

**1058**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO. 249/2023**

**TITLED NEWS ITEM ON INDIA'S SINKING ISLANDS APPEARED IN  
THE HINDU 19.03.2023**

**WITH**

**ORIGINAL APPLICATION NO. 795/2023**

**NEWS ITEM TITLED "THIRD OF INDIA'S COASTLINE VULNERABLE  
TO EROSION - HERE ARE  
THE WORST-HIT STATES" APPEARING IN INDIAN EXPRESS DATED  
06.12.2023.**

**INDEX**

<b>S. No.</b>	<b>PARTICULARS</b>	<b>PAGE NO.</b>
1.	Additional reply affidavit on behalf of Ministry of Environment, Forest and Climate Change.	1 - 12
2.	A true copy of the CRZ Notification, 2011 is annexed herewith and marked as <b>Annexure-R1/1</b> .	13 - 33

3.	A true copy of CRZ Notification, 2019, is annexed herewith and marked as <b>Annexure-R1/2.</b>	34-60
4.	A true copy of these Guidelines dated 26/06/2019 is annexed herewith and marked as <b>Annexure-R1/3.</b>	61-73
5.	A true copy of the order dated 03/10/2024 passed by this Hon'ble Principal Bench is annexed herewith and marked as <b>Annexure-R1/4.</b>	74-79
6.	A true copy of the order dated 17/10/2024, passed by Hon'ble NGT (SZ) in O.A No. 101 of 2023 is annexed herewith and marked as <b>Annexure-R1/5.</b>	80-97

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**06.12.2023.**

**ADDITIONAL REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF**

**ENVIRONMENT, FOREST AND CLIMATE CHANGE**

I, Dr. Harendra Kharkwal, S/o Shri Liladhar Kharkwal, aged about 54 years,  
presently working as Scientist 'F' in the Ministry of Environment, Forest & Climate



Change (hereinafter referred to as MoEF&CC) do hereby, in my official capacity, solemnly affirm and state on oath as follows:

1. That I am authorized by the Competent Authority in the Ministry, New Delhi to swear the present affidavit on behalf of the MoEF&CC on the basis of the official records maintained therein.
2. It is humbly submitted that I have perused and understood the contents of the present petition. At the outset, I deny all averments, submissions, statements, allegations made therein except may be specifically admitted herein after.
3. It is humbly submitted that in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, Ministry of Environment and Forest had notified the Coastal Regulation Zone Notification, 1991 on 19<sup>th</sup> February, 1991. In supersession of the CRZ Notification 1991, the Coastal Regulation Zone Notification, 2011 was notified on 6<sup>th</sup> January, 2011, for regulation of developmental activities along the coastal stretches and to ensure the livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches. A copy of CRZ Notification, 2011 is annexed herewith and marked as **Annexure-**



R1/1.

4. That, it is further submitted that in supersession of the CRZ Notification, 2011, the Coastal Regulation Zone Notification, 2019 was notified on 18<sup>th</sup> January, 2019, having specific focus on conservation and management plans of Ecologically Sensitive Areas (ESAs) which did not feature in the CRZ Notification, 2011. A true copy of CRZ Notification, 2019, is annexed herewith and marked as **Annexure-R1/2**.
5. It is humbly submitted that as per paragraph 6(i) of the CRZ Notification, 2019, *“All Coastal States and Union Territory administrations shall revise or update their respective coastal zone management plan (CZMP) framed under CRZ Notification, 2011 number S.O.19(E), dated 6<sup>th</sup> January, 2011, as per provisions of this notification and to submit before the Ministry of Environment, Forest and Climate Change for approval at the earliest and all the project activities attracting the provisions of this notification shall be required to be appraised as per the updated CZMP under this notification and until and unless the CZMPs is so revised or updated, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification, 2011 shall continue to be followed for appraisal and CRZ clearance to such projects.”*



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6. It is humbly submitted that Annexure-IV to the CRZ Notification, 2019 lays down the “*Guidelines for Preparation of Coastal Zone Management Plans*”. Moreover, this Ministry has also issued “*Guidelines for Updation of Coastal Zone Management Plan (CZMP) prepared as per CRZ Notification, 2011 to align it with CRZ Notification, 2019-reg.*”, dated 26/06/2019 to facilitate the coastal States/ UT’s in the updation/ revision of the CZMP/ICRZP. A true copy of these Guidelines dated 26/06/2019 is annexed herewith and marked as **Annexure-R1/3**.
7. It is humbly submitted that as of date, CZMPs as per CRZ Notification, 2019 have been approved for the State of Odisha, Maharashtra and Karnataka, Kerala and Island Coastal Regulation Zone Plans (ICRZP) have been approved for Great Nicobar Island and Little Andaman Island of A & N Islands as per ICRZ Notification, 2019. That, for rest of the Coastal States/ UTs, CZMP / ICRZP as per CRZ Notification, 2011 / Island Protection Zone (IPZ) Notification, 2011 continue to be applicable.
8. It is humbly submitted that this reply is being filed in compliance of order dated 03/10/2024 passed by this Hon’ble Bench in the present matter whereby it was directed as follows:

... “ 4. *Learned Counsel for MoEF&CC has informed that a meeting of the Chief Secretaries of all the concerned States and UTs has been convened by MoEF&CC tomorrow wherein this issue will be discussed*



*and needful will be done. Hence, MoEF&CC is directed to file a fresh report indicating the progress in this regard within eight weeks..”...*

A true copy of the order dated 03/10/2024 passed by this Hon’ble Bench is annexed herewith and marked as **Annexure-R1/4**.

9. It is humbly submitted that in compliance of the abovementioned order, this Ministry has sought information from all Coastal States/UT’s with respect to the updated status of CZMPs/ICRZPs/IIMPs. That the summarized tabulated information regarding updated status of CZMP preparation are as follows:

**FRESH REPORT WITH UPDATED STATUS**

**OF THE CZMP/ ICRZP AS PER CRZ / ICRZ NOTIFICATION, 2019**

S. No.	Coastal State’s / UT’s	Agency preparing CZMP/ICRZP- 2019	Updated Status as per Concerned States/UTs
1.	Odisha	ORSAC/SAC	Approved on 01/06/2021
2.	Karnataka	NCSCM	Approved on 02/09/2022
3.	Maharashtra	NCSCM	Approved on 29/09/2021 (2 districts) and 25/08/2023 (5 districts)
4.	Kerala	NCESS	Approved on 16/10/2024



5.	Andaman & Nicobar (UT)	NCSCM	<p>ICRZP approved for Great Nicobar Island (01/06/2021) and Little Andaman Island (12/09/2022).</p> <p>The A &amp; N Administration has placed ICRZP / IIMP before Technical Scrutiny Committee (TSC) in its 18<sup>th</sup> meeting held on 17/12/2024 and decision status is as follows:</p> <ul style="list-style-type: none"> <li>• Recommended draft ICRZP's of Seven Islands i.e. Swaraj Dweep, Car Nicobar, Rutland, Kamorta, Middle Andaman, Baratang and North Andaman Island.</li> <li>• Recommended draft IIMP's of Three islands i.e., Flat bay Island, Smith Island and Long island.</li> </ul> <p>The A &amp; N Administration will forward the same to MoEFCC with all necessary documents like copies of maps and report for further consideration.</p> <p>Additionally, draft IIMP's of Netaji Subhash Chandra Bose Dweep and Shaheed</p>
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			<p>Dweep and draft ICRZP of South Andaman Islands has been deliberated by TSC.</p> <p>After deliberation, the Committee suggested to incorporate the future proposed activities in the draft IIMP's/ICRZP's for further consideration in the next TSC meeting.</p> <p>ICRZP/IIMP of 16 remaining Islands is in under preparation.</p>
6.	Andhra Pradesh	NCSCM	<p>Public hearing completed in 12 out of 13 coastal districts. Proceeding of Public Hearing including the representations received during the Public Hearings has been reviewed by APCZMA in its meeting held on 03.01.2025 and A.P Administration will submit proposal to TSC for further consideration. Public Hearing for Visakhapatnam district will be conducted separately.</p>
7.	Daman & Diu	NCSCM	<p>As per the guideline of CRZ Notification - 2019, the draft CZMP was prepared and placed on the public domain on 29/11/2022 for obtaining</p>



			<p>objections/ suggestions and number of objections/ suggestions were received from the general public.</p> <p>Further, all the objections/ suggestions received from the general public on draft CZMPs have been complied and prepared for public hearing.</p> <p>Furthermore, all the required details along with complied objections/suggestions have been sent to NCSCM, Chennai vide email dated 5th July 2024 for their consideration and finalization of CZMP map of Daman &amp; Diu.</p> <p>Furthermore, before the finalization of the DDCZMP map, it is essential for DDCZMA to undertake a Shore Line Change study and prepare a Shore Line Change Management plan, Fisheries Plan, and Tourism plan.</p> <p>In this regard, DDCZMA has requested to NCSCM for starting work on Shore Line Change study and prepare a Shore Line Change Management Plan on priority basis.</p>
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8.	Goa	NCESS	The NCESS has sent the Pre draft CZMP in the scale of 1:25000 which is being verified by the GCZMA officials with the assistance from Land Survey Dept. Accordingly, Public Hearing will be conducted on draft CZMP.
9.	Gujarat	NCSCM	<p>The draft CZMP plan of 6 districts namely, Valsad, Vadodara, Anand, Ahmedabad Porbandar and Morbi has been presented before TSC in its 18<sup>th</sup> meeting held on 17/12/2024.</p> <p>After deliberation, the Committee suggested that Gujarat CZMA may approach NCCR/NCSCM for preparation of Shoreline Change maps, which will be required for CZMP and finalize the draft CZMP for placing the same in the next TSC meeting.</p> <p>Further, Public Hearing in 08 districts has been conducted and proposal submitted to TSC for further consideration. For remaining 02 districts, public hearing is under consideration.</p>



10.	Laksha- dweep (UT)	NCSCM	Public hearing completed for all 21 Islands and Lakshdweep Administration will submit proposal to TSC for further consideration.
11.	Puducherry (UT)	NCSCM	<p>The Puducherry Coastal Zone Management Authority (PCZMA) vide communication dated 10.09.2024 to the Ministry of Environment, Forest and Climate Change (MoEF&amp;CC) stated that the public consultations for Puducherry and Karaikal will be completed by November, 2024. Accordingly, the public consultations for Puducherry and Karaikal regions were scheduled on 06.11.2024 and 07.11.2024 respectively.</p> <p>Meanwhile, the Hon'ble NGT (SZ) had issued a stay on 05.11.2024 in OA No. 283 of 2024 for the conduct of public hearings in Puducherry and Karaikal regions. As per direction of NGT, the proposed public consultations for Puducherry and Karaikal regions were postponed.</p> <p>OA No. 283/2024 was listed on 18.12.2024 before the Hon'ble NGT (SZ) wherein the</p>



			<p>PCZMA had filed the status report on draft CZMP 2019 and requested to vacate the stay for the conduct of public hearings. The matter is listed on 12.02.2025.</p> <p>Based upon the outcome of Hon'ble NGT (SZ) in O.A No. 283 of 2024, public consultations for Puducherry and Karaikal regions will be conducted and draft CZMP will be submitted to MoEF&amp;CC for final approval.</p>
12.	Tamil Nadu	NCSCM	<p>In compliance of judgement dated 17/10/2024, passed by Hon'ble NGT (SZ) in O.A No. 101 of 2023, the ground truthing of Economically Sensitive Areas of draft maps in all districts of Tamil Nadu is going on. A true copy of the order dated 17/10/2024, passed by Hon'ble NGT (SZ) in O.A No. 101 of 2023 is annexed herewith and marked as <b>Annexure-R1/5</b>.</p>
13.	West Bengal	IESWM	<p>The West Bengal Government has placed the draft CZMP before TSC in its 18<sup>th</sup> meeting held on 17/12/2024. After detailed deliberation, the</p>

(Dr. H. Kharkwal)  
Scientist 'F'  
MoEF & CC



(Dr. H. Kharkwal)  
Scientist 'F'  
MoEF & CC

			Committee has suggested to do necessary corrections as deliberated during the meeting for finalizing the CZMP.
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10. In view of the foregoing submissions, the respondent humbly prays that the Hon'ble Tribunal may be pleased to pass such order as deemed fit in the interest of justice.

11. It is respectfully submitted that the answering respondent without prejudice reserves his right to file an additional affidavit at a later stage, if so necessary.



**DEPONENT**  
**(Dr. H. Kharkwal)**  
**Scientist 'F'**  
**MoEF & CC**

*I Identified the deponent/executor  
who has signed in my presence.*

**VERIFICATION**

I, the above named Deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge as per the records of the answering respondents. No part of it is false and nothing material has been concealed there from.

Verified at 57 JAN 2025 on this.....Day of January, 2025.



Solemnly affirmed before me read over & explained to the deponent.

*[Signature]*  
Notary Public, Delhi



**DEPONENT**  
**(Dr. H. Kharkwal)**  
**Scientist 'F'**  
**MoEF & CC**

**57 JAN 2025**

**MINISTRY OF ENVIRONMENT AND FORESTS**  
**(Department of Environment, Forests and Wildlife)**  
**COASTAL REGULATION ZONE NOTIFICATION**

New Delhi, the 6th January, 2011

**S.O. 19(E).**— WHEREAS a draft notification under sub-section (1) of section and clause (V) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 was issued inviting objections and suggestions for the declaration of coastal stretches as Coastal Regulation Zone and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O.No.2291 (E), dated 15<sup>th</sup> September, 2010.;

AND WHEREAS, copies of the said Gazette were made available to the public on 15<sup>th</sup> September, 2010.;

AND WHEREAS, the suggestions and objections received from the public have been considered by the Central Government.;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands upto its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ.; and

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19<sup>th</sup> February, 1991 except as respects things done or omitted to be done before such supersession, the Central Government hereby declares the following areas as CRZ and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ,-

- (i) the land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front.
- (ii) CRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans (hereinafter referred to as the CZMPs).

**Explanation.-** For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds connected to the sea or creeks and the like.

(iii) the land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes.

(iv) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone.

(v) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2. For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I. HTL shall be demarcated within one year from the date of issue of this notification.

3. Prohibited activities within CRZ,- The following are declared as prohibited activities within the CRZ,-

(i) Setting up of new industries and expansion of existing industries except,-

(a) those directly related to waterfront or directly needing foreshore facilities;

*Explanation:* The expression "foreshore facilities" means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

(b) projects of Department of Atomic Energy;

(c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as CRZ-I(i) based on an impact assessment study including social impacts.;

(d) development of green field Airport already permitted only at Navi Mumbai;

(e) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.

(ii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28<sup>th</sup> July 1989, S.O.No.966(E), dated the 27<sup>th</sup> November, 1989 and GSR 1037 (E), dated the 5<sup>th</sup>

December, 1989 except,-

- (a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;
- (b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as CRZ- I(i) subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as CRZ-I(i).

- (iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas:

- (iv) Land reclamation, bunding or disturbing the natural course of seawater except those,-

- (a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;
- (b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies
- (c) maintenance or clearing of waterways, channels and ports, based on EIA studies;
- (d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF.

- (v) Setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,-

- (a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (b) storm water drains and ancillary structures for pumping;
- (c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;

- (vi) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements. The concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification.

- (vii) Dumping of city or town wastes including construction debris, industrial solid wastes, fly

ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification.

**Note:-**The MoEF will issue a separate instruction to the State Governments and Union territory Administration in respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of paras (v), (vi) and (vii).

(viii) Port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies and in consultation with the State Government or the Union territory Administration.

(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities.

(x) Mining of sand, rocks and other sub-strata materials except,-

- (a) those rare minerals not available outside the CRZ area,
- (b) exploration and exploitation of Oil and Natural Gas.

(xi) Drawl of groundwater and construction related thereto, within 200mts of HTL; except the following:-

- (a) in the areas which are inhabited by the local communities and only for their use.
- (b) In the area between 200mts-500mts zone the drawl of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

**Note:-**Restrictions for such drawl may be imposed by the Authority designated by the State Government and Union territory Administration in the areas affected by sea water intrusion.

(xi) Construction activities in CRZ-I except those specified in para 8 of this notification.

(xiii) Dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose.

(xiv) Facilities required for patrolling and vigilance activities of marine/coastal police stations.

4. Regulation of permissible activities in CRZ area.- The following activities shall be regulated except those prohibited in para 3 above,-

- (i)(a) clearance shall be given for any activity within the CRZ only if it requires waterfront and foreshore facilities;
- (b) for those projects which are listed under this notification and also attract EIA notification, 2006 (S.O.1533 (E), dated the 14<sup>th</sup> September, 2006), for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority (hereinafter referred to as the CZMA).
- (c) Housing schemes in CRZ as specified in paragraph 8 of this notification;

- (d) Construction involving more than 20,000sq mts built-up area in CRZ-II shall be considered in accordance with EIA notification, 2006 and in case of projects less than 20,000sq mts built-up area shall be approved by the concerned State or Union territory Planning authorities in accordance with this notification after obtaining recommendations from the concerned CZMA and prior recommendations of the concern CZMA shall be essential for considering the grant of environmental clearance under EIA notification, 2006 or grant of approval by the relevant planning authority.
- (e) MoEF may under a specific or general order specify projects which require prior public hearing of project affected people.
- (f) construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;
- (ii) the following activities shall require clearance from MoEF, namely:-
- (a) those activities not listed in the EIA notification, 2006.
- (b) construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006.;
- (c) construction, operation of lighthouses;
- (d) laying of pipelines, conveying systems, transmission line;
- (e) exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (f) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. MoEF may specify for category of projects such as at (f), (g) and (h) of para 4;
- (g) Mining of rare minerals as listed by the Department of Atomic Energy;
- (h) Facilities for generating power by non-conventional energy resources, desalination plants and weather radars;
- (i) Demolition and reconstruction of (a) buildings of archaeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities;

4.2 Procedure for clearance of permissible activities.- All projects attracting this notification shall be considered for CRZ clearance as per the following procedure, namely:-

- (i) The project proponents shall apply with the following documents seeking prior clearance under CRZ notification to the concerned State or the Union territory Coastal Zone Management Authority,-
- (a) Form-1 (Annexure-IV of the notification);
- (b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and (d)
- (c) Comprehensive EIA with cumulative studies for projects in the stretches classified as low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;
- (d) Disaster Management Report, Risk Assessment Report and Management Plan;
- (e) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;
- (f) Project layout superimposed on the above map indicated at (e) above;

- (g) The CRZ map normally covering 7km radius around the project site.
  - (h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
  - (i) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.;
- (ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and in compliance with CRZ notification and make recommendations within a period of sixty days from date of receipt of complete application,-
- (a) MoEF or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be for the project attracting EIA notification, 2006;
  - (b) MoEF for the projects not covered in the EIA notification, 2006 but attracting para 4(ii) of the CRZ notification;
- (iii) MoEF or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.
- (vi) The clearance accorded to the projects under the CRZ notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.
- (v) For Post clearance monitoring – (a) it shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on 1<sup>st</sup> June and 31<sup>st</sup> December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.
- (b) the compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vi) To maintain transparency in the working of the CZMAs it shall be the responsibility of the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMPs of the respective State Government or Union territory.

#### 5. Preparation of Coastal Zone Management Plans.

- (i) The MoEF may obtain the CZMPs prepared through the respective State Government or Union territory;
- (ii) The CZMPs may be prepared by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF and in consultation with the concerned stakeholders;
- (iii) The hazard line shall be mapped by MoEF through Sol all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level

rise and shoreline changes;

- (iv) For the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5m interval normally upto 7km from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;
- (v) Mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping and the hazard line shall be taken into consideration while preparing the land use plan of the coastal areas;
- (vi) The coastal States and Union Territory will prepare within a period of twenty four months from the date of issue this notification, draft CZMPs in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in Annexure-I of the notification, which involve public consultation;
- (vii) The draft CZMPs shall be submitted by the State Government or Union territory to the concerned CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;
- (viii) The State Government or Union territory CZMA shall submit the draft CZMPs to MoEF alongwith its recommendations on the CZMP within a period of six months after incorporating the suggestions and objections received from the stakeholders;
- (ix) MoEF shall thereafter consider and approve the CZMPs within a period of four months from the date of receipt of the CZMPs complete in all respects;
- (x) All developmental activities listed in this notification shall be regulated by the State Government, Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this notification;
- (xi) The CZMPs shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking revision of the maps following the above procedures;
- (xii) The CZMPs already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

5. Enforcement of the CRZ, notification, 2011-

- (a) For the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, State Government or the Union territory Administration NCZMA and SCZMA s;
- (b) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMA s have already been notified by MoEF in terms of Orders of Hon'ble

Supreme Court in Writ Petition 664 of 1993;

- (c) the State Government or the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk;
- (d) The dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-
  - (i) these are not used for any commercial activity
  - (ii) these are not sold or transferred to non-traditional coastal community.

7. Classification of the CRZ – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely:-

(i) CRZ-I,-

- A. The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,-
  - (a) Mangroves, in case mangrove area is more than 1000 sq mts, a buffer of 50meters along the mangroves shall be provided;
  - (b) Corals and coral reefs and associated biodiversity;
  - (c) Sand Dunes;
  - (d) Mudflats which are biologically active;
  - (e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;
  - (f) Salt Marshes;
  - (g) Turtle nesting grounds;
  - (h) Horse shoe crabs habitats;
  - (i) Sea grass beds;
  - (j) Nesting grounds of birds;
  - (k) Areas or structures of archaeological importance and heritage sites.
- B. The area between Low Tide Line and High Tide Line;

(ii) CRZ-II,-

The areas that have been developed upto or close to the shoreline.

*Explanation.-* For the purposes of the expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

## (iii) CRZ-III,-

Areas that are relatively undisturbed and those do not belong to either CRZ-I or II which include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built up.

## (iv.) CRZ-IV,-

A. the water area from the Low Tide Line to twelve nautical miles on the seaward side;

B. shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

(v) Areas requiring special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities,-

- A. (i) CRZ area falling within municipal limits of Greater Mumbai;  
(ii) the CRZ areas of Kerala including the backwaters and backwater islands;  
(iii) CRZ areas of Goa.

B. Critically Vulnerable Coastal Areas (CVCA) such as Sunderbans region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 and managed with the involvement of coastal communities including fisherfolk.

## 8 Norms for regulation of activities permissible under this notification,-

- (i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely:-

Note:- The word existing use hereinafter in relation to existence of various features or existence of regularisation or norms shall mean existence of these features or regularisation or norms as on 19.2.1991 wherein CRZ notification, was notified.

## I. CRZ-I,-

- (i) no new construction shall be permitted in CRZ-I except,-

- (a) projects relating to Department of Atomic Energy;  
(b) pipelines, conveying systems including transmission lines;  
(c) facilities that are essential for activities permissible under CRZ-I;  
(d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;  
(e) construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL.  
(f) development of green field airport already approved at only Navi Mumbai;

- (ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely:-

- (a) exploration and extraction of natural gas;
- (b) construction of dispensaries, schools, public rainshelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.
- (c) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
- (d) salt harvesting by solar evaporation of seawater;
- (e) desalination plants;
- (f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;
- (g) construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

## II. CRZ-II,-

- (i) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;
- (ii) buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio:  
Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road;
- (iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use;
- (iv) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas subject to the conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (v) desalination plants and associated facilities;
- (vi) storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;
- (vii) facilities for generating power by non-conventional power sources and associated facilities;

## III. CRZ-III,-

A. Area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as "No Development Zone (NDZ)",-

- (i) the NDZ shall not be applicable in such area falling within any notified port limits;
- (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management

provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

(iii) however, the following activities may be permitted in NDZ –

- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry;
- (b) projects relating to Department of Atomic Energy;
- (c) mining of rare minerals;
- (d) salt manufacture from seawater;
- (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (f) facilities for regasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;
- (g) facilities for generating power by non conventional energy sources;
- (h) Foreshore facilities for desalination plants and associated facilities;
- (i) weather radars;
- (j) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;
- (k) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee;
- (l) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
- (m) development of green field airport already permitted only at Navi Mumbai.

B. Area between 200mts to 500mts,-

The following activities shall be permissible in the above areas;

- (i) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III ;
- (ii) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (iii) facilities for regasification of liquefied natural gas subject to conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;
- (v) foreshore facilities for desalination plants and associated facilities;
- (vi) facilities for generating power by non-conventional energy sources;
- (vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gothans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
- (viii) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges by CZMA who may also permit construction of schools and dispensaries for local inhabitants of the area for those panchayats, the major

part of which falls within CRZ if no other area is available for construction of such facilities;

- (ix) reconstruction or alteration of existing authorised building subject to sub-paragraph (vii), (viii);
- (x) development of green field airport already permitted only at Navi Mumbai.

(IV) In CRZ-IV areas,-

The activities impugning on the sea and tidal influenced water bodies will be regulated except for traditional fishing and related activities undertaken by local communities as follows:-

- (a) No untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped. A comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
- (b) Pollution from oil and gas exploration and drilling, mining, boat house and shipping;
- (c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

V. Areas requiring special consideration,-

1. CRZ areas falling within municipal limits of the Greater Mumbai.

- (i) Developmental activities in the CRZ area of the Greater Mumbai because of the environmental issues, relating to degradation of mangroves, pollution of creeks and coastal waters, due to discharge of untreated effluents and disposal of solid waste, the need to provide decent housing to the poor section of society and lack of suitable alternatives in the inter connected islands of Greater Mumbai shall be regulated as follows, namely:-

A. Construction of roads - In CRZ-I areas indicated at sub-paragraph (i) of paragraph 7 of the notification the following activities only can be taken up:-

- (a) Construction of roads, approach roads and missing link roads approved in the Developmental Plan of Greater Mumbai on stilts ensuring that the free flow of tidal water is not affected, without any benefit of CRZ-II accruing on the landward side of such constructed roads or approach roads subject to the following conditions:-
  - (i) All mangrove areas shall be mapped and notified as protected forest and necessary protection and conservation measures for the identified mangrove areas shall be initiated.
  - (ii) Five times the number of mangroves destroyed/cut during the construction process shall be replanted.

B. Solid waste disposal sites shall be identified outside the CRZ area and thereafter within two years the existing conventional solid waste sites shall be relocated outside the CRZ area.

(iii) In CRZ-II areas-

- (a) The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19<sup>th</sup> February, 1991, unless specified otherwise in this notification.

**(b) SLUM REHABILITATION SCHEMES,-**

1. In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable and the civic agencies are not able to provide basic infrastructure such as drinking water, electricity, roads, drainage and the like because the slums come up in an unplanned and congested manner and the slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation.
2. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes as identified as on the date of issue of this notification directly or through its parastatal agencies like Maharashtra Housing and Area Development Authority (MHADA), Shivshahi Punarvasan Prakalp Limited (SPPL), Mumbai Metropolitan Region Development Authority (MMRDA) and the like.:

Provided that,-

- (i) such redevelopment schemes shall be undertaken directly or through joint ventures or through public private partnerships or other similar models ensuring that the stake of the State Government or its parastatal entities shall be not less than 51%;
- (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be 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;
- (iii) it shall be the duty of the project proponent undertaking the redevelopment through conditions (i)(2) above along with the State Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard.

**(c) REDEVELOPMENT OF DILAPIDATED, CESSID AND UNSAFE BUILDINGS:**

1. In the Greater Mumbai, there are, also a large number of old and dilapidated, cessed and unsafe buildings in the CRZ areas and due to their age these structures are extremely vulnerable and disaster prone and therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings.
2. These projects shall be taken up subject to the following conditions and safeguards:
  - (i) such redevelopment or reconstruction projects as identified on the date of issue of this notification shall be allowed to be taken up involving the owners of these buildings either above or with private developers in accordance with the prevailing Regulation, directly or through joint ventures or through other similar models.
  - (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be 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
  - (iii) suitable accommodation to the original tenants of the specified buildings shall be

ensured during the course of redevelopment or reconstruction of the buildings by the project proponents, undertaking the redevelopment through condition 2(i) above.

- (d) Notwithstanding anything contained in this notification, the developmental activities for slums and for dilapidated, cessed and unsafe buildings as specified at paras (b) and (c) above shall be carried out in an accountable and transparent manner by the project proponents mentioned therein which shall include the following pre-condition measures, wherever applicable;-
1. (i) applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities;
  - (ii) MoEF shall issue an order constituting the CPIO and the first Appellate Authority of appropriate ranks in consultation with Government of Maharashtra;
  - (iii) details of the Slum Rehabilitation Scheme, including the complete proposal and the names of the eligible slum dwellers will be declared suo-moto as a requirement of Section 4 of compliance of the Right to Information Act, 2005 by the appropriate authority in the Government of Maharashtra in one month before approving it;
  - (iv) the implementing or executing agency at the State Government with regard to projects indicated at sub-item (b) and (c) of item (iii) of sub-paragraph V shall display on a large notice boards at the site and at the office of the implementing or executing agency the names of the eligible builders, total number of tenements being made, names of eligible slum dwellers who are to be provided the dwelling units and the extra area available for free sale.
  - (v) Projects being developed under sub-items (b) and (c) of item (iii) of sub-paragraph V shall be given permission only if the project proponent agree to be covered under the Right to Information Act, 2005.
2. MoEF may appoint statutory auditors, who are empanelled by the Comptroller and auditor General (hereinafter referred to as the C&AG) to undertake performance and fiscal audit in respect of the projects relating to redevelopment of dilapidated, cessed and unsafe buildings and the projects relating to Slum Rehabilitation Scheme shall be audited by C&AG.
  3. A High Level Oversight Committee may be set up by the Government of Maharashtra for periodic review of implementation of V(iii)(b) and (c) which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers, and Civil Society, besides the local urban bodies, the State Government and the Central Government.
  4. The individual projects under V(iii)(b) and (c) shall be undertaken only after public consultation in which views of only the legally entitled slum dweller or the legally entitled tenant of the dilapidated or cessed buildings shall be obtained in accordance with the procedures laid down in EIA notification, 2006.
- (e) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.
- (f) the Floor Space Index upto 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (g) Koliwada namely, fishing settlement areas as identified in the Development Plan of 1981

or relevant records of the Government of Maharashtra, shall be mapped and declared as CRZ-III so that any development, including construction and reconstruction of dwelling units within these settlements shall be undertaken in accordance with applicable as per local Town and Country Planning Regulations.

- (h) Reconstruction and repair works of the dwelling units, belonging to fisher communities and other local communities identified by the State Government, shall be considered and granted permission by the Competent Authorities on a priority basis, in accordance with the applicable Town and Country Planning Regulations.

## 2. CRZ for Kerala

In view of the unique coastal systems of backwater and backwater islands alongwith space limitation present in the coastal stretches of the State of Kerala, the following activities in CRZ shall be regulated as follows, namely:-

- (i) all the islands in the backwaters of Kerala shall be covered under the CRZ notification;
- (ii) the islands within the backwaters shall have 50mts width from the High Tide Line on the landward side as the CRZ area;
- (iii) within 50mts from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;
- (iv) beyond 50mts from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Gram panchayat;
- (v) foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up within 50mts width from HTL of these backwater islands.

## CRZ of Goa.-

In view of the peculiar circumstances of the State Goa including past history and other developments, the specific activities shall be regulated and various measures shall be undertaken as follows:-

- (i) the Government of Goa shall notify the fishing villages wherein all foreshore facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties may be permitted by Grama Panchayat in the CRZ area;
- (ii) reconstruction, repair works of the structures of local communities including fishermen community shall be permissible in CRZ;
- (iii) purely temporary and seasonal structures customarily put up between the months of September to May;
- (iv) the eco sensitive low lying areas which are influenced by tidal action known as khazan lands shall be mapped;
- (v) the mangroves along such as khazan land shall be protected and a management plan for the khazan land prepared and no developmental activities shall be permitted in the khazan land;
- (vi) sand dunes, beach stretches along the bays and creeks shall be surveyed and mapped. No activity shall be permitted on such sand dune areas;
- (vii) the beaches such as Mandrem, Morjim, Galgiba and Agonda has been designated as turtle nesting sites and protected under the Wildlife Protection Act, 1972 and these areas shall be surveyed and management plan prepared for protection of these turtle nesting

sites;

(viii) no developmental activities shall be permitted in the turtle breeding areas referred to in sub-paragraph (vii).

4. (a) Critical Vulnerable Coastal Areas (CVCA) which includes Sunderbans and other identified ecological sensitive areas which shall be managed with the involvement of the local coastal communities including the fisher folk;-
- (b) the entire Sunderbans mangrove area and other identified ecologically important areas such as Gulf of Khambat and Gulf of Kutchchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhatarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh shall be declared as Critical Vulnerable Coastal Areas (CVCA) through a process of consultation with local fisher and other communities inhabiting the area and depend on its resources for their livelihood with the objective of promoting conservation and sustainable use of coastal resources and habitats;
- (c) the process of identifying planning, notifying and implementing CVCA shall be detailed in the guideline which will be developed and notified by MoEF in consultations with the stakeholders like the State Government, local coastal communities and fisherfolk and the like inhabiting the area;
- (d) the Integrated Management Plans (IMPs) prepared for such CVCA shall interalia keep in view the conservation and management of mangroves, needs of local communities such as, dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the para 5 above for preparation of Coastal Zone Management Plans;
- (e) till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the CZMA with due regards to the views of coastal communities including fisherfolk.

[F. No. 11-83/2005-IA-III]

J. M. MAUSKAR, Addl. Secy.

**ANNEXURE I****GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****I. A. Demarcation of High Tide Line**

1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) shall be carried out by one of the agencies authorised by MoEF based on the recommendations of the National Centre for Sustainable Coastal Management (NCSCM).
2. Demarcation of the High Tide Line or LTL shall be made on the Coastal Zone Management (CZM) Maps of scale 1:25,000 prepared by the agencies identified by the MoEF.
3. Local level CZM Maps shall be prepared for use of officials of local bodies for determination of the CRZ.
4. The local level CZM Maps shall be prepared on a Cadastral scale in accordance with the CZM Maps approved by the Central Government.

**B. Preparation of CZM Maps**

5. Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:

Unit	:	7.5 minutes X 7.5minutes
Numbering	:	Survey of India Sheet Numbering System
Horizontal Datum	:	Everest or WGS 84
Vertical Datum	:	Mean Sea Level (MSL)
Topography	:	Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

6. The High Water Level (HWL) and Low Water Level (LWL) marked on the Base maps will be transferred to the CZM maps.
7. Coastal geomorphological signatures in the field or satellite imageries or aerial photographs will be used for appropriate adjustment, in the HWL or LWL for demarcating HTL or LTL in accordance with the CRZ notification.
8. The following geomorphological features shall be considered while demarcating in HTL or LTL:
  - Landward (monsoonal) berm crest in the case of sandy beaches
  - Rocks, Headlands, Cliffs
  - Seawalls or revetments or embankments
9. 500 meter and 200 metre lines will be demarcated with respect of HTL.
10. HTL (as defined in the CRZ notification) and LTL shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies with the help of the geomorphological signatures or features.
11. Classification of different coastal zones shall be done as per the CRZ notification
12. Standard national or international colour codes shall be used to highlight sub-classification of data.

**C. Local level CZM Maps**

Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans

13. Cadastral (village) maps in 1:3960 or the nearest scale, shall be used as the base maps.
14. These maps are available with revenue Authorities and are prepared as per standard norms.

15. HTL (as defined in the CRZ notification) and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps approved by the Central Government.
16. 500metre and 200metre lines shall be demarcated with respect to the HTL thus marked.
17. HTL (as defined in the CRZ notification, 1991) and LTL will also be demarcated along the banks of tidal influenced inland water bodies with the help of geomorphological signatures or features.
18. Classifications shall be transferred into local level CZM maps from the CZM Plans.
19. Symbols will be adopted from CZM Maps.
20. Colour codes as given in CZM Maps shall be used.
21. Demarcation of cadastral maps will be done by local agencies approved by the Central Government. The local agencies shall work under the guidance of the concerned State Government or Union Territory Coastal Zone Management Authorities.

#### D. Hazard mapping:-

##### II. Classification of CRZ areas

1. The CZM Maps shall be prepared in accordance with para 5 of the CRZ notification demarcating CRZ I, II, III, IV and V.
2. The CZM Maps shall clearly demarcate the land use plan of the area and lists out the CRZ-I areas. All the CRZ-I areas listed under para 7(I)A and B shall be clearly demarcated and colour codes given so that each of the CRZ-I areas can be clearly identified.
3. Buffer zone along mangrove areas of more than 1000sq mts shall be stipulated with a different colour distinguishing from the mangrove area.
4. The buffer zone shall also be classified as CRZ-I area.
5. The hazard line to be drawn up by MoEF shall be superimposed on the CZM maps in 1:25,000 scale and also on the cadastral scale maps.
6. The CRZ-II areas shall be those areas which have been substantially built-up with a ratio of built-up plots to that of total plots is more than 50%.
7. In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
8. No developmental activities other than those listed above shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government will provide necessary safeguards from natural disaster to such dwelling units of local communities.
9. The water areas of CRZ IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
10. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
11. The water area shall be demarcated indicating the pollution levels as per Central Pollution Control Board standards on water quality.
12. In the CRZ V areas the land use maps shall be superimposed on the Coastal Zone Management Plan and clearly demarcating the CRZ I, II, III, IV.
13. The existing authorized developments on the sea ward side shall be clearly demarcated.

14. The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

### III. CZMPs approved by MoEF in accordance with CRZ notification, 1991

1. While preparing the CZMPs under CRZ notification, 2011, the CZMPs that have been approved under the CRZ Notification, 1991 shall be compared. A justification shall be provided by the concerned CZMA in case the CZMPs prepared under CRZ notification, 2011 varies with respect to the approved CZMP prepared under CRZ notification, 1991.

### IV. Public Views on the CZMP.

- The draft CZMPs prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned CZMAs.
- Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.
- The approved CZMP shall be put up on the website of MoEF, concerned website of the State, Union Territory CZMA and hard copy made available in the panchayat office, District collector office and the like.

### V. Revision of Coastal Zone Management Plans

- Whenever there is a doubt the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
- The rectified map would be submitted to MoEF for its record.

### Annexure-II

List of petroleum and chemical products permitted for storage in [CRZ except CRZ-I(A)]

- Crude oil;
- Liquefied Petroleum Gas;
- Motor spirit;
- Kerosene;
- Aviation fuel;
- High speed diesel;
- Lubricating oil;
- Butane;
- Propane;
- Compressed Natural Gas;
- Naphtha;

- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

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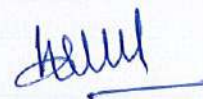
### Annexure-III

#### **Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests**

- I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of CRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely:-
- (a) The project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
  - (b) The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
  - (c) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
  - (d) no flattening of sand dunes shall be carried out;
  - (e) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
  - (f) Construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
  - (g) the State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
  - (h) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;

- (i) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
- (j) the construction shall be consistent with the surrounding landscape and local architectural style;
- (k) the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
- (l) groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
- (m) extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
- (n) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (o) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (p) to allow public access to the beach, atleast a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
- (q) if the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and
- (r) approval of the State or Union territory Tourism Department shall be obtained.
- II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE****NOTIFICATION**

New Delhi, the 18th January, 2019

**G.S.R. 37(E).**—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.19 (E), dated the 6<sup>th</sup> January, 2011 (hereinafter referred to as the Coastal Regulation Zone Notification, 2011), the Central Government declared certain coastal stretches as Coastal Regulation Zone (hereinafter referred to as the CRZ) under section 3 of Environment (Protection) Act, 1986 (29 Of 1986);

And Whereas, the Ministry of Environment, Forest and Climate Change has received representations from various coastal States and Union territories, besides other stakeholders, regarding certain provisions in the Coastal Regulation Zone Notification, 2011 related to management and conservation of marine and coastal ecosystems, development in coastal areas, eco-tourism, livelihood options and sustainable development of coastal communities etc.;

And Whereas, various State Governments and Union territory administrations and stakeholders have requested the Ministry of Environment, Forest and Climate Change to address the concerns related to coastal environment and sustainable development with respect to the Coastal Regulation Zone Notification, 2011;

And Whereas, the Ministry of Environment, Forest and Climate Change had constituted a Committee under the Chairmanship of Dr. Shailesh Nayak to examine various issues and concerns of coastal States and Union territories and various stakeholders, relating to the Coastal Regulation Zone Notification 2011 and to recommend appropriate changes in the said Notification;

And Whereas, the report submitted by Dr. Shailesh Nayak Committee has been examined in the Ministry and consultations have been held with various stakeholders in this regard;

And Whereas, a draft Coastal Regulation Zone Notification, 2018 was issued and hosted in the website of the Ministry of Environment, Forest and Climate Change on the 18<sup>th</sup> April, 2018 seeking comments and suggestions from all concerned;

And Whereas, objections and suggestions received in response to the above mentioned draft Coastal Regulation Zone Notification, 2018 have been duly considered by the Central Government;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Coastal Regulation Zone Notification 2011, number S.O. 19(E), dated the 6<sup>th</sup> January, 2011, except as respects things done or omitted to be done before such supersession, the Central Government, with a view to conserve and protect the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming, do hereby, declares the coastal stretches of the country and the water area up to its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands, as Coastal Regulation Zone as under:-

- (i) The land area from High Tide Line (hereinafter referred to as the HTL) to 500 meters on the landward side along the sea front.

Explanation. - For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide, as demarcated by the National Centre for Sustainable Coastal Management (NCSCM) in accordance with the laid down procedures and made available to various coastal States and Union territories.

- (ii) CRZ shall apply to the land area between HTL to 50 meters or width of the creek, whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of five parts per thousand (ppt)

measured during the driest period of the year and distance up to which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plan (hereinafter referred to as the CZMP):

Provided that the CRZ limit of 50 meters or width of the creek whichever is less, shall be subject to revision and final approval of the respective CZMPs as per this notification, framed with due consultative process, public hearing etc. and environmental safeguards enlisted therein, and till such time the CZMP to this notification is approved, the limit of 100 meters or width of the creek whichever is less, shall continue to apply.

Explanation.- For the purposes of this sub-paragraph the expression "tidal influenced water bodies" means the water bodies influenced by tidal effects from sea in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds that are connected to the sea.

- (iii) The "intertidal zone" means land area between the HTL and the Low Tide Line (hereinafter referred to as the LTL).
- (iv) The water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

**2.0 Classification of CRZ.** – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely: -

**2.1 CRZ-I** areas are environmentally most critical and are further classified as under:

**2.1.1 CRZ-I A:**

- (a) CRZ-I A shall constitute the following ecologically sensitive areas (ESAs) and the geomorphological features which play a role in maintaining the integrity of the coast viz.:
  - (i) Mangroves (in case mangrove area is more than 1000 square meters, a buffer of 50 meters along the mangroves shall be provided and such area shall also constitute CRZ-I A);
  - (ii) Corals and coral reefs;
  - (iii) Sand dunes;
  - (iv) Biologically active mudflats;
  - (v) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986), including Biosphere Reserves;
  - (vi) Salt marshes;
  - (vii) Turtle nesting grounds;
  - (viii) Horse shoe crabs' habitats;
  - (ix) Sea grass beds;
  - (x) Nesting grounds of birds;
  - (xi) Areas or structures of archaeological importance and heritage sites.
- (b) A detailed environment management plan shall be formulated by the states and Union territories for such ecologically sensitive areas in respective territories, as mapped out by the National Centre for Sustainable Coastal Management (NCSCM), Chennai based on guidelines as contained in **Annexure-I** to this notification and integrated with the CZMP.

**2.1.2 CRZ-I B:**

The intertidal zone i.e. the area between Low Tide Line and High Tide Line shall constitute the CRZ-I B.

**2.2 CRZ-II:**

CRZ-II shall constitute the developed land areas up to or close to the shoreline, within the existing municipal limits or in other existing legally designated urban areas, which are substantially built-up with a ratio of built-up plots to that of total plots being more than 50 per cent and have been provided with drainage and approach roads and other infrastructural facilities, such as water supply, sewerage mains, etc.

**2.3 CRZ-III:**

Land areas that are relatively undisturbed (viz. rural areas, etc.) and those which do not fall under CRZ-II, shall constitute CRZ-III, and CRZ-III shall be further classified into following categories: -

**2.3.1 CRZ-III A:**

Such densely populated CRZ-III areas, where the population density is more than 2161 per square kilometre as per 2011 census base, shall be designated as CRZ-III A and in CRZ-III A, area up to 50 meters from the HTL on the landward side shall be earmarked as the 'No Development Zone (NDZ)', provided the CZMP as per this notification, framed with due consultative process, have been approved, failing which, a NDZ of 200 meters shall continue to apply.

**2.3.2 CRZ-III B:**

All other CRZ-III areas with population density of less than 2161 per square kilometre, as per 2011 census base, shall be designated as CRZ-III B and in CRZ-III B, the area up to 200 meters from the HTL on the landward side shall be earmarked as the 'No Development Zone (NDZ)'.

**2.3.3:**

Land area up to 50 meters from the HTL, or width of the creek whichever is less, along the tidal influenced water bodies in the CRZ III, shall also be earmarked as the NDZ in CRZ III.

*Note: The NDZ shall not be applicable in the areas falling within notified Port limits.*

**2.4 CRZ- IV:**

The CRZ- IV shall constitute the water area and shall be further classified as under:-

**2.4.1 CRZ- IVA:**

The water area and the sea bed area between the Low Tide Line up to twelve nautical miles on the seaward side shall constitute CRZ-IV A.

**2.4.2 CRZ- IVB:**

CRZ-IV B areas shall include the water area and the bed area between LTL at the bank of the tidal influenced water body to the LTL on the opposite side of the bank, extending from the mouth of the water body at the sea up to the influence of tide, i.e., salinity of five parts per thousand (ppt) during the driest season of the year.

**3.0 Areas requiring special consideration in the CRZ.-** Following coastal areas shall be accorded special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities: -

**3.1 Critically Vulnerable Coastal Areas (CVCA):**

Sundarban region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 such as Gulf of Khambat and Gulf of Kutchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Odisha, Coringa, East Godavari and Krishna in Andhra Pradesh shall be treated as Critical Vulnerable Coastal Areas (CVCA) and managed with the involvement of coastal communities including fisher folk who depend on coastal resources for their sustainable livelihood.

3.2 CRZ for inland Backwater islands and islands along the mainland coast.

3.3 CRZ falling within municipal limits of Greater Mumbai.

**4. Prohibited activities within CRZ.-** The following activities shall be prohibited, in general, within the entire CRZ and exceptions to these and other permissible and regulated activities in specific CRZ categories viz. CRZ-I, II, III and IV, shall be governed by the provisions of paragraph 5:-

- (i) Setting up of new industries and expansion of existing industries, operations or processes.
- (ii) Manufacture or handling of oil, storage or disposal of hazardous substances as specified in the notification of the Ministry of Environment, Forest and Climate Change number G.S.R.395 (E), dated the 4<sup>th</sup> April, 2016.
- (iii) Setting up of new fish processing units.
- (iv) Land reclamation, bunding or disturbing the natural course of seawater except for the activities permissible under this notification and executed with prior permission from the competent authority.
- (v) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements.
- (vi) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling.
- (vii) Port and harbour projects in high eroding stretches of the coast.
- (viii) Mining of sand, rocks and other sub-strata materials.
- (ix) Dressing or altering of active sand dunes.
- (x) In order to safeguard the aquatic system and marine life, disposal of plastic into the coastal waters shall be prohibited and adequate measures for management and disposal of plastic materials shall be undertaken in the CRZ.
- (xi) Drawal of ground water.

#### **5. Regulation of permissible activities in CRZ:**

##### **5.1 CRZ-I:**

##### **5.1.1. CRZ-IA:**

These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the CRZ-I A area, with following exceptions:-

- (i) Eco-tourism activities such as mangrove walks, tree huts, nature trails, etc., in identified stretches areas subject to such eco-tourism plan featuring in the approved CZMP as per this notification, framed with due consultative process, public hearing, etc. and further subject to environmental safeguards and precautions related to the Ecologically Sensitive Areas, as enlisted in the CZMP.
- (ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems or mechanisms and construction of road on stilts, etc. that are required for public utilities.
- (iii) Construction of roads and roads on stilts, by way of reclamation in CRZ-I areas, shall be permitted only in exceptional cases for defence, strategic purposes and public utilities, subject to a detailed marine or terrestrial or both environment impact assessment, to be recommended by the Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case construction of such roads passes through mangrove areas or is likely to damage the mangroves, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

##### **5.1.2 CRZ-I B - The inter tidal areas:**

Activities shall be regulated or permissible in the CRZ-I B areas as under:-

- (i) Land reclamation, bunding, etc. shall be permitted only for activities such as,-

- (a) foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, hover ports for coast guard, sea links, etc;
- (b) projects for defence, strategic and security purposes;
- (c) road on stilts, provided that such roads shall not be authorised for permitting development on the landward side of such roads, till the existing High Tide Line:  
 Provided that the use of reclaimed land may be permitted only for public utilities such as mass rapid or multimodal transit system, construction and installation of all necessary associated public utilities and infrastructure to operate such transit or transport system including those for electrical or electronic signaling system, transit stopover of permitted designs; except for any industrial operation, repair or maintenance;
- (d) measures for control of erosion;
- (e) maintenance and clearing of waterways, channels, ports and hover ports for coast guard;
- (f) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.
- (iii) Power by non-conventional energy sources and associated facilities.
- (iv) Transfer of hazardous substances from ships to Ports, terminals and refineries and vice versa.
- (v) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II to this notification, subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment, Forest and Climate Change, provided that such facilities are for receipt and storage of fertilizers and raw materials required for fertilizers, like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid, etc.
- (vi) Storage of non-hazardous cargo i.e. edible oil, fertilizers and food grains in notified Ports.
- (vii) Hatchery and natural fish drying.
- (viii) Existing fish processing units may utilise 25% additional plinth area for modernisation purposes (only for additional equipment and pollution control measures) subject to the following:-
- (a) Floor Space Index of such reconstruction not exceeding the permissible Floor Space Index as per prevalent town and country planning regulations;
- (b) additional plinth area is constructed only to the landward side.
- (c) approval of the concerned State Pollution Control Board or Pollution Control Committee.
- (ix) Treatment facilities for waste and effluents and conveyance of treated effluents.
- (x) Storm water drains.
- (xi) Projects classified as strategic, defence related projects and projects of the Department of Atomic Energy, Government of India.
- (xii) Manual mining of atomic mineral(s) notified under Part-B of the First Schedule to the Mining and Minerals (Development and Regulation) Act, 1957(67 of 1957) occurring as such or in association with one or other minerals in the intertidal zone by such agencies as authorised by the Department of Atomic Energy, Government of India as per mining plan approved by the Atomic Mineral Directorate for Exploration and Research:

Provided that the manual mining operations shall be carried out only by deploying persons using baskets and hand spades for collection of ore or mineral within the intertidal zone and as per approved mining plan, without deploying or using drilling and blasting or Heavy Earth Moving Machinery in the intertidal zone.

- (xiii) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (xiv) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water, intake water for desalination plants, etc, and outfall for discharge of treated wastewater or cooling water from thermal power plants in conformity with the environmental standards notified by Ministry of Environment, Forest and Climate Change and relevant directions of Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), as the case may be.
- (xv) Pipelines, conveying systems including transmission lines.
- (xvi) Weather radar for monitoring of cyclones prediction, ocean observation platforms, movement and associated activities.
- (xvii) Salt harvesting and associated facilities.
- (xviii) Desalination plants and associated facilities.

## 5.2 CRZ-II:

- (i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-II, in so far as applicable.
- (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 authorised fixed structures:

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.

- (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, and in the event that there is a need for amendment of the FSI after the date of publication of this notification in the official Gazette, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the SCZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures, etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.
- (iv) Reconstruction of authorised 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 and in the event that there is a need for amendment of the FSI after the said date of this notification, the Urban Local Body or State Government or Union territory Administration shall approach the Ministry of Environment, Forest and Climate Change through the concerned State Coastal Zone Management Authority (SCZMA) or Union Territory Coastal Zone Management Authority, as the case may be and the CZMA shall forward the proposal to the National Coastal Zone Management Authority (NCZMA) with its views in the matter, and the NCZMA shall thereafter examine various aspects like availability of public amenities, environmental protection measures etc., and take a suitable decision on the proposal and it shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are

handled as per respective Solid Waste Management Rules and no untreated sewage is discharged on to the coast or coastal waters.

- (v) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at **Annexure-III** to this notification.
- (vi) Temporary tourism facilities shall be permissible in the beaches which shall only include shacks, toilets or washrooms, change rooms, shower panels; walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements, etc. and such facilities shall however be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification, framed with due consultative process or public hearing, etc. and further subject to environmental safeguards enlisted in the CZMP, however, a minimum distance of 10 meter from HTL shall be maintained for setting up of such facilities.

### 5.3 CRZ-III:

- (i) Activities as permitted in CRZ-I B, shall also be permissible in CRZ-III, in so far as applicable.

- (ii) **Regulation of activities in NDZ:**

Following shall be permissible and regulated in the NDZ:-

- (a) No construction shall be permitted within NDZ in CRZ III, except for repairs or reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under this notification including facilities essential for activities and construction or reconstruction of dwelling units of traditional coastal communities including fisher folk, incorporating necessary disaster management provisions and proper sanitation arrangements.
- (b) Agriculture, horticulture, gardens, pastures, parks, playfields and forestry.
- (c) Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by Coastal Zone Management Authority (CZMA).
- (d) Construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee.
- (e) Facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like.
- (f) Wherever there is a national or State highway passing through the NDZ of CRZ-III areas, temporary tourism facilities such as toilets, change rooms, drinking water facility and temporary shacks can be taken up on the seaward side of the road.

On landward side of such roads in the NDZ, resorts or hotels and associated tourism facilities shall be permitted and such facilities shall, however, be permitted only subject to the incorporation of tourism plan in the approved CZMP as per this notification and the conditions or guidelines at Annexure-III, to this notification as applicable.

- (g) Temporary tourism facilities shall be permissible in the NDZ and beaches in the CRZ-III areas and such temporary facilities shall only include shacks, toilets or washrooms, change rooms, shower panels, walk ways constructed using interlocking paver blocks, etc, drinking water facilities, seating arrangements etc., and such facilities shall, however, be permitted only subject to the tourism plan featuring in the approved CZMP as per this notification subject to maintaining a minimum distance of 10 meters from HTL for setting up of such facilities.
- (h) Mining of atomic minerals notified under Part-B of the First Schedule to Mining and

Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals by such agencies as authorised by the Department of Atomic Energy, Government of India, as per mining plan by the Atomic Mineral Directorate for Exploration and Research.

(iii) **Regulation of activities for CRZ-III areas beyond NDZ:**

- (a) Development of vacant plots in designated areas for construction of beach resorts or hotels or tourism development projects subject to the conditions or guidelines at Annexure-III to this notification.
- (b) Construction or reconstruction of dwelling units, so long it is within the ambit of traditional rights and customary uses such as existing fishing villages, etc. and building permission for such construction or reconstruction will be subject to local town and country planning rules, with an overall height of construction not exceeding 9 meters and with only two floors (ground + one floor).
- (c) The local communities including fishermen may be permitted to facilitate tourism through 'home stay' without changing the plinth area or design or facade of the existing houses.
- (d) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads, bridges, etc.
- (e) Limestone mining:

Selective mining of limestone minerals may be permitted in specific identified areas under the mining plans, which are adequately above the height of HTL, based on the recommendations of reputed National Institutes in the mining field such as Council of Scientific and Industrial Research (CSIR), Central Mining Research Institute etc., provided that the extraction of minerals shall be carried out not below a height of 1 meter above the HTL and an adequate barrier shall be created so as to safeguard against saline water incursion and subject to appropriate safeguards related to pollution of coastal waters and prevention of coastal erosion.

- (f) Mining of atomic minerals notified under Part-B of the First Schedule of Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957) occurring as such or in association with one or other minerals by such agencies as authorised by Department of Atomic Energy, Government of India, as per mining plan by the Atomic Mineral Directorate for Exploration and Research.

- (iv) Drawing of groundwater and construction related thereto shall be prohibited within 200 meters of HTL except for the use of local communities in areas inhabited by them and in the areas between 200 to 500 meters of the HTL, groundwater withdrawal may be permitted only through manual means from ordinary wells for drinking, horticulture, agriculture and fisheries, etc. where no other source of water is available and restrictions for such drawal may be imposed by the designated Authority by State Government or Union territory Administration in the areas affected by sea water intrusion, however, for horticulture and agriculture purpose, micro irrigation promoted by Government welfare schemes shall be permitted.
- (v) Development of airports in wastelands and non-arable lands in CRZ-III areas with adequate environmental safeguards.

**5.4 CRZ-IV:**

Activities shall be permitted and regulated in the CRZ IV areas as under:-

- (i) Traditional fishing and allied activities undertaken by local communities.
- (ii) Land reclamation, bunding, etc to be permitted only for activities such as.-
  - (a) foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, sea links and hover ports for coast guard ,etc;
  - (b) projects for defence, strategic and security purpose including coast guard;

- (c) measures for control of erosion;
  - (d) maintenance and clearing of waterways, channels and ports;
  - (e) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (iii) Activities related to waterfront or directly needing foreshore facilities, such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities and the like.
  - (iv) Power by non-conventional energy sources and associated facilities such as offshore wind, wave energy, ocean thermal energy conversion, etc.
  - (v) Transfer of hazardous substances from ships to Ports.
  - (vi) Storage of non-hazardous cargo like edible oil, fertilizers and food grains in notified Ports.
  - (vii) Facilities for discharging treated effluents into the water course.
  - (viii) Projects classified as strategic and defence related projects including coast guard coastal security network.
  - (ix) Projects of department of Atomic Energy.
  - (x) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto.
  - (xi) Exploration and mining of atomic minerals notified under Part-B of the First Schedule of the Mining and Minerals (Development and Regulation) Act, 1957 (67 of 1957), occurring as such or in association with other mineral(s) and of such associated mineral(s).
  - (xii) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, and foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, in conformity with the environmental standards notified by Ministry of Environment, Forest and Climate Change and relevant directions of the Central Pollution Control Board or State Pollution Control Board or Pollution Control Committee.
  - (xiii) Pipelines, conveying systems including transmission lines.
  - (xiv) Weather radar for monitoring of cyclone prediction, ocean observation platforms, movement and associated activities.
  - (xv) Construction of memorials or monuments and allied facilities by the concerned State Government in CRZ-IV (A) areas, in exceptional cases, with adequate environmental safeguards, subject to the following, namely: -
    - (a) the concerned State Government shall submit justification for locating the project in CRZ-IVA area along with details of alternate sites considered and weightage matrix on various parameters including environmental parameters, to State Coastal Zone Management Authority who will examine the project and make recommendation to the Central Government (Ministry of Environment, Forest and Climate Change) for grant of Terms of Reference (ToRs) for preparation of an environmental impact assessment report by the State Government;
    - (b) On grant of ToRs by the Central Government, the concerned State Government shall submit the draft Environmental Impact Assessment report (EIA) with Environmental Management Plan (EMP), draft Risk Assessment Report with Disaster Management Plan (DMP) including on-site and off-site emergency plan and evacuation plan during emergency, to the State Pollution Control Board for conduct of public hearing for the proposed project in accordance with the procedure laid down under the Environment Impact Assessment (EIA) notification number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006;

- (c) The concerned State Government shall, after addressing the relevant issues raised by the public during the public hearing referred to in sub-item (b), submit the final EIA, EMP, Risk Assessment and DMP, to the State CZMA for their examination and recommendation to MoEF&CC;
- (d) The Central Government may, if it considers necessary so to do, dispense with the requirement of public hearing referred to in sub-clause (b), if it is satisfied that the project will not involve rehabilitation and resettlement of the public or the project site is located away from human habitation.

### 5.5 Requirement for Clearance from Department of Atomic Energy installations:

Prior to undertaking any developmental activity including construction of new structures, falling in the boundary limits specified by Atomic Energy Regulatory Board (AERB) guidelines, prior clearance shall be obtained from Department of Atomic Energy installations.

### 6. Coastal Zone Management Plan (CZMP)

- (i) All coastal States and Union territory administrations shall revise or update their respective coastal zone management plan (CZMP) framed under CRZ Notification, 2011 number S.O. 19(E), dated 6<sup>th</sup> January, 2011, as per provisions of this notification and submit to the Ministry of Environment, Forest and Climate Change for approval at the earliest and all the project activities attracting the provisions of this notification shall be required to be appraised as per the updated CZMP under this notification and until and unless the CZMPs is so revised or updated, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification, 2011 shall continue to be followed for appraisal and CRZ clearance to such projects.
- (ii) The CZMP may be prepared or updated by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of Ministry of Environment, Forest and Climate Change and in consultation with the concerned stakeholders.
- (iii) The coastal States and Union territories shall prepare draft CZMP in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in **Annexure-IV** to this notification, which involve public consultation.  
All developmental activities listed in this notification shall be regulated by the State Government, Union territory administration, the local authority or the concerned Coastal Zone Management Authority within the framework of such approved CZMP, as the case may be, in accordance with provisions of this notification.
- (iv) The draft CZMP shall be submitted by the State Government or Union territory to the concerned Coastal Zone Management Authority for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986 (29 of 1986).
- (v) The Ministry of Environment, Forest and Climate Change shall thereafter consider and approve the respective CZMP of concerned State Governments or Union territory administrations.
- (vi) The CZMP shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking a revision.

### 7. CRZ clearance for permissible and regulated activities- Delegation:

- (i) All permitted or regulated project activities attracting the provisions of this notification shall be required to obtain CRZ clearance prior to their commencement.
- (ii) All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by Ministry of Environment, Forest and Climate Change for CRZ clearance, based on the recommendation of the concerned Coastal Zone Management Authority.

- (iii) For all other permissible and regulated activities as per this notification, which fall purely in CRZ-II and CRZ-III areas, the CRZ clearance shall be considered by the concerned Coastal Zone Management Authority and such projects in CRZ -II and III, which also happen to be traversing through CRZ-I or CRZ-IV areas or both, CRZ clearance shall, however be considered only by the Ministry of Environment, Forest and Climate Change, based on recommendations of the concerned Coastal Zone Management Authority.
- (iv) Projects or activities which attract the provisions of this notification as also the provisions of EIA notification, 2006 number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006, shall be dealt with for a composite Environmental and CRZ clearance under EIA Notification, 2006 by the concerned approving Authority, based on recommendations of the concerned Coastal Zone Management Authority, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) or the Ministry of Environment, Forest and Climate Change for category 'B' and category 'A' projects respectively.
- (v) In case of building or construction projects with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 these shall be approved by the concerned local State or Union territory Planning Authorities in accordance with this notification, after obtaining recommendations of the concerned Coastal Zone Management Authority.
- (vi) Only for self-dwelling units up to a total built up area of 300 square meters, approval shall be accorded by the concerned local Authority, without the requirement of recommendations of concerned Coastal Zone Management Authority and such authorities shall, however, examine the proposal from the perspective of the Coastal Regulation Zone notification before according approval.

**8. Procedure for CRZ clearance for permissible and regulated activities:**

- (i) The project proponents shall apply with the following documents to the concerned State or the Union territory Coastal Zone Management Authority for seeking prior clearance under this notification:-
- (a) Project summary details as per Annexure-V to this notification.
- (b) Rapid Environment Impact Assessment (EIA) Report including marine and terrestrial component, as applicable, except for building construction projects or housing schemes.
- (c) Comprehensive EIA with cumulative studies for projects, (except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 number S.O 1533(E), dated 14<sup>th</sup> September, 2006) if located in low and medium eroding stretches, as per the CZMP to this notification.
- (d) Risk Assessment Report and Disaster Management Plan, except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006 number S.O 1533(E), dated 14<sup>th</sup> September, 2006).
- (e) CRZ map in 1:4000 scale, drawn up by any of the agencies identified by the Ministry of Environment, Forest and Climate Change vide its Office Order number J-17011/8/92-IA-III, dated the 14<sup>th</sup> March, 2014 using the demarcation of the HTL or LTL, as carried out by NCSCM.
- (f) Project layout superimposed on the CRZ map duly indicating the project boundaries and the CRZ category of the project location as per the approved Coastal Zone Management Plan under this notification.
- (g) The CRZ map normally covering 7 kilometre radius around the project site also indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas.
- (h) "Consent to establish" or No Objection Certificate from the concerned State Pollution Control Board or Union territory Pollution Control Committee for the projects involving treated discharge of industrial effluents and sewage, and in case prior consent of

Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this notification.

- (ii) The concerned Coastal Zone Management Authority shall examine the documents in clause (i) above, in accordance with the approved Coastal Zone Management Plan and in compliance with this notification and make recommendations within a period of sixty days from date of receipt of complete application as under: -
- (a) For the projects or activities also attracting the EIA Notification, 2006 number S.O. 1533(E), dated 14<sup>th</sup> September, 2006, the Coastal Zone Management Authority shall forward its recommendations to Ministry of Environment, Forest and Climate Change or SEIAA for category 'A' and category 'B' projects respectively, to enable a composite clearance under the EIA Notification, 2006 number S.O. 1533(E), dated 14<sup>th</sup> September, 2006, however, even for such Category 'B' projects located in CRZ-I or CRZ-IV areas, final recommendation for CRZ clearance shall be made only by the Ministry of Environment, Forest and Climate Change to the concerned SEIAA to enable it to accord a composite Environmental Clearance and CRZ clearance to the proposal.
  - (b) Coastal Zone Management Authority shall forward its recommendations to the Ministry of Environment, Forest and Climate Change for the projects or activities not covered in the EIA notification, 2006, but attracting this notification and located in CRZ-I or CRZ-IV areas.
  - (c) Projects or activities not covered in the aforesaid EIA Notification, 2006, but attracting this notification and located in CRZ-II or CRZ-III areas shall be considered for clearance by the concerned Coastal Zone Management Authority within sixty days of the receipt of the complete proposal from the proponent.
  - (d) In case of construction projects attracting this notification but with built-up area less than the threshold limit stipulated for attracting the provisions of the aforesaid EIA Notification 2006, Coastal Zone Management Authority shall forward their recommendations to the concerned State or Union territory planning authorities, to facilitate granting approval by such authorities.
- (iii) The Ministry of Environment, Forest and Climate Change shall consider complete project proposals for clearance under this notification, based on the recommendations of the Coastal Zone Management Authority, within a period of sixty days.
- (iv) In case the Coastal Zone Management Authorities are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administration, who are the custodian of the CZMP of respective States or Union territories, to provide comments and recommend the proposals in terms of the provisions of the said notification.
- (v) The clearance accorded to the projects under this notification shall be valid for a period of seven years, provided that the construction activities are completed and the operations commence within seven years from the date of issue of such clearance.
- The validity may be further extended for a maximum period of three years, provided an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned State or Union territory Coastal Zone Management Authority.
- (vi) Post clearance monitoring:
- (a) It shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on the 1<sup>st</sup> June and 31<sup>st</sup> December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned Coastal Zone Management Authority.

- (b) The compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vii) To maintain transparency in the working of the Coastal Zone Management Authority, it shall be the responsibility of the Coastal Zone Management Authority to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMP of the respective State Government or Union territory.

**9. Enforcement of this notification:**

- (i) For the purposes of implementation and enforcement of the provisions of this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 (29 of 1986) with the Ministry of Environment, Forest and Climate Change, State Government or the Union territory Administration, National Coastal Zone Management Authority and the State or Union territory Coastal Zone Management Authority;
- (ii) The composition, tenure and mandate of National Coastal Zone Management Authority and State Government or the Union territory Coastal Zone Management Authority have already been notified by the Ministry of Environment, Forest and Climate Change in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of 1993;
- (iii) The State Government or the Union territory Coastal Zone Management Authority shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned comprising at least three representatives of local traditional coastal communities including from fishermen, and the State Government may consider the enforcement of this notification to the level of respective District Magistrates.
- (iv) The dwelling units of the traditional coastal communities including fishermen, tribals as were permissible under the provisions of the Coastal Regulation Zone notification, 2011 number S.O. 19(E), dated the 6<sup>th</sup> January, 2011, but which have not obtained formal approval from concerned authorities under the said Notification shall be considered by the respective Coastal Zone Management Authority and the dwelling units shall be regularised subject to the following condition, namely: -
- (a) these are not used for any commercial activity;
- (b) these are not sold or transferred to non-traditional coastal community.

**10. Areas requiring special consideration:**

**10.1 Critically Vulnerable Coastal Areas (CVCAs):**

- (i) For all the CVCAs mentioned in sub-paragraph 3.1, Integrated Management Plans (IMPs) shall be prepared, which shall, inter alia, keep in view the conservation and management of mangroves, needs of local communities, such as dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the guidelines for preparation of Coastal Zone Management Plan.
- (ii) Till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain/cyclone shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the Coastal Zone Management Authority with due regards to the views of coastal communities including fisher folk.

**10.2 CRZ for inland backwater islands and islands along mainland coast:**

- (i) All the inland islands in the coastal backwaters and islands along the mainland coast shall also be covered under this notification.

- (ii) In view of the unique coastal systems of backwater islands and islands along the mainland coast, along with space limitations in such coastal stretches, CRZ of 20 meters from the HTL on the landward side shall uniformly apply to such islands and activities shall be regulated as under:-
- (a) existing dwelling units of local communities may be repaired or reconstructed within 20 meters from the HTL of these islands, however, no new construction shall be permitted in this zone.
- (b) foreshore facilities, such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up in CRZ limits subject to due environmental safeguards.
- (iii) Integrated Island Management Plans (IIMPs), as applicable to smaller islands in Lakshadweep and Andaman & Nicobar, as per Island Protection Zone Notification, 2011 number S.O. 20(E), dated the 6<sup>th</sup> January, 2011, shall be formulated by respective States or Union territory for all such islands and submitted to Ministry of Environment, Forest and Climate Change and till the IIMPs are framed, provisions of this notification shall not apply and the CZMP as per provisions of CRZ Notification 2011 number S.O. 19(E), dated the 6<sup>th</sup> January, 2011, shall continue to apply.

### 10.3 CRZ areas falling within municipal limits of Greater Mumbai:

- (i) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorised as No Development Zone and a Floor Space Index up to 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (ii) Construction of sewage treatment plants in CRZ-I area for the purpose of treating the sewage from the municipal area shall be taken only by the municipal authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the Coastal Zone Management Authority and approval by the Central Government and in case the construction of such plant is inevitable in a mangrove area, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

[F. No. 19-112/2013-IA-III]

RITESH KUMAR SINGH, Jt. Secy.

### Annexure-I

## CONSERVATION, PROTECTION AND MANAGEMENT FRAMEWORK FOR ECOLOGICALLY SENSITIVE AREAS

The coastal and marine Ecologically Sensitive Areas (ESAs) and the geo-morphological features play a vital role in maintaining the functions of the coast. Mangroves, beaches, coral reefs, etc., aid in controlling coastal erosion, shoreline change, saltwater intrusion and also serve as natural defence against coastal hazards such as storm surges, cyclones and tsunamis. The ESAs maintain the biological integrity of the coast by providing direct and indirect ecosystem services to the coastal livelihood. In addition, several invaluable archaeological and heritage sites are also located along the coast. Hence conservation and protection of the above areas, features and sites become necessary.

### 1. General measures

- (i) All ESAs shall be identified and boundary delineated by NCSCM using satellite data.
- (ii) The State Governments or Union territory Administrations through the authorised agencies shall prepare CZMP as per the guidelines contained in this notification highlighting the conservation and protection of the ESAs.
- (iii) Those activities permissible under this notification shall be included in the CZMP.

Specific conditions shall be adopted for the conservation, protection and management of each of the ESAs as under: -

**1.1 Mangroves:**

- (i) Mangroves declared as forest under the Forest (Conservation) Act, 1980 (69 of 1980).

Notwithstanding anything contained in this notification, such mangroves declared by the concerned State Governments or Union territory Administrations or Central Government as forest land under the Forest (Conservation) Act, 1980 (69 of 1980) shall attract the provisions of the said Act.

- (ii) Mangroves not declared under Forest (Conservation) Act, 1980:

(a) Mangroves in Government land shall be protected based on a detailed plan to be prepared by the concerned State Governments or Union territory administrations, and in case the mangrove area is more than 1000 square meters, a buffer of 50 metre along the periphery of mangrove area shall be provided. This buffer zone of 50 metre may be utilised for public facilities for developing parks, research facilities related to mangrove biodiversity, facilities for conservation and the like.

(b) Mangroves in private land will not require a buffer zone.

**1.2 Corals and coral reefs and associated biodiversity:**

- (i) Destruction of coral and coral reefs and the surroundings is a prohibited activity.
- (ii) All coral and coral reefs shall be protected except for those small quantities required for research purposes.
- (iii) Coral and coral reefs transplantation activities shall be through recognised research institutions wherever required for regeneration after obtaining necessary approvals under Wildlife (Protection) Act 1972 (53 of 1972).
- (iv) The dead or destroyed or both coral areas shall be taken up for rejuvenation and rehabilitation. The conservation and protection of corals and coral reefs shall be taken up as follows:-
- (a) active and live coral and coral reefs identified and delineated shall be declared and notified as ESA under Environment (Protection) Act 1986 (29 of 1986);
- (b) it shall be ensured that no activities that are detrimental to the health of corals, coral reefs and its associated biodiversity, such as mining, effluent and sewage discharge, dredging, ballast water discharge, ship washings, fishing other than traditional non-destructive fisheries, construction activities and the like are taken up in and around the coral areas.

**1.3 The National Parks, marine parks, Sanctuaries, reserve forests, wildlife habitats and other protected areas declared under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act 1980 (69 of 1980) or Environment (Protection) Act 1986 (29 of 1986); including Biosphere Reserves shall be conserved and protected as follows:-**

- (i) Conservation and protection of the above mentioned areas shall be as per the provisions of the respective Acts, notifications or guidelines as the case may be.
- (ii) Efforts shall be made to increase the forest area in the coastal region in order to prevent loss of life and property from increased storms, tides and floods.
- (iii) The concerned State Governments or Union territory administrations shall provide for adequate funds for such measures to undertake shelter belt plantation or bio-shields with planting material suitable to the location.

**1.4. Salt marshes:**

The conservation and protection of salt marshes shall be as follows:-

- (i) The salt marsh areas shall be conserved and protected and efforts shall be made to promote the endemic biodiversity in the salt marshes.
- (ii) Only those activities required for overhead conveying or transmission of cables and underground laying of transmission line cables and so on, shall be permissible.
- (iii) Traditional fishing shall be permissible in salt marshes.
- (iv) Temporary tourism facilities around the salt marsh areas may be considered subject to adhering to norms laid down in the guidelines.
- (v) Certain salt marshes which have less biodiversity, identified by NCSCM and demarcated in Coastal Zone Management Plan can be considered for salt pan activities.

**1.5 Turtle nesting grounds shall be protected and conserved as follows:-**

- (i) Turtle nesting grounds identified by the concerned State Governments or Union territory administrations shall be protected as per Wildlife (Protection) Act of 1972.
- (ii) No activities shall be permitted in and around the turtle nesting ground including those causing light and sound pollution except for those required for conservation and protection of these sites.
- (iii) Strict management plans for protecting the turtle nesting grounds shall be undertaken and implemented by the concerned State or Union territory Authorities.

**1.6 Horse shoe crabs habitats shall be protected and conserved as follows:-**

- (i) The habitat identified shall be taken up for conservation and protection.
- (ii) No activities shall be taken up in and around these habitats which affect the horse shoe crab ecosystem.

**1.7 Sea grass beds shall be protected and conserved as follows:-**

- (i) Identified sea grass beds shall be conserved and protected.
- (ii) No developmental activities that have adverse effect on the sea grass bed shall be undertaken.
- (iii) Efforts shall be made to propagate sea grass beds along the coastal waters where ever possible by States or Union territories as it acts as a carbon sink.

**1.8 Nesting grounds of birds shall be protected and conserved as follows:-**

- (i) The nesting ground of birds including their local migratory route shall be protected. No developmental activities which have adverse impact on the nesting grounds and the migratory routes shall be undertaken including construction of wind mills, transmission lines and the like in the locality.
- (ii) Efforts shall be made to increase the forest cover and mangrove cover including enriching the biodiversity of salt marsh and other coastal water bodies so as to provide for suitable habitat for the avifauna.

**1.9 Geo-morphologically Important Zones shall be protected and managed as follows:**

- (i) **Sand dunes** identified shall be conserved and protected as follows:
  - (a) sand dunes identified shall be notified under Environment (Protection) Act 1986;
  - (b) no developmental activities shall be permissible except for providing eco-friendly temporary tourism facilities on stilts such as walkways, tents and the like;
  - (c) mining of sand from sand dunes shall be prohibited activity except for the removal of atomic minerals with proper replenishment using the tailings or other suitable sand;
  - (d) no activities on the sand dunes shall be taken up that would lead to erosion/destruction of sand dunes;
  - (e) afforestation, if any, on the sand dunes shall be done only with native flora;

- (f) the States or Union territory shall prepare management plans for the demarcated sand dunes.
- (iii) **Sandy beaches:**
- (a) Mining of beach sand is prohibited except for manual mining of atomic minerals with proper replenishment using the tailings or other suitable sand.
- (b) When the permissible developmental activities are taken up on the beaches if loss of beach in the neighbourhood is predicted, necessary beach nourishment to compensate for the losses shall be undertaken by the project authorities and its long term maintenance shall be ensured by them.
- (c) The States or Union Territory shall prepare management plans for the demarcated beaches.
- (iv) **Biologically active mudflats:**
- (a) Biologically active mudflats shall be identified by NCSCM in association with State Governments or Union territory administrations.
- (b) The States or Union territories shall prepare management plans for such demarcated biologically active mudflats.
- 1.10 Areas or structures of archaeological importance and heritage value sites:**
- (i) State Archaeological agencies shall be responsible for conservation and protection of all archaeological structures and heritage sites identified by the Archaeological Survey of India, as per the provisions of the respective Acts, notifications or guidelines.
- (ii) No activities that are detrimental to the identified areas or structures of archaeological and heritage value shall be permitted.
- (iii) It shall be ensured that these structures or areas are preserved and activities undertaken without changing the façade/plinth of such structures. Such structures could be considered for use in accordance with the relevant norms after undertaking careful designing of the interiors without changing the exterior architectural design of the structure.

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**Annexure-II****LIST OF PETROLEUM AND CHEMICAL PRODUCTS PERMITTED FOR STORAGE IN CRZ, EXCEPT CRZ-I A**

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;

- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers;
- (xvi) Acetic acid;
- (xvii) Mono ethylene glycol;
- (xviii) Paraxylene;
- (xix) Ethane;
- (xx) Butadine;
- (xxi) Methanol;
- (xxii) Caustic;
- (xxiii) Bitumen.

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**Annexure-III****GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS, HOTELS AND TOURISM DEVELOPMENT PROJECTS IN THE DESIGNATED CRZ AREAS****1. CRZ-II**

Construction of beach resorts or hotels in designated areas of CRZ-II for occupation of tourist or visitors shall be subject to the following conditions, namely: -

- (i) construction shall be permitted only to the landward side of an existing road or existing authorized fixed structures;
- (ii) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
- (iii) no flattening of sand dunes shall be carried out;
- (iv) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (v) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
- (vi) the State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate;
- (vii) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986 (29 of 1986);
- (viii) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (ix) if the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 (69 of 1980) shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with and approval of the State or Union territory Tourism Department shall be obtained.

**2. CRZ-III**

Construction of beach resorts and hotels in designated areas of CRZ- III for occupation of tourists or visitors shall be subject to the following conditions, namely: -

- (i) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
- (ii) no flattening of sand dunes shall be carried out;
- (iii) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (iv) construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
- (v) the State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate;
- (vi) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;
- (vii) the total covered area on all floors shall not exceed 33 per cent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetative cover;
- (viii) the construction shall be consistent with the surrounding landscape and local architectural style;
- (ix) the overall height of construction up to the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than two floors (ground floor plus one upper floor);
- (x) groundwater shall not be tapped within 200 metre of the High Tide Line; and within the 200 to 500 metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
- (xi) extraction of sand, leveling or digging of sandy stretches, except for structural foundation of building or swimming pool, shall not be permitted within 500 metres of the High Tide Line;
- (xii) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986 (29 of 1986);
- (xiii) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (xiv) to allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500 metres apart; and
- (xv) If the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 (69 of 1980) shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and approval of the State or Union territory Tourism Department shall be obtained.

**Note:** Construction of beach resorts or hotels shall not be permitted in Ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central Government or State Government or Union territory administrations).

**ANNEXURE -IV****GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****1. Demarcation of High Tide Line and Low Tide Line:**

Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) as carried out by NCSCM for the entire coastline of the country, has been made available to the Coastal States or Union territories and only such demarcation of HTL and LTL shall be applicable for all purposes of this notification.

**2. Hazard Line:**

A 'Hazard line' has been demarcated by the Survey of India (SOI) taking into account the extent of the flooding on the land area due to water level fluctuations, sea level rise and shoreline changes (erosion or accretion) occurring over a period of time. The hazard line mapped by SOI has been shared with the coastal States or Union territories through NCSCM. The hazard line shall be used as a tool for disaster management plan for the coastal environment, including planning of adaptive and mitigation measures. With a view to reduce the vulnerability of the coastal communities and ensuring sustainable livelihood, while drawing the CZMP, the land use planning for the area between the Hazard line and HTL shall take into account such impacts of climate change and shoreline changes.

**3. Preparation of CZM Maps:**

(i) Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:-

Unit : 7.5 minutes X 7.5 minutes

Numbering : Survey of India Sheet Numbering System

Horizontal Datum : Everest or WGS 84

Vertical Datum : Mean Sea Level (MSL)

Topography : Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

(ii) Coastal Zone Management (CZM) Maps of scale 1:25,000 shall be got prepared by any of the agencies identified by the Ministry of Environment, Forest and Climate Change vide its Office Order number J-17011/8/92-IA-III dated the 14<sup>th</sup> March, 2014 using the demarcation of the High Tide Line or LTL, as carried out by NCSCM.

(iii) Various regulatory lines viz. at a distance of 20 metres, 50 metres, 200 metres and 500 metres from HTL respectively, as applicable in various CRZ categories, and the Hazard line shall be demarcated and transferred to the CZM maps.

(iv) HTL, LTL and CRZ boundaries, as applicable, shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies.

(v) Classification of different coastal zones shall be done as per the CRZ notification and Standard national or international colour codes shall be used.

**4. Local level CZM Maps:**

(i) Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans.

(ii) Cadastral (village) maps in 1:3960 or the nearest scale, as available with revenue authorities shall be used as the base maps.

(iii) HTL, LTL, other CRZ regulatory lines and the Hazard line shall be demarcated in the cadastral maps and classifications shall be transferred into local level CZM maps.

**5. Classification of CRZ areas:**

- (i) The CZM Maps shall clearly demarcate the land use plan of the area and map out the Ecologically Sensitive Areas (ESAs) or the CRZ-IA areas as per mapping made available by NCSCM to coastal State or Union territories. All such ESAs shall be appropriately demarcated with colour codes.
- (ii) Buffer zone along mangrove areas of more than 1000 square metres shall be stipulated with a different colour distinguishing from the mangrove area. The buffer zone shall also be classified as CRZ-I area.
- (iii) In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States and Union territories shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
- (iv) The water areas of CRZ-IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, and estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
- (v) The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
- (vi) In CVCAs, the land use maps shall be superimposed on the Coastal Zone Management Plan clearly demarcating the CRZ-I, II, III, IV.
- (vii) The existing authorised developments on the seaward side shall be clearly demarcated.
- (viii) The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.
- (ix) Construction of buildings or other activities shall be permitted under the CZMP provided adequate arrangements are made for proper management and disposal of solid and liquid wastes in accordance with the environmental standards, rules and statutes, and under no circumstances, untreated effluents shall be disposed off in the coastal waters.

**6. Public consultations on CZMP:**

- (i) The draft CZMP prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMP shall be held at district level by the concerned CZMA.
- (ii) Based on the suggestions and objections received the CZMPs shall be revised and approval of Ministry of Environment, Forest and Climate Change shall be obtained.
- (iii) The approved CZMP shall be put up on the website of Ministry of Environment, Forest and Climate Change, concerned website of the State or Union Territory Coastal Zone Management Authority and hard copy made available in the Panchayat Office and District Collector Office.

**7. Revision of Coastal Zone Management Plans:**

- (i) Whenever there is a doubt, the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
- (ii) If required, the rectified map shall be submitted to Ministry of Environment, Forest and Climate Change for consideration.

**ANNEXURE-V****PROJECT INFORMATION DETAILS****1. PROJECT DETAILS**

- A. Project Name
- B. Survey No./ Village/ Co-ordinates
- C. District
- D. State
- E. Whether the proposal is for (Select relevant field)
  - (i) Fresh Clearance under CRZ
  - (ii) Amendment to an already issued CRZ clearance
  - (iii) Extension of validity of an already issued CRZ clearance
- F. Name of the Applicant
- G. Address of the Applicant
- H. Contact details (Telephone nos. and e-mail address)
- I. Cost of the project (Rs in crores)

**2. BENEFITS OF THE PROJECT**

- A. Details of Project Benefits
- B. Employment Likely to be Generated (Yes/No)
  - If Yes
    - (i) Total Manpower Requirement
    - (ii) Permanent Employment (Numbers)
    - (iii) Temporary Employment (Numbers)
    - (iv) Temporary Employment- During Construction (Numbers)
    - (v) Temporary Employment- During Operation (Numbers)

**3. DESCRIPTION OF THE PROJECT UNDER CONSIDERATION (Select the Category of the project):****A. Resort / Buildings / civic amenities**

- (i) Total area/Built-up area (in sqm.)
- (ii) Height of structure
- (iii) FSI ratio
- (iv) Name of concerned town planning authority/ Panchayat etc.
- (v) Details of provision of car parking area

**B. Coastal Roads / Roads on Stilt**

- (i) Area of land reclamation
- (ii) Estimated quantity of muck/earth for reclamation
- (iii) Traffic carrying capacity
- (iv) Dimensions of road

**C. Pipelines from thermal power blow down**

- (i) Length of pipeline
- (ii) Length traversing CRZ area

- (iii) Depth of excavation
- (iv) Width of excavation
- (v) Length of pipeline from seashore to deep sea
- (vi) Depth of outfall point from surface of sea water
- (vii) Temperature of effluent above ambient at disposal point

**D. Marine Disposal of Treated Effluent through pipelines**

- (i) Location of intake/ outfall
- (ii) Depth of outfall point
- (iii) Length of pipeline
- (iv) Length traversing CRZ area
- (v) Depth of excavation
- (vi) Width of excavation
- (vii) Length of pipeline from shore to deep sea/creek
- (viii) Depth of outfall point from surface of water
- (ix) Depth of water at disposal point
- (x) BOD, COD, TSS, oil and grease, heavy metals in the effluent

**E. Facility for storage of goods/chemicals**

- (i) Name of chemical
- (ii) End use of the chemical
- (iii) No. of tanks for storage
- (iv) Capacity of tanks

**F. Offshore structures**

- (i) Exploration or development
- (ii) Depth of sea bed
- (iii) No. of rigs
- (iv) No. of platform
- (v) Details of group gathering stations

**G. Desalination Plant**

- (i) Capacity of desalination
- (ii) Total brine generation
- (iii) Temperature of effluent above ambient at disposal point
- (iv) Ambient salinity
- (v) Disposal point

**H. Mining of atomic minerals**

- (i) Capacity of mining
- (ii) Type of mineral to be extracted
- (iii) End use of the mineral
- (iv) Government order for mining lease/exploration and approved mining plan details
- (v) Extent of mining lease area

**I. Sewage Treatment Plants**

- (i) Capacity
- (ii) Total area of construction
- (iii) Compliance of effluent parameters as laid down by cpcb/spcb/other authorised agency
- (iv) Whether discharge is in sea water/creek?
  - If yes
    - Distance of marine outfall point from shore/from the tidal river bank
    - Depth of outfall point from sea water/river water surface
    - Depth of seabed/riverbed at outfall point

**J. Lighthouse**

- (i) Total ground area of foundation/platform
- (ii) Height of the structure

**K. Wind Mills**

- (i) Capacity (MW)
- (ii) Height of the windmill
- (iii) Diameter of the windmill
- (iv) Length of blade
- (v) Speed of rotation
- (vi) Transmission lines (overhead or underground)

**L. Others**

- (i) Please specify with salient features
- (ii) Upload relevant Documents (upload PDF only)

**4. PROJECT LOCATION AS PER CRZ CLASSIFICATION** (If project site falls in different/multiple CRZ categories the same may also be elaborated)

**5. CLAUSE OF CRZ NOTIFICATION UNDER WHICH PROJECT IS A PERMISSIBLE /REGULATED ACTIVITY**

**6. MANDATORY FIELDS FOR PROJECT ASSESSMENT**

**A. CRZ map in 1:4000 scale indicating HTL, LTL demarcation and distance of the nearest project boundary (in meters) from HTL to be stated**

(i) Upload Map (kml file)

**B. Project layout superimposed on CRZ Map 1:4000 scale with classification of project location including other notified ESAs prepared**

(i) Upload Map (kml file)

**C. CRZ map 1:25000 scale covering 7 km radius around Project site**

(i) Upload Map (kml file)

**7. PROJECT LOCATED IN** (Select Type)

- (i) Non eroding Coast
- (ii) Low and Medium eroding coast
- (iii) High eroding Coast

**8. DETAILS OF FOREST/ MANGROVES LAND INVOLVED (YES/NO)****IF YES**

- (i) Detail of area diverted
- (ii) Forest clearance to be submitted (Upload document)
- (iii) No. of trees to be cut under the project
- (iv) Compensatory afforestation plan to be submitted (Upload document)

**9. DISTANCE OF PROPOSED PROJECT FROM ESA/MARINE PARK/ WILD LIFE SANCTUARY**

- (i) Within 10 kilometre radius from the project site (Yes/No)

**If YES**

- Permission from NBWL to be submitted (Upload document)

**10. NOC OR CONSENT TO ESTABLISH FROM STATE/UT POLLUTION CONTROL BOARDS OBTAINED (YES/NO)****If YES**

- (i) Copy of NOC to be provided (Upload document)
- (ii) Conditions imposed to be stated (Upload document)

**11. Environment Impact Assessment (EIA) studies (relevant fields to be filled)****A. Terrestrial studies:**

- (i) Summary details of EIA (Terrestrial) Studies
- (ii) Upload Recommendation made in EIAs (Upload document)
- (iii) State period of Study

**B. Marine Studies**

- (i) Summary details of EIA (Marine) Studies
- (ii) Upload Recommendation made in EIAs (Upload document)
- (iii) State period of Study

**12. DISASTER MANAGEMENT-PLAN / NATIONAL OIL SPILL DISASTER CONTINGENCY PLAN (if applicable)****13. PROJECT INVOLVING DISCHARGE OF LIQUID EFFLUENTS:**

- (i) Capacity of Sewage Treatment Plant
- (ii) Quantity of effluent generated
- (iii) Quantity of effluent treated
- (iv) Method of treatment and disposal

**14. PROJECT INVOLVING DISCHARGE OF SOLID WASTE:**

- (i) Type of solid waste
- (ii) Quantity of solid waste generated
- (iii) Method of disposal
- (iv) Mode of transport

**15. WATER REQUIREMENT in kilo litres per day (KLD)**

- (i) Quantity of water required
- (ii) Source of water

- (iii) If Ground water (Upload a copy of approval from Central Ground Water Authority or other authorised body)
- (iv) If other Source (Upload a copy of permission from competent authority)
- (v) Mode of transport
- (vi) Commitment of water supply (Upload document)

**16. DETAILS OF WATER TREATMENT AND RECYCLING (If any) (Multiple Entries Allowed)**

Type/ Source	Quantity of Waste Water Generated (Kilos Litre per Day)	Treatment Capacity (Kilos Litre per Day)	Treatment Method	Mode of Disposal	Quantity of Discharged Water (Kilos Litre per Day)	Quantity of Treatment Water used in Recycling/Reuse (Kilo Litre per Day)

**17. DETAILS OF RAINWATER HARVESTING**

- (i) No. of Storage tanks
- (ii) Total capacity of tanks
- (iii) No. of Recharge Pits
- (iv) Capacity of pits

**18. ENERGY REQUIREMENT AND SOURCES**

- (i) Total Power Requirements (kwh)
- (ii) Source
- (iii) Upload Copy of Agreement (upload pdf only)
- (iv) Stand by Arrangement (Details)

**19. ENERGY EFFICIENCY/SAVING MEASURES**

- (i) Source/Mode
- (ii) Details of savings

**20. RECOMMENDATION OF STATE COASTAL ZONE MANAGEMENT AUTHORITY**

- (i) Upload Copy of CZMA recommendations (Upload pdf only)
- (ii) Compliance status of the Conditions Imposed

**21. WHETHER PROPOSAL ATTRACTS EIA NOTIFICATION, 2006. (Yes/No)**

If YES,

- (i) the category thereof
- (ii) Status of proposal for EC (as applicable)

**22. SOCIAL AND ENVIRONMENTAL ISSUES AND MITIGATIONS MEASURES SUGGESTED INCLUDING BUT NOT LIMITED TO R&R, WATER, AIR, HAZARDOUS WASTES, ECOLOGICAL ASPECTS, ETC. (Brief Details to be Provided)**

**23. DETAILS OF COURT CASES** Whether there is any Court Cases pending against the project and/or land in which the project is proposed to be set up? (Yes/No)

If Yes, Pending or Disposed (Select relevant)

- (i) Name of the Court (Supreme Court, High Court, National Green Tribunal)
- (ii) Case No.

- (iii) Case Details
- (iv) Orders/Directions of the court, if any and its relevance with the proposed project  
(Upload document)

**24. ADDITIONAL INFORMATION, if any**

**UNDERTAKING:** It is certified that the information given above are true to the best of my knowledge and belief and nothing contravening the provisions of CRZ Notification, 2011 has been concealed therefore.

Name and Signature of the applicant:

Date:

Alok Kumar

F.No. 12-1/2019-IA III  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA. III Division)

Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 3

Dated: 26<sup>th</sup> June, 2019

**OFFICE MEMORANDAM**

**Sub: Guidelines for Updation of Coastal Zone Management Plan (CZMP) prepared as per CRZ Notification, 2011 to align it with CRZ Notification, 2019 - reg.**

The CRZ Notification, 2011, has been superseded by the CRZ Notification issued vide Notification No. G.S.R. 37(E), dated the 18<sup>th</sup> January, 2019 (herein referred to as the CRZ Notification, 2019). In accordance with para 6 of the CRZ Notification, 2019, the coastal State Governments and Union territory Administrations are required to revise or update the Coastal Zone Management Plans (CZMPs) of their respective state or UT, as per the provisions contained in the CRZ Notification, 2019. In this regard, I am directed to enclose herewith the guidelines for facilitating the state government/UT administrations in updation of the CZMPs.

2. This issues with the approval of Competent authority.

*Sarany P*  
(Dr. Saranya P)  
Deputy Director (CRZ)

To,

- i. The Secretary (Environment & Forests) of Coastal States (Gujarat, Maharashtra, Goa, Karnataka, Kerala, Tamil Nadu, Andhra Pradesh, West Bengal, Odisha) & Administrators of Puducherry & Daman & Diu.
- ii. The Member Secretary of Coastal States (Gujarat, Maharashtra, Goa, Karnataka, Kerala, Tamil Nadu, Andhra Pradesh, West Bengal, Odisha) & Administrators of Puducherry & Daman & Diu.
- iii. The Director, National Centre for Sustainable Coastal Management (NCSCM), Chennai
- iv. The Director, Space Application Centre, Ahmedabad
- v. The Director, Centre for Earth Sciences Studies, Thiruvananthapuram,
- vi. The Director, Institute for Remote Sensing, Anna University, Chennai
- vii. The Director, Institute for Wetland Management and Ecological Designs, Kolkatta
- viii. The Director, National Institute of Oceanography (NIO), Panjim, Goa
- ix. The Director, National Institute of Ocean Technology (NIOT), Chennai
- x. The Director, Naval Hydrographer's Office, Dehradun

Letter issued on  
28/6/19.

O/C

2

Copy for information to:

- a. PS to Minister for Environment, Forest and Climate Change
- b. PS to MoS (EF&CC)
- c. PPS to Secretary (EF&CC)
- d. PPS to AS(RSP)/AS(AKJ)
- e. PPS to JS(RKS)/JS(AKN)/JS(GM)/JS(RS)
- f. Website of MoEF&CC
- g. Guard File

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**GUIDELINES FOR UPDATION OF COASTAL ZONE MANAGEMENT PLAN  
(CZMP) PREPARED AS PER CRZ NOTIFICATION, 2011 TO ALIGN IT  
WITH CRZ NOTIFICATION, 2019**

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**1. BACKGROUND**

The Government of India had declared certain coastal stretches of the country as Coastal Regulation Zone (CRZ) vide Notification No. S.O.19 (E), dated the 6th January, 2011 (referred to as the CRZ Notification, 2011). As per para 5 of the aforesaid CRZ Notification, the coastal State Governments and Union territory (UT) administrations were entrusted with the preparation of Coastal Zone Management Plans (CZMPs) for their respective states/ UTs through the agencies authorized by the Ministry of Environment, Forest and Climate Change (MoEFCC). The CZMPs thus prepared have been approved by the Central Government in the Ministry of Environment, Forest and Climate Change and are currently followed for appraisal and subsequent approvals of developmental projects attracting the provisions of CRZ.

The CRZ Notification, 2011, has been superseded by the CRZ Notification issued vide Notification No. G.S.R. 37(E), dated the 18th January, 2019 (herein referred to as the CRZ Notification, 2019). In accordance with para 6 of the CRZ Notification, 2019, the coastal State Governments and Union territory Administrations are entrusted with revision or updation of Coastal Zone Management Plans (CZMPs) of their respective state or UT, as per the provisions contained in the CRZ Notification, 2019. The guidelines given hereunder have therefore been issued for facilitating the state government/UT administrations in updation of the CZMPs.

**2. GENERAL GUIDELINES**

- a) All coastal States and Union territory administrations shall update their respective CZMPs (which was prepared based on the CRZ Notification 2011), as per the provisions contained in the CRZ Notification, 2019, and after its updation and finalization following due procedures shall submit to the MoEFCC for its final approval at the earliest.
- b) The CZMP shall be updated or revised by any of the authorised agencies identified by the MoEFCC, using the demarcation of the High Tide Line, LTL, ESA, CVCA as carried out by NCSCM, Chennai and Hazard line as demarcated by the Survey of India.

- c) The coastal states and union territories shall prepare draft CZMP on 1:25,000 scale identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in **Annexure-IV** to the CRZ notification issued vide Notification No. G.S.R. 37(E), dated the 18<sup>th</sup> January, 2019 and these guidelines.

### 3. STEPS FOR PREPARATION OF CZMP

#### a) Base data: HTL, LTL, ESAs, Hazard line, CVCA & CZMP

High Tide Line (HTL), Low Tide Line (LTL), Ecologically Sensitive Areas (ESAs), and Critically Vulnerable Coastal Areas (CVCAs) demarcated by the National Centre for Sustainable Coastal Management (NCSCM), Chennai, and the 'Hazard line' as demarcated by the Survey of India (Sol), shall be used by the states/UTs in preparation/updation the CZMPs, as required under the provisions of the CRZ Notification, 2019. The CZMP database (shapefiles etc.) prepared as per the CRZ Notification, 2011 which have been scrutinized by the Technical Scrutiny Committee, finalized by the National Centre for Sustainable Coastal Management (NCSCM) and approved by the MoEFCC, shall be used as the base for revision or updation of the CZMP, as per the provisions contained in the CRZ Notification, 2019.

#### b) Data to be provided by the States/UTs to the authorized agencies

- i) Database of the CZMPs prepared and approved based on CRZ notification 2011, including HTL, LTL, ESAs, CVCA, Hazard line and coastal landuse, along with hard copies/pdf of approved CZMP and landuse maps.
- ii) Details of village-wise survey numbers pertaining to government land, in the format (bearing Taluk name, Village name, Survey No./Part Survey No. etc.) for deciding/enabling ease in demarcation of buffers around mangrove areas.
- iii) Digitized geo-referenced Census village boundary maps in shapefile format as per 2011 census base and the corresponding 2011 census (population) data of villages in digital/soft copy/xls format for demarcation of CRZ-IIIA and CRZ-IIIB areas.
- iv) Stakeholder data such as Municipal maps, Notifications for legally designated urban areas etc., for new CRZ-II areas, fishing Zones in the water bodies and fishing village boundaries, breeding and

spawning grounds of fish and the like, for updating the CZMP, as applicable.

- v) Infrastructure facilities such as roads, jetty, port, fish landing centers, etc.
- vi) Existing authorised structures on the seaward side and features like cyclone shelters, rain shelters, helipads and other infrastructure including road network for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

#### c) CRZ buffers

The CRZ limits will be revised or updated as per provisions contained in the CRZ notification, 2019, as follows:

No Development Zone (NDZ)/Buffers of tidally influenced waterbodies (water bodies influenced by tidal effects from sea in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds that are connected to the sea)	50 meters or width of the creek, whichever is less.
NDZ for CRZ-IIIA areas (sea front)	50 m
NDZ for CRZ-IIIB areas (sea front)	200 m
NDZ for inland islands in the coastal backwaters and islands along the mainland coast	20 m

#### d) Processing of Census data

All census maps and the corresponding census data of 2011 of all rural or urban areas demarcated in the CZMPs prepared as per CRZ Notification 2011, will have to be analyzed for computing the corresponding density of population for each village.

All rural or urban areas with population more than 2161 per sq. km will be classified as CRZ-IIIA and the remaining CRZ-III areas will be classified as CRZ-IIIB. After demarcation of CRZ-IIIA and CRZ-IIIB areas, the Census maps shall be taken out of the CZMP and will be kept in the database separately. Only Cadastral maps with Survey No. information shall be superimposed to the CZMP. CRZ-II areas demarcated in the CZMPs prepared as per CRZ Notification 2011, need to be retained as such, without any change. However, new CRZ-II areas, if any, may be added.

e) **CRZ Classifications**

Updating of CRZ classifications such as CRZ-I, CRZ-II, CRZ-IIIA, CRZ-IIIB and CRZ-IV shall be done as per the guidelines given **Annexure-IV** to the CRZ notification, 2019.

The water areas of CRZ-IV shall be clearly demarcated as to whether the water body is sea, lagoon, backwater, creek, bay, and estuary etc. For such classification of the water bodies, the terminology used by Naval Hydrographic Office shall be relied upon.

The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.

In CVCAs, the land use maps shall be superimposed on the CZMP clearly demarcating the CRZ-I, II, III, IV.

The existing authorised developments on the seaward side shall be clearly demarcated.

The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network shall be clearly indicated on the CZMP for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

f) **CRZ areas falling within municipal limits of Greater Mumbai**

In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II areas, shall be categorised as 'No Development Zone' and the same shall be accordingly demarcated.

g) **Public consultation of draft CZMP updated or revised based on CRZ Notification, 2019**

(i) The draft CZMP so updated or revised shall be published in the websites of the concerned CZMAs of the states/UTs and also given wide publicity soliciting suggestions and objections.

(ii) The draft CZMP shall be submitted by the State Government or Union territory to the concerned Coastal Zone Management Authority for appraisal, including appropriate consultations, and recommendations thereof. Public hearing on the draft CZMP shall be held at district level by the concerned CZMA, as stipulated in para 6 (i) of **Annexure-IV** of the CRZ Notification, 2019.

(iii) Based on the suggestions and objections received, the draft updated CZMPs shall be finalised and submitted by the state Governments/UT administrations for final approval of MoEFCC.

#### h) Technical Scrutiny Committee

The updated CZMP prepared as per CRZ Notification, 2019 shall be submitted for scrutiny by the Technical Scrutiny Committee constituted by the National Centre for Sustainable Coastal Management (NCSCM), Chennai. The Technical Scrutiny Committee shall make its recommendations to the NCZMA for an appropriate decision.

#### i) CZMP Report

A CZMP report will be prepared and in the format given in **Annex-1**, enclosed to these guidelines.

#### j) CZMP maps and Coastal landuse maps

CZMP maps and Coastal landuse maps will be prepared as per the instructions/check-list issued to all the authorized agencies/States/ UTs by the Technical Scrutiny Committee at NCSCM, Chennai, during the scrutiny of CZMPs prepared as per CRZ Notification 2011. The check-list is enclosed to these guidelines as **Annex-2**.

#### k) Approval of CZMP:

The state Governments or Union territory administrations shall submit the draft updated Coastal Zone Management Plan and the draft CZMP, finalized at the State or UT level along with a request for its final approval to MoEFCC. The same shall be referred by MoEFCC for a technical scrutiny by the Committee constituted for the task by NCSCM, Chennai. On receipt of the recommendation of the Technical Scrutiny, it shall be placed for consideration and decision of the NCZMA.

(iii) The approved CZMP shall be thereafter put up on the website of the concerned State or Union Territory Coastal Zone Management Authority and hard copy shall be made available in the offices of the Panchayat and District Collector. It may also be uploaded in the website of the MoEFCC.

**l) Environment management plan of ESAs**

A detailed environment management plan for ecologically sensitive areas shall be formulated within 6 months of the approval of CZMP prepared based on CRZ Notifications 2019 by the states and Union territories, as per guidelines given in **Annexure-1** of CRZ Notification 2019.

**m) Critically Vulnerable Coastal Areas (CVCAs)**

For all the CVCAs mentioned in sub-paragraph 3.1 of the CRZ Notification 2019, Integrated Management Plans (IMPs) shall be prepared, which shall, inter alia, keep in view the conservation and management of mangroves, needs of local communities, such as dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the guidelines for preparation of Coastal Zone Management Plan.

**4. LOCAL LEVEL CZMP**

Local level CZM Maps shall be prepared for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans. Cadastral (village) maps in 1:3960 or the nearest scale, as available with revenue authorities shall be used as the base maps.

HTL, LTL, other CRZ regulatory lines and the Hazard line shall be demarcated in the cadastral maps and classifications shall be transferred into the local level CZMP.

In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States and Union territories shall prepare detailed plans for long term housing

needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety and disaster preparedness.

#### 5. TIME LINE FOR UPDATION OR REVISION OF CZMP

The State Governments / UT administration shall take up the updation or revision of CZMPs approved as per CRZ Notification, 2011, to align with the CRZ Notification, 2019 at an early date and not later than six months from the date of issue of this guidelines.

#### 6. REVISION OF COASTAL ZONE MANAGEMENT PLANS

(i) Whenever there is a doubt or a likely disparity noticed in the CZMP, the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to MoEFCC for a modification/rectification of the CZMP along with valid reasons for the same. The MoEFCC shall refer the matter to the National Centre for Sustainable Coastal Management (NCSCM) for verification based on latest satellite imagery and ground truthing for possible modification/rectification in the CZMP.

(ii) The rectified map shall be submitted to Ministry of Environment, Forest and Climate Change for consideration of approval.

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## Annex-1

## Template for CZMP REPORT

### Contents

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#### Executive Summary

#### 1. INTRODUCTION

- 1.1. CZMP Planning Process
- 1.2. Development of a coastal database and information system
- 1.3. Generation of CZMP maps

#### 2. THE STATE OF .....

- 2.1. Demography and socio economic activities
- 2.2. Coastal Geomorphology and Ecosystem
- 2.2. Marine Fishery Resources
- 2.3. Biodiversity of coastal district wise
- 2.4. Pollution and waste management issues

#### 3. PURPOSE & SCOPE OF CZMPS

#### 4. COASTAL ZONE MANAGEMENT PLANS

- 4.1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) (as per manual)
  - a) Landward (monsoonal) berm crest for beaches
  - b) Seawall/revetments/embankments
  - c) Permanent Vegetation Line
  - d) Coastal sand dune / paleo-aeolian dune
  - e) Mangroves
  - f) Rocks, Headlands, Cliffs
  - g) Influence of Tidal action
- 4.2. Demarcation of Ecologically Sensitive Areas

#### 5. ECOLOGICALLY SENSITIVE AREAS/COASTAL LANDUSE

- 5.1. Mangroves
- 5.2. Coral Reefs
- 5.3. Reserve Forests
- 5.4. Sand Dunes
- 5.5. Salt marsh
- 5.6. Nesting Ground of Birds
- 5.7. Archaeologically important and Heritage Sites

- 5.8. Seagrass
- 5.9. Mud flats
- 5.10. Turtle Nesting Grounds
- 5.11. Inter-Tidal Zone
- 5.12. Salt pan / Aquaculture ponds

## **6. METHODOLOGY FOR PREPARATION OF CZMP**

- 6.1. Field mapping and map preparation

## **7. CRZ CLASSIFICATION**

- 7.1. CRZ-I
- 7.2. CRZ-II
- 7.3. CRZ-III
- 7.4. CRZ-IV
- 7.5. Regulation limits/lines
- 7.6. CVCA and IMP

## **8. HAZARD LINE**

## **9. CRZ CATEGORIES OF STATE/ UT**

- 9.1. CRZ categories (Taluk wise) of State/ UT
- 9.2. Sheet wise ESAs and CRZ categories

## **10. CONCLUSION**

Annexure-I: Brief note annexed to draft CZMP

Annexure-II: Field photographs

Annexure-III: Village and survey number wise CRZ categories

Annexure-IV: Public consultation issues and their resolution

Annexure-V: Data sources (list of urban area, panchayat, fishing villages ward etc.)

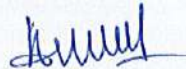
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**Annex-2****CHECK-LIST FOR PREPARATION OF CZMP MAPS AND COASTAL LANDUSE MAPS**

1. Two sets of maps shall to be provided viz:
  - (i) CZMP map depicting different CRZ categories; and
  - (ii) Coastal land use maps (i.e. land use map used to define CZMP) categories along with the year in which it was prepared.
2. Maps of Ecologically Sensitive Areas (ESAs) provided by NCSCM are to be integrated with the coastal land use map.
3. The title of the CZMP maps should read as 'Coastal Zone Management Plan (CZMP)'.
4. The coastal land use and CZMP maps shall be prepared according to the "Manual on Demarcation of High Tide Line and Low Tide Line and Preparation of CZMP of the Coast of India".
5. The land use classes up to level II classification such as Habitation/settlement, Agriculture, open areas etc., as given in the 'HTL Manual', will also be depicted in the coastal land use map along with the ESAs.
6. Color codes and symbols standardized by NCSCM, Chennai shall be provided to all authorized agencies for finalizing the CZMPs.
7. Indexing for all the states shall be standardized e.g. South to North, Left to Right etc.
8. Boundary of CRZ category should be continuous for seaside and creek side. It should be single/continuous line to clearly indicate the regulation boundary.
9. If legally designated urban areas other than municipality area are included in CRZ-II category, details in the form of supporting Government notification/act/rules are to be provided in the CZMP report.
10. Classification accuracy and geometric accuracy of the coastal land use maps must be quantitatively ascertained based on standard protocol.
11. Suggestions/recommendations received during the public consultation and action taken should be attached to the report as *annexure*. These suggestions/objections are to be classified into various categories such

- as those pertaining to HTL/ESA/CRZ classification/general complaints etc.
12. Only the boundary of the CVCA resource areas demarcated by NCSCM need to be provided in the CZMP.
  13. The Integrated Management Plan (IMP) will be prepared separately by NCSCM in consonance with the state government and local community concerned in conserving the resource areas. IMPs may be prepared within a time frame of 6 months from the date of approval of CZMP. The IMP shall be submitted for approval of MoEFCC for implementation.
  14. The role of community in resource management in the CVCA shall be within the governing laws of the State/Central Government.
  15. All layers used in the preparation of draft CZMP maps shall be given to NCSCM as soft copy (shape file format) for overlaying Hazard Line and boundaries of CVCA (if applicable).
  16. Sand dunes falling outside CRZ boundary should be shown in the land use map.
  17. CVCA falling outside CRZ boundary should be shown in the land use map.
  18. Edges of CZMP and land use maps of all states/UTs should be adjusted with those of the neighboring states/UTs.
  19. Ecological Sensitive Zones (ESZ) around the Marine National parks notified by the Government should be incorporated in the CZMP.

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(74)

Annexure - R1/4 1133

Item Nos.17& 18

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No.249/2023

News item on India's Sinking Islands appeared in the Hindu 19.03.2023  
With

Original Application No.795/2023

News Item titled "Third of India's coastline vulnerable to erosion - here are  
the worst-hit states" appearing in Indian Express dated 06.12.2023.

Date of hearing: 03.10.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Dr. Swati Jindal Garg, Adv. for MoEF & CC in OA 249/2023  
Mr. Ravinder Kumar Gupta, Adv. for MoEF & CC in OA 795/2023  
(Through VC)  
Mr. Abhay Anil Anturkar, Mr. Dhruv Tank & Mr. Aniruddha  
Awalgaonkar, Advs. for the State of Goa (Through VC)  
Ms. Madhumita Bhattacharjee, Adv. for the State of West Bengal  
(Through VC)  
Mr. Gigi. C. George, Adv. for Andaman & Nicobar Islands (Through VC)  
Mr. Abhimanyu Garg, Adv. for UT of Puducherry (Through VC)  
Mr. Prabhu G, Adv. for Kerala CZMA (Through VC)  
Ms. Madhuri Donti Reddy, Adv. for Andhra Pradesh CZMA (Through VC)  
Mr. Jogy Scaria, Adv. for KSPCB  
Mr. Nishe Rajen Shonker, Adv. for the State of Kerala  
Mr. Maulik Nanavati, Adv. for Gujarat CZMA (Through VC)  
Mr. Apoorv Kurup, Adv. for UT of Lakshadweep (Through VC)

**ORDER**

1. Presently, Tribunal is examining the issue of preparation of CZMPs and IIMPs by Coastal States and Union Territories (UTs).
2. Tribunal by order dated 11.09.2024 had directed the MoEF&CC to place on record comprehensive report and accordingly, additional reply has been filed by MoEF&CC dated 10.09.2024 disclosing that CZMPS as per CRZ Notification, 2019 have been approved for States of Maharashtra, Odisha and Karnataka and Island Coastal Regulation Zone

Plans (ICRZP) have been approved for Great Nicobar Island and Little Andaman Island of A&N Islands.

3. Learned Counsel appearing for MoEF&CC has informed that subsequently CZMP for State of Kerala has also been approved. In respect to other States and UTs, the status has been disclosed in the tabulated form as under:

**"STATUS OF UPDATION/ REVISION OF THE CZMP/ ICRZP AS PER CRZ/ ICRZ NOTIFICATION, 2019**

<b>S. No.</b>	<b>Coastal State's/UT's</b>	<b>Agency preparing CZMP/ ICRZ P-2019</b>	<b>Status as per NCSCM/Concerned States/UTs</b>	<b>Status as per affidavit submitted by the States before Hon'ble NGT</b>																																	
1.	Andhra Pradesh	NCSCM	<ul style="list-style-type: none"> <li>As per information received from APCZMA, NCSCM prepared draft CZMPs &amp; Land Use Land Cover(LULC) maps as per CRZ Notification 2019 and submitted to APCZMA.</li> <li>As per the procedure involved, Public Consultation process started in 13 Coastal districts of Andhra Pradesh.</li> <li><b>Details of Public Hearings conducted in 11 Coastal districts of Andhra Pradesh by the APCZMA on the draft CZMPs:</b></li> </ul> <table border="1"> <thead> <tr> <th><b>S. No.</b></th> <th><b>Name of the coastal District</b></th> <th><b>Date of Public Hearing conducted</b></th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>West Godavari District</td> <td>18.07.2024</td> </tr> <tr> <td>2.</td> <td>Vizianagaram District</td> <td>19.07.2024</td> </tr> <tr> <td>3.</td> <td>Tirupati District</td> <td>19.07.2024</td> </tr> <tr> <td>4.</td> <td>SPSR Nellore District</td> <td>23.07.2024</td> </tr> <tr> <td>5.</td> <td>Anakapalli District</td> <td>23.07.2024</td> </tr> <tr> <td>6.</td> <td>Srikakulam District</td> <td>25.07.2024</td> </tr> <tr> <td>7.</td> <td>Bapatla District</td> <td>26.07.2024</td> </tr> <tr> <td>8.</td> <td>Krishna District</td> <td>26.07.2024</td> </tr> <tr> <td>9.</td> <td>Eluru District</td> <td>30.07.2024</td> </tr> <tr> <td>10.</td> <td>Dr. B. R. Ambedkar Konaseema District</td> <td>31.07.2024</td> </tr> </tbody> </table>	<b>S. No.</b>	<b>Name of the coastal District</b>	<b>Date of Public Hearing conducted</b>	1.	West Godavari District	18.07.2024	2.	Vizianagaram District	19.07.2024	3.	Tirupati District	19.07.2024	4.	SPSR Nellore District	23.07.2024	5.	Anakapalli District	23.07.2024	6.	Srikakulam District	25.07.2024	7.	Bapatla District	26.07.2024	8.	Krishna District	26.07.2024	9.	Eluru District	30.07.2024	10.	Dr. B. R. Ambedkar Konaseema District	31.07.2024	October, 2024
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			11.	Prakasam District	29.08.2024		<ul style="list-style-type: none"> <li>The concerns expressed by the Public along with draft CZMPs will be communicated to the Technical Scrutiny Committee (TSC), NCSCM for examination and approval.</li> <li>Public Hearings in the districts of Kakinada and Visakhapatnam are to be conducted.</li> </ul> <table border="1"> <thead> <tr> <th>S.No.</th> <th>Name of the coastal District</th> <th>Date of Public Hearing to be conducted</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Kakinada District</td> <td>10.09.2024</td> </tr> <tr> <td>2.</td> <td>Visakhapatnam District</td> <td>Postponed. New date is to be fixed.</td> </tr> </tbody> </table>	S.No.	Name of the coastal District	Date of Public Hearing to be conducted	1.	Kakinada District	10.09.2024	2.	Visakhapatnam District	Postponed. New date is to be fixed.
S.No.	Name of the coastal District	Date of Public Hearing to be conducted														
1.	Kakinada District	10.09.2024														
2.	Visakhapatnam District	Postponed. New date is to be fixed.														
2.	Andaman & Nicobar (UT)	NCSCM	S.N	Status	No. of Islands	Name of the Islands	<p>Considering the ecological sensitivity of Islands the State is taking every steps to finalize the ICRZ Plan for all the Islands at the earliest i.e., before the outer limit of 36 months</p>									
			1.	ICRZ plan approved	2	Great Nicobar and Little Andaman										
			2.	ICRZ plan reviewed examined by the Technical Scrutiny Committee (TSC) on 01.03.2024. Revised Final drafts are awaited from NCSCM	4	Swaraj Dweep, Baratang, Middle Andaman, North Andaman,										
			3.	Comments on revised final drafts after TSC review/examination, have been submitted NCSCM on 05.08.2024 Placing them before Technical Scrutiny Committee (TSC) for final recommendation. TSC meeting is awaited by NCSCM.	3	Car Nicobar Rutland & Kamorta islands										
			4.	Comments of the Administration on public consultation on draft ICRZ plan sent to NCSCM on 27.02.2024 for placing before Technical Scrutiny Committee (TSC). NCSCM has also been requested to verify the ICRZIA area of South Andaman. Action on above issue is awaited from NCSCM.	1	South Andaman										
			5.	Pre-draft received from NCSCM on 20.08.2024 & 30.08.2024 for comments/inputs. The pre-drafts have been forwarded to	4	Teresa Island, Interview Island, Katchal & Little Nicobar										

			stakeholder department for submission of comments.		
<b>IIMP Plans-16 Islands</b>					
			1. Comments on revised final drafts after TSC review/examination, have been submitted to NCSCM on 05.08.2024 for placing them before Technical Scrutiny Committee (TSC) for final recommendations. TSC Meeting is awaited by NCSCM.	3	Flat Bay, Smith, Long Island.
			2. Comments of the Administration on public consultation on draft IIM Plan sent to NCSCM. On 11.03.2024 for placing before Technical Scrutiny Committee (TSC). TSC meeting by NCSCM is awaited.	1	Shaheed Dweep
			3. Comments on pre-draft submitted on 23.08.2024 for finalization of draft IIMP. Draft IIMP's are awaited from NCSCM	6	North Passage, Stewart Island, East Island, Curlew Island, Tillong Chong Island and Strait Island
			4. Pre-draft received from NCSCM on 13.08.2024 & 20.08.2024 for comments/inputs. The pre-draft have been forwarded to stakeholder department for submission of comments.	4	Narcondum Island, Nancowrie Island, Pilomillow Island and Chowra Island
			5. The public hearing on the draft IIMP has been conducted on 18.07.2024. The draft IIMP is under process for further submission to NCSCM for placing before the TSC for reviewing.	1	Netaji Subhash Chandra Bose Dweep
			6. Draft IIMP received and Public Hearing conducted. Further process of finalization is stalled due to SLP No. 25446 of 2019 filed at Hon'ble Supreme Court.	1	Aves Island
3.	Daman & Diu	NCSCM	As per DDCZAM letter dated 05/09/2024, Objections/ suggestions have been sent to NCSCM, Chennai vide email dated 5th July 2024 for their consideration and finalization of CZMP. Copy of the 05/09/2024 is annexed herewith and marked as Annexure-R1/6.		October 2024
4.	Goa	NCESS	As per the information received from GCZMA, in a meeting held on 30/08/2024 under the chairmanship of Hon'ble Minister for EF & CC, the NCESS has assured for providing the draft CZMP 2019 by mid or end of December 2024 which will be placed in public domain for inviting suggestions/objections for a		January, 2025

			period of 1 month. Subsequently public hearings will be conducted in the month of March 2025 and upon accessing the views submitted by the public at the time of public hearings, necessary amends if need be would be incorporated in the draft CZMP 2019 for onwards submission to the MoEF & CC for final notification.							
5.	Gujarat	NCSCM	Public hearing completed in all coastal except Kachchh. The draft plan will be presented before the next TSC	A period of about 04 months i.e. end of September, 2024 is likely to be consumed for holding and completing the consultation process and sending comments/suggestions and objections to the NCSCM, Chennai.						
6.	Karnataka	NCSCM	Approved on 02/09/2022							
7.	Kerala	NCSS	As per KCZMA letter dated 06/09/2024, Details of Coastal Zone Management Plan has been submitted to NCSCM & Govt. of Kerala for further necessary action. A copy of the KCZMA letter dated 06/09/2024 is annexed herewith and marked as Annexure-R1/7.							
8.	Lakshadweep (UT)	NCSCM	As per the letter dated 03/09/2024 received from Lakshadweep Administration (Director of Science & Technology), NCSCM, Chennai has submitted the final draft IIMP for Kadmat, Minicoy and Suheli Islands. The same has been placed in the public domain for suggestions/comments. The revised drafts will be submitted to MoEF&CC after public hearing/Consultation in co-ordination with NCSCM. Draft Executive Summaries and IIMP maps for Agatti, Amini, Andoth, Kalpeni, Cheriyaam and Kavaratti Islands is received from NCSCM on 30/08/2024 and the same is being processed for stakeholder consultation and placing in public domain thereafter. The preparation of IIMPs for the remaining islands namely Chetlat, Kiltan, Bitra, Bangaram and Thinakkara is underway at NCSCM, Chennai. A copy of the letter dated 03/09/2024 received from Lakshadweep Administration (Director of Science & Technology), NCSCM, Chennai is annexed herewith and marked as Annexure-R1/8.	December, 2024						
9.	Maharashtra	NCSCM	Approved on 29/09/2021 and 25/08/2023.							
10.	Odisha	ORSAC/SAC	Approved on 01/06/2021.							
11.	Puducherry (UT)	NCSCM	Draft CZMPs submitted in September 2022. Fisheries related infrastructure incorporated in the draft CZMPs Tamil version submitted in February 2024 to published in website and for public hearing/ consultation.	July, 2024 No update available						
12.	Tamil Nadu	NCSCM	Draft CZMPs published in website in October 2022 Tamil version submitted in July 2023 as per Madras High court direction. As per NGT direction, meeting with ACS and Fisheries commissioner decided to incorporate details information about fisheries related infrastructure in the draft CZMPs: task completed NCSCM to submit final revised draft maps in English and Tamil language on 30th April 2024 to publish in website and for public hearing consultation.	October, 2024						
13.	West Bengal	IESWM	WBCZMA vide letter dated 06/09/2024 the following updated status has been received: <table border="1" data-bbox="619 1818 1070 2016"> <thead> <tr> <th>S.N</th> <th>District</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PurbaMedinipur</td> <td>The draft CZMP of PurbaMedinipur District has been completed and submitted to MoEF&amp;CC in May, 2024.</td> </tr> </tbody> </table>	S.N	District	Status	1	PurbaMedinipur	The draft CZMP of PurbaMedinipur District has been completed and submitted to MoEF&CC in May, 2024.	October, 2024
S.N	District	Status								
1	PurbaMedinipur	The draft CZMP of PurbaMedinipur District has been completed and submitted to MoEF&CC in May, 2024.								

			2	North 2 Parganas	2 <sup>nd</sup> Public Hearing on draft CZMP, 2019 of North 24 Parganas district has been done. The draft CZMP, 2019 WOULD BE PLACED BEFORE THE Steering Committee for Approval before being submitted to MoEF&CC.	
			3.	South 24 Parganas	Public Hearing on draft CZMP, 2019 OF south 24 Parganas district has been completed. The draft CZMP,2019 would be placed before the Steering Committee for approval before being submitted to MoEF&CC. A copy of the WCZMA letter dated 06/09/2024 is annexed herewith and marked as <b>Annexure R1/9</b> .	

4. Learned Counsel for MoEF&CC has informed that a meeting of the Chief Secretaries of all the concerned States and UTs has been convened by MoEF&CC tomorrow wherein this issue will be discussed and needful will be done. Hence, MoEF&CC is directed to file a fresh report indicating the progress in this regard within eight weeks.

5. List on 07.01.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 03, 2024  
Original Application No.249/2023  
& Original Application No.795/2023JG..

**Item No.1:-****BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI*****Dated this the 17<sup>th</sup> day of October, 2024.***

(Through Video Conference)

**Original Application No.101 of 2023 (SZ)**

IN THE MATTER OF

**1) Jesu Rethinam**W/o. Late Shri Christy,  
11/1A, Sri Ramakrishna Paramahamsar Street,  
Velippalayam, Nagapattinam - 611 001.**2) K. Saravanan**S/o. Kasinathan  
Aged about 37 years,  
No.30, Urur Kuppam,  
Besant Nagar, Chennai - 90.

...Applicant(s)

**Versus****1) Tamil Nadu Coastal Zone Management Authority**Rep. by its Member Secretary,  
No.1, Jeenis Road, Panagal Building,  
Ground Floor, Saidapet,  
Chennai - 600 015.**2) State of Tamil Nadu**Rep. by its Principal Secretary to the Government,  
Department of Environment,  
Fort St. George,  
Chennai - 600 009.**3) Tamil Nadu Pollution Control Board**Rep. by its Member Secretary,  
No.76, Mount Salai, Guindy,  
Chennai.**4) National Centre for Sustainable Coastal Management**Rep. by its Director,  
Anna University Campus,  
Chennai - 600 025.**5) Department of Fisheries and Fishermen Welfare**Rep. by its Commissioner,  
3<sup>rd</sup> Floor, Integrated Animal Husbandry and Fisheries Building,  
Nandhanam, Chennai - 600 035.

...Respondent(s)

For Applicant(s): Mr. A. Yogeshwaran.  
For Respondent(s): Mr. P.S. Raman, Advocate General a/w.  
Mr. S. Sai Sathya Jith for R1.  
Dr. D. Shanmuganathan for R2 & R5.  
Mr. S. Sai Sathya Jith for R3.  
Mr. AR. L. Sundaresan, ASG a/w.  
Mr. S. Janarthanam for R4.

**Judgment Reserved on: 04<sup>th</sup> September, 2024.**

**CORAM:**

**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**

**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

## **J U D G E M E N T**

*Delivered by Smt. Justice Pushpa Sathyanarayana, Judicial Member*

1. The fishermen community represented by the first applicant and the second applicant himself being a member of the fishermen community have challenged the draft Coastal Zone Management Plan (CZMP) Maps uploaded by the respondent authority on the website of the Department of Environment.

2. It is alleged that the 105 Maps uploaded for the districts of Chengalpattu, Cuddalore, Kanyakumari, Mayiladuthurai, Nagapattinam, Pudukkottai, Ramanathapuram, Thanjavur, Thiruvaur, Thoothukudi, Tirunelveli and Villupuram are incomplete, as they do not even have all the necessary components marked in the maps.

3. It is alleged further that the fundamental components like fishing zone in the water bodies and fishing village boundaries, breeding and spawning grounds of fish, common properties of the fishermen community, and detailed plans for long-term housing needs of coastal fishing community are not earmarked on any of the 105 CZMP map sheets uploaded. The map also had not marked the existing authorized developments on the seaward side which would result in frustrating the identification of future violations. The ecologically

sensitive features like sand dunes, turtle nesting grounds, seagrass beds, sanctuaries, and reserve forests have also not been marked.

**4.** It is further alleged that no written plan has been published and only a generic document stating the contents of the CRZ Notification is published. There is also no specific long-term housing plan for coastal fishermen which is an essential component considering the threat of climate change induced sea level rise. The difference between the previous map and the present map is not distinctly marked for easy understanding. Though 1:4000 scale maps have to be uploaded for scrutiny, only 1:25000 scale maps have been prepared and uploaded for comments. Finally, erosion zones have not been marked despite directions from this Tribunal in O.A. No.04 of 2013 (SZ).

**5.** This is not the first occasion or litigation relating to the preparation of the CZMP. There were challenges earlier before this Tribunal as well as before the Hon'ble High Court.

**6.** The Central Government, with a view to ensure the livelihood, and security of the fishermen communities and other local communities living in the coastal areas, to conserve and protect the coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on the scientific principle taking into account the dangerous of the natural hazards in the coastal area, sea level rise due to global warming, issued the CRZ Notification, 1991 vide S.O. 114 (E) dated 19.02.1991. These regulations are issued to strike a balance between economic growth and environmental conservation.

**7.** By implementing these regulations, the countries can safeguard fragile ecosystems. The first CZMP was prepared based on the 1991 Notification in the year 1996 and the same was approved on 27.09.1996. Subsequently, the CRZ Notification, 1991 was superseded by CRZ Notification, 2011 in S.O. No.19 (E) dated 06.01.2011. Clause (5) of the CRZ Notification, 2011 provides for the preparation of the CZMP. Thereafter, the said CRZ Notification, 2011 issued in S.O. 19 (E)

dated 06.01.2011 was superseded, except as respects things done or omitted to be done before such supersession, the Central Government issued the CRZ Notification, 2019 vide G.S.R. 37 (E) dated 18.01.2019.

8. After the CRZ Notification, 2011 was issued, the CZMP maps were prepared only in the year 2014 which were incomplete, inchoate, and did not satisfy the requirement of the CRZ Notification. When the respondent attempted to hold the public hearing based on the incomplete plans, the same was challenged before this Tribunal in **Original Application Nos.86 of 2014 and 141 of 2014 (SZ)**. This Tribunal also set aside the draft plans and directed the authorities to prepare the drafts strictly in accordance with the CRZ Notification.

9. In O.A. No.86 of 2014 (SZ), by Order dated 01.04.2014, this Tribunal held as follows:-

"3. What is required by the applicant is the preparation of the Coastal Zone Management Plans and also the conduct of the public hearings in accordance with the CRZ Notification, 2011. Needless to say, the authorities shown as 3rd and 4th respondents herein are duty bound to strictly adhere to the CRZ Notification, 2011 while preparing the Coastal Zone Management Plans and also public hearing and the mandate therein. The counsel for the 3rd and 4th respondents would submit that the public hearing would be scheduled in future only after making wide publicity that too after preparation of Coastal Zone Management Plan in accordance with the CRZ Notification, 2011. While doing so, the averments and allegations made by the applicant in the application and other observations made by the Tribunal at the time of granting interim order should be taken into account."

10. In O.A. No.141 of 2014, by order dated 29.09.2015, this Tribunal has held as follows:-

"7. In view of the reply, it will be quite clear that the plans originally prepared by the 4th respondent, which are assailed by the applicant herein, cannot be acted upon and after duly following the guidelines issued by the Ministry of Environment, Forests & Climate Change, necessary preparation of CZMPs afresh would be taken. Equally, only after the preparation of those plans, they have to be put in public domain and necessary public hearings are convened and conducted to voice their views and suggestions of the stakeholders. Under such circumstances, the public hearings originally conducted in respect of all the above-mentioned districts namely Kanyakumari, Ramanathapuram, Thoothukudi, Pudukottai and Thirunelveli and also the maps prepared by the 4th respondent which are challenged now, are remain set aside. Hence, it is made clear that the 4th respondent has

to necessarily follow the notification as mandated and all the guidelines and also the new guide-lines which have got to be given by the MoEF in that regard."

**11.** However, without complying with the above orders, the authorities once again attempted to conduct the public hearing based on the incomplete plans, resulting in a challenge before the Hon'ble High Court of Madras in **W.P. No.7019 of 2018**, wherein the Hon'ble High Court, vide Order dated 17.04.2018, held as follows:-

"5. The final order dated 01.04.2014 made in A.No.86 of 2014(SZ) passed by the National Green Tribunal, Southern Zone, Chennai, though pertains to public hearing in respect of Villupuram District, in the considered opinion of the Court, in the light of the observations made in Para 3 of the said order, the concerned respondents are duty bound to strictly adhere to CRZ Notification, 2011 while preparing the Coastal Zone Management Plan and while conducting public hearing also reasonable opportunity should be given to the concerned persons to put forward their views/objections.

7. The learned Additional Advocate General, on instructions, would submit that whatever be the prescriptions made/mandate cast upon the fourth respondent authority, it would be strictly adhered to and complied with and there may not be any lapse on their part and the entire exercise is being done purely in public interest, especially taking into consideration the environmental aspect."

**12.** Even during the pendency of the above-referred writ petition, without complying with the requirements mentioned in the CRZ Notification, the authorities continued to hold the public hearing once again based on the incomplete and inchoate maps. The authorities had not rectified the mistakes pointed out. Therefore, once again, there was a challenge to the draft notification bearing No. F.No.12-8/2018-1A-III dated 24.10.2018. The above order was challenged once again before the Hon'ble High Court in **W.P. No.29928 of 2019**. The TNCZMA had submitted before the Hon'ble High Court that the process of preparation of maps under CRZ Notification 2019 had already commenced and that they rectified the maps and prepared the plans in full compliance with the law when the plans under Notification 2019 were prepared.

13. However, the draft maps under Notification 2019 were uploaded on the website of the Tamil Nadu Coastal Zone Management Authority (TNCZMA), which was in English. Therefore, once again, **W.P. No.30292 of 2022** was filed before the Hon'ble High Court, which directed the preparation of the CZMP maps and land use maps in Tamil, in and by its order dated 19.12.2022.

14. Hence, the applicants have come before this Tribunal seeking to set aside the Map Nos.TN 01 to TN 105 of the draft CZMP map prepared by the respondent authority and uploaded on the website of the 2<sup>nd</sup> Respondent and to further direct them to prepare the CZMP in strict compliance with the CRZ Notification, 2019 and also the Judgments passed by this Tribunal as well as the Hon'ble High Court of Madras referred to above.

15. Heard the learned counsels appearing for the applicant as well as the respondents.

16. Whether the TNCZMA has covered all the aspects in the preparation of the maps in strict compliance with the CRZ Notification, 2019.

17. **INCOMPLETE CZMP MAP:-**

***As stated in the pleadings of the applicants, the key components such as fishing zones, village boundaries, fish breeding areas, common properties and long-term housing plans for coastal fishermen communities are not found in the CZMP Maps uploaded.***

17.1 In this regard, the TNCZMA stated that the key components such as fishermen settlements, fishing village boundaries, and other features, including the common properties of the fishermen community were incorporated in the draft CZMP Map. It is stated that the long-term housing need will be included in the local level map on a 1:4000 scale, as it would be

prepared only upon the approval of the draft CZMP Map.

**17.2** Regarding the claim of missing features in the draft maps compared with the 2011 CZMP, the respondent highlighted the inclusion of additional features like fishing harbours, helipads, health centres, multipurpose evacuation centres, educational institutions, ecologically sensitive zones for CRZ-1A, and 50 Meter to 500 Meter from HTL CRZ – IIIA have been newly added in the draft CZMP compared to the approved CZMP based on the CRZ Notification, 2011.

**17.3** It is further explained that certain features are included only when the authorized data is provided by relevant departments and missing features could be added later even after the final approval of the maps, for the reason that **the draft CZMP is a dynamic document and open to revisions.**

**18. FAILURE TO ADDRESS THE ECOLOGICALLY SENSITIVE FEATURES:-**

***The claim of the applicants that the important environmental features such as sand dunes, turtle nesting grounds, seagrass beds, and mangrove buffer zones have not been marked on the maps which undermines the protection of these ecologically sensitive areas.***

**18.1** The TNCZMA in response has stated that the ecologically sensitive areas have been marked in the CRZ-IA, in 1:25,000 scale. These areas including mangroves, sand dunes, turtle nesting zones, sanctuaries, reserve forests and seagrass beds have been distinctly shown in different colours on a land use maps.

**18.2** Accordingly, the TNCZMA had further contended that the applicants had overlooked these facts and maintained that the draft maps included necessary environmental protection.

**19. NON-COMPLIANCE OF THE JUDICIAL ORDERS:-**

*The applicants state that the impugned draft CZMP maps failed to rectify the deficiencies pointed out in the earlier legal challenges and continue to omit the crucial features despite the orders from the Hon'ble High Court of Madras and the National Green Tribunal.*

**19.1** In reply, the TNCZMA clarified that the orders passed by this Tribunal in O.A. No.86 of 2014 and O.A. No.141 of 2014 are strictly complied with.

**19.2** It is stated that the shoreline management plan is being prepared by the National Centre for Coastal Research (NCCR). This plan will include erosion zones as required by the CRZ Notification, 2019.

**19.3** The TNCZMA emphasize that this Tribunal had directed the inclusion of these zones in final CZMP maps and not in the draft ones, which are currently under public consultation.

**19.4** Regarding the orders passed by the Hon'ble High Court in W.P. No.30292 of 2022, the TNCZMA confirms that the draft CZMP maps were made available in physical format at taluk and nodal offices as required. The maps were published online in Tamil and English on 16.06.2023 and a 45-day public consultation period was provided with printed copies distributed to the relevant local offices and additional locations as per public request.

**20. ABSENCE OF WRITTEN PLAN:-**

***The grievance of the applicant is that there is no detailed written plan published alongside the maps making it difficult for the general public to understand the map's contents. The written plan as provided in the previous CZMP is essential for clarity.***

**20.1** The answer to the above is clarified by the TNCZMA that 1:25000 scale maps and land use maps include all authorized features and zones which serve as a detailed plan required by the Notification, 2019.

**20.2** It is clarified further that the detailed plan is synonymous with the maps as per the CRZ Notification. In addition, the executive summary describes and explains the map contents for the public and states that any further clarification will be provided during the public hearing.

**21. SCALE AND ACCESSIBILITY ISSUES:-**

***In a map of 1:25000 scale, it is inadequate for detailed local level demarcation. According to the applicants, no maps have been provided as mandated in the 1:4000 scale. High-density files and large sizes make the maps inaccessible for the public to download and print easily.***

**21.1** In response to the above contention, the TNCZMA clarified that as per the CRZ Notification, 2019, Annexure - IV (3) which relates to the preparation of the CZMP map, only 1:25000 scale maps are required to be published for public consultation at this stage. As per Clause (4) of Annexure - IV which relates to the local level CZMP maps are only to be prepared at 1:4000 scale map. Therefore, the department has followed the procedure for the draft

maps and it will prepare and distribute the 1:3960 scale maps after the approval.

**22. COMPROMISE OF THE PUBLIC CONSULTATION PROCESS:-**

***The applicants have alleged that the public consultation and hearing timelines are inadequate and that the hearing scheduled before the 45<sup>th</sup> day of the public comment period has concluded. As the scheduling for the public hearing and the public participation is premature, the same shall not be allowed.***

**22.1** According to the TNCZMA, the press note announcing the public hearing must be published on 07.10.2022 in ten of the English and Tamil newspapers along with broadcast in six news channels to ensure wide publicity. Further, the printed copies of the draft CZMP, land use maps and executive summaries were distributed to the relevant coastal districts on 02.11.2022 in preparation for the public hearing.

**22.2** Pursuant to the order passed in W.P. No.30292 of 2022, the department complied with the Court directives by preparing the draft CZMP maps in both Tamil and English and uploading them on 16.06.2023 for publication, allowing the clear 45 days for receiving comments and suggestions. Additionally, the department ensured that the maps were made available in all the relevant public offices and provided extra copies in response to the public request for easier access.

**22.3** The TNCZMA had specifically denied the fact that the public hearings were scheduled before the consultation period ended asserting that the required 30 days notice for the hearing as stipulated in the

EIA Notification, 2006 was followed meticulously alongside the mandate of 45 day consultation period.

**23. FAILURE TO UPLOAD THE CZMP MAPS PROPERLY:-**

***It is the case of the applicants that the maps have not been updated in compliance with the CRZ Notification, 2019. There is no comparison or explanation provided between the current draft and previous maps, making it impossible for the stakeholders to assess the changes and identify the improvements.***

**23.1** In this regard, the respondent clarified that both the approved CZMP under the CRZ Notification, 2011 and the new draft CZMP map under CRZ Notification, 2019 are publicly accessible on the department website. The sheet numbers remain consistent across both sets of maps, making it easier for the stakeholders to compare and access the changes.

**23.2** In addition to online access, printed copies of the maps have been made available in local offices for public viewing, allowing the public to express their concerns during the hearing. Furthermore, the difference between the previous and current maps will be explained in detail during the public hearing to ensure clarity and transparency.

**24.** The **National Centre for Sustainable Coastal Management (NCSCM)/Respondent No.4** has filed their report, wherein it is stated that the CZMP maps are still in draft form and the public hearings are met to gather suggestions and objections, which will be considered for updating the maps. It is stated that a letter has been received from the Commissioner of Fisheries and Fishermen Welfare Department who had instructed all the Assistant Directors of Fisheries, Tamil Nadu to collect the

data of fishing zones, fish breeding areas, village boundaries, spawning grounds and the common properties like fish landing centre, fishing harbour and fishermen settlements. The NCSCM also confirms that once all these data are received, they will be incorporated into the draft CZMP maps and land use maps followed by ground truthing. The NCSCM points out that the applicants have not provided specific objections and details like locations or survey numbers, making it difficult to address the concerns raised. The local-level CZMP maps will be prepared at a cadastral scale to facilitate the implementation by local bodies after approval. These maps will show the fishing villages, common properties, and housing plans for coastal communities. The NCSCM clarifies that the maps were prepared based on the CRZ Notification, 2019 and the MoEF&CC guidelines. Therefore, there is no requirement to show the difference from the previous versions, as requested by the applicants. The NCSCM also agrees to review the mangrove areas along the Adyar River and incorporate the fisheries related data into CZMP once provided by the relevant departments.

**25.** From the above complaints and responses from the applicants and the TNCZMA respectively, it is to be seen whether the draft CZMP maps uploaded on the website are to be set aside and prepare the same in strict compliance with the CRZ Notification, 2019.

**26.** The applicant states that though the hazard line as per Annexure – IV (2) has been mapped, the draft CZMP map has no land use planning whatsoever for the area between the HTL and the hazard line in terms of the impacts of shoreline change and climate change. The above exercise assumes importance, as it would reduce the vulnerability of the coastal communities and ensure the sustainable livelihood. The said hazard line though marked in the map is being used as a disaster management and which includes the mitigation measures, the land use planning has to be prepared.

**27.** In this regard, it would be appropriate to advert to the interim order and final order dated 13.02.2020 passed by the Hon'ble High Court of Madras in W.P. No.29928 of 2019:-

"7. Accordingly, we make the following interim directions:-

... ..

(III) The respondents are called upon to rectify the mistakes or violations in the maps, in accordance with the 2011 Notification first and the same get prepared through NCSCM on the scale of 1:5,000 as early as possible and produce the same before the Court on the next date of hearing. If it is not possible to produce it on the next date of hearing, the date wise steps taken by them for preparing the same with the Affidavit of the Director of Department of Environment and also the Member Secretary of TNSCZMA shall be produced on the next date of hearing before this Court.

(IV) The Affidavit of the Member Secretary shall also include the details of the public hearings which have taken place in this regard, since in the Affidavit filed, it is stated that the public hearings took place in different Districts in the month of April 2018, but the detailed descriptions of such public hearings were not given. The Court may like to know from the respondents that if the scale of map already produced before this Court was the only available map at the time of public hearing, which are not even legible or decipherable, how effective participation of the public at large could have taken place and whether the said maps, not prepared in the vernacular language also, was it suitably explained to the objectors or members of public or not and if any written representations or objections were made by them; how such objections were responded to or disposed by orders in writing by the respondents before finalizing the said maps and the same shall be stated in the fresh Affidavit to be filed before this Court.

(V) The matter is now adjourned by four weeks, with the expectation that all bona fide and sincere efforts will be made by all concerned authorities of the respondent Departments to assist the Court in the proper manner to arrive at the conclusions as to whether the relevant Regulations under the Act and 2011 Notification and 2019 Notification have been followed by the respondents or not, to subserve the cause of Public Safety in Coastal areas in this regard."

**28.** In Para (3) of the above judgment, the counter affidavit filed by the 4<sup>th</sup> Respondent on behalf of the 3<sup>rd</sup> Respondent therein has been quoted which is as follows:-

"a) Superimposition of approved HTL and LTL onto digital Cadastral Maps at 1:5000 scale (village maps in case of rural areas and ward maps in case of city/town) for entire coast of Tamil Nadu and tidal influenced water bodies in Tamil Nadu.

b) Delineation of 200m, 500m buffer lines for HTL of Bay of Bengal and 100m or width of creek buffer lines for Tidal influenced water bodies as per Coastal Regulation Notification, 2011.

c) Superimposition of Ecologically Sensitive Areas like Mangroves, Coral, Coral reefs, Sand dunes, Mud flats, National Parks, Marine Parks, Sanctuaries, reserve forest, wildlife habitats and other protected areas, Salt Marshes, Turtle Nesting grounds, Horse Shoe habitats, Sea Grass beds, Bird Nesting sites, Archeological sites indicated in

approved CZMP within Coastal Regulation Zone on to digital cadastral maps.

d) Generation of 50m buffer zone for mangroves patches with area more than 1000 sq.m. as indicated in approved CZMP prepared as per CRZ Notification, 2011.

e) Demarcation of Coastal Regulation Zones (IA, 1-B, II,III,IV-A and IV-B) for entire coast of Tamil Nadu and 21 Islands within administrative control of Government of Tamil Nadu.

f) Generation of Local Level CRZ Maps at 1:5000 scale as per CRZ Notification, 2011 following standard national color codes, symbols used in Approved CZMP.

g) Collection and Superimposition of cyclone shelters, rain shelters, helipads and other infrastructure including road network in coastal area using GPS based filed survey and ancillary data collected from field departments on cadastral maps at 1:5000 scale.

h) Collection and Superimposition of fishing village boundaries, common properties of the fishermen communities, fishing jetties, ice palants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, fishing zones, fish breeding areas and like using GPS based filed survey on cadastral maps. i) Generation of Local Level Coastal Zone Management Plants at 1:5000 scale for entire coast of Tamil Nadu and Islands within administrative control of Tamil Nadu Government following guidelines provided in CRZ Notification, 2011."

**29.** The TNCZMA has not clarified whether the above directions issued by the Hon'ble High Court have been followed while publishing the impugned CZMP maps. The directions issued by the Hon'ble High Court were to follow the directives issued therein while maps are being prepared by the authorities concerned. The Hon'ble High Court itself has commented that if the original map is not correct as per the CRZ Notification, 2011, the purpose of the fresh public hearing is likely to be frustrated.

**30.** The claims of the applicants are further supported by the report of the Tamil Nadu Pollution Control Board (TNPCB), as the Member Secretary - TNCZMA admitted that though it is not possible to publish the CZMP 100% complete in all respects at least when specific omissions are pointed out, the authorities are duty bound to consider the same and publish the CZMP before they go for the public hearing which would enable the public to agree/ modify/ suggest/ object regarding any omissions/ additions.

**31.** The TNPCB also given the district-wise public hearing fixed between 18.08.2023 and 31.08.2023. The said public hearing scheduled between the above-referred dates was stayed by this Tribunal on 18.08.2023.

**32.** The District Collector – Mayiladuthurai was requested to instruct all the departments especially Fisheries Department and Revenue Department in Mayiladuthurai District to go through the draft CZMP and land use map thoroughly and give authentic remarks regarding corrections/omissions/additions in the draft CZMP vide letter dated 29.09.2023. On 08.11.2023, a meeting was convened involving all the line departments in order to collect the missing information and send the same to the Department of Environment. The suggestions regarding corrections/ omissions/ additions in the draft CZMP and land use maps pertaining to Mayiladuthurai District were forwarded to the Member Secretary – TNCZMA and the Department of Environment and Climate Change on 15.11.2023.

**33.** In Thiruvarur District, similar instruction was given to the District Collector - Thiruvarur District and the suggestions regarding the corrections/ omissions/ additions in the draft CZMP and land use maps pertaining to Thiruvarur District were forwarded to the Member Secretary – TNCZMA and the Department of Environment and Climate Change vide letter dated 15.11.2023.

**34.** A similar exercise was carried on for Nagapattinam District also.

**35.** While so, the NCSCM also contended that the ecologically sensitive areas and other features mentioned in the CRZ Notification will be identified only based on the satellite data as per the guidelines contained in Annexure – I of the CRZ Notification, which suggest that all the Ecologically Sensitive Areas (**ESAs**) and boundary delineated by the NCSCM using satellite and there is no requirement of ground truthing prior to the publication of the draft CZMP. The said contention is unacceptable, as such a view does not serve the interest of ecocentrism and also does not fulfil the principle of sustainable development.

**36.** Clause – 7 (i) of Annexure – IV to the CRZ Notification, which provides guidelines for the preparation of CZMP, clearly highlights the need for the NCSCM to verify the

CZMP 'based on the latest satellite imagery and ground truthing' whenever the matter is referred to them.

**37.** From the above, it is clear that the MoEF&CC does recognize the need for ground truthing in addition to the reliance on satellite imagery, whenever the revisions of the CZMP are contemplated.

**38.** In the instant case, the applicant has been knocking on the doors of the Hon'ble High Court of Madras and the National Green Tribunal for the last 1½ decades or so, highlighting that several ESAs have been omitted from being marked in the appropriate CRZ area which is detrimental to the integrity of the Tamil Nadu coast.

**39.** It may not also be out of place to state that the Hon'ble High Court of Madras as well as this Bench has dealt with cases which highlighted omissions of ESAs from being marked appropriately resulting in irreparable damage to some of the ESAs such as sand dunes and mangroves. When such omissions have been pointed out clearly by the applicants and which have been found to be true based on the ground truthing exercise undertaken by the Joint Committee constituted by this Bench, the SCZMA - Tamil Nadu should have referred these matters for ground truthing on their own to the notice of the NCSCM seeking ground truthing and it shall be a bounden duty of the NCSCM as an agency undertaking the responsibility of preparing the CZMP to comply with the request made by the user agency and undertake necessary ground truthing in areas which have been specifically brought to their notice.

**40.** However, we clarify that ground truthing for the entire coast is a roving exercise and is not possible. It can be done in those areas which have been brought to the notice of the authorities specifically.

**41.** It has been held that public consultation is one of the fundamental principles of Environmental Impact Assessment. The views of the affected and interested public play an important role to ensure that the decision-making process results in informed choices and better environmental outcomes. The draft

CZMP placed in the public domain should be as close as possible to the final notification. The real test for the draft CZMP is to leave little or no room for the public to complain that the draft is bereft of required particulars. The authorities of the SCZMA should be responsible for the genuine concerns raised by the public and if they have a doubt about the genuineness of the representations, the concerned agency should undertake the ground truthing exercise. If such exercise brings to light the omissions of the ESAs or any other features meant to be captured in the CZMP, it will be to the benefit of SCZMA to protect the integrity of the coastal areas as contemplated in the notification to address the wider ecocentric concerns as well as anthropocentric concerns. At the same time, the applicants who may agitate in various legal forums as well as the public who participate in the public consultation process shall bring to light genuine issues, backed by evidence, to the notice of the authorities which may require ground truthing and it should not be an exercise for them to make some general observations to derail or delay the process of revision of CZMPs.

**42. In view of the above,**

- I.** We direct the TNCZMA/NCSCM to do the ground truthing of the ecologically sensitive areas wherever required and wherever it is specifically brought to the notice of the authorities and as directed in the orders of the Hon'ble High Court as well as the National Green Tribunal.
- II.** The TNCZMA is directed to collect all the inputs received from the District Collector of all the coastal districts forwarded to the Member Secretary - TNCZMA and the Director of Environment and Climate Change, Chennai and appropriately correct, add, modify, etc. in the draft CZMP.
- III.** The Member Secretary - TNCZMA is directed to ensure that the addition/ omission/ correction/ suggestion given by these stakeholders are

appropriately incorporated in the draft CZMP map before publishing the same. Once it is ensured that all the shortcomings pointed out by the applicants, suggestions received from the District Collectors and the mandatory provisions in Annexure – IV of the CRZ Notification, 2019 are duly followed, the draft CZMP maps may be published as per the CRZ Notification.

**IV.** After giving the mandatory period required for the stakeholders to go through the CZMP maps and the received suggestions/ additions/ modifications/ corrections/ omissions/ etc., the date of the public hearing may be announced by following the due process of law.

**43.** With the above directions, the Original Application [O.A. No.101 of 2023 (SZ)] is disposed of.

**Sd/-**  
**Smt. Justice Pushpa Sathyanarayana, JM**

**Sd/-**  
**Dr. Satyagopal Korlapati, EM**

Internet – Yes/No

All India NGT Reporter – Yes/No

**O.A. No.101/2023 (SZ)**  
**17<sup>th</sup> October, 2024. Mn.**