

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

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No. MCZMA 2010 / CR- 66 / TC-2
Office of the -
Maharashtra Coastal Zone Management Authority,
Environment Department, Room No. 217(Annex),
Mantralaya, Mumbai- 400 032.
Date: 21.2.2013

To,
✓ Dy. Chief Engineer
(Storm Water Drain) Pl.Cell,
Engineering Hub Building,
Ground Floor, Dr. E. Moses Road,
Worli, Mumbai - 400 018.

Subject: CRZ clearance to proposed construction of Storm water Pumping Station on S.N.D.T. / P. & T. / South, Main and North Avenue Nalla along with construction of access road and training of nalla walls in R.C.C at Gazadar Band, Khar Danda in H/West Ward, Mumbai.

Sir,

The matter regarding "CRZ clearance to proposed construction of Storm water Pumping Station on S.N.D.T. / P. & T. / South, Main and North Avenue Nalla along with construction of access road and training of nalla walls in R.C.C at Gazadar Band, Khar Danda in H/West Ward, Mumbai" was considered in 79th meeting of Maharashtra Coastal Zone Management Authority held on 5th January, 2013. The proposal was received through the Municipal Corporation of Greater Mumbai as per the MCZMA Office Memorandum dated 20.12.2012.

2. Authority noted the following proposal details:-

- The MCGM proposed to construct a Storm Water Pumping Station on S.N.D.T. Nalla along with construction of access road and R.C.C. retaining walls of the nalla at Gazadar Band, Khar Danda in H/West Ward.
- The Construction of storm water pumping station along with access road and R.C.C. retaining walls of nallas could be undertaken to abate flooding in the locality during high intensity rains at high tides. Proposed area is 6000 Sqmt for storm water pumping station and 3210 Sqmt for access road with permissible FSI 1.00.
- As per sanctioned revised Development plan, plot under reference is not reserved for any public purpose and it is partly situated in I-2 zone (fishing industries), partly in No Development Zone and it is shown as part of 'creek' as per tikka sheet. As per CZMP, the site under reference falls in CRZ-I and situated on seaward side of existing road.
- The MCGM officials voiced the need the project stating that the project would help in avoiding/ minimizing the flooding as well as water lodging in Khar Danda and surrounding area.

3. The Authority noted that as per 3 (iv) (d) of CRZ Notification, 2011: Land reclamation, bunding or disturbing the natural course of sea water is prohibited except those: Measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and fresh water recharge based on carried out

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by any agency to be specified by MoEF. As per 3 (v) (b) of CRZ Notification, 2011: Setting up and expansion of units or mechanism for disposal of wastes and effluents is prohibited except facilities required for storm water drains and ancillary structures for pumping.

- 4 The Authority after deliberation, decided to recommend the proposal from CRZ point of view to Municipal Corporation of Greater Mumbai subject to strict compliance of following specific and general conditions-

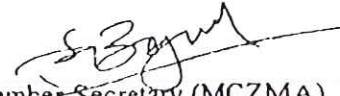
Specific conditions:

- 1) Construction should be in accordance with the provisions of CRZ Notification, 2011 (as amended from time to time).
- 2) FSI should be in accordance with Town and country planning rules existing as on 19.02.1991 i.e. DCR 1967.
- 3) No non-forest activities are allowed on land affected by mangroves, as per the Hon. High Court Order dated 27th January 2010. Hence, prior permission for the proposed activity under Forest Conservation Act, 1980 and prior permission of Hon. High Court of Mumbai should be obtained, if the land under reference is affected by mangroves.
- 4) MCGM to ensure that, drainage water containing hazardous and toxic waste should not be released into the sea.
- 5) MCGM should ensure that there is no violation of CRZ Notification, 2011.
- 6) All other required 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 sand dune, if any, on the site should not be disturbed in any way.
- 3) The mangroves, if any, on the site should not be disturbed in any way.
- 4) The MCZMA reserves the right to revoke this recommendation, if any, of the conditions stipulated are not complied with to the satisfaction of the MCZMA.
- 5) The MCZMA or any other competent authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- 6) 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.
- 7) The environmental safeguard measures should be implemented in letter and spirit.
- 8) Six monthly monitoring reports should be submitted to the MCZMA in soft and print format.
- 9) All Conditions stipulated in the CRZ Notification 2011 shall be applicable to project owner, architect, consultant, builder and developer. They will be held responsible for violation or non-adherence to the provisions stipulated therein.
- 10) Project proponent/ developer should obtain environmental clearance from the competent authority before commencement of the work if total built up area, as clarified by MoEF in the project exceeds 20000 sq. meters.
- 11) Any appeal against this CRZ clearance shall lie with the National Green Tribunal, Van Vigyan Bhavan, Sector 5, R.K. Puram, New Delhi-110022, if preferred, within 30 days as prescribed under section 16 of National Green Tribunal Act, 2010.
- 12) 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.

- 13) This recommendation will be valid for 5 years from the date of issue of recommendation for commencement of construction and operation.
5. The agenda item, minutes and the copy of this letter is also available on the website of MCZMA i.e. <http://mczma.maharashtra.gov.in>.

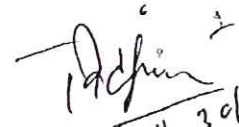

Member Secretary (MCZMA)

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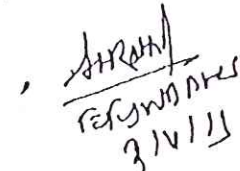
- 1) Chairperson, Maharashtra Coastal Zone Management Authority (MCZMA), Environment Department, Mantralaya, Mumbai- 400 032
- 2) Collector, Mumbai Suburban, Administrative Building, 10th Floor, Bandra (E), Mumbai 400 051.
- 3) Director, Coastal Regulation Zone, Ministry of Environment & Forests (MoEF), Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi- 110 003.
- 4) Director, Western Zone (Bhopal), Kendriya Paryavaran Bhavan, Link Road No. 3, Bhopal- 462 016.
- 5) Member Secretary, Maharashtra Pollution Control Board, Sion, Mumbai- 400 022.
- 6) Web-Administrator, ENVIS - with a request to upload letter on MCZMA website.
- 7) Select File (TC-2).

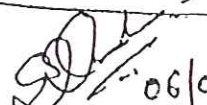
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उप मुख्यालय (प.अ.वा.) नियोजन कक्ष	
30 MAR 2013	
उप व. अ.प. /	4581 / नियोजन कक्ष

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