

HOME DEPARTMENT (PORTS & TRANSPORT)

MAHARASHTRA MARITIME BOARD

Indian Mercantile Chambers, 3rd Floor,
14 Ramjibhai Kamani Marg, Ballard Estate, Mumbai - 400 001.
Tel.: 022-22658375, Fax : 022-22614331



गृह विभाग (बंदरे व परिवहन)

महाराष्ट्र मेरीटाईम बोर्ड

इंडियन मर्कन्टाईल चेंबर्स, ३रा मजला, १४ रामजीभाई कमानी मार्ग,
बेलाई इस्टेट, मुंबई - ४०० ००१.
दूरध्वनी क्र.: ०२२-२२६५८३७५, फॅक्स क्र.: ०२२-२२६१४३३९

Website : <https://mahammb.maharashtra.gov.in> Email : ceommb@gmail.com

जा.क्र.ममेबो/मुकाअ/अभि-१/धी.प./ ७०१२

दिनांक :-

20 DEC 2017

प्रति,

✓ अपर प्रधान मुख्य वनसंरक्षक,
कांदळवन संरक्षण व संवर्धन सनियंत्रण समिती,
३०२, वेक फिल्ड हाऊस, ३ रा मजला,
ब्रिटानिया रेस्टोरंट जवळ, बेलाई इस्टेट,
फोर्ट, मुंबई - ४०० ००१.

विषय :- भाईंदर पूर्व, जेसलपार्क खाडी पात्रात व किनारी कांदळवन, पाणथळमध्ये
बेकायदा नाले बांधून सांडपाणी सोडणे, पर्यावरणाचा -हास करणेबाबत.

संदर्भ:- १. विभागीय आयुक्त कोकण विभाग यांचे पत्र दि.२०.१०.१८ सोबत प्राप्त
धीरज परब यांचा ई-मेल दि.०१.१०.२०१८.

२. कांदळवन संरक्षण व संवर्धन सनियंत्रण समिती तथा उपवनसंरक्षक कांदळवन कक्ष,
मुंबई यांचे पत्र क्र.ल.ले./८१/सन २०१९-२०, दिनांक ०४/१२/२०१९

जलवाहतुकीला प्राधान्य देण्याच्या दृष्टिकोनातून सागरमाला योजनेअंतर्गत वसई ते भाईंदर अशी रो-रो सेवो सुरु करण्याच्या दृष्टीने भाईंदर व वसई येथे रो-रो जेटी बांधण्याचे काम हाती घेण्यात आले आहे. सद्यस्थितीत भाईंदर ते वसई असा रोड मार्ग प्रवास करताना ४०.०० कि.मी.चे अंतर असून त्याकरिता साधारणतः दोन तास एवढा कालावधी लागतो. तसेच भाईंदर ते वसई जलमार्गाने प्रवास करताना २.५० कि.मी. अंतर असून याकरिता २० ते ३० मिनिटांचा कालावधी लागणार आहे. या प्रकल्पामुळे रस्त्यावरील वाहतुकीचा ताण कमी होणार असून प्रवासाकरिता लागणा-या वेळेत बचत होणार आहे. सदर प्रकल्प हा पर्यावरणपूरक आहे.

सदर प्रकल्प सुरु करण्यापूर्वी पर्यावरण विभागाकडून CRZ क्लिअरन्स व SEIAA क्लिअरन्स प्राप्त करून घेण्यात आलेले आहेत.. सदर प्रकल्पामुळे कांदळवनक्षेत्र बाधित होत नाही, परंतु सदर प्रकल्प कांदळवन क्षेत्राच्या बफरझोनमध्ये येत असल्यामुळे मा.उच्च न्यायालयाची परवानगी घेण्यात आलेली आहे. सुलभ संदर्भाकरिता प्रत जोडण्यात आलेली आहे.

भाईंदर पश्चिम येथील अस्तित्वातील जेटी रो-रो वाहतुकीकरिता तांत्रिक दृष्ट्या उपयोगात आणणे शक्य नव्हते त्यामुळे सदर ठिकाणी नवीन रो-रो जेटीचे काम हाती घेण्यात आलेले आहे.

सदर बाब आपल्या माहितीस्तव सादर.

सोबत : वरील प्रमाणे.

आपला विश्वासू,

मुख्य कार्यकारी अधिकारी,

महाराष्ट्र मेरीटाईम बोर्ड, मुंबई.

प्रत:- अध्यक्ष, कांदळवन संरक्षण व संवर्धन सनियंत्रण समिती तथा विभागीय आयुक्त, कोकण विभाग यांना माहितीसाठी रवाना.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.31 OF 2018
IN
PUBLIC INTEREST LITIGATION NO.87 OF 2006

The Maharashtra Maritime Board ..Applicant.

IN THE MATTER BETWEEN :

The Bombay Environmental Action Group & Anr. ..Petitioners.

V.

The State of Maharashtra & Ors. ..Respondents.

Ms.Gulnar Mistry i/by M/s. Jayakark & Co. for the Petitioners.

Mr.Ishwar Nankani alongwith M/s.Nankani & Associates for the Applicant.

Mr.Rui Rodrigues and Mr.N.R. Prajapati for respondent-UOI.

Ms.Gita Shastri, Addl. GP for respondent/State.

Ms.Sharmila Deshmukh for respondent SRA.

Ms.K.H. Mastakar for respondent/MMC.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 25th APRIL, 2018

P.C.

1 Heard the learned counsel appearing for the applicant, the
learned counsel appearing for PIL petitioners, the learned counsel
appearing for the 3rd respondent in the PIL petition and learned AGP for
the State.

2 Perused the CRZ clearance granted by the State Level

RKMMore

1 of 2

Environment Impact Assessment Authority on 2nd August 2017. There is a statement on oath made in the Affidavit in support that the work will be carried out on the site on which there are no mangroves and that the mangroves would not be affected by project activities.

3. The applicant is a statutory body established under the Maharashtra Maritime Board Act, 1996. The learned counsel appearing for the applicant states that the applicant is confining the prayer made in this Petition to grant of permission for construction of approach jetty and sloping berth jetty. We accept the said statement. Accordingly, we pass the following order :

ORDER

1 In view of the clearance granted on 2nd August 2017 by the State Level Environment Impact Assessment Authority, we permit the applicant to carry out work of construction of approach jetty and sloping berth jetty at Vasai and construction of jetty at Bhayander, subject to condition of strictly complying with condition Nos.1 and 2 imposed by Maharashtra Coastal Zone Management Authority in the decision taken in the meeting held on 17th January 2017 and 18th January 2017 (Exhibit G to the Affidavit in support).

2 Notice of Motion is disposed of on above terms.

(RIYAZ .I.CHAGLA, J)

(A.S. OKA, J)

NMWL 31/2018

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.
N.M.(L) NO. 84/18
IN

OF 2018 ~~NMWL 31/2018~~

PUBLIC INTEREST LITIGATION NO.87 OF 2006

The Maharashtra Maritime Board

...Applicant

AND

IN THE MATTER BETWEEN :

The Bombay Environmental Action Group
& Anr.

...Petitioners

Versus

The State of Maharashtra
& Ors.

...Respondents

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Advocate for the Applicant.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. OF 2018

IN

PUBLIC INTEREST LITIGATION NO.87 OF 2006

The Maharashtra Maritime Board

...Applicant

AND

IN THE MATTER BETWEEN :

The Bombay Environmental Action Group
& Anr.

...Petitioners

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& Ors.

...Respondents

ADVOCATE FOR PETITIONERS

ADVOCATE FOR APPLICANT

:

: DIVEKAR & CO.

Minutes of the 115th meeting of Maharashtra Coastal Zone Management
Authority held on 17th & 18th January, 2017

The authority noted that, the proposal is for beautification and approach on existing bund at Rajodi, Tal. Vasai, Dist. Palghar. Length of the bund is 700 m. and falls in CRZ II area. The authority after deliberation and discussion decided to defer the matter as the proposal submitted by PP is incomplete. PP to submit detail impact assessment analysis of the proposed activities along with ecosystem based remedial measures.

Item No. 23:

Proposed beautification of Aksa Beach at Madh, Mumbai by MMB

Officials from Maharashtra Maritime Board presented the proposal of beautification of Aksa Beach at Madh, Mumbai Suburban. The proposal involves construction of Gabion wall at Aksa Beach. The Authority instructed MMB to explore other options such as ecosystem based solutions for beautification of Aksa Beach, instead of solid construction on beach. The Authority felt that beach may be eroded due to solid construction on beach. Further solid construction on beach is not permissible as per the CRZ Notification, 2011.


The Authority after deliberation decided to reject the proposal from CRZ point of view.

Item No. 24:

Proposed beautification of Gorai Beach Promenade at Gorai, Mumbai by MMB

Officials from Maharashtra Maritime Board presented the proposal before the Authority. The proposal is for beautification of Gorai Beach Promenade at Gorai, Mumbai Suburban.

The Authority felt that instead of proposing the solid structures on Gorai beach, which is a CRZ I area, the MMB need to explore other options for beautification of Gorai Beach, Promenade on beach along with cost benefit analysis & revert. The Authority after deliberation decided to defer the proposal.


Member Secretary


Chairman



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

Environment department,
Room No. 217, 2nd floor,
Mantralaya, Annexe,
Mumbai- 400 032.
Date: August 2, 2017

To,
Chief Executive Officer, Maharashtra Maritime Board, Indian Mercantile Chambers, 3rd Floor, Ramjibhai Kamani Marg, Ballard Estate, Mumbai 400001
at 339, 35, 36

Subject: CRZ Clearance for Environment Clearance for Proposed construction of Ro Ro Jetty (Vasai- Bhayander) Dist. Palghar by MMB

Sir,

This has reference to your communication on the above mentioned subject. The proposal was considered, by the Maharashtra Coastal Zone Management Authority, Maharashtra in its th meeting and recommend the project for CRZ Clearance to SEIAA. Information submitted by you has been considered by State Level Environment Impact Assessment Authority in its 112th meetings.

2. It is noted that the proposal is considered by Maharashtra Coastal Zone Management Authority as per CRZ Notification 2011.

Brief Information of the project submitted by you is as below :-

1.Name of Project	Proposed construction of Ro Ro Jetty (Vasai- Bhayander) Dist. Palghar by MMB
2.Type of institution	Government
3.Name of Project Proponent	Chief Executive Officer, Maharashtra Maritime Board, Indian Mercantile Chambers, 3rd Floor, Ramjibhai Kamani Marg, Ballard Estate, Mumbai 400001
4.Name of Consultant	STUP Consultants Pvt. Ltd.
5.Type of project	Others
6.New project/expansion in existing project/modernization/diversification in existing project	New Project
7.If expansion/diversification, whether CRZ Clearance has been obtained for existing project	Not Applicable
8.Location of the project	339, 35, 36
9.Taluka	Palghar and Thane
10.Village	Vasai and Bhayandar
11.Area of the project	Mira Bhayandar Municipal Corporation and Vasai-Virar Municipal Corporation
12.IOD/IOA/Concession/Plan Approval Number	Not Applicable IOD/IOA/Concession/Plan Approval Number: Not Applicable Approved Built-up Area: 0.0
13.Note on the initiated work (If applicable)	Not Applicable
14.LOI / NOC / IOD from MHADA/ Other approvals (If applicable)	Not Applicable
15.Total Plot Area (sq. m.)	3500
16.Deductions	Not applicable
17.Net Plot area	Not applicable
18.Proposed Built-up Area (FSI & Non-FSI)	FSI area (sq. m.): Not applicable Non FSI area (sq. m.): Not applicable Total BUA area (sq. m.): Not applicable
19.Total ground coverage (m2)	Not applicable
20.Ground-coverage Percentage (%) (Note: Percentage of plot not open to sky)	Not applicable
21.Estimated cost of the project	100000000

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STATEMENT-0000000435)
SEIAA-MINUTES-0000000189
SEIAA-EC-0000000139

Shri Satish M. Gavai (Member
Secretary SEIAA)

22. Production Details				
Serial Number	Product	Existing (MT/M)	Proposed (MT/M)	Total (MT/M)
1	Not Applicable	Not Applicable	Not Applicable	Not Applicable
23. Total Water Requirement				
Dry season:	Source of water	Not applicable		
	Fresh water (CMD):	Not applicable		
	Recycled water - Flushing (CMD):	Not applicable		
	Recycled water - Gardening (CMD):	Not applicable		
	Swimming pool make up (Cum):	Not applicable		
	Total Water Requirement (CMD) :	Not applicable		
	Fire fighting - Underground water tank(CMD):	Not applicable		
	Fire fighting - Overhead water tank(CMD):	Not applicable		
	Excess treated water	Not applicable		
	Source of water	Not applicable		
Wet season:	Fresh water (CMD):	Not applicable		
	Recycled water - Flushing (CMD):	Not applicable		
	Recycled water - Gardening (CMD):	Not applicable		
	Swimming pool make up (Cum):	Not applicable		
	Total Water Requirement (CMD) :	Not applicable		
	Fire fighting - Underground water tank(CMD):	Not applicable		
	Fire fighting - Overhead water tank(CMD):	Not applicable		
	Excess treated water	Not applicable		
	Details of Swimming pool (If any)	Not applicable		

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24.Details of Total water consumed									
Particulars	Consumption (CMD)			Loss (CMD)			Effluent (CMD)		
Water Requirement	Existing	Proposed	Total	Existing	Proposed	Total	Existing	Proposed	Total
Domestic	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
25.Rain Water Harvesting (RWH)	Level of the Ground water table:		Not Applicable						
	Size and no of RWH tank(s) and Quantity:		Not Applicable						
	Location of the RWH tank(s):		Not Applicable						
	Quantity of recharge pits:		Not Applicable						
	Size of recharge pits :		Not Applicable						
	Budgetary allocation (Capital cost) :		Not Applicable						
	Budgetary allocation (O & M cost):		Not Applicable						
	Details of UGT tanks if any :		Not Applicable						
26.Storm water drainage	Natural water drainage pattern:		Not Applicable						
	Quantity of storm water:		Not Applicable						
	Size of SWD:		Not Applicable						
27.Sewage and Waste water	Sewage generation in KLD:		Not Applicable						
	STP technology:		Not Applicable						
	Capacity of STP (CMD):		Not Applicable						
	Location & area of the STP:		Not Applicable						
	Budgetary allocation (Capital cost):		Not Applicable						
	Budgetary allocation (O & M cost):		Not Applicable						

28.Solid waste Management

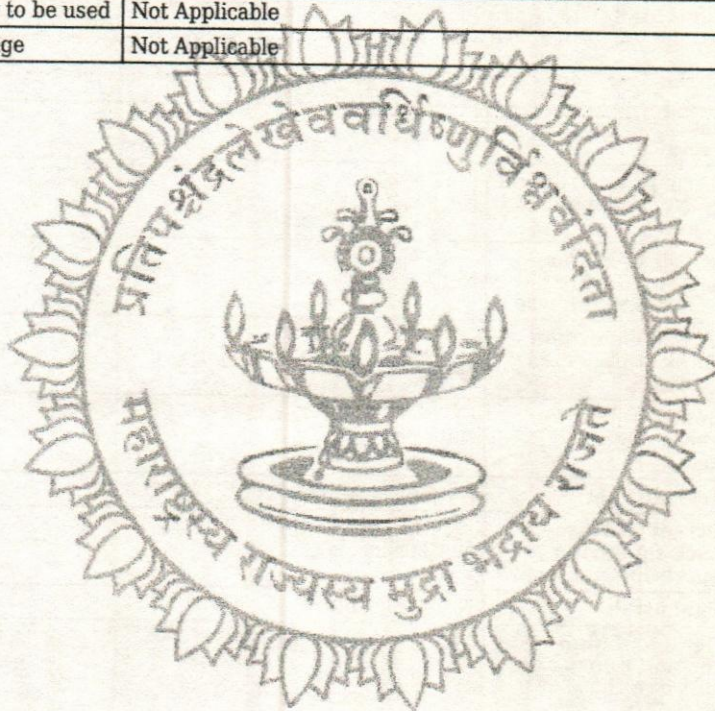
Waste generation in the Pre Construction and Construction phase:	Waste generation:	Not Applicable
	Disposal of the construction waste debris:	Not Applicable
Waste generation in the operation Phase:	Dry waste:	Not Applicable
	Wet waste:	Not Applicable
	Hazardous waste:	Not Applicable
	Biomedical waste (If applicable):	Not Applicable
	STP Sludge (Dry sludge):	Not Applicable
	Others if any:	Not Applicable
Mode of Disposal of waste:	Dry waste:	Not Applicable
	Wet waste:	Not Applicable
	Hazardous waste:	Not Applicable
	Biomedical waste (If applicable):	Not Applicable
	STP Sludge (Dry sludge):	Not Applicable
	Others if any:	Not Applicable
Area requirement:	Location(s):	Not Applicable
	Area for the storage of waste & other material:	Not Applicable
	Area for machinery:	Not Applicable
Budgetary allocation (Capital cost and O&M cost):	Capital cost:	Not Applicable
	O & M cost:	Not Applicable

Government of Maharashtra



**Shri Satish.M.Gavai (Member
Secretary SEIAA)**

29.Effluent Charecterestics					
Serial Number	Parameters	Unit	Inlet Effluent Charecterestics	Outlet Effluent Charecterestics	Effluent discharge standards (MPCB)
1	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Amount of effluent generation (CMD):		Not Applicable			
Capacity of the ETP:		Not Applicable			
Amount of treated effluent recycled :		Not Applicable			
Amount of water send to the CETP:		Not Applicable			
Membership of CETP (if require):		Not Applicable			
Note on ETP technology to be used		Not Applicable			
Disposal of the ETP sludge		Not Applicable			



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30.Hazardous Waste Details							
Serial Number	Description	Cat	UOM	Existing	Proposed	Total	Method of Disposal
1	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

31.Stacks emission Details						
Serial Number	Section & units	Fuel Used with Quantity	Stack No.	Height from ground level (m)	Internal diameter (m)	Temp. of Exhaust Gases
1	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

32.Details of Fuel to be used				
Serial Number	Type of Fuel	Existing	Proposed	Total
1	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Source of Fuel		Not Applicable		
Mode of Transportation of fuel to site		Not Applicable		

33.Energy	
Power requirement:	Source of power supply :
	Not Applicable
	During Construction Phase: (Demand Load)
	Not Applicable
	DG set as Power back-up during construction phase
	Not Applicable
	During Operation phase (Connected load):
	Not Applicable
	During Operation phase (Demand load):
	Not Applicable
	Transformer:
	Not Applicable
	DG set as Power back-up during operation phase:
	Not Applicable
	Fuel used:
	Not Applicable
	Details of high tension line passing through the plot if any:
	Not Applicable

34.Energy saving by non-conventional method:
Not Applicable

36.Detail calculations & % of saving:		
Serial Number	Energy Conservation Measures	Saving %
1	Not Applicable	Not Applicable

37.Details of pollution control Systems		
Source	Existing pollution control system	Proposed to be installed
Not Applicable	Not Applicable	Not Applicable
Budgetary allocation (Capital cost and O&M cost):	Capital cost:	Not Applicable
	O & M cost:	Not Applicable

38.Environmental Management plan Budgetary Allocation
a) Construction phase (with Break-up):

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Serial Number	Attributes	Parameter	Total Cost per annum (Rs. In Lacs)
1	Air	SOx, NOx, CO, HC	12 Lacs
2	Water	BOD, COD, DO, NO2, NO3	5 Lacs
3	Soil	Mg, Ca, Cl, PO4, SO4	5 Lacs

b) Operation Phase (with Break-up):

Serial Number	Component	Description	Capital cost Rs. In Lacs	Operational and Maintenance cost (Rs. in Lacs/yr)
1	Air	SOx, NOx, CO, HC	12 Lacs	Not Applicable
2	Water	BOD, COD, DO, NO2, NO3	5 Lacs	Not Applicable
3	Soil	Mg, Ca, Cl, PO4, SO4	5 Lacs	Not Applicable

39.Storage of chemicals (inflammable/explosive/hazardous/toxic substances)

Description	Status	Location	Storage Capacity in MT	Maximum Quantity of Storage at any point of time in MT	Consumption / Month in MT	Source of Supply	Means of transportation
Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

40.Any Other Information

No Information Available

**Government of
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	CRZ/ RRZ clearance obtain, if any:	MCZMA has recommended the project to SEIAA during 115th Meeting dated 17 January, 2017
	Distance from Protected Areas / Critically Polluted areas / Eco-sensitive areas/ inter-State boundaries	12 Km
	Category as per schedule of EIA Notification sheet	7 (e)
	Court cases pending if any	Not Applicable
	Other Relevant Informations	Not Applicable
	Have you previously submitted Application online on MOEF Website.	No
	Date of online submission	

3. The proposal has been considered by SEIAA in its 112th meeting & decided to accord CRZ Clearance to project proponent under the provisions of Environment Impact Assessment Notification, 2006 & CRZ Notification 2011 subject to implementation of the following terms and conditions:

Specific Conditions:

General Conditions:

I	The SEIAA 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 SEIAA 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	The Clearance 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 clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act

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Secretary SEIAA)

4. The CRZ 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. Hence this clearance does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.

5. In case of submission of false document and non-compliance of stipulated conditions, Authority/ Environment Department will revoke or suspend the CRZ Clearance without any intimation and initiate appropriate legal action under Environmental Protection Act, 1986.

6. The Environment department reserves the right to add any stringent condition or to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the department or for that matter, for any other administrative reason.

7. This Clearance will be valid for 5 years from the date of issue of recommendation for commencement of construction & operation.

8. In case of any deviation or alteration in the project proposed from those submitted to this department for clearance, a fresh reference should be made to the department to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.

9. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and 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.

10. Any appeal against this CRZ Clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune), New Administrative Building, 1st Floor, D- Wing, Opposite Council Hall, Pune, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Shri Satish.M.Gavai (Member Secretary SEIAA)

Copy to:

1. SHRI ANAND. B. KULKARNI, CHAIRMAN-SEIAA
2. SHRI UMAKANT DANGAT, CHAIRMAN-SEAC-I
3. SHRI JOHNY JOSEPH, CHAIRMAN-SEAC-II
4. SHRI ANIL .D. KALE. CHAIRMAN SEAC-III
5. SECRETARY MOEF & CC
6. IA- DIVISION MOEF & CC
7. MEMBER SECRETARY MAHARASHTRA POLLUTION CONTROL BOARD MUMBAI
8. REGIONAL OFFICE MOEF & CC NAGPUR
9. MUNICIPAL COMMISSIONER THANE
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