



Press Release

Sub: Property Situated at CS No.291/1 (pt) of Bandra Reclamation Area, Bandra West Mumbai being developed by M/s. Om Metal Consortium

DB Realty Ltd through its wholly owned subsidiary M/s. Goregaon Hotel & Realty Pvt. Ltd. has controlling interest in M/s. Om Metal Consortium.

In deference to the order of the Hon'ble High Court dated December 18, 2014 in WP (L) No.3152 of 2014, the Maharashtra Coastal Zone Management Authority (MCZMA) has granted clearance to the project from the CRZ point of view as the said property now does not fall under the ambit of the CRZ Notification, 2011. A copy of the communication dated 23.01.2014, addressed to the Municipal Corporation of Greater Mumbai (MCGM) with a copy marked to M/s. Om Metal Consortium is enclosed herewith for perusal.

This property is situated in Bandra (West) and is spread across 26,395.80 sq. meters. The project will now be entitled to FSI upto 4 and the total built up area in the project is expected to be approximately 1.2 million sq.ft. Plans for development of the subject property are being submitted to the planning authority in due course. The management expects the work to start on this project in F.Y. 2015-16. The clearance granted by the MCZMA represents a significant development for the company, as well as for the development of the project by M/s. Om Metal Consortium.



DB REALTY LIMITED

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel No: 022-22855082
 Email: mahamczma@gmail.com

No. CRZ/2014/CR/23/TC-4
 Environmental Department
 15th Floor, New Administrative Building,
 Mantralaya,
 Mumbai-400 032.
 Date: 23rd January 2015

To,

Chief Engineer, DP,
 Municipal Corporation of Greater Mumbai,
 Mahapalika Marg,
 Mumbai: 400001

Subj: Property situated at C.S. No. 791/1 (pt) of Bandra Reclamation Area, Bandra (W),
 Mumbai by M/s. Om Metal Consortium

Ref: Hon'ble High Court order dated Dec. 18, 2014 in WP (L) No. 3152/2014 M/s. OM
 Metal Consortium Vs MCZMA.

Sir,

The matter was deliberated in 92nd & 95th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 19th July, 2014 and 13th January, 2015 respectively.

2. The Authority, in its 95th meeting, after taking into consideration report and CRZ map of MoEF authorized agency i.e. IRS, Chennai as well as Hon'ble High Court order dated December 18, 2014 in Writ Petition (L) No. 3152/2014 & Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' decided the following:

- a. Project site i.e. property bearing C. S. No. 791/1 (part) of Bandra Reclamation area, Bandra (West), Mumbai does not fall within the 100 m from both H.T.L. (old approved & draft new H.T.L.) for Mahim Bay, as per the provisions of CRZ Notification, 2011. Hence, the said property does not fall under the ambit of the CRZ Notification, 2011.
- b. The case is recommended for clearance from CRZ point of view to the planning authority under intimation to the project proponent.

[Handwritten Signature]

3. Copy of minutes of the matter discussed in 95th meeting of the MCZMA is enclosed herewith.

Yours faithfully,

Member Secretary (MCZMA)

Copy to:

- 1. Principal Secretary, Environment Dept & Chairman, Maharashtra Coastal Zone Management Authority, 2nd Floor, Annex Building, Mantralaya, Mumbai
- 2. Director, CRZ, Ministry of Environment & Forest & Climate Change, Jor Bag Road, New Delhi
- 3. Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mumbai
- 4. ✓ M/s O.M. Metal Consortium, Ramkrishna Sadan, Ground floor, 63, air podhkanwala Road, Mumbai, 200023.
- 5. Subject File-TC-4

**MINUTES OF THE 95th MEETING OF MAHARASHTRA COASTAL ZONE
MANAGEMENT AUTHORITY (MCZMA) HELD ON 13th January, 2015**

Ninety fifth (95th) meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment), GoM on 13th January, 2015 at 10.30 am at Sachivalay, Gymkhana, Mumbai. List of Members present in the meeting is enclosed as Annexure-1.

Minutes of the Ninety fourth meeting of MCZMA held on 24th & 25th November, 2014 were confirmed electronically.

Item No.1: WP (L) No.3152/2014: M/s OM Metal Consortium Vs MCZMA
Property situated at C.S. No.791/1(pi) of Bandra Reclamation Area, Bandra (W),
Mumbai by M/s. Om Metal Consortium

The Authority noted that the matter was earlier deliberated in 92nd meeting of the MCZMA held on 19th July, 2014, wherein the PP requested to consider its plot as Non CRZ, as per provisions of CRZ Notification, 2011. PP submitted IRS Chennai report along with its CRZ map in 1:4000 scale to support his stand. During the 92nd meeting, the Authority sought certain information from the PP. Reply from the PP was awaited.

Meanwhile, Writ Petition (L) No. 3152/2014 OM Metal Consortium Vs MCZMA & Ors was filed before the Hon'ble High court of Mumbai regarding the CRZ status of the plot under reference along with IRS report & other documents. Hon'ble High court vide order dated Dec 18, 2014 disposed of the case with a direction to MCZMA to issue clearance certificate to petitioner based on an order dated Dec 18, 2014 in the said Writ Petition directing MCZMA to issue on the basis of certificate granted by Institute of Remote Sensing indicating that the project site is beyond 100 m from the high tide line of mahim bay i.e. the land falls outside the CRZ area.

Taking into account the background of the matter, the Authority observed the matter as follows:

- Ministry of Environment and Forest, New Delhi vide S.O. 19(B) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (1) of the CRZ notification, 2011 stipulates the max. 100 m CRZ limit along the 'Bay', which is a tidally influenced water body.
- National Hydrographic Office, Dehradun, which is one of the MoEF authorized agencies vide letter dated 28th September, 2013 clarified to Amba Recycler Private

Ajay Mulla
Chairman

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Ashwin
Member Secretary

Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.

- c. IRS, Chennai, which is one of the authorized agencies, appointed by MoEF, New Delhi has prepared the CRZ map in 1:4000 scale and report. The report of IRS, Chennai mentions that as the project site is being situated at the frontage of Mahim Bay and Arabian Sea, 100m, 200m and 500 m buffer line as per CZMP 1991 and 2011 Notification is drawn. However, it is observed that the project site is out of CRZ even though there is a change in HTL as per CZMP 1991 and 2011 Notification.

In the light of above, the Authority after taking into consideration report and CRZ map of MoEF authorized agency i.e. IRS, Chennai as well as Hon'ble High court order dated Dec 18, 2014 in Writ Petition (T) No. 3152/2014 & Hon'ble Supreme Court order dated 19.11.2014 in SLP No 30128/2014 & NHO later recognizing Mahim Bay as 'Bay' decided the following:

1. Project site i.e. property bearing C. S. No. 791/1 part of Bandra Reclamation area, Bandra (West) Mumbai does not fall within the 100m from both HTL (old approved & draft new HTL) for Mahim Bay, as per the provisions of CRZ Notification, 2011. Hence, the said property does not fall under the ambit of the CRZ Notification, 2011.
2. The case is recommended for clearance from CRZ point of view to the planning authority under intimation to the project proponent.

Item No.2: WP (T) No. 3127/2014 Marine Drive Hospitality & Realty Vs MCZMA & Ors.
Property bearing C.S.No.2193(pt) of Bhuleshwar Division at Chandi Road, Mumbai by M/s. Marine Drive Hospitality & Realty Pvt. Ltd.

The Authority noted that the matter was earlier deliberated in 92nd meeting of the MCZMA held on 19th July, 2014 wherein the PP presented that the project site is situated at the frontage to Back Bay and it is outside CRZ area as per provisions of CRZ Notification, 2011. PP submitted IRS, Chennai report along with its CRZ map in 1:4000 scale to support his stand. During the 92nd meeting, the Authority sought certain information from PP. Reply from PP was awaited.

Meanwhile, Writ Petition (T) No. 3127/2014 Marine Drive Hospitality & Realty Pvt Ltd & Anr Vs MCZMA & Ors was filed before the Hon'ble High court of Mumbai regarding the CRZ status of the plot under reference along with IRS report & other documents. Hon'ble High court vide order dated Dec 17, 2014 disposed of the case with a direction to MCZMA to issue clearance certificate to the petitioners on the basis of certificate granted by Institute of Remote

D. J. Malle
Chairman



Press Release

Sub : Property Situated at CS No.2193 (pt) of Bhuleshwar Division, Charni Road (Marine Lines), Mumbai owned by M/s Marine Drive Hospitality and Realty Pvt. Ltd.

DB Realty Ltd has substantial interest in M/s. Marine Drive Hospitality & Realty Pvt. Ltd.

In deference to the order of the Hon'ble High Court dated December 18, 2014 in WP (L) No.3127 of 2014, the Maharashtra Coastal Zone Management Authority(MCZMA) has granted clearance from the CZ point of view, as the said property does not fall under the ambit of the CRZ Notification, 2011. A copy of the communication dated 23.01.2015 addressed to the Municipal Corporation of Greater Mumbai (MCGM) with a copy marked to M/s. Marine Drive Hospitality & Realty Pvt. Ltd. is enclosed herewith for perusal.

This property is situated at Marine Lines and is spread across 8985.55 sq. meters. The project will now be entitled to FSI upto 4 and the total built up area in the project is expected to be 800,000 sq.ft. (approx) Plans for development of the subject property are being submitted to the planning authority in due course. The management expects the work to start on this project in F.Y. 2015-16. The clearance granted by the MCZMA represents a significant development for the company, as well as for the development of the project by M/s. Marine Drive Hospitality & Realty Pvt. Ltd.

DB REALTY LIMITED

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel No: 022-22855082
Email: mahomc/mca@gmail.com

No. CRZ 2014 / CR 157 / TC 4
 Environment Department,
 15th Floor, New Administrative Building,
 Mantapaya,
 Mumbai-400 032.
 Date: 23rd January, 2015

To,

Chief Engineer, DP,
 Municipal Corporation of Greater Mumbai,
 Mahapalika Marg,
 Mumbai: 400001

Sub: Property bearing C.S. No.2193 (pt) of Bhuleshwar Division at Charni Road, Mumbai by M/s. Marine Drive Hospitality & Realty Pvt. Ltd.

Ref: Hon'ble High Court order Dec 17, 2014 in WP (L) No. 3127/2014 Marine Drive Hospitality & Realty Vs MCZMA & Ors

Sir,

The matter was deliberated in 92nd & 95th meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) held on 19th July, 2014 and 13th January, 2015 respectively.

2. The Authority, in its 95th meeting, taking into consideration reports and CRZ map of MoEF authorized agency i.e. IRS, Chennai as well as Hon'ble High court order dated Dec 17, 2014 Writ Petition (L) No. 3127/2014 & Supreme court order dated 19.11.2014 in SLP No 30128/2014 & NHO letter recognizing Back Bay as 'Bay' decided the followings:

- a. Project site i.e. C. S. No. 2193(pt) of Bhuleshwar Division admeasuring 8983 Sqm. at Charni Road, Mumbai does not fall within the 100 m from HTL for Back Bay, as per the provisions of CRZ Notification, 2011. Hence, the said plot area does not fall under the ambit of the CRZ Notification, 2011.
- b. The case is recommended for clearance from CRZ point of view to the planning authority under intimation to the project proponent.

[Handwritten Signature]

3. Copy of minutes of the matter discussed in 95th meeting of the MCZMA is enclosed herewith.

Yours faithfully,



Member Secretary (MCZMA)

Copy to:

1. Principal Secretary, Environment Dept & Chairperson, Maharashtra Coastal Zone Management Authority, 2nd Floor, Annexe Building, Mantralaya, Mumbai
2. Director, CRZ, Ministry of Environment & Forest & Climate Change, Jor Baug Road, New Delhi.
3. Municipal Commissioner, Municipal Corporation of Greater Mumbai, Mumbai
4. M/s Marine Drive Hospitality & Realty Pvt Ltd DB House, Yashodham, Gen A.K. Vaidya Marg, Goregaon(E), Mumbai- 400063
5. Select File: TC 4

Limited that as per the records of the office, 'Mahim Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.

- e. IRS, Chennai, which is one of the authorized agencies, appointed by MoEF, New Delhi has prepared the CRZ map in 1:4000 scale and report. The report of IRS, Chennai mentions that as the project site is being situated at the frontage of Mahim Bay and Arabian Sea, 100m, 200m and 500 m buffer line as per CZMP 1991 and 2011 Notification is drawn. However, it is observed that the project site is out of CRZ even though there is a change in HTL as per CZMP 1991 and 2011 Notification.

In the light of above, the Authority after taking into consideration report and CRZ map of MoEF authorized agency i.e. IRS, Chennai as well as Hon'ble High court order dated Dec 18, 2014 in Writ Petition (L) No. 3152/2014 & Hon'ble Supreme Court order dated 19.11.2014 in SLP No. 30128/2014 & NHO letter recognizing Mahim Bay as 'Bay' decided the following:

1. Project site i.e. property bearing C. S. No. 791/ (part) of Bandra Reclamation area, Bandra (West), Mumbai does not fall within the 100 m from both HTL. (old approved & draft new HTL.) for Mahim Bay, as per the provisions of CRZ Notification, 2011. Hence, the said property does not fall under the ambit of the CRZ Notification, 2011.
2. The case is recommended for clearance from CRZ point of view to the planning authority under intimation to the project proponent.

Item No.2: WP (L) No. 3127/2014 Marine Drive Hospitality & Realty Vs MCZMA & Ors.
Property bearing C.S.No.2193(pt) of Bhuleshwar Division at Charni Road, Mumbai by M/s. Marine Drive Hospitality & Realty Pvt. Ltd.

The Authority noted that the matter was earlier deliberated in 92nd meeting of the MCZMA held on 19th July, 2014, wherein the PP presented that the project site is situated at the frontage to Back Bay and it is outside CRZ area as per provisions of CRZ Notification, 2011. PP submitted IRS, Chennai report along with its CRZ map in 1:4000 scale to support his stand. During the 92nd meeting, the Authority sought certain information from PP. Reply from PP was awaited.

Meanwhile, Writ Petition (L) No. 3127/2014 Marine Drive Hospitality & Realty Pvt Ltd & Anr Vs MCZMA & Ors was filed before the Hon'ble High court of Mumbai regarding the CRZ status of the plot under reference along with IRS report & other documents. Hon'ble High court vide order dated Dec 17, 2014 disposed of the case with a direction to MCZMA to issue clearance certificate to the petitioners on the basis of certificate granted by Institute of Remote

Ajay Nalk
Chairman

Sensing indicating that the project site is beyond 100 m from the high tide line of Back Bay i.e. the land falls outside the CRZ area.

Taking into account the background of the matter, the Authority observed the matter as follows:

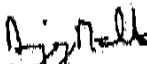
- a. Ministry of Environment and Forest, New Delhi vide S.O. 19(E) dated 6.1.2011 published new CRZ Notification, 2011 superseding the old CRZ Notification, 1991. Para (ii) of the CRZ notification, 2011 stipulates 100 m max CRZ limit along the 'Bay', which is a tidally influenced water body.
- b. National Hydrographic Office, Deharadun, which is one of the MoEF authorized agencies vide letter dated 28th September, 2013 clarified to Amba Recycler Private Limited that as per the records of the office, 'Back Bay' is considered as 'Bay' and also depicted as 'Bay' on official navigational chart.
- c. IRS, Chennai, which is one of the authorized agencies, appointed by MoEF, New Delhi has prepared the CRZ map in 1:4000 scale and report. The report of IRS, Chennai mentions that the project site is being situated at the frontage to Back Bay, 100m buffer line as per CRZ Notification, 2011 is drawn. The project site is out of CRZ and HTL drawn as per CRZ Notification, 2011 is same as HTL as per CZMP 1991.

In the light of above, the Authority after taking into consideration reports and CRZ map of MoEF authorized agency i.e. IRS, Chennai as well as Hon'ble High court order dated Dec 17, 2014 Writ Petition (I) No. 3127/2014 & Supreme court order dated 19.11.2014 in SLP No 30128/2014 & NHO letter recognizing Back Bay as 'Bay' decided the followings:

- Project site i.e. C. S. No. 2193(pt) of Bhuleshwar Division admeasuring 8983 Sqm. at Charni Road, Mumbai does not fall within the 100 m from HTL for Back Bay, as per the provisions of CRZ Notification, 2011. Hence, the said plot area does not fall under the ambit of the CRZ Notification, 2011.
- The case is recommended for clearance from CRZ point of view to the planning authority under intimation to the project proponent.

Item No.3: WP (I) No. 3266/2014 Hub Town I.1 & anther Vs MCGM
Plot bearing C.S. No.1551,Girgaum Dn. on the junction of Gamdevi Road, Harishehandra Goregaonkar Marg and N.S.Patkar Marg, in D Ward, Mumbai - M's. Hub Town Limited

The Authority noted that the matter was earlier deliberated in 88th and 91th meeting of the MCZMA held on 30th & 31st Jan, 2014 and 29th,30th and 31st May, 2014 respectively, wherein the PP presented that the plot under reference falls outside CRZ area as per provisions of CRZ


Chairman


Member Secretary