Bhaguji Waghmare, the authorized representative of Respondent No.1, Age- 46 Years, Occupation-Service, Office At – CIDCO Bhavan, CBD Belapur, District Thane - 400614, after verifying all the records do hereby state on the solemn affirmation that –

- A. Respondent No. 1 states that it is a company duly incorporated on the 17th day of March 1970, under the Companies Act, 1956. Respondent No. 1 is a Government Company as defined under Section 617 of the Companies Act, with its entire share capital subscribed wholly and exclusively by the State Government and its seven nominees. Further, Respondent No. 1 states that it has been designated as the New Town


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Development Authority for Navi Mumbai pursuant to sub-section 3A of Section 113 of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as "the MR&TP Act"). Thus, by virtue of the foregoing and in accordance with Section 118 of the MR&TP Act, Respondent No. 1 is vested with the power and authority to dispose of, by way of lease, land acquired under Section 113A of the MR&TP Act and vested in it by the State Government, along with its own lands, for development purposes.

- B. Respondent No. 1 further states that to regulate the exercise of its powers under Section 118 of the MR&TP Act, the Board of Directors of Respondent No. 1 with prior approval duly obtained from the State Government under Section 159 of the MR&TP Act, has promulgated the New Bombay Disposal of Land Regulations, 1975 (hereinafter referred to as "the NBDLR"). These Regulations, by their own force (proprio vigore), establish the terms and conditions governing any lease of land executed or to be executed by Respondent No. 1. While Section 118 of the MR&TP Act empowers the Authority to dispose of land "to such persons and in such manner and subject to such terms and conditions, as it considers expedient for securing the development of the new town," the Board of Directors of Respondent No. 1 possesses the additional authority to supplement or modify the NBDLR, provided such modifications are conducive to the development of Navi Mumbai.
- C. Respondent No. 1 states that the present Application filed by the Applicant is totally false, misconceived and not maintainable in law.

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D. The present Application is nothing but a baseless attempt on the part of the Applicant and the Respondent No. 1 submits that the Applicant is deliberately and maliciously trying to drag Respondent No. 1 into the vexatious litigation. Also, facts put forth by the Applicant in the present Application are misleading. Moreover, the Applicant has not approached this Hon'ble Tribunal with clean hands and therefore does not deserve any equitable consideration from this Hon'ble Tribunal.

E. **WITHOUT PREJUDICE TO THE AFORESAID, THE PARAWISE REPLY TO THE SAID APPLICATION OF THE APPLICANT IS AS FOLLOWS-**

At the very outset, it is most respectfully submitted by Respondent No.1 that unless specifically admitted all the contentions of the Applicant in the Application may kindly be treated as specifically denied by Respondent No.1. The paragraph-wise reply to the Application of the Applicant is as follows:

1. In reply to the contents of Paragraphs No. 1 to 5 of the Application, Respondent No. 1 states that the contents thereof are a matter of record and hence need no reply. However, any inferences drawn are denied to their entirety by Respondent No.1.
2. In reply to the allegations made in Paragraphs Nos. 6, 7 and 8 of the Application, Respondent No. 1 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. The Respondent No. 1 states that the allotment letter of Plot no. 3, sector 12, Ulwe Node admeasuring 40400 sq


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m is issued on 18.05.2022 by Respondent No. 1 with the prior approval duly obtained from the State Government under Section 159 of the MR&TP Act. Respondent No. 1 states that Respondent No. 3, approved NOC for CRZ clearance on 20.11.2023. Respondent No. 1 states that the land was disposed of by Respondent No. 1, which is also vested with them. Respondent No. 3 has granted construction permission for non-CRZ areas, therefore, the question of restoring the land to its original position does not arise.



3. In reply to the allegations made in Paragraphs No. 9, 10 and 11 of the Application, Respondent No. 1 states that the contents thereof are a matter of record and hence need no reply. However, any inferences drawn are denied to their entirety by Respondent No.1. Respondent No. 1 in its capacity as the New Town Development Authority (NTDA), states that the land was disposed of by Respondent No.1, which is vested with them. Furthermore, Respondent No. 3 has granted construction permission for non-CRZ areas. Accordingly, there is no basis for characterizing the project land as ecologically sensitive. Respondent No. 3's NOC dated 20/11/23 confirms that the majority of the plot lies outside CRZ 1A (Mangrove Buffer) and is therefore available for construction. A copy of NOC dated 20/11/2023 is annexed herewith and marked as **Annexure A**.
4. In reply to the contents of Paragraphs No. 12, 13 and 14 of the Application, Respondent No. 1 states that the matter raised is already documented and primarily pertains to Respondent No.2 and Respondent No. 3. Consequently, no response is required. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No. 1 in its entirety.


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5. In reply to Paragraphs No. 15 to 19, the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No. 1 in their entirety.
 6. In reply to the allegations made in Paragraph No. 20 of the Application, Respondent No. 1 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. In accordance with the NOC issued by Respondent No. 3 based on the sanctioned Coastal Zone Management Plan (CZMP) 2019, Respondent No. 1 granted building permission solely for the non-CRZ area. The Applicant was instructed to comply fully with the conditions stipulated in Respondent No. 3's NOC.
 7. In reply to Paragraphs Nos. 21 to 26, the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No. 1 in their entirety.
 8. In reply to the allegations made in Paragraph No. 27 of the Application, Respondent No. 1 states the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. In accordance with the NOC issued by Respondent No. 3 based on the sanctioned CZMP 2019, Respondent No.1 granted building permission exclusively for the non-CRZ area. The Applicant was


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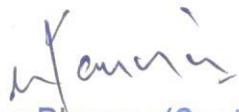
instructed to strictly comply with the conditions outlined in Respondent No. 3's NOC.

9. In reply to Paragraphs Nos. 28 to 40, the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No. 1 in their entirety.

10. In reply to the allegations made in Paragraph No. 41 of the Application, Respondent No. 1 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. Respondent No.1 states that the concerned area was handed over for temporary use on as is where is the basis to Respondent No.2 by Respondent No.1 dated 18/05/2018 for use as casting yard to facilitate the Mumbai Harbour Link (MTHL). This information was informed to Respondent No.3 officials during their site visit held on 13/09/2022. A copy of the Site Visit Report dated 13/09/2022 is annexed herewith and marked as **Annexure B**.

11. In reply to the contents of Paragraph No. 42, of the Application, Respondent No. 1 states that the contents thereof are a matter of record and hence need no reply.

12. In reply to Paragraphs Nos. 43 to 49, the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No. 1 in their entirety.


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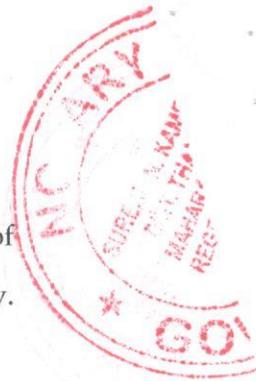
13. In reply to the contents of Paragraphs No. 50 to 55 of the Application, Respondent No. 1 states that the contents thereof are a matter of record and more related to Respondent No. 3 and 4, hence needs no reply

14. In reply to the allegations made in Paragraphs No. 56 and 57 of the Application, Respondent No. 1 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. Respondent no. 1 states that the land allocated for the casting yard is designated as developable according to the sanctioned development plan. Historical records, specifically 7/12 extracts of the survey nos for this land, indicate that it was privately owned by the villagers primarily for the purpose of agriculture, particularly rice cultivation. Notably, there is no historical record of fishing activities in this area. Fishing operations are observed at a considerable distance from the project site. These lands were subsequently acquired by Respondent No. 1 NTDA under the provisions of the Maharashtra Regional and Town Planning Act (MR&TP Act) for development purposes. Respondent No.1 also compensated the original landowners for the acquired land in accordance with the 12.5% scheme policy approved by the Government of Maharashtra on 06.03.1990 and 28.10.1994. The plot earmarked for the casting yard and subsequently the temple was carved out from these acquired survey numbers without causing any harm to existing mangroves, or mudflats, or disrupting fishing activities.

15. In reply to Paragraphs Nos. 58 to 60 the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from


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replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No. 1 in their entirety.

16. In reply to the allegations made in Paragraph No. 61 of the Application, Respondent No. 1 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. Respondent No. 1 states that the construction on the site has been authorised by Respondent No. 1 within non-CRZ areas, as per the NOC issued by MCZMA. Moreover, the project proponent is obligated to adhere to the conditions stipulated by Respondent No. 3 during the development of the site.

17. In reply to the allegations made in Paragraphs No. 62 and 63 of the Application, Respondent No. 1 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by Respondent No.1. Respondent No.1 states that the subject land was acquired by Respondent No. 1 NDTA under the mandate of the MR&TP Act for development purposes. Fair compensation was provided to original landowners in accordance with the Government of Maharashtra's 12.5% scheme policy dated 06.03.1990 and 28.10.1994. The subsequent allocation of the plot for a casting yard and later a temple was executed within these acquired survey numbers without adversely impacting existing mangroves, mudflats, intertidal water flow, or fishing activities. Moreover, Respondent No.1 granted building permission for the site exclusively within the non-CRZ area, as per the NOC issued by Respondent No.3, and imposed the NOC's conditions on the project proponent. Given Respondent No. 1's core function of developing acquired


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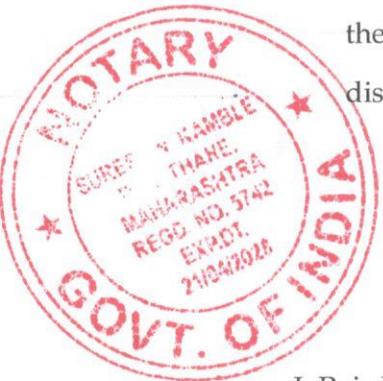
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land, restoring Plot No. 3, Sector 12 to its original state is evidently impractical.

18. In reply to the contents of the Prayer clause of the Application, Respondent No. 1 states that, Respondent No. 1's primary role is developing acquired land, including its disposition and authorization of construction within non-CRZ areas in compliance with Respondent No.3's NOC without adversely affecting mangroves, mudflats, intertidal water flow, or fishing activities, restoring the subject land to its original state is impracticable. Based on these facts, the Applicant's prayers are untenable and should be entirely dismissed.

19. In these circumstances, it is respectfully submitted that the Application is misconceived and the Applicant is not entitled to any relief claimed therefore, Respondent No. 1 prays that the present Application be dismissed against Respondent No. 1.



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Respondent No. 1

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VERIFICATION

I, Raja Bhaguji Waghmare, the authorised representative of Respondent No. 1, Age- 46 Years, Occupation- Service, Office At – CIDCO Bhavan, CBD Belapur, District Thane, after verifying all the records do hereby state on the solemn affirmation that whatever is stated hereinabove is true and correct to the best of my knowledge and information. Affirmed and signed on this 16th day of August, 2024.

BEFORE ME

[Handwritten signature]
- 16/8/2024

**SURESH N. KAMBLE
ADVOCATE & NOTARY
(Govt. Of India)**

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Respondent No. 1

Senior Planner (South)

16 AUG 2024

Register Sr. No.	789/2024
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MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2202 9388
 E-mail : dir1.mev-mh@nic.in
 Website: <https://mczma.gov.in/>

No. CRZ2022/CR263/TC4
 Office of the -
 Maharashtra Coastal Zone Management
 Authority, Environment & Climate Change
 Department, 15th Floor, New Administrative
 Building, Mantralaya, Mumbai- 400 032
 Date: 20th November, 2023

To,
 Tirumala Tirupati Devasthanam,
 Flat no. 402, KCR Apartment,
 Balaji Colony, Tirupati – 517501

Subject: Proposed construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad by Tirumala Tirupati Devasthanam

The Maharashtra Coastal Zone Management Authority in its 170th meeting held on 02nd November, 2023 deliberated the proposal of construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad.

2. The Authority noted that the proposal is for construction of Tirupati Ventakeswara Swami Temple on land bearing plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad. The plot area of project is 40,000 Sqm. Earlier, the MCZMA in its 167th meeting held on 23.5.2022 deliberated the proposal, considering the CRZ Notification, 2011 and approved CZMP, 2011. In the said meeting, The PP has submitted the CRZ map in 1:4000 scale of the project site prepared by IRS, Chennai as per approved CZMP under CRZ Notification, 2011.

Sr No.	CRZ classification	Area (Sqm)
1	CRZ IA (50 m mangrove buffer zone area)	2748.18
2	CRZ II	25656.58
3	Outside CRZ area	11595.70
	Total	40000.46

3. The Authority noted that the MCZMA in its earlier 167th meeting observed that the PP need to restrict the proposed construction in Non CRZ area, as per approved CZMP, 2011. Expert Members suggested that there shall not be impact on CRZ area, from construction activities proposed in Non CRZ area. As per decision taken in the said meeting, the MCZMA vide letter dated 26.05.2023 recommended the proposal for construction in Non CRZ area to concern planning Authority from CRZ point of view subject to certain conditions

4. The Authority noted that now, the PP has submitted the proposal as per CRZ Notification, 2019 and approved CZMP, 2019. CZMPs under CRZ Notification, 2019 of the Raigad Districts are approved by MoEF&CC, New Delhi and hence, CRZ Notification, 2019 is applicable. Total plot area is 40000.46 sqm, Development on the said plot includes Main Temple, Archaka Quarters, Pushkarni, Kalyanakatta, Alankara-Vahana-Ratha Mandapam, Pilgrim Amenities, Office Building, Staff Quarters, Kalyana Mandapam etc. Total construction area is 11299.37 sqm.

5. The Consultant during the meeting presented that entire development is proposed in non CRZ area as per approved CZMP 2019. PP has submitted CRZ map in 1:4000 scale prepared by IRS, Chennai (MoEF&CC authorised agency) as per CRZ Notification, 2019. As per approved

CZMP 2019, the site falls partly under CRZ-IA (2748.18 sqm), CRZ-II (7729.28 sqm) and partly outside CRZ (29523.00 sqm)

6. The Authority noted that during the meeting, the consultant presented that construction of temple is proposed beyond CRZ area as per approved CZMP, 2019. However, Only Garden/landscaping and Compound wall is proposed within 50 mangrove buffer zone area. No mangrove cutting is involved in the project. Consultant presented that compound wall will help in fencing / protection of mangroves. The Authority instructed the PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.

7. In the light of above, the Authority after deliberations decided to recommend the proposal from CRZ point of view on Non CRZ portion subject to compliance of following conditions:

Specific Conditions:

- i. CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2019
- ii. CIDCO to ensure that mangrove cutting is not allowed.
- iii. PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.
- iv. No construction is allowed in Mangroves or its 50 m buffer zone area, without Hon'ble High Court permission.
- v. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
- vi. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area
- vii. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.

General Conditions:

a) Construction Phase:

- i. The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- ii. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
- iii. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- iv. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- v. Arrangement shall be made that waste water and storm water do not get mixed.
- vi. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
- vii. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor-based control.
- viii. The Energy Conservation Building code shall be strictly adhered to.
- ix. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.

- x. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- xi. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- xii. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- xiii. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

b) Operation Phase:

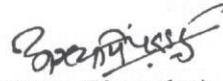
- i. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.

c) General MCZMA Conditions:

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
- ii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary.
- iii. PP to submit an indemnity bond indemnifying the MCZMA from any legal consequences.
- iv. The clearance accorded to the project under CRZ notification shall be valid for a period of ten years from the date of issue of such clearance: Provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an applicable is made by the applicant within the period of validity of the CRZ Clearance along with the recommendations of the Coastal Zone Management Authority concerned.
- v. The recommendation from CRZ point of view is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this recommendation does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
- vi. PP has to strictly abide by the conditions stipulated by the MCZMA.
- vii. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining MCZMA clearance.
- viii. No further Expansion or modifications, other than mentioned in the CRZ Notification, 2011 / 2019 and its amendments, shall be carried out without prior approval of the MCZMA. In case of deviations or alterations in the project proposal from those submitted to MCZMA for clearance, a fresh reference shall be made to the MCZMA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- ix. This MCZMA clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this MCZMA clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on

- merit.
- x. MCZMA reserves the right to cancel / revoke CRZ permission in case of any violation of CRZ Notification, 2011 /2019 issued by the MoEF&CC, New Delhi amended from time to time without prejudice to any liability on MCZMA.
 - xi. The MCZMA clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent in the case filed against him, if any or action initiated under EP Act.
 - xii. This MCZMA Clearance is issued purely from an CRZ point of view without prejudice to any court cases and all other applicable permissions / NoCs.
 - xiii. In case of submission of false document and non-compliance of stipulated conditions, MCZMA will revoke or suspend the MCZMA Clearance without any intimation and initiate appropriate legal action under Environment Protection Act, 1986.
 - xiv. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (protection) Act, 1986 and rules there under, hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public liability Insurance Act, 1991 and its amendments.
 - xv. Any appeal against this MCZMA clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune) New Administrative building, 1st floor, D wing, Opposite Council Hall, Pune, if prepared, within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

8. Agenda item & minutes of the meeting is available on the website of MCZMA i.e. <http://mczma.gov.in>.


(Abhay Pimparkar)

Director, Environment & MS, MCZMA

Copy for information to:

1. **PS (Environment) & Chairperson, (MCZMA)**, Environment & CC Department, Room No. 217 (Annex), Mantralaya, Mumbai - 32.
2. **Director (IA-III)**, Coastal Zone Regulation, Government of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran bhavan, Jor Bagh Road, New Delhi - 110 003
3. **Member Secretary, Maharashtra Pollution Control Board**, Kalpataru Point, 3rd and 4th floor, Road No. 8, Sion Cir, opp. PVR Theater, Mumbai - 22
4. **Managing Director, CIDCO**, CIDCO Bhavan, CBD Belapur, Navi Mumbai - 400614
5. **Municipal Commissioner, Navi Mumbai Municipal Corporation**, Belapur, CBD, Navi Mumbai
6. **District Collector, Raigad**, Near Police Line, Hirakot Lake, lele Chowk, Alibag, Dist. Raigad
7. **Select File-TC 4**

JOINT SITE VISIT REPORT

(Plot No. 3, Sector 12, Ulwe Node, Navi Mumbai)

As per the decision, a joint site visit was conducted by the officials of the CIDCO and MCZMA on 13.9.2022 at the plot allotted to Tirupatil Devasthan Trust (TDT) situated at plot no. 3, Sector 12, Ulwe Node, CIDCO, Navi Mumbai. Local representatives of Gavan & Nhava Grampanchayats were present for the site visit.

2. During the site visit, it was observed that the said plot is situated between Gavan and Nhava village and near to Shivaji Nagar in the Ulwe Node. The plot is in the vicinity of the MTHL sea link and accessible from the Nodal road of the CIDCO which is situated on the eastern side. Land records officials of the CIDCO showed the said plot boundary. The plot area is 40,000 Sqm. At present, on the said plot there is temporary casting yard set up for the work of the Mumbai Trans Harbour Link (MTHL) project.

3. During the site visit, it was observed that the plot is in the vicinity of the tidally influenced Nhava creeklet ecosystem which is present on western side. It was observed that, there is no visible existing road between the plot and the tidally influenced water body ecosystem on western side. Nhava Road is observed on the northern side of the said plot. Local representatives stated that the said Nahva road is old and used by villagers. Local representatives during the site visit further informed that there were agricultural lands around the old Nhava road. CIDCO officials during the site visit opined that whether the said old nhava road could be considered for landward side criteria.

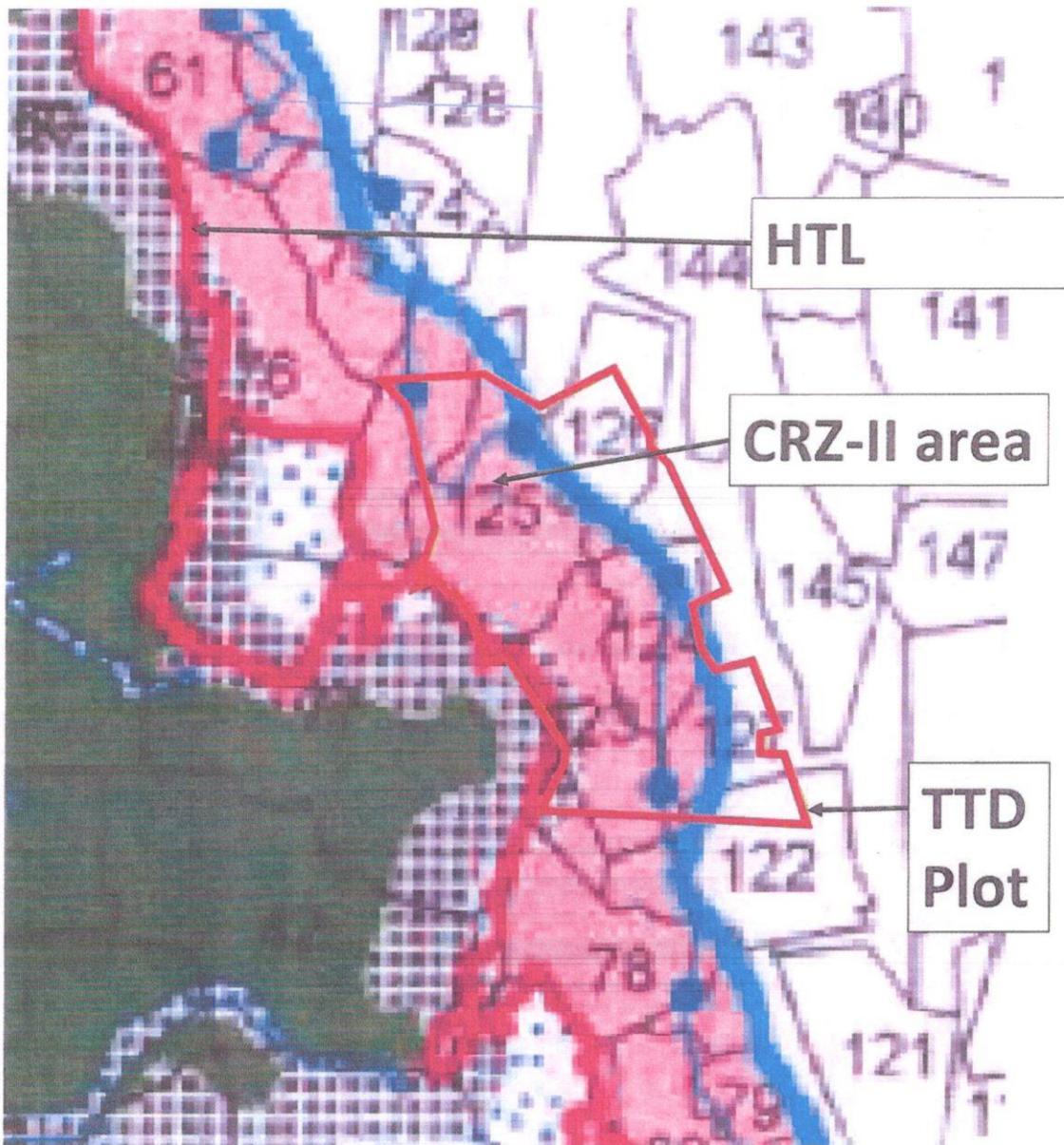
4. As per the approved and enforced Coastal Zone Management Plan (CZMP) in 1:25000 scale under CRZ Notification, 2011, the plot is situated partly in CRZ area and partly situated outside CRZ area. However, the project proponent need to carry out the CRZ mapping in the 1:4000 scale through one of the MoEF&CC, New Delhi approved agency, which would clarify the exact determination of the plot area falling in CRZ area and outside CRZ area. The PP need to apply to MCZMA through concern planning Authority for seeking CRZ recommendation under applicable CRZ Notification.

Enclosures:

1. Attendance List of the officers / representatives present for site visit
2. Tentative indication said plot on approved CZMP, 2011

Attendance List

Sr No.	Name of officials and Designation	Signature
1	Smt. Sharda Phadtare, Sr. Planner, (S/SP I/C) CIDCO	Sharda Phadtare 13/9/22
2	Rupesh Mahale, Project Officer, MCZMA	Signature
3	Shri Vishvajeet Pitale, Executive Engg (Ulwe-II), CIDCO	Vitale 13/9/22
4	Shri Shailendra Mendhkar, Asst. Engineer (Environment), CIDCO	Signature 13/09/2022
5	Shri Anil Raut, Field Officer, Lands and Survey Department, CIDCO	Signature 13/9/22
6	Shri Harishchandra Mhatre, Sarpanch, Nhava Grampanhayat, Panvel Taluka	Signature
7	Shri Vijay Gharat, Dy. Sarpanch, Gavan Grampanchayat, Panvel Taluka	Signature



- Legend:
- Mangroves
 - CRZ-II
 - CRZ-1A

TTD Plot placed on CZMP- 2011

