

MINUTES OF THE 327th MEETING OF EXPERT APPRAISAL COMMITTEE FOR PROJECTS RELATED TO COASTAL REGULATION ZONE HELD ON 15th MAY, 2023

The 327th meeting of the Expert Appraisal Committee (EAC) for projects related to Coastal Regulation Zone (CRZ) was held on 15th May, 2023 through Video Conferencing due to the prevalent pandemic situation. The list of Members presents in the EAC (CRZ) is at **Annexure**.

The deliberations held and the decisions taken are as under:

1.0 OPENING REMARKS OF THE CHAIRMAN

At the outset, Dr. Deepak Arun Apte, Chairman, EAC (CRZ) welcomed the Members of the EAC and requested Dr. H. Kharkwal, the Member Secretary, EAC to initiate the proceedings of the meeting with a brief account of the activities undertaken by the Ministry under CRZ Division.

2.0 CONFIRMATION OF THE MINUTES OF THE LAST MEETING

The Committee having noted that the Minutes of the 325th meeting held on 17th April, 2023 are in order and confirmed the same with suggestions that in case any typographical/grammatical errors are noticed in due course, the same may be corrected suitably.

3.0 CONSIDERATION PROPOSALS:

The EAC (CRZ) considered proposals as per the agenda adopted for the 327th meeting. The details of deliberations held and decisions taken in the meeting are as follows:

Agenda 3.1

Proposal for Construction of Versova-Bandra Sea Link Project by M/s Maharashtra State Road Development Corporation- CRZ Clearance. (IA/MH/CRZ/421589/2023; F. NO. 11/27/2023-IA.III)

“The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA / EMP report. If any part of the data / information submitted is found to be false / misleading at any stage, the project will be rejected and Environmental and or CRZ Clearance given, if any, will be revoked at the risk and cost of the project proponent.”

The Project Proponent (M/s Maharashtra State Road Development Corporation) along with his EIA consultant (M/s Aditya Environmental Services Pvt Ltd) made a presentation on above said proposal. The EAC took note of following

key parameters and salient features of the project as presented during the meeting as well as the details provided in the brief and application for this project:

- (i) The proposal [Versova Bandra Sea Link (VBSL) project] is for construction of Sea Link from Versova to Bandra in the suburbs along the west coast of Mumbai. It is an extension of the 'Rajeev Gandhi Sea Link' between Bandra and Worli. The Bandra-Worli Sea Link is already built and operational. The Worli – Nariman Point coastal road project is under construction.
- (ii) The length of the sea link is approximately 9.800 km with intermediate dispersal points at Juhu Koliwada and Carter Road (near Otters Club) and end connectors at Versova and Bandra. The sea link passes through the Arabian sea, approximately 900 m away from the coast.
- (iii) The sea link will have 4+ 4 lanes on both the sides and overall length of roads including connectors and dispersal points will be 20.843 km (Bandra connector 2.248 km; Juhu connector 3.538 km; Otters club connector 2.567 km & Versova connector 2.719 km + Sea link of 9.8km).
- (iv) Earlier, CRZ clearance was obtained for this project from MoEF&CC *vide* letter no. 11-84/2011-IAIII dated 09/01/2013 as per CRZ Notification, 2011. Moreover, w.r.t Order of Hon'ble NGT, project proponent had also obtained Environmental Clearance for the project under category 8 (b) (projects having built up area > 150, 000 sq. m) from SEIAA, Maharashtra *vide* letter SEAC-I/C.R24/TC-2 dated 02/02/2017.
- (v) Thereafter, the validity of the CRZ clearance was extended by the Ministry till 07/01/2023 *vide* letter no. 11-84/2011- IA-III dated 07/02/2019.
- (vi) The chronology of approvals for this project is as follows:

Sl. No.	Approval	Date	Remark
1.	MMB approval	13/04/2012	Indicating no objection to construction of VBSL with specified vertical and horizontal clearance
2.	CRZ clearance granted by MoEFCC	09/01/2013	
3.	Environmental clearance granted by SEIAA	02/02/2017	As per Order of Hon'ble NGT
4.	Consent to establish granted by MPCB	29/11/2018	Valid up to commissioning of project or 30/10/2023 whichever is earlier
5.	Stage-I Forest Clearance diversion of 2.9907 Ha of Forest land	20/12/2018	Mangrove area of 2.9907 ha is Reserved Forest land as per Order of Hon'ble HC of Mumbai
6.	CRZ validity extension by MoEFCC	07/02/2019	
7.	High Court permission for mangrove cutting	26/04/2019	
8.	Stage-II Forest Clearance for mangrove cutting	30/11/2021	
9.	Amendment in CRZ clearance	28/01/2020	Para no. 8, specific condition no. (i) in CRZ clearance dated 09 Jan. 2013 is amended to:

			a. Include number of mangrove trees to be cut. b. Revise mangrove area. c. Location of regeneration/replantation of mangroves
10.	Working permission from forest department	21/12/2020	For cutting of mangroves

- (vii) The present application and EIA report had been submitted to Maharashtra Coastal Zone Management Authority (MCZMA) on 27/12/2022 for grant of CRZ clearance. The proposal was considered in 165th meeting of MCZMA and recommendations has been forwarded to the Ministry *vide* letter no. CRZ 2022/CR 299/TC4 dated 09/03/2023.
- (viii) The project activity falls in CRZ IA (Mangrove & Mangrove buffer zone), IB (intertidal area), II (Mumbai suburban area) and CRZ IVA (the Arabian sea) and the proposed activity is permissible under clause 5.1.1 (ii) and (iii); 5.1.2 (i) (a) and (c); 5.2 (i); 5.2 (ii); 5.3 (ii)(c) & 5.4 (ii)(a) of CRZ Notification, 2019.
- (ix) Total project area is 13,32,359.62 sq. m; of which, CRZ area is 13,27,440.60 sq. m and Non CRZ area is 4,919.02 sq. m. Land use break of the project activity in CRZ are as follows:

Description	CRZ-Classification	Length (m)	Total Length (m)	Area (sq.m)	Total Area (sq.m)
Proposed VBSL Main Alignment	CRZ-IVA	9770.34	9770.34	637852.96	637852.96
Proposed Bandra Connector	CRZ - IB	42.52	2248.33	1245.86	140019.32
	CRZ - II	565.06		4081.69	
	CRZ - IVA	1184.16		125755.29	
	NDZ-within CRZ-II- Greater Mumbai	62.34		4017.46	
	Outside CRZ	394.25		4919.02	
Proposed Juhu Connector	CRZ - IA (50m Mangroves Buffer Zone)	64.4	3538.27	298.57	198106.86
	CRZ - IB	417.52		20524.19	
	CRZ - II	705.6		29519.09	
	CRZ - IVA	2366.81		145046.28	
	NDZ - within CRZ-II- Greater Mumbai	48.34		2718.73	
Proposed Otters Connector	CRZ - IA (50m Mangroves Buffer Zone)	74.41	2567.13	3945.19	169227.46
	CRZ - IA (Mangroves)	34.61		902.18	
	CRZ - IB	369.61		41316.83	
	CRZ - IVA	2088.51		123063.26	
Proposed Versova Connector	CRZ - IA (50m Mangroves Buffer Zone)	104.58	2718.85	3790.65	198106.86
	CRZ - IA (Mangroves)	361.16		15371.36	
	CRZ - IB	236.2		10414.58	
	CRZ - IVA	2016.9		157576.43	

CRZ IVA	CRZ IA (50m Mangroves Buffer Zone)	CRZ IA (Mangroves)	CRZ IB	CRZ II	NDZ within CRZ II greater Mumbai	Outside CRZ
1189294.2	8638.02	15371.4	73501.46	33600.78	6736.19	4919.02

*Area in sq. m

- (x) Project activity affecting a total of 1585 mangroves on 2.9907 ha. of area. Connectors at Versova (1547 trees on 2.2663 ha.), Juhu (2 trees on 0.6173 ha.) and at Bandra (36 trees on 0.1071 ha.). Accordingly, project proponent has obtained relevant Stage-I Forest clearance (dated 20th Dec 2018) and Stage-II (dated 30th Nov 2021) clearance and Hon'ble Bombay High Court Order (dated 26th Apr 2019) for cutting of mangroves for the project. Subsequently, the mangroves have been cut after obtaining work permit from Forest Department.
- (xi) Compensatory land area includes 2.9907 ha. land as compensation for Mangrove land affected & 2.61 ha. for planting ten times the trees cut due to project. MSRDC has paid costs of ₹72,97,208/- (Rupees Seventy Two lakhs Ninety Seven Thousand Two Hundred and Eight) on 04/01/2019 to the Forest Department for raising and maintaining Compensatory plantation for seven years period.
- (xii) The project area comprises terrestrial and marine flora and fauna, including species of mangroves that act as important buffers for the coastline. There will be some impact of the construction activities on the marine flora and fauna, avifauna, and mangroves. However, mitigation plans have been suggested to reduce this impact. Additionally, no major impact on flora and fauna is envisaged during the operation phase.
- (xiii) The estimated cost of the project is ₹11,332.82 Crores. During construction phase, capital cost of EMP is ₹680.00 Lakhs & recurring cost is ₹123.5 Lakhs per annum; during operation phase, capital cost of EMP is ₹253.00 Lakhs & recurring cost is ₹145.00 Lakhs per annum).
- (xiv) The project is not located in Critically Polluted area.
- (xv) The project is not located within 10 km of Eco Sensitive Zone. NBWL Clearance is not required.
- (xvi) Several litigations are pending against the project.
- (xvii) Benefits of the project: Benefits of the project include generation of employment opportunities, development of infrastructural facilities, improvement in quality of life etc. which is essential for sustainable development.

2. The EAC has deliberated on the proposal and noted that the project activity is permissible under CRZ Notification, 2019 and recommended by MCZMA *vide* letter dated 09/03/2023. Further, Committee has noted that the instant proposal is for renewal of CRZ Clearance, as the Clearance granted by the Ministry *vide* letter dated 09/01/2013 has already been expired. So far, about 8% of project works has been completed as informed by the project proponent.

3. After detailed deliberation, Committee deferred the proposal and asked the project proponent to submit the followings information for further consideration in forthcoming meeting.

- Detailed road safety audit report and its Management Plan.
- Pre-feasibility report of project.
- Potential of the project for decongestion rather than diverting the congestion from one place another place.
- Impact on adjacent fishing community and movement of fishing boats and measures needs to adopt, if any adverse impact is anticipated.
- Undertaking for the non-existence of casting yard in CRZ area.
- Timeline and budget for the proposed EMP to be revised to include monitoring of marine biodiversity and conservation of mangroves during the construction period and at least for 5 years post construction period through IISER (Pune) and Zoological Survey of India (Western Zone) for monitoring cetaceans found within 500 m of the either side of the alignment and benthic fauna of the region.
- Revised air monitoring plan need to be submitted as CO monitoring time period not mentioned as per laid down standard norms.
- Muck disposal plan and details of adjacent/offshore muck disposal area.
- Details of litigation against the project and its status.
- Status of compensatory mangrove afforestation at Charkop, Andheri.
- The Committee also decided to make a site visit to understand the current status of the project.

Agenda 3.2

Proposal for Constructed Apartment building at Pandit Karupan Road, Thevar Ernakulam, Kerala by M/s Chakolas Homes Pvt Ltd.,- Post-facto CRZ Clearance.

(IA/KL/CRZ/416579/2023; F. NO. 11/32/2023-IA.III)

“The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA / EMP report. If any part of the data / information submitted is found to be false / misleading at any stage, the project will be rejected and Environmental and or CRZ Clearance given, if any, will be revoked at the risk and cost of the project proponent.”

The Project Proponent (M/s Chakolas Homes Pvt. Ltd) along with his EIA consultant (M/s Envirodynamics) made a presentation on above said proposal. The EAC took note of following key parameters and salient features of the project as presented during the meeting as well as the details provided in the brief and application for this project:

- (i) The proposal is for seeking post-facto CRZ clearance for Constructed Apartment building (39 Unit: G+16) at survey no. 200/1, 200/3, 200/6, 1503, 1576, 1577 in Pandit Karupan Road, Thevar Ernakulam, Kerala. Total Floor Area is 7,675.20 sq. m; Plot Area is 3,177.68 sq. m.

- (ii) Earlier the proposal was submitted to the Ministry for post-facto clearance on 09/06/2018 as per the Ministry's Amendment Notification dated 06/03/2018, which was valid upto 30/06/2018 for one time. However, *vide* letter dated 14/08/2018, Ministry has intimated to PP application in not admissible as complete documents not submitted as per Para 4.2 of CRZ Notification, 2011 and within validity period.
- (iii) Accordingly, project proponent had submitted the application to KCZMA and the same was considered by KCZMA in its 114th meeting held on 02/07/2021; wherein KCZMA declined the post-facto clearance application w.r.t FAR as it exceeds the allowable limit (2.5) as per CRZ Notification, 2011.
- (iv) Being aggrieved by the decision of KCZMA, project proponent had filled a WP(C) No. 1325 of 2014 before Hon'ble High Court Kerala. The Hon'ble High Court Kerala *vide* in its judgement dated 11/02/2022 allowed the writ petition.
- (v) Subsequently, the proposal was examined again by KCZMA in its 120th meeting held on 26/02/2022 in compliance of Judgement dated 11/02/2022. After detailed deliberation, committee noted that as per documents provided, the FAR is calculated as 3.06; but the applicant submitted a plan showing FAR as 2.41. Hence it was decided to seek clarification from Secretary, Cochin Municipal Corporation regarding the dispute in FAR.
- (vi) Accordingly, *vide* letter dated 21/03/2022 clarification was sought from the Secretary, Cochin Municipal Corporation.
- (vii) In response, the Secretary, Cochin Municipal Corporation *vide* letter dated 19/04/2022 clarified the same and informed that according to Kerala Municipal Building Rules, 1999 the FAR is calculated as Total Floor Area/Plot Area and here the total floor area is 7675.20 sq. m and plot area is 3177.68 sq. m. Therefore, the FAR calculated as 2.41 by the PP.
- (viii) Based on the clarification from Cochin Municipal Corporation, the matter was again taken up by KCZMA in its 123rd meeting. After deliberation, the KCZMA accepted the clarification given by Cochin Municipal Corporation and recommended the post-facto clearance to MoEF&CC *vide* letter dated 22/07/2022 for further consideration. PP has applied for CRZ Clearance on Ministry Parivesh Portal as per the online procedure and the proposal has been considered in the meeting.

2. The EAC has deliberated on the background of the proposal and noted that the project activity is permissible under CRZ Notification, 2011. However, project proponent completed the construction without prior CRZ Clearance.

The Committee was informed that the case of post-facto clearance as per the CRZ Amendment Notification, 2011 dated 06/03/2018 and which was valid upto 30/06/2018 for one time. The Committee also informed that the Ministry has also issued O.M. dated 19/02/2021 regarding post-facto clearance, which states that "Procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities". The said OM is under sub-judice and has been stayed by Hon'ble High Court of Bombay and Hon'ble High Court of Chennai in 2021 by which Ministry is restrained from granting a permission / clearance on the basis of the office memorandum under challenge till further orders.

The Committee thus requested Ministry to provide further guidance considering that the Hon'ble High Court of Cochin directed to consider the proposal under post-facto clearance.

Agenda 3.3

Proposal for Sulphuric Acid Pipeline from IOCL, Haldia Refinery to Finger Jetty of Haldia Dock Complex, Shyama Prasad Mukherjee Port, Kolkata at Haldia, Purba, Medinipur District, West Bengal by M/s Indian Oil Corporation Limited- Fresh CRZ Clearance (IA/WB/CRZ/402385/2022; F. NO. 11/23/2023-IA.III)

“The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA / EMP report. If any part of the data / information submitted is found to be false / misleading at any stage, the project will be rejected and Environmental and or CRZ Clearance given, if any, will be revoked at the risk and cost of the project proponent.”

The Project Proponent (M/s Indian Oil Corporation Limited) along with his EIA consultant (M/s Mantec Consultants Private Limited) made a presentation on above said proposal. The EAC took note of following key parameters and salient features of the project as presented during the meeting as well as the details provided in the brief and application for this project:

- (i) The proposed project is for laying a pipeline of H₂SO₄ from Haldia Refinery to Finger Jetty of Haldia Dock Complex, Syama Prasad Mookerjee Port, Kolkata West Bengal.
- (ii) Proposed pipeline export Sulphuric Acid (H₂SO₄), converted from H₂S contained in ARU & SWS off gas, through finger jetty at Berth 6 & 7 of Haldia Dock Complex by utilizing flexible hoses and dedicated pipeline from Haldia Refinery Tank Area as a part of BS-VI Fuel Up-gradation Project.
- (iii) The proposed pipeline does not pass through national parks /sanctuaries / coral reefs /ecologically sensitive areas. Thus, the project does not require prior Environmental Clearance under item 6(a) of EIA Notification, 2006 as amended.
- (iv) The project site falls in IOCL refinery and Haldia Port in Purba Medinipur district of West Bengal State. The terminal is located at a distance of 5 km from Haldia city. The geographical location of the project site is DT: 22° 2'16.60"N, 88° 5'58.20"E; RT: 22° 2'35.20"N, 88° 5'25.50"E.
- (v) The total length of proposed pipeline from IOCL Plant to Haldi is 2.148 km which will be started from Haldia Refinery to Finger jetty of Syama Prasad Mookerjee Port. Pipeline ROU width of 20 m has been considered for single pipeline route.
- (vi) Part of the proposed sulphuric acid pipeline fall within the CRZ areas such as CRZ II (Urban or Developed Area) and CRZ IVB (River/Creek). The project activity is permissible as per CRZ Notification, 2011.

- (vii) The proposal was considered by WBSCZMA in its meeting held on 24/01/2023 and recommendations have been forwarded to the Ministry vide letter no. 103 EN/T-II-4/17/2022 dated 08/02/2023.
- (viii) The CRZ map of 1:4000 scale is prepared in accordance with the approved CZMP maps as per CRZ Notification, 2011 for West Bengal. The Proposed sulphuric acid pipeline activities fall within the Sheet No. F 45 K 4/SW (Map No. WB 47) of approved CZMP as per CRZ notification, 2011 for West Bengal. The length (meter) of the Proposed sulphuric acid pipeline falls in the CRZ areas is shown in the table below:

Proposed Project Activity	Length of Proposed Sulphuric Acid Pipeline passing through different CRZ Categories (Length in m)				
	CRZ II (Urban or Developed Area)	CRZ- IV B (River/ Creek)	Total length of pipeline within the CRZ Category	Outside of CRZ Categories	Total length of pipeline
Sulphuric Acid Pipeline	268.8	16.3	285.1	1863.4	2148.5

- (ix) The proposed pipeline passes through Flat terrain (100%). The elevation of important locations is as follows:
- Start : 2.069 m above MSL @ Km. 0.00
 - End : 2.905 m above MSL @ Km. 2.176
 - Highest : 4.216 m above MSL @ Km. 0.438
 - Lowest : -0.504 m above MSL @ Km. 0.251

- (x) Design Parameters of Pipeline is as under:

Name of Main Pipeline	Sulphuric Acid pipeline
Size of the Pipeline	16"
Length of pipeline	2.148 km
Operating Temperature	40°C
Operating Pressure	6-4 Kg/cm ²
Flow rate	525 m ³ /hr

- (xi) Water and power requirement will be met from the existing facilities of Refinery.
- (xii) The estimated total cost of the project is ₹4989 Lakhs
- (xiii) There is no ecologically sensitive (RF/PF/National Park /Wildlife sanctuary and also Corridor) area in the 500m width both side of the pipeline. NBWL Clearance is not required.
- (xiv) No litigation is pending against the project.
- (xv) Employment generation: Existing manpower is able to handle the pre-construction activities. However, temporary manpower of approx. 100 no.'s would be required during construction of proposed sulphuric acid pipeline. The same manpower would be able to handle operational phase of pipeline.
- (xvi) Benefits of the project: The execution of the project brings overall improvement in the locality, neighbourhood and the State by bringing industry, roads, employment and hence improving living standard and economic growth.

2. The EAC deliberated on the proposal and noted that the pipeline activity is a permissible as per CRZ Notification, 2011 and requires prior CRZ clearance. The Committee suggested that PP shall ensure all safety measurement and also all necessary clearance from the concerned authority, as may be applicable should be obtained prior to commencement of project or activity.

3. The Committee, after detailed deliberations and based on the clarifications/information submitted by PP, has recommended the proposal for CRZ Clearance, subject to the following conditions:

- (i) All construction shall be strictly in accordance with the provisions of the CRZ Notification, 2011, as amended from time to time.
- (ii) The pipeline where crossing of water body/river/creek areas should be laid through Horizontal Directional Drilling (HDD) method.
- (iii) Any temporary physical infrastructure setup and excavated material during laying of pipelines shall not be dumped in water bodies or adjacent areas and the site shall be restored to its original condition after completion of construction of work.
- (iv) No storage reservoir for sea water shall be permitted and only pipelines conveyance system shall be installed.
- (v) No groundwater shall be extracted within the CRZ area to meet the water requirements during the construction and/or operation phase of the project.
- (vi) Permanent labour camp, machinery and material storage shall not be set up in the CRZ area.
- (vii) The project proponents will certify that there is no legal restriction on the proposed project activities at the proposed site.
- (viii) The Project Proponent shall comply order/direction, if any, issued by Hon'ble Court/tribunal on the project.
- (ix) There will be no construction activity during the turtle nesting season, if any from 1st January to 30th April of every year.
- (x) All the conditions stipulated by the West Bengal State Coastal Zone Management Authority for CRZ clearance under CRZ Notification, 2011 vide letter no. 103 EN/T-II-4/17/2022 dated 08/02/2023 and commitments made by the PP before the WBSCMA and EAC shall be followed in letter and spirit.
- (xi) As a part of EMP, Indian Institute of Science Education and Research (IISER) – Kolkata or Zoological Survey of India or any such nationally and internationally reputed government or academic institute will be provided with state of art laboratory equipment that can be used for high quality academic and research purpose.
- (xii) All necessary clearance from the concerned authority, as may be applicable should be obtained prior to commencement of project or activity.

4.0. Any other item with the permission of the Chair.

The meeting ended with a Vote of Thanks to the Chair.

Annexure

List of the Expert Appraisal Committee (CRZ) Members participated during Video Conferencing (VC) Meeting held on 15th May 2023.

S. No.	Name of Members	Designation
1.	Dr. Deepak Arun Apte	Chairman
2.	Dr. M.V. Ramana Murthy	Member
3.	Dr. Manoranjan Hota	Member
4.	Shri S. Jeyakrishnan	Member
5.	Shri M.S. Negi	Member
6.	Prof. Mukesh Khare	Member
7.	Prof. V. K. Jain	Member
8.	Prof. A.K. Pachauri	Member
9.	Shri Sham Wagh	Member
10.	Dr. Niraj Sharma	Member
11.	Shri R.S.P. Verma	Member
12.	Dr. H. Kharkwal	Member Secretary
13.	Dr. Ragavan P.	Scientist MoEFCC
