



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE

एकीकृत क्षेत्रीय कार्यालय,
Integrated Regional Office,
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File No. 21-22/2020(पर्या.) / 939
To,

Dated : 15/10/2020

Ms. Manasi Joshi,
Advocate,
B/904, Rohan Garima Housing Society,
Shivaji Housing Society, Off Senapati bapat Marg,
Behind JW Marriott Hotel, Pune – 411 016
Mobile No. : 9820976077

Sub: Original Application 16 of 2020 brackish water research centre //versus// ministry of Environment, Forests & Climate Change & Ors.

Ref: MoEF, New-Delhi, Email dated 08.10.2020

Sir,

In reference to the above mentioned court case, it is requested to file the enclosed affidavit on behalf of the Ministry of Environment, Forest & Climate Change and defend the interests of Union of India in the matter.

The progress/status of the case may please be intimated to this office from time to time.

Encl.: One set of Notarized Affidavit on Green Legal Paper along with four Xeroxes.

Yours Faithfully,

(Vishwa Bandhu Meena)
Scientist 'C'

O/c

IN THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE, PUNE
ORIGINAL APPLICATION 16 OF 2020

IN THE MATTER OF:

BRACKISH WATER RESEARCH CENTRE

.....PETITIONERS

//VERSUS//

MINISTRY OF ENVIROMENT,FORESTS & CLIMATE
CHANGE RESPONDENTS

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1
(MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE)

I, Vishwa Bandhu Meena, S/o Bhagwati Prasad Meena, aged about 29 years, presently working as Scientist-C 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 acquainted with the facts and circumstances of the instant case and duly competent to swear the present affidavit on behalf of the MoEF& CC on the basis of the official records maintained therein.

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2. I state that I have perused and understood the contents of the present Original Application 16 of 2020. At the outset, I deny all averments, submissions, statements and allegations made therein except as may be specifically admitted herein after.

3. 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 19th February, 1991, which, *inter-alia*, provided classification of Coastal Regulation Zone (hereinafter referred to as CRZ) areas and norms for regulating developmental activities therein. This Notification was subsequently amended from time to time. A copy of CRZ Notification, 1991 is annexed herewith and marked as ANNEXURE-R1/1.

4. That, the CRZ Notification, 1991 applies to the tidal influenced coastal stretches of seas, estuaries, creeks, rivers and backwaters. That, the CRZ boundary for such tidal influenced creeks, rivers and backwaters is 100 m or the width of the creek, river or backwaters, whichever is less. That the Coastal Regulation Zone (CRZ) is classified into 4 (four) categories viz. Category-I (CRZ-I) includes area that are ecologically sensitive and important. Category-II (CRZ-II) includes areas that have already been developed up to or

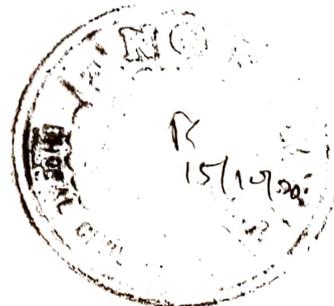
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close to the shore line. Category-III (CRZ-III) includes areas that are relatively undistributed; and Category-IV (CRZ-IV) includes areas in Andaman Nicobar, Lakshadweep and small Islands. It is clear from the fact that the Andaman and Nicobar Islands, Lakshadweep and small Islands have been included within the purview of the notification.

5. That it is submitted that in supersession of the CRZ Notification, 1991, the Coastal Regulation Zone 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, 2011 is annexed herewith and marked as **ANNEXURE-R1/2**.
6. That the CRZ Notification, 2011 declares the following areas as CRZ and imposes the certain 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 also apply to the land area between HTL to 100 mts or width of the creek whichever is less on the

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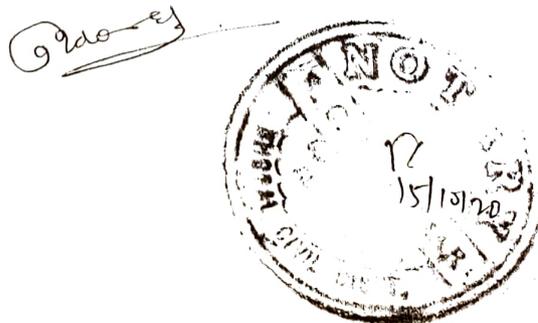


landward side along the tidal influenced water bodies that are connected to the sea. Explanation. - For the purposes of this sub-paragraph the expression tidal influenced water bodies mean the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, 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.
- (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.

7. It is further humbly submitted that Paragraph 8 of the CRZ Notification, 2011 provides for the norms for regulation of activities permissible under this notification and relevant provisions of the same are extracted below:

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



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

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 harbor 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;

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- b) *construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, erosion control measures, 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 harbor sea links, roads on stilts or pillars without affecting the tidal flow of water.*
- h) *Manual mining of atomic mineral(s) notified under Part-B of First Schedule of Mining and Minerals (Development) Act, 1957 occurring as such or in association with one or other minerals in the inter-tidal zone by such agencies as authorized by Department of Atomic Energy, as per mining plan approved by the Department of Atomic Energy. Provided that the manual mining operations are carried out only by deploying persons using baskets and hand spades for collection of ore or mineral*

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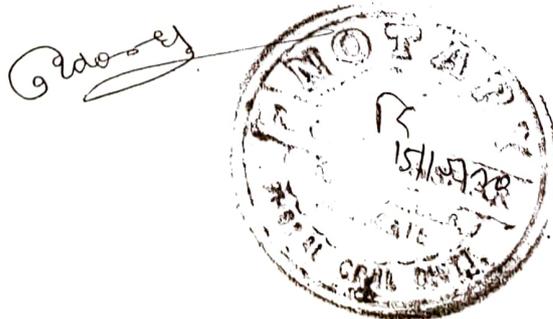


within the intertidal zone and as per approved mining plan

II. CRZ IV:

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.*



8. It is submitted that as per para 3 (iii) of the CRZ Notification, 2011, Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying is a prohibited activity in the CRZ areas.
9. It is humbly submitted that as per para 4(b) of the CRZ Notification, 2011, Gulf of Khambat in Gujarat has been declared as one of the Critically Vulnerable Coastal areas (hereinafter referred as CVCAs). It is further submitted that all the activities to be carried out in the identified CVCAs are managed through Integrated Management Plans (hereinafter referred as IMPs). Further IMPs are prepared by the concerned State Governments and submitted to the Central Government for its consideration and approval.
10. It is further submitted that this answering Ministry has not received any draft IMP of Gulf of Khambat from the Government of Gujarat till date for the consideration in the Ministry.
11. It is most humbly submitted that as per the said CRZ notification, the SCZMAs are primarily responsible for enforcement and implementation of the provisions of the notification. For the purpose of implementation and enforcement of the provisions CRZ Notification and compliance of the conditions stipulated thereunder, the powers either original or delegated, under the Environment (Protection) Act, 1986 with the State Governments and State Coastal Zone Management Authorities (SCZMAs). The

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provisions related to the composition, tenure and mandate of SCZMAs, 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 Notification, 2011 and take appropriate decision including power to enforce provisions under Section 5, 10 and 19 of the Environment (Protection) Act, 1986.

12. 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
13. It is respectfully submitted that in view of the above mentioned facts, the respondent humbly prays that the Hon'ble Court may be pleased to pass such order as deemed fit in the interest of the justice.

[Handwritten Signature]

DEPONENT

VISHWA BANDHU MEENA
 वैज्ञानिक "सी" / SCIENTIST "C"
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय (पश्चिम क्षेत्र), भोपाल / R.O. (WZ), Bhopal

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 New Delhi on this... 15th day of October, 2020

[Handwritten Signature]

DEPONENT

विश्व बन्धु मीणा
 VISHWA BANDHU MEENA
 वैज्ञानिक "सी" / SCIENTIST "C"
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest & Climate Change
 क्षेत्रीय कार्यालय (पश्चिम क्षेत्र), भोपाल / R.O. (WZ), Bhopal

[Handwritten Verification Note]
 श्रीमान् विश्व बन्धु मीणा
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 क्षेत्रीय कार्यालय (पश्चिम क्षेत्र), भोपाल

SWORN BEFORE ME

[Handwritten Signature]
 15/10/2020





भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY,

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

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नई दिल्ली, बुधवार, फरवरी 20, 1991/फाल्गुन 1, 1912

No. 105] NEW DELHI, WEDNESDAY, FEBRUARY 20, 1991/PHALGUNA 1, 1912

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

पर्यावरण और वन मंत्रालय

(पर्यावरण, वन तथा जन्तुजीव विभाग)

तटीय क्षेत्रों को तटीय विनियम क्षेत्र घोषित करते हुए तथा तटीय विनियम क्षेत्र में गतिविधियों को विनियमित करते हुए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3(2)(5) और धारा 3(1) और पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5(3)(घ) के तहत अधिसूचना।

नई दिल्ली, 19 फरवरी, 1991

का.सं. 114 (अ) :- जबकि तटीय क्षेत्रों की तटीय विनियम क्षेत्र (सी आर जेड) के रूप में घोषणा तथा सी आर जेड में उद्योगों, संचालनों और प्रक्रियाओं पर प्रतिबंध के विरुद्ध आपत्तियां आमंत्रित करते हुए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3(1) और धारा 3(2)(5) के तहत एक अधिसूचना का.सं.-944 (ई) दिनांक 15 दिसम्बर, 1990 के अन्तर्गत जारी की गई थी ;

और जबकि केन्द्रीय सरकार ने प्राप्त सभी आपत्तियों पर समुचित विचार किया है ;

अतः अब पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के उप नियम (3) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों और उनकी ओर से प्राप्त अन्य मती अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा

समुद्रों, घाटियों, मुहानों, विशेषिकाओं, नदियों, और पश्चजलों के तटीय भागों, जो उच्च रेखा से 500 मीटर तक स्थल की ओर उच्चरीय क्रिया से प्रभावित है तथा निम्न उच्च रेखा और उच्च उच्च रेखा के बीच की भूमि को तटीय विनियमन परिक्षेत्र के रूप में घोषित करती है और इस अधिसूचना की तारीख से उक्त तटीय विनियमन क्षेत्र में उद्योगों, संचालनों अथवा प्रक्रियाओं आदि की स्थापना और विस्तार पर निम्नलिखित प्रतिबंध लगाती है। इस अधिसूचना के प्रयोजनार्थ उच्च उच्च रेखा को उस रेखा के रूप में परिभाषित किया जाएगा, जहां तक सर्वोच्च उच्च उच्च रेखा, स्प्रिंग उच्च तक पहुंचती है।

नोट : नदियों, खाड़ियों और पश्चजलों के मामले में प्रस्तावित विनियमन उच्च उच्च रेखा से जितनी दूरी पर लागू होंगे, वह दूरी तटीय क्षेत्र प्रबंध योजनाएं (नीचे संदर्भित) तैयार करने समय रिकार्ड किए जाने वाले कारणों में हर मामले में संशोधित की जा सकती हैं लेकिन यह दूरी 100 मीटर नदियों के मामले में या खाड़ी अथवा पश्चजलों अथवा नदी की चौड़ाई, जो भी कम हो, से कम नहीं होगी।

2. प्रतिषिद्ध क्रिया-कलाप :- निम्नलिखित क्रियाकलाप तटीय विनियमन परिक्षेत्र के भीतर प्रतिषिद्ध किए जाते हैं, अर्थात् :-

(1) नये उद्योगों की स्थापना तथा मौजूदा उद्योगों का विस्तार, सीधे तटीय नगर भाग से संबंधित या सीधे तटीय सुविधाओं की आवश्यकता वाले उद्योगों को छोड़कर ;

- (2) भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचनाओं सं. का.प्रा. 594 (अ) तारीख 28 जुलाई, 1989, का.प्रा. 966 (अ), तारीख 27 नवम्बर, 1989 और का.नि.प्रा. 1037 (अ), तारीख 5 दिसम्बर, 1989 की अधिसूचनाओं में विनिर्दिष्ट रूप में परिमंकटमय पदार्थों का विनिर्माण या हथालना या संग्रहण या ध्वयन ;
- (3) बांधारकरणों सहित मत्स्य संसाधन इकाइयों की स्थापना और विस्तार (अनुज्ञेय क्षेत्रों में हैदराबाद और प्राकृतिक मत्स्य शुष्कन को छोड़कर);
- (4) अपशिष्टों और बहिस्त्रावों के व्ययन के लिए इकाइयों/कार्यविधियों की स्थापना और विस्तार, चला (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 के तहत स्वीकृति से जल मार्गों में शोधित बहिस्त्रावों के विसर्जन के लिए अपेक्षित सुविधाओं को छोड़कर ; तथा स्ट्रॉम जल नालों के इकाइयों/कार्यविधियों को छोड़कर ;
- (5) उद्योगों, नगरों या शहरों और अन्य मानव व्यवस्थापनों से प्रसाधित अपशिष्ट और बहिस्त्रावों का निस्तारण । मौजूदा प्रथाओं, यदि हों, को समुचित गमयावधि, जो इस अधिसूचना की तारीख से तीन वर्ष से अधिक नहीं होगी, के भीतर धीरे-धीरे समाप्त करने के लिए संबंधित प्राधिकरणों द्वारा स्वीमे कार्यान्वित की जाएगी;
- (6) भूमि भरने के प्रयोजन के लिए या अन्यथा नगर या शहर के अपशिष्ट को हटाने करना; मौजूदा प्रथा, यदि कोई हो, को इस अधिसूचना की तारीख से एक समुचित अवधि, जो तीन वर्ष से अधिक नहीं होगी, के भीतर धीरे-धीरे समाप्त कर दिया जाएगा;
- (7) तापीय विद्युत केन्द्रों से राख अथवा किलो अपशिष्ट का उभार करना;
- (8) भूमि प्रदूषण समुद्र जल के प्राकृतिक क्रम को समरूप बाधाओं के साथ भेड़ लगाना या उसमें बाधा डालना, सिवाय उनके जो तटीय कटाव के नियंत्रण और जल मार्गों के अनुरक्षण तथा सफाई, नौकाओं और पत्तनों तथा बाजू-भित्तियों के लिए अपेक्षित हैं तथा सिवाय ज्वारीय नियंत्रकों, स्ट्रॉम जल नालों और सवणता के प्रवेश की रोकथाम और सवु जल पुनः प्रारम्भ के लिए संरचना ;
- (9) बाजू-वाटूटानों और अवस्तर सामग्री का खनन; उन दुर्लभ खनिजों को छोड़कर जो सी.आर. जैड क्षेत्रों के बाहर उपलब्ध नहीं हैं;
- (10) उच्च उबार रेखा से 200 मीटर के भीतर, 200+5000 मीटर टन में मत्स्य संग्रहण या भू-जल का निकालना तथा ऐसे प्रयोजनों के लिए उसका संनिर्माण या यांत्रिकी की अनुमति केवल तब ही जाएगी, जब पेयजल बागवानी, कृषि और मत्स्य पालन के लिए सामान्य कुओं के जरिए हाथ से किया गया हो;
- (11) इस अधिसूचना के अनुबन्ध-1 में विनिर्दिष्ट रूप में पारिस्थितिकीय से संबद्धनशील क्षेत्रों में संनिर्माण क्रियाकलाप;
- (12) निम्न उबार रेखा और उच्च उबार रेखा के बीच कोई संनिर्माण क्रियाकलाप, सिवाय शोधित बहिस्त्रावों, अपशिष्टों और मलजल को समुद्र में ले जाने वाली सुविधाओं, शीतल प्रयोजन के लिए समुद्र जल, तेल, गैस और इसी प्रकार की अन्य पाइप लाइनों को ले जाने की सुविधा और इस अधिसूचना के तहत अनुज्ञेय क्रियाकलापों के लिए अनिवार्य सुविधा; और
- (13) बाजू टिब्बा, पहाड़ों प्राकृतिक विशेषताओं की सजावट अथवा उनमें परिवर्तन करना, जिसके अंतर्गत सुन्दर बनाने, मनोरंजन संबंधी और अन्य प्रयोजनों के लिए भू-वृष्य परिवर्तन भी है, इस अधिसूचना के तहत अनुज्ञेय चीजों को छोड़कर ।

3. अनुज्ञेय क्रियाकलापों का विनियमन : अन्य सभी क्रियाकलाप, उनके सिवाय जो ऊपर पैरा-2 में प्रतिषिद्ध हैं, निम्नानुसार विनियमित किए जाएंगे :-

- (1) तटीय विनियमन क्षेत्र के भीतर किसी क्रियाकलाप के लिए, तभी स्वीकृति दी जाएगी, जब तटीय नगर भाग अथवा तटाय सुविधाएं अपेक्षित हों ।
- (2) निम्नलिखित क्रियाकलापों के लिए पर्यावरण और वन मंत्रालय भारत सरकार की पर्यावरणीय स्वीकृति अपेक्षित होगी, नामतः-
- (1) प्रतिरक्षा अपेक्षाओं संबंधी ऐसे निर्माण क्रियाकलाप, जिनके लिए तटाय सुविधाएं अनिवार्य हैं (उदाहरणार्थ जलायतन, जमी आदि); सिवाय प्रतिरक्षा परियोजनाओं के वर्गीकृत संचालन उपकरण, जिनके लिए पृथक प्रणाली का अनुसरण किया जाएगा । (आवासीय भवन, कार्यालय भवन, अस्पताल परिसर, कार्यशालाएं, संचालनात्मक अपेक्षाओं की परिभाषा में नहीं आएंगी, अति विशेष मामलों को छोड़कर, और इसलिए सी.आर. जैड. में आमनीर पर इनकी अनुमति गही दी जाएगी);
- (2) बन्दरगाह और पत्तन तथा लाइट हाउस, जिनके लिए तटीय नगर भाग आवश्यक हैं, के संरचनात्मक निर्माण; जैटिया, बार्फ, जहाजी घाट, स्विनपवे आदि; आवासीय भवन और कार्यालय भवन, अति विविधता मामलों को छोड़कर संचालनात्मक क्रियाकलाप की परियोजना में नहीं आयेंगी और इसलिए इनकी सामान्यता सी.आर. जैड. में अनुमति नहीं दी जाती है ;
- (3) ताप विद्युत संयंत्र (केवल कच्चे माल के परिवहन के लिए तटाय सुविधाएं, वाटर कूलिंग के इन-टेक की सुविधाये तथा शोधित अपशिष्ट जल/कूलिंग वाटर के निपटारे के लिए, मुहाना; तथा
- (4) 5 करोड़ रुपये से अधिक की लागत वाली सभी अन्य गतिविधियां ।
- (3) (1) तटीय राज्य तथा केन्द्र शासित प्रदेशों के प्रणामन इस अधिसूचना की तिथि से एक वर्ष के भीतर अपने क्षेत्रों में तटीय क्षेत्र प्रबंध योजनायें तैयार करेंगे और अधिसूचना के अनुबन्ध-1 और 2 में उल्लिखित दिशा-निर्देशों के अनुसार सी.आर. जैड क्षेत्रों का प्राथमिकीकरण और वर्गीकरण करेंगे तथा केन्द्र सरकार के पर्यावरण और वन मंत्रालय से अनुमोदन प्राप्त करेंगे (संसाधनों सहित अथवा इनके बिना);
- (2) ऐसी अनुमोदित योजनाओं की रूपरेखा के भीतर ऊपर पैरा-2 और पैरा 3(2) में शामिल गतिविधियों के अंतर्गत सी.आर. जैड. के भीतर सभी विकास कार्य और गतिविधियां अधिसूचना के अनुबन्ध-1 और 2 में दिए गए मार्ग-निर्देशों के अनुसार राज्य सरकार, केन्द्र शासित प्रदेश अथवा स्वाधीन प्राधिकरण यथास्थिति द्वारा विनियमन की जाएगी, तथा
- (3) उक्त पैरा 3(3)(1) में उल्लिखित तटीय क्षेत्र प्रबंध योजनायें तैयार और स्वीकृत होने तक अन्तिम अवधि में, सी.आर. जैड. के भीतर सभी विकास कार्य और गतिविधियां द्वारा इस अधिसूचना के उपबंधों का उल्लंघन नहीं किया जाएगा । राज्य सरकारें और केन्द्र शासित प्रदेश प्रशासन इन विनियमों के पालन को सुनिश्चित करेंगे और यदि किसी प्रकार का उल्लंघन होता है तो

उसके लिए पर्यावरण (सुरक्षा) अधिनियम, 1986 के उपबंधों के तहत कार्रवाई की जायेगी।

- (4) मानीटर करने और प्रदर्शन के लिए प्रक्रिया पर्यावरण और वन मंत्रालय तथा राज्य संघ शासित सरकारों और राज्य संघ क्षेत्र स्तरों पर ऐसे अन्य प्राधिकरण, जो इस प्रयोजन के लिए पदनामित किए गए हैं, वे अपनी सीमाओं के भीतर इस अधिसूचना के उपबंधों को मानीटर करने और उनके प्रवर्तन के लिए उत्तरदायी होंगे।

[सं. के-15019/1/84-अ.प.ए.-3 (घाल्युम-2)]

र. राजामणि, सचिव

अनुबंध-I

राष्ट्रीय क्षेत्र वर्गीकरण और विकास नियमन

तटवर्ती नियमन क्षेत्र का वर्गीकरण

- 6(1) विकास गतिविधियों के विनियमन के लिए भूमि की और उच्च ज्वार रेखा के 500 मीटर के भीतर के तटवर्ती भागों को चार श्रेणियों में वर्गीकृत किया गया है, अर्थात्:—

श्रेणी-1 (सी आर जेड)

- (i) राष्ट्रीय उद्यानों, मीरान पाकों, अभयारण्यों, आरक्षित वनों, अन्य-जीव वास्तव्यों, कच्छ वनस्पति, मूंगा (प्रवालभित्तियों) मछली और अन्य समुद्री जीवों के प्रजनन क्षेत्र और झंड़े देने वाली भूमि प्राकृतिक सुन्दर ऐतिहासिक विरासत वाले अनुवंशिक विभिन्नता से सम्पन्न क्षेत्र, पृथ्वी का तापमान बढ़ जाने के फलस्वरूप समुद्र के स्तर में वृद्धि के कारण डूब जाने वाले पारिस्थितिक रूप से संवेदनशील और महत्वपूर्ण क्षेत्र तथा केन्द्र सरकार या राज्य/केन्द्र शासित प्रदेश स्तर पर संबंधित प्राधिकारियों द्वारा समय-समय पर अधिसूचित इस प्रकार के अन्य क्षेत्र।

- (ii) निम्न ज्वारीय रेखा और उच्च ज्वारीय रेखा के बीच वाला क्षेत्र श्रेणी-2 (सी आर जेड-2)

समुद्री किनारों पर उनके नजदीक तक पहले से ही विकसित क्षेत्र इस प्रयोजन के लिए "विकसित क्षेत्र का आणव्य नगरीय सीमाओं के अन्दर अथवा कानूनी तौर पर विनिश्चित अन्य शहरी क्षेत्रों में उस क्षेत्र से है, जहाँ पहले ही काफी निर्माण हो चुका है और जहाँ जलनिकासी और पहुँच-मार्ग तथा जन आपूर्ति और मुख्य मलजल निकाल जैसी अन्य आधारभूत सुविधाएँ मुहैया कराई गई है।

श्रेणी-3 (सी आर जेड-3)

वे क्षेत्र जो अपेक्षाकृत शांत क्षेत्र हैं और श्रेणी 1 और 2 के अन्तर्गत नहीं आते हैं। इनमें ग्रामीण क्षेत्रों में तटीय क्षेत्र (विकसित और अधिविकसित) और नगरीय सीमाओं के भीतर या कानूनी तौर पर अभिनिर्धारित अन्य शहरी क्षेत्रों के क्षेत्र आएँगे, जहाँ पर्याप्त विकास नहीं हुआ है।

श्रेणी-4 (सी आर जेड-4)

सी आर जेड-1, सी आर जेड-2 और सी आर जेड-3 में विनिश्चित क्षेत्रों को छोड़कर अण्डमान और निकोबार, लक्षद्वीप तथा छोटे द्वीप तटीय भाग।

गतिविधियों के नियमन के लिए मानदण्ड

- 6(2) तटीय भागों की विभिन्न श्रेणियों में विकास या निर्माण गतिविधियों को निम्नलिखित मानदण्डों के अनुसार राज्य/केन्द्र-शासित क्षेत्र स्तर पर संबंधित प्राधिकारियों द्वारा नियंत्रित किया जाएगा।

सी आर जेड-1

उच्च ज्वार रेखा के 500 मीटर के भीतर अन्य किसी नए निर्माण की अनुमति नहीं है। 2(XII) के तहत सूचीबद्ध गतिविधियों को छोड़कर निम्न ज्वारीय रेखा और उच्च ज्वारीय रेखा के बीच किसी भी गतिविधि के निर्माण की अनुमति नहीं दी जाएगी।

सी आर जेड-2

- (1) न तो वर्तमान सड़क (या क्षेत्र के स्वीकृत तटीय क्षेत्र प्रबंध योजना/मास्टर प्लान में प्रस्तावित सड़कों) से समुद्र की ओर और न ही वर्तमान प्राधिकृत निर्माणों से समुद्र की ओर भवन बनाने की अनुमति दी जाएगी। जहाँ वर्तमान और प्रस्तावित मार्गों/वर्तमान प्राधिकृत निर्माणों से भूमि की ओर भवन निर्माण की अनुमति दी गई हो वहाँ एक एस आई/एफ ए आर के लिए विद्यमान मापदण्डों सहित स्थानीय टाउन और कंट्री प्लानिंग विनियमों का पालन किया जाए।

- (2) विद्यमान एफ एस आई/एफ ए आर मापदण्डों का अनुपालन करने और विद्यमान प्रयोग में परिवर्तन किए बिना प्राधिकृत भवनों के पुनः निर्माण की अनुमति दी जाएगी।

- (3) भवनों का अभिकल्प और निर्माण स्थानीय वास्तुकला और प्राकृतिक दृश्यों के अनुरूप होना चाहिए।

सी आर जेड-3

- (1) उच्च ज्वार रेखा से 200 मीटर तक के क्षेत्र को "विकास क्षेत्र नहीं" माना जाना है और इस क्षेत्र के अन्दर किसी भी तरह के निर्माण की अनुमति नहीं दी जाएगी। लेकिन एक एस आई वर्तमान प्लानिंग एरिया और वर्तमान घनत्व के अन्दर आने वाले वर्तमान प्राधिकृत भवनों की मरम्मत की अनुमति होगी। फिर भी इस क्षेत्र में निम्नलिखित कार्य किए जा सकेंगे:—

कृषि, वागधानी, शरीर, उद्यान, खल के मदान, चरागाहों, बानिकी और समुद्र जल से नमक बनाना।

- (2) अनुबंध-2 में उल्लिखित विना-निर्देशों में निर्धारित क्षणों के अधीन पर्यटकों/आगन्तुकों के लिए अस्थायी आवास के लिए आवास होटल/समुद्र किनारों पर सैरगाह के निर्माण के लिए उच्च ज्वार रेखा के 200 और 500 मीटर के बीच सी आर जेड-III से अभिनिर्धारित क्षेत्रों में पर्यावरण और वन मंत्रालय की पूर्वानुमति से खाली प्लॉटों के विकास की अनुमति है।

- (3) उच्च ज्वार रेखा से 200 मीटर और 500 मीटर के बीच आवास इकाइयों के निर्माण/पुनर्निर्माण की अनुमति है बशर्ते कि यह वर्तमान मत्स्य ग्रामों और गीथान्स जैसे परम्परागत अधिकारों और प्रयोगों की परिधि में आता हो। इस प्रकार के निर्माण/पुनर्निर्माण की अनुमति इस शर्त पर दी जाएगी कि इस तरह के निर्माण की कुल संख्या वर्तमान इकाइयों की संख्या से दुगुने से अधिक नहीं होगी; सभी तलों का आच्छादित क्षेत्र प्लॉट के आकार के 33 प्रतिशत से अधिक नहीं होगा; निर्माण की कुल ऊंचाई 9 मीटर से अधिक नहीं होगी तथा निर्माण दो मजिल से अधिक नहीं होगा (भूतल और एक और मजिल)।

सी आर जेड-4

अण्डमान और निकोबार द्वीपसमूह

- (1) उच्च ज्वार रेखा के 200 मीटर के भीतर भवन निर्माण की अनुमति नहीं दी जाएगी।

- (2) उच्च ज्वार सीमा से 200 तथा 500 मीटर के बीच स्थित भवन (दो तल) निचला तल और प्रथम तल) से अधिक ऊंचाई के नहीं होने चाहिए, कुल आच्छादित क्षेत्र भूमि के टुकड़े का 50 प्रतिशत से अधिक नहीं होना चाहिए तथा निर्माण की कुल ऊंचाई 9 मीटर से अधिक नहीं होनी चाहिए।
- (3) भवनों का निर्माण और डिजाइन स्थानीय वास्तुकला तथा इस स्थान के परिदृश्य से मेल खाना चाहिए।
- (4) तटों और तटीय खल की मूंगा चट्टानों तथा बालू को निर्माण या अन्य कार्यों के उपयोग में नहीं लाना चाहिए।
- (5) मूंगा चट्टानों में तथा उनके आस-पास तल-जलमार्जन तथा जल के भीतर बिस्फोट करने की अनुमति नहीं दी जाना चाहिए; तथा
- (6) तथापि कुछ द्वीपसमूहों में पर्यावरण और वन मंत्रालय की पूर्वा-मति से तटीय भागों को भी सी. आर. जेड-1 अथवा 2 अथवा 3 श्रेणियों में वर्गीकृत किया जा सकता है और इस प्रकार के नामित भागों में संबंधित श्रेणियों के लिए उपयुक्त विनियम लागू होंगे।

समूहों और छोटे द्वीपसमूह :

- (1) वन निर्माण की अनुमति देने के लिए द्वीपसमूहों के आकार के अनुसार उच्च ज्वार सीमा की रूनी निश्चित करनी चाहिए इस का निर्धारण विशेषज्ञों के परामर्श व पर्यावरण और वन मंत्रालय की अनुमति से जल-विज्ञानीय पहलुओं, भूमि कटावों तथा पारिस्थितिकीय संवेदनशीलता सहित स्थानीय पारिस्थितियों की तुलना में विभिन्न परियोजनाओं के लिए उपयोग की आवश्यकताओं को ध्यान में रखते हुए प्रत्येक द्वीप के लिए किया जाना चाहिए ;
- (2) उच्च ज्वार रेखा के 500 मीटर के भीतर के भवन 2 तल (निचला तल तथा प्रथम तल) से अधिक ऊंचाई के नहीं होने चाहिए। कुल आच्छादित क्षेत्र भूमि के टुकड़े का 50 प्रतिशत से अधिक नहीं होना चाहिए तथा निर्माण की कुल ऊंचाई 9 मीटर से अधिक नहीं होनी चाहिए।
- (3) भवनों का डिजाइन और निर्माण आसपास के भू-दृश्य तथा स्थानीय वास्तुकला के अनुरूप होना चाहिए।
- (4) तटों और तटीय खल की मूंगा चट्टानों तथा बालू को निर्माण कार्यों के उपयोग में नहीं लाना चाहिए।
- (5) मूंगा चट्टानों में तथा उनके आसपास तल-जलमार्जन तथा जल के भीतर बिस्फोट करने की अनुमति नहीं दी जानी चाहिए।
- (6) तथापि, कुछ द्वीपसमूहों में पर्यावरण और वन मंत्रालय की पूर्वा-मति से तटीय भागों को भी सी. आर. जेड-1 अथवा 2 अथवा 3 श्रेणियों में वर्गीकृत किया जा सकता है। इस प्रकार के नामित भागों में संबंधित श्रेणियों के लिए उपयुक्त विनियम लागू होंगे।

अनुबंध-II

पर्यटकों/दर्शकों के अस्थाई कब्जे के लिए सी. आर. जेड-3 के निर्दिष्ट क्षेत्रों में पर्यावरण और वन मंत्रालय की पूर्वा-मति से समुद्र तट सैरगाहों/होटलों के विकास के लिए दिशा-निर्देश

7(1) पर्यटकों/दर्शकों के अस्थाई कब्जे के लिए सी. आर. जेड-3 के निर्दिष्ट क्षेत्रों में पर्यावरण और वन मंत्रालय की पूर्वा-मति से समुद्र तट सैरगाहों/होटलों का निर्माण निम्नलिखित शर्तों के अधीन होगा :—

- (1) परियोजना प्रस्तावित उच्च ज्वार रेखा से 200 मीटर तक (भूमि की ओर) तथा निम्न ज्वार और उच्च ज्वार सीमा के बीच के क्षेत्र में कोई निर्माण कार्य (अस्थायी निर्माण और कटीली तार अथवा इस प्रकार के अन्य अवरोधकों सहित) नहीं करेगे।
- (2) प्लॉट का आकार 0.4 हेक्टेयर से कम नहीं होना चाहिए आच्छादित क्षेत्र प्लॉट के आकार के 33% अर्थात् एक एस आई 0.33 से अधिक नहीं होना चाहिए। खुले क्षेत्र में उप-युक्त हरियाली से सही तरीके से भू-दृश्य निर्माण किया जाना चाहिए।
- (3) निर्माण आसपास के भू-दृश्य तथा स्थानीय वास्तुकला के अनुरूप होना चाहिए।
- (4) भवन की कुल ऊंचाई 9 मीटर से अधिक नहीं होनी चाहिए और भवन दो मंजिलों (भूमि तल और प्रथम तल) से अधिक ऊंचा नहीं होना चाहिए।
- (5) भूमि जल उच्च ज्वार रेखा से 200 मीटर के अन्दर से नहीं लिया जाएगा, 200-500 मीटर क्षेत्र के भीतर यह केवल केन्द्रीय/राज्य भूमि जल बोर्ड की सहमति से निकाला जा सकता है।
- (6) उच्च ज्वार रेखा के 500 मीटर के भीतर भवन, तरणतान तथा बेसमेंट के बुनियादी ढांचे के अलावा रेत निकालने, रेतिले भागों को समतल बनाने या खुदाई करने की अनुमति नहीं दी जानी चाहिए।
- (7) परियोजना क्षेत्र से शोधित बहिष्कारों, टॉम अपशिष्टों, उत्सर्जनों की स्वानिती और शोर स्तर आदि सभ्य प्राधिकरणों, जिसमें केन्द्रीय/राज्य प्रदूषण नियंत्रण बोर्ड शामिल हैं तथा पर्यावरण (सुरक्षा) अधिनियम, 1986 द्वारा निर्धारित मानकों के अनुरूप होना चाहिए।
- (8) बहिष्कारों और टॉम अपशिष्टों के पोषण के लिए आवश्यक प्रबंध किए जाएं। यह सुनिश्चित किया जाए कि साफ न किए गए बहिष्कारों और टॉम अपशिष्टों को जल या समुद्री किनारों पर न बहाया जाए।
- (9) लोग समुद्री किनारों तक आ सकें, इसके लिए किन्हीं दो प्लॉटों के बीच कम से कम 20 मीटर चौड़ी पट्टी मुहैया कराई जाए और यह अन्तर किसी भी हालत में 500 मीटर से कम नहीं होना चाहिए ;
- (10) यदि परियोजना में वनेतर प्रयोजनों के लिए वन भूमि को उपयोग में लाया जाना हो तो इसके लिए वन (संरक्षण) अधिनियम, 1980 के अन्तर्गत मंजूरी देने की आवश्यकता है। परियोजना के संबंध में लागू अन्य केन्द्रीय और राज्य कानूनों का अनुपालन किया जाना चाहिए ; और
- (11) राज्य/संघ शासित क्षेत्र के पर्यटन विभागों की अनुमति प्राप्त की जाएगी।

7(2) पारिस्थितिकीय संवेदनशील क्षेत्रों में (जैसे मेरीन पार्क, कच्छ वनस्पति, मूंगे की चट्टानें, मछलियों के प्रजनन और अण्डे देने की जगह तथा केन्द्र/राज्य सरकार द्वारा अधिसूचित अन्य क्षेत्र (समुद्री सैरगाहों/होटलों) के निर्माण की अनुमति नहीं दी जाएगी।

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION UNDER SECTION 3(1) AND SECTION 3(2)(v) OF THE ENVIRONMENT (PROTECTION) ACT, 1986 AND RULE 5(3)(d) OF ENVIRONMENT (PROTECTION) RULES, 1986, DECLARING COASTAL STRETCHES AS COASTAL REGULATION ZONE (CRZ) AND REGULATING ACTIVITIES IN THE CRZ.

New Delhi, the 19th February, 1991

S.O. 114(E).—Whereas a Notification under Section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944 (E) dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes etc. in the said Coastal Regulation Zone (CRZ). For purposes of this Notification, the High Tide Line (HTL) will be defined as the line upto which the highest high tide reaches at spring tides.

Note.—The distance from the High Tide Line (HTL) to which the proposed regulations will apply in the case of rivers, creeks and backwaters may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans (referred to below); however, this distance shall not be less than 100 metre or the width of the creek, river or backwater whichever is less.

2. Prohibited Activities :

The following activities are declared as prohibited within the Coastal Regulation Zone, namely :

- (i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;
- (ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment & Forests No. S.O. 594(E) dated 28th July, 1989, S.O. 966(E) dated 27th November,

1989 and GSR 1037(E) dated 5th December, 1989;

- (iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);
- (iv) setting up and expansion of units/mechanisms for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;
- (v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;
- (vi) dumping of city or town waste for the purposes of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;
- (vii) dumping of ash or any wastes from thermal power stations;
- (viii) land reclamation, bunding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or clearing of waterways, channels and ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity ingress and for sweet water recharge;
- (ix) mining of sands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;
- (x) harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;
- (xi) construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification;
- (xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and
- (xiii) dressing or altering of sand dunes, hills, natural features including landscape changes

for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities :

All other activities, except those prohibited in para 2 above, will be regulated as under :

- (1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.
- (2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely :
 - (i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);
 - (ii) Operational constructions for ports and harbours and light houses requiring water frontage; jetties wharves, quays, slipways etc. (Residential buildings & office buildings shall not come within the definition of operational activities except in very special cases and hence shall not normally be permitted in the CRZ);
 - (iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling water and out-fall for discharge of treated waste water cooling water); and
 - (iv) All other activities with investment exceeding rupees five crores.
- (3) (i) The coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures-I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;
- (ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

- (iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3)(i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement :

The Ministry of Environment & Forests and the Government of State or Union Territory and such other authorities at the State or Union Territory levels, as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

[N. K-15019/1/84-IA-III (Vol. II)]

R. RAJAMANI, Secy.

ANNEXURE-I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone :

6(1) For regulating development activities, the coastal stretches within 500 metres of High Tide Line of the landward side are classified into four categories, namely :

Category I (CRZ-I) :

- (i) Areas that are ecologically sensitive and important, such as national parks|marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals|coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty|historical|heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State|Union Territory level from time to time.
- (ii) Area between the Low Tide Line and the High Tide Line.

Category-II (CRZ-II) :

The areas that have already been developed upto or close to the shore-line. For this purpose, "developed area" is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

Category-III (CRZ-III) :

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These

will 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.

Category-IV (CRZ-IV)

Coastal stretches in the Andaman & Nicobar, Lakshadweep and small islands except those designated as CRZ-I, CRZ-II or CRZ-III.

Norms for Regulation of Activities.

6(2) The development or construction activities in different categories of CRZ areas shall be regulated by the concerned authorities at the State/Union Territory level, in accordance with the following norms :

CRZ-I

No new construction shall be permitted within 500 metres of the High Tide Line. No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and the High Tide Line.

CRZ-II

- (i) Buildings shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) nor on seaward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of FSI/FAR.
- (ii) Reconstruction of the authorised buildings to be permitted subject with the existing FSI/FAR norms and without change in the existing use.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

- (i) The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density. However, the following uses may be permissible in this zone—agriculture, horticulture, gardens, pastures, parks, playfields, forestry and salt manufacture from sea water.
- (ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of MEF permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

- (iii) Construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units ; total covered area on all floors shall not exceed 33 per cent of the plot size ; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floor plus one floor).

- (iv) Reconstruction/alterations of an existing authorised building permitted subject to (i) to (iii) above.

CRZ-IV

Andaman & Nicobar Islands :

- (i) No new construction of buildings shall be permitted within 200 metres of the HTL ;
- (ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres ;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes ;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands :

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects erosion and ecological sensitivity;
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than

50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;

(v) Dredging and underwater blasting in and around coral formations shall not be permitted; and

(vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands :

(i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects, erosion and ecological sensitivity;

(ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters, shall not be used for construction and other purposes.

(v) Dredging and under water blasting in and around lagoons and coral formations shall not be permitted; and

(vi) However, in some of the Islands, coastal stretches may also be classified into categories CRZ-I or II or III with prior approval of the Ministry of Environment & Forests. In such designated stretches the appropriate regulations given for respective categories shall apply.

ANNEXURE-II

GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS|HOTELS IN THE DESIGNATED AREAS OF CRZ-III FOR TEMPORARY OCCUPATION OF TOURIST|VISITORS, WITH PRIOR APPROVAL OF THE MINISTRY OF ENVIRONMENT & FORESTS

7(1) Construction of beach resorts|hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists| visitors shall be subject to the following conditions :

(i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;

(ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metre-500 metre zone it can be tapped only with the concurrence of the Central|State Ground Water Board;

(vi) Extraction of sand, levelling or digging of of sandy stretches except for structural foundation of building, swimming pool shall not

be permitted within 500 metres of the High Tide Line;

- (vii) The quality of treated effluents, solid wastes, emissions and noise levels etc. from the project area must conform to the standards laid down by the competent authorities including the Central|State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent|solid waste shall be discharged on the beach;
- (ix) To allow public access to the beach, atleast a gap of 20 metres width shall be provided

between any two hotels|beach resorts; and in no case shall gaps be less than 500 metres apart; and

- (x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation), Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.
- (xi) Approval of the State|Union Territory Tourism Department shall be obtained.

7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other areas as may be notified by the Central|State Government| Union Territories) construction of beach resorts|hotels shall not be permitted.

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 15th September, 2010.;

AND WHEREAS, copies of the said Gazette were made available to the public on 15th 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.;

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 19th 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 28th July 1989, S.O.No.966(E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th

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 14th 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 1st June and 31st 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.

6. 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 goathans. 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 19th 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, CESSSED 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 tenent 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.

3. 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, Bhitarkanika 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.

- a) 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.
- b) Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.
- c) 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

1. 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.
2. 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)]

- (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.

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

Annexure-IV**Form-I for seeking clearance for project attracting CRZ notification**

Basic information:

Name of the Project:-

Location or site alternatives under consideration:-

Size of the project (in terms of total area) :-

CRZ classification of the area :-

Expected cost of the project:-

Contact Information:-

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, and the like)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Details of CRZ classification as per the approved Coastal Zone Management Plan?		
1.3	Whether located in CRZ-I area?		
1.4	The distance from the CRZ-I areas.		
1.5	Whether located within the hazard zone as mapped by Ministry of Environment and Forests/National Disaster Management Authority?		
1.6	Whether the area is prone to cyclone, tsunami, tidal surge, subduction, earthquake etc.?		
1.7	Whether the area is prone for saltwater ingress?		
1.8	Clearance of existing land, vegetation and buildings?		
1.9	Creation of new land uses?		
1.10	Pre-construction investigations e.g. bore hole, soil testing?		
1.11	Construction works?		

1.12	Demolition works?		
1.13	Temporary sites used for construction works or housing of construction workers?		
1.14	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.15	Underground works including mining or tunneling?		
1.16	Reclamation works?		
1.17	Dredging/reclamation/land filling/disposal of dredged material etc.?		
1.18	Offshore structures?		
1.19	Production and manufacturing processes?		
1.20	Facilities for storage of goods or materials?		
1.21	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.22	Facilities for long term housing of operational workers?		
1.23	New road, rail or sea traffic during construction or operation?		
1.24	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.25	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.26	New or diverted transmission lines or pipelines?		
1.27	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.28	Stream and river crossings?		
1.29	Abstraction or transfers of water form ground or surface waters?		
1.30	Changes in water bodies or the land surface affecting drainage or run-off?		
1.31	Transport of personnel or materials for construction, operation or decommissioning?		
1.32	Long-term dismantling or decommissioning or restoration works?		
1.33	Ongoing activity during decommissioning which could have an impact on the environment?		
1.34	Influx of people to an area in either temporarily or permanently?		
1.35	Introduction of alien species?		
1.36	Loss of native species or genetic diversity?		
1.37	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S. No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand/soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes, that would affect local communities, fisherfolk, their livelihood, dwelling units of traditional local communities etc		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data

4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		

6.7	From any other sources		
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7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g., floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting activities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)		

	housing development extractive industries supply industries other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

III. Environmental Sensitivity

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		
