

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

APPEAL NO. 20 OF 2024

M/S SALDANHA DEVELOPERS PVT. LTD.

...APPELLANT

VS.

MINISTRY OF ENVIRONMENT,

FOREST & CLIMATE CHANGE AND OTHERS

...RESPONDENTS

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M/S SALDANHA DEVELOPERS PVT. LTD.

...APPELLANT

VS.

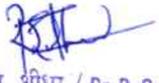
MINISTRY OF ENVIRONMENT,

FOREST & CLIMATE CHANGE AND OTHERS

...RESPONDENTS

ADDITIONAL AFFIDAVIT ON BEHALF OF UNION OF INDIA, MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVERNMENT OF INDIA (RESPONDENT NO.1.) AND DEPUTY DIRECTOR (CRZ), MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (RESPONDENT NO.2)

I, Dr. R. Sridhar, S/o Shri P. Rengarajan aged about 46 years, am presently working as Scientist "D" in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC) and state that I am the respondent in the above Appeal. I have gone through the averments made in the Appeal, and am conversant with the facts of the case as deposed below:


 डॉ. आर. श्रीधर / Dr. R. Sridhar
 संयुक्त निदेशक/वैज्ञानिक 'डी' / Joint Director / Scientist 'D'
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
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 क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र)
 Regional Office (Southern Zone)
 केन्द्रीय सदन, कोरमंगला, बेंगलूरु - 560034
 Kendriya Sadan, Koramangala, Bengaluru - 560034.



1. That, I am acquainted with the facts and circumstances of the instant case and duly competent to swear the present affidavit on behalf of the Secretary, MoEF&CC on the basis of the official records maintained therein.
2. It is humbly submitted that I have perused and understand the contents of the present I.A. at the outset, I deny all averments, submissions, statements and allegations made therein except as may be specifically admitted herein after.
3. It is humbly submitted that this additional affidavit is being filed in compliance of order dated 07/02/2024 and in response to the I.A filed by the applicant in the present appeal and may kindly be considered in continuation of the earlier affidavit dated 21/05/2024 filed by this answering respondent. A true copy of the affidavit dated 21/05/2024 is annexed herewith and marked as **Annexure-R1/1**.
4. It is humbly submitted that, in order to ensure the livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, this ministry is implementing CRZ Notification since 1991. The CRZ Notification 1991 was later superseded by the CRZ/IPZ Notification of 2011. This was further replaced by the CRZ/ICRZ Notification of 2019, which focuses on the conservation and management of Ecologically Sensitive Areas (ESAs). According to the CRZ/ICRZ Notification of 2019, all coastal states and Union Territories (UTs) are required to update their Coastal Zone Management Plans (CZMP), Island Coastal Zone Management Plans (ICRZP), or Integrated Island Management Plans (IIMP) in accordance with the new provisions and submit them for approval. Until the updated CZMP/ICRZP/IIMP is approved, the provisions of the CRZ/IPZ Notification of 2011 will

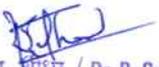



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 Regional Office (Southern Zone)
 केन्द्रीय सदन, कोरमंगला, बेंगलूरु - 560034
 Kendriya Sadan, Koramangala, Bengaluru - 560034.

continue to apply. Further, the CZMP as per CRZ Notification, 2011 for the State of Goa has been approved vide letter dated 06/09/2022.

5. It is humbly submitted that as per the CRZ Notifications 2011/2019, the State Coastal Zone Management Authorities (SCZMAs) are primarily responsible for enforcement and implementation of the provisions of the CRZ Notification and compliance of the conditions stipulated thereunder, the powers either original or delegated, under the Environment (Protection) Act, 1986. The composition, tenure and mandate of State/UT CZMAs, have been notified from time to time by the Ministry. The main function of these Authorities include amongst others, enquiring into the cases of alleged violation of the provisions of the CRZ Notifications and take appropriate decision including power to enforce provisions under Section 5, 10 and 19 of the Environment (Protection) Act, 1986. It is humbly submitted that the CRZ Regulations are to be implemented and monitored (including violations thereof) by the concerned State Coastal Zone Management Authority in accordance with the approved CZMPs of the respective states. A true copy of the Notifications dated 30/09/2022 empowering the SCZMAs for taking action under Section 5, 10 and 19 of EPA, 1986 is annexed herewith and marked as **Annexure-R1/2**.
6. It is humbly submitted that the letter dated 02/01/2024 has been issued by this answering respondent based upon legal opinion of the Ministry of Law and Justice (MoLJ) as well as Recommendations of the Expert Appraisal Committee that was examined by the Ministry. A true copy of the letter dated 02/01/2024 is annexed herewith and marked as **Annexure-R1/3**.




 डॉ. आर. श्रीधर / Dr. R. Sridhar
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 Kendriya Sadan, Koramangala, Bengaluru - 560034.

7. It is humbly submitted that project of the appellant i.e. "Proposed construction of a hotel project in Survey No. 71/1 of Velsao village, Salcete Taluka" was accorded Environmental Clearance vide letter dated 08/05/2006 as per provisions of CRZ Notification, 1991.

That, as per the provisions of CRZ Notification, 1991 and its subsequent amendment vide S.O. 1100 (E) dated 19/10/2002, by way of insertion of sub-clause (ia) in item (i) of Paragraph No.3 sub-paragraph 2 of CRZ Notification, 1991, '*the clearance granted shall be valid for a period of five years for the commencement of the construction or operation*'. That, it may kindly be noted that paragraph 3 deals with the regulation of permissible activities. Sub-para 2 of paragraph 3 enumerates the activities which would require environmental clearance from the Ministry and are mentioned from sub-clause (i) to (iv) with amendments from time to time. That the insertion of sub-clause (ia) in the paragraph deals with the validity of environmental clearance granted to all permissible project and not only to the activities that falls under sub clause (i) of sub-para 2 of paragraph 3 of CRZ Notification, 1991. Therefore, the project of appellant attracts validity of 5years for commencement or operation of the project from the date of grant of Environmental Clearance. That considering the date of CRZ Clearance that was issued on 08/05/2006 the same has expired on 07/05/2011. A true copy of Environmental Clearance dated 08/05/2006 is annexed herewith and marked as **Annexure-R1/4**. A true copy of amendment S.O. 1100 (E) dated 19/10/2002 is annexed herewith and marked as **Annexure-R1/5**.

8. Furthermore, it is humbly submitted that, the O.M dated 12/04/2016 with the subject "*Notifications issued by the Ministry of Environment, Forest and Climate Change vide 5.0.*"




 डॉ. आर. श्रीधर / Dr. R. Sridhar
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No. 1141 (E) dated 29.04.2015 and S.O. No. 2571 (E) dated 31/08/2015 under the provisions of the EIA Notification 2006 regarding extension of Validity of Environmental Clearance" deals with the projects issued under EIA Notification, 2006 and its subsequent amendments therefore, this O.M is not applicable on clearance dated 08/05/2006.

9. That in view of the submissions made herein above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass order as this Hon'ble Tribunal may deem fit in the interest of justice.
10. 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.



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 Bengaluru on this 9th day of April 2025.

Sl. No. 887 Page No. 85
Book No. LN (59) Date. 9/4/2025

SWORN TO BEFORE ME

B.M. CHANDRASHEKAR
Advocate & Notary Public
B.D.A. Complex, Koramangala
BANGALORE - 560 034



DEPONENT

डॉ. आर. श्रीधर / Dr. R. Sridhar
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Kendriya Sadan, Koramangala, Bengaluru - 560034.

DEPONENT

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**WESTERN ZONE BENCH, PUNE****APPEAL NO. 20 OF 2024****M/s Saldanha Developers Pvt. Ltd.****.....Appellant****Vs.****Ministry of Environment, Forest & Climate Change and Others ... Respondents**

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1.	Reply Affidavit on behalf of Union of India, Ministry of Environment, Forest & Climate Change, Government of India (Respondent No.1.) and Deputy Director (CRZ), Ministry of Environment, Forest and Climate Change (Respondent No.2)	4 -12
2.	A true copy of CRZ Notification, 1991 is annexed herewith and marked as Annexure-R1/1.	13 - 22
3.	A true copy of CRZ Notification, 2011 is annexed herewith and marked as Annexure- R1/2 .	23 - 43
4.	A true copy of CRZ Notification, 2019 is annexed herewith and marked as Annexure-R1/3.	44 - 70
5.	A true copy of the letter dated 06/09/2022 is being marked and annexed as Annexure- R1/4.	71
6.	A true copy of the Notifications dated 30/09/2022 empowering the SCZMAs for taking action under Section 5, 10 and 19 of EPA, 1986 is annexed herewith and marked as Annexure-R1/5.	72 - 77
7.	A true copy of Environmental Clearance dated 08/05/2006 is annexed herewith and marked as Annexure-R1/6.	78 - 81
8.	A true copy of the amendment dated 19/10/2002 validity clause in the CRZ Notification, 1991 is annexed herewith and marked as Annexure- R1/7.	82 - 87

9.	A true copy of the order dated 13/10/2006 is annexed herewith and marked as Annexure-R1/8.	88 - 130
10.	A true copy of the "Policy for utilization of available open plots in CRZ-III zone for the purpose of establishing Hotels/Beach Resorts" dated 10/06/2011 is annexed herewith and marked as Annexure-R1/9.	131 - 136
11.	A true copy of the letters dated 04/10/2011, 25/02/2012, 10/07/2012 and 06/11/2012 is annexed herewith and marked as Annexure-R1/10.	137 - 141
12.	A true copy of the letters dated 05/12/2012 and 14/09/2015 is annexed herewith and marked as Annexure-R1/11.	142 - 143
13.	A true copy of the correspondence made between the Town Planning Department, Goa and GCZMA is annexed herewith and marked as Annexure-R1/12.	144 - 154
14.	A true copy of the Technical Clearance Order dated 09/05/2017 is annexed herewith and marked as Annexure-R1/13.	155 - 156
15.	A true copy of Construction License dated 31/03/2018 is annexed herewith and marked as Annexure-R1/14.	157 - 158
16.	A true copy of the Show Cause Notice dated 01/06/2018 is annexed herewith and marked as Annexure-R1/15.	159 - 162
17.	A true copy of GCZMA letter dated 09/07/2018 is annexed herewith and marked as Annexure-R1/16.	163 - 164
18.	A true copy of the order dated 20/01/2020 is annexed herewith and marked as Annexure-R1/17.	165 - 169
19.	A true copy of the letter dated 18/02/2020 is annexed herewith and marked as Annexure-R1/18.	170 - 171
20.	A true copy of letter dated 15/05/2020 is annexed herewith and marked as Annexure-R1/19.	172
21.	A true copy of the order dated 05/04/2021 is annexed herewith and marked as Annexure-R1/20.	173 - 174

22.	A true copy of the Minutes of meeting dated 02/08/2021 is annexed herewith and marked as Annexure-R1/21.	175-178
23.	A true copy of the Minutes of Meeting dated 26/05/2022 of the Expert Appraisal Committee is annexed herewith and marked as Annexure-R1/22.	179-186
24.	A true copy of the letter dated 02/01/2024 is annexed herewith and marked as Annexure-R1/23.	187

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

APPEAL NO. 20 OF 2024

M/s Saldanha Developers Pvt. Ltd.

.....Appellant

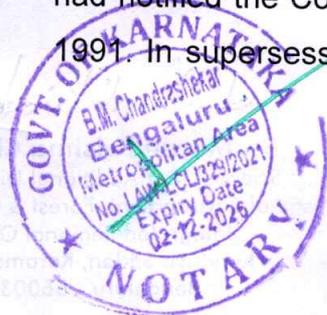
Vs.

Ministry of Environment, Forest & Climate Change and Others ...Respondents

Reply Affidavit on behalf of Union of India, Ministry of Environment, Forest & Climate Change, Government of India (Respondent No.1.) and Deputy Director (CRZ), Ministry of Environment, Forest and Climate Change (Respondent No.2)

I, Dr. Murali Krishna, S/o Late Srinivasulu aged about 42 years, am presently working as Scientist "E" in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC), Regional Office, Bengaluru and state that I am the respondent in the above Appeal. I have gone through the averments made in the Appeal, and am conversant with the facts of the case as deposed below:

1. That, I am duly competent to swear the present affidavit on behalf of the Secretary, MoEF&CC on the basis of the official records maintained therein.
2. It is humbly submitted that I have perused the contents of the present appeal. At the outset, I deny all averments, submissions, statements and allegations made therein except as 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 20th February, 1991. In supersession of the CRZ Notification, 1991, the Coastal Regulation



Dr. Murali Krishna

Dr. Murali Krishna Chimata
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Bengaluru - 560034

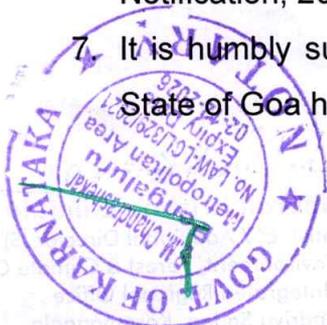
Zone (CRZ) Notification, 2011 was notified on 6th January, 2011, for regulation of developmental activities along the coastal stretches and to ensure the livelihood security to the fisher communities and other local communities living in the coastal areas to conserve and protect coastal stretches.

A copy of CRZ Notification, 1991 and CRZ Notification, 2011 is annexed herewith and marked as **Annexure-R1/1** and **Annexure- R1/2** respectively.

4. That, it is further submitted that in supersession of the CRZ Notification, 2011, the Coastal Regulation Zone Notification, 2019 was notified on 18th January 2019.

A copy of CRZ Notification, 2019 is annexed herewith and marked as **Annexure-R1/3**.

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 6th 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."*
6. It is humbly submitted that as on date, CZMP as per CRZ Notification, 2019 have been approved for the States of Odisha, Karnataka and Maharashtra. The ICRZP (Island Coastal Regulation Zone Plan) as per ICRZ (Island Coastal Regulation Zone) Notification, 2019 has been approved for Great Nicobar Island and Little Andaman Island. That, for the rest of the Coastal States, CZMP as per CRZ Notification, 2011 and ICRZP as per IPZ Notification, 2011 are presently applicable.
7. It is humbly submitted that the CZMP as per CRZ Notification, 2011 for the State of Goa has been approved vide letter dated 06/09/2022.



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A true copy of the letter dated 06/09/2022 is being marked and annexed as **Annexure- R1/4.**

8. It is humbly submitted that as per the CRZ Notifications, 2011/2019, the State Coastal Zone Management Authorities (SCZMAs) are primarily responsible for enforcement and implementation of the provisions of the CRZ Notification and compliance of the conditions stipulated thereunder, the powers either original or delegated, under the Environment (Protection) Act, 1986. The composition, tenure and mandate of State/UT CZMAs, have been notified from time to time by the Ministry. The main function of these Authorities include amongst others, enquiring into the cases of alleged violation of the provisions of the CRZ Notifications and take appropriate decision including power to enforce provisions under Section 5, 10 and 19 of the Environment (Protection) Act, 1986. It is humbly submitted that the CRZ Regulations are to be implemented and monitored (including violations thereof) by the concerned State Coastal Zone Management Authority in accordance with the approved CZMPs of the respective states.

A true copy of the Notifications dated 30/09/2022 empowering the SCZMAs for taking action under Section 5, 10 and 19 of EPA, 1986 is annexed herewith and marked as **Annexure-R1/5.**

9. It is humbly submitted that project of the appellant i.e. "Proposed construction of a hotel project in Survey No. 71/1 of Velsao village, Salcete Taluka" was accorded Environmental Clearance *vide* letter dated 08/05/2006 as per provisions of CRZ Notification, 1991. As per the provisions of CRZ Notification, 1991 and its subsequent amendments *vide* S.O. 1100 (E) dated 19/10/2002, the clearance shall be valid for five years.

A true copy of Environmental Clearance dated 08/05/2006 is annexed herewith and marked as **Annexure-R1/6** and relevant amendment dated 19/10/2002 validity clause in the CRZ Notification, 1991 is annexed herewith and marked as **Annexure- R1/7.**

10. It is humbly submitted that *vide* order dated 13/10/2006, Hon'ble High Court of Bombay at Goa in WP No. 422 of 1998 and W.P. No. 99 of 1999 issued directions that "till and until the survey and Enquiry is



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completed no new license for any type of construction in CRZ-II I zone shall be issued or granted and no new structure of whatsoever nature shall be allowed to be constructed in the CRZ-III Zone." Also, the State Government was directed "to identify the open plots in CRZ-III zone which are available for construction of hotels and to frame appropriate policy/regulation for utilization thereof."

A true copy of the order dated 13/10/2006 is annexed herewith and marked as **Annexure-R1/8**.

11. That, the "Policy for utilization of available open plots in CRZ-III zone for the purpose of establishing Hotels/Beach Resorts" was finalized by Government of Goa and was issued on 10/06/2011. A true copy of the "Policy for utilization of available open plots in CRZ- III zone for the purpose of establishing Hotels/Beach Resorts" dated. 10/06/2011 is annexed herewith and marked as **Annexure-R1/9**.

12. That, as per records available with the answering respondent, the appellant had submitted his application to the Town Planning Authority, Goa vide letter dated 04/10/2011, 25/02/2012, 10/07/2012 and 06/11/2012.

A true copy of the letters dated 04/10/2011, 25/02/2012, 10/07/2012 and 06/11/2012 is annexed herewith and marked as **Annexure-R1/10**.

13. That, as per records available with the answering respondent, the Town Planning Department, Goa vide letters dated 05/12/2012 and 14/09/2015 had sought clarification from GCZMA regarding whether the NOC issued by GCZMA vide No. GCZMA/S/90/1614 dated 19/06/2006 can be considered for issue of NOC for development from planning point of view.

A true copy of the letters dated 05/12/2012 and 14/09/2015 is annexed herewith and marked as **Annexure-R1/11**.

14. That, as per records available with the answering respondent, several correspondence were made between the Town Planning Department, Goa and GCZMA.



Dr. Murali Krishna Chimata
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A true copy of these correspondences is annexed herewith and marked as **Annexure-R1/12.**

15. That, on 09/05/2017, the appellant received technical clearance from Town Planning Department, Goa for carrying out work of the proposed construction of Hotel Project as per the approved plans. Thereafter, the Village Panchayat of VELSAO- PALE-ISSORCIM, Goa issued construction license on 31/03/2018. A true copy of the Technical Clearance Order dated 09/05/2017 is annexed herewith and marked as **Annexure-R1/13.** A true copy of Construction License dated 31/03/2018 is annexed herewith and marked as **Annexure-R1/14.**

16. It is humbly submitted that Goa CZMA *vide* letter dated 01/06/2018 has issued Show Cause Notice and stop work order under Section 5 of Environment (Protection) Act, 1986 read with Rule 4 of Environment (Protection) Rules, 1986, pursuant to the complaint received and, subsequently site inspection carried out by the Experts of GCZMA.

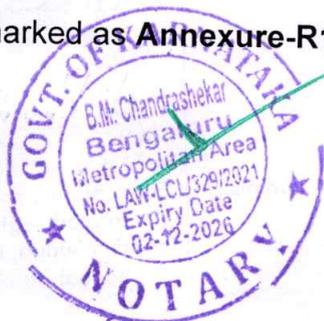
A true copy of the aforesaid Show Cause Notice and Stop Work Order dated 01/06/2018 is annexed herewith and marked as **Annexure-R1/15.**

17. It is humbly submitted that *vide* letter dated 09/07/2018, GCZMA had requested this Ministry to ascertain the validity of the Environmental Clearance issued in 2006.

A true copy of GCZMA letter dated 09/07/2018 is annexed herewith and marked as **Annexure-R1/16.**

18. It is humbly submitted that the Hon'ble High Court of Bombay at Goa in W.P. No. 1028 of 2019 *vide* order dated 20/01/2020 directed this Ministry to dispose of the reference in terms of the aforesaid communication dated 09/07/2018 from GCZMA, on its own merits and in accordance with law, as expeditiously as possible within six weeks from today.

A true copy of the order dated 20/01/2020 is annexed herewith and marked as **Annexure-R1/17.**



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Kendriya Sadan, Koramangala
Bengaluru - 560034

19. That, in compliance to the Hon'ble High Court order dated 20/01/2020, Ministry had *vide* letter dated 18/02/2020, informed that said CRZ clearance dated 08/05/2006 has expired and the project proponent has reportedly started construction in 2017 without a subsisting clearance which constitutes violation of the CRZ regulations. Also, the project proponent has not availed the provision of post facto clearance issued *vide* this Ministry's Notification S.O.1002(E), dated 06.03.2018 for regularization of permissible projects in CRZ areas with certain conditions.

A true copy of the letter dated 18/02/2020 is annexed herewith and marked as **Annexure-R1/18.**

20. That, *vide* letter dated 15/05/2020, GCZMA again had requested the Ministry to reconsider the opinion rendered by the Ministry's *vide* letter dated 18/02/2020 on the project. Accordingly, it was decided in the Ministry that as legal position in the matter has been conveyed, there may be no valid reason for reopening the case. A true copy of letter dated 15/05/2020 is annexed herewith and marked as **Annexure-R1/19.**

21. It is humbly submitted that the appellant then approached the Hon'ble High Court of Bombay at Goa in W.P No. 712 of 2021. The Hon'ble High Court *vide* order dated 05/04/2021 had directed to dispose of the representation of the appellant forwarded by the GCZMA *vide* letter dated 15/05/2020 on its own merits and in accordance with law within four months. It was also mentioned to provide personal hearing to the appellant. A true copy of the order dated 05/04/2021 is annexed herewith and marked as **Annexure-R1/20.**

22. That, Personal hearing and meeting on the matter was held on 14/07/2021 and 02/08/2021 through Video Conferencing (VC). The Member Secretary Goa CZMA requested that the authority supports the representation of the M/s Saldanha Developers Pvt. Ltd., and requested the Ministry for taking a holistic approach on account of peculiar circumstances which the project proponent was faced with.



ch. M. Murali Krishna
Dr. Murali Krishna
 Scientist "E" / Additional Director (S)
 Ministry of Environment, Forest & Climate Change
 Integrated Regional Office
 Kendriya Sadan, Koramangala
 Bengaluru - 560034

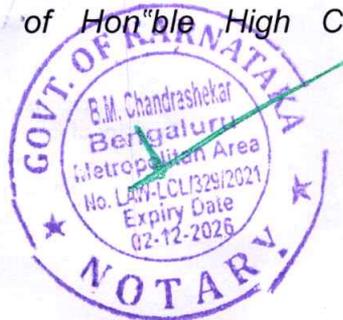
A true copy of the Minutes of meeting dated 02/08/2021 is annexed herewith and marked as **Annexure-R1/21**.

23. It is humbly submitted that in compliance of order dated 05/04/2021 in W.P No. 712 of 2021 by the Hon'ble High Court of Bombay at Goa the matter was examined by Expert Appraisal Committee (EAC) in its 298th meeting held on 26/05/2022. The deliberations by the EAC are as follows:

"The Committee made detailed deliberation on the proposal. The Committee observed that the situation arises due to delay in taking decision by the State Government Authorities and not communicating the correct rule position by the regulatory authorities to the project proponent. The Committee noted that the Goa CZMA has recommended to the Ministry to consider the project as a special case and grant extension of the validity of the clearance. The Hon'ble High Court has also directed to consider the matter in its own merits and in accordance with law. The EAC also noted that the present Hotel Policy of Goa is not causing any impediments to the hotel project approved earlier by the State Government and MoEF.

The Committee also deliberated on the present environmental setting of the area. The Committee observed that no major changes happened to the CRZ area of the project site and no need further additional EIA report etc. The Committee appraised the status of the project and desired that the PP shall submit details regarding construction of project after issue of stop memo. The PP submitted an undertaking stating that no construction has been done after the receipt of the stop work order dated 01/6/2018. The Committee suggested to the PP that modular waste water treatment plan shall be followed and no waste water shall be discharged. The treated waste water may be used for gardening and flushing.

The Committee after detailed deliberations, taking into account the order of Hon'ble High Court, recommendations of the Goa CZMA,



Ch. P. Murali Krishna
Dr. Murali Krishna Chimata
 Scientist "E" / Additional Director (S)
 Ministry of Environment, Forest & Climate Change
 Integrated Regional Office
 Kendriya Sadan, Koramangala
 Bengaluru - 560034

and CRZ clearance granted by the Ministry vide letter dated 8th May, 2006, recommended for granting three years period for completion of the project as per the scope of the work envisaged in the CRZ clearance, as one time relief based on the submission of factual position at site, with all other terms and conditions remain unchanged.”...

A true copy of the Minutes of Meeting dated 26/05/2022 of the Expert Appraisal Committee is annexed herewith and marked as **Annexure-R1/22**.

24. It is humbly submitted that Recommendations of the Expert Appraisal Committee were examined by the Ministry and, it was decided to seek legal opinion of the Ministry of Law and Justice (MoLJ) on Re-validation of the existing clearance dated 08/05/2006 as a special case with respect to extant provisions of CRZ Notification. The MoLJ opined as follows: “... in absence of any provision empowering the Ministry to grant extension/ relaxation or re-validate the Environmental Clearance dated 08/05/2006 which, as per the Ministry, has already been expired, we are of the opinion that re-validated the Environmental Clearance dated 08/05/2006 appears to be not viable.” The same was communicated to the GCZMA vide letter dated 02/01/2024. In view of the above, the proposal of the appellant for the extension of the CRZ clearance dated 08/05/2006 cannot be considered as per the extant provision of the CRZ Notification, 2011. GCZMA was also requested to inform the decision of the Ministry to all concerned

A true copy of the letter dated 02/01/2024 is annexed herewith and marked as **Annexure-R1/23**.

25. That in view of the submissions made herein above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass order as this Hon'ble Tribunal may deem fit in the interest of justice.



Dr. Murali Krishna Chimata

Dr. Murali Krishna Chimata
Scientist "E" / Additional Director (S)
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Kendriya Sadan, Koramangala
Bengaluru - 560034

26. 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.

Dr. Murali Krishna

DEPONENT

Dr. Murali Krishna Chimata
Scientist "E" / Additional Director (S)
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Kendriya Sadan, Koramangala
Bengaluru - 560034

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 Bengaluru on this 21st day of May 2024.

Dr. Murali Krishna

DEPONENT

Dr. Murali Krishna Chimata
Scientist "E" / Additional Director (S)
Ministry of Environment, Forest & Climate Change
Integrated Regional Office
Kendriya Sadan, Koramangala
Bengaluru - 560034



SWORN TO BEFORE ME

Mycn

B.M. CHANDRASHEKAR
Advocate & Notary Public
B.D.A. Complex, Koramangala,
BANGALORE - 560 034

SL No. 300
Page No. 31
BOOK No. EV(55)
DATE 21/05/2024



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-01102022-239285
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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 4440]

नई दिल्ली, शुक्रवार, सितम्बर 30, 2022/आश्विन 8, 1944

No. 4440]

NEW DELHI, FRIDAY, SEPTEMBER 30, 2022/ASVINA 8, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 30 सितम्बर, 2022

का.आ. 4648(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 10 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना, संख्यांक का.आ. 83(अ), तारीख 16 फरवरी, 1987 में निम्नलिखित और संशोधन करती है :-

उक्त अधिसूचना की सारणी में, क्र. सं. 64 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित क्रम संख्यांक और प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात् :-

क्रम सं.	अधिकारी/अभिकरण	निम्नलिखित के अधीन नियुक्त
1	2	3
“65	राज्य तटीय जोन प्रबंध प्राधिकरण और संघ राज्यक्षेत्र तटीय जोन प्रबंध प्राधिकरण का अध्यक्ष और सदस्य-सचिव	पर्यावरण (संरक्षण) अधिनियम 1986 (1986 का 29)।

[फा. सं. आईए 3-12/2/2022-आईए.III]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण:- मूल अधिसूचना, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) संख्यांक 83 (अ), तारीख 16 फरवरी, 1987 द्वारा प्रकाशित की गई थी और संख्यांक सा.का.नि. 585 (अ) तारीख 1 सितंबर, 2006 द्वारा अंतिम बार संशोधित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 30th September, 2022

S.O. 4648(E).—In exercise of the powers conferred by sub-section (1) of section 10 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following further amendment in the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O.83(E), dated the 16th February, 1987, namely:-

In the said notification, in the Table, after S.No. 64 and entries relating thereto, the following serial number and entries shall be inserted, namely:-

S.No	Officer/Agency	Appointed under
1	2	3
“65	Chairman, Member Secretary of all the State Coastal Zone Management Authorities and Union Territory Coastal Zone Management Authorities	The Environment (Protection) Act, 1986 (29 of 1986)”.

[F. No. IA3-12/2/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note:- The principal notification was published in the Gazette of India vide number S.O.83(E) dated 16th February, 1987 and last amended on vide number G.S.R.585(E) dated 1st September, 2006.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-01102022-239272
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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 4441]

नई दिल्ली, शुक्रवार, सितम्बर 30, 2022/आश्विन 8, 1944

No. 4441]

NEW DELHI, FRIDAY, SEPTEMBER 30, 2022/ASVINA 8, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 30 सितम्बर, 2022

का.आ. 4649(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना, संख्यांक का.आ. 638(अ), तारीख 28 फरवरी, 2014 में निम्नलिखित संशोधन करती है :-

उक्त अधिसूचना में, क्र.सं. 2 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित क्रम संख्यांक और प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात् :-

क्रम सं.	प्राधिकारी/अधिकारी	अधिकारिता
(1)	(2)	(3)
“3.	राज्य तटीय जोन प्रबंध प्राधिकरण और संघ राज्यक्षेत्र तटीय जोन प्रबंध प्राधिकरण	उनकी संबंधित क्षेत्रीय अधिकारिता के भीतर”।

[फा. सं. आईए 3-12/2/2022-आईए.III]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण:- मूल अधिसूचना , भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) संख्यांक 638(अ), तारीख 28 फरवरी, 2014 द्वारा प्रकाशित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 30th September, 2022

S.O. 4649(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendment in the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O.638 (E), dated the 28th February, 2014, namely:-

In the said notification, after S.No.2 and the entries relating thereto, the following S.No.and entries shall be inserted, namely:-

S.No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
“3.	The State Coastal Zone Management Authorities and Union Territory Coastal Zone Management Authorities	Within their respective territorial jurisdiction”.

[F. No. IA3-12/2/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note:-The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3,Sub-section (ii), vide number S.O.638 (E), dated 28th February, 2014.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-03102022-239323
CG-DL-E-03102022-239323

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 4442]

नई दिल्ली, सोमवार, अक्तूबर 3, 2022/आश्विन 11, 1944

No. 4442]

NEW DELHI, MONDAY, OCTOBER 3, 2022/ASVINA 11, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 30 सितम्बर, 2022

का.आ. 4650(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की धारा 3 की उपधारा (1) और उपधारा (3) के अधीन इसके द्वारा गठित किए गए राज्य तटीय जोन प्रबंध प्राधिकरण और संघ राज्यक्षेत्र प्रबंध प्राधिकरण को उक्त अधिनियम की धारा 5 के अधीन जारी निदेशों की अपनी शक्ति का, अपनी संबंधित क्षेत्रीय अधिकारिता के भीतर, निम्नलिखित शर्तों और परिसीमाओं के अधीन रहते हुए, प्रत्यायोजन करती है, अर्थात् :-

- (i) ऐसे निदेश राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण या केन्द्रीय सरकार द्वारा किसी विनिर्दिष्ट मामले में जारी किए गए किसी निदेश से अंगसत न हो ;
- (ii) केन्द्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त धारा के उपबंधों का स्वयं अवलंब ले सकेगी, यदि केन्द्रीय सरकार की राय में लोकहित में ऐसी कार्यवाही आवश्यक है।

[फा. सं. आईए 3-12/2/2022-आईए.III]

डा. सुजीत कुमार बाजपेयी, संयुक्त सचिव

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

New Delhi, the 30 September, 2022

S.O. 4650(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates its powers to issue directions under section 5 of the said Act to the State Coastal Zone Management Authorities and Union Territory Coastal Zone Management Authorities, as constituted by it under sub-sections (1) and (3) of section 3 of the said Act, within their respective territorial jurisdictions, subject to the following conditions and limitations, namely:-

- (i) that such directions are not inconsistent with any direction issued in any specific case by the National Coastal Zone Management Authority or Central Government;
- (ii) that the Central Government may revoke such delegations of powers or may itself invoke the provisions of the said section, if in the opinion of the Central Government such a course of action is necessary in the public interest.

[F. No. IA3-12/2/2022-IA.III]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Indira Paryavaran Bhawan
Jor Bagh Road
New Delhi – 110003
Dated: 2nd January, 2024

To,
Chairman, Goa Coastal Zone
Management Authority and Secretary,
Department of Environment & Climate Change,
Government of Goa,
Panaji - 403 001, Goa
E-mail: secyenv.goa@gov.in

Subject: Construction of a Hotel project in Survey No.71/1 of Velsao Village, Goa by M/s Saldanha Developers Pvt. Ltd. – Extension of validity of CRZ Clearance - regarding.

Sir,

This is with reference to the letter of M/s Saldanha Developers Pvt. Ltd. and communications from Goa CZMA related to the proposal for extension of validity of the CRZ clearance dated 8th May, 2006 granted for 'Construction of a Hotel project' in Survey No.71/1 of Velsao Village, Goa by M/s Saldanha Developers Pvt. Ltd.

2. The matter has been examined by EAC (CRZ) in its 298th meeting held on 26/05/2022. After detailed deliberation, EAC (CRZ) has recommended for validity extension of three years for completion of the project as per the scope of the work envisaged in the CRZ clearance, as one time relief based on the submission of factual position at site, with all other terms and conditions remaining unchanged.

3. However, the Ministry decided to seek legal opinion of Ministry of Law and Justice (MoLJ) on Re-validation of the existing clearance dated 8th May, 2006 as a special case w.r.t. extant provisions of CRZ Notification.

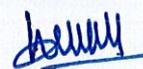
4. The MoLJ has opined the following:

".....in absence of any provision empowering the Ministry to grant extension/relaxation or re-validate the Environmental Clearance dated 08/05/2006 which, as per the Ministry, has already been expired, we are of the opinion that re-validate the Environmental Clearance dated 08/05/2006 appears to be not viable."

5. In view of above, it is to inform that proposal of M/s Saldanha Developers Pvt. Limited for extension of validity of the CRZ clearance dated 08/05/2006 cannot be considered as per extant provision of CRZ Notification 2011.

6. The Goa Coastal Zone Management Authority is requested to inform the decision of the Ministry to all concerned.

7. This issues with approval of the Competent Authority.



(Dr. H. Kharkwal)
Scientist 'E' (CRZ)

E-mail: h.kharkwal@nic.in

Copy to:

1. The Member Secretary, Goa Coastal Zone Management Authority, Department of Environment & Climate Change, 4th Floor, Dempo Towers, Panaji- 403001, Goa
E-mail: dir-env.goa@gov.in, goacoastalzone@gmail.com
2. Guard File / Office Copy.

No.18-9/2005-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi - 110003.

Dated the 8th May, 2006

Sub: Proposed construction of a hotel project in Survey Number 71/1 of Velsao village, Salcete Taluka by M/s Saldanha Developers Private Limited - Environmental Clearance - regarding

Reference is invited to letters No.GCZMA/S/90/930, dated 2.8.2005 and No.GCZMA/S/90/1157, dated 7.12.2005 from the Department of Science, Technology and Environment, Government of Goa and subsequent letter bearing No.SDPL/SPR/01-06/S-9, dated 30.1.2006 from M/s Saldanha Developers Private Limited on the above subject. The project proponent have obtained NOC from Goa Pollution Control Board vide Order No.5/2629/03-PCB/3428, dated 3.3.2005.

The project involves construction of a hotel in Survey No.71/1 of Velsao village, Salcete Taluka. The proposal involves construction of 160 rooms comprising of 23 units, two swimming pools and a Sewage Treatment Plant. The main hotel building and the health club have basements. The proposed construction is beyond 200 mts from the High Tide Line. The project area falls in Coastal Regulation Zone-III. Maximum height of the building is 9 mts. The water requirement for the entire project is around 70,000 litres which should be met from the Government Water supply. No eco-sensitive areas are present at the project site.

The proposal has been examined in this Ministry and environmental clearance to the project is hereby accorded, subject to the effective implementation of the following terms and conditions and the general conditions contained in the Annexure: -

- i) There should be no withdrawal of groundwater within 500 m from the HTL for the purpose of the project.
- ii) The project should not be commissioned till the requisite quantity of water is made available by the Municipal Corporation, Goa.
- iii) The proponents should make necessary arrangements for harvesting of roof top rainwater to meet atleast 50% of water requirement.
- iv) The project should not be commissioned till the requisite quantity of power is made available by the State Electricity Department, Government of Goa. DG sets should not be used on a routine basis to meet the regular power requirement of the project.
- v) Public access to the beach on both sides of the hotel project should be provided, in accordance with the guidelines for development of beach resorts contained in Annexure-II of the Coastal Regulation Zone Notification, 1991.
- vi) There should be no constructions within 200 m from the HTL.
- vii) The Ministry reserves the right to revoke the clearance, if implementation of the terms and conditions stipulated is not satisfactory. This Ministry or any other competent authority may also modify or alter the stipulated conditions or may stipulate any other additional conditions for environmental protection, subsequently, if deemed necessary.

:2:

3. The Regional Office of the Ministry located at Bangalore will monitor implementation of the above conditions. Necessary information/data should be provided by the project proponents to the staff of the Ministry during their inspection. The project proponents should send a six monthly report to the Ministry's Regional Office regarding their compliance with the above conditions.

4. These stipulations will be enforced among others, under the provisions of the Coastal Regulation Zone Notification dated 19.2.1991 as amended subsequently, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986. The project authorities should also ensure that the construction complies with the orders of the Supreme Court passed on 18.4.1996 in the W.P. (C) No. 664 of 1993 to the extent it applies to this case and also the provisions of the Coastal Zone Management Plan of Goa approved by this Ministry.


(A. Senthil Vel)
Additional Director

To

Dr. N. P. S. Varde,
Director/Joint Secretary,
Department of Science, Technology and Environment,
Government of Goa, Opp. Saligao Seminary, Saligao,
Goa-403511.

Copy to:

- (i) The Chief Town Planner, Town and Country Planning Department, Government of Goa, Panaji, Goa.
- (ii) The Chief Conservator of Forests, Kendriya Sadan, IV Floor, E&F Wings, Office (SZ), 7th Main Road, II Block, Koramangala, Bangalore - 560034.
- (iii) The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-office Complex, East Arjun Nagar, Delhi -32.
- (iv) The Chairman, Goa State Pollution Control Board, Panaji, Goa.
- (v) Shri P. Sawant, M/s Saldanha Developers Private Limited, DS-1, 2, Pancharatna, Martires Dias Road, Margao-403601, Goa.
- (vi) DIG (SO), Regional Office Cell, Ministry of Environment and Forests, New Delhi.
- (vii) Guard File.
- (viii) Monitoring Cell.
- (ix) Director (EI), Ministry of Environment & Forests, New Delhi.


(A. Senthil Vel)
Additional Director

ANNEXUREGENERAL CONDITIONS TO BE COMPLIED BY THE PROJECT PROPONENT

- i) The construction of the structures should be undertaken as per the plans approved by the concerned local authorities/local administration, meticulously conforming to the existing local and Central rules and regulations including the provisions of CRZ Notification dated 19-2-1991 and the approved Coastal Zone Management Plan of Goa.
- ii) All safety norms should be ensured and proper arrangements be made for providing fire extinguishers & other equipments as per the relevant regulations/guidelines of the State/Central authorities.
- iii) Adequate provisions for infrastructure facilities such as water supply, fuel, sanitation etc. should be ensured for construction workers during the construction phase of the project so as to avoid felling of trees and pollution of water and the surroundings.
- iv) The project authorities must make necessary arrangements for disposal of solid wastes and for the treatment of effluents by providing a proper wastewater treatment plant. Along with the treatment facilities, it must be ensured that the effluents and the solid wastes are not discharged into the sea or on the beach. These arrangements must be made to the satisfaction of the local authorities competent to inspect and regulate pollution control activities. The treated wastewater shall be completely reused for gardening purpose. These arrangements must be completed before occupancy certificate is granted to the hotel by the local authorities. The project proponent shall also take proper measures for treatment and disposal of the sludge generated in the sludge drying beds. The project authority will have to properly maintain the effluent treatment plant and keep it functional at all times to comply with the prescribed standards.
- v) The quality of treated effluents, solid wastes, emissions from boilers and noise level from diesel generators, etc., must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and the Union Ministry of Environment and Forests under the Environment (Protection) Act, 1986, whichever are more stringent.
- vi) The proponent should comply with the conditions stipulated by the Goa State Pollution Control Board in their Consent for Establishment Order No.5/2675/03-PCB/3429, dated 3.3.2005.
- vii) Sufficient number of trees should be planted in the open areas of the resort. While selecting the plant species for afforestation and plantation around the beach resort, it should be ensured that these are suitable for the local environmental conditions.
- viii) The standby hot water boilers and the diesel generator sets, if any, must be maintained properly by qualified technicians. It is necessary to carry out the air emission tests from the above sources at least once in a month.
- ix) During the construction phase, there may be a marginal increase in the SPM levels of the ambient air, which should be minimized by adopting sprinkling of water on the dusty roads in the project area. During this phase, there may also be an increase in the ambient noise levels in the project area due to heavy vehicle movement. These noise levels should be minimized by proper maintenance of the vehicles and trucks. The noise generated from the generators during operation shall be minimized by providing adequate vibration damping/vibration isolation techniques. The green belt in and around the resort shall also be so developed as to reduce the noise levels appreciably. As such the proponents shall have to evolve a comprehensive environmental management plan to mitigate the likely adverse impacts during the construction phase.

:2:

- x) In case the proposed project falls in a cyclone prone area the proponents must prepare an emergency plan and also the ways and means for minimizing as well as mitigating the cyclone disasters.
- xi) In order to carry out the environmental monitoring during the operational phase of the project, the project authorities should provide a small environmental laboratory to carry out the testing of various environmental parameters. The laboratory should have adequate number of qualified scientific personnel to effectively carry out testing of effluents and monitoring of air emissions periodically. The laboratory should be located within the project area and the equipment/instrument facilities required for monitoring the various environmental parameters should be of standard type.
- xii) The project should be eco-friendly and accordingly it should avoid use of PVC material as far as possible during the construction and operating stages.
- xiii) The proponent should ensure that only non-phosphatic detergents are used at this project at all times, subject to their availability indigenously.
- xiv) The proponent should use all the organic and kitchen waste, etc., for composting purpose, in consultation with the local municipal/village authorities and the Goa State Pollution Control Board.
- xv) The proponents shall provide for a regular monitoring mechanism so as to ensure that the treated effluents conform to the prescribed standards. The records of analysis reports must be properly maintained and made available for inspection to the concerned State/Central officials during their visits.
- xvi) The sand dunes, if any, on the site should not be disturbed in any way.
- xvii) Basement of the Hotel/Resort, if any, will be used only for storage and for keeping the machinery and equipment for services such as air conditioners, water and sewage pumping. NOC from the concerned State Groundwater Board Authority must be obtained to ensure that there shall be no interference with the groundwater flow or no intrusion of saline water into the groundwater. A copy of the NOC obtained shall be submitted to this Ministry.
- xviii) A copy of the clearance letter will be marked to the concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been received while processing the proposal by the State Government.
- xix) The project proponents should inform this Ministry as well as its Regional Office located at Bangalore, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- xx) The Goa State Pollution Control Board should display a copy of the clearance letter at the Regional Office, District Industries Centre and Collector's Office/Tehsildar's Office for 30 days.
- xxi) The project proponent should advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen at Website of the Ministry of Environment and Forests at <http://www.envfor.nic.in/>. A copy of the same should be forwarded to the Bangalore Regional Office of this Ministry.

(A. Senthil Vel)
Additional Director

MINISTRY OF ENVIRONMENT AND FORESTS**NOTIFICATION**

New Delhi, the 19th October, 2002

S.O.1100 (E).--- Whereas by the notification of the Government of India in the Ministry of Environment and Forests number S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone (herein after referred to as CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas the Central Government deems it necessary to harmonize and elaborate the existing provisions of the said notification;

And whereas the Central Government has considered the requirement of projects relating to generation of power by non-conventional energy sources in CRZ areas, setting up of desalination plants in CRZ, storage of non hazardous cargo such as edible oil, fertilizers and food grain in CRZ of notified ports.

And whereas the Central Government has also considered the requirement for construction of airstrips and associated facilities in CRZ areas in the Islands of Lakshadweep and Andaman and Nicobar.

And whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules";

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification.

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) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification, namely:-

In the said notification, -

1. in paragraph 2, in sub paragraph (i), the following proviso shall be inserted at the end, namely:-
 "provided that (a) facilities for generating power by non conventional energy sources and setting up of desalination plants may be permitted within the said zone in areas not classified as CRZ-I(i); and (b) construction of airstrips in the said zone in areas not classified as CRZ-I(i) may also be permitted in the Islands of Lakshadweep and Andaman & Nicobar by Government of India in the Ministry of Environment & Forests".
2. in paragraph 3, in sub-paragraph 2, –
 - (i) after item (i), the following item shall be inserted, namely:-

“(ia) the clearance granted shall be valid for a period of five years for the commencement of the construction or operation.”;
 - (ii) after item (iii c), the following item shall be inserted, namely:-

“(iii d) facilities for generating power by non conventional energy sources, desalination plants and weather radars;

(iii e) airstrips and associated facilities in Lakshadweep and Andaman and Nicobar Islands.”.
3. in Annexure-I, in paragraph 6, in sub-paragraph (2),-
 - (i) under the heading CRZ-I,
 - (a) for the words, brackets and letter “and (c) facilities”, the brackets, letter and word “(c) facilities” shall be substituted,”
 - (b) after the words “activities permissible under CRZ-I”, the following shall be inserted, namely:-

“and (d) installation of weather radar for monitoring of cyclone movement and prediction by Indian Meteorological Department.”;
 - (c) for the words brackets and figure "sub-paragraph (ii)", the following words brackets and figures shall be substituted, namely:-

"sub-paragraphs (i) and (ii)";
 - (d) for the words, brackets and letter “and (d) salt”, the brackets, letter and word “(d) salt” shall be substituted;

(e) after the word “evaporation of sea water” the following shall be inserted, namely:-

“(e) desalination plants,
and (f) storage of non hazardous cargo such as edible oil, fertilizers and food grain within notified ports”.

(ii) under the heading CRZ-II, after item (i), the following item shall be inserted, namely:-

“(ia) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).

(ib) desalination plants

(ic) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.

(id) facilities for generating power by non conventional energy sources.

(ie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar”.

(iii) under the heading CRZ-III, -

(a) in clause (i), after the words "sea water", the words

"facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii), facilities for generating power by non conventional energy sources, desalination plants, weather radars and construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar” shall be inserted.

(b) after clause (ii), the following clauses shall be inserted namely:-

“(iia) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended

to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).

- (iib) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.
 - (iic) desalination plants
 - (iid) facilities for generating power by non conventional energy sources.
 - (iie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman & Nicobar."
- (iv) Under the heading CRZ-IV,-
- (a) Under sub-heading Andaman and Nicobar Islands, -
in clause (i), after the word "HTL", the words

"except facilities for generating power by non conventional energy sources, desalination plants and construction of airstrips and associated facilities" shall be inserted.
 - (b) under sub-heading Lakshadweep and small Islands, after clause (i), the following clauses shall be inserted, namely:-
 - (ia) facilities for generating power by non conventional energy sources;
 - (ib) desalination plants;
 - (ic) construction of airstrips and associated facilities; ”.

{F. No. H-11011/6/97-IA.III}

Dr. V. RAJAGOPALAN, Jt. Secy.

The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 and subsequently amended vide :-

- (i) S.O. 595 (E) dated 18th August, 1994.
- (ii) S.O. 73 (E) dated 31st January, 1997.
- (iii) S.O. 494 (E) dated 9th July, 1997.
- (iv) S.O. 334 (E) dated 20th April, 1998.
- (v) S.O. 873 (E) dated 30th September, 1998.
- (vi) S.O. 1122 (E) dated 29th December, 1998.
- (vii) S.O. 998 (E) dated 29th September, 1999.
- (viii) S.O. 730 (E) dated 4th August, 2000.
- (ix) S.O. 900 (E) dated 29th September, 2000.
- (x) S.O. 329 (E) dated 12th April, 2001.
- (xi) S.O. 988 (E) dated 3rd October, 2001.
- (xii) S.O. 550 (E) dated 21st May, 2002

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EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 19 अक्टूबर, 2002

का.आ. 1100(अ).—केन्द्रीय सरकार ने भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. 114(अ), तारीख 19 फरवरी, 1991 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा तटीय विस्तारों को तटीय विनियमन परिक्षेत्र (जिसे इसमें इसके पश्चात् सीआरजेड कहा गया है) घोषित किया था और उक्त परिक्षेत्र में उद्योगों की स्थापना और विस्तार, संक्रियाओं और प्रक्रियाओं पर निर्बंधन अधिरोपित किए थे;

और केन्द्रीय सरकार यह आवश्यक समझती है कि उक्त अधिसूचना के विद्यमान उपबंधों को सुमेल और विस्तृत बनाया जाए;

और केन्द्रीय सरकार ने तटीय विनियमन परिक्षेत्रों में अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन से संबंधित परियोजनाओं, तटीय विनियमन परिक्षेत्रों में विलवणीकरण संयंत्रों की स्थापना करने, अधिसूचित पत्तों के तटीय विनियमन परिक्षेत्र में अपरिसंकटमय स्थौरा का जैसे—खाद्य तेल, उर्वक और खाद्यान्नों के भंडारण की अपेक्षा पर विचार कर लिया है;

और केन्द्रीय सरकार ने लक्षदीप और अंदमान तथा निकोबार द्वीप में तटीय विनियमन परिक्षेत्र के क्षेत्रों में हवाई पट्टी और सहबद्ध प्रसुविधाओं के संनिर्माण के लिए अपेक्षा पर भी विचार कर लिया है;

और केन्द्रीय सरकार की यह राय है कि लोकहित में उक्त अधिसूचना को संशोधित करना आवश्यक और समीचीन है;

और पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) में यह उपबंध है "कि उपनियम (3) में किसी बात के होते हुए भी, जब कभी केन्द्रीय सरकार को यह प्रतीत होता है कि ऐसा करना लोकहित में है, तो वह उक्त नियमों के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्त कर सकेगी";

और केन्द्रीय सरकार की यह राय है कि उक्त अधिसूचना को संशोधित करने के लिए नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्त करना लोकहित में है।

अतः, अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) और उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पूर्वोक्त अधिसूचना में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में,—

1. पैरा 2 के उपपैरा (i) के अंत में निम्नलिखित परन्तुक अंतःस्थापित किया जाएगा, अर्थात् :—

“परन्तु (क) अपारंपरिक ऊर्जा स्रोतों से विद्युत उत्पादन करने और विलवणीकरण संयंत्रों की स्थापना के लिए सुविधाएं उक्त परिक्षेत्र के भीतर उन क्षेत्रों में अनुज्ञात की जा सकेंगी जो सीआरजेड-I(i) में वर्गीकृत नहीं हैं; और (ख) उक्त परिक्षेत्र के उन क्षेत्रों में जो सीआरजेड-I (i) में वर्गीकृत नहीं हैं हवाई पट्टी का संनिर्माण लक्षदीप और अंदमान तथा निकोबार द्वीप में भी भारत सरकार के पर्यावरण और वन मंत्रालय द्वारा अनुज्ञात किया जा सकेगा”।

2. पैरा 3 के उप पैरा 2 में,—

(i) मद (i) के पश्चात् निम्नलिखित मद अंतःस्थापित की जाएगी, अर्थात् :—

“(क) अनुदत्त मंजूरी, संनिर्माण या प्रचालन आरंभ होने के लिए पांच वर्ष की अवधि के लिए विधिमाम्य होगी।”;

(ii) मद (iiiग) के पश्चात् निम्नलिखित मद अंतःस्थापित की जाएगी, अर्थात् :—

(iiiघ) अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन, विलवणीकरण संयंत्रों और मौसम रडारों के लिए सुविधाएं;

(iiiड) लक्षदीप और अंदमान तथा निकोबार द्वीप में हवाई पट्टी और सहबद्ध सुविधाएं।”।

3. उपाबंध-I में, पैरा 6 के उपपैरा (2) में,—

(i) सीआरजेड-I शीर्षक के अधीन,

(क) “और (ग) सुविधाएं” शब्दों, कोष्ठकों और अक्षर के स्थान पर “(ग) सुविधाएं” कोष्ठक, अक्षर और शब्द रखे जाएंगे;

(ख) “सीआरजेड-I के अधीन अनुज्ञेय क्रियाकलाप” शब्दों के स्थान पर निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :—

“और (घ) चक्रवात गति को मानीटर करने के लिए मौसम रडार और भारतीय मौसम विभाग द्वारा भविष्यवाणी।”;

(ग) “उपपैरा (ii)” शब्दों, कोष्ठकों और अंक के स्थान पर निम्नलिखित शब्द, कोष्ठक और अंक रखे जाएंगे, अर्थात् :—

“उपपैरा (i) और (ii)”;

(घ) “और (घ) लवण” शब्दों, कोष्ठकों और अक्षर के स्थान पर “(घ) लवण” कोष्ठक, अक्षर और शब्द रखे जाएंगे;

(ड) “समुद्री जल के वाष्पन” शब्दों के स्थान पर निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :—

“(ड) विलवणीकरण संयंत्र, और

(च) अपरिसंकटमय स्थौरा अर्थात् खाद्य तेल, उर्वरक और खाद्य पदार्थों का अधिसूचित पत्तन के भीतर भंडारण”।

(ii) सीआरजेड-II शीर्षक के अधीन, मद (i) के पश्चात् निम्नलिखित मद अंतःस्थापित की जाएगी, अर्थात् :—

“(क) इस अधिसूचना से संलग्न उपाबंध-III में विनिर्दिष्ट पेट्रोलियम उत्पादों और द्रवीकृत प्राकृतिक गैस की प्राप्ति और भंडारण के लिए सुविधाएं तथा उपपैरा 2(ii) में यथावर्णित शर्तों के अधधीन द्रवीकृत प्राकृतिक गैस के पुनःगैसीकरण के लिए सुविधाएं।

(ख) विलवणीकरण संयंत्र;

(ग) अधिसूचित पत्तनों में अपरिसंकटमय स्थौरा अर्थात् खद्य तेल, उर्वरक और खाद्य पदार्थों का भंडारण।

(घ) अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन के लिए सुविधाएं।

(ड) लक्षदीप और अंदमान तथा निकोबार द्वीप में हवाई पट्टी और सहबद्ध सुविधाओं का संनिर्माण।”

(iii) सीआरजेड-III शीर्षक के अधीन,—

(क) खंड (i) में, “समुद्र जल से नमक बनाना” शब्दों के पश्चात्

“इस अधिसूचना से संलग्न उपाबंध-III में विनिर्दिष्ट पेट्रोलियम उत्पादों और द्रवीकृत प्राकृतिक गैस की प्राप्ति और भंडारण के लिए सुविधाएं तथा उपपैरा 2(ii) में यथा वर्णित शर्तों के अधधीन द्रवीकृत प्राकृतिक गैस के पुनःगैसीकरण के लिए सुविधाएं, अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन, विलवणीकरण संयंत्र, लक्षदीप और अंदमान तथा निकोबार द्वीप में मौसमी रडारों और हवाई पट्टियों और सहबद्ध सुविधाओं के संनिर्माण के लिए सुविधाएं” शब्द अंतःस्थापित किए जाएंगे।

(ख) खंड (ii) के पश्चात निम्नलिखित खंड अंतःस्थापित किए जाएंगे, अर्थात् :—

“(iiक) इस अधिसूचना से संलग्न उपाबंध-III में विनिर्दिष्ट पेट्रोलियम उत्पादों और द्रवीकृत प्राकृतिक गैस की प्राप्ति और भंडारण के लिए सुविधाएं तथा उप-पैरा 2(ii) में यथावर्णित शर्तों के अध्वधीन द्रवीकृत प्राकृतिक गैस के पुनःगैसीकरण के लिए सुविधाएं;

(iiख) अधिसूचित पत्तनों में अपरिसंकटमय स्थौरा अर्थात् खाद्य तेल, उर्वरक और खाद्य पदार्थों का भंडारण;

(iiग) विलवणीकरण संयंत्र;

(iiघ) अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन के लिए सुविधाएं;

(iiङ) लक्षद्वीप तथा अंदमान और निकोबार द्वीप में हवाई पट्टी और सहबद्ध सुविधाओं का संनिर्माण।”

(iv) सीआरजेड— शीर्षक के अधीन,

(क) अंदमान और निकोबार द्वीप उपशीर्ष के अधीन,—

खंड (i) में, “उच्च ज्वार रेखा शब्दों और अंकों के पश्चात्—

“अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन, विलवणीकरण संयंत्र, लक्षद्वीप तथा अंदमान और निकोबार द्वीप में मौसमी रडारों और हवाई पट्टियों और सहबद्ध सुविधाओं के संनिर्माण के लिए सुविधाओं के सिवाय” शब्द अंतःस्थापित किए जाएंगे।

(ख) लक्षद्वीप और छोटे द्वीप समूह उपशीर्ष के अधीन खंड (i) के पश्चात् निम्नलिखित खंड अंतःस्थापित किए जाएंगे, अर्थात् :—

“(iक) अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन के लिए सुविधाएं;

(iख) विलवणीकरण संयंत्र;

(iग) हवाई पट्टी और सहबद्ध सुविधाओं का संनिर्माण;”।

[फा. सं. एच-11011/6/97-Iए-III]

डा. वी. राजगोपालन, संयुक्त सचिव

टिप्पण :—प्रधान अधिसूचना दिनांक 19 फरवरी, 1991 की संख्या का.आ. 114(अ) के तहत भारत के राजपत्र में प्रकाशित की गई थी और बाद में इसे निम्नलिखित के तहत संशोधित किया गया था :—

- (1) का.आ. 595(अ) दिनांक 18 अगस्त, 1994
- (2) का.आ. 73(अ) दिनांक 31 जनवरी, 1997
- (3) का.आ. 494(अ) दिनांक 9 जुलाई, 1997
- (4) का.आ. 334(अ) दिनांक 20 अप्रैल, 1998
- (5) का.आ. 873(अ) दिनांक 30 सितम्बर, 1998
- (6) का.आ. 1122(अ) दिनांक 29 दिसम्बर, 1998
- (7) का.आ. 998(अ) दिनांक 29 सितम्बर, 1999
- (8) का.आ. 730(अ) दिनांक 4 अगस्त, 2000
- (9) का.आ. 900(अ) दिनांक 29 सितम्बर, 2000
- (10) का.आ. 329(अ) दिनांक 12 अप्रैल, 2001
- (11) का.आ. 988(अ) दिनांक 3 अक्टूबर, 2001
- (12) का.आ. 550(अ) दिनांक 21 मई, 2002

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 19th October, 2002

S. O. 1100 (E).— Whereas by the notification of the Government of India in the Ministry of Environment and Forests number S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone (herein after referred to as CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas the Central Government deems it necessary to harmonize and elaborate the existing provisions of the said notification;

And whereas the Central Government has considered the requirement of projects relating to generation of power by non-conventional energy sources in CRZ areas, setting up of desalination plants in CRZ, storage of non hazardous cargo such as edible oil, fertilizers and food grain in CRZ of notified ports.

And whereas the Central Government has also considered the requirement for construction of airstrips and associated facilities in CRZ areas in the Islands of Lakshadweep and Andaman and Nicobar.

And whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules";

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification.

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) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification, namely:-

In the said notification, -

1. in paragraph 2, in sub paragraph (i), the following proviso shall be inserted at the end, namely:-

"provided that (a) facilities for generating power by non conventional energy sources and setting up of desalination plants may be permitted within the said zone in areas not classified as CRZ-I(i); and (b) construction of airstrips in the said zone in areas not classified as CRZ-I(i) may also be permitted in the Islands of Lakshadweep and Andaman & Nicobar by Government of India in the Ministry of Environment & Forests".

2. in paragraph 3, in sub-paragraph 2, -

(i) after item (i), the following item shall be inserted, namely:-

"(ia) the clearance granted shall be valid for a period of five years for the commencement of the construction or operation.";

- (iii) after item (iii c), the following item shall be inserted, namely:-

"(iii d) facilities for generating power by non conventional energy sources, desalination plants and weather radars;

(iiie) airstrips and associated facilities in Lakshadweep and Andaman and Nicobar Islands."

paragraph 6, in sub-paragraph (2),-

the heading CRZ-I,

for the words, brackets and letter "and (c) facilities", the brackets, letter and word "(c) facilities" shall be substituted,"

(b) after the words "activities permissible under CRZ-I", the following shall be inserted, namely:-

"and (d) installation of weather radar for monitoring of cyclone movement and prediction by Indian Meteorological Department.";

(c) for the words brackets and figure "sub-paragraph (ii)", the following words brackets and figures shall be substituted, namely:-

"sub-paragraphs (i) and (ii)";

(d) for the words, brackets and letter "and (d) salt", the brackets, letter and word "(d) salt" shall be substituted;

(e) after the word "evaporation of sea water" the following shall be inserted, namely:-

"(e) desalination plants,

and (f) storage of non hazardous cargo such as edible oil, fertilizers and food grain within notified ports".

(ii) under the heading CRZ-II, after item (i), the following item shall be inserted, namely:-

"(ia) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification.

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) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification, namely:-

In the said notification, -

1. in paragraph 2, in sub paragraph (i), the following provisio shall be inserted at the end, namely:-

"provided that (a) facilities for generating power by non conventional energy sources and setting up of desalination plants may be permitted within the said zone in areas not classified as CRZ-I(i); and (b) construction of airstrips in the said zone in areas not classified as CRZ-I(i) may also be permitted in the Islands of Lakshadweep and Andaman & Nicobar by Government of India in the Ministry of Environment & Forests".

2. in paragraph 3, in sub-paragraph 2, -

(i) after item (i), the following item shall be inserted, namely:-

"(ia) the clearance granted shall be valid for a period of five years for the commencement of the construction or operation.";

(iii) after item (iii c), the following item shall be inserted, namely:-

"(iii d) facilities for generating power by non conventional energy sources, desalination plants and weather radars;

(iiie) airstrips and associated facilities in Lakshadweep and Andaman and Nicobar Islands."

3. in Annexure-I, in paragraph 6, in sub-paragraph (2),-

(i) under the heading CRZ-I,

(a) for the words, brackets and letter “and (c) facilities”, the brackets, letter and word “(c) facilities” shall be substituted,”

(b) after the words “activities permissible under CRZ-I”, the following shall be inserted, namely:-

“and (d) installation of weather radar for monitoring of cyclone movement and prediction by Indian Meteorological Department.”;

(c) for the words brackets and figure “sub-paragraph (ii)”, the following words brackets and figures shall be substituted, namely:-

“sub-paragraphs (i) and (ii)”;

(d) for the words, brackets and letter “and (d) salt”, the brackets, letter and word “(d) salt” shall be substituted;

(e) after the word “evaporation of sea water” the following shall be inserted, namely:-

“(e) desalination plants,

and (f) storage of non hazardous cargo such as edible oil, fertilizers and food grain within notified ports”.

(ii) under the heading CRZ-II, after item (i), the following item shall be inserted, namely:-

“(ia) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and

facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).

- (ib) desalination plants
- (ic) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.
- (id) facilities for generating power by non conventional energy sources.
- (ie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar".
- (iii) under the heading CRZ-III, -
 - (a) in clause (i), after the words "sea water", the words

"facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii), facilities for generating power by non conventional energy sources, desalination plants , weather radars and construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar" shall be inserted.

(b) after clause (ii), the following clauses shall be inserted namely:-

- "(iia) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).
- (iib) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.

(iic) desalination plants

(iicd) facilities for generating power by non conventional energy sources.

qw(iie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman & Nicobar."

(iv) Under the heading CRZ-IV,-

(a) Under sub-heading Andaman and Nicobar Islands, -
in clause (i), after the word "HTL", the words

"except facilities for generating power by non conventional energy sources, desalination plants and construction of airstrips and associated facilities" shall be inserted.

(b) under sub-heading Lakshadweep and small Islands, after clause (i); the following clauses shall be inserted, namely:-

(ia) facilities for generating power by non conventional energy sources;

(ib) desalination plants;

(ic) construction of airstrips and associated facilities; "

[F. No. H-11011/6/97-IA.-III]

Dr. V. RAJAGOPALAN, Jt. Secy.

Note: The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 and subsequently amended vide :-

(i) S.O. 595 (E) dated 18th August, 1994.

(ii) S.O. 73 (E) dated 31st January, 1997.

(iii) S.O. 494 (E) dated 9th July, 1997.

(iv) S.O. 334 (E) dated 20th April, 1998.

(v) S.O. 873 (E) dated 30th September, 1998.

(vi) S.O. 1122 (E) dated 29th December, 1998.

(vii) S.O. 998 (E) dated 29th September, 1999.

(viii) S.O. 730 (E) dated 4th August, 2000.

(ix) S.O. 900 (E) dated 29th September, 2000.

(x) S.O. 329 (E) dated 12th April, 2001.

(xi) S.O. 988 (E) dated 3rd October, 2001.

(xii) S.O. 550 (E) dated 21st May, 2002