

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING  
AT PUNE**

**MEMORANDUM OF APPLICATION**

(Under Sections 15 of read with section 18 National Green  
Tribunal Act, 2010)

**APPLICATION NO. OF 2023**

**BETWEEN:**

Yogesh Pratap Singh ... **APPLICANT**

**AND**

Member-Secretary, National Coastal Zone Management Authority  
and Others

... **RESPONDENTS**

**INDEX**

**Submissions of CRZ Clearance Letters in relation to the  
10 Examples cited in the Original Application**

<b>SR. NO.</b>	<b>DESCRIPTION</b>	<b>ANNE- XURE</b>	<b>PAGE NO. (Internal)</b>
<b>1.</b>	Submission		<b>1 – 6</b>
<b>2.</b>	<i>Example 1</i>	<b>'A-1'</b>	<b>7 – 10</b>
<b>3.</b>	<i>Example 2</i>	<b>'A-2'</b>	<b>11 – 13</b>
<b>4.</b>	<i>Example 3</i>	<b>'A-3'</b>	<b>14 – 15</b>
<b>5.</b>	<i>Example 4</i>	<b>'A-4'</b>	<b>16 – 17</b>
<b>6.</b>	<i>Example 5</i>	<b>'A-5'</b>	<b>18 – 19</b>
<b>7.</b>	<i>Example 6</i>	<b>'A-6'</b>	<b>20 – 21</b>

<b>8.</b>	<i>Example 7</i>	<b>'A-7'</b>	<b>22 – 26</b>
<b>9.</b>	<i>Example 8</i>	<b>'A-8'</b>	<b>27 – 28</b>
<b>10.</b>	<i>Example 9</i>	<b>'A-9'</b>	<b>29 – 30</b>
<b>11.</b>	<i>Example 10</i>	<b>'A-10'</b>	<b>31 – 34</b>

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING  
AT PUNE**

**MEMORANDUM OF APPLICATION**

(Under Sections 14 & 15 of read with section 18 National Green  
Tribunal Act, 2010)

**APPLICATION NO. 206 OF 2023**

**BETWEEN:**

Yogesh Pratap Singh

... **APPLICANT**

**AND**

Member-Secretary, Member-Secretary, National Coastal Zone  
Management Authority and Others

... **RESPONDENTS**

**MOST RESPECTFULLY SUBMITTED:**

**1.** In the Original Application under reference, this Hon'ble Tribunal, pursuant to the hearing of this case on 5<sup>th</sup> January, 2024, had passed the directions, whereby the Applicant had to submit the CRZ permissions with reference to the 10 examples cited by him.

**2.** Pursuant to the same, the Applicant had filed a Right to Information Act, 2005, and thereupon, in this reference, a was received on 29<sup>th</sup> January, 2021. Based on this RTI Reply and based on internet search made by the Applicant, the Applicant has been able to collect CRZ clearance letters pertaining to the 10

examples of violations of open spaces, as has been cited in the Original Application.

3. These permission letters, duly marked as **ANNEXURE-‘A-1’ to ANNEXURE-‘A-10’** are annexed with details as under:

## **EXAMPLE NO. 1**

**Address of the Project:** Redevelopment on property bearing C.S. No. 740, of Worli Division, Building No. 57 situated at Khan Abdul Gaffar Khan Road, Mumbai – 400030, popularly known as ‘Sea View’.

***CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 20<sup>th</sup> November, 2023 is annexed and marked as ANNEXURE-‘A-1’.***

## **EXAMPLE NO. 2:**

**Address of the Project:** Redevelopment of plot bearing C.S. No. 2/358 & 2A/358 of Malabar Hill Cumballa Hill Division, Situated at L.D. Ruparel Marg, Lady Laxmibai Jagmohandas Marg in D-Ward, Mumbai.

***CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 10<sup>th</sup>***

*January, 2020, is annexed and marked as ANNEXURE-‘A-2’.*

### **EXAMPLE NO. 3:**

**Address of the Project:** Redevelopment of plot bearing C.S. No. 17/866 of Worli Hill Estate Scheme No. 58 Plot No. 7/17, Khan Abdul Gafar Khan Road, Worli, Mumbai.

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 08<sup>th</sup> June, 2022, is annexed and marked as ANNEXURE-‘A-3’.*

### **EXAMPLE NO. 4:**

**Address of the Project:** Proposed residential building bearing CTS No. 864/A, 864/B, 865, 866A/1 & 866 A/2 of Bandra Village in H-West Ward, Sagar Resham Co-operative Housing Society Ltd.

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 15<sup>th</sup> November, 2018 is annexed and marked as ANNEXURE-‘A-4’.*

### **EXAMPLE NO. 5:**

**Address of the Project:** Proposed redevelopment of building bearing CS No. 4/701 of Malabar Hill Division, situated at Vivek Singh Road, Off. Pedder Road, D-Ward, Mumbai.

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 30<sup>th</sup> June, 2021 is annexed and marked as ANNEXURE-‘A-5’.*

## **EXAMPLE NO. 6:**

**Address of the Project:** Sambhav Estate Pvt. Ltd. Proposed redevelopment of building bearing CS No. 4/600 of Malabar Hill Division, situated at 193, August Kranti Marg, D-Ward, Mumbai

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 15<sup>th</sup> September, 2022, is annexed and marked as ANNEXURE-‘A-6’.*

## **EXAMPLE NO. 7:**

**Address of the Project:** Proposed Slum Rehabilitation Scheme on land bearing CS No. 876 (Part), 877 to 880 and CS No. 894 (Part) to 897 (Part) of Worli Division, Mumbai

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 26<sup>th</sup> September, 2023, is annexed and marked as ANNEXURE-‘A-7’.*

## **EXAMPLE NO. 8:**

**Address of the Project:** Development on land bearing CS No. 832, Plot No. 95, Worli Division, Khan Abdul Gafar Khan Road, Mumbai

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 27<sup>th</sup> February, 2017, is annexed and marked as ANNEXURE-‘A-8’.*

## **EXAMPLE NO. 9:**

**Address of the Project:** Proposed Residential Re-Development under 33(6) on Plot Bearing C.S. No. 692 of Malabar Hill Division situated at junction of Bhulabhai Desi Road & Bomanji Petition Marg.

*CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 08<sup>th</sup> June, 2022 is annexed and marked as ANNEXURE-‘A-9’.*

## **EXAMPLE NO. 10:**

**Address of the Project:** Proposed reconstruction of existing building on Plot bearing C.S.No. 1A/698 of Malabar Hill Division u/sec. 33(6) of D.C.R. 1991 at Bhulabhai Desai Road, Mumbai.

***CRZ Clearance issued by Maharashtra Coastal Zone Management Authority vide letter dated 14<sup>th</sup> October, 2013, is annexed and marked as ANNEXURE-‘A-10’.***

4. Accordingly, the requisite information is being submitted as above before the Hon'ble Tribunal.

**ADVOCATE FOR THE APPLICANT**

**PLACE:** Mumbai

**DATE:** 29<sup>th</sup> January, 2024

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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

No. CRZ2023/CR215/TC4  
Office of the -  
Maharashtra Coastal Zone Management  
Authority, Environment & Climate Change  
Department, 15<sup>th</sup> Floor, New Administrative  
Building, Mantralaya, Mumbai- 400 032  
Date: 20<sup>th</sup> November, 2023

To,  
Mr. Yogesh Mathradas Kothari,  
Alkyl Amines Chemicals Ltd.,  
207 A, Kakad Chambers, 132,  
Dr. Annie Besant Road, Worli,  
Mumbai – 18

**Subject:** Proposed redevelopment of property known as 'Sea View' on plot bearing CS no. 740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai by Mr. Yogesh Mathradas Kothari

The Maharashtra Coastal Zone Management Authority in its 170<sup>th</sup> meeting held on 02<sup>nd</sup> November, 2023 deliberated the proposal of redevelopment of property known as 'Sea View' on plot bearing CS no. 740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai.

2. The Authority noted that the proposal is for redevelopment of property known as "Sea view" on plot bearing CS No. 740 of Worli Division, situated at Khan Abdul Gaffar Khan Road, Worli, Mumbai. As per remarks dated 10.7.2023 of the MCGM, existing building is cessed building and has received MHADA NoC issued by MBBR board. As per the existing plans, building comprising of Ground + 1<sup>st</sup> to 2<sup>nd</sup> (pt) upper residential floors. Redevelopment is proposed by demolishing existing building and proposing a new non composite building with rehabilitation of existing tenements, sale tenements and MHADA surplus area in the same building.

3. The Authority noted that the proposed residential building comprising of single level basement + Part ground floor for double height entrance lobby and part stilt + G-1 level + 1<sup>st</sup> to 6<sup>th</sup> podium floor for parking spaces + 6A service floor + 7<sup>th</sup> floor for fitness centre & refuge area and MHADA surplus area + 8<sup>th</sup> floor residential area + 8A service floor + 9<sup>th</sup> to 10<sup>th</sup> duplex flat + 10A service floor + 11<sup>th</sup> to 13<sup>th</sup> triplex flat + 13A service floor + 14<sup>th</sup> residential use + 14A service floor + 15<sup>th</sup> to 16<sup>th</sup> floor for residential duplex flat + 16A service floor + 17<sup>th</sup> to 19<sup>th</sup> Triplex flat + 19A service floor + 20<sup>th</sup> to 22<sup>nd</sup> Residential triplex flat + 22A service floor + part terrace lawn fill and part swimming pool open to sky + Fitness centre (pt) with height of 114.45 m.

4. The Authority noted that the proposal is for FSI 3.00 or FSI required for rehabilitation of existing occupants + 75% incentive FSI whichever is more based on MHADA NoC issued by MBBR Board dated 26.10.2021 + Fungible compensatory FSI as per reg 31 (3) by claiming staircase, lift, lift lobby area free of FSI as per DCPR 2034.

5. The Authority noted that the concessions required for proposed redevelopment are approved by Hon. MC, MCGM on 25.4.2023. As per MCGM remarks, the plot falls in CRZ II area and situated on landward side of existing Khan Abdul Gaffar Khan road. The plot is situated in Residential Zone and not reserved for public purpose as per DP remarks of 2034. As per MCGM remarks, proposal is for FSI 3.00 or FSI required for rehabilitation of existing

occupants + 75% incentive FSI whichever is more based on MHADA NoC issued by MBBR Board dated 26.10.2021 + Fungible compensatory FSI as per reg 31 (3) by claiming staircase, lift, lift lobby area free of FSI as per DCPR 2034. Plot area is 1677.27 Sqm (As per PR card), BUA proposed (FSI) is 6736.02 Sqm, Non FSI area is 13056.87 Sqm and Total Construction area is 19792.89 Sqm

6. The Authority noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, *"Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification...."*

7. The Authority noted that proposed reconstruction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18<sup>th</sup> January, 2019. MCGM should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18<sup>th</sup> January, 2019.

8. After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

**Specific Conditions:**

- i. Proposed reconstruction should be in accordance with provision of the CRZ Notification, 2019.
- ii. MCGM should strictly ensure that the proposed redevelopment is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18<sup>th</sup> January, 2019 before issuing commencement certificate to the project.
- iii. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.
- iv. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
- v. Safe disposal of the wastewater should be ensured.
- vi. All other required permission from different statutory authorities including Fire NOC, Civil Aviation NOC or CCZM Certificate 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.

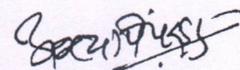
**b) Operation Phase:**

- 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, 1<sup>st</sup> floor, D wing, Opposite Council Hall, Pune, if prepared, within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.
9. 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. **Municipal Commissioner**, Municipal Corporation of Greater Mumbai (MCGM), Mahapalika Marg, Fort, Mumbai - 01
4. **Member Secretary, Maharashtra Pollution Control Board**, Kalpataru Point, 3rd and 4th floor, Road No. 8, Sion Cir, opp. PVR Theater, Mumbai - 22
5. **District Collector, Mumbai City**, Old Custom House, Shahid Bhagat Singh Marg, Fort, Mumbai - 01
6. **Select File-TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2202 9388  
E-mail : dir1.mev-mh@nic.in

No. CRZ 2019/CR 162/ TC 4  
Office of the -  
Maharashtra Coastal Zone Management  
Authority, Environment Department, 15<sup>th</sup> Floor,  
New Administrative Building,  
Mantralaya, Mumbai- 400 032  
Date: 10<sup>th</sup> January, 2020

To,  
Shri. Sanjay Rajkumar Chhaabria,  
13/12, 1<sup>st</sup> floor, New solitaire CHS,  
Opp. Rose Menor, Santacruz (W), Mumbai - 54

**Subject:** Proposed redevelopment on plot bearing CS No. 2/358 & 2A/358 of Malbar hill division situated at lady Laxmibai Jagmohandas Marg (Nepean sea road) & L D Ruparel marg D ward, Mumbai by Shri. Sanjay Rajkumar Chhaabria

The Maharashtra Coastal Zone Management Authority in its 119<sup>th</sup> & 138<sup>th</sup> meeting held on 28<sup>th</sup> to 30<sup>th</sup> June, 2017 and 10<sup>th</sup> October, 2019 respectively deliberated the proposal of redevelopment on plot bearing CS No. 2/358 & 2A/358 of Malbar hill division situated at lady Laxmibai Jagmohandas Marg (Nepean sea road) & L D Ruparel marg D ward, Mumbai.

2. The MCZMA noted that the proposal is for redevelopment on plot bearing CS No. 2/358 & 2A/358 of Malbar hill division situated at Lady Laxmibai Jagmohandas Marg (Nepean sea road) & L D Ruparel Marg D ward, Mumbai.

3. MCZMA noted that earlier, the MCZMA in its 119<sup>th</sup> meeting held on 28<sup>th</sup> to 30<sup>th</sup> June, 2017 discussed the proposal of redevelopment on plot bearing CS no. 2/358 and 2A/358 of Malabar Hill Division, situated at Lady Laxmibai Jagmohandas marg (Nepean Sea Road) and L.D. Ruparel Marg, Mumbai, under DC Reg no. 33(7) of the DCR 1991, in accordance with para 8.v. (1) (c) of the CRZ Notification, 2011. The existing building is old cess A category residential building prior to 1940. The Public hearing has been carried out on 13.07.2017. As per decision taken in the said meeting, the Authority vide letter dated 3<sup>rd</sup> Oct, 2017 recommended the proposal from CRZ point.

4. The Authority further noted that PP has submitted the revised proposal to MCZMA for the building planning is changed and the proposal is as per DCPR 2034 and project proponent/developer is changed.

5. The Authority noted that, amended plans as per revised planning and as per DCPR 2034 been approved by MCGM on 30.04.2019. The proposed new building consisting of Basement + Lower Ground floor + upper ground floor + 1<sup>st</sup> to 10<sup>th</sup> podium parking floor + 11<sup>th</sup> duplex floor (refuge floor) + 10<sup>th</sup> duplex upper floor + 13<sup>th</sup> to 16<sup>th</sup> upper floor + 17<sup>th</sup> duplex lower floor + 18<sup>th</sup> duplex upper floor + 19<sup>th</sup> first level pent house + 20<sup>th</sup> second level pent house + 21<sup>st</sup> third level pent house + 22<sup>nd</sup> fourth level pent house for flats/rooms for residential use.

6. As per MCGM report: plot area is 1172.71 sqm, proposed built up area is 4720.56sqm, Non FSI component is 9094.39 Sqm and Total Construction area is 15545.58 Sqm.

7. As per the approved CZMP of Mumbai under CRZ Notification, 2011, the plot falls in CRZ II area and situated on landward side of the existing road. As per remarks of the MCGM, the plot under reference falls in Residential Zone and is not affected by any reservations for the public purpose.

8. The Authority noted that redevelopment of cessed structure is permissible as per para 8.v.c of the CRZ Notification, 2011, wherein the redevelopment is governed as per the prevailing DCR as on the date on which the project is granted approval by the competent Authority.

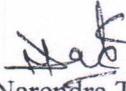
9. The Authority, after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority subject strict compliance of the following conditions:

**Specific Conditions:**

- i. Proposed redevelopment should be in accordance with provisions of CRZ Notification, 2011 (amended from time to time).
- ii. MCGM to ensure that all the conditions of the para 8.v.c of the CRZ Notification, 2011 is adhered to.
- iii. MCGM to ensure that proposed construction is as per DCR prevailing as on the date on which the project is granted approval by the competent Authority.
- iv. PP to implement environment measures proposed in the project such as solar water heater, STP, organic waste converter, rainwater harvesting.
- v. All other required permission from different statutory authorities should be obtained.

**General Conditions:**

- i. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
  - ii. The MCZMA or any other competent authority, concern planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
  - iii. This recommendation will be valid for 5 years from the date of issue of recommendation for commencement of construction & operation.
  - iv. 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.
10. The agenda item and minutes are available on the website of MCZMA i.e. <http://mczma.gov.in>.

  
(Narendra Toke) 10/1/20

Director, Environment & MS, MCZMA

**Copy for information to:**

1. **PS (Environment) & Chairperson, (MCZMA)**, Environment 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. **Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mahapalika Marg, Fort, Mumbai – 01**
4. **District Collector, Mumbai City, Old Custom House, Shahid Bhagat Sing Marg, Mumbai - 400 001**
5. **Select File-TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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

No. CRZ2021/CR152/TC4  
 Office of the -  
 Maharashtra Coastal Zone Management Authority,  
 Environment & Climate Change Department,  
 15<sup>th</sup> Floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032  
 Date: 08<sup>th</sup> June, 2022

To,  
 Shri Sachiv Sahni  
 Plot no. 7/17, Khan Abdul Gafar Khan Marg,  
 Worli Sea Face Worli, Mumbai- 400 018

**Subject:** Proposed redevelopment on plot no. 7/17 Worli Hill Estate Scheme, C.S. No. 17/866 of Worli Division Khan Abdul Gafar Khan, Worli Sea Face Worli, G/South Ward Mumbai by Shri Sachiv Sahni

The Maharashtra Coastal Zone Management Authority in its 159<sup>th</sup> meeting held on 06<sup>th</sup> June, 2022 deliberated the proposal of redevelopment on plot no. 7/17 Worli Hill Estate Scheme, C.S. No. 17/866 of Worli Division Khan Abdul Gafar Khan, Worli Sea Face Worli, G/South Ward Mumbai.

2. The Authority noted that the proposal is for redevelopment of plot bearing plot no. 7/17 Worli Hill Estate Scheme, C.S No. 17/866 of Worli Division, Khan Abdul Gafar Khan Road, Worli Sea Face, G/ South Ward, Mumbai, para 8v.1.c of the CRZ Notification, 2011 with 33(7) and 33(12) of DCPR, 2034. As per DP, 2034 remarks, the plot is in Residential Zone and not affected by any reservation.

3. As per MCGM remarks, there existed declared dilapidated category structure (Sachiv Villa) of ground floor + 1<sup>st</sup> floor which has been demolished as per the letter issued by the Asst Engineer, G/ South Ward, MCGM. Proposed building is of one building comprising of 3 level basement + Stilt + 1<sup>st</sup> to 10<sup>th</sup> podium + Upper stilt + 1<sup>st</sup> to 15<sup>th</sup> upper floors + Service floor & Belt Trees + 16<sup>th</sup> to 31<sup>st</sup> upper floors for residential building of height 184.85 meter upto top of terrace level.

4. The project site falls in CRZ II area and situated on landward side of the existing Khan Abdul Gafar Khan road, as per approved CZMP, 2011. As per MCGM remarks, Plot Area is 1672.26 Sqm, Built up area for FSI: 9016.78 Sqm, Non FSI area is 24,283.22 Sqm and Total Construction area: 33,300 Sqm. The proposal has also received various concessions from Hon. MC, MCGM on 9.8.2021. The public hearing was conducted on 10.11.2021 by MPCB under para 8.v. 1. of the CRZ Notification, 2011.

5. The Authority noted that under para 8.v.1.c of the CRZ Notification, 2011, the redevelopment of the dilapidated building in CRZ II area is permissible in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority

6. In the light of above, the Authority after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority with subject to compliance of the following conditions:

**Specific Conditions:**

- PP should ensure that proposed redevelopment in CRZ areas are as per provisions of CRZ Notification, 2011 (amended time to time).

- ii. Concern planning authority to strictly ensure that all conditions of the para 8.V. 1. (c) of the CRZ Notification, 2011 should be adhered to.
- iii. Concerned planning Authority to ensure that FSI proposed for redevelopment in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority
- iv. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
- v. The PP to ensure environment measures such as STP, solar water lighting & heating, Rainwater harvesting, OWC etc are implemented in the scheme.
- vi. PP to obtain the Environment Clearance under EIA Notification, 2006.
- vii. All other required permissions should be obtained before the commencement of the project.

**General Conditions:**

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
- ii. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
- iii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- iv. The clearance accorded to the project under CRZ notification shall be valid for a period of seven years from the date of issue of such clearance: Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance.
- 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.

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

  
(Narendra Toke)

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 -400022
4. **District Collector Mumbai City**, Old Custom House, Shahid Bhagat Singh Rd, Marg, Fort, Mumbai- 400001
5. **Municipal Commissioner**, Municipal Corporation of Greater Mumbai (MCGM), Mahapalika Marg, Fort, Mumbai 400001
6. **Select File-TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2202 9388  
E-mail : dir1.mev-mh@nic.in

No. CRZ 2018/CR 250/ TC4  
Office of the -  
Maharashtra Coastal Zone Management  
Authority, Environment Department, 15<sup>th</sup> floor,  
New Administrative Building, Mantralaya,  
Mumbai - 400 032  
Date: 15<sup>th</sup> November, 2018

To,  
M/s. Sagar Resham CHSL,  
47, Byramji Jeejibhoy Road, Band Stand,  
Bandra (W), Mumbai - 50

**Subject:** Proposed redevelopment of dilapidated structure to new residential building on plot bearing CTS No. 864A, 864B, 865, 866A/1 & 866A/2 of village Bandra, B.J. Road, Bandra (W), Mumbai by M/s. Sagar Resham CHSL

The proposal for redevelopment of dilapidated structure to new residential building on plot bearing CTS No. 864A, 864B, 865, 866A/1 & 866A/2 of village Bandra, B.J. Road, Bandra (W), Mumbai was considered in 126<sup>th</sup> meetings of MCZMA held on 28<sup>th</sup> August, 2018.

2. MCZMA noted that the proposal is for proposed redevelopment of dilapidated structure to new residential building on plot bearing CTS No. 864A, 864B, 865, 866A/1 & 866A/2 of village Bandra, B.J. Road, Bandra (W), Mumbai under 8.V.C of CRZ Notification, 2011. There is an existing building comprising of Ground Floor + 6<sup>th</sup> Upper Floors declared as dilapidated & is in dangerous condition. The notice has been issued by MCGM dated 16.09.2009 and the building is vacated for safety. Proposed building comprises of basement for stack parking with 2 nos. of car lift + Stilt for stack parking + intermediate floor for parking + 1<sup>st</sup> to 6<sup>th</sup> floors for car parking + 7<sup>th</sup> to 16<sup>th</sup> floors + 17<sup>th</sup> to 19<sup>th</sup> triplex floor for residential use in lieu of plot potential + 0.50 FSI + 0.90 TDR + fungible FSI as per reg. 35 (4) and by claiming the area of staircase, lift and lobby free of FSI.
3. The plot under reference falls in CRZ - II area and landward side of existing Byramji Jeejibhoy Road. The plot under reference falls in Residential Zone & is not reserved for any public purpose except for widening of road as per DP of 1991 & 2034. Area of the plot is 1141.60 sqm and proposed BUA is 3698.44 sqm.
4. The Authority, after deliberation decided to recommend the proposal from CRZ point of view to concern planning Authority subject to strict compliance of the following conditions:

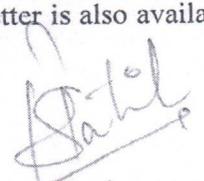
**Specific Conditions:**

- i. Proposed redevelopment should be in accordance with provisions of CRZ Notification, 2011 (amended from time to time).

- ii. MCGM to ensure that the existing buildings are declared as dilapidated as on 6.1.2011.
- iii. MCGM to ensure that all the conditions of the para 8.v.c of the CRZ Notification, 2011 is adhered to.
- iv. MCGM to ensure that proposed construction is as per DCR prevailing as on the date on which the project is granted approval by the competent Authority.
- v. MCGM to ensure that issues raised in Public hearing of tenants are addressed.
- vi. PP to implement environment measures proposed in the project such as solar water heater, STP, organic waste converter, rainwater harvesting.
- vii. PP to obtain the Environment Clearance from competent Authority, if total construction area in the project exceeds 20,000 Sqm.
- viii. All other required permission from different statutory authorities should be obtained.

#### General Conditions:

- i. The MCZMA or any other competent authority, concern planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
  - ii. The environmental safeguard measures should be implemented in letter and spirit.
  - iii. This recommendation will be valid for 5 years from the date of issue of recommendation for commencement of construction & operation.
  - iv. 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.
5. The agenda item, minutes and the copy of this recommendation letter is also available on the website of MCZMA i.e. <http://mczma.gov.in>.

  
Director (Environment) &  
Member Secretary (MCZMA)

#### Copy for information to:

1. Principal Secretary, Environment & Chairman, MCZMA, Env. Dept., 217, Annex, Mantralaya, Mumbai.
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, Kalpataru Point, 3<sup>rd</sup> and 4<sup>th</sup> floor, Opp. Cine Planet, Sion Circle, Rd Number 8, Jay Bharat Mata Nagar, Air Force Quarters, Sion, Mumbai, Maharashtra - 22
4. Collector, Mumbai Suburban, 10th Floor, Administrative Building, Near Chetna College, Bandra(E), Mumbai - 400 051
- ✓ 5. Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mahapalika Marg, Fort, Mumbai.
6. Select File - TC 4

# 140 ANNEXURE-'A-5'

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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

No. CRZ 2020/CR72/TC 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032  
Date: 30<sup>th</sup> June 2021

To,  
M/s Euphrosyne Infrastructure Pvt. Ltd.  
801, Arcadia, NCPA Road, Nariman Point,  
Mumbai 21

**Subject:** Proposed redevelopment of property bearing C. S. no. 4/701 of Malbar Hill Division, D ward, Mumbai M/s Euphrosyne Infrastructure Pvt. Ltd.

The Maharashtra Coastal Zone Management Authority in its 155<sup>th</sup> meeting held on 10<sup>th</sup> & 11<sup>th</sup> June, 2021 deliberated the proposal of redevelopment of property bearing C. S. no. 4/701 of Malbar Hill Division, D ward, Mumbai.

2. The Authority noted that, the proposal is for redevelopment of property bearing C. S. no. 4/701 of Malbar Hill Division, D ward, Mumbai, in accordance with para 8.v.1.c of the CRZ Notification, 2011. As per MCGM remarks, the proposal involves redevelopment of cessed building on property bearing C.S. No. 4/701 of Malabar Hill Division, 'D' ward, Mumbai, The proposed building comprising of Basement + Stilt + 1<sup>st</sup> to 6<sup>th</sup> parking floors + 7<sup>th</sup> (pt) refuge floor + 8<sup>th</sup> to 13<sup>th</sup> floor + 14<sup>th</sup> (pt) refuge floor + 15<sup>th</sup> to 18<sup>th</sup> floor with total height of 69.95 meter, on property bearing C.S. No. 4/701 of Malabar Hill Division, 'D' ward, Mumbai The plot is situated in Residential Zone and not reserved for any public purpose.

3. The Authority noted that, Architect has submitted the NoC from MHADA on 31.7.2019 for redevelopment of captioned property with FSI 3.00 as per DCR 33(7) of DCR 2034. Hon.'ble MC, MCGM approval is on 4.10.2019. The IOD was issued on 13.5.2020. Plot area is 521. 72 Sqm, Permissible FSI is 3.78, Built up area (FSI area) is 1976. 15 Sqm and Total construction area is 3060.23 Sqm

4. As per approved CZMP, 2011, the site falls in CRZ II area and situated on landward side of exiting road. The Authority noted that redevelopment of cessed building is permissible as para 8.V.1.C of the CRZ Notification, 2011 subject to FSI as per prevailing town & country planning regulations. The PP has submitted the public hearing report for the project, as per para 8.v.c. of the CRZ Notification, 2011. The Authority noted that order dated 9.4.2021 passed by the Hon'ble High Court in WP 6843 of 2021. (Euphrosyne Infrastructure (OPC) Pvt Ltd vs MCZMA & Ors)

5. After deliberation, the Authority decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions:

**Specific Conditions:**

- i. The Local Body to ensure that FSI for the proposed redevelopment is as per the town and country planning regulation prevailing as on the date on which the project is granted approval by the competent authority
- ii. Local body to ensure that the building is cess category structure.
- iii. Environment Measures such as STP, Solar heating, Rainwater Harvesting shall be implemented in the project
- iv. All other required permission from different statutory authorities should be obtained.

**General Conditions:**

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
- ii. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
- iii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- iv. The clearance accorded to the project under CRZ notification shall be valid for a period of seven years from the date of issue of such clearance: Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance.
- 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.

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

(Narendra Toke)

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 -400022
4. **District Collector Mumbai City**, Old Custom House, Shahid Bhagat Singh Marg, Fort, Mumbai 01
5. **Municipal Commissioner**, Municipal Corporation of Greater Mumbai, Mahapalika Marg, Mumbai 01
6. **Select File-TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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

No. CRZ 2022/CR 151/TC 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment & Climate Change Department,  
15<sup>th</sup> Floor, New Administrative Building,  
Mantralaya, Mumbai- 400 032  
Date: 15<sup>th</sup> September, 2022

To,  
M/s Sambhav Estate Pvt. Ltd.,  
311, Mehta House, 36,  
Pandita Ramabai Road, Chowpatty,  
Mumbai - 07

Subject: Proposed redevelopment scheme under Regn. 33 (7) of DCPR 2034 on plot bearing CS No. 4/600 of Malabar Camballa Hill Division situated at 153, August Kranti Marg, Mumbai by M/s Sambhav Estate Pvt. Ltd.

The Maharashtra Coastal Zone Management Authority in its 160<sup>th</sup> meeting held on 11<sup>th</sup> August, 2022 deliberated the proposal of redevelopment scheme under Regn. 33 (7) of DCPR 2034 on plot bearing CS No. 4/600 of Malabar Camballa Hill Division situated at 153, August Kranti Marg, Mumbai.

2. The Authority noted that the proposal is for redevelopment of CESS category residential cum commercial building on plot bearing CS No. 4/600 of Malabar Camballa Hill Division situated at 153, August Kranti Marg, Mumbai. The existing building structure of Ground Floor + 1<sup>st</sup> to 4<sup>th</sup> Upper floors and room on terrace is standing on site and work is not commenced yet on site as on date. Old structure was having "Residential cum commercial" use.

3. The Authority noted that the proposal is for single building comprising of Basement for services, Ground floor + 1<sup>st</sup> to 2<sup>nd</sup> Floor for Non-Residential use and car parking 3<sup>rd</sup> to 6<sup>th</sup> floor for car parking 7<sup>th</sup> floor for Residential flats & lift machine room. 8<sup>th</sup> floor for Residential flat and Refuge, 9<sup>th</sup> floor to 14<sup>th</sup> floors for residential flat, 15<sup>th</sup> floor for residential flat & refuge floor and 16<sup>th</sup> to 21<sup>st</sup> floor for residential flats and 22<sup>nd</sup> floor for Fitness Centre, Society Office & part terrace with total height of 67.00m upto terrace level, with FSI 3.00 or 50% incentive whichever is more as per Regn. 33(7) & fungible FSI admissible as per Regn. 31(3) of DCPR 2034 as per DCPR 2034 and policies in force as on 18<sup>th</sup> January, 2019, i.e. publication of CRZ Notification, 2019.

4. The Authority noted that the architect has submitted the MHADA NOC for the redevelopment with FSI 3.00 or FSI required for rehabilitation of existing occupiers plus 50% incentive FSI whichever is more as per Reg 33(7) of the DCPR 2034. As per MCGM remarks, Plot area is 345.22 Sqm, Proposed built up area (FSI) is 2232.80 Sqm, BUA as free of FSI – 2002.92 Sqm and Total construction area is 4235.72 Sqm. As per DP 2034 the plot under reference is situated in Residential Zone. The remarks of the MCGM states that the plot falls in CRZ II area, as per approved CZMP and situated on landward side of existing road.

5. The Authority noted that as per para 5.2 (iv) of the CRZ Notification, 2019, "Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of publication of this notification in the official Gazette..."

6. The Authority noted that reconstruction of authorized building could be permissible in CRZ II area subject to FSI of the town country planning regulations existed as on date of the CRZ Notification,

2019 i.e. 18<sup>th</sup> January, 2019. MCGM should strictly ensure that the proposed reconstruction is within the limit of permissible FSI as per DCR as on 18<sup>th</sup> January, 2019.

7. After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concerned planning Authority subject to compliance of following conditions:

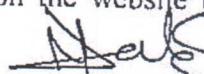
**Specific Conditions:**

- i. Proposed redevelopment should be in accordance with provision of the CRZ Notification, 2019.
- ii. MCGM should strictly ensure that the proposed reconstruction is within the limit of permissible FSI as per DCR as on 18<sup>th</sup> January, 2019 before issuing commencement certificate to the project.
- iii. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
- iv. MCGM to ensure that the Solid Wastes are handled as per Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.
- v. All other required permission from different statutory authorities should be obtained.

**General Conditions:**

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
- ii. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
- iii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- iv. The clearance accorded to the project under CRZ notification shall be valid for a period of seven years from the date of issue of such clearance: Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance.
- 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.

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

  
(Narendra Toke) 15/9/22

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 -400022
4. District Collector, Mumbai City, Old Custom House, Shahid Bhagat Sing Marg, Fort. Mumbai - 01
5. Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mahapalika Margm Fort, Mumbai - 01
6. Select File-TC 4

# 144 ANNEXURE-'A-7'

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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

No. CRZ2023/CR166/TC4  
Office of the -  
Maharashtra Coastal Zone Management  
Authority, Environment & Climate Change  
Department, 15<sup>th</sup> Floor, New Administrative  
Building, Mantralaya, Mumbai- 400 032  
Date: 26<sup>th</sup> September, 2023

To,  
M/s Sattadhar Constructions Pvt. Ltd.,  
04<sup>th</sup> Floor, 401/402, Viraj Tower,  
Western Express Highway, Near WEH Metro Station,  
Andheri (E), Mumbai - 93

**Subject:** Proposed Slum Rehabilitation Scheme on plot bearing C. S. no. 876(pt), 877 to 880 and C. S. no. 894 (pt) to 897 (pt) of Worli Division, situated at Khar Abdul Gafar Khan Marg, G/S ward, Worli, Mumbai by M/s Sattadhar Constructions Pvt. Ltd.

The Maharashtra Coastal Zone Management Authority in its 168<sup>th</sup> meeting held on 10<sup>th</sup> August, 2023 deliberated the proposal of Slum Rehabilitation Scheme on plot bearing CS No. 876(pt), 877 to 880 and CS No. 894 (pt) to 897 (pt) at Khan Abdul Gafar Khan Road of Worli Division, Mumbai.

2. The Authority noted that the proposal is for development under Reg 33(10) of DCPR 20234 for rehabilitation of exiting slum dwellers on plot bearing CS No. 876(pt), 877 to 880 and CS No. 894 (pt) to 897 (pt) at Khan Abdul Gafar Khan Road of Worli Division, Mumbai. The proposal involves 1 composite building and 1 sale building (Bungalow):

a) Composite Building -

- Sale Wing: 3 levels common (pt.) basement + Ground + 1st to 38th floor.
- Rehab Wing A: 3 levels common basement + Stilt + 1st to 3rd floors podium + 4th floor podium level (amenity floor) + Girder level + 5th to 20th floor.
- Rehab Wing B: 3 levels common basement + Stilt + 1st to 3rd floors podium + 4th floor podium level (amenity floor) + Girder level + 5th to 21st floor.
- Rehab Wing C: 3 levels common (pt.) basement + Ground + 1st to 26th floor.

b) Sale building -

- 1 Sale Building (Bungalow) comprises of Basement + Lower Ground + Upper Ground + 1st to 2nd floor.

3. The Authority noted that as per DP 2034, the plot under reference is situated in Residential zone, partly affected by ER 1.3( Government Staff Quarters) (part of larger existing amenities) and is affected by existing Milk Dairy and mostly for extension of Milk Dairy reservation. As per the SRA remarks, the plot under reference falls in CRZ II area and situated on landward side of existing road. Plot area is 7911.08 Sqm, Proposed BUA is 40,917.50 Sqm and Total construction area is 93901.35 Sqm.

4. The Authority noted that the PP presented that the project site falls in CRZ II area and situated on landward side of the existing road.

5. The Authority noted that in certain matters, the Mumbai High Court has passed an order dated 20th October, 2022 in WP (L) No. 32454/2022 (Akshay Sthapatya Pvt Ltd V/s Union of India & Ors)

wherein the Hon'ble High Court has directed the MCZMA to appraise slum rehabilitation project on the subject plot by applying Regulation 5.2 (ii) and (iii) of the CRZ 2019 Notification and applicable laws within a time bound manner and disregarding the clarification sought by the MCZMA.

6. Further, the Authority noted that, on above said High Court matter, opinion of Hon. Advocate General (AG) was sought, in the light of provisions of CRZ Notification, 2019. The Hon. AG provided the opinion in the matter. Certain excerpts of the AG opinion is as follows:

*"While the 2011 Notification does specially slum rehabilitation projects, the 2019 Notification does not make specific reference to the redevelopment of slums, but in my opinion from that it cannot be implied that SRA projects are out of the purview of Clauses 5.2(ii) & (iii) of the 2019 Notification. In my opinion, the interpretation of the 2019 Notification by the Bombay High Court is a fair and reasonable interpretation of the 2019 Notification. In my opinion, there is no embargo on the Authority in considering and recommending a proposal for a slum scheme with FSI 4.0 in the CRZ II area....."*

7. The Authority further noted that as per para 5.2 (ii) and (iii) of the CRZ Notification, 2019, (ii) *Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places, etc. shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures* (iii) *Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index (FSI) or Floor Area Ratio (FAR) prevailing as on the date of this Notification...."*

8. The Authority further noted that proposed construction of building in CRZ II area is permissible subject to FSI as per Town and Country planning regulations existed as on date of the CRZ Notification, 2019 i.e. 18<sup>th</sup> January, 2019. Local body should strictly ensure that the proposed construction is within the limit of permissible FSI as per DCR existed as on 18<sup>th</sup> January, 2019. However, the concern planning Authority should strictly ensure that no construction is allowed in RG/ PG reservation, if any.

9. After deliberation, the Authority decided to recommend the proposal from CRZ point of view under CRZ Notification, 2019 to concern planning Authority/ SEIAA subject to compliance of following conditions:

**Specific Conditions:**

- i. Proposed construction should be in accordance with provision of the CRZ Notification, 2019.
- ii. Local body to ensure that proposed construction is situated in CRZ II area and on landward side of the existing road or existing authorized structure without change in the present land use.
- iii. Local body should strictly ensure that the proposed construction in CRZ II area is within the limit of permissible FSI as per Town and Country planning regulations existed as on 18<sup>th</sup> January, 2019 before issuing commencement certificate to the project.
- iv. No construction is allowed in RG/ PG reservation, if any as per CRZ Notification 2019.
- v. PP to obtain the Environment clearance under EIA Notification, 2006 since total construction area exceeds 20,000 Sqm.
- vi. PP to implement environment measures such as rainwater harvesting, solar lighting, STP, OWC etc.
- vii. PP to provide the STP for the temporary transit camps also.
- viii. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place as per MSW Rules, 2016.

- ix. Solid waste generated should be properly collected and segregated. Dry/ inert solid waste should be disposed of to the approved site for land filling after recovering recyclable materials.
- x. Safe disposal of the wastewater should be ensured.
- xi. Local body to ensure that there is not prohibitory order for development / approval from any Hon'ble Court, before issuing Commencement certificate.
- xii. All other required permission from different statutory authorities should be obtained before starting of construction activity at the site

**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.

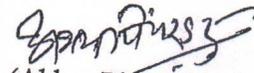
**b) Operation Phase:**

- 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 application 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, 1<sup>st</sup> floor, D wing, Opposite Council Hall, Pune, if prepared, within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.
10. Earlier MCZMA recommendation letter dated 05.09.2023 no. CRZ2023/CR166/TC4 withdrawn herewith. 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. **Municipal Commissioner, Municipal Corporation of Greater Mumbai (MCGM), Mahapalika Marg, Fort, Mumbai - 01**
5. **District Collector, Mumbai Suburban, Administrative Building, Near Chetna College, Bandra (E), Mumbai.**
6. **Chief Executive Officer, Slum Rehabilitation Authority, Administrative Building, Anant Kanekar Marg, D Block BKC, Naupada, Bandra (E), Mumbai - 51**
7. **Select File-TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2287 3844  
e-mail : mahamczma@gmail.com

No. CRZ - 2016 / CR - 290 / TC 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment Department, 15<sup>th</sup> floor,  
New Administrative Building, Mantralaya,  
Mumbai- 400 032.  
Date: 27<sup>th</sup> February, 2017

To,  
M/s. Shree Naman Developers Ltd,  
Naman Centre, C-31, G - Block,  
Bandra Kurla Complex, Bandra (E),  
Mumbai - 400 051

**Subject:** Proposed redevelopment of the existing building on plot bearing C. No. 832 of Worli Division, Worli Estate Scheme No. 52, Khan Abdul Gaffar Khan Road, Mumbai by M/s Karp Estate Private Limited

The proposal regarding proposed redevelopment of the existing building on plot bearing C. No. 832 of Worli Division, Worli Estate Scheme No. 52, Khan Abdul Gaffar Khan Road, Mumbai by M/s Karp Estate Private Limited was considered in 114<sup>th</sup> meeting of MCZMA held on 2<sup>nd</sup> & 3<sup>rd</sup> November, 2016.

2. The Authority noted that the proposal is for redevelopment of existing building named as 'Hormus House' for residential use on plot bearing C. No. 832 of Worli Division, Khan Abdul Gaffar Khan Road, Mumbai. As per approved CZMP of Mumbai, the project site falls in CRZ II area and situated on landward side of existing road. Plot area is 2584.00 sqm. The existing building was dilapidated & dangerous and has been pulled down. MCGM vide letter dated 24.6.2010 declared the building under consideration as a dilapidated and dangerous as per the Para 8.V.1.(C) of the CRZ Notification, 2011. The PP has submitted the public consultation report. The MCGM has granted the IOD dated 18.04.2016 with basic zonal FSI 1.33 for residential building having 3 - wings, wings "A" comprising of 3 level basement + stilt+ 1<sup>st</sup> to 4<sup>th</sup> floor for parking + 5<sup>th</sup> service floor + 6<sup>th</sup> & 7<sup>th</sup> upper floors for residential purpose with total height 36.85 m, wing "B" & "C" comprising of 3 basement + stilt + 1<sup>st</sup> parking floor + 2<sup>nd</sup> to 5<sup>th</sup> habitable floor with total height of 23.11 m.

3. The Authority noted that Para 8.V.1(C) of the CRZ Notification stipulates the redevelopment of dilapidated building as per prevailing town and country planning regulations. The redevelopment of dilapidated building under DCR 33(6) of DCR 1991 can be permitted, in accordance with para 8.V.1.(C) of CRZ Notification, 2011.

4. The Authority after deliberation decided to recommend the proposal of development of residential building as proposed by MCGM from CRZ point of view to concerned planning Authority subject to compliance of following conditions:

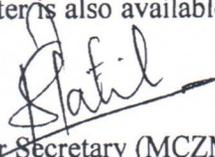
**Specific conditions:**

- i. The proposed redevelopment to which IOD is issued by MCGM should be in accordance with provisions of the CRZ Notification, 2011 ( amended from time to time).
- ii. The PP should comply with all provision of para 8.V.C of CRZ Notification, 2011.
- iii. As requested by PP during the meeting, PP is allowed to display advertisement of its own project on barricades of project site under reference subject to condition that prior MCGM permission is obtained for the same as per the prevailing DCR.
- iv. All other required permission from different statutory authorities should be obtained.

**General Conditions:**

- i. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
- ii. The MCZMA or any other competent authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- iii. A copy of the recommendation letter shall be marked to the concerned local body/ local NGO, if any, from whom any suggestion/ representation has been received while processing the proposal.
- iv. The environmental safeguard measures should be implemented in letter and spirit.
- v. This recommendation will be valid for 5 years from the date of issue of recommendation for commencement of construction & operation.
- vi. 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.

5. The agenda item, minutes and the copy of this recommendation letter is also available on the website of MCZMA i.e. <http://mczma.maharashtra.gov.in>.

  
Member Secretary (MCZMA)

**Copy for information to:**

1. **Additional Chief Secretary**, Environment & Chairman, MCZMA, Environment Dept, Room No. 217, Annexe Building, Mantralaya, Mumbai.
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. **District Collector Mumbai City**, Old Custom House, Fort , Mumbai – 400001
4. **Member Secretary**, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. CineMax Theatre, Sion (E), Mumbai-400 022
5. **Municipal Commissioner**, Municipal Corporation of Greater Mumbai, Mahapalika Marg, Fort, Mumbai.
6. **Select File- TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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

No. CRZ 2021/CR43/TC 4  
 Office of the -  
 Maharashtra Coastal Zone Management Authority,  
 Environment & Climate Change Department,  
 15<sup>th</sup> Floor, New Administrative Building,  
 Mantralaya, Mumbai- 400 032  
 Date: 08<sup>th</sup> June, 2022

To,  
 Shri Satyapal Jain,  
 M/s. Mega Trust, 21-C (A), Mittal Tower,  
 C Wing, 2<sup>nd</sup> Floor, Nariman Point,  
 Mumbai 400 021

Subject: Proposed residential building on plot bearing CS No. 692 of Malbar Hill Division situated at Junction of Bhulabhai Desai Road & Bomanji Petit Road, Mumbai by Shri Satyapal Jain.

The Maharashtra Coastal Zone Management Authority in its 159<sup>th</sup> meeting held on 6<sup>th</sup> June, 2022 deliberated the proposal of residential building on plot bearing CS No. 692 of Malbar Hill Division situated at Junction of Bhulabhai Desai Road & Bomanji Petit Road, Mumbai.

2. The Authority noted that the project proponent submitted the proposal for redevelopment of dilapidated building on plot bearing CS No. 692 of Malbar Hill Division situated at Junction of Bhulabhai Desai Road & Bomanji Petit Road, Mumbai, as per as per para 8.v.1.c of the CRZ Notification, 2011 with FSI as per DCPR 2034.
3. The Authority noted as per MCGM remarks, there was a very old existing structure of ground floor + 1<sup>st</sup> to 2<sup>nd</sup> + 3<sup>rd</sup> (pt) upper floor for residential use. The building has received notice dated 30.11.2018 under section 354 of MMC Act for pulling down. Existing dilapidated building has been demolished and now the plot is vacant.
4. The Authority noted that the proposed residential building comprises of basement Floor + Ground Floor + 1<sup>st</sup> to 5<sup>th</sup> upper floor level for parking + Service floor + 7<sup>th</sup> to 14<sup>th</sup> upper flats for residential use + service floor + 15<sup>th</sup> (pt) upper floor on site under reference. Plot area is 1321.08 Sqm, BUA for FSI is 2867.85 Sqm, Non FSI area is 4862.83 Sqm and Total construction area is 7730.68 Sqm. The proposal has received various concessions for Hon'ble MC's concession on 15.1.2021. The plot falls in Residential zone as per old DP (1967 DP), as per revised sanctioned DP (1993) and as per DCPR 2034 and is not affected by any reservations for the public purpose as per both of these development plans.
5. The Authority noted that as per approved CZMP, 2011, the plot is situated in CRZ II area. It is on landward side of existing Bhulabai Desai Road in existence prior to 19.2.1991 and it abuts directly to Road. The Authority noted that under para 8.v.1.c of the CRZ Notification, 2011, the redevelopment of the dilapidated building in CRZ II area is permissible in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority. The PP has submitted the public hearing report, as per para 8.v.1.c of the CRZ Notification, 2011.
6. In the light of above, the Authority after deliberations, decided to recommend the proposal from CRZ point of view to concern planning Authority with subject to compliance of the following conditions:

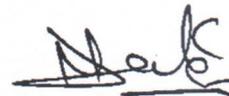
**Specific Conditions:**

- i. PP should ensure that proposed redevelopment in CRZ areas are as per provisions of CRZ Notification, 2011 (amended time to time).
- ii. Concern planning authority to strictly ensure that all conditions of the para 8.V. 1. (c) of the CRZ Notification, 2011 should be adhered to.
- iii. Concerned planning Authority to ensure that FSI proposed for redevelopment in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority
- iv. Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
- v. The PP to ensure environment measures such as STP, solar water lighting & heating, Rainwater harvesting, OWC etc are implemented in the scheme.
- vi. All other required permissions should be obtained before the commencement of the project

**General Conditions:**

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
- ii. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
- iii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- iv. The clearance accorded to the project under CRZ notification shall be valid for a period of seven years from the date of issue of such clearance: Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance.
- 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.

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

  
(Narendra Toke) 8/6/22

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. **Municipal Commissioner**, Municipal Corporation of Greater Mumbai, Mahapalika Marg, Fort, Mumbai - 01
4. **Member Secretary, Maharashtra Pollution Control Board**, Kalpataru Point, 3rd and 4th floor, Road No. 8, Sion Cir, opp. PVR Theater, Mumbai -400022
5. **District Collector, Mumbai City**, Old Custom House, Shahid Bhagat Sing Marg, Fort, Mumbai - 01
6. **Select File-TC 4**

## MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2285 5082  
e-mail : mahamczma@gmail.com

No. CRZ 2011 / CR 161 / TC 4  
Office of the -  
Maharashtra Coastal Zone Management Authority,  
Environment Department, Room No. 217(Annex),  
Mantralaya, Mumbai- 400 032.  
Date: 14.10.2013

To,

✓ M/s Talati and Panthaky Associated Pvt Ltd,  
Malabar Hill Division,  
Bhulabhai Desai Marg, Mumbai.

Sub: Proposed redevelopment under 33(6) of D.C.R.1991 on plot bearing C. S. No. 1A/698 of Malbar Hill Dn. at Desai Road in D Ward Mumbai.

The proposal regarding the "Proposed redevelopment under 33(6) of D.C.R.1991 on plot bearing C.S.No. 1A/698 of Malbar Hill Dn. at Desai Road in D Ward Mumbai" was discussed in 84<sup>th</sup> meeting of Maharashtra Coastal Zone Management Authority held on 30<sup>th</sup> and 31<sup>st</sup> August, 2013.

2. The project proponent presented the proposal before the Authority. The Authority noted the followings-

- a) The Municipal Corporation of Greater Mumbai (MCGM) has forwarded the proposal of "Proposed redevelopment under 33(6) of DCR 1991 on plot bearing C.S.No. 1A/698 of Malabar Hill Division, at Bhulabhai Desai Road, in D ward, Mumbai" vide letter dated 18.6.2012 to MCZMA.
- b) As per MCGM letter dated 30.1.2013; the architect has proposed to construct a residential building of 2 level Basement + Stilt of greater height ie. 7.20 m + Mezzanine floor + 8 Nos of parking level + service floor + 1<sup>st</sup> to 19<sup>th</sup> upper floors for residential purpose and 70.00 m check floor with total height of building 120.85 m up to terrace level. The MCGM letter dated 18.5.2013 indicates that ; Municipal Commissioner, MCGM has approval for " to accord in principal approval for the proposed building having height of 120.85 m and to allow to issue approval up to 70.00 m and to issue approval and CC for full height after submission of NoC from High Rise Committee"
- c) As per DP remarks of MCGM dated 1.11.2011, the plot bearing C. S. No. 1A/698 of Malabar Hill division is in Residential Zone.
- d) As per the CZMP approved by MoEF in 2000; the plot under reference falls in CRZ II and situated on landward side of existing "90-0" wide Bhulabhai Desai road
- e) The MCGM remarks dated 18.6.2012 indicates that existing building is prior to 1957. Copy of 4<sup>th</sup> edition C.S. Plan has been submitted.

*[Handwritten Signature]*

- f) MCGM remarks dated 18.6.2012 mentioned that there are two notices issued to the owner of the property dated 15.4.2010 and 27.12.2010 by A.E. ( B & F ) D-Ward informing that the building under reference is in dangerous and dilapidated condition. Further, notices u/s 354 of MMC Act was issued to pull down the dangerous buildings. Public hearing report dated 29.8.2012; mentioned that existing building was demolished because it was in very dangerous condition which is in dilapidated, after obtaining permission from BMC.

g) FSI Details

As per MCGM letter dated 18.6.2012-

- Plot Area- 2075.88 Sqm
- Permissible FSI for proposal under 33(6) is existing built up area OR permissible zonal FSI whichever is higher.
- Existing built up area to be protected- 3577.54 Sqm
- Total permissible built up area- 3577.54 Sqm
- Non FSI area ( Such as staircase, lift, lift lobby balcony, 10% passages, niches, flower bed, podium, basement, service etc.- 14485.61 Sqm
- Total construction Area- 18063.15 Sqm

As per the plans dated 11.7.2013 submitted along with IOD –

- |   |              |
|---|--------------|
| • Area of plot-   | 2075.88 Sqm  |
| • Setback area-   | 107.46 Sqm   |
| • Net area of Plot-   | 1968.42 Sqm  |
| • Total permissible floor area-   | 3577.54 Sqm  |
| • Proposed built up area-   | 3439.54 Sqm  |
| • Balance area kept in abeyance till the clearance from High-Rise committee for height more than 70 m – | 1570.08.Sqm. |

h) Municipal Commissioner Approval

The MCGM letter dated 18.5.2013 indicates that ; Municipal Commissioner, MCGM has approval for “ to accord in principal approval for the proposed building having height of 120.85 m. and to allow to issue approval up to 70.00 mt and to issue approval and CC for full height after submission of NoC from High Rise Committee”

i) IOD issued on 11.7.2013 by MCGM

IOD was issued on 11.7.2013 by the MCGM. The lay out plan attached with IOD is for basement + stilt + mezzanine + 8 podium level + service level + fire check floor + 10 upper floors.

j) Public hearing report submitted

The public hearing was conducted on 29.8.2012. The MPCB forwarded the minutes of public hearing on 27.11.2012. Necessary measures to avoid the air & noise pollution in the nearby vicinity would be taken.



The Authority decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions-

**Specific conditions-**

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF time to time.
2. The concerned planning authority should ensure that there is no change of use for the proposed redevelopment of existing authorized building.
3. The MCGM should ensure that FSI, lay out plan, height involved in the proposal is as per town and country planning regulations existing as on 6.1.2011.
4. The MCGM should ensure that FSI, Non FSI and concessions granted by Municipal Commissioner, if any, is strictly as per as per town and country planning regulations existing as on 6.1.2011.
5. Project proponent should implement green initiatives such as Rainwater Harvesting system for ground water recharge, Solar panel for generation of renewable energy for captive consumption.
6. MCGM should ensure that there is no violation of provisions of CRZ Notification, 2011.
7. All other mandatory permissions from different statutory authorities should be obtained prior to commencement of work

**General Conditions-**

- 1) In the event of any change in the project profile, a fresh reference shall be made to the MCZMA.
- 2) The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
- 3) The MCZMA or any other competent authority, MCGM may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- 4) A copy of the recommendation letter shall be marked to the concerned local body/ local NGO, if any, from whom any suggestion/ representation has been received while processing the proposal.
- 5) The environmental safeguard measures should be implemented in letter and spirit.
- 6) This recommendation will be valid for 5 years from the date of issue of recommendation for commencement of construction and operation.
- 7) Any appeal against this CRZ clearance shall lie with the National Green Tribunal, Van Vigyan Bhavan, sector 5, R.K. Puram, New Delhi-110 022, if preferred, within 30 days as prescribed under section 16 of National Green Tribunal Act, 2010.
- 8) Environmental Management Plan, Tree Plantation Plan, and MSW and Sewage treatment plan should be implemented properly and MCGM to ensure the same.

*[Handwritten signature]*

- 9) MCGM to consider suggestions/objections, if any, reported in the public consultation report before according commencement certificate to the proposal.
  - 10) All other Conditions stipulated in the para 8(v) of the CRZ Notification 2011 shall be applicable to project owner, architect, environmental consultant, builder and developer. They will be held responsible for violation or non-adherence to the provisions stipulated therein.
  - 11) Project proponent/ developer should obtain environmental clearance from the competent authority before commencement of the work if total built up area in the project exceeds 20000 sq. meters.
  - 12) NOC from High-rise Committee and fire department, if applicable, shall be obtained.
  - 13) 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.
4. The agenda item and minutes and the copy of this recommendation letter is also available on the website of MCZMA i.e. <http://mczma.maharashtra.gov.in>.

  
Member Secretary (MCZMA)

**Copy for information to:-**

1. **Chairperson**, Maharashtra Coastal Zone Management Authority (MCZMA), Environment Department, Mantralaya, Mumbai- 400 032
2. **Chief Engineer (DP)**, Municipal Corporation of Greater Mumbai (MCGM), Mahapalika Marg, Fort, Mumbai.
3. **Collector** (Mumbai City), Old Custom House, Fort, Mumbai – 400 001.
4. **Member Secretary**, Maharashtra Pollution Control Board, Sion, Mumbai- 400 022
5. **Director**, Coastal Regulation Zone, Ministry of Environment & Forests (MoEF), Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi- 110 003
6. **Director**, Western Zone (Bhopal), Kendriya Paryavaran Bhavan, Link Road No. 3, Bhopal- 462 016
7. **Select file- TC 4**