

REPORT

AS PER HONBLE NGT ORDER DATED 28th NOVEMBER, 2023 IN THE MATTER
OF ORIGINAL APPLICATION NO. 189/2023(WZ)**INTRODUCTION:**

An original Application No. 189/2023(WZ) has been filed by Banda Nagraj Kumar Vs CIDCO & ors before Hon'ble National Green Tribunal, Pune. The matter pertains to construction of Tirupati Venkateshwara Swami Temple at Plot No. 3, Sector 12, Ulwe, Tal Panvel, District Raigad by Tirumala Tirupati Devasthanam (TTD).

2. The Hon'ble NGT has passed an order dated 28th November, 2023 in the matter. The said order of Hon'ble NGT states as *"This application has been filed with the grievance that a temple by the name Lord Venkateshwara Swami is being constructed by the respondent No. 8. /Tirumala Tirupati Devasthanam on Plot No. 3, Sector 12, located at Ulwe Node, Panvel Taluka in Raigad District, which falls in CRZ area, as the same contains a large expanse of thick mangrove forest, tidally influenced wetlands and mudflats"*

3. Hon'ble NGT vide above said order has directed that, *"therefore it appears to be essential for us to ascertain from the respondent No. 3/ Maharashtra Coastal Zone Management Authority (MCZMA) and the respondent No. 4 / State of Maharashtra through the Principal Chief Conservator of Forests, as to whether any such type of construction of a temple is going on, on plot no. 3, Sector 12, located at Ulwe Node, Panvel Taluka in Raigad District in Non CRZ area and such report shall be submitted by the said Authorities within a period of two weeks from now preferably in the form of searchable PDF/ OADR support PDF and not in the form of image PDF"*

SITE VISIT & OBSERVATIONS:

4. Taking into consideration, the Hon'ble NGT order dated 28th November, 2023 in the subject matter, team of officials comprising Additional Principal Chief Conservator of Forests (APCCF), Mangroves and Expert Member of MCZMA accompanied by officials of CIDCO and representative of TTD visited the site. List of Officials present for the said visit is attached as **ANNEXURE I**

5. During the visit, the officials observed that the site of Lord Venkateshwara Swami Devasthanam Temple is situated in Ulwe Node, Tal: Panvel, District Raigad of CIDCO. Total land allotted for the said temple is around 40,000 Sqm.

6. During the visit, in interaction with CIDCO officials, it is learnt that the concerned area was initially handed over to MMRDA by CIDCO. Subsequently, MMRDA has allotted the land to TATA Projects for use as a Temporary Casting Yard to facilitate the Mumbai Trans Harbour Link (MTHL) Project works. Out of this total area, CIDCO has allotted 4 Hectares land for construction of temple by Tirumala Tirupati Devasthanam (TTD). Presently, the area is being used for the casting yard. Temporary sheds, equipment's, machinery etc related to casting yard was observed at the site.

7. Construction work of the temple is not yet started on the site, except a small platform for inauguration ceremony was observed on the already built floor for their casting yards works. Site photographs are attached as **ANNEXURE II**

8. During the visit, the team of officials noted the approved CZMP under CRZ notification, 2011 and 2019. It was further noted that the initially, under CRZ Notification, 2011 & approved CZMP, 2011, the MCZMA vide letter dated 26.05.2023 recommended the proposal from CRZ point of view for construction of temple in Non CRZ area subject to certain conditions.

9. Subsequently, the MoEF&CC, New Delhi in August, 2019 has approved the Coastal Zone Management Plan (CZMP) of the Raigad District under CRZ Notification, 2019 in 1:25000 scale by the MoEF&CC, New Delhi. Under CRZ Notification, 2019, the max CRZ limit along the tidally influenced water bodies is 50 meter from the High Tide Line. As per the said approved CZMP, 2019, the site of Tirupati Devasthan Temple is partly falls in CRZ and partly in Non CRZ area.

10. The project level CRZ mapping of the site has been carried out in 1:4000 scale by Institute of Remote Sensing, Chennai which is MoEF&CC authorized agency. As per the said CRZ map (1:4000 scale) & report of the IRS, Chennai, Total land area is 40000.46 Sqm. Out of the said total land, the CRZ IA (50 m mangrove buffer zone) is 2748.18 Sqm, CRZ II area is 7729.28 Sqm and land area falling Non CRZ area is 29523.00 Sqm

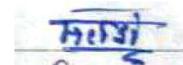
The said report concludes that, *“proposed main temple, constructions, drain facilities and road completely outside CRZ as per approved CRZ Notification, 2019”*

Copy of the Report of IRS, Chennai along with CRZ map is attached as **ANNEXURE III**

11. The MCZMA in its 170th meeting held on 2nd November, 2023 deliberated the proposal submitted through CIDCO under CRZ Notification, 2019. Taking into consideration, the approved CZMP, 2019 and superimposition of the project layout on CRZ mapping 1:4000 scale by the IRS, Chennai. The MCZMA decided to grant the CRZ recommendation for the proposal for construction of the temple in Non CRZ area of the site. Only, Compound wall for fencing and landscaping garden is allowed in 50 m mangrove buffer zone. Accordingly, the MCZMA vide letter dated 20th November, 2023 recommended the proposal from CRZ point of view on Non CRZ area subject to compliance of certain conditions.

Copy of MCZMA recommendation letter 20th November, 2023 along with minutes of 170th meeting of MCZMA is attached as **ANNEXURE IV**

12. A report vide communication dated 13.12.2023 was received from the office of Additional Principal Chief Conservator of Forest (APCCF), Mangroves mentioning their observations on site visit. The said report is attached as **ANNEXURE V**



Dr. Mahesh Shindikar,

Expert Member,

Maharashtra Coastal Zone Management Authority

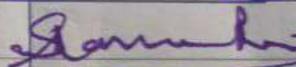
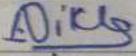
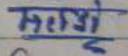
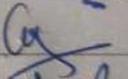
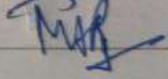
Site visit

DATE: ___/___/___

Sub: Hon'ble NGT Order
dated 28.11.2023
in O. A. 189/2023 (WZ)

List of officials present

Date of site visit : 07/12/2023 at
TTD Temple, Ulve.

Sr. No.	Name of official	Designation	Sign
	S.V. Ramarao, APCCF, Mangalore cell	APCCF	
1	Amitosh B. Nikhade	Senior Planner, CDDO	
2	Ravi Kumar	Chief Planner, CDDO	
3	MAHESH SHINDICAR	Member, MCZMA	
4	G. Laxman	Supdt., TTD	
5	Adarsh Reddy, DFO, MMCU	DFO, Mangalore	





REF NO. AU/IRS/SJ/332-2023-REV DT. 06.10.2023 (07.03.2023)

Preparation of Local Level CRZ Map for the Project Site and Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

SPONSORED BY

The Executive Officer
Tirumala Tirupathi Devasthanam
Road No. 25, Jain Society, Floor G, Plot 67 Jayant
United Jain Students Home Road, Sion, Mumbai



Prepared By



INSTITUTE OF REMOTE SENSING
ANNA UNIVERSITY, CHENNAI-25

October 2023

Preparation of Local Level CRZ Map for the Project Site and Proposed Construction at Village Gavhan, Taluka Pannel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

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INSTITUTE OF REMOTE SENSING
ANNA UNIVERSITY, CHENNAI-25

October 2023

PROJECT DATA SHEET

Title: Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

Project No : REF NO. AU/IRS/SJ/332-2023-REV DT. 06.10.2023 (07.03.2023)

Coordinator : Dr. S. Jayalakshmi, Professor

Done for : **The Executive Officer**
Tirumala Tirupathi Devasthanam
Road No. 25, Jain Society, Floor G, Plot 67 Jayant
United Jain Students Home Road, Sion, Mumbai.

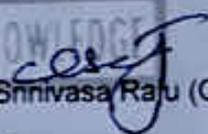
Mapping Team : Mr. J. Prem Kumar, IRS, AU

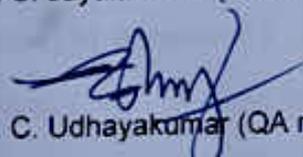
Report Preparation : Dr. S. Jayalakshmi, Associate Professor

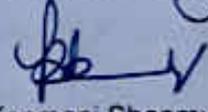
Quality Check : Dr. K. Srinivasa Raju, Professor
Dr. C. Udhayakumar, Professor
Dr. R. Kanmani Shanmuga Priya, Assistant Professor

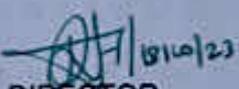
The quality Assessment Committee for consultancy projects has scrutinized the local level CRZ map and corresponding text report of the above project on 28.02.2023. The principal consultant of the project has presented the approach adopted, findings of the study to the committee. The committee has evaluated the CRZ Map and the report for different parameters against the standards prescribed for the mapping. The positional accuracy, attribute accuracy, completeness, semantic accuracy of the output were assessed and found satisfactory. The committee recommends the approval of the map and associated report.


Dr. S. Jayalakshmi (Coordinator)


Dr. K. Srinivasa Raju (QA member)


Dr. C. Udhayakumar (QA member)


Dr. R. Kanmani Shanmuga Priya (QA member)


DIRECTOR
Director
Institute of Remote Sensing
Anna University,
Chennai - 600 025.

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

ABSTRACT

On the request of The Executive Officer, Tirumala Tirupathi Devasthanam, Road No. 25, Jain Society, Floor G, Plot 67 Jayant United Jain Students Home Road, Sion, Mumbai, a survey was carried out to prepare the local level CRZ map for the project site at village Gavhan, taluka Panvel, district Raigad, Maharashtra by superimposing on approved CZMP as per CRZ Notification 2019 (Map.No. MH.74). The satellite imagery of the study area was interpreted for geomorphic features in the vicinity of the survey site. The cadastral map of the area provided by the client was used as the base map. Based on the geomorphology and topography in the vicinity of project area, HTL indicated on CZMP published as per CRZ notification 2019 has been identified and traced in the field by kinematic GNSS survey. The HTL, LTL and ecologically sensitive areas indicated in approved CZMP along with setback lines as per CRZ notification 2019 were superimposed on to georeferenced cadastral map to prepare a local level CRZ map at 1:4000 scale. The layout of proposed development as provided by the client was superimposed on the CRZ map as shown in Annexure II. Out of the total area of 40000.46Sq.m, 2748.18Sq.m falls in CRZ - IA (50m Mangrove Buffer Zone), 7729.28Sq.m falls in CRZ II and the remaining area of 29523Sq.m is out of CRZ as per CRZ notification 2019. The generated HTL co-ordinates in WGS 84 system, CRZ map in 1:4000, approved CZMP 2019, and satellite imagery of the project site are presented in Annexure I, Annexure II, Annexure III and Annexure IV respectively.

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

1. INTRODUCTION

The coastal zone is the area of interaction between land and sea. The coastal Zone of Maharashtra has a very high concentration of population along with ecologically sensitive areas like mangroves. There is a spurt of developmental activities arising from huge residential colonies, new industries and tourism centres along the coast and in coastal zone. There is a need to protect the coastal environment while ensuring continuing production and development. This zone is extremely vulnerable and has to be managed judiciously striking a balance between ecological and developmental needs.

Government of India has issued a notification during February 1991 for regulating the developments along the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action. The land between 500 meters from the High Tide Line (HTL) and the Low Tide Line (LTL) is identified as Coastal Regulation Zone (CRZ).

The Ministry of Environment, Forest & Climate Change has provided guidelines for demarcation of High Tide Line in the CRZ Notification, 2019. As per the guidelines, Cadastral (village) maps in 1:3960 or the nearest scale shall be used as the base maps. HTL and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps

approved by the Central Government. 500 meter, 200 meter and 50 meter lines shall be demarcated with respect to the HTL.

In order to facilitate classification of Coastal Regulation Zones Government of India has approved few agencies/institutions across the Country vide Lr. No. J17011/8/92-1A III, dated 10.05.1999 of Ministry of Environment, Forest & Climate Change. Institute of Remote Sensing, Anna University being one of them, has been carrying out HTL and LTL mapping following the guidelines issued by Ministry of Environment, Forest & Climate Change, Government of India.

2. BACKGROUND OF THE STUDY

The Executive Officer, Tirumala Tirupathi Devasthanam, Road No. 25, Jain Society, Floor G, Plot 67 Jayant United Jain Students Home Road, Sion, Mumbai, has requested Institute of Remote Sensing, Anna University for preparation of local level CRZ map for the proposed construction at village Gavhan, taluka Panvel, district Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019 in 1:4,000 scale.

3. STUDY AREA

The proposed project site is located at village Gavhan, taluka Panvel, district Raigad, Maharashtra. The proposed site is in the vicinity of creek and Mangroves.

4. NEED FOR THE STUDY

The proposed land of Tirumala Tirupathi Devasthanam, Road No. 25, Jain Society, Floor G, Plot 67 Jayant United Jain Students Home Road, Sion, Mumbai, needs to be assessed whether the site and the proposed activities are falls under regulations of CRZ Notification, 2019. Keeping in view

of the requirements of notification, Institute of Remote Sensing, Anna University under took the project with following agreed scope of work:

- Superimposition of the project site and proposed activity on the approved CZMP by conducting field survey using DGPS survey.
- Preparation of local level CRZ map by superimposing HTL, LTL and Ecologically sensitive areas on cadastral map of 1:4000 scale.

5. METHODOLOGY ADOPTED

The cadastral map of project location provided by the client has been used for preparation of local level CRZ map. The geomorphic characteristic of the coastal zone has been analyzed from the medium resolution satellite data. Coastal geomorphologic features and existence of permanent vegetation identified from the satellite imagery were used to transfer the HTL demarcated by NCSCM on approved CZMP. The approved CZMP is georeferenced using graticules available on the maps. The cadastral map of Gavhan village, Raigad district, Maharashtra was digitized from approved CZMP to create a vector dataset of survey polygons in the vicinity of project location. The same is superimposed on satellite imagery to identify the proposed project location. The HTL, LTL and ecologically sensitive areas in the vicinity of project locations are digitized from georeferenced approved CZMP. 50m / width of the creek (whichever is less) as setback line from HTL for creek was generated using GIS buffering tool as per CRZ Notification 2019. The zones between LTL, HTL and setback lines are delineated to corresponding CRZ as per CRZ Notification 2019.

6. OUTPUT

The HTL was extracted from approved CZMP 2019 (Map No. MH 74) in the vicinity of creek which is nearby the proposed site. The generated HTL coordinates in WGS 84 system, CRZ map in 1:4000, approved CZMP 2019, and

satellite imagery of the project site are presented in Annexure I, Annexure II, Annexure III and Annexure IV respectively. The site coordinates are shown in

Table 1.

Table 1 Coordinates of Project Site

Label	Latitude	Longitude
A	18° 58' 2.151" N	73° 0' 35.368" E
B	18° 58' 2.550" N	73° 0' 40.144" E
C	18° 57' 58.067" N	73° 0' 42.568" E
D	18° 57' 52.934" N	73° 0' 44.406" E
E	18° 57' 53.655" N	73° 0' 38.752" E
F	18° 57' 59.294" N	73° 0' 36.444" E

7. CONCLUSION:

The salient conclusions of the study titled "Preparation of local level CRZ map for the project site at village Gavhan, taluka Panvel, district Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019, (Map.No. MH.74)" are as follows:

- The CRZ statement of the proposed construction at village Gavhan, taluka Panvel, district Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019 is shown in Table 2

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

Table.2 Proposed Area of project site in Various CRZ

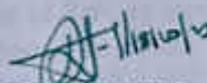
Project Site Boundary		
Sl.No.	CRZ - Classification	Area in Sq.m
1	CRZ - IA (50m Mangrove Buffer Zone)	2748.18
2	CRZ - II	7729.28
3	Outside CRZ	29523.00
Total		40000.46

Proposed Garden		
Sl.No.	CRZ - Classification	Area in Sq.m
1	CRZ - II	3469.81
2	Outside CRZ	4858.06
Total		8327.87

Proposed R.G. Area		
Sl.No.	CRZ - Classification	Area in Sq.m
1	CRZ - IA (50m Mangrove Buffer Zone)	2700.36
2	CRZ - II	1960.87
3	Outside CRZ	152.76
Total		4813.99

- 2748.18 Sq.m area of proposed project site and 2700.36Sq.m area of proposed R.G area fall in CRZ - IA (50m Mangrove Buffer Zone) as per approved CRZ notification 2019.
- The proposed main temple, constructions, drain, facilities and road completely falls outside CRZ) as per approved CRZ notification 2019.


PRINCIPAL CONSULTANT


DIRECTOR, IRS
Director
Institute of Remote Sensing

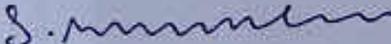
Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

ANNEXURE I

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

COORDINATES OF HTL POINTS (WGS 1984)

HTL Point	Latitude	Longitude
1	18° 58' 12.238" N	73° 0' 18.962" E
2	18° 58' 12.681" N	73° 0' 27.868" E
3	18° 58' 7.102" N	73° 0' 30.698" E
4	18° 58' 11.057" N	73° 0' 34.809" E
5	18° 57' 56.868" N	73° 0' 31.824" E
6	18° 57' 58.451" N	73° 0' 36.096" E
7	18° 57' 52.315" N	73° 0' 38.073" E
8	18° 57' 48.924" N	73° 0' 39.965" E
9	18° 57' 45.812" N	73° 0' 41.427" E


PRINCIPAL CONSULTANT


DIRECTOR, IRS

Director
Institute of Remote Sensing
Anna University,
Chennai - 600 025.

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

ANNEXURE III

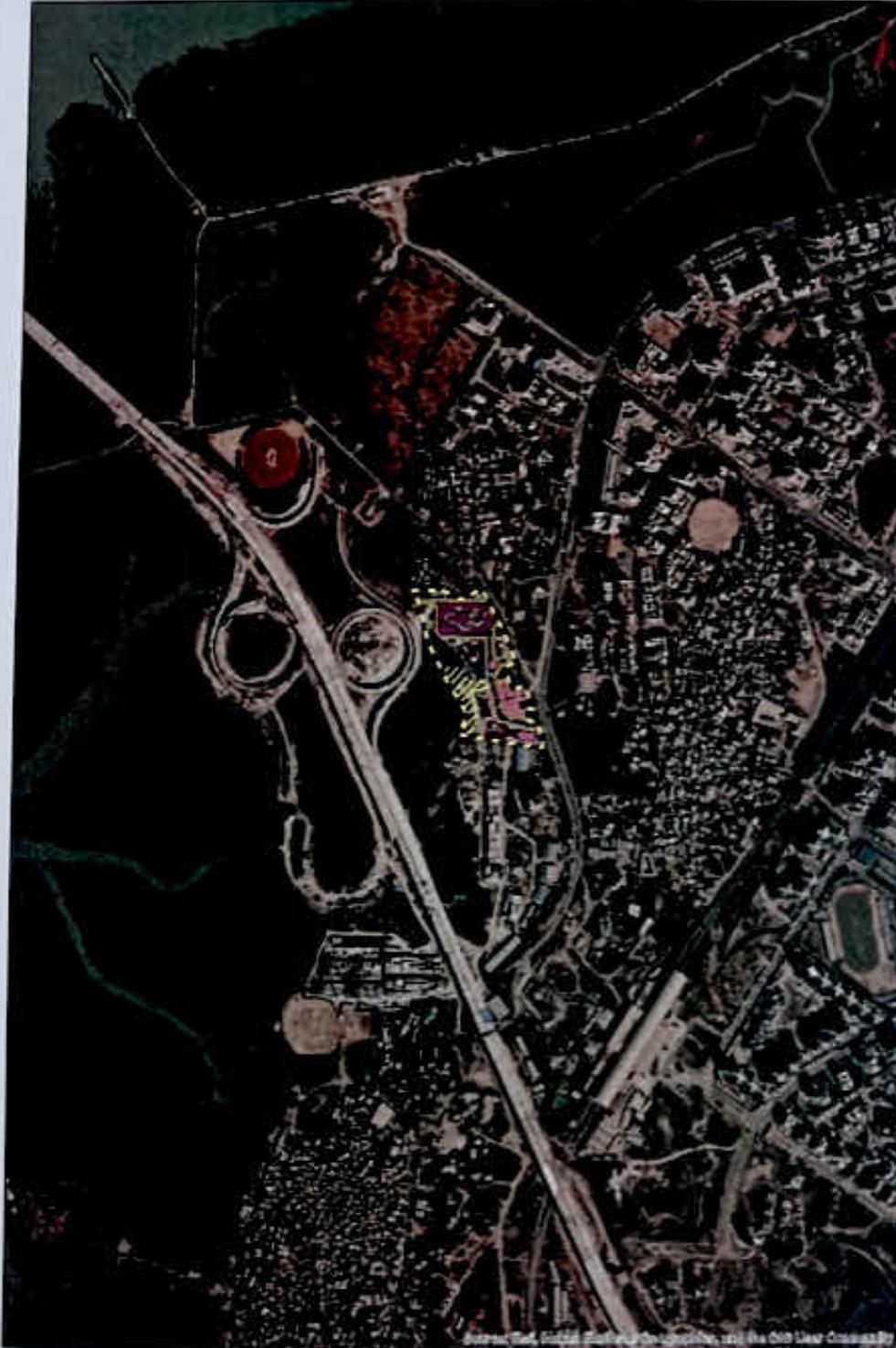
PROJECT SITE SUPERIMPOSED ON APPROVED CZMP 2019



Source: Approved CZMP Map No. MH 74

ANNEXURE IV

SATELLITE IMAGERY OF PROJECT SITE



Source: Google Earth

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 Environment (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.

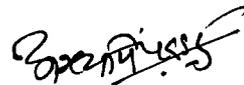
c) General MCZMA Conditions:

- 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**

*Minutes of the 170th Meeting of Maharashtra Coastal Zone Management
Authority held on 02nd November, 2023*

Item No.29: Proposed construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad by Tirumala Tirupati Devasthanam

INTRODUCTION:

The Consultant presented the proposal before the Authority. 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

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.

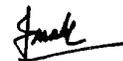
As per decision taken in the said meeting, the MCZMA vide letter dated 26.05.2023 recommended the proposal for construction in Non CRZ area to concern planning Authority from CRZ point of view subject to certain conditions

DELIBERATIONS:

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.



Member Secretary



Chairperson

*Minutes of the 170th Meeting of Maharashtra Coastal Zone Management
Authority held on 02nd November, 2023*

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.

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)

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.

DECISION:

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:

1. CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2019
2. CIDCO to ensure that mangrove cutting is not allowed.
3. PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.
4. No construction is allowed in Mangroves or its 50 m buffer zone area, without Hon'ble High Court permission.
5. 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.
6. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area
7. 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



Chairperson



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Office of the Additional Principal Chief Conservator of Forests, Mangrove Cell, Mumbai
302, Wakefield House, 3rd Floor, Ballard Estate, Above Britannia & Co. Restaurant,
Fort, Mumbai-400 001.

Ph: 022-2694984 / 85, Email: ccfmumbai@gmail.com / dcfmangrovecell@gmail.com.

Outward. No/Survey/1646/2023-24.

Fort, Mumbai. Date: 13/12/2023.

To,
The Director,
Environment & CC & MS,
Maharashtra Coastal Zone Management Authority

Urgent
Dir (CW)
पु. न. स. क.

प्रधान सचिव (पर्यावरण)
क्रमांक 2009
दिनांक 14/DEC/2023

Sub: - Original application No. 189 of 2023 (WZ) in Banda Nagaraj Kumar Vs CIDCO through its Managing Directors & Ors. *24/12*

Ref. 1: - Hon. National Green Tribunal, Western Zone Bench, Pune order dated 28.11.2023.

2: - Maharashtra Coastal Zone Management Authority-No. OA 2023/CR-21/T.C-4 dated 01.12.2023

With reference to the above orders, under references 1 and 2,

I, S.V. Rama Rao have visited Plot No. 3, Sector 12, located at Ulwe Node, Panvel Taluka, Raigad District, along with the officers from the Mangrove Cell on 07/12/2023. Furthermore, Shri. Mahesh Shindikar, Expert member of MCZMA along with some other representatives from CIDCO, MCZMA, and TATA Projects, were also present. It is understood that the concerned area was initially handed over to MMRDA by CIDCO. Subsequently, MMRDA has allotted the land to TATA Projects for use as a Temporary Casting Yard to facilitate the Mumbai Trans Harbour Link (MTHL) Project works. Out of this total area that was handed over to TATA Projects by MMRDA, it is learnt that CIDCO has allotted 4 Hectares land for construction of temple by Tirumala Tirupati Devasthanam (TTD).

Upon verifying the said area, the following facts have been observed:

- (1) The said area is being utilized by TATA Projects for parking vehicles, storing equipment, temporary sheds, concrete batching plants and chilled plants. Additionally, internal pathways have also been constructed within the same area by TATA Projects for the casting yard works.
- (2) No construction works of temple are going in the proposed 4 Ha. land allocated for the construction of TTD temple except a platform which was laid over a 6m x 6m area for the purpose of inauguration ceremony on a pre-existing PCC floor which was already made by TATA Projects for their casting yard works.

Rama Rao

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On further verification of records, it is found that the 6m×6m area where the inaugural ceremony took place is neither a mangrove area nor within the 50-meter buffer of the existing mangroves.

The above facts may please be brought to the notice of Hon. National Green Tribunal after taking the say of Shri. Mahesh Shindikar, Expert member of MCZMA.


(S.V. Ramarao)

**Add. Principal Chief Conservator of Forests
Mangrove Cell, Mumbai.**

Copy To:

1. Principal Secretary (Forests), Revenue and Forest Department, Maharashtra State Mantralaya, Mumbai for information.
- ✓ 2. Principal Secretary, Environment & CC Department, Mantralaya, Mumbai for information.
3. Principal Chief Conservator Forests (Wild Life), Maharashtra State, Nagpur for information.